

# Support more employment choices for people with disabilities



## Wisconsin policies aim to see more people with disabilities in the workforce

- Wisconsin's recent bi-partisan Employment First legislation signed into law by Governor Walker recognizes community integrated employment as a priority for people with disabilities; WIOA and HCBS complement the state's new law.
- Wisconsin's PROMISE grant—funded by the Social Security Administration—has demonstrated tangible ways to double the number of youth with disabilities that have community-based paid work experiences that translate into a lifetime of employment and can help lift entire families out of poverty.
- Wisconsin's Medicaid-funded long-term care programs recognize community integrated employment is more cost-effective than facility-based employment, and that a shift to this type of employment is necessary for fiscal sustainability in state programs<sup>1</sup>.
- Wisconsin's Department of Health Services (DHS), in conjunction with a diverse group of disability stakeholders has developed community integrated employment principles, and is committed to increasing the number of people in Wisconsin's long-term care programs (Family Care, IRIS) that are working in the community.



## Wisconsin families want more employment choices

- BPDD hears from many families and people with disabilities that they do not have the choices and options they want; many want to choose community integrated employment but are frustrated by provider's lack of capacity to offer those choices.
- Nationally, 80% of Medicaid-funding for employment and day services for people with disabilities goes into facility-based group services; only 20% of funds are invested in community integrated employment. This is consistent with Wisconsin spending.
- More than 40% of people with developmental disabilities participating in Medicaid-funded sub-minimum wage pre-vocational facilities say they want to or would consider community employment<sup>3</sup>.

**41%**

**41%** of people with disabilities in Medicaid-funded long-term care programs (Family Care, IRIS) self-report a strong desire to work in the community, although many are not employed in community jobs<sup>2</sup>.

- Some WI facility-based providers already are shifting their business models towards community integrated employment supports to respond to families and people with disabilities who want work in the community with positive results.





## What is the Home and Community Based Settings (HCBS) rule?

- The Home and Community Based Settings Rule (HCBS) furthers the goals of a 1999 Supreme Court ruling (Olmsted) that found that people with disabilities have a right to community-based services, and states using public dollars must provide community-based services that do not isolate or diminish individuals everyday life activities (including work options and economic independence)<sup>4</sup>.
- The HCBS rule centers on choice and autonomy, and focuses almost entirely on ensuring that people receiving HCBS are able to make the same choices as everyone else, like the choice of who they live with, when they eat or visit with friends and family, and how they spend their day.
- The Rule clearly allows people to choose disability-specific settings, like group homes and day programs. However, every qualified setting – disability-specific or not – must facilitate access to the broader community and individual control over daily activities.
- The Rule requires that HCBS participants have a choice of not only settings specifically for people with disabilities but also a “non-disability specific setting” option. This standard actually expands choice for many people with disabilities, especially people with most significant disabilities and those in rural areas.



## What is the federal Workforce Opportunity Innovation Act (WIOA)?

- WIOA helps ensure people with disabilities have opportunities to acquire the skills and training they need to maximize their potential and enter competitive integrated employment.
- WIOA focuses state vocational rehabilitation (DVR in Wisconsin) on achieving competitive integrated employment as the first and preferred option for people with disabilities.
- Wisconsin’s DVR program has been a national leader on making sure people with disabilities are employed in community jobs with private sector employers; WIOA brought other states up to Wisconsin’s standards.
- WIOA also emphasizes youth with disabilities successfully transitioning from school into competitive integrated employment, and requires coordination between DVR and other agencies, including school systems



