

Topic:	Planning for employment services to maximize hours based on the person's goals and with the standard of working at least 20 hours a week
Date Issued/Updated:	November 1, 2019

Overview

Description: How Service Coordinators (SC) and Personal Agents (PA) assist individuals receiving or interested in receiving Supported Employment Services to achieve their goal for number of hours worked per week using the standard of 20 hours per week.

Purpose/Background: All individuals who are receiving an employment service through the Office of Developmental Disabilities Services (ODDS), or who are interested in working in Competitive Integrated Employment, should have the opportunity to make an informed decision regarding how many hours they would like to work. An individual's choice should be based on consideration of all available information, meaningful employment opportunities, as well as service and support options which would support them to work full time, part time, or another individually identified goal. In order to ensure that individuals are able to make an informed employment decision, the Service Coordinator (SC) or Personal Agent (PA) must have a discussion and engage in service planning with the individuals they work with regarding the hours they would like to work, using the standard of 20 hours per week described below.¹

This policy is designed to ensure compliance with the Lane v. Brown settlement agreement which states:

DHS will establish and promote a goal that all persons with I/DD who want to work in the community will be afforded an opportunity to pursue competitive employment that allows them to work the maximum number of hours consistent with their abilities and preferences.

DHS will issue guidance to VR counselors, ODDS staff, 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. This guidance will recognize that based on individual choice, preferences, and circumstances, some people may choose to work at that level while others may not.

¹ For additional guidance and talking points for having this conversation and engage in employment service planning, please see the Employment Discussion Guide: <http://www.dhs.state.or.us/spd/tools/dd/cm/Employment%20Discussion%20Guide%20for%20PA%20%20SC.pdf>

Procedure(s) that apply:

Individuals currently using ODDS Supported Employment Services:

When the Career Development Plan (CDP) is completed as part of the annual ISP, or upon the individual's request, a discussion must occur regarding the individual's current hours of work, and a goal of working the maximum number of hours consistent with their interests, preferences and circumstances. If the individual wishes to work more than their current hours of work the Service Coordinator (SC) or Personal Agent (PA) must complete the following:

- Document the number of hours the individual wants to work in the ISP under the applicable section. The standard for this goal is at least 20 hours a week. This must be consistent with individual choice, preference, and circumstances, meaning some people may choose to work full time, part time, or another individually identified goal that is less than 20 hours.
- 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.
- Ensure that the provider implementation strategies support the goal of increasing work hours.
- Monitor and document progress towards obtaining the stated goal and ensure that an individual's choices are based on consideration of all available information and/or meaningful opportunities that offer 20 hours of work per week.

Benefits Counseling: Benefits Counseling is important for any individual whose income may affect Social Security benefits. If an individual chooses a goal that will increase their work hours, and the individual and/or their employment team is concerned with how this will impact the person's benefits, the SC/ PA will refer the individual for Benefits Counseling.

Benefits Counseling is currently available through either ODDS Benefits Counseling or WIN Benefits Counseling.

Additional information regarding ODDS Benefit Counseling can be found in the related worker's guide. A list of ODDS-approved Benefits Counselors is kept on the ODDS I/DD Employment Policy website. See links to benefits counseling resources at the end of this Worker's Guide.

Individuals who do not wish to increase work hours:

If the individual does not wish to increase their current work hours or hours goal, despite discussing the advantages of increasing work hours, and being offered employment services that would assist with that goal, then this discussion must be documented in the ISP/CDP or case management progress notes. A decision to work less than 20 hours per week must be based on the individual's choice, preference, and circumstances.

Vocational Rehabilitation Services:

If the individual has an open case with Vocational Rehabilitation, the SC/ PA will obtain the Individual Plan for Employment (IPE) from VR before the annual ISP, as well as when the individual transfers to long-term supports from VR services. The goal for hours in the CDP should align with the corresponding goal in the individual's IPE. If they do not, the SC/ PA will have a conversation with the individual and their employment team, including the VRC if applicable, to determine which goal is currently accurate.

A person who is stable in their current job may be interested in increasing work hours over time. If so, the CDP goals should reflect this. The goal in the CDP should reflect the most current immediate as well as the long-term goals of the individual.

Communication with the VRC for an individual who has been referred to VR is crucial. VR shall invite the individual's PA/SC to a pre-plan/intake meeting, where the goal for hours worked is discussed. The PA/SC is encouraged to attend this meeting, and, at a minimum, must supply the individual's CDP and any other relevant employment documents to the VRC prior to this meeting.

Individuals using Small Group, Employment Path, or Discovery Services:

Individuals using an ODDS-funded Employment Service must be interested in pursuing Competitive Integrated Employment. The conversation at the annual ISP must include a discussion of the number of hours the person would like to work at a competitive integrated job.

Individuals not using ODDS Employment Services:

If an individual who is not using an ODDS-funded Employment Service asks about or expresses an interest in working, then conversation at the annual ISP must include the number of hours the individual would like to work in Competitive Integrated Employment. This is true even if a person is not using an ODDS Employment Service.

Regardless of whether the person is using an ODDS Employment Services or not, the standard for both discussions is at least 20 hours a week, and any Desired Outcome written for hours worked must be consistent with individual choice, preference, and circumstances. Some people may be interested in working full time, part time, or another individually identified goal that is less than 20 hours.

The discussion must be documented in the ISP/CDP case management progress notes.

Form(s) that apply:

The Individual Support Plan (ISP) and all related documents. The ISP is available at <http://oregonisp.org/forms/>.

Reference(s):

- Employment Discussion Guide:
<http://www.dhs.state.or.us/spd/tools/dd/cm/Employment%20Discussion%20Guide%20for%20PA%20%20SC.pdf>
- [Worker's Guide regarding ODDS Benefits Counseling](#) and [list of ODDS-approved Benefits Counselors](#).
- [Oregon Administrative Rules 411-345](#) (ODDS Employment Services).
- Settlement Agreement in [Lane et al. v. Brown et al.](#), United States District Court Case No. 3:12-cv- 00138-ST, available on the www.iworkwesucceed.org website under 'Latest News'.

Frequently Asked Questions:

See "20 hour standard: Policy Changes for June 30, 2016 Office of Developmental Disability Services/Vocational Rehabilitation Frequently Asked Questions (F.A.Q.) For Service Coordinators/Personal Agents/VR Counselors", released with this guidance and available online at

<http://www.oregon.gov/DHS/EMPLOYMENT/EMPLOYMENT-FIRST/Pages/Publications.aspx>.

Contact(s):

Name: Allison Enriquez; **Phone:** 503-945-5827; **Email:** allison.enriquez@state.or.us