

447 - EMPLOYMENT

EFFECTIVE DATES: 09/04/19, 10/01/20, 10/01/21, 10/01/22, 09/27/24

APPROVAL DATES: 03/21/19, 05/14/20, 04/13/21, 06/07/22, 06/13/24

I. PURPOSE

This Policy applies to ACC, ACC-RBHA, ALTCS E/PD, DCS CHP (CHP), and DES DDD (DDD) Contractors. This Policy establishes standards and requirements for the delivery of employment services.

II. DEFINITIONS

For purposes of this Policy the following terms are defined as:

ARIZONA@WORK	The statewide workforce development network that helps employers of all sizes and types recruit, develop, and retain the best employees for their needs, while offering a wide range of resources and services to assist job seekers across the state in finding gainful employment opportunities.
ARIZONA DISABILITY BENEFITS 101 (AZ DB101)	AZ DB101 provides information about employment, health coverage, and benefits to assist individuals with disabilities in making informed decisions about work and self-sufficiency. AZ DB101 is the Arizona-specific website of DB101.
CENTER-BASED EMPLOYMENT	A service that provides a controlled and protected work environment, additional supervision and other supports for individuals engaged in remunerative work either in a work center or in the community.
COMPETENCY	The Worker’s demonstrated ability to intentionally, successfully, and efficiently perform the basic requirements of a job multiple times, at or near the required standard of performance.
CONTRACTOR	An organization or entity that has a prepaid capitated Contract with AHCCCS pursuant to ARS 36-2904, ARS 36- 2940, ARS 36-2944, or Chapter 34 of ARS Title 36, to provide goods and services to members either directly or through subcontracts with providers, in conformance with contractual requirements and Federal and State law, rule, regulations, and policies.

CUSTOMIZED EMPLOYMENT	An individualized approach to employment planning and job development that is based on an individual match between the strengths, conditions, and interests of a job candidate and the identified business needs of an employer. Examples of customized employment include task reassignment and job sharing.
GROUP SUPPORTED EMPLOYMENT (GSE)	A service that provides a group of members with on-site supervision and support in an integrated paid work environment within the community.
INTERAGENCY SERVICE AGREEMENT (ISA)	A binding contract between state government agencies whereby one agency provides reimbursement for services performed by another agency to carry out the objectives of the funding source. Refer to ARS 35148.
MEMBER	An eligible individual who is enrolled in AHCCCS, as specified in ARS 36-2931, 36-2901, 36-2901.01 and 36- 2981. Also referred to as Title XIX/XXI member or Medicaid member. When applicable, MEMBER may also or alternatively refer to an enrolled individual's health care decision maker (HCDM) or designated representative (DR). Refer to Health Care Decision Maker; refer to Designated Representative.
ORDER OF SELECTION (OOS)	An organized and equitable method for serving groups of Rehabilitation Services Administration/Vocational Rehabilitation (RSA/VR) clients in a priority order if all clients cannot be served. OOS Priority Categories are based on assessment and documentation of the applicant's functional limitations and vocational rehabilitation service needs.
REHABILITATION SERVICES ADMINISTRATION/VOCATIONAL REHABILITATION (RSA/VR)	An administration within the Department of Economic Security (DES) that oversees several programs which are designed to assist eligible individuals who have disabilities to achieve employment outcomes and enhanced independence by offering comprehensive services and supports. VR is a program under RSA that provides a variety of services to individuals with disabilities, with the ultimate goal to prepare for, enter into, or retain employment.

**WORK ADJUSTMENT
TRAINING (WAT)**

A time-limited, transitional, and systematic program designed to assist members with enhancing soft skills (e.g., attendance, hygiene, focus, interaction with coworkers/supervisors) to reach optimal levels of vocational development by utilizing real work activity. Review of progress meetings occur on a regular basis with the member and the support team to make recommendations for continued services.

1. WAT programs support members in:
 - a. Understanding the meaning, value and demands of work,
 - b. Developing positive work attitudes and habits by increasing interpersonal skills and self-confidence,
 - c. Learning or re-establishing skills, attitudes, personal characteristics, and work behavior, and
 - d. Identifying necessary work characteristics is important to obtaining competitive integrated employment.

Additional definitions are located on the AHCCCS website at: [AHCCCS Contract and Policy Dictionary](#).

