

## **DEPARTMENT OF BEHAVIORAL HEALTH**

### **NOTICE OF EMERGENCY AND PROPOSED RULEMAKING**

The Director of the Department of Behavioral Health (Department), pursuant to the authority set forth in §§ 5113, 5115, 5117, and 5118 of the Department of Behavioral Health Establishment Act of 2013, effective December 24, 2013 (D.C. Law 20-61; D.C. Official Code §§ 7-1141.02, 7-1141.04, 7-1141.06 and 7-1141.07 (2018 Repl.)), hereby gives notice of the adoption on an emergency basis of a new Chapter 37 (Mental Health Supported Employment Services and Provider Certification Standards) in Subtitle A (Mental Health) of Title 22 (Health) of the District of Columbia Municipal Regulations (DCMR).

The Department provides an evidence-based Supported Employment program designed for Mental Health Rehabilitation Services (MHRS) consumers for whom competitive employment has been interrupted or is intermittent as a result of a severe mental illness. Supported Employment services assist consumers in obtaining and maintaining permanent part-time or full-time employment in a competitive setting where the consumer earns at least minimum wage. Supports include vocational assessments, job development, job coaching, coordination with the consumer's treatment team, and other therapeutic and vocational follow-along supports. The Department contracts with specific Department-certified MHRS providers to deliver Supported Employment services.

The Department, in partnership with the Department of Health Care Finance, submitted a Section 1115 Behavioral Health Transformation Demonstration Program (demonstration program) application to the Centers for Medicare and Medicaid Services (CMS) on June 3, 2019 and received federal approval on November 6, 2019. Under the demonstration program, the District received authority to provide new behavioral health services reimbursed by the Medicaid program. This includes reimbursing for the vocational Supported Employment services that the Department currently funds with local dollars. The goals of this demonstration program are to increase access to a broader continuum of behavioral health services for District Medicaid beneficiaries, advance the District's goals in the Opioid Strategic Plan *Live.Long.DC.*, and support a more person-centered system of physical and behavioral health care. Further information on the demonstration program is available at <https://dhcf.dc.gov/1115-waiver-initiative>.

The purpose of the revised Chapter 37 rule is to implement demonstration program requirements for reimbursement of Supported Employment services, beginning on February 1, 2020. This includes the addition of needs-based criteria for consumer eligibility and requirements for Core Services Agencies (CSAs) and Supported Employment providers to submit certain information in specified timeframes and formats to the Department, for the Department to make service authorization determinations. The revised chapter also clarifies certain certification standards and more accurately describes the services to be delivered under the Department-adopted Supported Employment model.

Significant changes to Chapter 37 are outlined in the following chart:

<b>Section Number</b>	<b>Description of Change</b>	<b>Reasoning</b>
Chapter Title and § 3700	Added mention of “Services” to chapter and § 3700 title.	To clarify that the chapter establishes standards for the delivery of Supported Employment services, in addition to provider certification standards.
§ 3702.2	Removed the requirement that a Supported Employment provider seeking recertification be a currently certified MHRS provider. However, the previous MHRS certification must not have been revoked or not renewed for failure to comply with MHRS certification standards.	To permit eligible Supported Employment providers to become recertified, even if they choose to stop delivering MHRS.
Multiple Sections	Changed references to “Individual Rehabilitation Plan” or “IRP” to “Plan of Care”.	Changed to reflect the updated MHRS terminology “Plan of Care”.
§ 3703 (formerly § 3704)	Made changes to the Supported Employment services descriptions. Edited or deleted existing descriptions and added new service descriptions.	To more accurately reflect the component services of the Supported Employment model adopted by the Department and currently provided by DBH-certified providers.
§ 3704 (formerly § 3705)	Added detail to the provider staffing requirements, including: <ul style="list-style-type: none"> <li>• Make-up of the Supported Employment team;</li> <li>• Qualifications of the Supervisor; and</li> <li>• Manager-to-Employment Specialist ratio.</li> </ul>	Added to clarify existing staffing requirements and expand the practitioner types who may be Supervisors.
Formerly § 3706	Deleted section.	Reimbursement-specific information is addressed in Chapter 51 of this subtitle.
§§ 3705.2 and 3705.3 (formerly §§ 3707.2 and 3707.3)	Added requirements for additional information that the consumer’s employment record and encounter notes must contain.	Added to mirror MHRS records and documentation requirements set forth in Chapter 34 of this subtitle.
§ 3705.4 (formerly § 3707.4)	Added requirements for additional information the Supported Employment provider must collect and submit to DBH.	Added to support DBH Supported Employment provider evaluation and monitoring efforts.
§ 3706 (formerly	Added a set of needs-based criteria to the list	Added to reflect federal