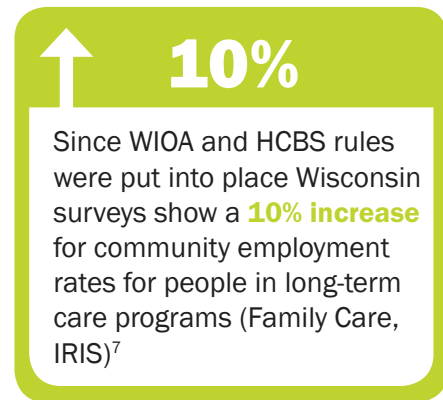
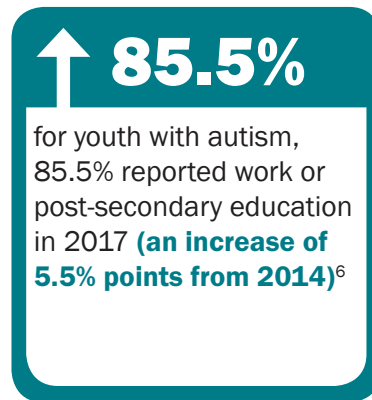
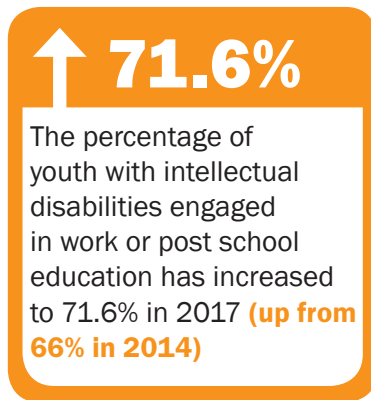
## WIOA and HCBS is working in Wisconsin

- Since the passage of WIOA, Wisconsin data shows expanded community integrated employment opportunities for people with disabilities, including greater numbers of people with the most significant disabilities working in competitive wage jobs.

↑ **41.8%**

Wisconsin reported an improvement in employment rates for all people with disabilities (**41.8% in Wisconsin– which is above the national average of 35.9%**)<sup>5</sup>.

- Wisconsin youth have experienced expanded employment opportunities and programs, particularly during the summer when school is out, as a result of WIOA, that appears to be correlated with better post-school employment outcomes.



- The HCBS rule is already giving people with disabilities in Wisconsin more choices. Some Community Rehabilitation Programs (CRPs) are taking initiative to implement best practices—which are also in accordance with the HCBS rule—and are successfully shifting from facility based services towards community based options.

## Recommendations



**Support** Money Follows the Person legislation (EMPOWER Care Act, SB. 2227), a bi-partisan bill that results in demonstrated cost-savings for states.



**Support** legislation that creates greater opportunities for Community Integrated Employment for people with disabilities, including the Transition for Independence bill (H.R. 4931)



**Oppose** changes to WIOA and HCBS, either by legislative changes to statute or re-opening of federal agency regulations



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<sup>1</sup> Wisconsin Dept. of Health Services' 2014 report on sustainability <https://www.dhs.wisconsin.gov/publications/p0/p00590.pdf>

<sup>2</sup> Wisconsin's National Core Indicators 2015-2016 survey

<sup>3</sup> Department of Workforce Development Wisconsin WIOA Career Interview Project 2016-2017 Annual Report - a survey of sheltered workshop participants required under Section 511 of the Workforce Innovation Opportunity Act. It is estimated that a great majority of the 6,509 subminimum wage employees who were interviewed are also long-term care program (Family Care, IRIS) participants, many receiving facility-based pre-vocational services. <http://www.uww.edu/Documents/csd/WIOWA/Annual%20Interview%20Report%20FY2017.pdf>

<sup>4</sup> [https://www.ada.gov/olmstead/olmstead\\_about.htm](https://www.ada.gov/olmstead/olmstead_about.htm)

<sup>5</sup> Wisconsin Division of Vocational Rehabilitation

<sup>6</sup> Wisconsin Department of Public Instruction's post-school outcomes survey

<sup>7</sup> Wisconsin Department of Health Services, National Core Indicators (NCI) data. In Wisconsin, the competitive integrated employment rate for working-age people with disabilities in Medicaid-funded long-term care programs is 16.3%. Department of Health Services data pulled April 2017 from Long Term Care functional screen and Program Participation System (PPS) employment data.