

**Maine Department of Labor  
Bureau of Rehabilitation Services  
Division for the Blind and Visually Impaired  
Division of Vocational Rehabilitation  
and**

**Maine Department of Health and Human Services  
Office of Adults with Cognitive and Physical Disabilities**

**MEMORANDUM OF UNDERSTANDING (MOU)**

**Purpose:** This Memorandum is intended to guide the Maine Department of Labor's Bureau of Rehabilitation Services (BRS), through its Division for the Blind and Visually Impaired and Division of Vocational Rehabilitation, and the Office of Adults with Cognitive and Physical Disabilities (OACPD) in the Maine Department of Health and Human Services (DHHS), through a system change planning process for the purpose of implementing an aligned service delivery system that promotes evidence-based practices. It contains information about policies and processes that pertain to maintaining and enhancing the relationship between these two entities. This Memorandum is not to be used or regarded as a legally binding agreement or contract. Rather, it provides information about the programs and how we intend to work together.

**Goals of the MOU:**

- Strengthen partnerships between BRS and OACPD in order to improve and expand employment services for our joint consumers. This partnership is based upon the shared belief that individuals with the most significant disabilities are able to work in integrated settings if appropriate services and supports are provided (Rehabilitation Act of 1973, as amended).
- Ensure ethical best practices, particularly as they relate to consumer rights and meaningful choices.
- Maximize the utilization of all employment and training resources and funds to support competitive employment for people with mental retardation and autism.
- Improve the rehabilitation rate and increase the number of individuals with mental retardation and autism who are successful in achieving competitive employment goals.
- Establish consistent practices of operation in BRS and OACPD in order to achieve a seamless transition to work. Special emphasis will be applied to youth in transition.

## **Bureau of Rehabilitation Services:**

The Division of Vocational Rehabilitation (DVR) and the Division for the Blind and Visually Impaired (DBVI) are the two state Vocational Rehabilitation agencies in Maine, which are within the Department of Labor (DOL) as part of the Bureau of Rehabilitation Services (BRS), and are charged with the responsibility to administer the Vocational Rehabilitation (VR) and the Independent Living Rehabilitation programs.

VR assists individuals with disabilities to choose, prepare for, and obtain and maintain competitive employment commensurate with their interests and abilities through an Individualized Plan for Employment (IPE) that addresses the disability-related barriers to successful employment. Services identified in an IPE are individualized and may include counseling, training, medical treatment, assistive devices, job placement assistance, and other services.

## **Office of Adults with Cognitive and Physical Disabilities (OACPD):**

The Office of Adults with Cognitive and Physical Disabilities (OACPD) is comprised of Developmental Services, Brain Injury Services and the Office of Physical Disabilities. Developmental Services and Brain Injury Services are the OACPD service systems that currently interact with BRS.

The primary responsibility of Developmental Services (DS) is to develop and maintain a system of services and supports for people age 18 and older who meet the eligibility criteria. These services are directed toward people who have mental retardation and/or autism. Through its various programs, DS provides services in the areas of residential supports, community supports, employment, crisis services, respite, adult protection, advocacy, and public guardianship.

Developmental Services has funded and administered a Long-Term Vocational Support Program for several years. This has included employment on the Home and Community Based Waiver Program, as well as through State grant dollars. In 2007, DS will be initiating a second waiver program, entitled the Supports Waiver, which will assure an expansion of employment support to a majority of the people served.

The Office of Brain Injury Services (BIS) was established in 2007 to serve as the coordinating office for services to persons with disabilities due to brain injuries. Legislation passed this year (Chapter 105 – 123<sup>rd</sup> Legislature) charges this office with the responsibility to develop a comprehensive plan to address the needs of this population, including current and future gaps in service, advances in knowledge and technologies, and models of effective/efficient approaches that respond to the needs of persons with brain injuries and their families. Vocational services and employment outcomes are a specific area of focus in the plan. In addition, the Legislature established the Acquired Brain Injury Advisory Council to provide stakeholder input to support efforts to respond to these needs.

