

**Memorandum of Understanding entered into as of the  
21st day of June, 2018  
By and between, the  
Maryland State Department of Education, Division of Rehabilitation Services Administration  
(herein after called “DORS”),  
And the  
Maryland Department of Health, Developmental Disabilities Administration (here in after called  
“DDA”),**

## **Memorandum of Understanding**

### **Related to Employment Services for Individuals with Developmental Disabilities**

This Memorandum of Understanding (“MOU”) is made and entered into this 21 day of June, 2018, by and between the **Developmental Disabilities Administration** (“DDA”), a unit of the Maryland Department of Health (“MDH”), and the **Division of Rehabilitation Services** (“DORS”), a unit of the Maryland State Department of Education (“MSDE”).

#### **1. Recitals and Purpose.**

- 1.1.** WHEREAS, DDA administers funding for home and community based services, including employment-related services, for individuals with developmental disabilities under its Medicaid § 1915(c) Waiver programs pursuant to 42 U.S.C. § 1396n(c);
- 1.2.** WHEREAS, DORS administers funding/oversees the vocational rehabilitation program, providing an array of employment-related services and opportunities for individuals with disabilities, including developmental disabilities, pursuant to Vocational Rehabilitation Act, Title IV of the Workforce Innovation and Opportunity Act (WIOA);
- 1.3.** WHEREAS, DDA and DORS seek to collaborate in each party’s provision employment opportunities and supports, under their respective programs, to individuals with developmental disabilities; and
- 1.4.** WHEREAS, DDA and DORS desire to enter into this MOU to clearly define each party’s roles and responsibilities and to coordinate provision of services for individuals with developmental disabilities (the “Shared Goal”);
- 1.5.** NOW THEREFORE, the recitals set forth above are hereby incorporated into this MOU.

#### **2. Definitions.** For purposes of this MOU, the following terms have the following meanings:

- 2.1. Code of Maryland Regulation (COMAR).** Includes state regulation for programs of the Division of Rehabilitation Services (DORS), and the Department of health (MDH), Behavioral Health Administration (BHA) and Developmental Disabilities Administration.
- 2.2. Community Rehabilitation Program (CRP).** Per DORS definition, a private organization, usually non-profit, focused on providing services that may include assessments, job

development and placement and intensive job skills training. Employment Specialists at the CRP provide the extended services generally required by individuals with the most significant disabilities to maintain their employment.

Programs that may provide directly or facilitate the provision of Pre-Employment Transition Services to students with disabilities and vocational rehabilitation services to individuals with disabilities, and that provide, singly or in combination, medical, psychiatric, psychological, social, and vocational and other services under one management for individuals with disabilities to enable such individuals to maximize opportunities for employment, including career advancement.

**2.3 Competitive Integrated Employment (CIE).** As defined in section 7(5) of the Rehabilitation Act and §361.5(c)(9) of the implementing regulations, the employment outcome must satisfy the criteria of three major components of the definition, including competitive earnings, integrated location, and opportunities for advancement.

**2.3.1 Competitive Earnings**

**2.3.1.1** Wages comparable to the customary wages paid by the employer to employees without disabilities in a similar position.

**2.3.1.2** Benefits provided by the employer to the individual are comparable to the benefits received by an employee without disabilities in the same or similar position.

**2.3.2 Integrated setting**

**2.3.2.1** Employment typically found in the community.

**2.3.2.2** Employment in which the employee with a disability interacts for the purpose of performing the duties of the position with other employees within the particular work unit and the entire work site, and as appropriate to the work performed, other persons (e.g. customers and vendors), who are not individuals with disabilities (not including supervisory personnel or individuals who are providing services to such employee) to the same extent that employees who are not individuals with disabilities and who are in comparable positions interact with these persons.

**2.3.3 Opportunities for Advancement**

**2.3.3.1** The employment setting provides the individual with opportunities for advancement comparable with those available to employees without disabilities in similar position.

**2.4 Coordinators of Community Services (CCS).** The DDA Administrative and targeted case management entity which coordinates services, plans and funding for individuals with developmental disabilities. Coordinators of Community Services (CCS) assist individuals with intellectual/developmental disabilities and their families in learning and gaining access to resources in their community, planning for their future, and accessing needed services and supports.

**2.5 Customized Employment.** A flexible process based on best practices that seeks to individualize the employment relationship between a job seeker/employee and an employer in ways that meet the needs of both.

