

Supported Employment: Extended Services & Case Closures Fact Sheet

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1. What is supported employment?

Under California state regulatory law that governs vocational rehabilitation services funded through the Department of Rehabilitation (DOR), supported employment means:

“competitive employment in an integrated setting, or employment in integrated work settings in which individuals are working toward competitive employment, consistent with the strengths, resources, priorities, concerns, abilities, capabilities, interests, and informed choice of the individuals, with ongoing support services for individuals with the most significant disabilities...for whom competitive employment has not traditionally occurred or for whom competitive employment has been interrupted or intermittent as a result of a significant disability; and who, because of the nature and severity of their disabilities, need intensive supported employment services from [DOR] and extended services after transition...to perform this work.”

See Title 9 of the California Code of Regulations (C.C.R.) § 7028(a). Supported employment services must meet the specialized needs of each consumer.

If you are a DOR client with an Individualized Plan for Employment (IPE) for “supported employment”, eventually DOR will determine that your employment is stable and your DOR case will be closed. Your ongoing support services will need to be funded by another source called an

“extended service.” Before you reach this point, you should be working at a job in the community making a competitive wage and working the maximum number of hours possible based on your unique circumstances and “informed choice.”

2. What is informed choice?

Informed choice is provided through the entire vocational rehabilitation process. Informed choice is the decision-making process during which you, the consumer, have the chance to learn about relevant information about employment. This means that **you** get to choose (with the assistance of a vocational rehabilitation counselor and depending on the resources that are available), your employment outcome, your intermediate objectives, the services that you will need to achieve your employment outcome, and the service providers. 9 C.C.R. § 7029.6.

3. What are extended services?

Extended services are those ongoing support services and other appropriate services that you need to support and maintain your supported employment after your DOR case is closed. 9 C.C.R. § 7014.1.

4. Who can provide extended services?

Extended services can be provided by a state agency, a private nonprofit organization, employer, or any other appropriate resource. 9 C.C.R. § 7014.1. This may include the coordination of other services that you are eligible to receive from other federal or state programs. 9 C.C.R. § 7131.1(a)(5). For example, if you are a client of the regional center, the extended services will most likely come from the regional center. You may consider inviting your regional center service coordinator to your IPE meeting(s) with DOR to ensure that both agencies have the information they need about your employment so that they can coordinate your services.

5. How can I find funding for my extended services if I am not a regional center client?

During the development of your IPE, you and DOR will determine a source of extended services to provide or fund your ongoing support services. The DOR may also include in your IPE a description of the basis for concluding that there is a reasonable expectation that those sources will become available. 9 C.C.R. § 7131.1(a)(3). In other words, if you and DOR are unable to identify an extended services provider during the development of your IPE, DOR can still assist you with supported employment services if there is a reasonable expectation that an extended services provider will be available in the future.

6. What are some examples of extended services and funders?

Some extended services are paid for by an agency, work incentive program or family member, and others may not cost money. Your employer, family member or coworker may be able to provide you with supports to help you keep your job. When an extended service is available to you without cost this is called a “natural support.”

Services that require funding can be paid for by other entities/sources that assist you and that agree to do so in your service plan. These could include a school district’s Individualized Education Plan (IEP), an Independent Living Center’s Independent Living Plan, Social Security Administration’s (SSA’s) Impairment-Related Work Expenses (IRWE), Social Security Administration’s Plan for Achieving Self Support (PASS), or a Ticket to Work (TTW). 9 C.C.R. §7131.1(a)(5). For more information about IRWE, PASS and TTW, see *Public Benefits for People with Disabilities, Pub #5014.01*.

For example, if you receive SSI and SSDI, you may be eligible to start setting aside funds for your ongoing services through a PASS plan. A PASS plan allows a disabled individual to set aside income and resources without penalty, to pay for items related to an employment goal. If you only receive SSI, there may be a reasonable expectation that you may be

eligible for PASS once you start working and earning income. Title 20 Code of Federal Regulations (C.F.R.) § 413.1226.

An IRWE is a work incentive program through SSA where money you spend on any disability-related work expenses, including your ongoing support services, will not be counted towards your earned income. 20 C.F.R. § 416.1112(c)(6). This allows you to work while keeping more of your monthly benefit amount through SSA.

7. May DOR close my case if extended services cannot be found?

Yes. If you require extended services for supported employment, and no source of extended services are available, DOR may close your case. 9 C.C.R. § 7179.3(a)(8). However, the DOR may not close your case if you are not a regional center client. Extended services can come from a number of other sources besides the regional center. The DOR should assist you exploring other sources of extended services. This could include other agencies or community organizations from which you are eligible for services. Extended services can also be provided by a friend or family member; this is called a natural support. In some situations, DOR may provide you with ongoing support services and other appropriate services you need to maintain your employment as “post-employment services” (see question 9 below) if they are unavailable through an extended services provider. 9 C.C.R. § 7028.1(b).

8. When will DOR consider my employment to be stable and close my case?

Once you have started working, DOR should provide you with the ongoing support services and other appropriate services you need to keep your job. Under most circumstances, DOR will only provide these services for up to 24 months, however, you and your Rehabilitation Counselor can both agree that the timeline needs to be extended in order to achieve the goal in your IPE. (The new Work Investment and Opportunity Act (WIOA) extended the time to receive support services from 18 to 24 months, with an option to increase the time frame, see Public Law No. 113-128, Section 404; see also 9 C.C.R. § 7028.1(a)).

Your DOR case may be successfully closed when:

- You have achieved the employment goal in your IPE and the employment is in line with your strengths, resources, priorities, concerns, abilities, capabilities, interests and informed choice; and
- Both you and DOR agree your job is satisfactory and that you are performing well; and
- Funding has transitioned to a source of extended services; and
- You have maintained the employment for at least 60 days before transition to extended services, to ensure the stability of your employment outcome and at least 60 days following transition to extended services; and
- Your percent of intervention [for example, how much job coaching you need] is:
 - No more than 20 percent for at least 60 days; or
 - No more than 25 percent for at least 90 days; or
 - No more than 30 percent for at least 120 days.

See 9 C.C.R. § 7179.7.

9. What are post-employment services?

If you continue to need services to perform your job, you can ask DOR for services within one year after your case has been closed. These are called “post-employment services” and are designed to help you preserve the advances made through your vocational rehabilitation. For persons whose case has been closed with “supported employment” as the employment goal, the provision of post-employment services is limited in time and scope. Post-employment services in these cases are limited only to services that are not available through the extended services resource (see discussion on “extended services” above) and also must be necessary to support and maintain an individual in employment. 9 C.C.R. § 7176.

10. What if I need help with supported employment or extended services?

If you disagree with the closure of your case or have questions about supported employment or extended services, you may contact the Client Assistance Program (CAP) by calling DRC at (800)776-5746 or TTY (800)719-5798; or go to

<http://www.disabilityrightsca.org/pubs/547401accessible.pdf>

Disability Rights California is funded by a variety of sources, for a complete list of funders, go to <http://www.disabilityrightsca.org/Documents/ListofGrantsAndContracts.html>.