

3300.2025 PROGRAM PLANNING, SERVICE DELIVERY, AND CASE RECORDS.

Subpart 1. **Scope.** This part governs program planning, service delivery, and case records for the extended employment program.

Subp. 2. **Standards for program planning, service delivery, and case records.** Standards for program planning, service delivery, and case records for the extended employment program are contained in The 1997 Standards Manual and Interpretive Guidelines for Employment and Community Support Service published by CARF, which are incorporated by reference. This publication is updated on a yearly basis and the standards applicable to any state fiscal year for which a provider is funded will be found in the most recent edition of this publication available at the beginning of the state fiscal year. Copies are available at the Educational Resource Center, 501 Capitol Square, 550 Cedar Street, Saint Paul, Minnesota 55101. The Educational Resource Center participates in the Minitex/PALS Interlibrary Loan Consortium.

Subp. 3. **Additional standards for program planning, service delivery, and case records.** In addition to the standards in subpart 2, providers shall meet the requirements in subparts 4 to 6.

Subp. 4. **Extended employment support plans.** All workers in center-based, community, and supported employment shall have an extended employment support plan. The plan, to be reviewed at yearly intervals, or as required under subpart 8, or if changes in the worker's situation require more frequent reviews, describes the worker's employment goals and the ongoing employment support services to be provided to reach the worker's goal. The plan shall include the following:

- A. the worker's goals and objectives, including:
 - (1) employment goals and goals for career advancement;
 - (2) preferences for employment setting, integration, range or level of pay, work hours, and benefits; and
 - (3) when a goal in center-based employment is selected, the plan shall state the reasons for this choice;
- B. the timeline for reaching the worker's employment goals and objectives;
- C. the worker's vocational strengths, interests and preferences, work skills, and general health status;
- D. the worker's functional areas affecting employment that require the provision of ongoing employment support services;

E. an assessment identifying the ongoing employment support services a worker needs to work in the community;

F. the specific ongoing employment support services to be provided, including:

(1) the relationship of the ongoing employment services to the worker's functional areas affecting employment;

(2) how the need for ongoing employment support services will be met with existing services or by a plan arranging for or developing these services;

(3) the strategies for providing ongoing employment support services including the consideration of assistive technology and natural supports;

(4) who will be providing the ongoing employment support services; and

(5) timelines for developing and providing ongoing employment support services and the estimated frequency of these services;

G. measures and procedures to assess the attainment of worker goals and objectives;

H. the names of the participants in the planning and preparation of the worker's extended employment support plan; and

I. the signature of the worker designating informed consent.

A copy of the plan and any revisions shall be promptly provided to the worker in the worker's primary language using appropriate modes of communication.

Subp. 5. **Minimum contact by provider.** The extended employment support plan will include assurances that the worker in community and supported employment will receive a minimum of two in-person contacts per month in the provision of planned ongoing employment support services, unless the ongoing employment support is provided through natural supports as described in subpart 6.

Subp. 6. **Reporting workers receiving natural supports to the extended employment program.** The ongoing employment support services for a worker must be identified in the worker's extended employment support plan and may be provided indirectly through an agent of the worker's employer when:

A. the worker is in an employer-paid integrated work site as defined in part 3300.2005, subparts 25 and 28;

B. there is a written agreement with an employer that specifies:

(1) the agent of the employer who will be involved in providing the worker's ongoing employment support services;

(2) the nature of the information, technical assistance, or other support services the provider provides to the agent of the employer;

(3) the specific ongoing employment support services that are provided to the worker by the agent of the employer; and

(4) assurances that the provider will, at a minimum, make two in-person contacts with the agent of the employer, or the worker, or a combination of the employer and worker each month to:

(a) provide information, technical assistance, or other ongoing employment support services; and

(b) evaluate the need for and effectiveness of the ongoing employment services the agent of the employer provides to the worker.

Subp. 7. Worker information on program planning and service delivery.

