

**20 hour standard:
Office of Developmental Disability Services
Frequently Asked Questions (F.A.Q.) Addendum to Previous F.A.Q.
For Service Coordinators/Personal Agents/VR Counselors**

Note: This document is an addendum to a [F.A.Q.](#) originally issued on May 6, 2016. These are questions during a stakeholder call held June 21, 2016.

The Lane v. Brown settlement, which was approved by a federal court in December 2015, calls for a number of policy changes. One of those requirements is that the Department of Human Services will issue guidance to Vocational Rehabilitation (VR) counselors, Office of Developmental Disability Services (ODDS) staff, Community Developmental Disability Programs (CDDPs), and brokerages that the recommended standard for planning and implementing supported employment services will be the opportunity to work at least 20 hours per week, recognizing that based on individual choice, preferences and circumstances, some people may choose to work at that level while others may not.

In addition, all individuals with intellectual and developmental disabilities who use supported employment services will have a goal of working the maximum number of hours consistent with their abilities and preferences.

This policy goes into effect on June 30, 2016.

Question 1: Will people in VR now be prioritized by the number of hours they want to work?

Answer: No. VR does not prioritize based on hours. If VR goes into Order of Selection in the future, prioritization would be based on need, not hours.

Question 2: Where do we document if the client wants to work but is not waiver eligible?

Answer: This information can be documented in the Individual Support Plan (ISP) and Career Development Plan (CDP). There is a place where it indicates what they would like to do and that information can go to VR. VR can take folks not in waiver services, but this may be challenging if they need ongoing supports. We are hoping in the future to add a section in the Career Development Plan on natural

supports but for now just put it in the approximate category, individual supported employment or whatever fits.

Question 3: Is VR still going to pay for services for individuals working less than 20 hours?

Answer: The way VR pays for services has not changed. As in the past, VR issues payment for placement following criteria in the job placement contract. One criteria is the job and hours worked match those in the plan. When the team originally meets, a conversation about those goals and hours should take place.

Question 4: Is there a list of benefits planners out there?

Answer: Work Incentives Network (WIN) has information and fact sheets on its [website](#), as does Work Incentives Planning and Assistance (WIPA).

Question 5: What do you do if your client has a goal of 20 hours, but they need a highly customized job so those hours may be difficult to achieve?

Answer: If the client has a goal of 20 hours, the team should meet to discuss creative strategies for finding a second job or carving additional duties to meet the person's goal for hours.

Question 6: Where do we document we had the 20 hour conversation?

Answer: If the individual is currently using ODDS Supported Employment Services and wishes to increase their current work hours, document the number of hours the individual wants to work in the ISP addendum, under the "How many hours per week does the person want to work?" section, for the desired number of hours per week. If the number of hours the individual wants to work is different from their current hours, also indicate the goal in the "Desired Outcome" section of the CDP, along with Key Steps outlining how that desired outcome will be achieved.

If the individual does not wish to increase their current work hours, documentation of the discussion must be in the Person Centered Information. Documentation of the discussion must also be in the Person Centered Information for individuals not currently using ODDS Supported Employment Services. See the [20 Hour Guidance](#) for details.

For VR, a goal of hours worked should be recorded in the first fillable box of the IPE that directs staff to, “Discuss transferable skills, individual’s strengths, resources, priorities, concerns, abilities, capabilities, interests, informed choice and other factors that were used to determine the employment goal.”

Question 7: A client might be worried that standard means norm, and then if they are working less than 20 hours, will they will feel they aren’t normal?

Answer: This is not the intent of the policy, and the policy is not framed in a way of “normal” versus “not normal.” Rather, this policy provides a standard for planning. This may apply when an individual is not sure how many hours they wish to work, hasn’t had an opportunity to experience employment or employment supports to help inform the hours they wish to work, etc. Service Coordinators and Personal Agents should frame the conversation in terms of how many hours an individual is interested in working and help them make an informed employment decision by offering services and supports to help make this decision. The Career Development Plan Discussion Guide will help guide that conversation. A conversation might include: What might be a good fit for them? How many hours do they want to work? What are the hours for this type of job? What is their personal goal? It should always be person-centered and the person should direct their plan.

Question 8: What if someone decides in their ISP that they want a different amount of hours than what is in their Individualized Plan for Employment (IPE)?

Answer: If their file is still open with VR, it would be important to loop back in with VR.

If they are not with VR anymore, then a couple of things could happen. They might decide they don’t need to go back to VR but to work with their job coach to increase their hours. If it is not possible to increase hours in their current job, then they may go to VR. They would then either receive Post Employment Service to increase hours with current employment goal, or re-apply and go through the VR process including a new IPE with a new employment goal.

Question 9: How does this conversation look different than what we have been doing all along?

Answer: If you are already having this conversation that is great. But maybe not everyone was, and we wanted to be clear what the standard for planning is and to

encourage maximizing hours and document this for things like the Lane Settlement, Home and Community Based Services regulations, and Workforce and Innovation and Opportunity Act, among other things.

Question 10: If the client says, ‘I am fine with my current job and hours,’ is that enough to satisfy the requirement?

Answer: That is their choice and it should be documented in their CDP/ISP. But they should be offered the ability to make an informed choice so a full conversation about the standard for planning and maximizing hours should still happen. If they are unsure, a discussion of services and supports when might help them make a decision should be offered.

Question 11: If someone chooses not to work 20 hours, what follow-up is required?

Answer: At their annual ISP meeting, or whenever the individual chooses to have the discussion, there should be a discussion about hours and whether they are interested in working more, and that discussion must be documented.