**2.6 Discovery.** A national best practice related to the Customized Employment process, and the name of a new proposed DDA service, that is a time-limited, comprehensive, person-centered and community-based employment planning support service to better inform an individual seeking an individualized job in an integrated employment setting.

**2.7 Employment First.** A national effort, fully supported by DORS, DDA and partner agencies, that seeks to ensure that individuals and youth of working age with the most significant disabilities consider competitive integrated employment as a preferred service and outcomes in planning for their lives.

**2.8 Individualized Plan for Employment (IPE).** A plan that is developed with each DORS eligible individual with a disability who is able to be served under the Order of Selection. The IPE outlines the goods and services required for the individual to achieve the identified employment objective. The IPE is jointly developed, agreed upon, and signed by the eligible individual and, when applicable, the legal guardian, and the vocational rehabilitation counselor. If the individual is under the age of 21 and still in high school, the parent/guardian is required to sign the IPE along with the eligible individual.

**2.9 Job Coaching.** Support services and/or strategies provided to an individual who has been placed in employment in order to stabilize the placement and enhance job retention. These services and/or strategies are provided to individuals with a most significant disability by a job coach or employment specialist to teach the individual the essential skills necessary to complete required job tasks in addition to what is normally provided by the employer. They may be provided during intensive service provision (funded by DORS) and/or during extended services provision (funded by the long-term funding source, or by DORS in the case of youth with most significant disabilities for a maximum of 4 years or until the individual reaches age 25 and no longer qualifies as a youth with a disability, whichever comes first).

Job coaching services are, for the most part, provided to individuals in competitive integrated paid employment. However, it may include job coaching for unpaid

internships as part of an IPE leading to competitive integrated employment. Job coaching is not provided to support students involved in work-based learning.

**2.10 Job Development.** Employment-focused activities, including those found in the customized employment process, provided on an individual basis designed to identify competitive integrated employment for which the individual qualifies and in which he/she is interested. Job development is essentially, “job matching,” an effort to match skills, abilities, interests and characteristics to available jobs for an individual, and may include customized employment. Development of and placement in jobs is not a supported employment service and must be paid using funds other than supported employment funding.

**2.11 Job Stabilization.** A DORS term as defined in the Workforce Innovation and Opportunity Act. Job stabilization is the point in which:

- 2.11.1** All reasonable support needs have been addressed including worksite accommodations and employer concerns.
- 2.11.2** The individual is satisfied with the type of work and number of hours worked per week.
- 2.11.3** The individual has achieved their highest expected level of independence on the job and has reached a predictable level of intervention.
- 2.11.4** Fading has occurred and DORS has evidence that establishes the appropriate level of extended support needed by the individual.

The individual may be considered as having achieved job stabilization upon successful transition from short-term intensive support funded by DORS to extended services, provided either with DORS funding (for youth with the most significant disabilities only) or another long-term funding source, including natural supports. Day one of the 90-day requirement for a successful supported employment DORS closure begins when the individual has achieved initial job stabilization and is transferred to extended services funded by a program other than DORS or by natural supports.

**2.12 Natural Supports.** Employment supports that may include training support, social skills support, health support, community support, and job retention support, which may be provided by coworkers, mentors, management, supervisors, family members, and/or friends to foster an individual’s independence and integration in the workplace.

**2.13 Order of Selection.** Vocational rehabilitation services shall be provided based upon availability of funds. Because sufficient funds are not available to provide vocational rehabilitation services to all eligible individuals, the Division has instituted

an Order of Selection which has been in effect since February 1991. The Order of Selection categories are as follows:

- 2.13.1** Individuals with the Most Significant Disabilities.
- 2.13.2** Individuals with Significant Disabilities.
- 2.13.3** Individuals with Non-Severe Disabilities. This includes individuals determined eligible for Vocational Rehabilitation Services but who are determined to not have a significant or most significant disability.

**2.14 Person Centered Plan (PCP).** A plan, developed through the Coordinators of Community Services, with eligible individuals, to be updated at least annually, but as often as necessary. The PCP includes information related to competitive integrated employment goals as well as the identification of any barriers to employment.

**2.15 Pre-Employment Transition Services.** The Workforce Innovation and Opportunity Act (WIOA) amends the Rehabilitation Act of 1973 and now requires vocational rehabilitation (VR) agencies to set aside at least 15% of their federal funds to provide "pre-employment transition services" to "Students with Disabilities who are eligible or potentially eligible for VR services ." Pre-employment transition services consist of the below listed services:

- 2.15.1** Job exploration counseling,
- 2.15.2** Work-based learning experiences, which may include in-school or after school opportunities, experiences outside of the traditional school setting, and/or internships,
- 2.15.3** Counseling on opportunities for enrollment in comprehensive transition or postsecondary educational programs,
- 2.15.4** Workplace readiness training to develop social skills and independent living
- 2.15.5** Instruction in self-advocacy.

