

**Introduced by Senator Hancock**  
(Principal coauthor: Assembly Member Bonta)

February 12, 2016

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An act to amend Section 4860 of, and to add Section 4860.5 to, the Welfare and Institutions Code, relating to developmental services.

LEGISLATIVE COUNSEL'S DIGEST

SB 1024, as introduced, Hancock. Developmental services: supported employment.

Existing law authorizes the State Department of Developmental Services to contract with regional centers to provide services and supports to persons with developmental disabilities, in accordance with the person's individual program plan. As part of the individual program plan, the regional center may refer an adult consumer to habilitation services, including work activity programs or supported employment programs. Existing law establishes an hourly rate of \$30.82 for supported employment services provided to consumers receiving individualized services and group services, and a \$720 fee to be paid to the program provider upon placement or retention of a consumer in a job, as specified.

Existing law declares the policy of the state, known as the Employment First Policy, that opportunities for integrated, competitive employment be given the highest priority for working age individuals with developmental disabilities.

This bill would increase to \$40 the hourly rate for supported employment services provided to consumers receiving individualized services, and would increase this amount by 10% annually. The bill would also increase to \$1,000 the program provider fee upon placement or retention of a consumer in a competitive, integrated job, as specified.

The bill would also require the department, in consultation with stakeholders, to develop a community-based rate model to provide ongoing individual placement employment supports by June 30, 2018.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. (a) The Legislature finds and declares all of the  
2 following:

3 (1) California’s Employment First Policy and the federal  
4 Workforce Innovation and Opportunity Act recognize that  
5 competitive, integrated employment is an essential component for  
6 individuals with intellectual and developmental disabilities to lead  
7 productive and meaningful lives, be a part of their communities,  
8 make friends, and earn money to help improve their economic  
9 outcomes and status.

10 (2) The Developmental Disabilities System Employment Data  
11 Dashboard reports that in 2012, only 12.4 percent of working age  
12 individuals with developmental disabilities reported any income  
13 at all. The State Council on Developmental Disabilities’ report to  
14 the Legislature in 2013 indicated that 92 percent of working age  
15 regional center clients reported not having a job in the community.

16 (3) The key service for helping individuals with developmental  
17 disabilities find, obtain, and maintain competitive, integrated  
18 employment is individual placement supported employment, which  
19 consists of support by a job coach to an individual to help him or  
20 her adapt to the work environment and learn to perform the work.  
21 Since the passage of California’s Employment First Policy, the  
22 number of Californians with intellectual and developmental  
23 disabilities receiving individual placement supported employment  
24 services has declined by over 500 individuals.

25 (b) In enacting this legislation, it is the intent of the Legislature  
26 that both of the following occur:

27 (1) Consistent with California’s Employment First Policy,  
28 individuals with intellectual and developmental disabilities be  
29 provided the opportunity to work in competitive, integrated  
30 employment and participate to the maximum extent possible in  
31 the economic life of their communities.

1 (2) The State Department of Developmental Services propose,  
2 by June 30, 2018, a community-based rate model to replace the  
3 current statewide rate model.

4 SEC. 2. Section 4860 of the Welfare and Institutions Code is  
5 amended to read:

6 4860. (a) (1) The hourly rate for supported employment  
7 services provided to consumers receiving individualized services  
8 shall be ~~thirty dollars and eighty-two cents (\$30.82)~~ *forty dollars*  
9 *(\$40) and shall be increased by 10 percent annually.*

10 (2) Job coach hours spent in travel to consumer worksites may  
11 be reimbursable for individualized services only when the job  
12 coach travels from the vendor's headquarters to the consumer's  
13 worksite or from one consumer's worksite to another, and only  
14 when the travel is one way.

15 (b) The hourly rate for group services shall be thirty dollars and  
16 eighty-two cents (\$30.82), regardless of the number of consumers  
17 served in the group. Consumers in a group shall be scheduled to  
18 start and end work at the same time, unless an exception that takes  
19 into consideration the consumer's compensated work schedule is  
20 approved in advance by the regional center. The department, in  
21 consultation with stakeholders, shall adopt regulations to define  
22 the appropriate grounds for granting these exceptions. When the  
23 number of consumers in a supported employment placement group  
24 drops to fewer than the minimum required in subdivision (r) of  
25 Section 4851, the regional center may terminate funding for the  
26 group services in that group, unless, within 90 days, the program  
27 provider adds one or more regional centers, or Department of  
28 Rehabilitation-funded supported employment consumers to the  
29 group.

30 (c) Job coaching hours for group services shall be allocated on  
31 a prorated basis between a regional center and the Department of  
32 Rehabilitation when regional center and Department of  
33 Rehabilitation consumers are served in the same group.

34 (d) When Section 4855 applies, fees shall be authorized for the  
35 following:

36 (1) A three-hundred-sixty-dollar (\$360) fee shall be paid to the  
37 program provider upon intake of a consumer into a supported  
38 employment program. No fee shall be paid if that consumer  
39 completed a supported employment intake process with that same  
40 supported employment program within the previous 12 months.

1     (2) ~~A seven-hundred-twenty-dollar (\$720) one-thousand-dollar~~  
 2     ~~(\$1,000) fee shall be paid upon placement of a consumer in an a~~  
 3     ~~competitive, integrated job, except that no fee shall be paid if that~~  
 4     ~~consumer is placed with another consumer or consumers assigned~~  
 5     ~~to the same job coach during the same hours of employment. job.~~

6     (3) ~~A seven-hundred-twenty-dollar (\$720) one-thousand-dollar~~  
 7     ~~(\$1,000) fee shall be paid after a 90-day retention of a consumer~~  
 8     ~~in a job, except that no fee shall be paid if that consumer has been~~  
 9     ~~placed with another consumer or consumers, assigned to the same~~  
 10    ~~job coach during the same hours of employment. competitive,~~  
 11    ~~integrated job.~~

12    (e) Notwithstanding paragraph (4) of subdivision (a) of Section  
 13    4648, the regional center shall pay the supported employment  
 14    program rates established by this section.

15    SEC. 3. Section 4860.5 is added to the Welfare and Institutions  
 16    Code, to read:

17    4860.5. The State Department of Developmental Services, in  
 18    consultation with stakeholders, shall develop, on or before June  
 19    30, 2018, a community-based rate model to provide ongoing  
 20    individual placement employment supports to increase the number  
 21    of individuals with intellectual and developmental disabilities  
 22    competitively employed in the community.