

# Arc of Ohio Spring Conference

## **MBR INITIATIVES**

John L. Martin, Director

March 28, 2012

# **Employment First**

## **The Executive Order**

### **What Does it Say?**



**JOHN R. KASICH, GOVERNOR STATE OF OHIO**

Executive Order 2012-OSK

## **The Establishment of the Employment First Policy and Taskforce to Expand Community Employment Opportunities for Working-Age Ohioans with Developmental Disabilities**

**WHEREAS, all Ohioans, including those with developmental disabilities, should be encouraged to take part in the workforce and to bring their individual strengths and talents to participate in Ohio business and industry.**

**WHEREAS, Ohioans with developmental disabilities experience some of the highest rates of unemployment, underemployment and poverty, and have little exposure to community employment options.**

**WHEREAS, Ohio's developmental disability system currently spends less than 6% of available adult service funding on placing and supporting individuals with developmental disabilities in the general workforce.**

**WHEREAS, current state and federal efforts strive to redirect Medicaid spending to promote community-based services.**

**WHEREAS, my Administration has established community employment and school-to work transition as priorities.**

**WHEREAS, individuals with developmental disabilities have the right to make informed decisions about where they work, and to have opportunities to obtain community jobs that may result in greater earnings, better benefits, improved health and increased quality of life.**

**WHEREAS, Ohio seeks to benefit from the State Employment Leadership Network's (SELN's) review of Ohio's current system of supporting employment for persons with developmental disabilities.**

**WHEREAS, Ohio seeks to improve and coordinate efforts to increase community employment outcomes for working-age Ohioans with developmental disabilities.**

**NOW THEREFORE, I, John R. Kasich, Governor of the State of Ohio, by virtue of the authority vested in me by the Constitution and laws of this State, do hereby order and direct that:**

- 1. Community employment shall be the priority and the preferred outcome for working-age Ohioans with disabilities.**
- 2. The Governor's Employment First Taskforce ("EFT") is created to collaborate, coordinate and improve employment outcomes for working-age adults with developmental disabilities. In the first six months following the effective date of this Executive Order, the EFT shall do the following:**
  - a. Review and consider the recommendations of the State Employment Leadership Network report to increase opportunities for community employment for Ohioans with developmental disabilities.**
  - b. Review and align policies, procedures, eligibility, and enrollment and planning for services for individuals, with the objective of increasing opportunities for community employment for Ohioans with developmental disabilities.**

- c. Develop cross-agency tools to document eligibility, order of selection, assessment and planning for services for individuals.**
- d. Identify best practices, effective partnerships, sources of available federal funds, opportunities for shared services among existing providers and county boards of developmental disabilities, and the means to expand model programs, to increase community employment opportunities for those with developmental disabilities**
- e. Identify and address areas where sufficient support is not currently available or where additional options are needed to assist those with developmental disabilities to work in community jobs.**
- f. Establish interagency agreements to improve coordination of services and allow for data sharing as appropriate.**
- g. Set benchmarks for improving community employment outcomes/services.**

**3. I appoint the Ohio Department of Developmental Disabilities (DODD) to lead the EFT. DODD shall oversee and implement the activities described above. The EFT also shall include representatives from the Ohio Department of Education (ODE), Ohio Department of Job and Family Services (ODJFS), Ohio Department of Mental Health (ODMH), and Ohio Rehabilitation Services Commission (ORSC) who have authority to act on behalf of their respective agencies.**

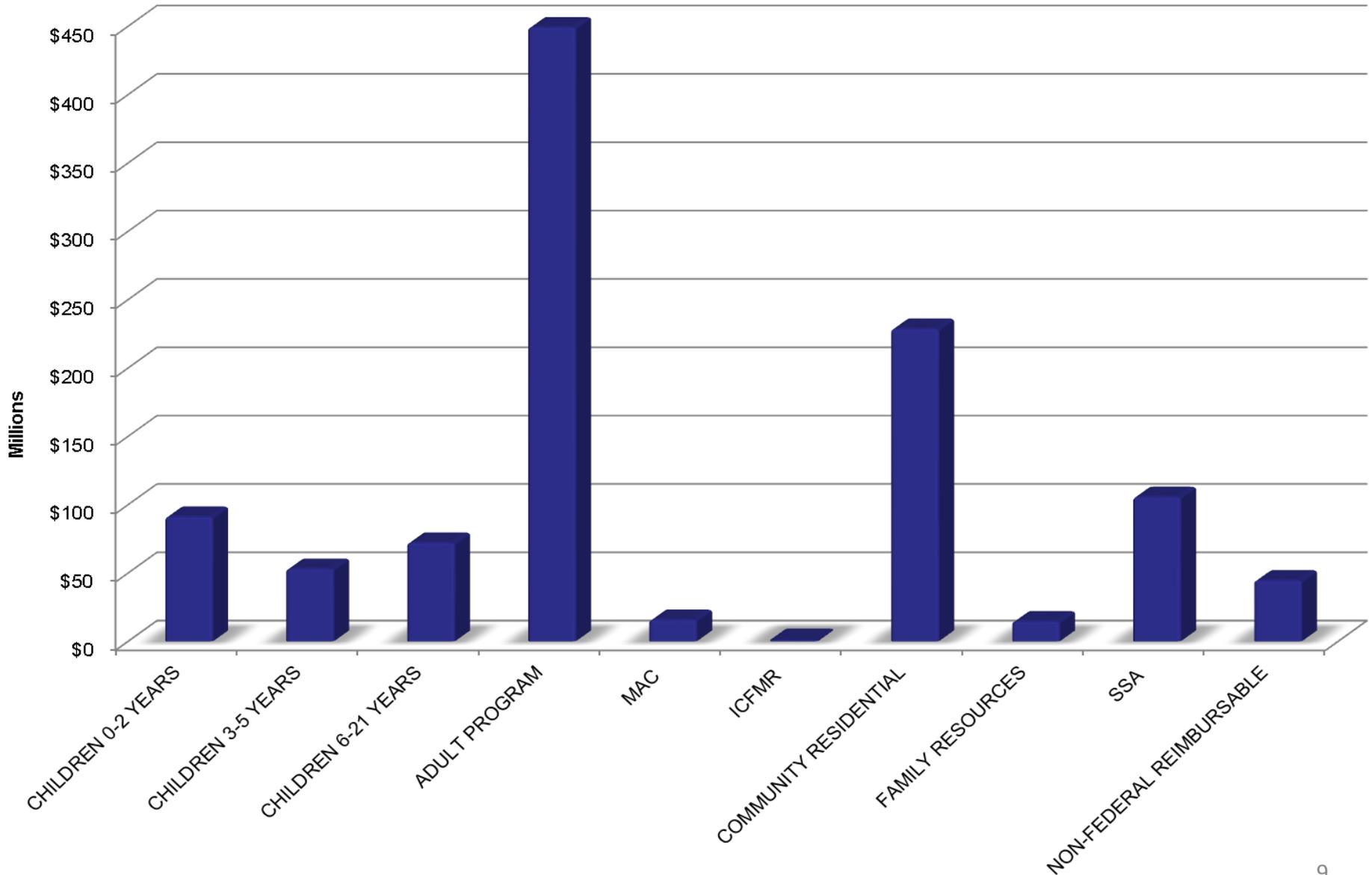
**4. The DODD shall also have the authority to establish an Advisory Committee made up of business stakeholders, self-advocates and other stakeholders in the developmental disabilities field to provide the EFT with needed information and recommendations.**

