



Case Studies

Piloting a Process to Refer Individuals with Developmental Disabilities from Day Habilitation to Vocational Rehabilitation

Utah State Office of Rehabilitation

Abstract

In 2006, Utah's developmental disability agency, the Division of Services for People with Disabilities (DSPD), was faced with a waiting list that reached 2,012 people due to budget limitations. The Utah State Office of Rehabilitation (USOR), DSPD, and the Utah state legislature created House Bill 31 to fund a pilot project that provided long-term supported employment (SE) for 100 individuals with disabilities in fiscal years (FY) 2007 and 2008. In 2008, House Bill 45 was passed to continue funding long-term SE through a special pool of state dollars that would serve individuals on the DSPD waiting list.

Background

The relationship between USOR and the DSPD dates back to the 1986 reauthorization of the Rehabilitation Act of 1973. With this reauthorization, the two agencies developed a strong working relationship to fund and to provide supported employment services to individuals with disabilities. After a class-action lawsuit in the 1990s, DSPD changed its waiting list to serve individuals on a need-based model, rather than providing services in the order in which individuals applied. DSPD was unable to provide services to all customers due to budget restrictions, and its waiting list quickly grew. In FY 2006, there were 2,012 individuals on the waiting list,¹ and in FY 2007, 1,839 individuals were on the waiting list.²

Individuals on the waiting list are served in a specific order based on the level of their needs. This order is determined by standard assessment that considers each person's living situation, disability, health and safety issues, dangerous

This case study is an excerpt of a larger report, entitled "Case Studies of Emerging/Innovative Vocational Rehabilitation Agency Practices in Improving Employment Outcomes for Individuals with Intellectual/Development Disabilities" from the Rehabilitation Research and Training Center (RRTC) on Vocational Rehabilitation at the Institute for Community Inclusion, University of Massachusetts Boston. The full report can be found at vr-rrtc.org. Its suggested citation is:

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behaviors, and number of years without services.³ Many of the individuals on the waiting list are those who live in the community and could work, but do not score high enough to be prioritized in DSPD's waiting list.

DSPD and USOR worked together to design a pilot program to address this service gap, which would be funded by House Bill 31. USOR provides initial intensive job development services for individuals, and the funds from House Bill 31 are used for sustaining employment. In 2006, USOR, DSPD, and the state legislature piloted the Supported Employment Pilot Program for the Provision of Services for People with Disabilities. The pilot program was an early intervention program for providing services to individuals with disabilities who had lower needs scores. It was able to provide supported employment services for 100 individuals with the intent to remove them from the waiting list in FY 2007 and 2008. The funding for the program came from the House Bill 31 legislation, and provided long-term SE services to individuals in need of these services after vocational rehabilitation (VR) SE services ended.⁴

USOR and DSPD determined 100 individuals to be the

¹ Utah Division of Services for People with Disabilities. Unduplicated count (point-in-time) of individuals waiting with an immediate need for division services (97-06).

² Utah Division of Services for People with Disabilities. Report on waiting list, March 2007.

³ Ibid.

⁴ Utah State Plan 2011, Attachment 4.11 (c)(4).

appropriate size for this pilot project. The decision was made based on how much funding could feasibly be attained through the legislature to cover the cost of up to 20% of job coaches' intervention time. The initial funding of \$150,000 for the pilot project allocated approximately \$1,500 per person in the pilot. The funding was flexible and allowed for more than \$1,500 to be allocated to individuals with greater needs and less than \$1,500 for those with fewer needs.

Following the pilot program, USOR, DSPD, and the Utah state legislature developed House Bill 45 to address the lack of stable funds to provide long-term SE. This bill provides a permanent funding stream to support customers of both USOR and DSPD in need of these services. In 2008, House Bill 45 was passed and the Support Work Independence Program was launched. In 2008, budget cuts absolved the funding for FY 2009 and FY 2010. Funding was temporarily provided again on a one-time basis for FY 2011, and in FY 2012 funding was granted again for \$250,000.

