

# 107 CMR: MASSACHUSETTS REHABILITATION COMMISSION

## 107 CMR 8.00: EXTENDED EMPLOYMENT PROGRAM

### Section

- 8.01: Scope and Purpose
- 8.02: Meaning of Terms in 107 CMR 8.00
- 8.03: Referral for Extended Employment Program
- 8.04: Individual Choice of Employment Outcome
- 8.05: Information and Referral
- 8.06: Trial Period
- 8.07: Termination from Employment
- 8.08: Review of Participants in Extended Employment Program
- 8.09: Eligibility of Rehabilitation Providers
- 8.10: Appeal Rights

#### 8.01: Scope and Purpose

107 CMR 8.00 establishes the standards and procedures for the state funded Extended Employment Program (EEP) which is administered by the Massachusetts Rehabilitation Commission in order to provide work support services to enable employment of individuals with disabilities who are unable to maintain competitive employment. EEP is a program of work support services to enable individuals with disabilities to enter and maintain paid work as participants of a community rehabilitation provider. Work support services include, but are not limited to, job coaching, job development, case management, job modifications, referrals for other services, and employer education.

#### 8.02: Meaning of Terms in 107 CMR 8.00

The terms used in 107 CMR 8.00 will, unless the context otherwise requires, have the meanings defined in 107 CMR 3.00.

#### 8.03: Referral for Extended Employment Program

As of February 1, 2008, the Massachusetts Rehabilitation Commission will no longer accept referrals to the Extended Employment Program (EEP).

#### 8.04: Individual Choice of Employment Outcome

(1) Federal regulations defining successful vocational rehabilitation (VR) employment outcomes were changed effective October 1, 2001 to exclude employment in sheltered or non-integrated settings. This was to ensure that individuals with significant disabilities have greater opportunities to pursue competitive and supported employment.

All individuals who have been enrolled in EEP prior to February 1, 2008 may continue in the program.

(2) For some individuals, extended or non-integrated employment can be an initial step toward achieving integrated employment under the VR program and a long-term employment option through sources of support other than the VR program; therefore individuals may still choose long-term employment services outside of the VR program. When an individual chooses extended employment; the Commission shall make a referral to a local extended employer provider.

#### 8.05: Information and Referral

If an individual makes an informed choice to pursue extended employment as an employment goal; the Commission shall explain to the individual that the purpose of the vocational rehabilitation program is to assist him or her in achieving an employment outcome in an integrated setting and

- (a) provide information concerning the availability of other employment options and vocational services, in integrated settings; and

8.05: continued

- (b) refer the individual if needed, to the local Work Incentive Planning and Assistance (WIPA) Program, funded through the Social Security Administration and other public benefits; and
- (c) inform that extended employment remains both a viable, interim option for preparing VR participants for employment in integrated settings and a long-term employment option through sources other than the VR program for those individuals who prefer to work in extended employment; and
- (d) emphasize that, if the individual initially chooses not to pursue employment in an integrated setting, the individual can seek those services from the Commission at a later date.

8.06: Trial Period

A current program participant entering competitive employment, or an alternative vocational program such as community based employment services shall have a trial period up to six months after placement at which time work support services for the participant's position at the community rehabilitation provider will be held available. An EEP participant who is unable to complete the trial period, may return to the EEP position with work support services available as needed. Providers may bill the Commission for work support services during the trial period at established EEP rates.

8.07: Termination from Employment

When a former EEP participant is terminated from competitive employment or alternative vocational program the individual may reapply for vocational rehabilitation services at the local Commission office or the Statewide Employment Services Department.

8.08: Review of Participants in Extended Employment Program

The Commission shall conduct monthly reviews of the progress of each participant receiving work support services through the EEP. In addition, the Commission shall conduct annual reviews of each participant's progress to determine continued eligibility for EEP work support services as well as possible referral for vocational rehabilitation services, Community Based Employment Services, competitive employment, alternate programs, ancillary services or other appropriate placements. To maintain eligibility, all participants must maintain at least a 25% production rate and a 75% monthly attendance for eight consecutive weeks.

8.09: Eligibility of Rehabilitation Providers

All community rehabilitation providers (CRP) participating in the Commission's EEP program must be approved by the Commission. All extended employment work support services must be rendered under a contract between an eligible provider and the Commission. Contracts and expenditures for such services are subject to state appropriations and to all Massachusetts' statutory, regulatory and related requirements governing the purchases of services and goods.

8.10: Appeal Rights

Commission decisions regarding the continuing eligibility of current individuals for EEP work support services are subject to appeal in accordance with 107 CMR 1.00. Requests for appeal must be made in writing addressed to the attention of the Client Appeals Coordinator at the Commission Administrative Office. EEP work support services are fully state funded and subject to appropriation. Decisions by EEP CRP's affecting the nature, conditions, hours or retention of work are not subject to appeal through the Massachusetts Rehabilitation Commission. EEP CRP's are expected to inform EEP participants of their rights as participants and their rights and methods for seeking redress of discriminatory employment practices.

REGULATORY AUTHORITY

107 CMR 8.00: M.G.L. c. 6, § 75 and 78A and 129; 29 USC 721(a)(10); 34 CFR 361.58 and 361.15(h).

NON-TEXT PAGE