**2.16 Rehabilitation Services (Rehabilitation Act).** As appropriate to the needs of each individual, the following are available vocational rehabilitation services: 1) assessment for determining eligibility and priority for services; 2) assessment for determining vocational rehabilitation needs; 3) counseling and guidance, including personal adjustment counseling; 4) referral and other services necessary to help applicants and eligible individuals secure needed services from other agencies, and advice to those individuals about client assistance programs; 5) physical and mental restoration services; 6) vocational and other training services, including personal and vocational adjustment training, books, tools, and other training materials, except that no training or training services in an institution of higher education (universities, colleges, community/junior colleges, vocational schools, technical institutes, or hospital schools or nursing) may be paid for with funds under this part unless maximum efforts have been made by the State unit to secure grant assistance in whole or in part from other sources; 7) maintenance; 8) transportation in

connection with the rendering of any vocational rehabilitation service; 9) vocational rehabilitation services to family members of an applicant or eligible individual if necessary to that individual's vocational rehabilitation; 10) interpreter and note-taking services for individuals who are deaf and tactile interpreting services for individuals who are deaf-blind; 11) reader services, rehabilitation teaching services, note-taking services, and orientation and mobility services for individuals who are blind; 12) recruitment and training services to provide new employment opportunities in the fields of rehabilitation, health, welfare, public safety, law enforcement, and other appropriate public service employment; 13) job search and placement assistance and job retention services; 14) supported employment services, including extended services for youth with most significant disabilities; 15) personal assistance services, including training in managing, supervising, and directing personal assistance services; 16) post-employment services necessary to maintain, regain, or advance in employment, consistent with the individual's abilities, capabilities and interests; 17) occupational licenses, tools, equipment, initial stock and supplies; 18) rehabilitation technology, including vehicular modification, telecommunications, sensory and other technological aids and devices; 19) transition services, including Pre-Employment Transition Services; and 20) other goods and services determined necessary for the individual with a disability to achieve an employment outcome.

**2.17 Student with a Disability.** One who meets all of the following criteria:

- 2.17.1** Is at least 14 but no more than 21 years of age (has not yet reached 22nd birthday).
- 2.17.2** Has a disability, and has submitted the required qualifying medical documentation signed by a medical provider or a copy of IEP or 504 Plan.
- 2.17.3** Has documentation confirming enrollment as a student in an educational program, including:
  - 2.17.3.1** Secondary school, including home school and alternative school programs (e.g., those housed within the juvenile justice system)
  - 2.17.3.2** Post-secondary education programs approved by a state's Higher Education Commission (i.e., Maryland Higher Education Commission)
  - 2.17.3.3** Adult basic educational programs which lead to a recognized educational credential (e.g., GED or high school diploma)
  - 2.17.3.4** State, nationally, or industry recognized certificate programs leading to a credential (e.g. Certified Nursing Assistant, Phlebotomy Technician, Microsoft Certification, Commercial Driver's License Certification, Automotive Service Excellence Certification).

**2.18 Supported Employment Services.** Employment services provided by DORS and/or DDA to support individuals in competitive integrated employment when extended services are required.

**2.19 Transition Services.** A coordinated set of activities for a student, designed within an outcome-oriented process, which promotes movement from school to post-school activities, including post-secondary education, competitive integrated employment (including supported employment), continuing and adult education, and/or community participation.

**2.20 Workforce Innovation and Opportunity Act (WIOA).** The Workforce Innovation and Opportunity Act (WIOA) is a federal act that was signed into law on July, 2014. WIOA replaces the Workforce Investment Act of 1998 (WIA) and amends the Rehabilitation Act of 1973. WIOA requires vocational rehabilitation (VR) agencies to set aside 15% of their federal funds to provide pre-employment transition services specifically to “Students with Disabilities” and 50% of their federal supported employment funds to provide extended services to youth with most significant disabilities.