**5. All Cabinet Agencies, Boards and Commissions shall comply with requests issued by the EFT, subject to the supervision of their respective agency directors.**

# Employment First

**What is the Reason  
for the Shift?**

# Lots of Money Goes to Day Services



County Board Expenditures

## **Why will this shift be helpful?**

**Supported Employment is a Better Investment for Tax Payers (Cimera, Journal of Vocational Rehabilitation, 2008)**

Followed in a 3-year cycle, supported employment cost 1/3 the amount of sheltered workshops.

**Better for Individuals (Cimera, Oct. 2011)**

Since 1980, wages in supported employment have risen at a rate of 31% while wages in shelter workshops decreased 40%.

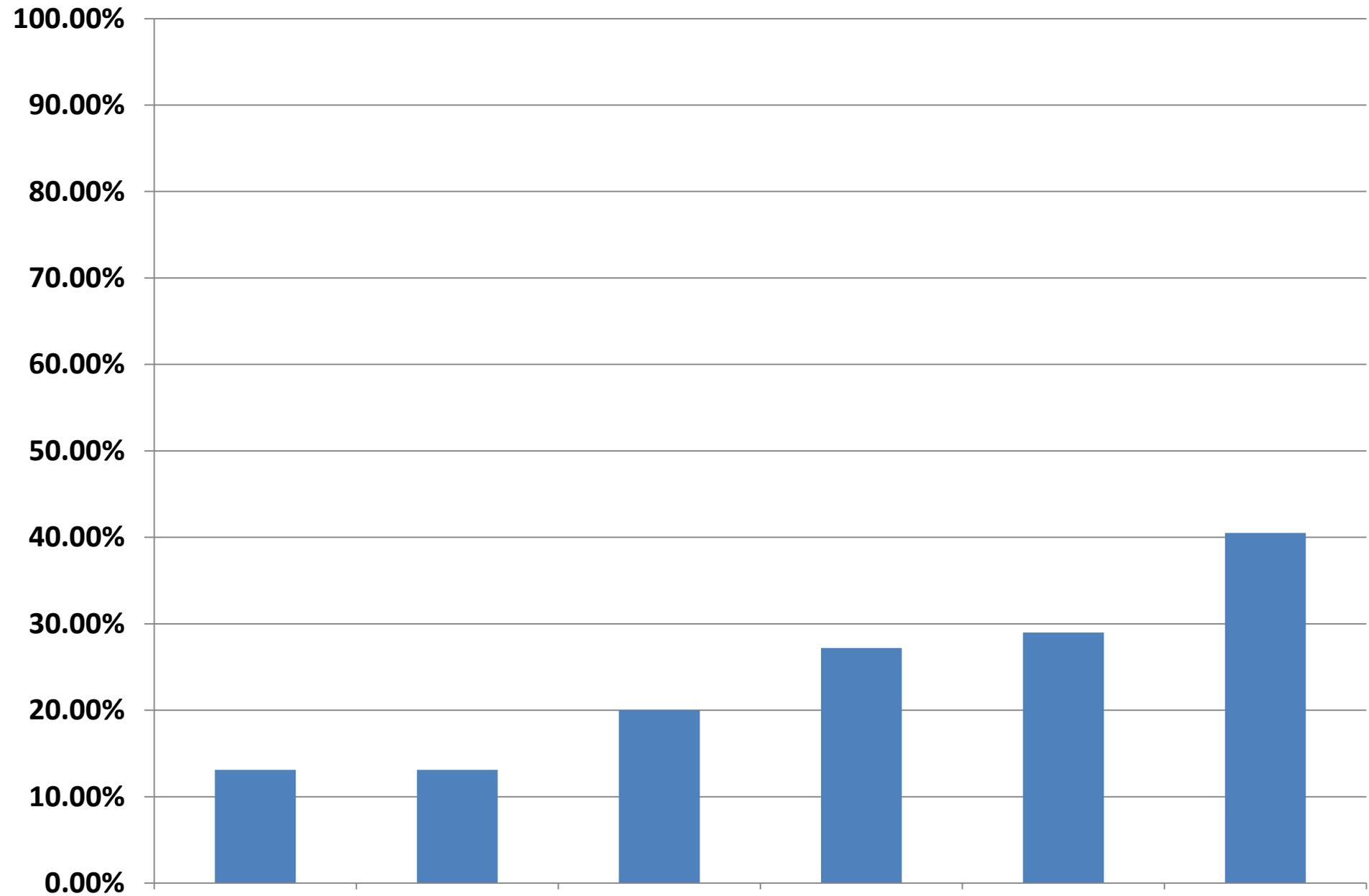
# **Sheltered Workshops Hinder, Not Help Employment Possibilities (Cimera, 2011)**

Matched pairs studies show that individuals served in sheltered settings cost 42% more to serve in supported employment than individuals who never entered the sheltered settings.

Matched pairs studies show that individuals with ASD show those who spent time in a sheltered setting cost 60% more to serve in supported employment than individuals who never entered the sheltered settings.

