

Kansas Employment First Oversight Commission 2015 Report to the Governor and Kansas Legislature



The Kansas Employment First Oversight Commission was created by the same state law that requires competitive and integrated employment to be the first option when serving people with disabilities (KSA 44-1136 to 44-1138, also called the Employment First Initiative Act).

Under this law, the focus of the Commission is on making recommendations to increase the number of Kansans with disabilities in competitive integrated employment. The Commission may issue an annual report making recommendations to the Governor, Legislature and state agencies on strategies to increase the number of Kansans with disabilities in competitive integrated employment.

Employment First Oversight Commission

2015 Report

Executive Summary:

Kansas has been a trailblazer in supporting competitive and integrated employment for people with disabilities. As the first state in the nation to pass an Employment First Initiative Act, Kansas is poised to dramatically improve its outcomes regarding competitive and integrated employment for Kansans with disabilities. By building on its current initiatives and utilizing disability stakeholders to support systemic change, Kansas has the potential to become a national leader in competitive and integrated employment of Kansans with disabilities, with the outcomes to prove it.

The Employment First Oversight Commission believes that with the right energy, focus, and action from state government and policymakers, Kansas is poised for positive systems change. As detailed in this report, Kansas has undertaken several initiatives regarding employment for people with disabilities. The Commission believes these initiatives are positive developments and can be a catalyst for additional changes that can create positive results for people with disabilities. Kansas must seize the positive momentum created by these initiatives and create effective, meaningful systems change regarding competitive and integrated employment of Kansans with disabilities. The disability stakeholder community must drive systems change.

Meaningful systems change is difficult. It is uncomfortable. It shakes up the status quo. Systems change takes time, focus, and a willingness to embrace new ideas from stakeholders. Despite the fact that some key employment outcomes trail the national performance, the Commission believes this fact can be used as an impetus for further change. The Commission sees these underperforming outcomes as a proactive challenge and not an inherently negative barrier. These facts merely support the pressing need to build upon the positive direction created by the current initiatives in order to obtain meaningful systems change that will turn around these outcomes.

Good intentions are not enough. Agency initiatives are not enough. The ultimate goal must be to have meaningful, measurable progress through positive outcomes regarding competitive and integrated employment of Kansans with disabilities. Doing that will take stakeholder-driven systems change. Thankfully, Kansas already has in place perhaps the most critical component creating the opportunity for positive systems change – the Employment First Initiatives Act. This law, passed in 2011, sets as official state policy that competitive and integrated employment is the first and preferred option. Other states are languishing regarding how to

increase competitive and integrated employment outcomes for people with disabilities because they have no official state policy. That issue is settled in Kansas. Kansas was the first state in the nation to pass an employment first law, giving preference to competitive and integrated employment.

The Employment First Oversight Commission made a series of significant recommendations to increase competitive and integrated employment of Kansans with disabilities in its 2014 report. Those recommendations were made after an extensive stakeholder engagement and feedback process. The Commission notes that those recommendations are an important piece of the policymaking puzzle that is needed to create positive systems change in competitive and integrated employment of Kansans with disabilities. Those recommendations are also consistent with Governor Brownback's Road Map for Kansas. The Governor's Road Map for Kansas calls for, among other things:

- increases in net personal income,
- private sector employment, percentages of high school graduates that are career ready,
- decreases in the number of Kansans living in poverty.

Additionally, KanCare is Kansas' Medicaid Managed Care system. KanCare establishes employment of people with disabilities as an outcome of the Managed Care contracts. The Commission's 2014 recommendations clearly support and help obtain the goals of both the Governor's Road Map and KanCare.

The Employment First Oversight Commissions' 2014 Recommendations and other reports and information on Employment First can be found here: <https://kcdcinfo.ks.gov/employment-first>

Governor Brownback's Road Map can be found here: <https://governor.ks.gov/road-map/>

The Employment First Oversight Commission looks forward to working with policymakers in order to continue making measureable progress on competitive and integrated employment outcomes and to deliver on the promise of the Employment First Initiative Act.

Summary of Recommendations:

- The Commission recommends state government embrace an effective systems change planning process regarding Employment First, where disability stakeholders are key partners in driving positive changes. The Commission notes that positive efforts are already underway that make this systems change effort possible, including:
 - The positive involvement of the LEAD Center with key state governmental leadership in the Brownback Administration. The Commission commends the Governor and his Administration their active engagement with the LEAD Center in this effort.
 - The United Health Care Empower Kansans grant program, which has made systems change an important outcome and focus of its funding.
 - The DD Council systems change grant, which uses the 2014 Employment First Oversight Commission report as the blueprint for its grant program.
- The Commission recommends a robust data sharing system across state agencies and systems in order to, among other things, better track measurable outcomes with Employment First. The new federal WIOA law can provide an incentive to ensure that this promise of effective data sharing becomes an everyday reality in Kansas.
- The Commission recommends promoting membership of small companies in Business Leadership Network affiliates in Kansas. This would be beneficial in disseminating information and training regarding employing persons with disabilities.
- The Commission recommends engaging and educating more employers in the Kansas Bidders Preference program.
- The Commission recommends a recognition program for employers who participate in these programs and hire qualified people with disabilities in competitive and integrated positions.
- The Commission recommends the eligibility requirements for the Employer Partner Incentive be modified from the current criteria of ‘receiving Medicaid and VR services’ to ‘receiving Social Security Benefits/Medicaid or VR services’. Given the low use of this potentially helpful program, the Commission believes that this is a welcome change.
- The Employment First Oversight Commission made several recommendations to increase the number of Kansans in competitive and integrated employment in its 2014 Report. Those recommendations can be found here:
 - <https://kcdcinfo.ks.gov/employment-first>

Initiatives Helping Create the Opportunity for Positive Change:

Kansas implemented several initiatives that can be leveraged to improve competitive and integrated employment outcomes for Kansans with disabilities. The following initiatives involving employment and people with disabilities have created some positive momentum. Kansas policymakers must seize on this momentum in order to create the necessary systems change to improve the measurable outcomes regarding competitive and integrated employment of people with disabilities.

Examples of Kansas Initiatives in Disability Employment:

- **Project SEARCH** – Project SEARCH is an education and employment skills program for high school youth and adults with Intellectual/Developmental Disabilities (I/DD) in their last year of high school eligibility or are currently eligible for day services at a participating provider. Project SEARCH interns are immersed in work environment at a host business site for three rotations across nine months. Project SEARCH was initially developed at Cincinnati Children’s Hospital and Medical Center.
 - Kansas currently has 12 Project SEARCH sites in 10 different communities, including two adult sites. The Project SEARCH communities are:
 - Salina; Lawrence; Johnson County; Chanute; Wichita; Derby; Mulvane; Manhattan; El Dorado/Butler County; Newton
 - United HealthCare, through their Empower Kansans initiative, funded an adult Project SEARCH site in partnership with Johnson County Developmental Services (JCDS) and Johnson County Government.
 - The Department of Commerce’s DEI grant extends funding for the JCDS sites and helps to establish a new adult site in Salina.
 - As of the 2012-2013 school year, Kansas has achieved a 69% success in positive outcomes resulting in employment for interns with three sites recognized as achieving 100% outcomes at the 2014 international Project SEARCH conference.
 - In the 2011-12 school year, 36 out of 49 interns obtained competitive, integrated employment
 - In the 2012-13 school year, 29 out of 45 interns obtained competitive, integrated employment
 - Project SEARCH is currently in its fourth year of implementation in Kansas with technical support funded by the Kansas Council on Developmental Disabilities (KCDD).
- **SSI Employment Support Pilot** – KDHE is moving forward to implement a Supplemental Security Income (SSI) Employment Support Pilot. The pilot is designed for up to 400 individuals who are SSI eligible and on waiting lists for either the Intellectual/Developmental Disability (I/DD) Waiver or Physical Disability (PD) Wavier. In addition to KanCare services,

each participant will receive a monthly allocation to purchase employment support and/or personal assistance services. The agency hopes to demonstrate that by providing a support services program similar to *WORK*, an increased number of SSI eligible individuals will become and remain employed. To participate in the pilot, individuals must be:

