

EMPLOYMENT FIRST - More Than a Slogan: It Is Time to "Suit the Actions to the Words"



**Illinois Center for Transition
And Work Symposium
Champaign, Illinois**

April 24, 2025
Allan I. Bergman

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Objectives for Today

- See the current status of the lives of adults living with DD re: employment & poverty & the economics involved; & why Competitive Integrated Employment must be a priority.
- Learn the federal laws mandating CIE
- Appreciate the ADA as affirmed by the U.S. Supreme Court in L.C. & E.W. vs. Olmstead (6/22/1999) & a right to the opportunity for integrated employment
- Learn the differences between Supported and Customized Employment.
- Recognize Cost-Benefits of CIE for all.

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Employment First is the Imperative

- **General theme:**

Employment in the community is the first/primary service option for individuals with disabilities

APSE Statement on Employment First

Employment in the general workforce is the **first and preferred outcome** in the provision of **publicly funded services** for **all** working age citizens with disabilities, **regardless** of level of disability.



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Why Pursue Employment & The Employment First Imperative?

- ✓ Get out of poverty; pay taxes
- ✓ Increased independence & economic self-sufficiency
- ✓ Opportunities to make friends and expand relationships
- ✓ Make a contribution to the community
- ✓ Positive image and valued role within the family and community
- ✓ Opportunities for learning

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Employment First: Why Employment First Matters to Self Advocates

“Employment First means that above all else, people with disabilities, people of all abilities, **need to have a purpose in life**. We all have amazing potential to pursue a purpose in life **if given the opportunity**. Employment First is about making that **your top-tier goal in life and really striving to get a job and be a part of your community.**”

John Fenley, People First of New Hampshire; SABE, 2018

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Employment First as a Civil Right

“ **Access to employment is the most vital civil right** because in so many ways, it opens doors to all of the other civil and citizenship rights that most Americans take for granted. This is business we cannot leave unfinished; that **we literally cannot afford – morally or financially – to ignore.**”

Patti Killingsworth, Asst. Commissioner & Chief of LTSS, TennCare; October 2, 2017; Congressional Briefing

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FUNDING: Money Matters....and Drives Practice



Be Bold. Embrace Difference. Change Lives.

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ADA Findings P.L.101-336; 1990

- The continuing existence of unfair and unnecessary discrimination and prejudice denies people with disabilities the opportunity to compete on an equal basis and to pursue those opportunities for which our free society is justifiably famous, and **costs the United States billions of dollars in unnecessary expenses resulting from dependency and nonproductivity.**

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Data: 7.43 M.SSI Recipients;12-2023

- **4.04 million between ages 18 - 64**
(40%-Phys. Dis, 35%-M.H, 25%-ID/DD)
(25.3% of these beneficiaries also received additional Social Security dollars)
- **Only 4.1% of the SSI beneficiaries of working age reported earned income: 19/20 ZERO \$ earnings**
- The average earned income is \$412/mo.
(for individuals who are blind, \$490/mo.)
- Less than 1% leave the rolls per year and only 1/2 of those for employment

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Source: SSA
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Medicaid Overview: FY' 2022 data CMS Data, July 2023

- Over 94.5 million beneficiaries:
 - 38 % children 16% of expenditures
 - 40% adults(16-64) 30% of expenditures
 - **10% seniors; 22% of expenditures**
 - **12% PWD; 33% of expenditures**
(22 % of population & 55% of \$\$ in 2022
- Total expenditures for federal government, FY'22: **\$513 Billion**
(64%)... from a total of \$804 Billion

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Poverty By The Numbers

SUBPOPULATION	2009 Poverty Rate	2016	2024
Children	20.7%	21.1%	16.2%
African-American	25.8%	22.0%	17.9%
Hispanic	25.3%	19.0%	16.6%
Disability	25.0%	26.8%	24.9%
Total U.S. Population	14.3%	12.7%	11.5%

U.S. Census Bureau (September 2024)