### **3. Roles & Responsibilities.**

**3.1 Mutual Roles & Responsibilities.** Both parties shall be responsible for performing the following roles and responsibilities under this MOU:

- 3.1.1 Use the Employment First approach and establish and promote a goal that all persons with intellectual or developmental disabilities (IDD) who want to work in the community will be afforded an opportunity to pursue competitive integrated employment that allows them to work the maximum number of hours consistent with their abilities and preferences.
- 3.1.2 Continue to identify, increase and support individuals who are seeking employment, including increasing individualized, competitive integrated supported employment outcomes.
- 3.1.3 Participate in the collaborative governance structure aimed at implementing this agreement.
- 3.1.4 Work collaboratively to design a coordinated service system that will produce positive employment outcomes and engage vocational rehabilitation, Coordinators of Community Services, service providers (community rehabilitation programs) and other stakeholders at the local level.
- 3.1.5 Determine gaps or other issues in services and implement a plan to eliminate those gaps or issues.
- 3.1.6 Encourage networking and collaboration and information sharing among DORS and DDA at regional and local levels.
- 3.1.7 Maximize the use of public funds of DORS and DDA by assuring non-duplication of services and resources, while ensuring accountability.
- 3.1.8 Maximize the quality of service delivery by ensuring an efficient and effective referral process, individual program planning, coordination of intensive VR



services, including extended services, for those individuals requiring employment services.

- 3.1.9 Meet on a regular basis or at least annually, and more often as necessary, to identify policies and practices that present systemic barriers to quality employment service delivery for individuals with developmental disabilities and develop appropriate resolutions to remove such barriers.
- 3.1.10 Provide cross-training opportunities for state agency staff and key stakeholders, to ensure a mutual understanding of both DORS and DDA systems, including eligibility criteria, order of selection, funding, billing, data collection, rights and responsibilities, advocacy, confidentiality, and other relevant matters to foster communication among DORS and DDA executive and front line staff, coordinators of community services, and service providers in order to improve service delivery.
- 3.1.11 Increase the number of service providers licensed by DDA and approved by DORS to provide individualized, competitive integrated supported employment and improve the quality and outcomes of services, including jointly providing technical assistance at the regional/local level as new service providers are licensed and as needed for existing service providers.
- 3.1.12 Assure that written procedures and policies are disseminated to agency staff, including regional and local level stakeholders.
- 3.1.13 Ensure a seamless transition of services and funding to individuals moving back and forth between DDA and DORS. A flowchart of processes of mutual adult individuals and potential mutual adult individuals is attached hereto as Attachment C.
- 3.1.14 Ensure a seamless transition of services and funding to youth exiting secondary education and applying for DDA and DORS services. A flowchart of this process is attached as Attachment D.
- 3.1.15 Encourage an environment that ensures that all agency staff and key stakeholders support employment outcomes for individuals, regardless of disability type.

#### **4. Term & Termination.**

**4.1 Effective Date.** This MOU becomes effective immediately upon the signature of all parties (the "Effective Date").

**4.2 Term.** The initial term of this MOU shall be three (3) year(s), commencing on the Effective Date (the "Initial Term"). After expiration of the initial term, this MOU will automatically renew for consecutive one-year terms (each a "Renewal Term").

**4.3 Review.** The parties agree to formally review this agreement at least every three years.

**4.4 Termination.** This MOU may be terminated at any time without cause by either party upon written notice provided sixty (60) days in advance of the effective date of termination.

**4.5 Effect of Termination.** In the event this MOU is terminated, the parties shall have no further obligations except that which accrued during the term of this MOU.

## **5. Legal Provisions.**

**5.1** Nothing in this MOU shall substitute, or represent a change in, either party's legally mandated responsibilities.

**5.2 Resolution of Conflicts.** For the resolution of disputes arising over issues addressed in this MOU, both parties will use the appropriate steps and methods as described herein.

5.2.1 Attempts will be made to resolve the issue in an informal way, and at the local level when possible.

5.2.2 When an issue cannot be resolved at the local level, it should be referred to the next highest regional level.

5.2.3 When an issue cannot be resolved at the regional level, it should be referred to the next highest state level.

**5.3 Dissemination.** Upon execution by both parties, this MOU will be distributed to the signatories and their state level representatives. Each party will disseminate copies of this MOU to those staff and contractors who need to know within DORS and DDA.

**5.4 Amendment.** This MOU may be modified in writing at any time by the mutual consent of the parties.

**5.5 Severability.** Any term of this MOU which violates any law, regulation, or requirement under which DORS or DDA are required to operate is automatically null and void, but has no effect on the remainder of this MOU.