- between the ages of 16 and 65
 - working a minimum of 40 hours per month in a competitive, integrated setting and earning the federal minimum hourly wage
- **Business Leadership Networks** – The US Business Leadership Network (USBLN®) is a national non-profit, business-to-business network promoting workplaces, marketplaces, and supply chains where people with disabilities are included. The USBLN® serves as the collective voice of over 60 Business Leadership Network affiliates across the United States, representing over 5,000 businesses. Kansas currently has two USLBN Affiliates, Greater Kansas City and Wichita. There has been interest in Butler County, Southeast Kansas, and Southwest Kansas in developing new USBLN Affiliates. Businesses join BLN affiliates to learn how to expand their diversity recruiting efforts to include people with disabilities - not as a social model but as a business case to recruit talent and better serve their customers. BLN successes serve the workplace, marketplace, supply chain and the economy.
 - **DD Systems Change Grant** – The Kansas Council on Developmental Disabilities is funding an Employment Systems Change Grant that will review the current employment system and make recommendations on ways to make improvements to better support employment outcomes for people with disabilities. This systems change grant project was based on the 2014 Employment First Report. Deliverables of the grant include:
 - The grantee will engage stakeholders and with their input develop a road map for Kansas that will lead to better employment outcomes.
 - Development of a Employment Supports Library
 - Develop a simple to use system that redirects existing resources to community employment
 - Project will lead to a systemic change in the area of employment
 - **Disability Employment Initiative (DEI)**
 - From October 2010 through March 2014, the Kansas Department of Commerce administered a grant from the United States Department of Labor to implement the Kansas Disability Employment Initiative (Kansas DEI). The Kansas DEI built upon past successes to develop and implement sound recruiting, employment training, and placement practices for people with disabilities. Program partners provided services, resources, and support for program participants. The goal of the Kansas DEI was to create systemic and sustainable change in the way the workforce system serves individuals with disabilities. Grant initiatives were:
 - to increase the number of individuals with disabilities who register in the workforce system

- to increase the number of individuals with disabilities who enter employment and retain employment
 - to increase average participant wage
 - October 2014 the Kansas Department of Commerce received a grant from the United States Department of Labor to implement another round of the Kansas DEI through March 2018. Commerce has engaged three Local Workforce Investment Boards, six Community and Technical Colleges, one University, two state-level agencies serving individuals with disabilities and 14 employers to improve education and employment outcomes of adults with disabilities who access the state public workforce system, KANSASWORKS. Through the DEI project, Commerce will further engage these partners to drive systemic change to KANSASWORKS and its partnership with postsecondary education to promote education and training as a viable option for individuals with disabilities, modifying policies and procedures as needed to provide ease of access for DEI participants to job-driven postsecondary skill training. Commerce and its DEI partners expect to:
 - increase the number of adult KANSASWORKS customers who self-identify as having a disability
 - increase the number of referrals received from Vocational Rehabilitation
 - increase the percent of individuals with disabilities who are co-enrolled in and receive WIA/WIOA services
 - increase the percent of customers who are referred to postsecondary education and training
 - increase the percent of adults with disabilities who receive paid work-based training
- **The KANSASWORKS Employer Partner Incentive (KEPI)** – The Kansas Department of Commerce was awarded \$500,000.00 of state general funds during the 2012 legislative session to provide incentives to employers hiring qualified individuals with disabilities. Kansas companies participating in the Employer Partner Incentive are eligible to receive up to \$3,000 per full-time qualified candidate hired and up to \$2,000 per part-time qualified candidate hired, with follow-up verification that the individual has been retained or advanced in employment by the company for two years from the original hire date. An individual with a disability is determined as an eligible participant if they are receiving both VR Services and Medicaid. Commerce and the Kansas Department for Children and Families (KDCF) have entered into a Memorandum of Understanding for the timely referral of eligible job seekers between the two agencies and for KDCF to determine participant eligibility qualifications.
 - As of December 2014, three employers are seeking the incentive and six individuals have been hired as qualified participants (three full-time and three part-time).
- **Kansas Bidders Preference (KBP) program, operated by the Kansas Department of Administration** – Initiated by state legislation in 2012 and amended in 2013, this program provides preferences to companies bidding on state contracts if they employ individuals

with disabilities and become Certified Bidders Preference companies or purchase goods and services from State Use Law vendors. Further information about the program can be found at <https://admin.ks.gov/offices/procurement-and-contracts/bidder-preference-program>, and State Use Law can be found at [http://www.ksstateuse.org/State Use 2013 9.13R.pdf](http://www.ksstateuse.org/State_Use_2013_9.13R.pdf).

- **Federal Contractor and Sub-Contractor Expectations** – This recent U.S. Department of Labor regulatory initiative included a number of significant changes involving Section 503 of the Rehabilitation Act of 1973. The primary change established, for the first time, a 7% utilization goal for individuals with disabilities. This means that the 5,200 federal contractors and sub-contractors in Kansas will be expected to progress toward having employees with disabilities fulfill 7% of their workforce employment. The utilization goal will be enforced by the U.S. DOL Office of Federal Contract Compliance Programs (OFCCP). Further information is available at www.dol.gov/ofccp.

- **TANF** - Economic and Employment Services (EES) operates the Temporary Assistance to Needy Families (TANF) program that includes employment-related services. Disability is one of the barriers to employment documented for the TANF population. Job workshops, placement services and other critical support services such as transportation and childcare are provided to assist eligible individuals to gain employment and reduce their reliance on cash, food, and medical assistance. In keeping with the Employment First statute, all TANF clients are now focused on returning to employment (or pursuing work for the first time) rather than assisting the clients who claim disabilities to pursue SSDI or SSI. As of October 2014:
 - 4,195 adults were participating in the TANF program.
 - 93% of TANF participants age 18 and over (approximately 3,935 persons) are expected to fully participate in work registration activities.
 - 7% are exempt from work registration for a variety of reasons, including but not limited to, being disabled or incapacitated, being the primary care-giver for a child age three months or younger, being the primary care-giver for a disabled or incapacitated family member, or due to age/high school status.
 - 27.5% of the working age TANF adults have some earned income.
 - Of the 4,195 adults receiving any kind of TANF benefit:
 - More than 33% have two or more barriers to employment. 62% of the 4,195 individuals have at least one barrier to employment.
 - A frequent barrier to employment is the lack of adequate or available transportation (16.9%).
 - Another primary barrier is the lack of appropriate and available child care (13.3%).
 - Another common barrier is lack of a high school diploma or GED (involving 13.2% of the working age adults receiving TANF).

