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HOUSE BILL NO. 1989

Offered January 9, 2019

Prefiled January 7, 2019

A *BILL to amend and reenact § 51.5-169.1 of the Code of Virginia, relating to Extended Employment Services.*

Patrons—Heretick and Kory; Senator: Surovell

Referred to Committee on Health, Welfare and Institutions

Be it enacted by the General Assembly of Virginia:

1. That § 51.5-169.1 of the Code of Virginia is amended and reenacted as follows:

§ 51.5-169.1. Long-Term Employment Support Services and Extended Employment Services.

A. Long-Term Employment Support Services and Extended Employment Services shall be provided in the Commonwealth to assist individuals with a ~~significant disability~~ or most significant disability with maintaining employment. The Department shall administer and make referrals for such services in accordance with the provisions of this section.

B. Long-Term Employment Support Services shall be provided to individuals with a most significant disability, as defined in 29 U.S.C. § 705, to assist such individuals with maintaining group-supported employment or individual center-based, facility-based, or community-based employment through an employment services organization.

All employment services organizations that provide group-supported, center-based, facility-based, or community-based employment services to individuals with a most significant disability shall be eligible to receive funding for Long-Term Employment Support Services.

C. Extended Employment Services shall be provided to individuals with a most significant disability ~~and individuals with a significant disability~~, as ~~those terms are~~ defined in 29 U.S.C. § 705, to assist such individuals with maintaining group-supported employment or individual center-based or facility-based employment through an employment services organization. Extended Employment Services funds may also be used to support such individuals that transition from group-supported, center-based, or facility-based employment into community-based employment. Extended Employment Services shall be provided upon the informed choice of the individual being served and in accordance with the Commonwealth's Employment First initiative, federal law and regulation, and the Commonwealth's August 23, 2012, settlement agreement with the U.S. Department of Justice.

All employment services organizations that provide group-supported, center-based, or facility-based employment services to individuals with a most significant disability ~~or individuals with a significant disability~~, or that provide community-based employment services to such individuals transitioning from group-supported, center-based, or facility-based employment, shall be eligible to receive funding for Extended Employment Services. The Department shall make referrals to any such employment services organization that provides competitive or commensurate wages.

D. In allocating funds for Long-Term Employment Support Services and Extended Employment Services, the Department shall consider recommendations made by the Employment Service Organization Steering Committee.

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