§ 3703)	of consumer eligibility requirements for Supported Employment services.	requirements under the 1115 demonstration program.
§ 3707 (formerly § 3708)	Amended to include new requirements (including processes, documentation, and timeframes) related to assessing consumers, making referrals, obtaining authorizations for, and initiating Supported Employment services. These new requirements affect MHRS CSAs, Supported Employment providers, and the Department.	Added to reflect federal requirements under the 1115 demonstration program.

Emergency rulemaking is necessary for the immediate preservation of the mental health needs and welfare of District of Columbia residents with serious mental illness. The rule establishes improved Supported Employment services and provider certification standards that will expand this evidence-based practice and support an increase in the number of individuals with serious mental illness that obtain and maintain employment in the District of Columbia while supporting recovery in a community-based setting and least restrictive environment. Additionally, to meet the deadlines of the Section 1115 waiver demonstration implementation plan, the Department requires the Emergency Rules to begin appropriate work immediately.

These emergency rules were adopted on January 14, 2020 and became effective on that date. The emergency rules shall remain in effect for no longer than one hundred and twenty (120) calendar days from the adoption date unless superseded by publication of subsequent rulemaking in the *D.C. Register*.

The Director also gives notice of the intent to take final rulemaking action to adopt this rule not less than thirty (30) days from the date of publication of this notice in the *D.C. Register*.

**Chapter 37, MENTAL HEALTH SUPPORTED EMPLOYMENT CERTIFICATION STANDARDS, of Title 22-A DCMR, MENTAL HEALTH, is deleted and replaced with a new Chapter 37 to read as follows:**

**CHAPTER 37            MENTAL HEALTH SUPPORTED EMPLOYMENT SERVICES  
AND PROVIDER CERTIFICATION STANDARDS**

**3700            MENTAL HEALTH SUPPORTED EMPLOYMENT SERVICES AND  
PROVIDER CERTIFICATION STANDARDS**

3700.1            These rules establish the requirements and process for certifying a provider as a Supported Employment provider in the District of Columbia, in order to provide services to consumers eligible under this chapter.

3700.2            Supported Employment is an evidence-based practice adopted by the Department of Behavioral Health (Department) that:

- (a) Provides ongoing work-based vocational assessment, job development, job coaching, treatment team coordination, and vocational and therapeutic follow-along supports;
- (b) Involves community-based employment consistent with the strengths, resources, priorities, concerns, abilities, capabilities, interests, and informed choice of the consumer;
- (c) Provides services at various work sites; and
- (d) Provides part-time and full-time job options that are diverse, competitive, integrated with co-workers without disabilities; are based in business or employment settings that have permanent status rather than temporary or time-limited status; and which pay at least the minimum wage of the jurisdiction in which the job is located.

**3701 INITIAL CERTIFICATION REQUIREMENTS**

3701.1 No person or entity shall provide Supported Employment services to consumers eligible for services under this chapter unless certified in accordance with this chapter.

3701.2 No person or entity shall seek certification from the Department as a Supported Employment provider unless already certified as a Mental Health Rehabilitation Services (MHRS) provider in accordance with Chapter 34 of this subtitle.

3701.3 An MHRS provider seeking certification as a Supported Employment provider shall submit an application to the Department in the format established by the Department. The completed application shall include, at a minimum:

- (a) Proof of current certification as an MHRS provider;
- (b) Proof of adequate staffing for the delivery of Supported Employment services in accordance with § 3704 of this chapter;
- (c) Proof of a Staff Selection Policy that complies with all applicable requirements of the Staff Selection Policy set forth in Chapter 34 of this subtitle; and
- (d) Proof of a Supported Employment Policy that states the policies and procedures related to the provider's set-up for delivering Supported Employment services.

3701.4 The Department shall follow the applicable processes established for MHRS certification set forth in Chapter 34 of this subtitle to certify, deny certification, or decertify providers as Supported Employment providers.

3701.5 Initial certification as a Supported Employment provider shall be effective for a one (1)-year period. Certification shall remain in effect until it expires or is revoked, or the provider is recertified in accordance with § 3702 of this chapter.