- 9.3% (or approximately 390) individuals indicate some level of physical and/or mental impairment that creates a substantial barrier to employment.
- **End-Dependence** – End-Dependence Kansas, a new initiative to increase employment of Kansas with disabilities, was launched in October 2014. This initiative builds on Governor Brownback’s commitment to improving opportunities for employment and self-sufficiency for people with disabilities. Five cabinet agencies have come together to establish this initiative. They are the Department for Children and Families (DCF), Health and Environment, Commerce, Corrections, and Aging and Disability Services. DCF/Rehabilitation Services will serve as the lead agency. With the five agencies working together, the initiative demonstrates a collaborative approach to a single mission of helping Kansas citizens with disabilities get and keep jobs in the community. Over five years, \$25 million will be invested (\$5 million per year for five years) so that community partners are better able to provide evidence-based employment services. A Request for Proposals will be issued to give these partners the opportunity to apply for direct service contracts to implement the initiative. End-Dependence Kansas will also be supported by a robust training, technical assistance, and evaluation component. In addition, the initiative will include data-sharing across agencies to identify consumers receiving services from multiple programs, to track individual and aggregate outcomes, to measure the impact of employment in reducing the use of other benefits, and to evaluate the effectiveness of the initiative. This effort is expected to help an estimated 2,000 Kansans over the five year period throughout the state achieve competitive, integrated employment. The initiative also promotes sustainable improvements to the quality and quantity of employment outcomes in the long term. End-Dependence Kansas will emphasize and support community partners to prioritize competitive, integrated jobs in the community rather than sheltered employment, non-work day activities or other segregated services.
- **Great Expectations Initiative (GEI)** – GEI was a two-year pilot program implemented in 2011 and 2012. It was intended to increase the competitive, integrated employment of individuals with significant intellectual disabilities. GEI promoted employment as an alternative to the waiting list for Home and Community-Based Services (HCBS) waiver services, non-work day activities or sheltered employment. Implementation of this pilot program was targeted to the Wichita and Salina areas. Extensive training was provided on the evidence-based practice called discovery/supported employment, which is designed to achieve a better, long-lasting job match for the consumer’s skills and interests. At the end of the two years, a total of 192 individuals applied to participate in the program demonstrating their desire for real community jobs. One-hundred-eighty-two individuals were referred to local placement providers trained in the model. Forty-seven people were placed in competitive, integrated employment. As part of the program, Rehabilitation Services developed a provider service description for discovery/supported employment, which is still in limited use. The evaluation of this program and lessons learned have been incorporated into the End-Dependence Kansas initiative.

- **Supported Employment Grant** – The federal Substance Abuse Mental Health Services Administration (SAMHSA) awarded KDADS a grant to expand the Individual Placement and Support (IPS) employment services to individuals with severe mental illness, including those with a mental illness and co-occurring substance disorder. The Enhancing Supported Employment in Kansas (ESEK) project is built around IPS Supported Employment, an evidenced-based approach that supports people in their efforts to achieve competitive employment. The amount of the grant for the first year is \$798,738. The amount of funding for this program over the five-year life of the grant will total \$3.967 million.

- **HCBS Settings Rule Transition Planning** – The Employment First Oversight Commission believes that the new so-called HCBS “Settings Rule” holds great promise for helping to support systems change toward competitive and integrated employment. In March of 2014, the federal Centers for Medicare and Medicaid Services (CMS) issued the “CMS Final Rule” regarding appropriate settings in which HCBS services must be provided. This is commonly known as the “Settings Rule.” States are currently in the process of developing Transition Plans mandated by CMS to address how they will identify if different settings are in compliance with the setting definitions, and if they are not, how they will come into compliance with the settings rule through a transition plan (that includes a timeline and milestones to conform to HCBS setting rules) over the next 1- 5 years. Included in these settings are those in which persons spend a significant part of their days in both work and non-work settings in the community. In particular, CMS is strongly encouraging States to address how they will increase the number of persons receiving the opportunity to be competitively employed in integrated settings. Kansas will be working over the term of its transition plan to gather input from I/DD system stakeholders regarding how it can increase the opportunities for persons to be competitively employed. This will be done through public forums, conference calls and surveys. In addition, Kansas, along with other states, is currently waiting for additional guidance from CMS regarding its expectations related to employment and how it relates to the Final Rule.

- **Initiatives of Managed Care Companies under KanCare**
 - United Health Care has created the impressive Empower Kansans initiative, which is providing \$1.5 million in grants to community agencies over three years. Empower Kansans focuses on competitive, integrated employment and strives to benefit cross disability in both urban and rural areas. United has sought proposals from numerous community agencies. In addition to Empower Kansans grants, United has supported employment in the following ways:
 - Sponsorship for Disability Mentoring Day (DMD) sites via sponsorship funds to KACIL to support local DMD events
 - Sponsorship & participation in planning and attending an Employment Fair in Wichita, in partnership with the Independent Living Resource Center and the local Workforce Center
 - Sponsorship of the Employment Summit put on by the Kansas Council on Developmental Disabilities

- Community Computer program where we are targeting 50 computers to be given to community agencies to support employment of persons with disabilities
 - Ongoing support of individual employment goals with members – support through our care coordinators and partnerships with community agencies
 - Sunflower Health Plan has contracted with Lifeshare Pathways to impact culture, capacity and choice in five quality of life areas: employment, community living, physical health, emotional/behavior health and self-direction. Sunflower Health Plan in partnership with Lifeshare Pathways has supported Disability Mentoring Days, Mentoring Matters, Disability Job Fair (Wichita), Employment First Conference, Self Advocates Coalition of Kansas Annual Conference and Interhab Annual Conference. Lifeshare Pathways has presented at numerous other meetings and training events and is hosting statewide trainings on the five quality of life areas.
- **WIOA** – President Obama signed the Workforce Innovation and Opportunity Act (WIOA) into law on July 22, 2014. WIOA is designed to help job seekers, including job seekers with disabilities, access employment, education, training, and support services to succeed in the labor market and to match employers with the skilled workers they need to compete in the global economy. Congress passed the Act by a wide bipartisan majority; it is the first legislative reform in 15 years of the public workforce system. WIOA supersedes the Workforce Investment Act (WIA) of 1998 and amends the Adult Education and Family Literacy Act, the Wagner-Peyser Act, and the Rehabilitation Act of 1973. In general, the Act takes effect on July 1, 2015, the first full program year after enactment, unless otherwise noted.
 - Improves Services to Individuals with Disabilities:
 - WIOA increases individuals with disabilities’ access to high quality workforce services and prepares them for competitive integrated employment.
 - American Job Centers (workforce centers) will provide physical and programmatic accessibility to employment and training services for individuals with disabilities.
 - Youth with disabilities will receive extensive pre-employment transition services so they can successfully obtain competitive integrated employment.
 - State vocational rehabilitation agencies will set aside at least 15 percent of their funding to provide transition services to youth with disabilities.
 - A committee will advise the Secretary of Labor on strategies to increase competitive integrated employment for individuals with disabilities.
 - VR state grant programs will engage employers to improve participant employment outcomes.
 - Limits the use of subminimum wage
 - Supported Employment Services
 - Competitive Integrated Employment
 - Customized Employment Services

- Developing and improving strategies for individuals with intellectual disabilities and individuals with significant disabilities to live independently, participate in postsecondary education experiences, and obtain and retain competitive integrated employment.
- Providing instruction to vocational rehabilitation counselors, school transition personnel, and other persons supporting students with disabilities
- Working with the local workforce development boards, one-stop centers, and employers to develop work opportunities for students with disabilities, including internships, summer employment and other employment opportunities available throughout the school year, and apprenticeships
- Services for Youth with the Most Significant Disabilities
 - A state that receives an allotment under Title IV shall reserve and expend half of such allotment for the provision of supported employment services, including extended services, in order to assist those youth in achieving an employment outcome in supported employment
 - Extended Services for Youth with the Most Significant Disabilities
 - Title IV Funds may be used to provide extended services to youth with the most significant disabilities. Such extended services shall be available for a period not to exceed 4 years.

