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**To:** State Aid Funded Employment Programs, including Assisted Competitive Employment, Affirmative Business/Industry, Ongoing Integrated Supported Employment, Transformed Business Model, Transitional Employment Placement, and Work Programs; Directors of Community Service/ Local Government Units; and, Conference of Local Mental Hygiene Directors

**From:** New York State Office of Mental Health

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## **Guidance for OMH State Aid Funded Employment Programs**

### **I. Purpose and Introduction**

The purpose of this document is to clarify key components of State Aid Funded Employment Programs (SAFEP) and provide guidance pertaining to evidence-based practices and best practices, foundations of employment and rehabilitation, and related resources.

OMH-funded employment services are delivered by local community providers and are designed to assist individuals to overcome barriers pertaining to mental illness as they prepare for, pursue, obtain, and sustain integrated, competitive employment.

This guidance applies to the following unlicensed program types:

<b>Program Type</b>	<b>Program Code</b>
<b>Assisted Competitive Employment (ACE)</b>	1380
<b>Affirmative Business/Industry (ABI)</b>	2340
<b>Ongoing Integrated Supported Employment (OISE)</b>	4340
<b>Transformed Business Model (TBM)</b>	6140
<b>Transitional Employment Placement (TEP)</b>	0380
<b>Work Programs (WP)</b>	3340

These programs are typically funded through direct contracts between the provider and the Local Government Unit (LGU). As the contracting entity, the LGU has discretion to hold providers to a higher standard than what is outlined in this guidance.

### **II. Background**

All OMH vocational program types shall adhere to full program definitions as described in the [NYS SED Consolidated Fiscal Reporting and Claiming Manual](#).

OMH State Aid Funded Employment Programs serve adults 18+ who have mental health barriers related to employment. Each of these vocational program types should provide employment services with a focus on addressing the impact the individual's ongoing mental health needs have on sustaining employment. Each program will offer counseling on disability benefits and disability disclosure decisions. Below are some distinctions of the aspects of employment supports that different program types emphasize:

- **ABI (2340) or TBM (6140):** Both of these program models must be a self-sustaining community business that is operated by an OMH provider and hires individuals receiving mental health services; the work supervision and mental health supports are provided by different staff of the provider agency.
- **Work Program (3340):** This model focuses on vocational assessment and job training, and then hires individuals for transitional or long-term paid work in institutional or community job sites. The Work Program staff works with the employee to help manage mental health related behaviors that might otherwise be barriers to employment.
- **ACE (1380):** This program model offers short term pre-employment services followed by ongoing supported employment to provide mental health supports to those seeking or working in competitive, integrated settings.
- **OISE (4340):** These services provide extended mental health-focused employment supports related to helping sustain employment for individuals who have achieved job stability; these services often follow Adult Career & Continuing Education Services – Vocational Rehabilitation (ACCES-VR) Intensive Services.
- **TEP (0380):** This program model primarily will arrange trial work and/or volunteer experiences for career exploration and skill building before providing ongoing supported employment for those individuals whose mental health has been a barrier to attaining employment.

### *Individual Placement and Support*

OMH strongly recommends the implementation of Individual Placement and Support (IPS) in all employment and rehabilitation programs. IPS is an evidence-based approach proven to improve employment outcomes for individuals experiencing psychiatric barriers. IPS emphasizes rapid engagement and person-centered rehabilitation interventions. To learn more about IPS visit the [IPS Employment Center website](#).

The [Center for Practice Innovations \(CPI\) Learning Community](#) offers online training modules on IPS that are available for all staff who work in OMH funded employment programs. These modules include:

- [IPS: Introduction to the Individual Placement and Support \(IPS\) Model of Supported Employment ©2012 \(csod.com\)](#) – 45 minutes
- [IPS: Job Development ©2013](#) – 30 minutes
- [IPS: Using the Employment Resource Book ©2015](#) – 60 minutes

CPI also offers live and recorded webinars and technical assistance.