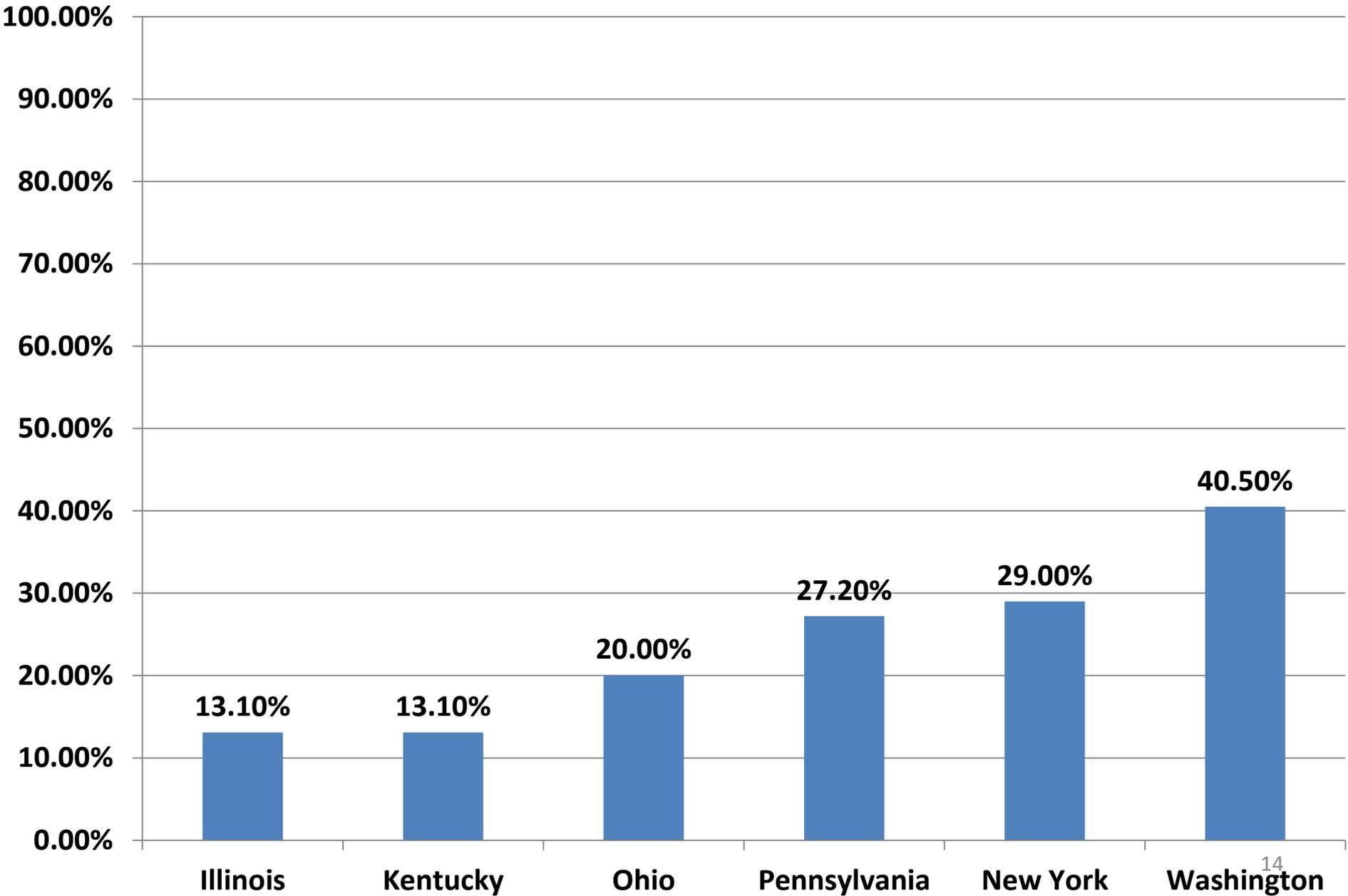
# Comparisons to Other States

# Consumer Has Job In Community

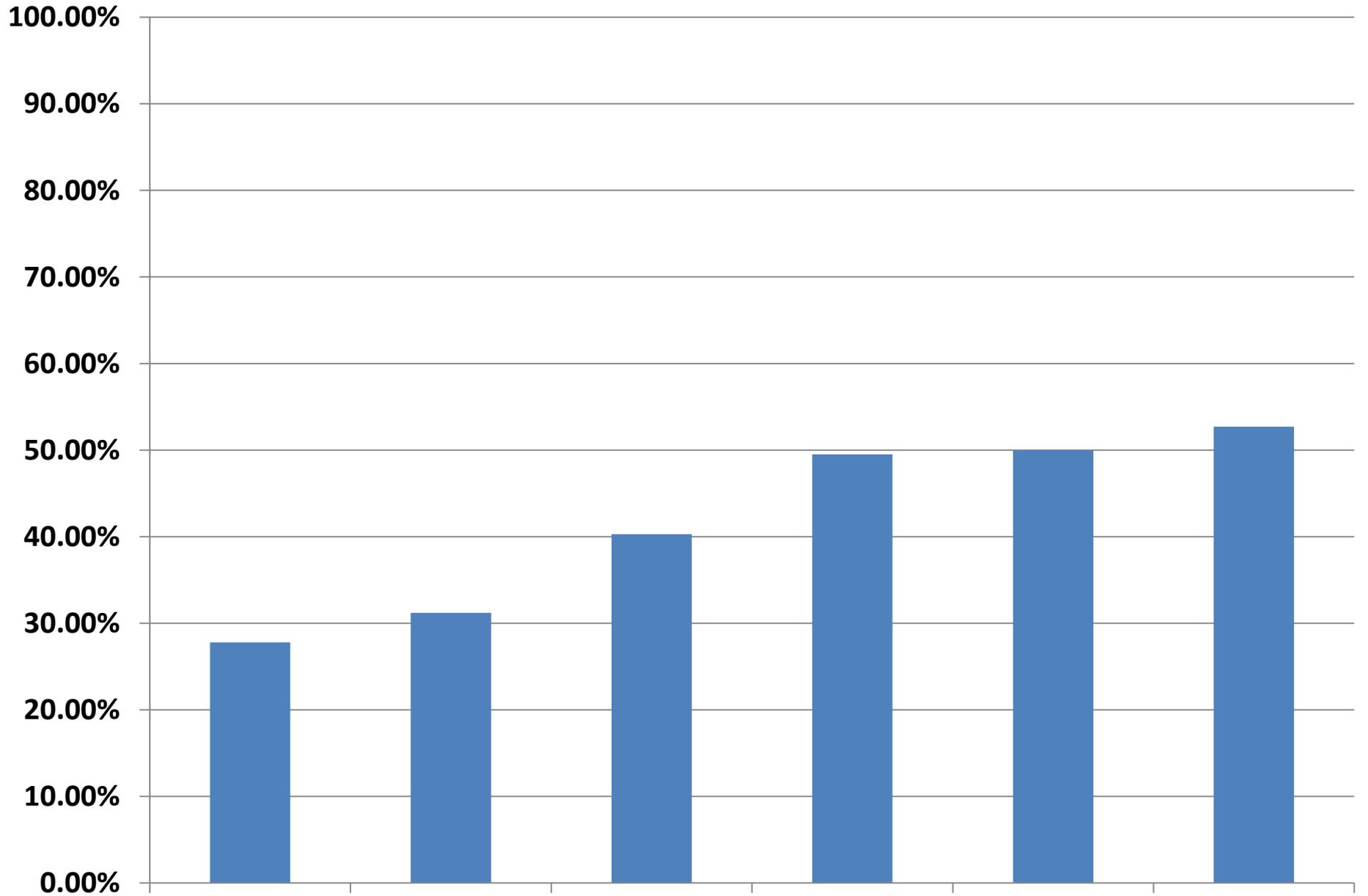


# Consumer Has Job In Community