Next Steps – Build on Initiatives, Create Systems Change, Improve Outcomes:

The next step is for Kansas to build upon these initiatives by engaging stakeholders in a proactive process towards positive systems change. Having disability stakeholders working side by side with state agency leaders ensures a greater likelihood of successful employment outcomes for Kansans with disabilities.

By building upon these initiatives, Kansas can make significant improvement regarding its outcomes on competitive and integrated employment. Kansas lags behind national outcomes in regards to several key disability employment outcomes, including outcomes measuring competitive and integrated employment (see attached charts with data from the latest Institute for Community Inclusion (ICI) report: “State Data: The National Report on Employment Services and Outcomes.” ICI is a project of the federal Dept. of Health and Human Services).

As noted in the Executive Summary, the Commission believes these outcomes can serve as a catalyst for positive change. These results should challenge Kansas policymakers to significantly build upon the success of the Kansas initiatives in order to dramatically improve its outcomes.

Key Employment Outcomes – Kansas vs. National Performance – Change from 2010 to 2012:

SSI Recipients with any Disabilities who are working (2010 to 2012)

- Desired outcome is an INCREASE
 - Kansas – 2.02% Decrease
 - National – 2.13% Increase

Percentage of People with any Disabilities Living Below the Poverty Line (2010 to 2012)

- Desired outcome is a DECREASE
 - Kansas – 22.75% Increase
 - National – 4.41% Increase

Percentage of People with Cognitive Disabilities Living Below the Poverty Line (2010 to 2012)

- Desired outcome is a DECREASE
 - Kansas – 19.42% Increase
 - National – 1.20% Increase

People with Intellectual/Developmental Disabilities (I/DD) in Competitive, Integrated Employment (2010 to 2012)

- Desired outcome is an INCREASE – This is a key outcome, measuring employment/work that is integrated.
 - Kansas – 16.67% Decrease
 - National – 1.13% Increase

People with I/DD in facility-based, non-integrated, non-competitive work (2010 to 2012)

- Desired outcome is a DECREASE – This is a key outcome, measuring employment/work that is NOT integrated.
 - Kansas – 50.94% Increase
 - National – 4.49% Increase

People with I/DD in facility-based, not integrated, non-work (2010 to 2012)

- Desired outcome is a DECREASE, with a corresponding increase in competitive, integrated employment.
 - Kansas – 8.3% Increase
 - National – 37.67% Increase

People with I/DD in community-based non-work (2010 to 2012)

- Desired outcome is a DECREASE, with corresponding increase in competitive, integrated employment.
 - Kansas – 12.79% Increase
 - National – 3.98% Increase

The Commission would like to note there is of course important context to take into consideration when reviewing these outcomes. The data above compares Kansas to national performance on key employment outcomes from 2010 to 2012. We should note that 2010 was the year prior to passage of the new Employment First Initiative Act, which created a preference for competitive integrated employment. 2012 was after Employment First became law, and it is the last year in which there is outcome data to compare Kansas to the national performance. Readers should keep in mind external or environmental factors that may be at play with this data. For example, in 2008 the United States suffered its greatest economic loss since the Great Depression. All states were struggling with declining revenues and the economy was dramatically underperforming. By 2010, the economy was slightly improving in Kansas as well as nationally, however the economy was still underperforming. The economy continued to gradually improve. By 2012, many States, including Kansas, had grown their revenues and economies somewhat more steadily.

Employer Resources and Engagement:

Several large nationally based companies have developed programs to diversify their workforce - specifically for the inclusion of persons with disabilities. Examples of companies with these programs include AMC Theaters, Boeing, Best Buy, ADP, Home Depot, Lowes, Office Max, Toys R Us, and Walgreens. Each of these national companies has a presence in the state of Kansas. They are actively hiring people with disabilities.

The majority of Kansas companies are small employers who may not have the resources for developing similar programs. However, many resources exist that could be of use to small Kansas employers. Promoting membership of small companies in Business Leadership Network affiliates in Kansas would be beneficial in disseminating information and training on employing persons with disabilities.

Engaging more employers in the Kansas Bidders Preference program would be a positive development. This program rewards businesses for hiring people with disabilities with a bidder's preference when they employ people with disabilities.

Employers are always seeking qualified candidates to fill positions in their organizations and by connecting employers through these programs with qualified candidates the job seekers and

employers can both benefit. The Commission recommends a recognition program for employers who participate in these programs and hire qualified people with disabilities in competitive and integrated positions.

One program that holds promise for enhanced employer engagement is the KANSASWORKS Employer Partner Incentive (EPI). The KANSASWORKS EPI is a great opportunity to encourage employers to hire qualified job seekers with disabilities; however, at this time it is clearly underutilized. The Commission recommends that the eligibility stipulations for individuals to be considered as participants in the incentive be updated and expand eligibility requirements from the current criteria 'receiving Medicaid and VR services' to 'receiving Social Security Benefits/Medicaid or VR services'. The expansion of participant eligibility requirements will qualify more individuals with disabilities as participants in the incentive and provide additional opportunities for employers to meet their hiring needs.

ATTACHMENT ON DATA RESOURCES
ATTACHMENT WITH DATA GRAPHS

Attachment: Data Resources – The Status of Data on Disability Employment in Kansas

Introduction

Data collection and analysis can be a powerful tool in determining the impact of employment initiatives on Kansans with disabilities as it provides a method for obtaining a baseline, measuring progress, determining whether to continue or revise initiatives, or when to eliminate them as unsuccessful.

While national data exists regarding the number of Kansans with disabilities who are employed, it has its limitations and can only estimate the magnitude of barriers or problems. It is often disability specific, and comparing one national data set to another can result in duplication. National data is also unable to provide the impact of specific state initiatives on employment outcomes.

Although employment related data elements are collected by several Kansas agencies, the data is not systematically inventoried, reported or analyzed. Moreover, different pieces of data reside in different agency databases, and merging the data to create a comprehensive understanding of the status of people with disabilities rarely occurs. Without a solid understanding of the employment status of Kansans with disabilities, it is difficult to effectively create interventions and meaningfully gauge their impact.

At the Kansas Employment First Summit in 2012, David Hoff of the Institute for Community Inclusion at the University of Massachusetts-Boston reflected on, “What You Need to make Employment First a Reality.”¹ He offered eight bulleted responses; among them was “Strong data systems for measurement, accountability, and to drive quality improvement.” This is a long-term goal! As in most states, for Kansas to move from a “silo farm” in which data on disability employment—no matter how well-managed and accurate—is still maintained solely within a number of state agencies to a scenario where such data is confidentially and securely shared in ways to support meaningful policy making: that is a long-term goal.

It is perhaps most important for state budgeting. In times of scarce resources, the silos of unconnected data do not permit anyone to know how much duplication of services exist. As a logical consequence, other important needs may be underfunded.

Data sharing has occurred successfully within specific programs of state agencies, e.g., comparing data in KS Department of Health and Environments (KDHE’s) employment program Working Healthy to KS Department of Revenue’s (KDOR) data in order to determine, in the aggregate, the amount of taxes paid by individuals in this program. The need exists, however, for merging of data beyond an agency by agency basis.

In order to be able to create a comprehensive understanding of the status of Kansans with disabilities, it is important to develop a system for sharing and analyzing data across state agencies, particularly the departments of Education, Aging and Disability Services, Children and Families, Commerce, Health and Environment, and Revenue.

¹ David Hoff (2012). *Kansas is an Employment First State: Now What Do We Do?* Keynote Address and PowerPoint for Kansas Employment First Conference, Topeka.

The Status of Data Sharing: Initiatives Worth Noting

In this attachment, the EFOC would like to highlight several recent and current examples of data sharing between Kansas state agencies that help us to gain a better evidence-based picture of employment outcomes relevant to competitive, integrated employment.