Purpose and Goals

The purpose of House Bill 45 is to provide a permanent funding stream for SE services, in order to provide long-term supported employment services to individuals on the DSPD waiting list. The FY 2012 budget of \$250,000 aims to serve at least 200 people. Further goals of this legislation are to provide supervision, support, training, and companionship to individuals with developmental disabilities.⁵

Development and Implementation

This section outlines how USOR, DSPD and the Utah state legislature coordinated the development of House Bill 45, including its target population, data sharing between USOR and DSPD, and its implementation and funding. The section concludes with a description of overcoming the obstacles from initial budget cuts.

Development of House Bill 45

After the success of the House Bill 31 pilot program, USOR and DSPD recognized a need for a more permanent source

of funding for long-term SE services. USOR and DSPD found a champion in the Utah state legislature. Legislators advocated for prioritizing employment for individuals with disabilities and specifically saw a need to target both ends of the DSPD waiting list. Through the existing waiting list, individuals with the most severe disabilities are first off the waiting list to receive DSPD services. With the new legislation, funding would target the low-priority end of the waiting list for long-term SE services. USOR, DSPD, and the legislature emphasized that with this new program, the costs for providing long-term SE services per client would be significantly lower than in the existing system serving only those individuals with the greatest support needs.

USOR was operating under a budget cut, and SE services could not be funded through Medicaid waivers due to the waiting list. Medicaid waivers are one of the main sources of DSPD funding, and in order to provide long-term SE services to an individual, an agency must be able to "have at least reasonable expectation that long-term funding will be available." The passing of House Bill 45 in 2008 created this reasonable expectation for USOR and DSPD by providing a funding stream to be used solely for long-term SE services. The bill originally provided \$150,000 in FY 2008 to be used for these services. This amount of funding was determined based on an estimation using the total number of individuals with lower needs scores on the DSPD waiting list (projected to be between 100 and 200 individuals per year).

Target Population

A key informant stated that a subset of individuals with IDD is eligible for both USOR and DSPD services. USOR services are for VR eligible individuals who meet functional impairment definitions across multiple disability categories while DSPD services are for individuals with specific categories of disabilities who demonstrate a support needs in three or more functional impairments. According to the informant, it is this shared population of individuals eligible for both USOR and DSPD services that can be best served by long-term SE services. However, it is often the case that VR eligible individuals might not meet the severity category to be a priority for DSPD services and may end up on the waiting list.

⁵ Utah Division of Services for People with Disabilities. Report on waiting list, March 2007.

Individuals on the DSPD waiting list are the primary target population for funds from House Bill 45. Individuals being served through House Bill 45 are aided on a priority basis, with shared customers served first, followed by customers on the DSPD waiting list, and then customers of USOR who are not yet DSPD customers. USOR counselors and employment providers initially assess the amount of support individuals may need and whether they are a good fit for participating in the program. Shared customers who are farthest along in the VR process are contacted by DSPD first with an invitation to participate in the program. Service brokers then meet with interested individuals and their families to further assess the situation and determine if participating in the program would be beneficial for the customer.

Data Sharing

USOR and DSPD actively share data as part of a memorandum of understanding (MOU). USOR delivers client information to DSPD who is responsible for identifying shared customers. DSPD sends information about the program to eligible customers and invites them to participate. The MOU outlines how the data will be used, including confidentiality measures. As DSPD takes over funding responsibilities to provide long-term supports, DSPD manages outcomes data including wages and average support costs. These figures are shared with USOR. A key informant attributes the data match system as a contributing factor to the success of identifying and enrolling program participants who might not be identified as a client at DSPD or on their waiting list.

