

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

February 12, 2016

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.