

# Supported Employment through DOR: Eligibility & Scope of Services 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 and include “on-site job coaching support services in a group or in an individual placement at the work place, and off-site services in an individual placement if they are needed to maintain the consumer’s

employment including training, destination [training](#)<sup>1</sup>, advocacy, and job loss intervention.” See page 98, 2015 State Plan Supported Employment Supplement at: <http://www.rehab.cahw.net.gov/Public/DOR-State-Plan.html>: also see, Rehabilitation Administrative Manual (R.A.M.) § 31500.

## **2. Is supported employment a group or individual placement?**

Both. Supported employment is the general term that encompasses both [group](#)<sup>2</sup> and [individual](#)<sup>3</sup> supported employment services.

Group supported employment is an employment service available to individuals with disabilities through DOR. In group supported employment, between three and eight consumers receive support from one job coach and may be paid sub-minimum wages. See Welfare and Institutions Code (WIC) § 4851(r). Group supported employment is sometimes referred to as an “enclave” meaning that there is a small group, or a “work crew” of people with disabilities working together, often in segregated settings away from people without disabilities.

Individual supported employment services usually allow people with disabilities to work in integrated employment settings at competitive wages. 9 C.C.R. § 7006.3(b). Such services include job discovery and development, vocational assessment, job coaching, and job training that enable individuals to access jobs in typical work settings in the community where they interact with non-disabled coworkers, customers, and peers. These individuals usually earn competitive wages, and sometimes receive

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<sup>1</sup> Destination training is training to learn the skill of getting to and from work using public transit (the bus, train, etc.). ["Return to Main Document"](#)

<sup>2</sup> Group Supported Employment is also called “group services” in the Lanterman Act and is defined at Welf. & Inst. Code § 4851(r). [“Return to Main Document”](#)

<sup>3</sup> Individual Supported Employment is also called “individualized services” in the Lanterman Act and is defined at Welf. & Inst. Code § 4851(s). [“Return to Main Document”](#)

benefits. See 9 C.C.R. § 7006.3(b) (stating that supported employment jobs must be compensated at or above the minimum wage, but not less than the customary wage and level of benefits paid by the employer for the same or similar work performed by individuals who are not disabled); 20 United States Code (U.S.C.) § 795k(b)(6)(G) (stating that these services must include placement in an integrated setting for the maximum number of hours possible based on the unique strengths, resources, priorities, concerns, abilities, capabilities, interests, and informed choice of individuals with the most significant disabilities).

### **3. Who is eligible for supported employment through DOR?**

According to DOR's State Plan, DOR provides the full scope of supported employment services to individuals who are found eligible with the **most significant disabilities**, who require extended services to maintain employment, and who have **at least a reasonable expectation that a source of extended services will be available at the time of transition to extended services**. 9 C.C.R. § 7131.1(a)(3) (emphasis added). If you are an individual with a most significant disability, DOR will consider your work history and needs when determining your eligibility for supported employment. 9 C.C.R. § 7028. Persons who may be eligible for supported employment services may include but are not limited to: persons with a traumatic brain injury/acquired brain injury, mental health disability, autism spectrum disorders, intellectual and developmental disabilities. 9 C.C.R. § 7017.2. See "Eligibility for Vocational Rehabilitation Services Fact Sheet" for more information on the eligibility process with DOR: <http://www.disabilityrightsca.org/pubs/F06601.pdf>.

In order for you to receive supported employment services, you must be able to show that you have a need for intensive supported employment services from DOR, as well as a need for extended services after you transition to another extended services provider, to maintain a job in competitive employment. 9 C.C.R. § 7028(a). DOR must make efforts to identify sources of extended services for consumers who need supported employment, including natural supports. Those sources should be identified in the IPE. 9 C.C.R. § 7131.1(a)(3).

The amount of supported employment services that DOR can provide is limited (up to 24 months unless DOR and the consumer can determine a need to extend the time-frame) and thus another resource, or another “extended services provider,” will need to be identified and secured before DOR can begin to assist a consumer with supported employment services. For more information on Extended Service Providers, See *Supported Employment: Extended Services and Case Closures Fact Sheet, Pub #5582.01*.

#### **4. What does an individual with a most significant disability mean?**

An individual with a most significant disability is a person who has a “serious limitation in terms of an employment outcome” in at least four of the following functional capacity areas: communication, interpersonal skills, mobility, self-care, work skills, and/or work tolerance.

