



Becoming a Provider of Employment Services *for people with disabilities*



TEXAS
Health and Human
Services

Why Become a Provider of Employment Services?

HCBS Settings Rule

The landscape for the provision of Home and Community Based Services (HCBS) is changing. The HCBS settings rule, released by the Centers for Medicare & Medicaid Services (CMS) in January 2014, is intended to ensure that by March 2023, Medicaid-funded HCBS programs provide people with disabilities the opportunity to live, work, and receive services in integrated, community settings where they can fully engage in community life.

In Texas, these programs include the 1915(c) waiver programs Home and Community-based Services (HCS), Texas Home Living (TxHmL), Community Living Assistance and Support Services (CLASS) and Deaf Blind with Multiple Disabilities (DBMD). Programs operated by managed care organizations (MCOs), including STAR Kids Medically Dependent Children Program (MDCP) and STAR+PLUS HCBS, must also meet the new requirements.

The HCBS settings rule requires that all settings where Medicaid-reimbursed HCBS residential and nonresidential services are provided are integrated into and support full access to the greater community. This includes opportunities for people receiving HCBS services to seek competitive, integrated employment and earn a competitive wage. The rule also requires the inclusion of opportunities for people

receiving HCBS services to spend time with others who don't have disabilities (other than paid providers and staff), and to use community services and participate in activities (e.g., shopping, fitness, transportation, dining, recreation, worship) in their communities.

These new requirements will have a huge impact on the provision of day habilitation services as we know them today. As an alternative to providing day habilitation, a provider will want to consider becoming a provider of employment services like employment assistance and supported employment. Providing employment services instead of day habilitation will help providers meet the requirements of the HCBS settings rule.

There is also a financial incentive for providers to offer employment services that exceeds the daily rate for providing day habilitation services.

Most importantly, providing employment services will benefit people receiving services by helping them achieve independence and integration into community life through competitive, integrated employment.

What is Competitive, Integrated Employment?

Competitive, integrated employment means a person works on a full-time or part-time basis, including self-employment, that:

- Pays minimum wage or above.

- Has the same benefits package and chances for promotion to all employees, if possible.
- Is usually not owned or run by an agency whose only purpose is to support people with disabilities.
- Takes place in a united setting where people with disabilities work with people without disabilities (other than paid providers and staff).

What is Employment Assistance?

Employment assistance through an HCBS waiver program or MCO is provided by a service provider to help a person find competitive, integrated employment in one's community. The service provider may:

- Identify a person's employment preferences, job skills and requirements for a work setting.
- Conduct training on identified needs.
- Find prospective employment matched with a person's identified preferences, skills and requirements.
- Contact prospective employers on the person's behalf and negotiate their employment.
- Provide or assist in locating transportation to help the person locate paid employment in the community.
- Participate in service planning team meetings.

Examples of Billable Employment Assistance Activities

Services are individualized, person-directed and may include, but are not limited to:

- Exploring a person's employment preferences and considering where they want to work.
- Providing or assisting with transportation needs for employment, such as going to look for jobs.
- Filling out job applications.
- Writing resumes.
- Conducting mock interviews.
- Discussing how to dress for an interview.

What is Supported Employment?

A person who already has a job may need ongoing support to keep their job. Supported employment helps a person be self-employed, work from home or take part in a competitive, integrated work setting while successfully sustaining employment. The service provider helps with:

- Employment adaptations, supervision and training related to a person's disability.
- Job coaching.
- Transportation to support the person's efforts to be self-employed, work from home or perform in a work setting.
- Service planning meetings.

Examples of Billable Supported Employment Activities

- Employment adaptations (e.g., an iPad to read totals aloud to a cashier)
- Job coaching
- Transportation to and from work
- Communicating with managers to maintain and sustain stable employment
- Assisting in reporting income to Social Security Administration
- Training or consulting in work-related tasks

Referral to Texas Workforce Solutions — Vocational Rehabilitation Services

When a person receiving HCBS waiver or MCO services shows an interest in competitive, integrated employment, they must first be referred to Texas Workforce Solutions — Vocational Rehabilitation Services (TWS-VRS). If the person is under age 22 and attending school, they must be referred to the school system. Referral to TWS-VRS or the school system must occur before employment services can be accessed through an HCBS waiver program or MCO.

Those eligible for TWS-VRS services will begin time-limited employment assistance services through TWS-VRS. Those determined ineligible for TWS-VRS services may receive employment assistance through their HCBS waiver program or MCO.

Payment Rates and Billing Guidelines

The current base payment rates for employment assistance and supported employment are \$31.10/hour. The daily payment rate for day habilitation is approximately \$28. To view more information regarding payment rates, go to the HHS Rate Analysis page at: **rad.hhs.texas.gov/long-term-services-supports** and select a waiver program under Long-term Services & Supports. Scroll down to Payment Rate Information.

For information on billing guidelines, go to: **texashhs.org/hcs-billing-guidelines**

Other Funding Sources for Employment Services

In addition to billing for employment services through an HCBS waiver or MCO program, a provider may want to consider applying to become an employment services provider (ESP) through Texas Workforce Commission Vocational Rehabilitation services (TWC-VR). Providers should check **txsmartbuy.com/sp** site for TWC-VR open enrollment solicitations.

Becoming a TWC-VR ESP allows providers to bill for employment services to people referred to them from TWS-VRS.

Employment services include job placement, supported employment or vocational adjustment training. Income gained through a TWC-VR contract is

additional income exceeding HCBS waiver/MCO funding that can help sustain employment services in a provider's organization.

To apply to become a TWC-VR ESP, managers need to complete an online TWC-VR director's credential course through the University of North Texas Workplace Inclusion & Sustainable Employment (UNT WISE) for \$140.

Staff providing the employment services to the TWS customer must complete a series of online TWC-VR credential classes and be certified through UNT WISE before applying. Information on required UNT WISE courses and costs can be found at **wise.unt.edu/crptraining**.

Applicants should review the Vocational Rehabilitation Standards for Providers Manual prior to completing the application:

twc.texas.gov/partners/vocational-rehabilitation-providers-resources.

Questions about contracting with TWC-VR, can be sent to **vr.standards@tec.state.tx.us**.

Staff Training Resources

There are a variety of online training resources for staff, including:

University of North Texas Workplace Inclusion & Sustainable Employment offers online courses:

wise.unt.edu

Job Skills Training (*15 hours*)

Job Placement (*20 hours*)

Supported Employment (*30 hours*)

Supported Employment:

Discovering Untapped Talent (*40 Hours*)

Training Resource Network offers a variety of online training courses:

trn-store.com

Virginia Commonwealth University Rehabilitation Research and Training Center:

worksupport.com

U.S. Department of Labor Office of Disability Employment Policy:

dol.gov/odep/topics/youth/softskills

College of Employment Services:

**[directcourseonline.com/
employment-services](https://directcourseonline.com/employment-services)**

Employment Services Resources

Employment Services web-based training:

hhs.texas.gov/doing-business-hhs/training/training-initiatives

HHS Guide to Employment for People with Disabilities:

texashhs.org/employment-guide-disabilities

Working and benefits:

ssa.gov/ssi/text-work-ussi.htm

nationaldisabilityinstitute.org/classes/making-the-choice-to-work

TWS-VRS:

twc.state.tx.us/programs/vocational-rehabilitation-program-overview

Texas Transition and Employment Guide:

bit.ly/tea-transition-employment

HHSC comparison chart with 1915(c) waivers:

texashhs.org/ltss-waivers



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