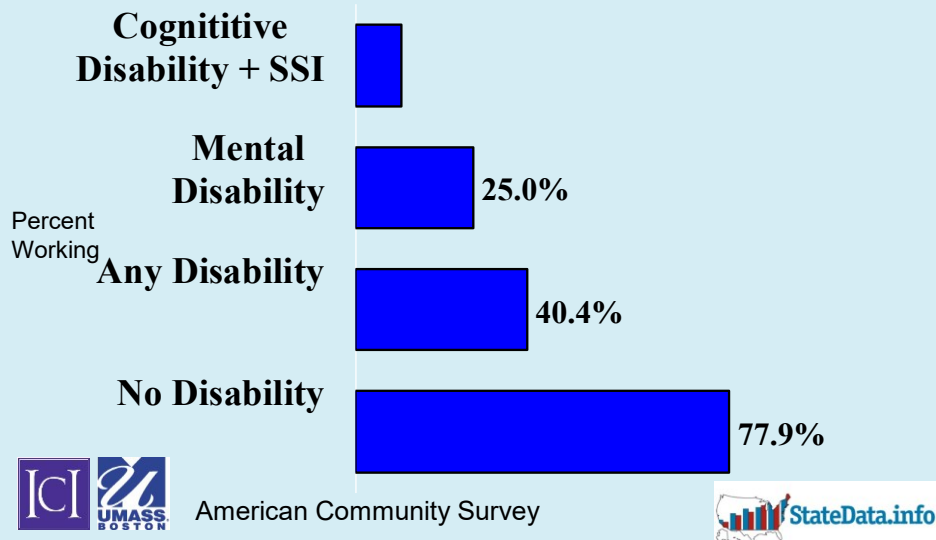
37.9 million Americans (of 340.1M) were living in poverty in 2024.

Persons with Disabilities experienced the highest rates of poverty of any other subcategory of Americans for the 22nd year in a row.

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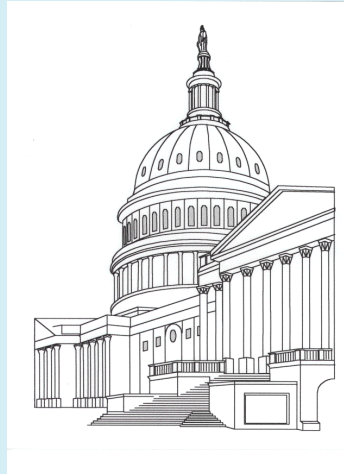
Employment participation Nov. 2024



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Values, Outcomes and Guiding Principles within Federal Legislation



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Aligning Federal Agency Policy & Financing 1992-2025



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Purpose of DD Act (mission)

“to assure that individuals with DD and their **families** participate in the design and have access to needed community services, individualized supports, and other forms of assistance that **promote self-determination, independence, productivity, and integration and inclusion in all facets of community life,** through **culturally competent** programs authorized...”

Section 101 (b)

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Policy of DD Act

“(2) individuals with DD and their **families** have **competencies, capabilities, and personal goals** that **should** be recognized, supported, and encouraged, and any assistance to such individuals **should be provided** in an **individualized manner, consistent with the unique strengths, resources, priorities, concerns, abilities and capabilities of such individuals...**”

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Vision 2025.....
“Each citizen should
plan his part in the
community **according**
to his individual
gifts.”

Plato, 427 – 327, BCE

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Education for All Handicapped Children Act of 1975, P.L. 94 - 142

- **Strong Bi-Partisan Support!**
- Passed Senate, 89 – 7.
- Passed House of Reps., 404 – 7.

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Brief History of IDEA

- A. Civil Rights Litigation History of P.L. 94-142, Beginning with PARC v. Commonwealth of PA. (filed, Jan. 1971 & settled **May 1972**). Case based on **Equal Protection Clause (14th amendment)**, including **Due Process and Deprivation of Liberty**.
- P.L.94-142 in **1975**, "Education for All Handicapped Children Act"; more than 8 million handicapped children in U.S., "more than half do NOT receive appropriate educational opportunities **that would enable them to have full equality of opportunity**, and one million **excluded entirely from the public school system and go through the educational process with their peers**". Free Appropriate Public Education (FAPE) of Special Education and Related Services, based on an IEP, in the Least Restrictive Environment.