III. POLICY

AHCCCS believes that every person should have the opportunity to work competitively in the community when the right kind of job and work environment is identified, and appropriate supports are present. The Contractor is responsible for providing these employment services and supports, while applying a philosophy of empowerment and opportunity through the implementation of employment programs, measurement of outcomes, and communication with all providers and subcontractors. The Contractor shall ensure discussions about employment are occurring with all members of working age, including members transitioning to adulthood. Employment-related initiatives may be created through the collaboration of AHCCCS and the Contractor.

A. EMPLOYMENT FIRST

The Arizona Employment First Executive Order (2017-08) requires State agencies that provide services and supports to persons who have disabilities to implement Employment First principles and practices and to coordinate efforts to improve employment opportunities for working-age adults who have disabilities. AHCCCS is a required and vital partner in Arizona's Employment First initiative. The Contractor is required to adopt the following principles and ensure service planning and service delivery aligns with these principles:

1. Employment is the first and expected outcome for all working aged Arizonans who have disabilities.
2. Members who have disabilities will have access to competitive integrated work settings.

3. Members receive information to help them make informed decisions about employment, including, but not limited to, the following:
 - a. Employment supports and services,
 - b. Knowledge about the value of employment on their quality of life,
 - c. Understanding of how work affects public benefits and resources so that employment remains an option to the member without fear of losing essential benefits,
 - d. Focus on an individual's strengths and interests, and
 - e. Consider appropriate supports and services such as supported and customized employment and assistive technology.

4. Supports and services that are long-term, if needed, are made available for members to be successful in the workplace.

B. GENERAL EMPLOYMENT CONTRACT REQUIREMENTS

The Contractor shall follow employment requirements as specified in Contract including Contractor and provider staffing requirements, referrals to Rehabilitation Services Administration/Vocational Rehabilitation (RSA/VR) and ensuring a sufficient employment provider network.

The Contractor shall ensure employment services are individualized to each member. Program design shall offer opportunities for members to participate in the range of pre-employment services based on their job goals, interests, abilities, and not by any time-or impairment-limited approach (i.e., members may enter the range of pre-vocational services at any part of the process, from career counseling to job search).

1. The ACC Contractors
 - a. The Contractor shall:
 - i. Develop and manage a diverse range of vocational services to assist all members to achieve their rehabilitative and employment goals,
 - ii. Contract with a sufficient network of providers specializing in employment services covering all regions in the Geographic Service Area (GSA),
 - iii. Educate providers on the importance and benefits of referring members interested in employment to providers specializing in employment services, while ensuring processes are in place to educate members about available services in their area from these employment agencies,
 - iv. Provide priority to providers under contract with Arizona Department of Economic Security/Rehabilitation Services Administration (ADES/RSA) when entering into subcontracts for employment services and make all reasonable efforts to increase the number of providers who are mutually contracted with ADES/RSA for employment services,

- v. Maintain provider arrangements to utilize fully dedicated employment/rehabilitation provider staff employed by integrated and/or outpatient clinics offering behavioral health services and whose only duties are employment and rehabilitation-related activities for all members. Under special circumstances, and with prior approval from AHCCCS, it may be permissible for the employment/rehabilitation staff to cover more than one clinical team or split time with other duties, based on staffing availability, regional locations, and enrollment numbers,
 - vi. Ensure the fully dedicated employment/rehabilitation provider staff is competent in providing employment services, including and especially with utilizing the following resources and tools:
 - 1) AHCCCS Medical Coding Page Resources web page, AMPM Policy 310-B, AMPM Exhibit 300-2A, and this Policy,
 - 2) Arizona Disability Benefits 101 (AZ DB101),
 - 3) Rehabilitation Services Administration/Vocational Rehabilitation (RSA/VR), and
 - 4) ARIZONA@WORK.
 - vii. Attend ad hoc technical assistance meetings for the purpose of enhancing program delivery in order to increase successful employment outcomes for members,
 - viii. Manage a Learning Management System (LMS) that includes the following with regard to the workforce competencies as specified in the ACC and ACC-RBHA Workforce Competencies section of this Policy:
 - 1) A Competency Evaluation Tool to evaluate, attest to, and monitor staff competencies, and
 - 2) Employment Job-Aid for supervisors, which is a resource guide to assist staff in achieving competencies.
 - ix. Develop a process to follow up with and resolve all provider inquiries and requests for technical assistance as it pertains to the workforce competencies as specified in the ACC and ACC-RBHA Workforce Competencies section of this Policy. The Contractor shall provide updates on activities and strategies that support:
 - 1) Providers, supervisors, and/or staff to achieve specified proficiencies listed in the Competency Evaluation Tool and support opportunities for professional development, and
 - 2) Monitoring provider compliance to ensure all employment staff are competent to provide employment services.
 - x. Submit the Psychiatric Rehabilitation Progress Report as specified in Contract, and
 - xi. Submit ad hoc deliverables, as requested by AHCCCS.
2. The ACC-RBHA Contractors
- a. The Contractor shall:
 - i. Develop and manage a diverse range of vocational services to assist all members to achieve their rehabilitative and employment goals,
 - ii. Contract with a sufficient network of providers specializing in employment services covering all regions in the GSA,
 - iii. Educate providers on the importance and benefits of referring members interested in employment to providers specializing in employment services, while ensuring processes are in place to educate members about available services in their area from these employment agencies,