**5.6 Entire Agreement.** The parties intend that this MOU (a) represents the final expression of the parties' intent and agreement between the parties relating to the subject matter of this MOU; (b) contains all the terms the parties agreed to relating to the subject matter of this MOU; and (c) replaces all the parties' previous discussions, understandings, and agreements relating to the subject matter of this MOU, including the Cooperative Agreement entered into between the parties on October, 2013.

IN WITNESS WHEREOF, the parties have executed this MOU on the date indicated below.

By:

By:

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Suzanne Page,  
Assistant Superintendent  
Division of Rehabilitation Services

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Bernard Simons,  
Deputy Secretary  
Developmental Disabilities Administration

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Date

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Date

By:

By:

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Sylvia Lawson, Ph.D.  
Deputy State Superintendent  
Maryland State Department of Education

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Robert R. Neall  
Secretary  
Maryland Department of Health

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Date

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Date

APPROVED AS TO FORM AND LEGAL SUFFICIENCY



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Elliot L. Schoen  
Deputy Counsel,  
Maryland Office of the Attorney General  
Maryland State Department of Education

June 19, 2018

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Date

## Attachment A

### DORS's Roles & Responsibilities

- I. **About:** DORS is the official State Agency that administers the vocational rehabilitation (VR) program, which is an integral part of the statewide workforce investment system. The VR program provides an array of employment-related systems and opportunities required for the achievement of the employment goals for eligible individuals with disabilities who can be served under the order of Selection as well as Pre-Employment Transition Services for students with disabilities. DORS assures that individuals exercise informed choice to assist them to identify their strengths, resources, priorities, capabilities, concerns, and interests including vocational goals. DORS will facilitate the development of the Individualized Plans of Employment (IPE) that document vocational goals and address identified employment barriers for eligible individuals. DORS also provides and purchases goods, services, aids and devices in support of the IPE. Services are provided consistent with the individual's strengths, resources priorities, concerns, abilities, compatibles and informed choice.

There are 24 local DORS offices located in communities throughout Maryland to serve individuals with disabilities seeking competitive integrated employment, including Supported Employment. DORS maintains liaisons to DDA and mutual providers across the state. DORS also has a liaison to every public high school in Maryland and works collaboratively with State and Local Education Agencies to provide transition services, to include Pre-Employment Transition Services, to students.

II. **Responsibilities:**

- A. **In general:** DORS shall be responsible for performing the roles and responsibilities set forth in Attachment A of this MOU, attached hereto and incorporated herein:

- i. **Provision of Pre-Employment Transition Services.** DORS will make available Pre-Employment Transition Services to potentially eligible Students with Disabilities and eligible Students with Disabilities, made known to DORS, statewide.

ii. **Management of Referrals for Vocational Rehabilitation Services.**

1. Within 10 days of receipt of referral, a letter and an Application packet will be sent to the individual. The referral source will receive a copy of the letter.
2. Within 30 days of receipt of referral, an initial interview will take place.

- iii. **Determination of Eligibility.** Within 60 days of receipt of a completed and signed DORS Application for Rehabilitation Services, DORS will determine

whether an individual is eligible, or presumed eligible, for vocational rehabilitation services, based on the following federal criteria:

1. The presence of a physical or mental impairment which for the individual constitutes or results in substantial impediment to employment;
2. The individual applicant requires and may benefit from vocational rehabilitation services to prepare for, secure, maintain or regain competitive integrated employment consistent with the applicant's strengths, resources, priorities, concerns abilities, capabilities, interest and informed choice.

iv. **Presumption of Eligibility.**

1. An applicant who is a recipient of Social Security Disability Insurance (SSDI) benefits and/or Supplemental Security Income (SSI) is presumed eligible for VR services, but may be subject to an Order of Selection.
2. Any individual who has been determined eligible for DDA services and is pursuing competitive integrated employment is presumed eligible for VR services, but may be subject to an Order of Selection.

v. **Determination of Severity of Disability and order of Selection.** This category is based on the federal definition of "significant" and "most significant" disability. The DORS counselor will determine eligibility and assign the individual to an Order of Selection category. Provision of services will depend on the Order of Selection assignment.

vi. **Eligibility for Supported Employment.** DORS will determine whether an individual is eligible for supported employment consistent with the definition authorized under title VI of the Rehabilitation Act of 1973 (29 U.S.C 701 et seq.), as amended by the Workforce Innovation and Opportunity Act (WIOA) (29 USC 3101), and COMAR 13A.11.01.03B(30) and the criteria in DORS Rehabilitation Services Manual 2, section 900.:

1. The individual must:
  - a. Be determined eligible for rehabilitation services;
  - b. Be determined to have a most significant disability; and
  - c. Be determined by the DORS counselor to required supported employment based on a comprehensive assessment of the individual's vocational needs, unique strengths, resources, priorities, choices, concerns, abilities, capabilities, interest and informed choice. This comprehensive assessment may include

information gathered from other sources e.g. DDA's Discovery Profile when available.