- We begin with Transition-aged youth (special education students graduating from secondary education and entering the workforce or postsecondary education): the Kansas Department of Education (KSDE) and the Department of Commerce (KSCOM) have an existing data sharing agreement. Through a grant proposal to United Healthcare, the EFOC is seeking to build on this data sharing so that the outcomes pertaining to each individual student can be tracked.
- Secondly, the Department of Commerce and the Kansas Rehabilitation Services division of the Department of Children and Families (DCF) have a data sharing agreement that identifies employment outcomes for individuals with disabilities whom they serve.
- Third, as part of the SSI Employment Support Pilot project included in the KanCare 1115 waiver, the Kansas Departments of Health and Environment (KDHE), Kansas Department Aging and Disability Services (KDADS), and the Kansas DCF plan to execute a mutual data sharing agreement that will identify individuals on the HCBS I/DD and PD waiting lists who are SSI eligible and cross reference this list with those being served by Vocational Rehabilitation in order to identify potential pilot participants . If approved by CMS, this pilot project is anticipated to begin later in 2015.
- Finally, recognition needs to be given to the recently-completed Medicaid Buy-In (“Working Healthy”) and Medicaid Infrastructure Grants programs for working through several data sharing agreements. One was with the Automated Information Management System (AIMS) database at KDADS for employment information on individuals with mental illness. A second was with the Department of Revenue for data on aggregate pay earnings. A third was with the Kansas Department of Labor (KDOL) for unemployment insurance data. As part of the evaluation of the Working Healthy program, Dr. Jean Hall at the KU Institute for Health & Disability Policy Studies linked Working Healthy data and federal Social Security data to track employment and increased earnings outcomes for the Medicaid Medically Improved population.²

These data sharing agreements are evidence that systems change is underway in Kansas toward the Employment First goal of accountability for the services provided to each individual with a disability who seeks competitive, integrated employment. Linked and shared data should eventually enable the tracking of individual outcomes whether the individual, for example, is a KDE or Board of Regents student, moves on to become a Department of Commerce or Kansas Rehabilitation Services client, and/or enrolls in the Working Healthy program to continue needed Medicaid services while employed. When this eventual goal of data sharing is reached, accountability for competitive, integrated employment will no longer be plagued by the “silos” of unshared agency databases.

² Thomas, K.C. & Hall, J.P. (2014). The Medicaid Medically Improved Group: Losing Disability Status and Growing Earnings. *Medicare & Medicaid Research Review*, Vol. 4 (1), 1-14.

Additional relevant state agency databases have been identified by a joint KU/KDHE/Kansas Health Policy Administration (KHPA) report.³

- Assessment Instrument for Mental Health Systems (AIMS) – KDADS
- Basic Assessment and Services Information System (BASIS) – KDADS
- Kansas Management Information System (KMIS) – DCF/Kansas Rehabilitation Services
- Kansas Higher Education Data System (KHEDS) – Kansas Board of Regents
- Kansas Eligibility and Enforcement System (KEES) – KDHE and DCF
- Kansas Individual Data on Students (KIDS) – KSDE
- Behavioral Risk Factor Surveillance System (BRFSS) – KDHE
- Children with Special Health Care Needs (CSHCN) – KDHE

We look forward to the time when all of these relevant databases can share data as needed and when appropriately accessed.

The Perspective of National Data Reports

There are a number of national sources of data that are particularly relevant to the EFOC mission to support competitive, integrated employment for individuals with disabilities. The Commission has sought to identify sources that can provide a “horizon” within which data maintained within Kansas can be compared. The following is a listing of national data sources that can be reviewed year-over-year to evaluate our progress.

- **Developmental Disabilities** – The first is the data compiled by the Institute for Community Inclusion at the UMass-Boston (<http://www.statedata.info/>), as mentioned in the report. A second data source is from the Coleman Institute for Cognitive Disabilities at the U. of Colorado (<http://www.stateofthestates.org/>). The 2012 edition shows funding for SUPPORTED LIVING, FAMILY SUPPORT AND SUPPORTED EMPLOYMENT SPENDING declining by 11% between 2009 and 2011 (\$61.5M to \$54.3M) while the number of participants in DAY/WORK AND SUPPORTED EMPLOYMENT grew by 4% (from 11,567 in 2009 to 11,992 in 2011); this includes those receiving supported employment services, which are 10% of the total (1,169 of 11,992).
- **Mental Illness** – see the Kansas Mental Health National Outcome Measures, a part of the CMHS Uniform Reporting System. State information is available at <http://www.samhsa.gov/data/sites/default/files/URSTables2013/Kansas.pdf>, and national information at http://www.samhsa.gov/data/us_map?map=1.
- **Vocational Rehabilitation (Kansas Rehabilitation Services)** – The 2012 Disability Status Report, published by the Rehabilitation Research and Training Centers (RRTC) on Disability Statistics at Cornell University (www.disabilitystatistics.org), uses the data collected by the Rehabilitation Services Administration of the U.S. Department of Education to monitor the employment

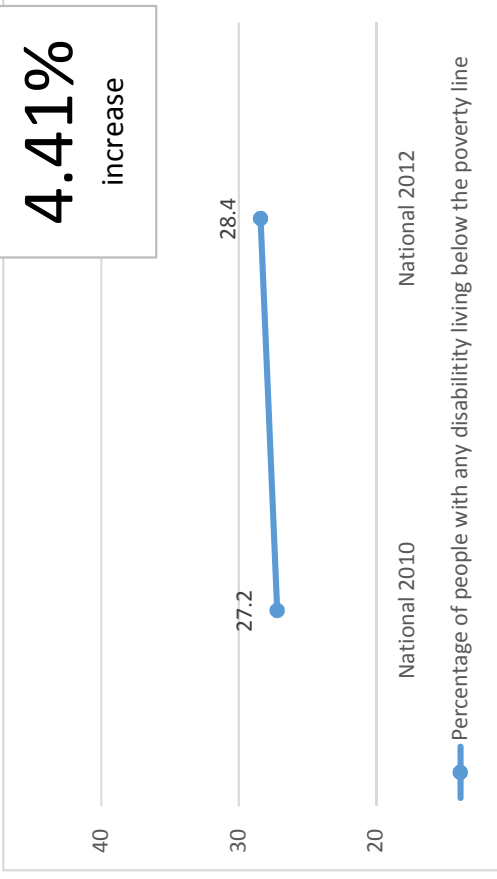
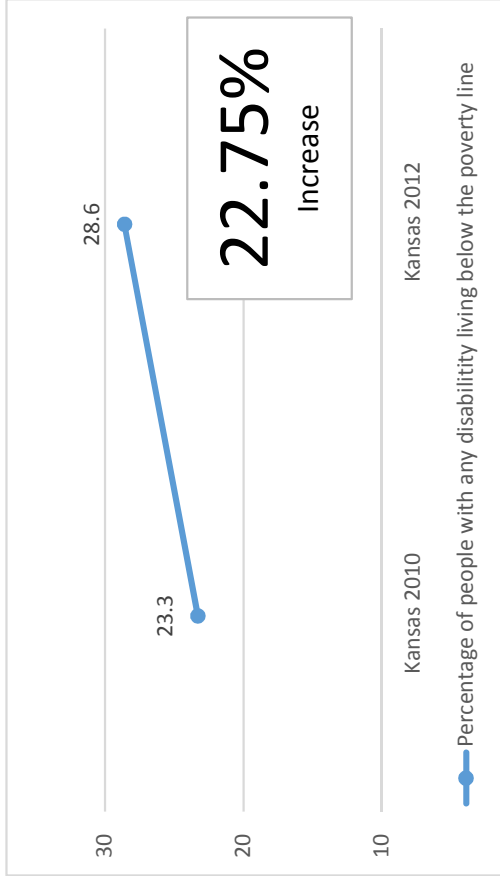
³ [1] Fox, M.H., Hall, J.P., Kurth, N.K., Reichard, A. (K.U.); Wright, M.E.O. (KHPA); & Haskett, L. (KDHE). 2010. 2nd ed. *Data Inventory on the Employment and Health of Kansans with Disabilities*. Accessed at www.workinghealthy.org/downloads/ksdatainventory.pdf.

outcomes achieved by the VR agencies in the 50 states and additional Vocational Rehabilitation (VR) agencies serving American Indian populations. This report includes data on VR clients who are visually impaired or blind for states in which their employment services are also provided by VR agencies.