Implementation and Funding

The funds from House Bill 45 are used alongside Utah's Partnership Plus Ticket to Work program. This program allows an individual to use their Ticket to receive services after their case has been closed with a VR program. USOR and DSPD recruit Employment Networks (ENs) to work with individuals being served through DSPD. PowerPoint presentations on House Bill 45 are tailored for different ENs to highlight the appropriateness of House Bill 45 for their organization. A key informant found that many ENs are motivated to work with individuals enrolled in

the program, as these individuals do not require as much intervention as other DSPD clients with more severe needs. USOR pays for customers' services, such as job coaching, using House Bill 45 funds until the individual requires less than 20% intervention time. At that point, the customer is closed in the VR system and an EN receives the Ticket to continue providing the customer with services. The EN is paid from House Bill 45 funds for the milestone payments that the Ticket will not pay for. Then the EN can apply for the outcome payment, which they receive through the Social Security Administration. House Bill 45 uses the same funding system as the pilot program, allocating an average of \$1,500 per person for services. This \$1,500 is adjusted based on support needs, within reason. Key informants noted that the average cost per person during program implementation came out to less than the estimated \$1,500 per person. Funding for House Bill 45 has carry-forward authority, allowing the funding pool to grow if funds remain under-spent in a fiscal year. This is a critical aspect to the program, as it allows for cash flow from year to year. A key informant highlighted other flexibilities associated with the state (as opposed to federal) funds. Funds from House Bill 45 can be used to offer the supports needed to maintain employment without requiring the person to re-enroll with USOR.

Overcoming Obstacles

DSPD received \$200,000 in FY 2008 for House Bill 45, but this funding was cut after only a few months. The funding was entirely cut by the state legislature for FY 2009 and FY 2010 and provided again on a one-time basis for FY 2011. In July 2011, USOR and DSPD received \$250,000 to fund House Bill 45 for FY 2012. Many individuals who had participated in 2008 lost their jobs as a result of losing the support from House Bill 45, and had to re-enroll in USOR. Even after the one-time funding renewal in FY 2011, hesitation about re-enrollment existed among potential participants, family members, and VR counselors who had previously been involved. They all felt uncertainty about sustainability. However, the ongoing funding for FY 2012 has renewed interest in the program, and a key informant felt that obtaining their goal of serving 200 clients for the FY2012 was achievable.

The budget challenges associated with House Bill 45 were one of the driving forces in developing Utah's House Bill 240. This legislation became effective on May 20, 2011 and acts as an employment-first policy. The House Bill 45 legislative champion also advocated for House Bill 240. The goal of this new bill is to "establish employment first policy for persons with a disability within the Employment Support Act, State Office of Rehabilitation Act, and the Utah Human Services Code." Further, this legislation is intended to protect the funding of policies associated with USOR, DSPD, and the Utah Department of Workforce Services (DWS), including the House Bill 45 initiative. Through the employment-first partnership, USOR, DSPD and DWS have renewed their shared mission to emphasize competitive, integrated, and community-based employment for individuals with disabilities.

Project Outcomes

The pilot program (House Bill 31) from which House Bill 45 was developed was able to use legislature funding to provide 100 customers from the DSPD waiting list with long-term SE supports. This success was the backbone for the development of House Bill 45. Since the re-initiation of funds for FY2012 and up until the time of this case study effort, 115 individuals had enrolled in the program and 43 had been employed as December 2011. Don Uchida reported in his written testimony to the HELP Committee on February 2013 that 156 persons were enrolled for FY 2012 with 56 employed. USOR and DSPD highlight and distribute individual stories of success to key stakeholders.

Key informants at USOR also noted that working together with DSPD has strengthened the relationship and communication between the two agencies. A key factor to streamlining and improving communication between agencies is having a single point of contact on the DSPD side for USOR staff. USOR offices also have a staff person who is the primary resource of information on House Bill 45 for counselors who may be unfamiliar with the program. Key informants also emphasized the transferability of new

funding initiatives and this practice to other states. They noted the major challenge in implementing this type of funding stream as identifying a champion in the legislature to advocate for the earmarking of dollars for local long-term funding and then ensuring a sustainable funding source.

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