## **Joint Responsibilities of BRS and OACPD:**

BRS and OACPD agree to explore new resources for the purpose of developing and overseeing a comprehensive system of employment and training services for people with disabilities in Maine served by them, and each will designate a staff person to be the key contact within their respective agencies to coordinate existing agency programs and efforts. A workgroup will be convened to initiate and coordinate the following activities:

### **A. System Development**

1. Review all employment services offered to people served by OACPD to determine what services currently exist, and use qualitative and quantitative data to identify what services and resources are needed to overcome obstacles for the ongoing successful employment of individuals who wish to work.
2. Promote the use of best practices and promising approaches in supported employment in the ongoing effort to improve employment services.
3. Invite stakeholders, including consumers, families, employers, service providers and advisory groups to both agencies, to be involved in the system development process and share areas of expertise and concerns.
4. Pursue funding opportunities from all sources, including at a minimum those available through the Social Security Administration, Centers for Medicaid and Medicare Services, Workforce Investment Boards, U.S. DOL Employment and Training Administration, and any others that may become available.
5. Maximize the services available through the workforce development system with an emphasis on utilization of the Maine CareerCenters.
6. Whenever possible and appropriate, pursue system development in conjunction with Mental Health Services, Children's Services, Education and any other service system involved in assisting people with disabilities to gain employment.

### **B. Coordination of Services**

1. Identify and pursue cross-training opportunities for OACPD and BRS staff in areas pertinent to employment and developmental services. Include Mental Health Services when appropriate.
2. Identify and address regional differences in service coordination and effective service delivery. Where barriers exist to successful employment outcomes, management of both systems will work together to remove those barriers and improve agency collaboration and service consistency (see Attachment A).
3. Identify program initiatives within the community supports waiver of DS that stand as best practices in employment readiness and can be recognized and supported as such on a statewide basis for both systems.

### **C. Quality Assurance**

1. OACPD will continue to work with BRS to establish and maintain consistency of credentialing standards for staff providing direct employment support.

2. OACPD and BRS will work together to build capacity within community-based agencies to provide quality employment services throughout the state.
3. BRS and OACPD will continue to collaborate with other parties in the implementation of training standards and curriculum for employment support staff.
4. In conjunction with Mental Health Services, BRS and OACPD will collaborate on a unified employment data system to track both individual and system outcomes.
5. BRS and OACPD will stay current with best practices and promising approaches available to support employment, and disseminate that information to providers and consumers.

**Dispute Resolution:**

The joint BRS-OACPD workgroup identified in the **Joint Responsibilities** section above will be responsible to monitor and evaluate the implementation of the practices and procedures described in this Memorandum. It is expected that this group will gather information and propose solutions to problems encountered in the implementation of the Memorandum. If the workgroup cannot reach a solution, or if the solution needs administrative or financial resources beyond the scope of responsibility of the workgroup, the matter will be referred to the Director of OACPD and Director of BRS.

This agreement will be in effect upon the signatures listed below. It can be terminated by either party upon a 30-day written notice. Modifications, changes and amendments may be made upon mutual agreement, in writing and with signatures by both departments.

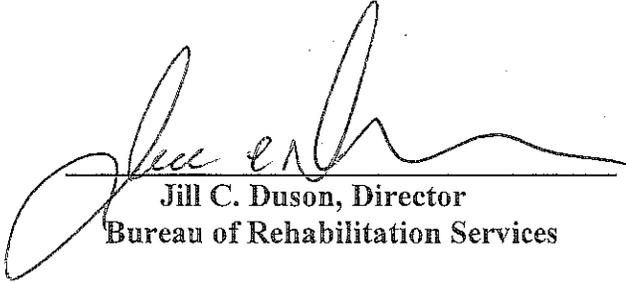
  
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 Brenda Harvey, Commissioner  
 Department of Health & Human Services

  
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 Laura A. Fortman, Commissioner  
 Department of Labor

Nov. 20, 2007  
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 Date

November 14, 2007  
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 Date

  
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 Jane Gallivan, Director  
 Office of Adults with Cognitive and  
 Physical Disabilities

  
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 Jill C. Duson, Director  
 Bureau of Rehabilitation Services

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November 14, 2007  
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## ATTACHMENT A

### **Coordination of Services Between DS Case Managers and BRS VR Counselors**

Important Note: This process is in development and will be modified accordingly throughout the review of the BRS/DS work group at six-month intervals for at least the first year of implementation and as needed thereafter.