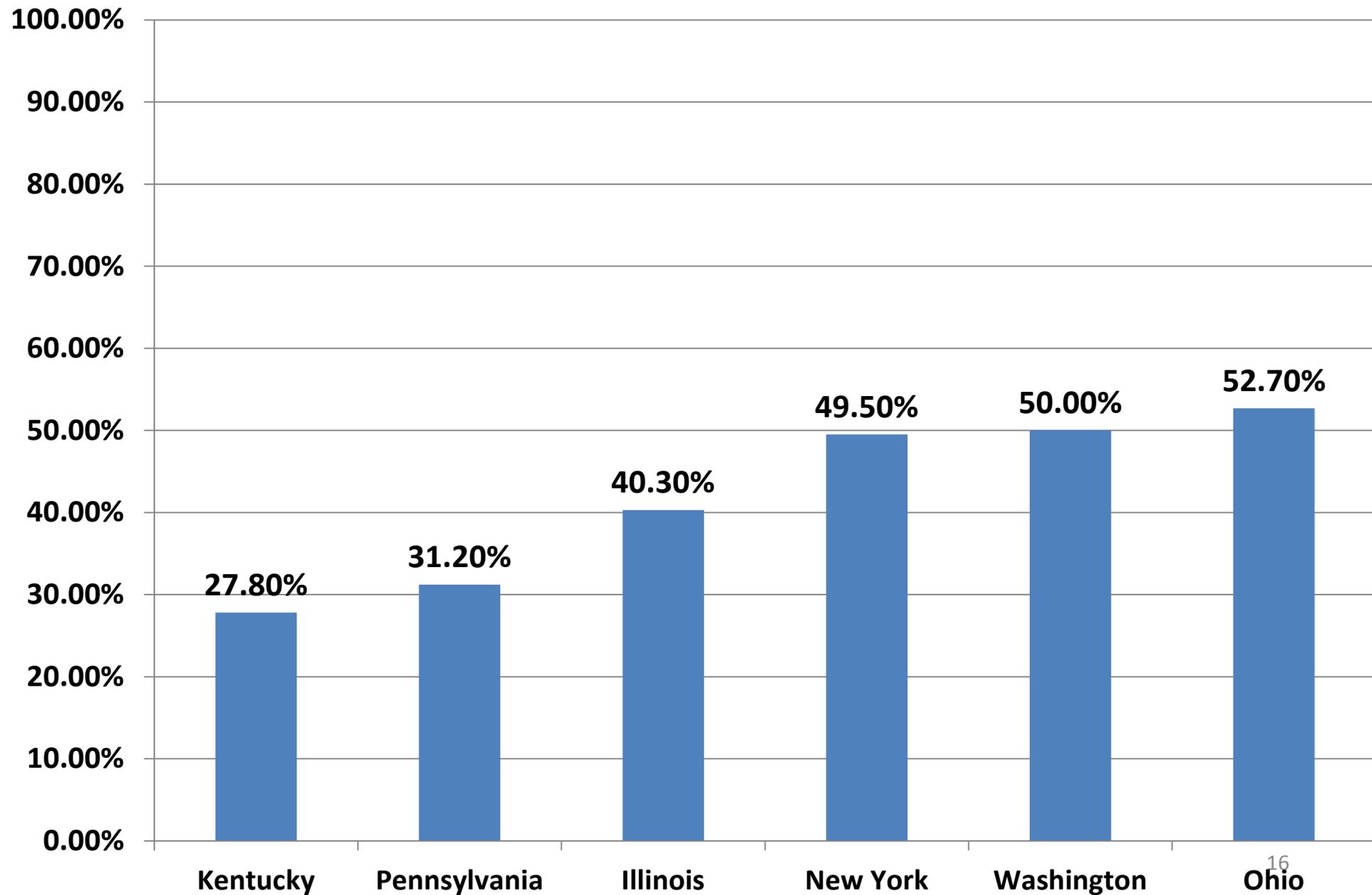
(27% is the average of NCI States)



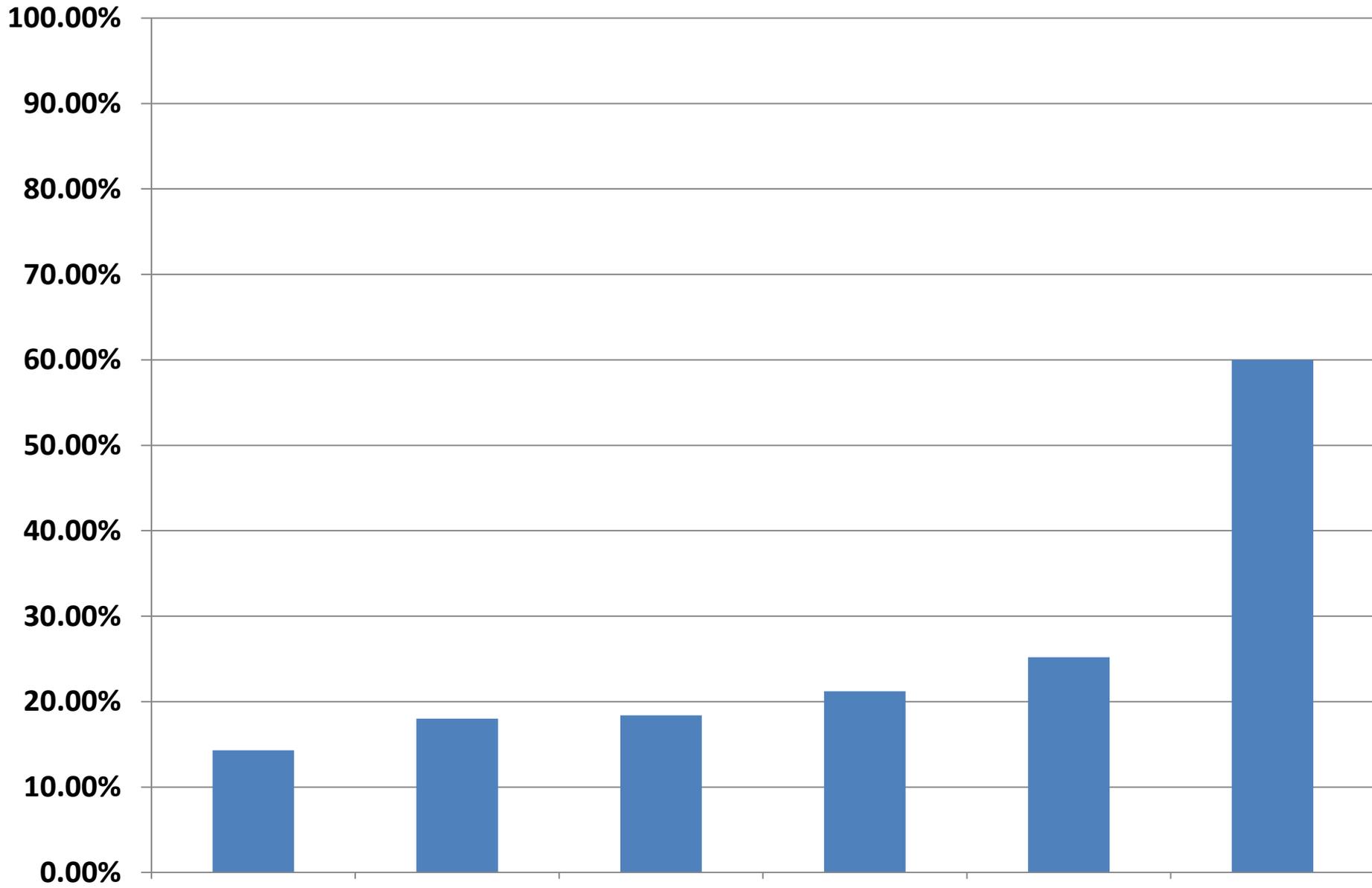
# Consumer does not have a job in the Community but would like one



