

Collaboration Announcement

Nebraska VR (Vocational Rehabilitation) in the Department of Education and the Division of Developmental Disabilities (DDD) in the Department of Health and Human Services have partnered to coordinate employment services for individuals with developmental disabilities.

The partnership was developed to ensure Nebraska VR and DDD comply with requirements of the federal Workforce Innovation and Opportunity Act (WIOA) and the Medicaid Home and Community Based Services (HCBS) Settings Final Rule with a focus on *competitive integrated employment* for individuals with intellectual/developmental disabilities. The focused collaboration will provide for coordinated services between DDD and Nebraska VR to avoid duplication and focus services on employment, integration, and inclusion for individuals with disabilities.

To state it as simply as possible, competitive integrated employment means an individual:

- a) is paid at a rate at or above minimum wage (including benefits if available) that is not less than what others without a disability are receiving for the same type of job;
- b) is at a location where the employee with a disability interacts with other employees without disabilities in comparable positions; and
- c) if appropriate, has opportunities for advancement.

Per federal guidance through WIOA and the HCBS final rule, sheltered workshops do not meet the definition of competitive integrated employment and, therefore, funding from Nebraska VR and DDD must not be used for sheltered workshop employment. A sheltered workshop, as defined in Section 210(j)(2) of the Social Security Act, is a private non-profit, state, or local government institution that provides employment-like opportunities for individuals who are developmentally, physically, or mentally impaired, to prepare for work in the general economy. Many workshops pay participants at a wage less than the federally established minimum wage. Funding for sheltered workshops is expected to end in March 2022, but we are committed to transition everyone to integrated services prior to that time.

Nebraska VR implemented supported employment services through a new milestone payment structure on May 15, 2017. The priority during the first year is to work with students who graduate and individuals who are in sheltered workshops funded by DDD. Nebraska VR staff



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members are reaching out to DD providers of sheltered workshop services. This process allows us to identify individuals who wish to seek competitive integrated employment so we may begin working with them immediately.

To assist in making a determination of going to work, Nebraska VR will provide career counseling, information, and referral to everyone in sheltered workshop services (or subminimum wage jobs). Scheduling of visits and providing information has already begun. In addition, Nebraska VR can provide information about the impact any decision might have on benefits for someone seeking competitive integrated employment. Our goal is to make a smooth and informed transition to employment or other services.

Service providers have been trained on the new process and the types of employment services available. These customized employment options will improve the ability of individuals with intellectual/developmental disabilities to get a job that matches their abilities and interests. We are also identifying employers who are looking for employees and helping them understand the support Nebraska VR can provide to help them successfully employ someone.

While this is a collaborative effort of Nebraska VR and DDD, we will each be responsible for explaining the services our programs can offer and the timeline for discontinuation of payment for sheltered workshops. Current sheltered workshop services and funding from DDD will remain until Nebraska VR has either determined someone ineligible for VR services or assisted the individual to obtain competitive integrated employment.

We will be available each step of the way for assistance in understanding these changes. Because this is a new process, we expect there will be some questions and perhaps a few bumps along the way. Nebraska VR and DDD are communicating regularly to work out issues and concerns in order to make this process work well for all involved. We are excited and committed to this opportunity to work together in the best interests of the individuals we serve while complying with federal and state requirements.

We are trying to be proactive in keeping you informed along the way, but if you have any questions, please feel free to contact a Nebraska VR office or your DDD service coordinator for more information.

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