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Individuals with Disabilities Education Act- P.L.101-476, **1990**

Passed by Voice Vote – Both Chambers

"to ensure that **all children with disabilities** have available to them a free appropriate public education that emphasizes special education and related services designed to meet their unique needs and **prepare them for further education, employment, and independent living.**"

20 U.S.C. 1400(d)(1)(A)

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THINKING POINT

"YOU CAN'T PREPARE KIDS FOR AN INTEGRATED LIFE IN A SEGREGATED CLASSROOM"

~LOU BROWN~

Goals of the Americans with Disabilities Act (ADA):

- Equality of Opportunity
- Full Participation
- Independent Living
- Economic Self-Sufficiency (1990)



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IDEA Findings stated by Congress in

2004 Amendments-P.L.108-446

Senate 95-3, House 397-3

“...(4) However, the implementation of this chapter has been **impeded by low expectations and an insufficient focus on applying replicable research on proven methods of teaching and learning for children with disabilities.**

(5) Almost **30 years of research** and experience has demonstrated that the education of children with disabilities can be made more effective by -

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IDEA Findings – 2

- " (A) **having high expectations for such children** and ensuring their access to the general education curriculum in the regular classroom, to the maximum extent possible, in order to –
- (i) meet developmental goals and, to the maximum extent possible, the challenging expectations that have been established for all children; and
 - (ii) **be prepared to lead productive and independent adult lives,** to the maximum extent possible: ..."

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Why Inclusion is the Least Restrictive Environment Today

- We have come a long way since 1975:
 - We did not have assistive technology and devices of all types, and apps, and a range of alternative augmentative communication devices, power mobility, etc. and more coming.
 - We had low expectations based on the diagnosis, label, stigma and terrible language.
 - We did not have non-aversive behavioral interventions and applied behavior analysis.
 - We did not have universal design for learning (UDL).
 - We did not have supported or customized employment.
 - IEPs focused on "measurable annual goals" for compliance and no focus on outcomes and long-term benefits to the person and to society.
 - We did not have decades of peer reviewed literature documenting that all students thrive in truly inclusive classrooms with well trained, competent teachers and support staff or peer tutors.

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Individuals with Disabilities Education Act; 12-3-2004

“to ensure that **all** children with disabilities have available to them a free appropriate public education that emphasizes special education and related services designed to meet their unique needs and **prepare them for further education, employment, and independent living.**”

20 U.S.C. 1400(d)(1)(A)

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Expectations Matter...A Lot!!!

“The **best predictor of post school outcomes** are the following:

Parental Expectations.....

Teachers' Expectations.....

Expectations change the path of what experiences are made available and what is taught to the child/student...”

“Changing introductions **from deficits and what cannot do, to strengths, preferences, interests, gifts & contributions**”

...**Relationships matter; Location matters.**

Erik Carter, Ph.D. Vanderbilt University

December 3, 2015

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IDEA Transition Amendments of 2004 (identical in Rehab. Act)

“The term ‘**transition services**’ means a **coordinated set of activities** for a child with a disability that:

- Is designed to be within a **results-oriented process**, that is focused on improving the **academic and functional achievement** of the child with a disability to facilitate the child’s movement from school to post-school activities, including.....

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IDEA Transition amends. of 2004, cont.

postsecondary education, vocational education, integrated employment (including supported employment) continuing and adult education, adult services, **independent living, or community participation**;

- Is based on the individual child’s needs, taking into account **the child’s strengths, preferences and interests**; and,

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Endrew F. v. Douglas County School District; SCOTUS, March 21, 2017

- **Unanimous 8-0 decision regarding educational benefit under IDEA**
- Student with autism; parents pulled from public schools in 5th grade and placed in private school; had lost case with state dept. of education and with 10th Circuit, Federal District Court
- Chief Justice Roberts wrote the opinion

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Endrew v. Douglas County Schools, 2

- “When all is said and done, a student offered an education program providing a ‘merely more than de minimis’ progress from year to year can hardly be said to have been offered an education at all.”
- “The IDEA demands more. **It requires an educational program reasonably calculated to enable a child to make progress appropriate in light of the child’s circumstances.**”
- **“The IEP is more than a form.”**

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1 Factor Predicting Post School Career Success

WORK EXPERIENCE DURING SCHOOL

- Optimum Career Preparation includes:

- Youth empowerment
- Family involvement and supports
- Academic preparation paired with work experience
- Connections to ancillary services

▪ **WORK**

▪ Richard Luecking, Ed.D.