- d. In the event that an individual is determined ineligible for DORS services, in accordance with DORS Rehabilitation Services Manual 2, section 800, the individual's Coordinator of Community Services will be notified.

- vii. **Development of an Individualized Plan for Employment (IPE).** DORS will facilitate the development of an IPE with eligible individuals who can be served under the Order of Selection and can benefit from DORS services to assist the individual in obtaining competitive integrated employment. Specific services to be provided by DORS and other entities based on the needs and abilities of the individual will be identified on the IPE. Pending local availability and eligibility, DORS may provide and/or coordinate services required to achieve the competitive integrated employment goal of the individual, which may include:

1. Vocational counseling and guidance
2. Medical and psychological assessments
3. Vocational assessments
4. Medical rehabilitation services
5. Vocational and other training services, which may include Pre-Employment Transition Services
6. Rehabilitation technology assessments
7. Supported employment services
8. Job-related support services, including job search and placement assistance, job coaching services, and follow-up services
9. Technical assistance and consultation services related to self-employment or telecommuting
10. Benefits counseling
11. Other services which are required for the individual to be successful in competitive integrated employment, such as the purchase of assistive technology equipment and/or workplace accommodations.

- viii. **Collaborative Efforts.** In an effort to provide improved competitive integrated employment outcomes for individuals with intellectual or developmental disabilities, DORS will:

1. Copy the referral source (e.g. provider, CCS) on the initial referral and appointment letter.
2. Obtain the information required in section B(c) (ii) from referring DDA provider and/or referring CCS.
3. Designate a DDA liaison within each DORS district.
4. Utilize the DDA Person Centered Plan (PCP and, if available, Discovery Profile, and local labor market information, to the maximum extent

possible when working with an individual to set their employment goal, address barriers to employment, and create the IPE.

5. Invite the CCS and provider representative to team meetings, including at a minimum, the intake meeting and IPE planning meetings(s).
6. When requested, provide a copy of the finalized IPE to the individual's CCS to be attached to the individual's PCP.
7. Provide a copy of the finalized IPE to the individual's provider representative.
8. Provide job placement assessment consistent with DORS policy to assist individuals with reaching their competitive integrated employment goal.
9. Provide supported employment services, not to exceed 24 months, which may include job coaching, until job stabilization is reached. Prior to stabilization, it is anticipated that the individual will need fewer hours of support, as reflected in the Intensive Monitoring and Facing Schedule (Attachment 800-3). At the time of Job Stabilization, extended long-term support services funded by DDA may begin. The individual's case with DORS will be closed no earlier than 90 days after Job Stabilization.
10. Provide extended services to youth with disabilities, after job stabilization has been obtained, in the rare instance that DDA funded employment services are delayed or denied. In this situation, extended services may be provided through DORS until DDA extended services become available, up to four years, or until the individual turns 25, whichever occurs first. The individual's case with DORS will be closed as successfully rehabilitated after DORS-funded extended services are completed.
11. Facilitate transition to extended services, provided by DDA, once job stabilization has occurred. Process for students is referenced in Attachment D and process for adults is referenced in Attachment C.

**B. Local Level Responsibilities and Implementation Activities.** In addition to general roles and responsibilities above, on a local level, DORS agrees to:

1. Establish DORS liaisons to DDA providers, who will:
  - a. Process referrals received from a DDA provider within 10 days of receipt,
  - b. Arrange and attend monthly meetings with assigned DDA providers to:
    - i. Discuss services funded by DORS,
    - ii. Provide information regarding policies and procedures related to Order of Selection/priority services, application requirements, and the need to provide current medical, social, vocational, and other pertinent information for determining eligibility and priority of services,
    - iii. Address concerns of mutual individuals, and