### *Competitive and Integrated Employment*

Competitive and integrated employment is a key principle in the delivery of IPS and employment services. The term “competitive, integrated employment” means work that is:

- performed on a full-time or part-time basis, including self-employment, for which an individual is compensated at a rate that shall be not less than minimum wage;

- not less than the customary rate paid by the employer for the same or similar work performed by other employees who are not individuals with disabilities, and who are similarly situated in similar occupations by the same employer and who have similar training, experience, and skills;
- in the case of an individual who is self-employed, yields an income that is comparable to the income received by other individuals who are not individuals with disabilities, and who are self-employed in similar occupations or on similar tasks and who have similar training, experience, and skills;
- eligible for the level of benefits provided to other employees;
- in an environment where the employee interacts with other persons who are not individuals with disabilities (not including supervisory personnel or individuals who are providing services to such employee) to the same extent that individuals who are not individuals with disabilities and who are in comparable positions interact with other persons; and
- presents opportunities for advancement that are similar to those for other employees who are not individuals with disabilities and who have similar positions, as appropriate.

### **III. Accessing State-Aid Funded Employment Programs**

#### *Eligibility for SAFEP Services*

Individuals served must be at least 18 years old with a Serious Mental Illness (SMI), which also includes young adults (18+) who have been served through NY State Education who have been diagnosed with Serious Emotional Disturbance. Individuals who are unable to perform job tasks without ongoing and sustained job coaching should be redirected to another job in which they can successfully manage the work tasks independently or referred for intensive employment supports such as [NYS ACCES-VR](#). OMH supported employment services are not intended to provide indefinite and ongoing support of job tasks but are intended to mitigate psychiatric barriers related to employment.

#### *Referral Process*

Referrals sources include but are not limited to community providers, ACCES-VR, BOCES, school districts, Single Point of Access (SPOA), shelter outreach teams, forensics, hospitals, local departments of social services, and housing providers. Individuals may self-refer, and the provider should establish a verification protocol to confirm program eligibility.

### **IV. OMH State-Aid Funded Employment Services Programmatic Goals**

The aim of all OMH employment programs is to assist individuals to obtain and sustain integrated competitive employment in accordance with personalized goals. Working within this aim, programs should take into consideration the following:

- Personalized and measurable goals should be developed with each participant and revised when those goals are attained or require modification.
- Program types such as ABI, TBM, and WP will progressively assist a person to achieve employment in competitive and integrated community settings.
- Programs may support individuals in short-term unpaid work-based learning opportunities, including but not limited to apprenticeships, internships, volunteering, and work try-outs.
- Caseload size must allow for adequate responsiveness and attention to individual needs.

- Intensity of service, including the number of contacts per month, should be driven by individual need with the aim of progressively decreasing contact, while allowing for increased frequency and intensity as needed.
- Self-employment opportunities may be explored to determine feasibility and viability.

## **V. Funding**

In most cases, OMH funding for employment services is allocated to the Local Government Unit (LGU), or county. The LGU contracts directly with and provides oversight of county and local service providers. The provider is responsible for completing the Consolidated Fiscal Report (CFR) annually; note that program definitions in the CFR Appendix F identify any restrictions for each program type.

To ensure efficient use of these funds, the LGU and OMH Regional Field Office should communicate and collaborate to review expected outcomes.

Examples of how funding should and should not be used are listed below. Providers with questions regarding appropriate program operations or pertaining to appropriate use of funds should contact their LGU and/or NYS OMH liaison at the Regional Field Office.

*State Aid funding is intended to:*

- Support individuals 18+ years old who are experiencing psychiatric barriers to an employment goal
- Directly link to appropriate mental health supports, as needed
- Provide employment supports that lead to the attainment of integrated competitive employment with as-needed ongoing support to maintain employment
- Address temporary barriers to the individual's employment success including but not limited to initial and time-limited cost of transportation for interviews, orientation, onboarding, etc.

*State Aid funding is not intended to:*

- Support any business operations, which include but are not limited to client wages, merchandise, or equipment
- To provide ongoing financial support to individuals receiving services, such as monthly internet fees or ongoing transportation costs
- Duplicate employment supports simultaneously provided elsewhere through another state aid funded employment program, ACCES-VR, PROS, BH HCBS, psychosocial clubs / Accredited Clubhouses, or other similarly funded employment services.
  - *Note: In some circumstances an individual may combine non-duplicative supports and program models.*

## **VI. New York Employment Services System (NYESS) Reporting Requirement**

Beginning 07/01/2024, utilization of the New York Employment Services System (NYESS) is required for all currently funded State Aid Funded Employment Programs. Any new programs opened on or after the date of this guidance are required become a NYESS provider affiliate and begin entering recipient data upon opening. NYESS is:

- A powerful employment services resource for state partners, service providers, and participants;
- An online cross-systems collaborative employment services case management system;
- An integral source of data to inform state policy and track employment outcomes; and

- A statewide Ticket-to-Work (TTW) Administrative Employment Network (AEN).