3701.6 During the initial certification period, the Supported Employment provider shall:

- (a) Participate in a baseline program evaluation conducted by the Department within thirty (30) days after the provider has begun delivering Supported Employment services. The evaluation includes a fidelity assessment using the Supported Employment Fidelity Scale established by Department policy;
- (b) Enter into a contractual relationship with the Department on Disability Services' Rehabilitation Services Administration (RSA) within six (6) months of initial certification and maintain such contract for the remainder of the certification period; and
- (c) Participate in a second program evaluation conducted by the Department six (6) months after the provider has begun delivering Supported Employment services. The evaluation includes a fidelity assessment using the Supported Employment Fidelity Scale established by Department policy.

3701.7 A certified Supported Employment provider receiving a fidelity score below an acceptable score during the fidelity assessments shall develop a corrective action plan to promptly address the deficiencies and shall receive technical assistance from the Department. If the Supported Employment provider's annual score does not improve to an acceptable score within six (6) months of the previous fidelity score, the provider shall not be eligible for recertification and may be subject to decertification.

3701.8 Certification is not transferable to any other organization.

## **3702 RECERTIFICATION REQUIREMENTS**

3702.1 The Department shall follow the applicable processes set forth in Chapter 34 of this subtitle to recertify, deny recertification, or decertify providers as Supported Employment providers.

3702.2 A Supported Employment provider seeking recertification from the Department shall submit an application to the Department in the format established by the Department. The completed application shall include:

- (a) Proof of current certification as an MHRS provider, or if not currently certified as an MHRS provider:
  - (1) Proof of previous MHRS provider certification, and
  - (2) Proof that the provider had complied with all the certification standards for the duration of the previous MHRS provider certification. Providers whose certification was revoked or not renewed because of failure to comply with certification standards shall not be eligible to become certified as Supported Employment providers;
- (b) Proof of adequate staffing for the provision of Supported Employment services in accordance with § 3704 of this chapter;
- (c) Proof of a Staff Selection Policy that complies with all applicable requirements of the Staff Selection Policy set forth in Chapter 34 of this subtitle;
- (d) Proof of a current contract with the Rehabilitation Services Administration (RSA); and
- (e) Other evidence that the Department requires.

3702.3 Recertification shall be effective for a two (2)-year period from the date of issuance of recertification by the Department, subject to the provider's continuous compliance with the certification standards.

3702.4 During any recertification period, the Supported Employment Program shall:

- (a) Participate in an annual program evaluation conducted by the Department. The evaluation includes a fidelity assessment using the Supported Employment Fidelity Scale established by Department policy; and
- (b) Maintain a contractual relationship with RSA.

3702.5 A recertified Supported Employment provider receiving a fidelity score below an acceptable score during the fidelity assessments shall develop a plan to correct the deficiencies and receive technical assistance from the Department. If the Supported Employment provider's score does not improve to an acceptable score within six (6) months of the previous fidelity score, the provider shall not be eligible for further recertification and may be subject to decertification.

3702.6 Recertification is not transferable to any other organization.

**3703****SUPPORTED EMPLOYMENT SERVICES**

3703.1 Supported Employment providers shall deliver the following services:

- (a) Intake, which involves obtaining background, clinical, and employment information in order to enroll the consumer into Supported Employment services and initiate a referral to RSA;
- (b) Vocational Assessment, which consists of conducting vocational assessments and assessment of person-centered employment information, in order to identify the individual's employment interests, preferences, and abilities;
- (c) Individualized Work Plan (IWP) Development, which includes the process of developing an IWP plan with the consumer, and which meets the following standards:
  - (1) The consumer's preferences, not provider expectations or decisions, drive the consumer's employment and career planning process;
  - (2) The IWP includes an employment goal and the support services required to reach the goal, such as:
    - (A) Integrating employment goals into the consumer's MHRS person-centered Plan of Care;
    - (B) Strategies to address stressor situations;
    - (C) Assistance with symptom self-monitoring and self-management; and
    - (D) Assistance in increasing social support skills and networks that ameliorate life stresses resulting from the consumer's mental illness and which are necessary to enable and maintain the consumer's independent living.
  - (3) The IWP is updated annually or any time there is a significant change in the consumer's condition or situation that affects progress toward the IWP's goals; and
  - (4) The IWP is be completed and signed by the consumer within thirty (30) calendar days of the delivery of the first Supported Employment service.