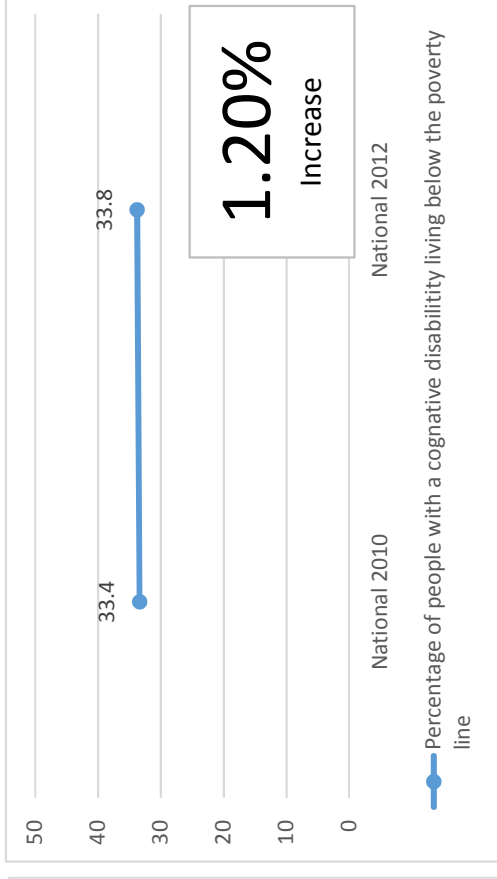
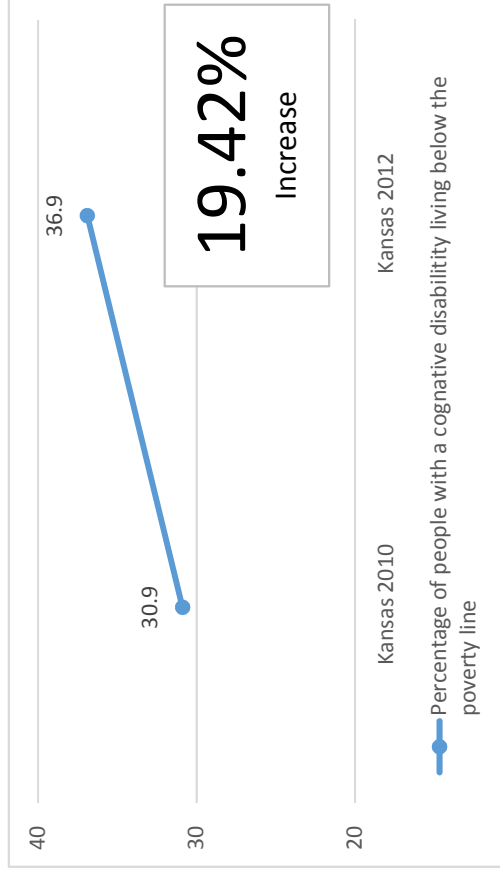
- **Social Security Disability Benefits** – National employment data aggregated by state for individuals with disabilities are available on the SSA website at www.ssa.gov/policy. Data on those receiving Supplemental Security Income (SSI) are available through the *SSI Monthly Statistics* report, and for those receiving Social Security Disability Income (SSDI) through the *OASDI Beneficiaries by State and County* report. A free subscription to updates for these reports is available at *SSA Research and Statistical Updates* [op.notify@ssa.gov].
- **Medicaid Home and Community Based Services (HCBS)** – A recent national study⁴ began by lamenting the lack of national effectiveness studies on the Medicaid system due to the wide variety of state implementations of the Medicaid Section 1915 (c) waivers. Three key findings in this exploratory national study were that, of the \$25.1 billion in federal/state spending in FY 2009, only 3% each went to Prevocational Services and Supported Employment in all 41 states surveyed. Kansas does not spend any of its federal or state Medicaid funds for these services, according to this report.

⁴ Rizzolo, M.C., Friedman, C., Lulinski-Norris, A., and Braddock, D. (2013). Home and Community Based Services Waivers: A Nationwide Study of the States. *Intellectual and Developmental Disabilities*, Vol. 51 (1), 1-21.

Percentage of people with any disability living below the poverty line

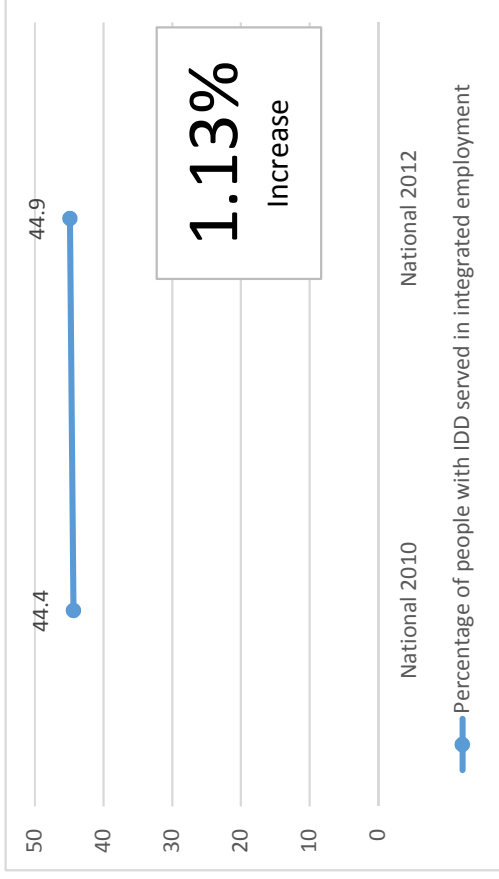
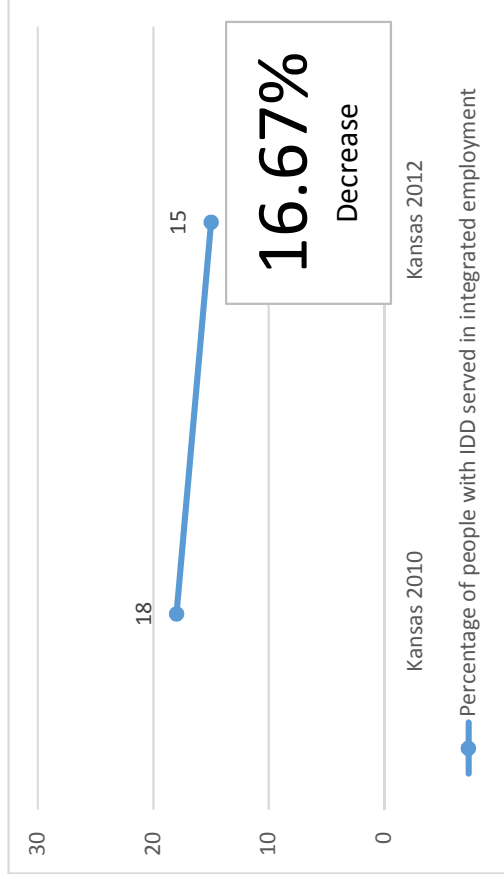