#### **A. Eligibility Determination/Referral Process: Consumers of DS who have identified through the person centered planning process (PCP) that they would like to work will be referred to VR for services.**

1. The person identified at the PCP will make referrals to VR. This could be: the state case manager, the community case manager, the person, their family, medical supports, schools, or a Community Provider agency.
2. If under guardianship:
  - Invite guardian or provide address and phone number for VR to send the application and releases (Medical Information).
  - If bringing written information to VR, a signed release from the guardian needs to be acquired and shared.
3. The person assisting the consumer with the intake meetings will provide/coordinate the following needed documentation for VR if available:
  - Proof of disability (psychological, physical, OT, neuropsychological reports - less than 3 years old).
  - Address, phone number, social security number, date of birth, ethnicity, highest grade in school completed, and history of receipt of Special Education Services (if applicable).
  - A copy of the most recent PCP.
4. BRS counselors will determine eligibility for BRS services according to existing procedures and mandates.
  - Within 60 days, BRS will notify consumer, guardian and caseworker as to the determination of eligibility by letter.
  - If placed on a waiting list for services, consumer will be notified of his/her priority category and when he/she is off the wait list and can begin services.

**B. Job Preparation Tools and Resources: Joint consumers of VR/DS can begin employment related planning and preparation while they are waiting for VR services to begin.**

1. Consumers, through their Person Centered Planning process, can begin to receive support regarding preparation for work.
  - If in residential, community supports or sheltered work, staff can assist individuals with identifying, experiencing and gathering information on interests, skills and abilities by:
    - volunteering at a non-profit community agency;
    - doing community job shadows at local businesses;
    - attending a job club;
    - visiting the Career Center ;
    - developing a resume and references;
    - learning safety skills and public transportation; and/or
    - learning and experiencing their community by making connections.
  - If a consumer is living at home, families can begin identifying their own connections and personal networks to share later with an Employment Specialist to assist in seeking employment.
2. Tools that can assist in preparing for employment:
  - Vocational Profile: Gathering of specific information about the consumer that is relevant to work.
  - Job Readiness Assessment Checklist: Used to cover 14 areas of vocational-related skills, needs, supports and history.
  - Discovery Process Tools: "Who is this person?" Documentation of likes and interests, which can be used for potential work connections.

**C. Coordination of Services: Joint consumers of VR/DS will receive support regarding seeking employment from their Person Centered Planning Team (PCP) to help the consumer prepare for and engage in employment.**

1. Once off the wait list, the consumer will receive a letter from VR stating new status, and they must contact VR counselor (usually within 2 weeks) to begin services. VR should also alert DS.

2. Consumer meeting with VR: Purpose is to begin working on determining vocational goal and identifying necessary employment services -- can be attended by Case Manager and other team members.
  - Consumer will bring any past work history, which could include volunteer information, employment portfolio, job readiness information, discovery, and references.
  - VR will complete a Comprehensive Assessment of Rehabilitation Needs, which would include interests, skills, transportation, strengths, capacities, limitations and support needs.
3. A Trial Work Plan may first be developed, which can include situational assessments and other employment-related activities, but ultimately an Individualized Plan for Employment (IPE) will be written with the consumer.
  - Input from PCP team members can be requested by VR to assist in the development of the plan.
  - Support to the consumer for interviewing Employment Specialist and/or Supported Employment agencies can be provided by the VR Counselor or a PCP team member.
  - A copy of the IPE and/or Trial Work Plan will be given to the DS caseworker and consumer.
4. Long Term Support for Ongoing Employment Services (under waiver programs).
  - A discussion and determination of the level of support needed will be approved by DHHS/DS Services and shared with all, including type of support and maximum hours per year.
5. At the point of employment, initial data is gathered to include employer's name and address, hourly rate of pay, source of paycheck, hours worked, benefits, and long-term supports.
  - Joint database for Employment Outcomes is completed by Employment Specialist.
  - Switch to long-term DS support monies will occur in agreement with VR counselor and DS caseworker.
  - Successful VR closure will occur when determined by VR Counselor as outlined in policy.
  - Letter will be sent to consumer, guardian and caseworker as to VR closure.