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Educational Environments by Amount of Time Per Day by IEP Diagnosis; fall 2021.

6,792,832 students, IEP, ages 5-21 (9.1% of all)

S.L.D. 34.5%; Speech-Lang. 16.6%; Other H. Impairment 18.1%; Autism 12.2%; I.D., 6.1%; Emotional Disturb. 4.8%; Other 7.8%

	80%+	40-79%	<40%	Other
Autism	40.8%	17.1%	34.2%	7.8%
Emot. D	54.7%	17.0%	14.6%	13.7%
E.D.IL.	36.0%	20.8%	13.7%	29.5%
I.D.	18.7%	27.7%	47.2%	6.4%
I.D. IL.	3.4%	29.9%	49.8%	17.4%

45th Report to Congress on IDEA, OSERS, 2024

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Youth Employment Data, July 2024, Bureau of Labor Statistics

Youth Without Disabilities

- 37.4% for youth between the ages of 16 to 19
- **73.1%** for youth between the ages of 20 to 24

Youth With Disabilities

- **27.6%** for youth between the ages of 16 to 19
- **46.9%** for youth between the ages of 20 to 24

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State V.R. Program Policy – DRS in IL.

“(3) It is the policy of the United States that such a program shall be carried out in a manner consistent with the following principles:

“(A) Individuals with disabilities, including **individuals with the most severe disabilities**, are generally **presumed to be capable of engaging in gainful employment** and the provision of individualized vocational rehabilitation services can improve their ability to become gainfully employed.

“(B) Individuals with disabilities **must be provided** the opportunities to obtain gainful employment in **integrated settings**.

Rehabilitation Act, 1992

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Rehab Act's **Presumption of Benefit**

“(2) Presumption of benefit

(A) Demonstration: For purposes of this section, an individual shall be presumed to be an individual that can benefit in terms of an employment outcome from V.R. services, **...unless the designated State unit involved can demonstrate by clear and convincing evidence** that such individual is incapable of benefiting in terms of an employment outcome from V.R. service due to the severity of the disability of the individual.

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Rehabilitation Services Administration Technical Assistance Circular 14-03

- **May 6 2014**; Carol Dobak, Chief, VR P.U.
- Transition Planning & Services Provided Through the State VR Services Program
- “**...all students with disabilities, including those with significant and the most significant disabilities, are presumed to be eligible for VR services, unless the VR agency concludes , based on clear and convincing evidence** is not capable of an integrated employment outcome

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“Significant Disability” in Rehab Act

- Has a “severe physical or mental impairment that seriously limits one or more functional capacities (such as mobility, communication, self-care, self-direction, interpersonal skills, work tolerance or work skills) in terms of an employment outcome;”
- Can be expected to require “multiple vocational rehabilitation services over an extended period of time;” and,

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“Significant Disability” – 2-

- Has one or more physical or mental disabilities (e.g. autism, blindness, cerebral palsy, deafness, head injury, intellectual disability) or a combination of disabilities assessed to cause comparable substantial functional limitation.
- **Recipients of SSDI or SSI are presumed to be eligible for VR services as individuals with a significant disability.**

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Presumption of Employability and Competency:

**“Everybody is a genius.
But if you judge a fish
by its ability to climb a tree,
it will live its whole life
believing that it is stupid.”**

Albert Einstein

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Research and Best Practices

- **Continuum of services is a myth and does not work; based upon a medical model**
- Competency/Deviancy Hypothesis by the late Dr. Marc Gold; “place and train rather than train and place”
- “Try Another Way”, Dr. Marc Gold
- **I.Q. does not correlate with productivity**
- Supported Employment; Bellamy/Mank
- Refined by Callahan to Customized Employment; Self Employment by Hammis and Griffin