- iv. Provide priority to providers under contract with ADES/RSA when entering into subcontracts for employment services, while making all reasonable efforts to increase the number of these providers,
- v. Maintain provider arrangements with at least one fully dedicated employment/rehabilitation provider staff at each clinic that is responsible for participating as a member of the member's adult clinical team and whose only duties are to include employment and rehabilitation-related activities (e.g., employment, meaningful community involvement activities) for the members. Under special circumstances, and with prior approval from AHCCCS, it may be permissible for the employment/rehabilitation staff to cover more than one clinical team or split time with other duties, based on staffing availability, regional locations, and enrollment numbers,
- vi. Ensure the fully dedicated employment/rehabilitation provider staff is competent providing employment services, including and especially with utilizing the following resources and tools:
 - 1) AHCCCS Medical Coding Page Resources web page, AMPM Policy 310-B, AMPM Chapter 300, Exhibit 300-2A, and this Policy,
 - 2) Arizona Disability Benefits 101 (AZ DB101),
 - 3) Rehabilitation Services Administration/Vocational Rehabilitation (RSA/VR), and
 - 4) Interagency Service Agreement (ISA)/Statewide Collaborative Protocols.
- vii. Adhere to the ISA between AHCCCS and ADES/RSA,
- viii. The Contractor shall manage a LMS that includes the following with regard to the workforce competencies as specified in the ACC and ACC-RBHA Workforce Competencies section of this Policy:
 - 1) A Competency Evaluation Tool to evaluate, attest to, and monitor staff competencies, and
 - 2) Employment Job-Aid for supervisors, which is a resource guide to assist staff in achieving competencies.
- ix. Develop a process to follow up with and resolve all provider inquiries and requests for technical assistance as it pertains to the workforce competencies as specified in the ACC and ACC-RBHA Workforce Competencies section of this Policy. The Contractor shall provide updates on activities and strategies that support:
 - 1) Providers, supervisors, and/or staff to achieve specified proficiencies listed in the Competency Evaluation Tool and support opportunities for professional development, and,
 - 2) Monitoring provider compliance to ensure all employment staff are competent to provide employment services.
- x. Submit the Psychiatric Rehabilitation Progress Report as specified in contract,
- xi. Submit ad hoc deliverables, as requested by AHCCCS, and
- xii. Attend ad hoc technical assistance meetings for the purpose of enhancing program delivery in order to increase successful employment outcomes for members.

b. Interagency Service Agreement (ISA) Requirements

AHCCCS and ADES/RSA have an ISA in place to provide certain employment supports for members with a Serious Mental Illness (SMI) determination. Through this ISA, ACC-RBHAs and RSA's Vocational Rehabilitation program work collaboratively with the ultimate goal of increasing the number of employed members who are successful and satisfied with their vocational roles. Refer to the ISA and Statewide Collaborative Protocols for additional details, which can be found at:

<https://www.azahcccs.gov/PlansProviders/HealthPlans/purchasing.html> under the "Other Agreements/Contracts" drop-down. These employment supports shall include:

- i. Providing functional workspace for ADES/RSA staff to carry out the service objectives. Functional workspace includes access to a confidential area for RSA staff to meet with clients, a desk, chairs, and a telephone. In this workspace, RSA/VR staff must have the capability to receive any site safety alerts. Computers and internet access may be provided where available,
- ii. Requiring ACC-RBHA provider employment staff to have weekly consultations with RSA/VR regarding the progress of mutual program participants. Participation can be face-to-face or via email, video conference, or telephone,
- iii. Requiring at least one ACC-RBHA provider employment staff to attend the monthly RSA/VR Orientations,
- iv. Maintaining a sufficient number of Extended Supported Employment (ESE) providers to provide extended job coaching services for members, and
- v. Other responsibilities listed in the ISA and Statewide Collaborative Protocols.