A. The department shall provide information, in the worker's primary language using appropriate modes of communication, on program planning and service delivery in extended employment. This information will be ready for distribution to providers by January 1, 1999, and shall include:

(1) individual service planning process provided in the CARF standards, including:

(a) the content of a typical plan as identified in the CARF interpretive guidelines;

(b) the ongoing employment support services available in extended employment;

(c) the role and rights of the worker and the worker's legal representative in the development of an extended employment support plan;

(d) fundamental personnel benefits;

(e) examples of persons from social service agencies and others in the community who can be involved in planning services; and

(f) the requirement to assess the worker's potential for working in the community on a semiannual basis and identify in writing the reasons a worker is not working in the community;

(2) worker rights to reasonable accommodation in accessing ongoing employment support services in extended employment;

(3) worker rights to review, appeal, and grievance procedures;

(4) the summary level performance information available on provider outcomes;

(5) worker rights under the federal Rehabilitation Act of 1973, as amended; and

(6) worker rights under the Americans with Disabilities Act.

B. Providers shall distribute information on the extended employment program planning and service delivery to the worker and the worker's legal representative on a yearly basis. This information shall be made available to workers using appropriate modes of communication in the primary language of the worker and the worker's legal representative.

This information shall include:

(1) a description of the provider's center-based, community, and supported employment programs, including:

(a) the right to have all program and service information provided in an accessible manner, and the right to reasonable accommodation for accessing the provider's services and activities;

(b) the names of staff persons responsible for key aspects of the worker's center-based, community, or supported employment program;

(c) a statement describing the rights to review records, and descriptions of the processes of grievance and appeal, and examples of the situations in which either or both can be used; and

(d) a summary of the benefits available to the worker; and

(2) the information on program planning and service delivery identified in item A.

Subp. 8. **Annual reassessment of extended employment support plans.** Extended employment support plan review with interdisciplinary team involvement, unless waived by the worker, shall occur at least yearly. A plan with a goal of community or supported employment that has not been achieved or maintained shall be reviewed every six months. A written report of this review or an updated extended employment support plan shall summarize this review and shall be maintained in the case file. The record of the reassessment shall include the names of the participants in the reassessment of the worker's extended employment support plan and the signature of the worker designating informed consent. A copy of the reassessment shall be promptly provided to the worker in the worker's primary language using appropriate modes of communication.

This reassessment must address:

- A. the worker's satisfaction with employment and ongoing employment support services;
- B. the effectiveness of the worker's extended employment support plan in achieving the worker's vocational objective;
- C. the worker's continuing need for ongoing employment support services to maintain or advance employment; and
- D. the worker's interest in changing or advancing in employment.

Subp. 9. **Case records.** A confidential record shall be maintained for each person served in the extended employment program. The case record of the worker communicates appropriate information in a form that is complete, clear, and current. The case record shall be retained for a minimum of three years after the completion of the audit process for the state fiscal year when the worker was last a reported worker in the extended employment program. The provider shall maintain written documentation of the worker's extended employment services that may include electronic documentation and file systems.

Case records must include the information listed in items A to H. Case records of workers in community or supported employment shall also include the information in either item I or J. The items are:

- A. personal identification data, including: Social Security number, legal status, date of birth, residential status and address, and, if applicable, name of guardian or conservator;
- B. eligibility for extended employment, using the criteria in part 3300.2015, subpart 2, determined by either:
 - (1) the provider and documented in the provider's intake reports; or
 - (2) the rehabilitation services branch counselor and documented in the rehabilitation services branch eligibility information and referral reports given to the provider;
- C. written diagnosis of a severe disability by a qualified health care professional who is not employed by the rehabilitation facility, and referral source reports, unless eligibility in item B is determined by a counselor from the rehabilitation service branch of the department;
- D. the worker's extended employment support plan;

E. employment data, including: employers, supervisors, job duties, rates of pay, benefits, start dates, termination dates, and evidence that the provider maintains compliance with certification requirements by providing to the worker the following:

(1) fundamental personnel benefits as described in part 3300.2015, subpart 4;

(2) contribution to the worker's Social Security account as described in part 3300.2015, subpart 3;

(3) comparable benefits as described in part 3300.2015, subpart 5; and

(4) fair and equitable payment of wages as described in part 3300.2015, subpart 6;

F. the reassessment of the worker's extended employment support plan;

G. documents of the payroll agents which verify the hours of paid work reported to the extended employment program for the worker;

H. program summaries and termination or discharge reports;

I. the ongoing employment support services provided to supported employees by the provider that includes, at a minimum, the date and service record of two in-person contacts per month with the worker; and

J. the written natural supports agreement between the provider and the agent of the supported worker's employer including, at a minimum, a date and service record of two in-person contacts with the agent of the employer, or the worker as described in subpart 6.

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