- (d) Benefits Counseling, which helps consumers to examine and understand how employment may impact benefits such as Supplemental Security Income (SSI), Social Security Disability Insurance (SSDI), medical assistance, and other disability-related benefits, and which may also involve advocacy on behalf of the person to resolve issues;
- (e) Disclosure Counseling, which helps the consumer examine and understand the advantages and disadvantages of disclosing one's mental illness to their employer;
- (f) Treatment Team Coordination, which involves coordination and contact with the consumer's Core Services Agency (CSA) treatment team members regarding the provision of Supported Employment services;
- (g) Job Development, which involves contacting employers through various activities in order to obtain community-based employment for consumers;
- (h) Job Coaching, which helps consumers learn job duties once employed through on-the-job training, effective use of community resources, and consultation with the worker's employer, co-workers, family, or supervisors as necessary;
- (i) Vocational Follow-Along Supports, which are provided to the consumer or employer to help the consumer maintain employment including through review of job performance and problem-solving; and
- (j) Therapeutic Follow-Along Supports, which are interventions related to addressing behavioral health symptoms, and which include: crisis intervention, symptom management, behavior management, and coping skills needed to improve the consumer's ability to maintain employment.

**3704 SUPPORTED EMPLOYMENT PROVIDER STAFFING REQUIREMENTS**

3704.1 A Supported Employment provider shall have at a minimum:

- (a) One (1) Supported Employment Supervisor; and
- (b) One (1) Supported Employment Team comprised of:
  - (1) One (1) Supported Employment Manager; and
  - (2) Two (2) full-time Employment Specialists.



- 3704.2 Certified Supported Employment providers must obtain Department approval to add Supported Employment Teams supported through a Human Care agreement, as specified in Chapter 34 of this subtitle.
- 3704.3 The Supported Employment Supervisor shall be one of the following behavioral health clinicians appropriately licensed in the District or by the jurisdiction where services are delivered, and who practices within the scope of their license:
- (a) Psychiatrist;
  - (b) Psychologist;
  - (c) Licensed independent clinical social worker (LICSW);
  - (d) Licensed professional counselor (LPC);
  - (e) Licensed marriage and family therapist (LMFT); or
  - (f) Advanced practice registered nurse (APRN):
    - (1) With psychiatry as a specialty area of practice;
    - (2) Working in a collaborative protocol with a psychiatrist; or
    - (3) Demonstrated proficiency in mental health by having at least five (5) years of experience in psychiatric care delivery.
- 3704.4 One (1) full-time equivalent Supported Employment Manager shall be responsible for no more than ten (10) Supported Employment Specialists, and shall not have other supervisory responsibilities. However, in cases where the Manager supervises fewer than ten (10) Supported Employment Specialists, the Manager may on a prorated basis spend their time on other supervisory activities.
- 3704.5 A Supported Employment provider shall have one (1) full-time Supported Employment Specialist for every twenty (20) consumers. Supported Employment Specialists must satisfy all requirements for non-licensed credentialed staff pursuant to Chapter 34 of this subtitle.
- 3704.6 A Supported Employment provider shall comply with all applicable staff requirements set forth in Chapter 34 of this subtitle.
- 3704.7 Supported Employment Specialists shall carry out all phases of Supported Employment services, including: Intake, Vocational Assessment, Individualized Work Plan Development, Benefits Counseling, Disclosure Counseling, Treatment

Team Coordination, Job Development, Job Coaching, Vocational Follow-Along Supports, and Therapeutic Follow-along Supports.

3704.8 Supported Employment Supervisors, Managers, and Specialists shall be trained in evidence-based Supported Employment principles and practices. Supported Employment Managers and Specialists shall attend the Department's Supported Employment provider meetings that are held periodically.

**3705 SUPPORTED EMPLOYMENT RECORDS AND DOCUMENTATION REQUIREMENTS**

3705.1 Each Supported Employment provider shall establish and adhere to an Employment Record Policy for employment record documentation, security, and confidentiality of consumer information. The Employment Record Policy shall:

- (a) Require the Supported Employment provider to maintain all written employment records in a secured and locked storage area and any electronic records in compliance with all applicable Federal and District laws and regulations, and Department policies;
- (b) Require the Supported Employment provider to maintain secure, clear, organized, and comprehensive employment records for every consumer enrolled in the Supported Employment Program;
- (c) Set forth requirements for documentation maintained in the employment record;
- (d) Require that the Supported Employment provider comply with a Documentation and Retention and Disaster Recovery Plan that complies with all applicable provisions of the Disaster Recovery Plan and document retention requirements set forth in Chapter 34 of this subtitle; and
- (e) Keep Supported Employment documents for a minimum of six (6) years.