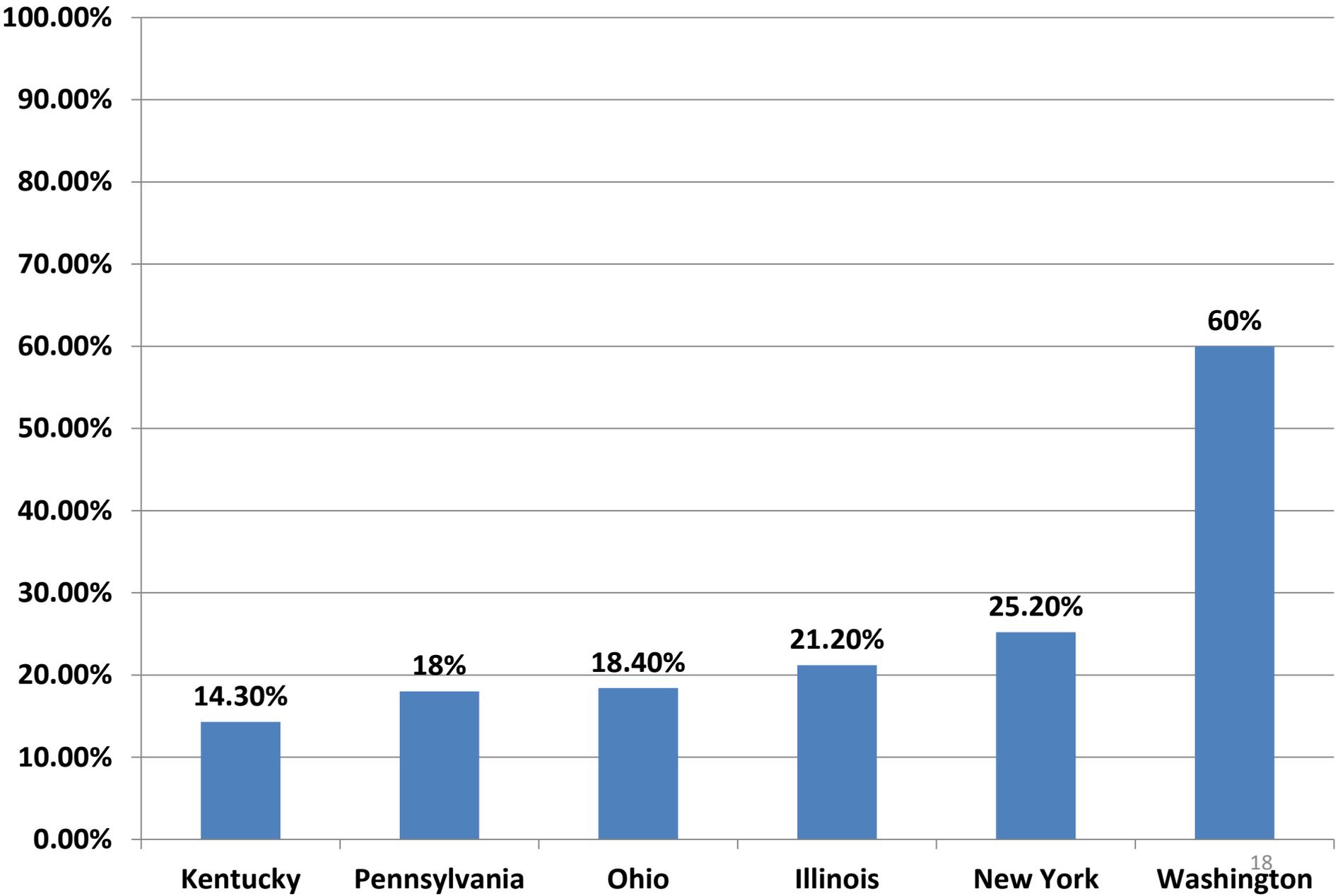
# Consumer does not have a job in the Community but would like one (46.4% is the average of NCI States)



# Consumer has Integrated Employment as a goal in his/her service plan



**Consumer has Integrated Employment as a goal in his/her service plan  
(23.3% is the average of NCI States)**



What will the  
shift look like?

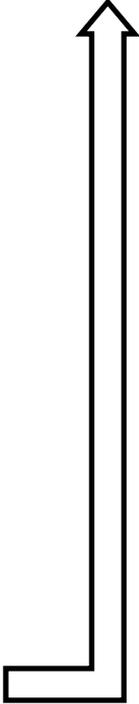
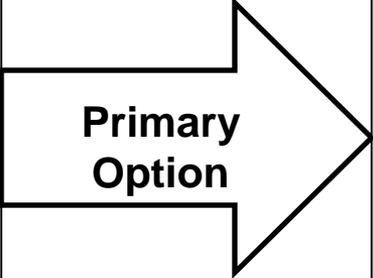
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**Current System**

Supported Employment  
4,044 people  
Cost - \$9,580 per person/per year  
(\$7.31 hour)(15%)

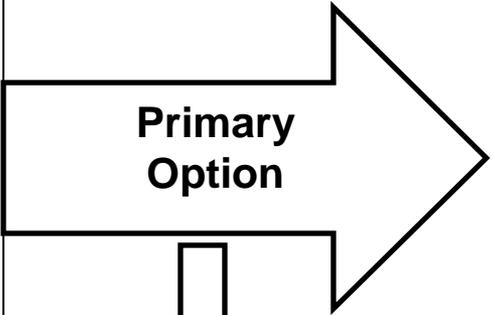


**Sheltered  
Workshop/Enclaves**  
25,730 people  
Cost - \$22,037 per  
person/per year  
(\$1.31 hour)(85%)

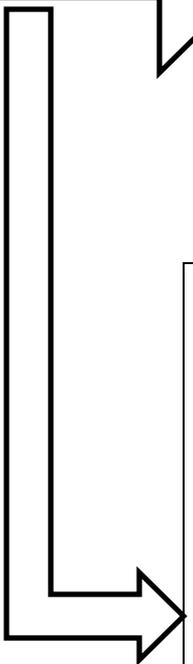


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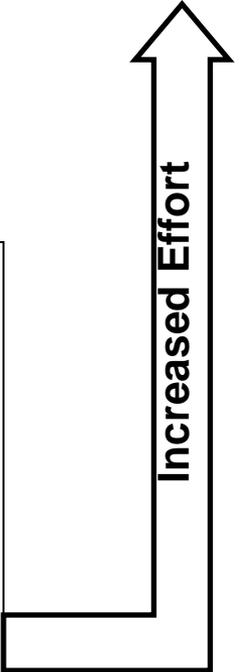
**New System**  
(5 years from now)