3. ALTCS Contractors

The Contractor, in accordance with AMPM Policy 1240-J, shall:

- a. Ensure that a staff person is designated as the expert on employment supports, services, and resources within the Contractor's service area. In general, this individual shall be available to assist providers with up-to-date information designed to aid members in making informed decisions about employment, including but not limited to ADES/RSA and ARIZONA@WORK. Furthermore, this individual is responsible for educating providers on how to incorporate the AZ DB101 resource tool into personal goal development planning discussions with members and developing and implementing strategies to educate members on the resource tool,
- b. Develop and manage a diverse range of vocational services to assist all members to achieve their rehabilitative and employment goals,
- c. Contract with a sufficient network of providers specializing in employment services covering all regions in the GSA,
- d. Educate providers on the importance and benefits of referring members interested in employment to providers specializing in employment services, while ensuring processes are in place to educate members about available services in their area from these employment agencies,
- e. Provide priority to those providers under contract with ADES/RSA when entering into subcontracts for employment services and make all reasonable efforts to increase the number of providers who are mutually contracted with ADES/RSA for employment services, and

- f. Attend ad hoc technical assistance meetings for the purpose of enhancing program delivery to increase successful employment outcomes for members.

C. The ACC AND ACC-RBHA CONTRACTOR MONITORING REQUIREMENTS

1. The Contractor shall submit the Psychiatric Rehabilitation Progress Report as specified in Section F, Attachment F3, Contractor Chart of Deliverables, that includes and monitors the following:
 - a. Referrals to Rehabilitation Services Administration/Vocational Rehabilitation (RSA/VR),
 - b. Provider service array that lists out contracted providers providing employment services, including agencies specializing in employment services,
 - c. Activities and strategies that support identified employment workforce competencies in this policy,
 - d. Work Adjustment Training (WAT) length-of-stay (ACC-RBHA only),
 - e. Identified target populations to increase and maintain Contractor engagement activities amongst various populations, and
 - f. Identified performance targets.
2. Instructions on how to complete the Psychiatric Rehabilitation Progress Report can be found at <https://www.azahcccs.gov/PlansProviders/GuidesManualsPolicies/index.html> in the document titled, "Psychiatric Rehabilitation Progress Report Instructions Guide".
3. AHCCCS may request additional ad hoc deliverables from the Contractor. The Contractor shall provide the requested information to AHCCCS.

D. CONFLICTS OF INTEREST

Members may participate in job training programs, such as Center-Based Employment (CBE), Group Supported Employment (GSE), Work Adjustment Training (WAT), or other similar types of pre-vocational programs prior to gaining competitive, integrated employment. These training programs may compensate participating members for work performed to develop the necessary skills to achieve their job goal.

Once a member begins employment/becomes an employee (as defined in this section) with a provider, any employment supports and services provided to that member by that provider shall cease. The member may receive employment supports and services from a different provider. For purposes of this section, AHCCCS has specified the difference between a member identified as either an employee or trainee.

1. **Employment/Employee:** Employment on a full-time or part-time basis (including Customized Employment and self-employment) that pays at or above minimum wage and is competitive, integrated, occupationally normative, and considered to be part of the competitive labor market. “Minimum wage” shall be not less than the higher of the rate specified in Section 6 (a)(1) of the Fair Labor Standards Act of 1938 (29 U.S.C. 206 [a][1]) or the rate specified in the applicable State or local minimum wage law. An individual that falls into this category shall be referred to as an “Employee”. An Employee is eligible for the same level of benefits, offered the same opportunities for advancement, and paid at a rate similar to other employees who are not individuals with disabilities and who have similar positions. An Employee also has the opportunity to interact, while performing the duties of the position, with other persons who are not individuals receiving Medicaid employment supports and services (excluding individuals who are employed to provide supports and services to such employee). Opportunities for these interactions may include, but are not limited to, customers, business partners, co-workers, and members of the general public. Employees perform work activities for the primary or personal benefit of the employer, not the individual. Employees may have additional or ongoing job goals, like advancing in their current employment or maintaining their employment.
2. **Training/Trainee:** Paid or unpaid activity on a term-based length of stay (except in limited settings, such as GSE, which could be considered limited-term or long-term) that is designed with the intent to assist individuals to learn basic soft and/or hard work-related skills that lead toward a member’s employment goal documented in their service plan. Limited settings can be determined on a case-by-case basis. An individual that falls into this category shall be referred to as a “Trainee”. Activities may include, but are not limited to, on-the-job training, Pathways to Employment, CBE, GSE, WAT, internships, and apprenticeships. These activities are geared toward providing the necessary education and experience that is intended to result in a successful employment outcome. The goal of these activities is to assist the member in achieving the next level of employment. Trainees are individuals who perform work activities for the primary or personal benefit of themselves, as opposed to the benefit of the employer.