- iv. Ensure proper authorization of services and resolve invoice concerns.
- c. Establish linkages with DDA regional offices, CCS providers, DDA service providers, and local school systems.
- d. Determine eligibility of all individuals referred to DORS for VR and supported employment services in an efficient and timely manner, not to exceed maximum federal timelines.
- e. Establish a counseling relationship to promote the individual's full involvement and informed choice in the rehabilitation process.
- f. Initiate the IPE and assist the individual and/or advocate in developing this person-centered plan, not to exceed maximum federal timelines.
- g. Provide a copy of the IPE to the individual's CCS for inclusion in their PCP.
- h. Provide all services, including intensive, time-limited, supported employment job coaching services, based upon the individual's needs and eligibility, including extended services as appropriate.
- i. Explore and facilitate extended resources, including natural supports, (e.g., unpaid supports provided by a co-worker) as appropriate.
- j. Except for assessment and job development/coaching services, determine the financial need for services on an individual basis, consistent with DORS policy. The individual or any person claiming the individual as a dependent for federal tax purposes may be required to participate in the cost of services.
- k. Certify eligibility for State and federal disability tax credits.
- l. Establish linkages to Social Security benefits and Work Incentives planning services for individuals through their local Work Incentives, Planning and Assistance Project.
- m. Encourage the use of services available through local workforce partners, including American Job Centers.

**C. State Level Responsibilities and Implementation Activities.** In addition to specific roles and responsibilities above, on a state level, DORS agrees to:

- 1. Develop and maintain purchase of service agreement with providers statewide.
- 2. Maintain a statewide database, including information about services provided to individuals with developmental disabilities and cross share information with DDA within the capacity of the DORS case management system.
- 3. Conduct professional development activities to enhance the quality and effectiveness of VR services.
- 4. Conduct program evaluation activities that address program effectiveness and individual's satisfaction and that track and measure

employment outcomes of individuals with developmental disabilities who receive both DDA and DORS services.

5. Work with DDA to ensure an adequate pool of certified local employment service providers across the state.
6. Ensure that all DORS and DDA confidentiality requirements are consistently followed.
7. Work with DDA staff to provide cross training and common messaging.

## Attachment B

### DDA's Roles & Responsibilities

- I. About:** DDA provides supports and services to youth and adults with intellectual and developmental disabilities. Eligible individuals and their families can access Coordinators of Community Services (CCS) and generic or specialized services to provide support, including appropriate employment support, based on the individual needs and preferences of the person. These services are intended to support individuals to live self-determined and productive lives, integrated within their chosen community and throughout their lifespan.

The DDA provides a coordinated service delivery system for individuals with developmental disabilities, and their families, to receive appropriate services oriented toward the goal of integration through community membership and employment. Services that support individuals with realizing their employment goals currently include Supported employment, Community Learning Services, Employment Discovery & Customization and Day Habilitation, as well as individual support services, behavioral support, Coordination of Community Services and Transportation. Individuals may choose to self-direct DDA funded services, including, but not limited to, employment services. DDA funds, regulates and monitors community-based services through four regional offices and through a network of Coordinators of Community Services and licensed and approved service providers. The four regional offices are responsible for developing, coordinating, and evaluating services, monitoring providers and Coordinators of Community Services and approving funding.

**II. Responsibilities:**

- A. General:** DDA will be responsible for performing the roles and responsibilities set forth in Attachment B of this MOU, attached hereto and incorporated herein.

- i. Determination of Eligibility.** DDA will determine eligibility for DDA funded services, based on the following criteria;

- 1.** Individuals must meet the definition of a "developmental disability," as defined in statute and COMAR; i.e., they must have a severe, chronic disability that:
  - a.** Is attributable to a physical or mental impairment other than the sole diagnosis of mental illness, or to a combination of mental and physical impairments;
  - b.** Is manifested before the individual becomes 22 years old;
  - c.** Is likely to continue indefinitely;
  - d.** Results in an inability to live independently without external support or continuing and regular assistance; and

- e. Reflects the need for a combination and sequence of special, interdisciplinary, or generic care, treatment, or other services that are individually planned and coordinated for the individual.
- 2. Individuals who do not meet the definition of an individual with a developmental disability may be eligible for “Support Services”, if they have a “severe, chronic disability”, which is caused by a physical or mental condition, other than a sole diagnosis of mental illness, and is likely to continue indefinitely.