Percentage of people with a cognitive disability living below the poverty line

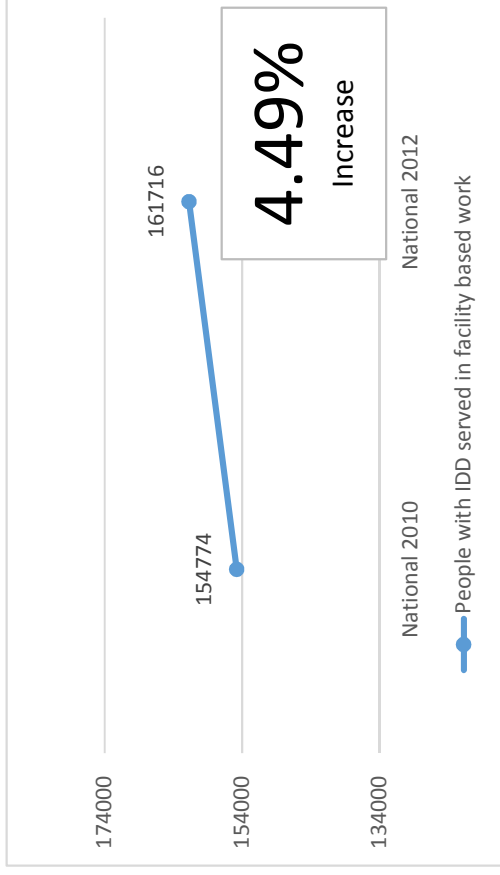
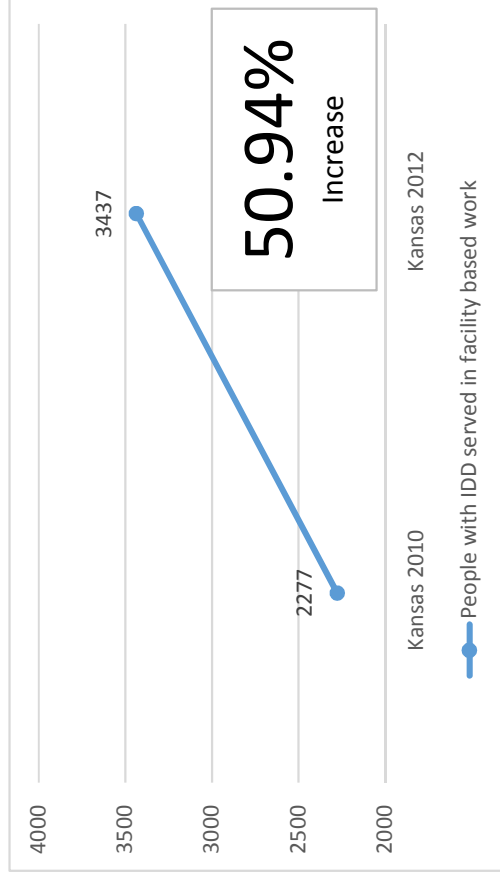


**Institute for Community Inclusion (UCEDD) State Data 2013 - American Community Survey(ACS)

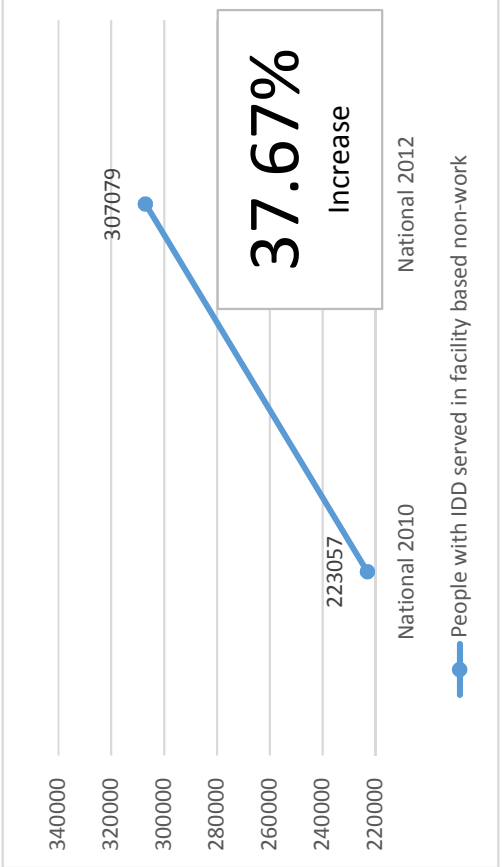
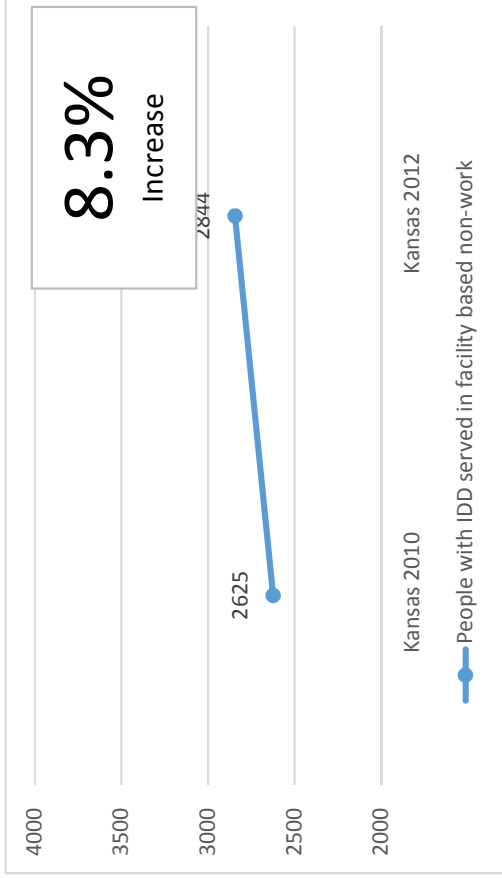
Percentage of people with IDD served in integrated employment



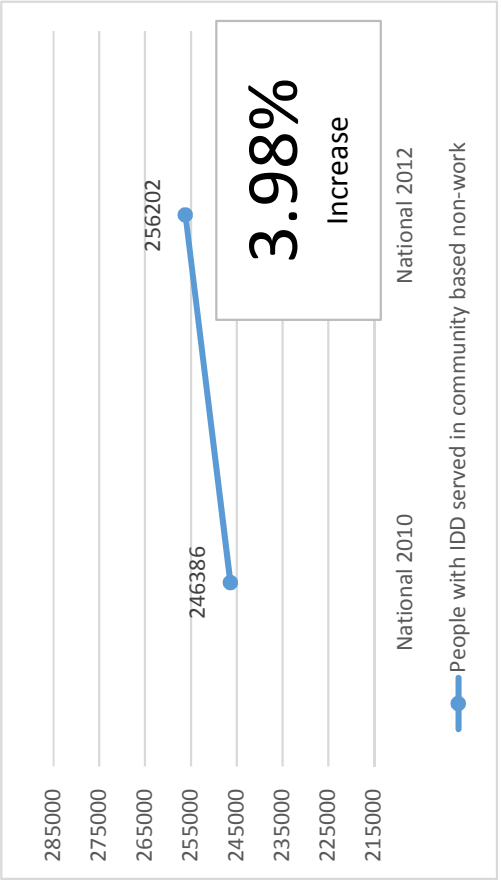
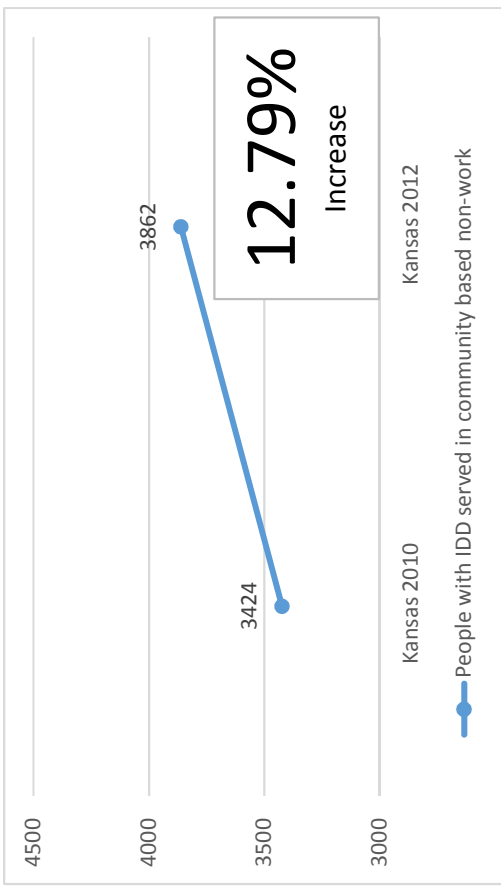
People with IDD served in facility based work