Utilizing NYESS means, at minimum, all SAFEP participants have signed the Exhibit H Consent to Participate in NYESS, have an active record in the system, and activities indicating evidence of support are entered accordingly. Providers who are not currently NYESS provider affiliates should **begin the onboarding process immediately**. Please contact the [NYESS mailbox](#) for onboarding, training, and technical assistance, which is available for all related topics, and visit the [NYESS website](#) for additional information.

*Note:* A TTW AEN is an association of providers organized to combine their resources and function as a collaborative. NYESS assumes most administrative responsibilities associated with participation TTW, under which participating providers may generate revenue based on beneficiary earnings. While entry into NYESS is required for all funded programs under this guidance, participation in the NYESS AEN is **encouraged but not required**. Please note that becoming a NYESS provider affiliate does not automatically enroll your agency in the TTW AEN. Contact the NYESS team for any information pertaining to the TTW AEN or related topics.

## VII. Documentation Standards

The table below describes recommended documentation standards for State Aid Funded Employment Programs. All documentation must still be available for quality control and audit purposes, either electronically or in hard copy. All programs are subject to site and/or chart reviews at any time.

<b>Recommended Documentation Standards</b>	
1.	<p><b>Intake Information, which may include but is not limited to:</b></p> <ul style="list-style-type: none"> <li>• Demographics and personal contact information</li> <li>• Emergency contacts</li> <li>• Referral source</li> <li>• Documentation of program eligibility</li> <li>• Consents for Release/Receipt of Information</li> </ul>
2.	<p><b>Vocational Assessment and Plan, which may include but is not limited to:</b></p> <ul style="list-style-type: none"> <li>• Work history</li> <li>• Vocational interest assessment</li> <li>• Strengths, assets, and barriers to employment</li> <li>• Short and long-term employment goals</li> <li>• Individualized Employment/Work Plan</li> </ul>

3.	<p><b>Evidence of Support, which may include but is not limited to:</b></p> <ul style="list-style-type: none"> <li>• NYESS Activities</li> </ul>
4.	<p><b>Discharge Summary, which may include but is not limited to:</b></p> <ul style="list-style-type: none"> <li>• Discharge reason</li> <li>• Employment status at discharge</li> <li>• Linkage, referral, or continued connection to necessary supports and services where applicable</li> </ul>

Some the above documentation may be done directly in NYESS. OMH encourages providers to explore reducing the administrative burden on program staff by maximizing documentation within NYESS and reducing any duplicative agency-specific documentation where possible.

### **VIII. Work Incentives and Best Practices**

Benefits Counseling is an essential service for all program types. Many people, staff included, don't understand how wages affect public benefits. At minimum, staff should be able to state with confidence that in almost all cases working while receiving public benefits will result in more income for the individual, not less, and that retaining free Medicaid is likely. While staff do not need to be experts on the subject of benefits advisement, it is imperative that all staff recognize the positive impacts of working while receiving public benefits and have appropriate resources to assist in answering related questions, and connections to certified benefits advisement. Training and technical assistance is available through the OMH NYESS team.

OMH recommends that all program types participate in the NYESS Ticket-to-Work Administrative Employment Network (TTW AEN). Programs should explore with each beneficiary the potential benefits of enrollment in TTW. Participation in the NYESS AEN may lead to revenue when a TTW beneficiary achieves specific earnings milestones as prescribed by the Social Security Administration.

### **IX. Questions and Technical Assistance**

Questions, concerns, and requests for technical assistance related to this guidance may be sent to your local field office or to the OMH Bureau of Rehabilitation, Treatment, & Care Coordination at: [EmploymentServices@omh.ny.gov](mailto:EmploymentServices@omh.ny.gov).