

Minnesota Department of Employment and Economic Development

Vocational Rehabilitation Services, Extended Employment Program

REQUEST FOR COMMENTS

Possible Amendment to Rules Governing Extended Employment Services Authorized in MN Statute 268A.15;

Minnesota Rules: 3300.2005 – 3300.2055; Revisor's ID Number R-04245

Subject of Rules. The Minnesota Department of Employment and Economic Development requests comments on possible amendments to the Extended Employment Program and Funding Rules. The Department is considering rules amendments and changes that align the services and outcomes of the Extended Employment program to meet the objectives contained in Minnesota's Olmstead plan. Specifically, the amendments would seek to 1) align services and outcomes with support services that meet federal standards for Vocational Rehabilitation; 2) align services and outcomes with support services that meet federal standards for Medicaid-funded employment services; 3) set standards for eligible employment support services; 4) realign payments made to providers to support desired outcomes; and 5) eliminate archaic language and consider other items that may be relevant to agency policies if time is available.

Persons Affected. The amendment to the rules would likely affect persons with significant disabilities who currently receive, or will in the future receive, ongoing, long-term employment supports; families or guardians of those receiving services; and community rehabilitation providers who deliver long-term employment supports. Other groups or organizations that may be affected include organizations advocating for persons with disabilities, state agencies, county social service agencies, and workforce development programs.

Statutory Authority. *Minnesota Statutes, 268A.15*

Subd. 3. Rule authority.

The commissioner shall adopt rules on an individual's eligibility for the extended employment program, the certification of rehabilitation facilities, and the methods, criteria, and units of distribution for the allocation of state grant funds to certified rehabilitation facilities. In determining the allocation, the commissioner must consider the economic conditions of the community and the performance of rehabilitation facilities relative to their impact on the economic status of workers in the extended employment program.

Public Comment. Individuals or groups with an interest in the possible rule changes may submit their comments or information in writing until notice is published in the *State Register* that the Department intends to adopt or withdraw the rules. The Department will not publish a notice of intent to adopt the rules until at least 60 days have elapsed from the date of this request for comments.

The Department requests comments on the cumulative effect of the rule with other federal and state regulations.

The Department will select and appoint members of an advisory committee to comment on the possible rules. The Department will accept requests to serve on the advisory committee.

Membership may include, but is not necessarily limited to: representatives from community rehabilitation programs, persons receiving extended employment supports, advocacy organizations representing persons with disabilities, state agencies, and county social service agencies. It is anticipated that the advisory committee will begin meeting within one month of this announcement and will meet biweekly in Saint Paul. There may be public hearings outside Saint Paul which coincide with meetings of the advisory committee. The committee will review current and historic performance of the extended employment program, the recommendations contained in the state Olmstead plan, and draft rule language. The committee will operate throughout the period reserved for comments and may continue to meet during the adoption period of any amendments to the rule

Rules Drafts. The Department has not yet drafted possible amendments.

Agency Contact Person. Written comments, questions, requests to receive a draft of the rules when it has been prepared], and requests for more information on these possible rules should be directed to: John Sherman, Vocational Rehabilitation Services, 332 Minnesota Street, Suite E200, Saint Paul, MN 55101. Phone: 651 259-7349, toll-free 800-328-9095. Fax 651-297-5159. Email: john.sherman@state.mn.us.

Alternative Format. Upon request, this information can be made available in an alternative format, such as large print, braille, or audio. To make such a request, please contact the agency contact person at the address or telephone number listed above.

NOTE: Comments received in response to this notice will not necessarily be included in the formal rulemaking record submitted to the administrative law judge if and when a proceeding to adopt rules is started. The agency is required to submit to the judge only those written comments received in response to the rules after they are proposed. If you submitted comments during the development of the rules and you want to ensure that the Administrative Law Judge reviews the comments, you should resubmit the comments after the rules are formally proposed.

Dated: June 16, 2014

Commissioner, Katie Sieben Clark
Department of Employment and Economic Development