**AND IS EITHER** a person who is expected to require multiple vocational rehabilitation services over an extended period of time and has one or more physical or mental disabilities resulting from acquired traumatic brain injury, amputation, arthritis, autism, blindness, burn injury, cancer, cerebral palsy, cystic fibrosis, deafness, head injury, heart disease, hemiplegia, hemophilia, HIV, intellectual disability, respiratory or pulmonary dysfunction, mental illness, multiple sclerosis, muscular dystrophy, musculo-skeletal disorders, neurological disorders (including stroke and epilepsy), spinal cord conditions (including paraplegia and quadriplegia), sickle cell anemia, specific learning disability, end-stage renal disease, or another disability or combination of disabilities determined on the basis of an assessment for determining eligibility and vocational rehabilitation needs to cause comparable substantial functional limitation; **OR** is a person who has been determined eligible for Social Security benefits under Title II (Social Security Disability Insurance-SSDI) or Title VI (Social Security Supplemental Insurance-SSI).

See 9 C.C.R. §§ 7017.2 and 7017.5.

## **5. What are ongoing support services?**

Ongoing support services are the services that you need to support you at your place of employment. These services should be included in your Individualized Plan for Employment (IPE). Once in your IPE, DOR must provide these services from the time you start working until your services are changed to one or more extended service providers. 9 C.C.R. § 7019.5(a).

Ongoing support services can include:

- Assessments;
- Skilled job trainers who accompany you for intensive job skill training at the worksite;
- Job development and training;
- Social skills training;
- Regular observation or supervision;
- Follow-up services including regular contact with you, your employer, your parents, family members, guardians, advocates, or authorized representatives and other suitable professional and informed advisors, in order to reinforce and stabilize the job placement;
- Natural supports at the worksite;
- Any other DOR service [including job coaching];
- Any service similar to those listed here.

9 C.C.R. § 7019.5(c).

## **6. What are job coaching services?**

Job coaching is a DOR service that is provided to consumers in community-based jobs and where the client has regular contact with co-workers or members of the public without disabilities. 9 C.C.R. §§ 7159.5(a) and (b)(3).

A job coach provides:

- On-the-job skill training,
- Observation or supervision at the worksite,
- Consultation/training for your coworkers and supervisors,

- Assistance in integrating into the work environment,
- Destination training,
- Assistance with public support agencies,
- Family and residential provider consultation, and
- Any other on- or off-the-job support services needed to reinforce and stabilize job placement.

See Welf. & Inst. Code § 19150(a)(5).

## **7. How do I know if my ongoing support services are appropriate?**

Appropriate ongoing support services are:

Suitable: The service(s) and the entity providing the service(s) meet your needs and are appropriate for your work setting (see 9 C.C.R. § 7019.5(a) and (b));

Proactive: Service provider(s) follow up with you and your employer regularly to make sure your employment is stable (see 9 C.C.R. § 7131.1(a)(4)). The DOR and other service providers should not be dependent solely on you to ask for help (RAM § 31500);

Monitored: Your ongoing support services are monitored and evaluated to make sure that your employment is stable. This includes monitoring your worksite at least twice a month, or when you request it. It can also include off-site monitoring at your request and/or meetings with you twice a month (see 9 C.C.R. § 7019.5(b)(1); 34 Code of Federal Regulations (C.F.R.) § 361.5(b)(38)(ii)(A));

Continuing: There should be a continuing assessment of your employment stability and need for ongoing support (see 9 C.C.R. § 7019.5(b)).

## **8. What is transitional employment?**

Transitional employment is ongoing support services for individuals with the most significant disabilities due to mental illness. “Transitional employment” means a series of temporary job placements in competitive work, in integrated settings, and with ongoing support services. Your ongoing support services must include continuing job placements until you have a permanent job. 9 C.C.R. § 7028.8.

## **9. What should be included in my IPE if my goal is supported employment?**

Your IPE should include a job in an integrated setting for the maximum number of hours possible based on your unique strengths, resources, priorities, concerns, abilities, capabilities, interests, and informed choice. This is also called competitive, integrated employment. 9 C.C.R. §§ 7006.3 and 7018.4. In addition to the general requirements, your IPE should list any skills training as well as all of the supported employment services that DOR has agreed to provide, and the extended services that you will need. It should either identify a source of extended services (how your ongoing services will be funded after your DOR case is closed) or a description of the basis for concluding that there is a reasonable expectation that those sources will become available. Your IPE should describe how DOR will collaborate with your other service providers to monitor your on-going support services, as well as to ensure that you are making satisfactory progress toward stabilizing your employment to transition to extended services. 9 C.C.R. § 7131.1.

## **10. What if I need help getting supported employment through DOR?**

If DOR refuses to provide supported employment services, or if you disagree with the amount or type of supported employment services in your IPE, or if you have questions about supported employment and/or your ongoing support services, you may contact the Client Assistance Program (CAP) by calling DRC at (800) 776-5746 or TTY 1-800-719-5798; 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>.*