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V.R. Employment Outcome, 2001

“Employment outcome means, with respect to an individual, entering or retaining full-time or, if appropriateas defined in 361.5(b) (11), in the integrated labor market, supported employment, or any other type of employment in an integrated setting, including self-employment, telecommuting or business ownership, that is consistent with an individual’s strengths, resources, priorities, concerns, abilities, capabilities, interests &informed choice 34CFR361.5(b)1

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“INFORMED CHOICE”

“**Informing each applicant and eligible individual...through appropriate modes of communication**, about the availability of and opportunities to exercise informed choice, including the availability of support services for individuals with cognitive disabilities who require assistance in exercising informed choice throughout the rehabilitation process.” 34 CFR 361.52

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Workforce Innovation & Opportunity Act

- July 22, 2014; P.L. 113-128
(95-3 Senate; 415-6 House)
- Major changes in Workforce Investment Act and Vocational Rehabilitation Act
- Joint Performance Measures for the State VR agency and the State Workforce Agency with one integrated plan
- Emphasis on Transition and Youth with **most significant disabilities for S.E.**
- **Customized Employment defined in law**

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Supported Employment

Essentially, SE provides **post employment** support to employees and employers who are felt to need additional support to achieve employment success.

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Supported Employment, 2

- Often focuses on **open jobs**
- Provides job coaches to assist both employees and employers
- Most funded supports occur post employment
- **Pre-employment supports and services are not stipulated in statute or in regulations or guidance**

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Customized Employment defined in WIOA; 7.2014

*According to the 2014 Amendments to the Rehab Act
(H.R. 803 Section 7 (7) (29 U.S.C. 705)*

Customized Employment **means competitive integrated employment, for an individual with a significant disability**, that is based on an individualized determination of the strengths, needs, and interests of the individual with a significant disability, is **designed to meet the specific abilities of the individual with a significant disability and the business needs of the employer.** and is carried out through flexible strategies, such as:

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It Started with Marc Gold's *"Train, Don't Test..."*



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Customized Employment is...

- Employment where job tasks are **reassigned** from an existing job, **restructured** from one or more existing jobs, or **created** to match the skills and accommodation needs of the jobseeker, and...
- **The Customized Employment approach MUST help the employer's operation in some specific way**

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The “flexible strategies” of Customized Employment in WIOA

- (A) job exploration by the individual;
- (B) working with an employer to facilitate placement, including —
 - (i) **customizing a job description based on current employer needs or on previously unidentified and unmet employer needs;**
 - (ii) **developing a set of job duties, a work schedule and job arrangement, and specifics of supervision (including performance evaluation and review), and determining a job location;**
 - (iii) representation by a professional chosen by the individual, or self-representation of the individual, in working with an employer to facilitate placement; and
 - (iv) **providing services and supports at the job location.**

Marc Gold & Associates©

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A Journey of Discovery

**“Discovery consists of
looking at the same thing as
everyone else and thinking
something different”**

Albert Szent-Gyorgyi (Nobel Prize winner who
discovered Vitamin C)

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Workforce Innovation & Opportunity Act

- **Pre-employment transition services** are defined as, and **15% \$ must be used for:**
 - Job exploration counseling & support
 - Work-based learning experiences
 - Counseling on post-secondary opportunities
 - *Workplace readiness training*
 - Training on self-advocacy

Each local VR office must engage in pre-employment transition coordination with all local schools and workforce system

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Richard G. Luecking, Ed.D

- “ Any service that **isolates** students/youth with disabilities in groups focused on **‘readiness’ rather than actual work,** which are not proven to affect competitive integrated employment, should not be initiated by field VR counselors or authorized by VR leadership. **To proceed otherwise only perpetuates dismal employment rates for youth with I/DD and other significant disabilities,** failing to maximize the return on VR service investment” **5/2016, CPSPD Policy Brief**

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Workforce Innovation & Opportunity Act

- Supported Employment in VR Act:
 - Definition modified to clarify that **S.E. is integrated competitive employment**, or an individual working short-term in an integrated employment setting toward integrated competitive employment
 - **50%** of the State's Supported Employment funds must be used to support youth with **the most significant disabilities (up to age 24)** & they may receive supports for up to 4 years.