3705.2 The following information shall be included in the consumer's employment record:

- (a) Referral and intake information;
- (b) Identifying information about the consumer;
- (c) Appropriate release of information forms;
- (d) Current MHRS person-centered Plan of Care which includes the consumer's employment goals and objectives and identification of Supported Employment as a medically necessary service;

- (e) Individualized Work Plan (IWP);
- (f) Employment and employer contact information;
- (g) Benefits information such as receipt of Social Security and Temporary Assistance to Needy Families benefits;
- (h) Information about referrals to RSA; and
- (i) Encounter notes for each service.

3705.3 Employment Specialists shall document services on an encounter note, which shall include:

- (a) A description of the Supported Employment service(s) that is sufficient to document that the provision was in accordance with this chapter;
- (b) The time, date, and duration, including beginning and end time, of the provided services;
- (c) The name, title, and credentials of the person providing the services;
- (d) The setting in which the services were provided;
- (e) Confirmation that the provided services are in the consumer's IWP;
- (f) A description of what supports were provided to enhance the consumer's potential for securing employment;
- (g) Description of the consumer's response to the Supported Employment services and supports, including the choices and perceptions of the consumer regarding the services provided;
- (h) Be dated and authenticated in written or electronic form by the person rendering the services; and
- (i) Include the appropriate billing codes for those particular services.

3705.4 A Supported Employment provider shall collect and provide the following information and data to the Department monthly and upon request:

- (a) Number of consumers referred to the Supported Employment provider and the source of the referral;

- (b) Number of consumers enrolled;
- (c) Number of consumers served;
- (d) Number of consumers employed;
- (e) Number of inactive consumers;
- (f) Number of consumers on wait list;
- (g) Number of total full-time Employment Specialists;
- (h) Number of consumers referred to RSA;
- (i) Number of consumers participating in education programs;
- (j) Average number of hours that consumers worked;
- (k) Average hourly wage paid to consumers;
- (l) Number of consumers receiving benefits (health, dental, or retirement) from employers;
- (m) Names and contact information (including locations) of employers who have hired consumers;
- (n) Job titles and types of jobs for which consumers have been hired; and
- (o) Any other information that the Department requires.

**3706 SUPPORTED EMPLOYMENT SERVICES ELIGIBILITY**

3706.1 To be eligible for Supported Employment services, a consumer shall:

- (a) Be at least eighteen (18) years of age;
- (b) Indicate an interest in employment;
- (c) Have Supported Employment identified as a needed service on a current, MHRS person-centered Plan of Care that has been reviewed by the Department; and
- (d) Be determined by the Department as meeting the following needs-based criteria:

- (1) Be assessed to have mental health needs that require an improvement, stabilization, or prevention of deterioration in functioning (including ability to live independently without support), which result from the presence of a mental illness; and
- (2) Have at least one (1) of the following risk factors:
  - (A) Be unable to sustain competitive employment for at least ninety (90) consecutive calendar days as related to a history of mental illness;
  - (B) Is currently receiving treatment for mental illness; or
  - (C) Be at risk for deterioration of mental illness as evidenced by one (1) or more of the following:
    - (i) Persistent or chronic risk factors such as social isolation due to a lack of family or social supports, poverty, criminal justice involvement, or homelessness;
    - (ii) Care for mental illness requiring multiple provider types, including behavioral health, primary care, and long-term services and supports; or
    - (iii) A past psychiatric history with no significant functional improvement that can't be maintained without treatment and supports.

**3707 AUTHORIZATION OF AND REFERRALS TO SUPPORTED EMPLOYMENT SERVICES**

3707.1 MHRS CSAs shall assess all consumers eighteen (18) years of age and older for interest in and potential eligibility for Supported Employment services as a part of:

- (a) Developing or updating the consumer's MHRS person-centered Plan of Care; or
- (b) Upon request by family members, advocates, or other service providers.

3707.2 If a consumer is interested in Supported Employment services, the CSA shall, in a manner specified by the Department, collect and submit the following information to the Department for its review and a service authorization determination:

- (a) Completed needs-based assessment;

- (b) MHRS person-centered Plan of Care; and
- (c) Documentation that the consumer made the choice about which certified Supported Employment provider to receive services from, pending service authorization by the Department.