**Supported Employment**  
8,693 people  
Cost - \$9,580 per person/per year  
(\$7.31 hour)( 25%)



**Sheltered  
Workshop/Enclaves**  
26,080 people  
Cost - \$22,037 per  
person/per year  
(\$1.31 hour)(75%)



# The Possibilities

# Current System County By County

## % of Working age Adults in Integrated Employment

(Active Client Count)

50.83%	1	16.24%	23	11.89%	46	4.80%	69
43.10%	2	16.06%	24	11.61%	47	4.64%	70
38.10%	3	15.88%	25	11.61%	48	4.24%	71
32.43%	4	15.71%	26	11.60%	49	4.17%	72
31.41%	5	15.54%	27	11.60%	49	3.90%	73
28.30%	6	15.22%	28	11.11%	51	3.70%	74
27.15%	7	15.13%	29	10.96%	52	3.34%	75
27.03%	8	15.06%	30	10.95%	53	2.94%	76
24.72%	9	15.00%	31	10.59%	54	2.86%	77
23.92%	10	14.81%	32	10.49%	55	2.70%	78
23.23%	11	14.75%	33	10.30%	56	2.34%	79
22.63%	12	14.74%	34	10.22%	57	2.24%	80
22.11%	13	14.65%	35	9.78%	58	2.13%	81
21.60%	14	14.55%	36	9.26%	59	1.90%	82
20.83%	15	14.29%	37	8.60%	60	1.62%	83
20.44%	16	13.53%	38	8.55%	61	1.52%	84
20.40%	17	13.49%	39	7.87%	62	1.33%	85
20.40%	17	13.03%	40	7.73%	63	1.16%	86
19.92%	18	12.92%	41	6.80%	64	1.09%	87
19.78%	19	12.53%	42	6.67%	65	0.00%	88
16.37%	20	12.35%	43	6.36%	66		
16.36%	21	12.13%	44	5.79%	67		
16.28%	22	12.07%	45	5.20%	68		

# The Challenge

One county in one year  
increased the number of  
persons in Integrated  
Employment by 100%.

# An Alternative to Current Law around Guardianship

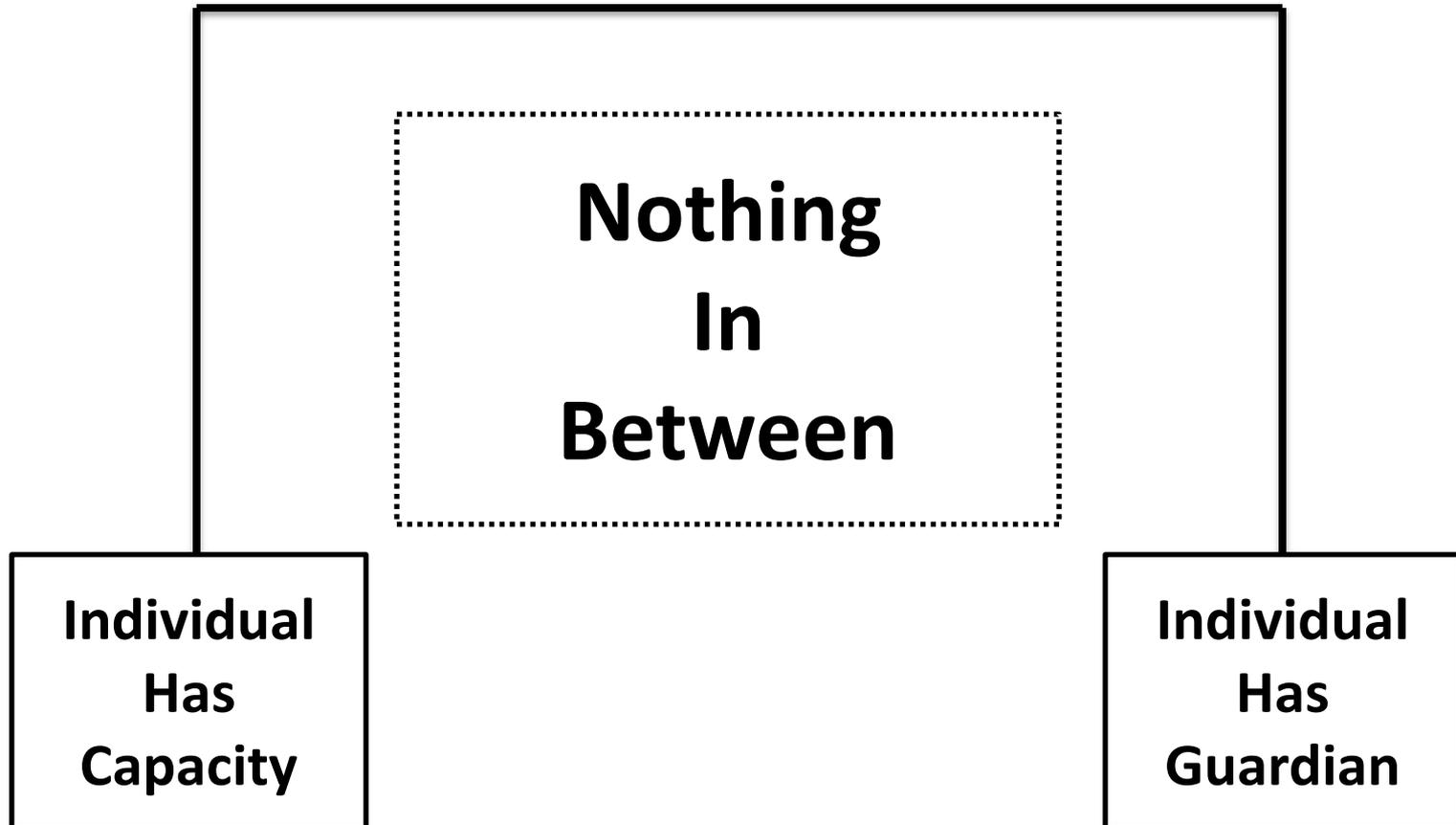
# **Empowering Ohio with Developmental Disabilities (Current Law)**

... When an individual ... is required within this chapter to consent, refuse to give consent, or withdraw consent for services and the individual has been adjudicated incompetent ... the guardian for the individual appointed under that chapter and functioning in accordance with the appointment shall be responsible for giving,

refusing to give, or withdrawing the consent for services. Individuals ... including those who have been adjudicated incompetent ... have the right to participate in decisions that affect their lives and to have their needs, desires, and preferences considered.