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Why Target Transition, Ages 14–24?

- **Only 26% of students with intellectual and multiple disabilities were “employed” two years after high school graduation** (Carter, 2012);
- 400,000 youth with disabilities exit our nation's schools every year (National Center for Education Statistics); and,
- Of those students, 40,000 - ID; 15,000 – autism; 9,000 - multiple disabilities; and, 2,500 – TBI.
- **462,000 SSI recipients between ages of 14 & 17 in 2014**

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Psychological Benefits of Competitive Integrated Employment

- Higher quality of life observed (e.g., Kraemer et al., 2003)
- Increase in personal independence (e.g., Taylor et al., 2014)
- Increased autonomy and self-determination (Wehmeyer & Bolding, 2001)
- Reduced daily living support needs. (Wehman et al., 2017)

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A FRAMEWORK FOR COMMUNITY ENGAGEMENT – A PATHWAY TO COMPETITIVE INTEGRATED EMPLOYMENT

August 3, 2022

A joint statement from the: Office of Special Education and Rehabilitative Services (OSERS), Office of Disability Employment Policy (ODEP), Administration on Community Living (ACL) and Substance Abuse and Mental Health Services Administration (SAMHSA)

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A FRAMEWORK FOR COMMUNITY ENGAGEMENT - 4

Maximizing all opportunities for community engagement through collaborative and coordinated service planning and delivery that **support personal interests and goals keep individuals on the path to competitive integrated employment.**

..."Engagement in the community provides opportunities to:

- **Build relationships and social networks**
- **Sharpen workplace and social skills**
- **Learn work skills**

..."To effectively expand opportunities for the employment of individuals with disabilities, community engagement should be:

- **Individualized**
- **Interactive**
- **Supported**

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Subminimum Wages to be Phased Out or Illegal

- New Hampshire
 - Alaska
 - Maine
 - Hawaii
 - California
 - Tennessee
 - Rhode Island
 - Texas & **Illinois, all state contractors must pay minimum wage or more to all**
 - Reno, Nevada in city and county
 - **City of Chicago in 2024**
- Maryland
Oregon
Washington
Colorado
Delaware
S. Carolina
Illinois by 12/31/29

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Integrated Employment Data for Individuals Receiving DD Services; 2022; ICI Data

▪ <u>U.S. Average</u>	23.5%
▪ Washington State	82.9%
▪ Oklahoma	68.5%
▪ Delaware	58.3%
▪ Oregon	57.7%
▪ <u>Iowa</u>	<u>49.5%</u>
▪ Virginia	45.3%
▪ Vermont	40.9%
▪ Rhode Island	39.7%
▪ North Dakota	36.6%
▪ <u>Michigan</u>	<u>35.6%</u>
▪ Ohio	<u>35.1%</u>
▪ <u>Minnesota</u>	<u>32.7%</u>
▪ <u>Wisconsin 26.7%; Missouri, 19.1%; Indiana, 10.3%</u>	
▪ <u>Illinois</u>	3.8% (#47/48)

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Costs and Outcomes of Supported and Facility-Based Employment

Robert Evert Cimera, Ph.D.
Kent State University
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- Cumulative Costs SE: \$18,813
FB: \$46,855
- Cost per Hr. Worked SE: \$11.88
FB: \$17.12
- Cost per Dollar Earned SE: \$2.02
FB: \$9.39

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Why is Employment Becoming

Part of Medicaid's Focus? (9/16/2011)

CMS's commitment:

"Work is a fundamental part of adult life for people with and without disabilities. It provides a sense of purpose, shaping who we are and how we fit into our community. **Meaningful work has also been associated with positive physical and mental health benefits and is a part of building a healthy lifestyle as a contributing member of society.** Because it is so essential to people's economic self sufficiency, as well as self esteem and well being, people with disabilities...who want to work should be provided the opportunity and support to work competitively within the general workforce in their pursuit of health, wealth and happiness. **All individuals, regardless of disability and age, can work – and work optimally with opportunity, training, and support that build on each person's strengths and interests.** Individually tailored and preference-based job development, training, and support should recognize each person's employability and potential contributions to the labor market."

