

Moved by Mortimer

Seconded by Thayn

IN THE SENATE  
SENATE AMENDMENT TO S.B. NO. 1330

AMENDMENT TO THE BILL

On page 1 of the printed bill, delete lines 6 through 42; and delete page 2, and insert:

"SECTION 1. That Title 33, Idaho Code, be, and the same is hereby amended by the addition thereto of a NEW CHAPTER, to be known and designated as Chapter 62, Title 33, Idaho Code, and to read as follows:

CHAPTER 62  
EXTENDED EMPLOYMENT SERVICES PROGRAM

33-6201. DEFINITIONS. As used in this chapter:

(1) "Board" means the state board of education.

(2) "Disability" means a developmental disability as defined in 45 CFR 1325.3 or a learning disability, mental illness, or traumatic brain injury as defined in board rule.

(3) "Division" means the division of vocational rehabilitation.

(4) "Extended employment services" or "EES" means long-term maintenance services that assist participants in maintaining employment or gaining employment skills in preparation for community employment or that provide assistance to adult participants within an industry or a business setting or a community rehabilitation program intended to maintain paid employment. Extended employment services include individual supported employment, group community-based supported employment, and work services.

(5) "Group community-based supported employment" means self-employment or paid employment that is:

(a) For a group of no more than eight (8) participants who are paid at least minimum wage and who, because of their disabilities, need ongoing support to maintain employment;

(b) Conducted in a variety of community and industry settings where the participants have opportunities to interact with coworkers or others without known paid work supports at least to the extent that those opportunities typically exist in that work setting;

(c) Supported by training and supervision needed to maintain that employment; and

(d) Not conducted in the work services area of a provider.

(6) "Individual community-supported employment" means self-employment or paid employment:

(a) For which a participant is paid a competitive wage;

(b) For which the participant, because of the participant's disability, needs ongoing support to maintain the employment;

1 (c) That is conducted in a community or industry setting where persons  
2 without known paid work supports are employed; and

3 (d) Is supported by authorized activities needed to sustain paid work  
4 by persons with disabilities, including but not limited to supervision,  
5 training, and transportation.

6 (7) "Individual program plan" means a plan for extended employment ser-  
7 vices appropriate for an individual participant based on the participant's  
8 needs and personal goals.

9 (8) "Participant" means a person eligible for and enrolled in the ex-  
10 tended employment services program established pursuant to section 33-6202,  
11 Idaho Code.

12 (9) "Program" means the extended employment services program estab-  
13 lished pursuant to section 33-6202, Idaho Code.

14 (10) "Provider" means a community rehabilitation program services  
15 provider approved by the division to provide extended employment services.

16 (11) "Work services" means activities, typically conducted on provider  
17 premises, intended to assist participants in understanding the value and de-  
18 mands of work and developing functional capacities that increase or maintain  
19 the skill sets of participants to achieve and maintain employment.

20 33-6202. PROGRAM ESTABLISHED. (1) There is hereby established in the  
21 board an extended employment services (EES) program for the purpose of in-  
22 creasing employment opportunities for program participants. The program  
23 shall be administered by the division. Extended employment services offered  
24 under the program are separate and apart from any federal program but may  
25 be collaborative with and supportive of federal programs. Administrative  
26 costs charged to the EES program shall be limited, subject to federal indi-  
27 rect cost rate matching requirements, and subject to audit and review.

28 (2) Program services shall be:

29 (a) Provided when eligible individuals do not have access to comparable  
30 services or have fully utilized comparable services for which they are  
31 eligible; and

32 (b) Separate and apart from and delivered subsequent to vocational re-  
33 habilitation services as defined in 29 U.S.C. 705(40), provided by the  
34 division.

35 33-6203. ELIGIBILITY. (1) A person is eligible to participate in the  
36 program if the person:

37 (a) Has a disability that constitutes a barrier to maintaining paid em-  
38 ployment without long-term vocational support;

39 (b) Is sixteen (16) years of age or older; and

40 (c) Is an Idaho resident.

41 (2) The division may periodically review a participant's eligibility  
42 and service level need for the program.

43 33-6204. COVERED SERVICES -- INDIVIDUAL PROGRAM PLAN. (1) Subject to  
44 available funding, the program shall provide the following services to par-  
45 ticipants, as appropriate:

46 (a) Individual community-supported employment;

47 (b) Group community-based supported employment; and

1 (c) Work services.

2 (2) The services provided to a participant shall be based on the partic-  
3 ipant's individual program plan, as developed according to board rule.

4 33-6205. EES PROVIDERS -- REQUIREMENTS -- REVOCATION OF APPROVAL --  
5 AGREEMENT REVIEW. (1) The division shall approve any person or entity before  
6 such person or entity may provide extended employment services under the  
7 program. The division shall enter an agreement with each program provider.  
8 The agreement shall specify:

9 (a) Requirements for the provider;

10 (b) Services to be offered by the provider;

11 (c) Scope of work under the agreement;

12 (d) Service fees; and

13 (e) Other terms, conditions, and provisions as determined by the divi-  
14 sion and agreed to by the provider.

15 (2) The division may terminate or revoke the approval status and dis-  
16 continue authorizing or purchasing services from providers for actions in  
17 violation of the agreement or rules promulgated by the board.

18 (3) A provider agreement shall be reviewed annually and is subject to  
19 revision as required by the division in cooperation with providers.

20 33-6206. PROGRAM IMPLEMENTATION. The board is hereby authorized to  
21 take such actions as are necessary to implement the provisions of this chap-  
22 ter, including promulgation of necessary rules."

23 CORRECTION TO TITLE

24 On page 1, delete lines 2 through 4 and insert:

25 "RELATING TO EXTENDED EMPLOYMENT SERVICES; AMENDING TITLE 33, IDAHO CODE, BY  
26 THE ADDITION OF A NEW CHAPTER 62, TITLE 33, IDAHO CODE, TO DEFINE TERMS,  
27 TO ESTABLISH AN EXTENDED EMPLOYMENT SERVICES PROGRAM, TO PROVIDE ELI-  
28 GIBILITY REQUIREMENTS AND TO PROVIDE FOR PERIODIC REVIEW OF ELIGIBIL-  
29 ITY, TO PROVIDE FOR COVERED SERVICES AND AN INDIVIDUAL PROGRAM PLAN, TO  
30 ESTABLISH PROVISIONS REGARDING PROVIDERS OF EXTENDED EMPLOYMENT SER-  
31 VICES, AND TO PROVIDE FOR PROGRAM IMPLEMENTATION."