People with IDD served in facility based non-work

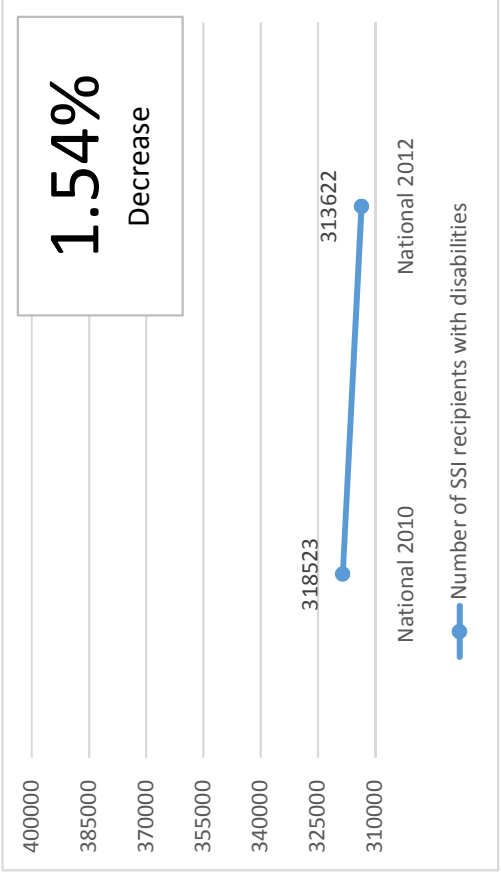
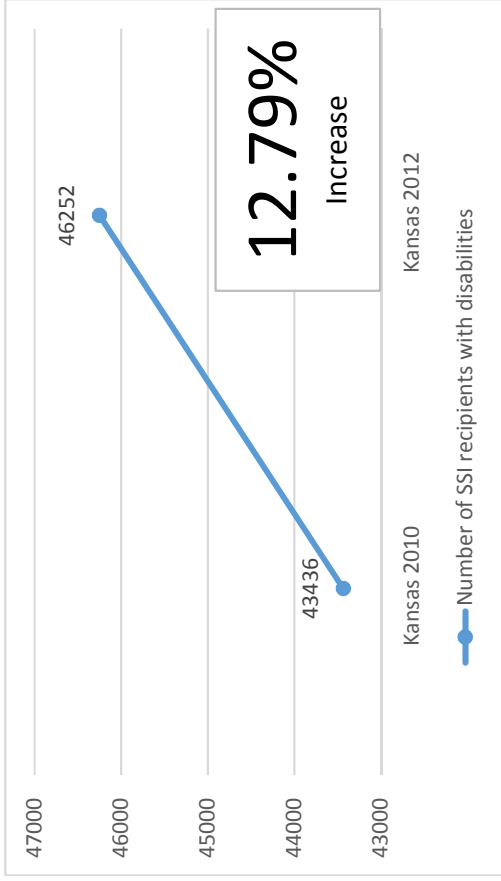


People with IDD served in community based non-work

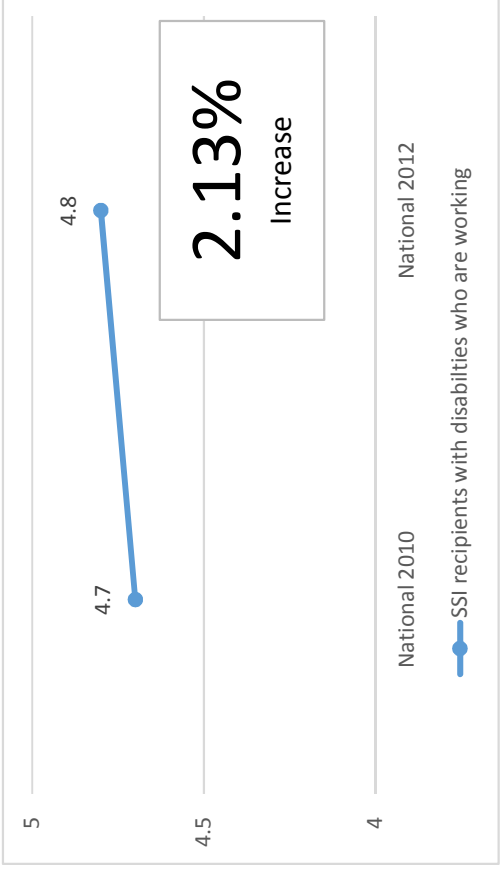
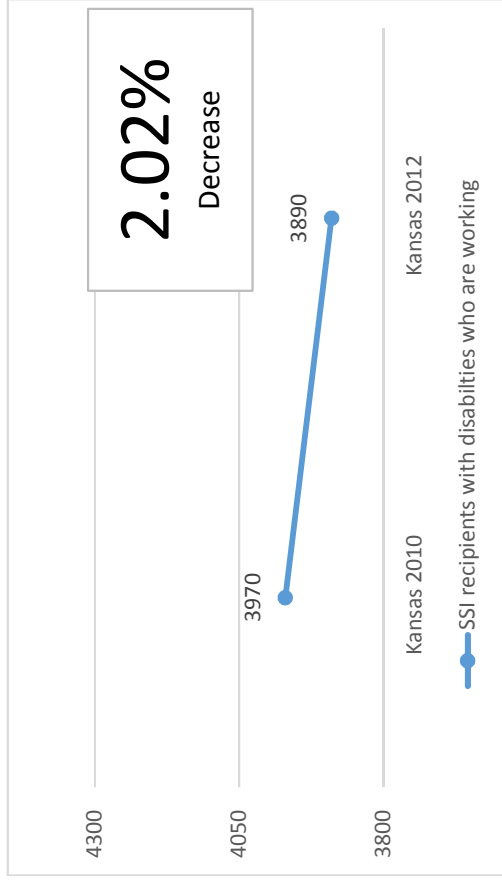


**Institute for Community Inclusion (UCEDD) State Data 2013 - National Survey of State Intellectual and Developmental Disability Agencies Day and Employment Services

Number of SSI recipients with disabilities



SSI recipients with disabilities who are working



**Institute for Community Inclusion (UCEDD) State Data 2013 - Social Security Administration, "SSI Disabled Recipients Who Work"