➤ Highlights CMS's goal to promote integrated employment options

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The Impact of Employment on Medicaid Utilization and Costs

- **State of Iowa, calendar year 2011**
- Individuals on **SSI** who became employed and used the Medicaid Buy-In (MEPD)
- SSI beneficiaries who became employed, using MEPD, experienced **\$161/month lower Medicaid claims.**
- Beneficiaries **dually covered by Medicaid and Medicare** who became employed and used MEPD had a **\$332/month reduction in Medicaid claims**

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Iowa Employment-Medicaid Data, 2

- Calendar year 2011, 129,369 MEPD member months produced **\$20,828,409 in total Medicaid claims savings.**
- Stated another way, the total claims paid by the individuals who became employed in 2011 were **21.6% less than expected** based on their previous claims experience and the claims experience of SSI related Medicaid beneficiaries.

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Employment First



“Employment is nature’s best physician and is essential to human happiness.”

— Galen, Greek physician

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Financial Stability for People With Disabilities

Slide 67

Old Paradigm:

- One must accept a life of poverty in exchange for public assistance.

New Paradigm:

- The full promise of the Americans with Disabilities Act (ADA) – equality of opportunity, full participation, independent living and economic self-sufficiency
- Opportunity to earn income through employment
- Ability to use safe and affordable financial services
- Encouragement to save and build assets/resources/savings
- Right to exercise control over personal finances
- Right to develop money management skills, practice self-determination and design a person-centered service portfolio

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Goals of the Americans with Disabilities Act of 1990

- The nation's proper goals regarding individuals with disabilities are to assure:
 - **Equality of Opportunity**
 - **Full Participation**
 - **Independent Living**
 - **Economic Self Sufficiency**

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**DOJ Files Complaint to Intervene in
Lane, et.al. v. Kitzhaber; 3/27/2013
Court granted motion, 5/22/2013
(original suit filed 1/25/2012)**

- “1. The United States alleges that Defendant, the State of Oregon (“State”), **discriminates** against individuals with intellectual or developmental disabilities (“I/DD”) by **unnecessarily segregating them in sheltered workshops** and by placing them at risk of such segregation in violation of Title II of the ADA and Section 504 of the Rehabilitation Act.”

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DOJ-Oregon Settlement

- Announced September 8, 2015
- After 13 days of mediation; trial had been set for December 1, 2015
- Key provisions of **the 7 year agreement**:
 - Converts the goals, commitments, and structural reforms of the Governor’s Executive Order of Into enforceable obligations.
 - Requires Oregon to provide 1,115 working age individuals who are or were in sheltered workshops with Competitive Integrated Employment.

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Key Provisions, DOJ-Oregon, cont.

- Expects the number of persons in sheltered workshops to be reduced from 2,700 to no more than 1,530 or lower;
- **Creates a right to integrated supported employment services** that allow individuals with I/DD to work in integrated employment settings for all persons in sheltered workshops who want them.
- Ensures that **4,900 youth will receive Employment Services** and that half of those who do receive Employment

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Key Provisions: DOJ-Oregon, cont.

- Services will **get an Individual Employment Plan** from VR that should lead to competitive employment;
- Requires that the **State issue policies and promote the expectation that all individuals with I/DD work an average of 20 hours/week, consistent with their choice and abilities;**
 - Mandates that Oregon continue to fund a **training and technical assistance entity** and its provider transformation grants at current levels for **the next four years**

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DOJ on the Application of the Integration
Mandate on Publicly Funded Employment
Services: Issued **October, 31, 2016**

“Nationally, **millions** of individuals with disabilities **spend the majority of their daytime hours receiving employment and day services in segregated sheltered workshops and segregated day settings** where they are segregated from non-disabled persons....