# Summary

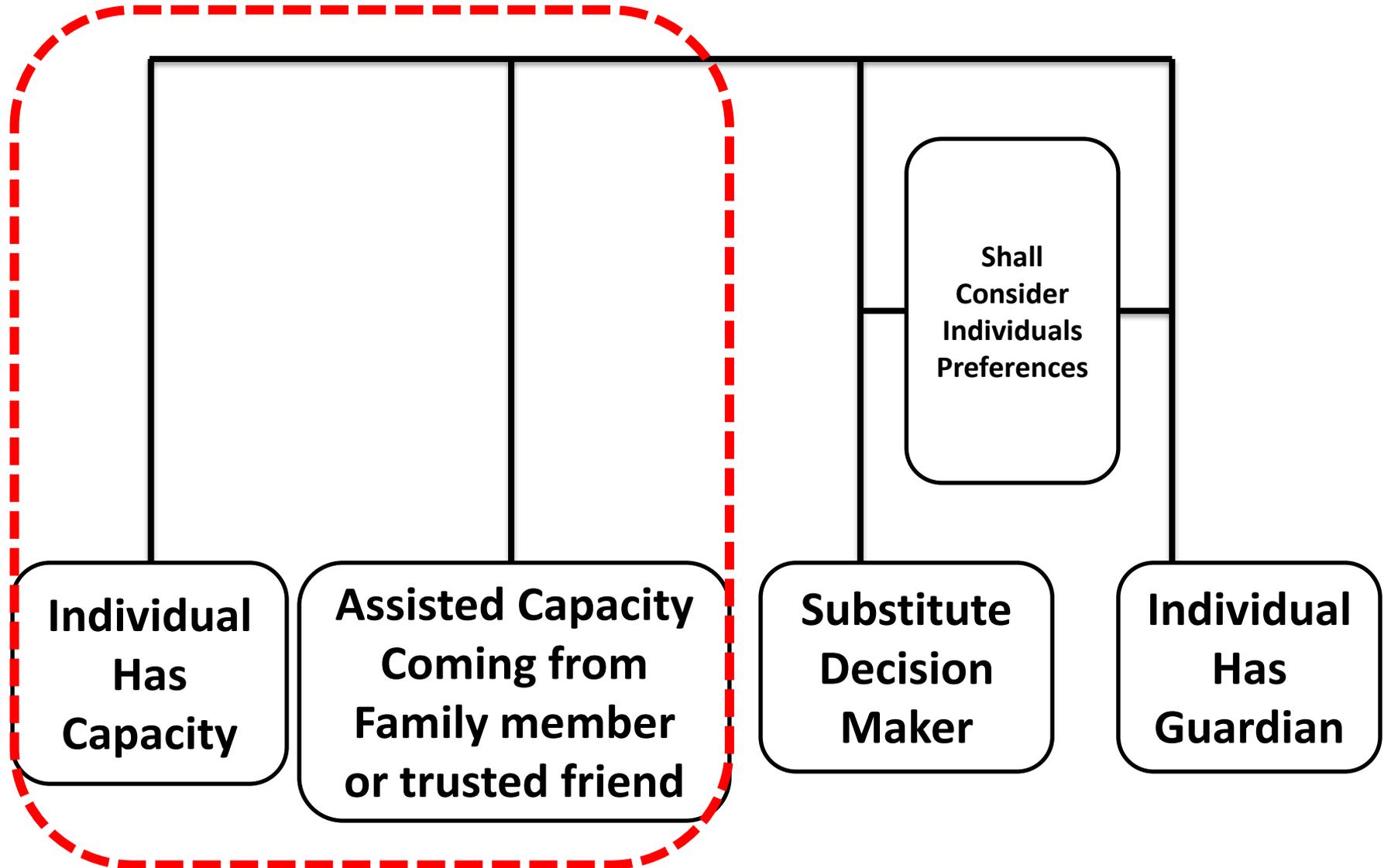
We currently have two choices



# **Empowering Ohio with Developmental Disabilities (Proposed Law)**

... when an individual ... is required to make a decision regarding the individual's receipt of a service ... the individual shall, except as provided in division (C) of this section, make the decision. In making a decision, the individual may seek support and guidance from a family member or trusted adult friend and doing so does not eliminate the individual's authority under this division.

# The MBR Proposed Alternative



**Individual  
Has  
Capacity**

**Assisted Capacity  
Coming from  
Family member  
or trusted friend**

**Substitute  
Decision  
Maker**

**Individual  
Has  
Guardian**

**Shall  
Consider  
Individuals  
Preferences**

... when an individual ... lacks the capacity to make a decision described in division (A) of this section, the following, determined in the order of priority specified, shall make the decision on the individual's behalf

(a) The individual's guardian ...

(b) An adult who has been authorized in writing by the individual to make such a decision on the individual's behalf;

(c) The individual's spouse;

(d) The individual's parent;

(e) An adult child of the individual;

- (f) An adult sibling of the individual;
- (g) A grandparent of the individual;
- (h) An adult not described in division (B)(1)(a) to (g) of this section who is related to the individual by blood, marriage, or adoption, has exhibited special care and concern for the individual, is generally familiar with the individual's desires, and is willing and able to make the decision and act in the individual's best interests;
- (i) An adult friend who has exhibited special care and concern for the individual, is