## **ii. Development of a Person Centered Plan (PCP)**

- 1. DDA through the Coordinators of Community Services will facilitate the development of a Person Centered Plan with eligible individuals, to be updated annually. The PCP will include information related to competitive integrated employment goals, as well as the identification of any barriers to employment. The PCP will work to address barriers to employment as expressed by the individual and revisit the decision to pursue competitive integrated employment annually, if necessary.
- 2. The DDA provider or CCS will consider providing a referral to DORS if an individual is:
  - a. Not employed but expresses interest in competitive integrated employment,
  - b. Employed in a competitive integrated environment and requires intensive, time-limited vocational supports to stabilize the employment, which are not covered by DDA funded services.

## **iii. DORS Referral and Application Process.**

- 1. Consistent with WIOA and Employment First, DDA staff, CCSs and providers will encourage individuals not already employed, to consider competitive integrated employment. If interest in CIE is sustained, a DORS referral will be generated by the CCS and/or DDA provider and forwarded to the local DORS office for processing.
- 2. Within 10 days of receipt of referral, a letter and an Application packet will be sent to the individual. The referral source will receive a copy of the letter. The DDA provider and/or CCS will assist the individual in schedule an intake appointment with DORS and completing application materials, as necessary.
  - a. Application materials must, at minimum, include the following:
    - i. Completed DORS Application Packet

- ii. Documentation of current services as documented in PCIS2 and/or LTSS
- iii. Confirmation of availability of long term supports, as applicable
- iv. DDA Person Centered Plan
- v. Name and contact information of Coordinator of Community Services and a release for information exchange
- vi. Signed release of information and completed DORS referral
- vii. Most recent pertinent and applicable medical documentation and/or assessments
- viii. Preliminary documentation related to employment exploration, if applicable (e.g. Discovery Profile, information related to previous employment history, and preliminary benefits planning report when available (and other efforts toward CIE.

**3. Collaborative Efforts.** In an effort to provide improved competitive integrated employment outcomes for individuals with intellectual or developmental disabilities, DDA will:

- a. Ensure the CCS, CRP staff or Personal Agent will do the following:
  - i. Attend as many team meetings as possible so that information is shared and understood by the entire team.
  - ii. Invite DORS to team meetings and/or share information as necessary, with consent of the individual.
  - iii. Update the PCP to reflect the DORS plan (IPE) in a timely fashion, as needed, to support necessary changes in supports for the individual.
  - iv. Provide long term support services for eligible individuals, as needed and approved, once a DORS funded individual achieves stabilization on their job.
  - v. Refer individual for the appropriate DDA services at the individual's request and when the team agrees that it is the appropriate course of action.
  - vi. Share information on new services provided to the individual with the team, including DORS, as they arise.
  - vii. Provide DORS with confirmation of long-term supports through DDA as soon as it is available, as reported in the PCIS2 or LTSS system, for mutual individuals.

- B. Local Level Responsibilities and Implementation Activities.** In addition to general roles and responsibilities above, on a local level, DDA agrees to:
1. Determine eligibility for DDA services.
  2. Inform individuals and their families that employment will be the first option considered for all individuals of working age, and of the benefits of employment through Employment First policy.
  3. Provide referrals to local DORS offices with or on behalf of individuals with developmental disabilities.
  4. With consent of the individual, provide DORS with a copy of the individual's PCP and confirmation of extended services to confirm that the individual is a mutual consumer and has long term supports.
  5. Establish linkages with DORS local offices and local school systems (as appropriate).
  6. Provide information and assistance in the selection of a DDA provider of services.
  7. Initiate the development of a Person Centered Plan that includes identifying barriers to employment and services provided to address and remove those barriers and include, for the accomplishment of employment and other desired goals and outcomes. When available, include the individual's DORS IPE as an attachment.
- C. State Level Responsibilities and Implementation Activities.** In addition to specific roles and responsibilities above, on a state level, DDA agrees to:
- i. Collaborate with DORS staff specialists to develop and promulgate regulations, policies and procedures related to improving the quality of employment services for individuals with developmental disabilities.
  - ii. Monitor local service providers to ensure compliance with COMAR, conduct quality assurance activities to ensure that individuals are receiving quality services, and conduct a quality of life survey for individuals receiving services for continuous program enhancement at the service provider level.
  - iii. Assure the assignment of a Coordinator of Community Service to establish eligibility for DDA services and to provide technical assistance with the selection of a DDA service provider.
  - iv. Dedicate funding each fiscal year to provide supported employment services for transitioning youth, contingent upon legislative budget approval.
  - v. Provide long term funding for extended employment services following job stabilization to the extent funds are available for the individual.
  - vi. Ensure that all DORS and DDA confidentiality requirements are consistently followed.
  - vii. Work with DORS staff to provide cross training and common messaging.