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DOJ on Employment Services, 2

“The **civil rights** of persons with disabilities, including individuals with mental illness, intellectual or developmental disabilities, or physical disabilities, **are violated by unnecessary segregation** in a wide variety of settings, **including in segregated employment vocational and day programs.**”

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DOJ on Employment Services, 4

- “...**integrated day services** allow persons ...to **participate in and gain membership in mainstream community-based** social, recreational, educational, cultural, and athletic activities, including community volunteer activities and training activities.
- Such integrated non-work activities can allow individuals with disabilities to **develop autonomy & self-determination, networks of contacts, models, & mentors...improving employment opportunities & outcomes.**”

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CMS Final Rule, 1-16-2014, cont.

“ (i) The **setting is integrated** in and supports **full access** of individuals receiving Medicaid HCBS **to the greater community**, including opportunities **to seek employment and work in competitive integrated settings, engage in community life**, control personal resources, and receive services in the community, to the same degree of access as individuals not receiving Medicaid HCBS.

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Employing People with Intellectual and Developmental Disabilities



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OVERVIEW

Four main findings

Talent that drives business results

Advantages cited including: addition of highly motivated employees, demonstrating an inclusive and diverse culture that's attractive to critical talent pools, and improved customer satisfaction.

A ready pool of ideal workers

Companies that employ people with IDD describe them as dependable, engaged, motivated, having great attendance, attention to work quality, and high productivity.

A good fit that exceeds expectations

Nearly three-quarters of employers report a positive experience, and nearly one-third of those say it exceeded their expectations.

Fewer challenges and more support than expected

Employers report minimal difficulty with preconceived challenges, while support resources are readily available.

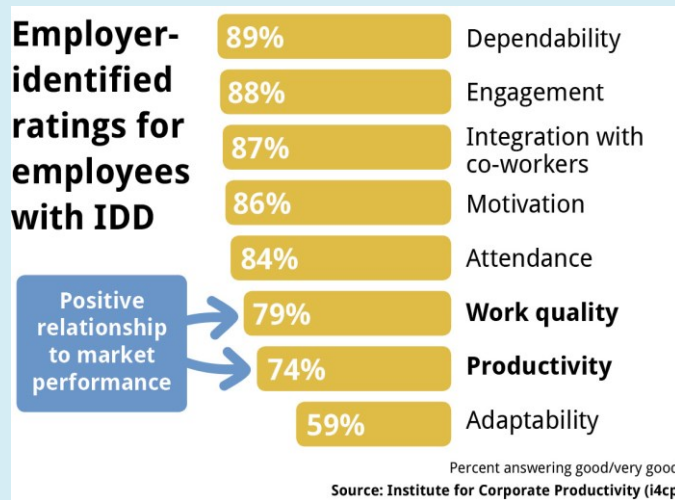
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FINDING 2

Top employers find a ready pool of ideal workers



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ACCOUNTABILITY FOR OUTCOMES AND A RETURN ON INVESTMENT TO ALL STAKEHOLDERS A MUST

- **All Individuals with Disabilities Being Employed in Integrated Environments**
 - Earning Wages
 - Contributing and Belonging to the Community
 - Paying Taxes, FICA and Medicare
 - Savings accounts and ABLE Accounts
 - Getting Out of Poverty
 - Resulting in Increased Independence, Self Esteem, Friendships
 - Improved Health & Mental Health
 - Significantly Reduced SSI, Medicaid, SNAP and other Public Benefits
 - Saving Billions of Taxpayer \$\$\$\$\$!

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DISABILITY CONSTRUCT IN MULTIPLE FEDERAL LAWS (DD Act, IDEA, Rehab Act)

- “Disability is a natural part of the human experience and in no way diminishes the right of individuals to:
 - Live independently
 - Enjoy self determination
 - Make choices
 - Contribute to society
 - **Pursue meaningful careers**
 - **Enjoy full inclusion and integration in the economic,** political, social, cultural, and educational mainstream of American society.

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Diversity is a fact.
Equity is a choice.
Inclusion is an
action.
Belonging is an
outcome.

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