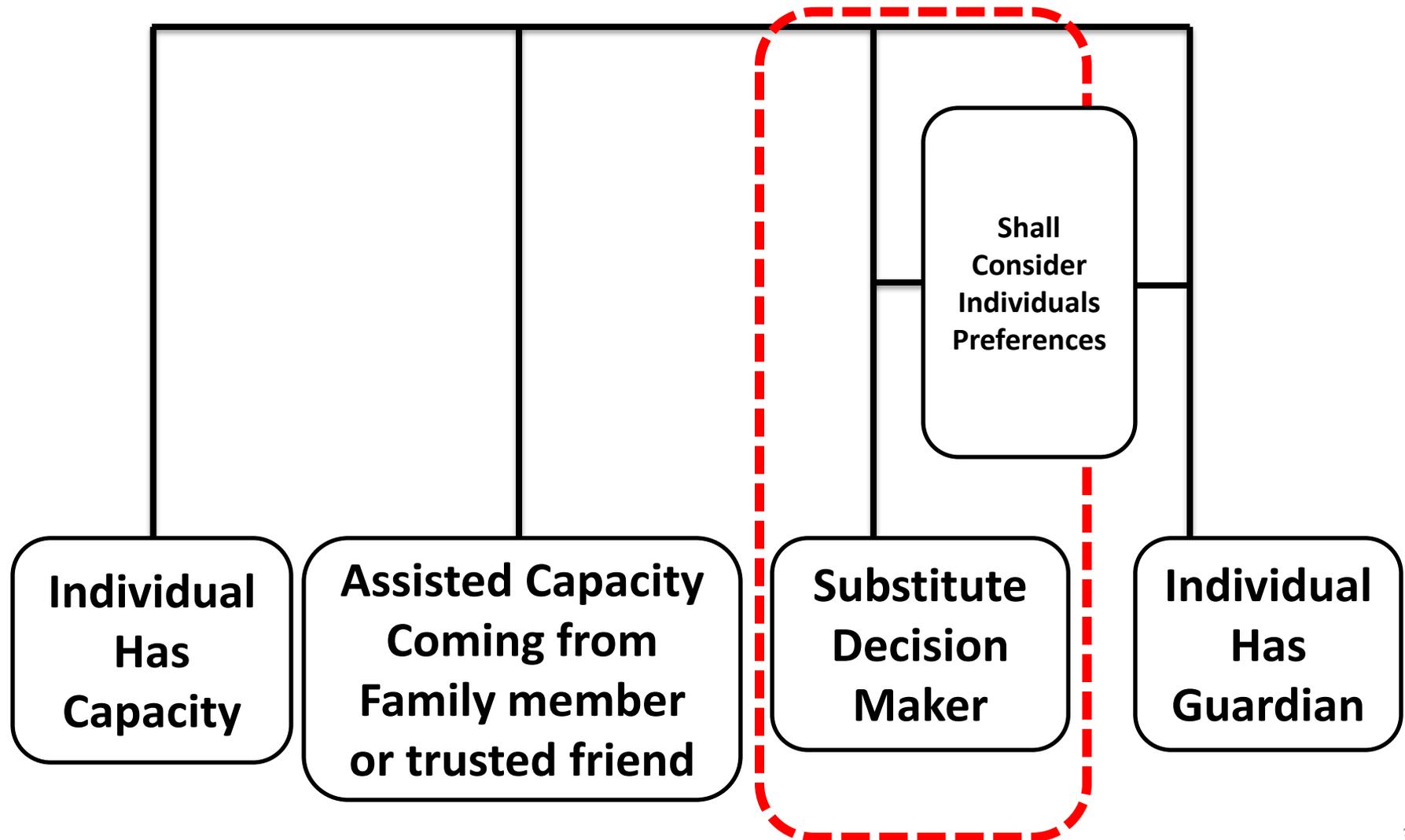
generally familiar with the individual's desires, and is willing and able to make the decision and act in the individual's best interests.

(2) If division (B)(1)(b), (d), (e), (f), (g), (h), or (i) of this section describes more than one person, the decision may be made by a single person who meets the description unless that person knows of an objection by another person who meets the description. If an objection is known, the decision may be made only by a majority of the persons

described who are reasonably available. If such a majority does not exist, the decision shall be made by the person in the next priority class...

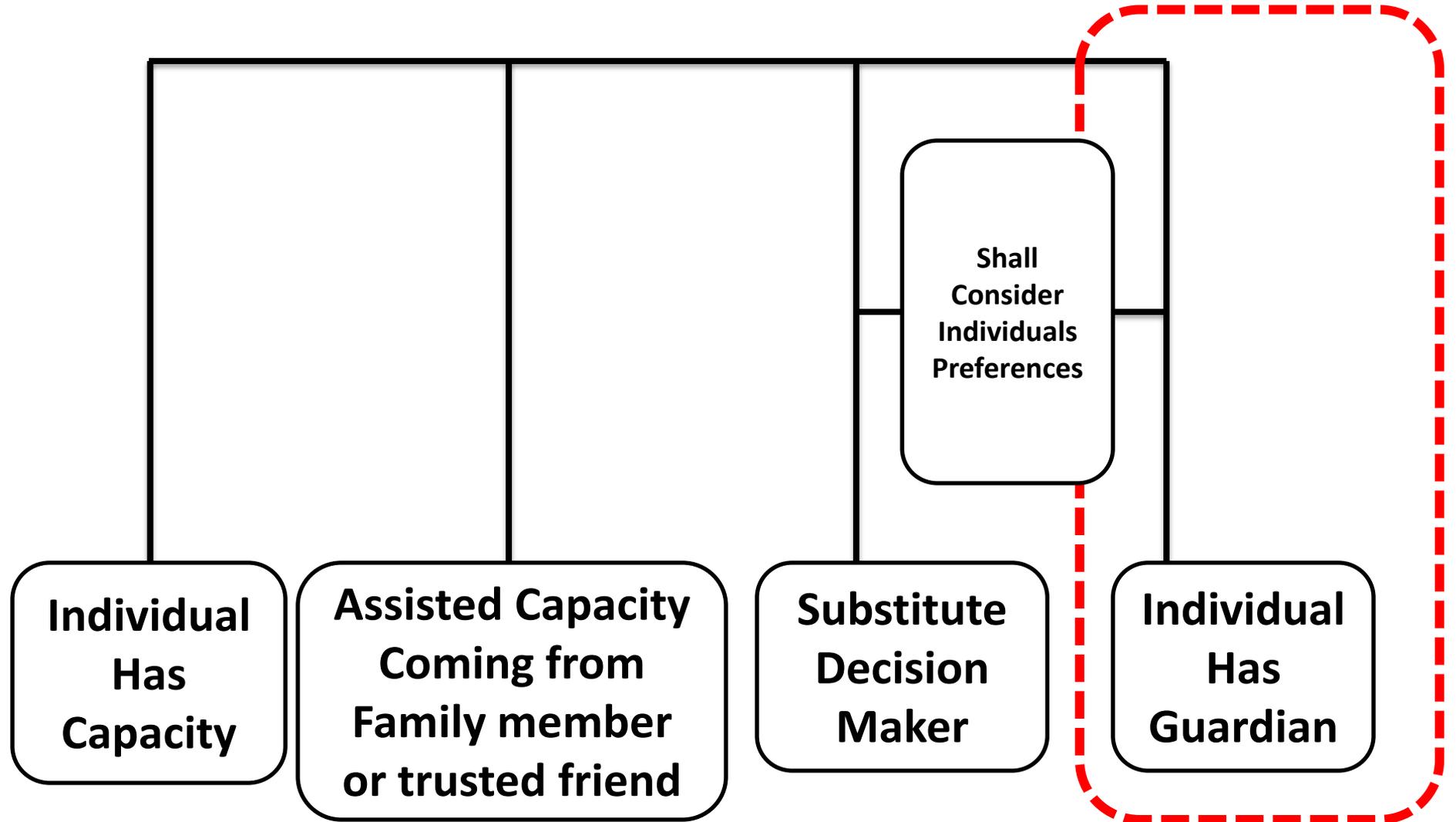
(D) A person described in divisions (B)(1)(a) to (i) of this section who provides services to an individual, other than protective services ... shall be disqualified from making a decision required by division (B) of this section if the person is not related by blood, marriage, or adoption to the individual.

# The MBR Proposed Alternative



(C) Individuals ... including those who have been adjudicated incompetent ... have the right to participate in decisions that affect their lives and to have their needs, desires, and preferences considered. A person described in divisions (B)(1)(a) to (i) who must make a decision on behalf of an individual described in division (B) of this section shall consider the individual's needs, desires, and preferences and make a decision that is consistent with those items and the individual's best interests.

# The MBR Proposed Alternative



# Conclusion/Questions