

HOUSE RESEARCH

Bill Summary

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- 1 **Community rehabilitation provider.** Modifies a definition to specify that a “community rehabilitation provider” (rather than a facility) is an entity that conforms to the definition of a community rehabilitation program under federal law and also includes a nonprofit or public entity providing at least one extended employment subprogram for persons with the most significant disabilities.
- 2 **Extended employment program.** Modifies the definition of “extended employment program” to mean noncompetitive employment and supported employment subprograms by removing a reference to center-based programs.
- 3 **Supported employment.** Modifies the definition of “supported employment” to mean competitive integrated employment of persons with severe disabilities needing ongoing training and support to obtain and maintain a job in which:
 - the person works on a full-time or part-time basis (including self-employment) and is compensated at a rate at least equal to the state or federal minimum wage, whichever is higher;
 - the person is paid at least the customary rate paid by the employer for the same or similar work performed by employees without disabilities and who are similarly situated in occupations by the same employer who have similar training, experience, and skills or in the case of a self-employed person, yields an income comparable to the income received by others without disabilities who are self-employed in similar occupations or on similar tasks and who have similar training, experience and skills;

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- the person is eligible for the level of benefits provided to other employees;
- the person is at a location where the employee interacts with non-disabled persons;
- opportunities for advancement are available; and
- public funds are required to provide ongoing training and support services.

- 4 **Noncompetitive employment.** Specifies that “noncompetitive employment” means paid work done on a full time or part-time basis (including self-employment) for which an individual is compensated at a rate less than minimum wage and less than the customary rate paid by the employer to similarly situated persons without disabilities, or is performed at a location where the employee does not interact with non-disabled persons to the same extent as workers without disabilities interact with others.
- 5 **Noncompetitive employment subprogram.** Provides a definition of “noncompetitive subprogram” to mean work and services for persons with significant disabilities who are opposed to working in an integrated, mainstream setting and who, because of their disability, require intensive support services. Sets forth requirements for services.
- 6 **Special minimum wage.** Defines “special minimum wage” to mean a wage at a rate less than the minimum wage, paid to a person with a disability that is commensurate with the person’s productivity relative to non-disabled workers.
- 7 **Informed choice.** Provides a definition of “informed choice” as a voluntary decision by a person served in a noncompetitive subprogram after a reasonable and objective assessment process. Sets forth the steps in the assessment process.
- 8 **Integrated setting.** Defines “integrated setting” as a setting that provides disabled persons with opportunities to work and receive services within the community; is located in mainstream society; offers access to community activities and opportunities; affords choice in daily life activities; and provides the opportunity for interaction with nondisabled persons, others than caregivers, based on typical job types.
- 9 **Segregated setting.** Defines “segregated setting” as:
- congregate settings primarily or exclusively for disabled persons;
 - congregate settings characterized by regimented activities, lack of privacy or autonomy, policies limiting visitors, and limits on free participation in community activities; or
 - settings that provide day activities primarily for persons with disabilities.
- 10 **Powers and duties.** Changes reference from “rehabilitation facilities” to “community rehabilitation providers.”
- 11 **Community rehabilitation providers.** Changes reference from “rehabilitation facilities” to “community rehabilitation providers” and adds references to extended employment programs.
- 12 **Requirements for certification.** Changes reference from “rehabilitation facilities” to “community rehabilitation providers.” Requires community rehabilitation providers to provide employees in noncompetitive employment with informed choice as a condition for

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receiving certification from the commissioner. Requires reporting on satisfaction with and outcomes of workers. Requires providers to submit independently audited financial statements to the commissioner prior to program certification.

- 13 Community rehabilitation provider governing boards.** Changes reference from “rehabilitation facilities” to “community rehabilitation providers” and adds reference to extended employment programs.
- 14 Administration.** Requires the administration of extended employment programs through the department’s vocational rehabilitation services.
- 15 Program purpose.** Modifies the purpose statement to specify that the primary purpose of EE programs is to provide Minnesota residents with the most significant disabilities with ongoing employment support services to retain and advance in competitive employment that is based on the person’s need, abilities and interests.
- 16 Rule authority.** Changes reference from “rehabilitation facilities” to “community rehabilitation providers” and adds reference to extended employment to commissioner’s existing rulemaking authority.
- 17 Evaluation.** Strikes language requiring that evaluation has to include an assessment of worker satisfaction. Reporting of worker satisfaction is required as a condition of certification under section 12.
- 18 Technical assistance.** Changes reference from “rehabilitation facilities” to “community rehabilitation providers.”
- 19 Grants.** Changes reference from “rehabilitation facilities” to “community rehabilitation providers.” Clarifies requirements for expansion and improvement of competitive employment opportunities.
- 20 Withdrawal of funds.** Changes reference from a “rehabilitation facility” to an “extended employment provider” and provides for the withdrawal of funding if program administration is not in accordance with the grant contract, program rules or certification requirements unless a corrective action plan is approved by the commissioner.
- 21 Repealer.** Repeals old definitions of “center-based employment subprogram,” “affirmative business enterprise employment,” “severe impairment to employment,” and “integrated setting” that are replaced by the definitions in the bill.