As an example, a member is participating in a pre-vocational program with an agency provider with an employment goal of working in an administrative office. As the member progresses in their knowledge, skills, and abilities, the member is hired as a receptionist by the same provider. If employment supports and services were to continue by the member’s employer, the relationship between the member and the provider now creates a conflict of interest. If the member desires or requires continued employment supports and services (e.g., job coaching), those supports and services shall be provided by a different provider.

The Contractor is responsible for overseeing the compliance of its providers to eliminate any conflicts of interest when it comes to providing Medicaid employment supports and services to members who are considered employees. This may be done through education and training, as well as working with providers to identify employed members who may be receiving employment supports and services.

E. THE ACC AND ACC-RBHA WORKFORCE COMPETENCIES

The Contractor is responsible for providing technical assistance to its provider network to ensure a competent workforce as specified in this section. For more information about Workforce Competencies refer to ACOM Policy 407.

1. The Contractor shall ensure that all providers have access to the AHCCCS standardized employment module of the New Employee Orientation (NEO) Training.
 - a. The Contractor shall ensure that new provider employees complete the standardized employment module and achieve a passing grade of at least 80% on the post-assessment. Employees may complete the training multiple times in order to achieve this passing grade, and
 - b. The NEO Training is available through the single LMS jointly contracted with the Contractor and is titled, "AHCCCS - NEO - Member Employment Services."
2. The Contractor shall require its providers to evaluate and attest to staff competencies in the following:
 - a. Member Engagement
 - i. Employment discussions with all members, not solely those members explicitly expressing interest in employment or employment-related supports and services,
 - ii. For members NOT explicitly expressing interest in employment or employment-related supports and services, discussions may include, but are not limited to, the following:
 - 1) Employment status,
 - a) If employed, the potential need for employment supports (e.g., job coaching), and
 - b) If not employed, their interest in employment and current meaningful daily activities status.
 - 2) Satisfaction with daily activities,
 - 3) Employment experience, and
 - 4) How earned income may impact financial and medical benefits (AZ DB101).
 - iii. For members explicitly expressing interest in employment or employment-related supports and services, discussions may include, but are not limited to, the following:
 - 1) Job interests,
 - 2) Strengths, knowledge, skills, and abilities,
 - a) Vocational assessments may be used as a way to assess strengths, knowledge, skills, and abilities,
 - 3) RSA/VR,
 - 4) ARIZONA@WORK, and
 - 5) How earned income may impact financial and medical benefits (AZ DB101).
 - b. Billing correctly for employment services
 - i. Refer to AMPM Policy 310-B and AHCCCS Medical Coding Page Resources web page.

- c. AZ DB101 (www.az.db101.org)
 - i. Recognize how AZ DB101 can benefit members,
 - ii. For employment staff,
 - 1) Create and maintain an AZ DB101 account and provide assistance to members with setting up their own AZ DB101 accounts,
 - 2) Complete AZ DB101 estimator sessions (full versions and quick estimates) with members to demonstrate how medical and financial benefits may be impacted by employment earnings. This includes accurately analyzing and interpreting AZ DB101 estimator session results with members who may require an extra level of understanding, and
 - 3) Provide assistance in accessing the different types of Social Security and/or AHCCCS work incentives.
- 3) The RSA/VR Program
 - i. Understand the intended benefits of the RSA/VR program,
 - ii. Promote the RSA/VR program,
 - iii. Refer members with disabilities interested in employment to the RSA/VR program, including education about and supporting members to make informed decisions about RSA/VR,
 - iv. For employment staff, knowledge of eligibility criteria, Order Of Selection (OOS), and VR status codes,
 - v. For members who apply for the RSA/VR program but are placed on a waitlist because of the OOS due to a limited number of functional limitations, or decline participation in the RSA/VR program, provide the necessary employment supports and services to assist those members in achieving their employment goals. This includes assisting members to request a redetermination of the OOS when additional information is provided regarding disability-related barriers, and
 - vi. For ACC-RBHA Contractors serving members with SMI determinations, adherence to the parameters specified in the ISA and Statewide Collaborative Protocols.