3707.3 The needs-based assessment must be completed face-to-face using the Department-specified needs-based assessment tool. It must be completed by one of the following behavioral health clinicians appropriately licensed in the District or by the jurisdiction where services are delivered, and who practices within the scope of their license:

- (a) Psychiatrist;
- (b) Psychologist;
- (c) LICSW;
- (d) LPC;
- (e) LMFT; or
- (f) APRN:
  - (1) With psychiatry as a specialty area of practice;
  - (2) Working in a collaborative protocol with a psychiatrist; or
  - (3) Demonstrated proficiency in mental health by having at least five (5) years of experience in psychiatric care delivery.

3707.4 In order to prevent conflicts of interest, the Department shall make authorization determinations for the provision of Supported Employment services. The determinations are based on review of the needs-based assessment and MHRS person-centered Plan of Care submitted by the CSA.

3707.5 The Department shall notify the CSA of the authorization decision, and the CSA shall communicate such determination to the consumer.

3707.6 If the Department has authorized the provision of Supported Employment services, the CSA shall within five (5) business days of receiving the determination make a referral to the Supported Employment provider of the consumer's choosing. The referral shall be in writing in a format specified by the Department and include the following information:

- (a) CSA treatment team contact information;
- (b) Contact information for the consumer, including emergency contact information;
- (c) Current MHRS person-centered Plan of Care; and
- (d) Advance directives or instructions, if available.

3707.7 The Supported Employment provider, upon receipt of a CSA referral, shall engage the consumer within three (3) business days.

3707.8 The provider must have a Wait List Policy to track and manage timely access to services. If the Supported Employment provider is unable to accept new consumers, the provider shall notify the consumer, the referring CSA, and DBH.

3707.9 The Department authorization for provision of Supported Employment services shall not exceed one-hundred and eighty (180) calendar days. To request continuation of Supported Employment services, the Supported Employment providers shall notify the consumer's CSA. The CSA shall reassess the consumer for the needs-based criteria, and review the MHRS person-centered Plan of Care and update it as needed. Both the assessment and Plan of Care shall be submitted to the Department for review and a reauthorization determination.

3707.10 CSAs shall also reassess consumers and review, and update as needed, the MHRS person-centered Plans of Care any time there is a significant change in the consumer's condition or situation that affects progress toward the Supported Employment-related goals of the Plan of Care. The Department in those cases shall also review and make an authorization determination for Supported Employment services.

**3708 INTEGRATION WITH THE CSA TREATMENT TEAM**

3708.1 Employment Specialists shall be integrated as part of the consumer's CSA treatment team. The Employment Specialist shall attend regular treatment team meetings and maintain frequent contact with treatment team members.

3708.2 As a treatment team member, the Employment Specialist may participate in updating the MHRS person-centered Plan of Care and is responsible for helping the consumer achieve the goals written in the Plan of Care with regard to employment.

3708.3 Services provided by the Employment Specialist should be consistent with the goals relating to employment included in the consumer's MHRS person-centered Plan of Care.

**DEFINITIONS**

3799.1 When used in this chapter, the following words shall have the meanings ascribed:

**Consumer** – a person who seeks or receives mental health services funded or regulated by the Department.

**Core Services Agency or CSA** – a Department –certified MHRS provider that has entered into a Human Care Agreement with the Department to provide specific MHRS in accordance with the requirements of Chapter 34 of this subtitle.

**Department of Behavioral Health or the Department** – the District of Columbia agency that regulates the District’s behavioral health system for adults, children, and youth.

**Department on Disability Services’ Rehabilitation Services Administration (RSA)** – the District of Columbia government entity that provides employment services to those individuals with developmental and other disabilities.

**Individualized Work Plan or IWP** – a plan developed by the Supported Employment provider with the consumer that includes an employment goal and the support services required to reach the goal.

**Mental Health Rehabilitation Services or MHRS** – mental health rehabilitative services provided by a Department-certified mental health provider.

**MHRS Person-Centered Plan of Care (Plan of Care)** – the MHRS person-centered Plan of Care developed by a Core Services Agency pursuant to the requirements set forth in Chapter 34 of this subtitle. The Department reviews Plans of Care to make authorization determinations for the receipt of Supported Employment Services. The Plan of Care includes identification of the consumer’s treatment and recovery goals; treatment objectives and interventions; strengths that support goals accomplishment; challenges and barriers to achieving the goals; and the types, frequency, duration, and scope of needed services.

**MHRS Provider** – providers certified by the Department as a Core Services Agency, sub-provider, or specialty provider to deliver MHRS.

**Needs-Based Assessment** – an assessment conducted by a consumer’s CSA, using the Department-specified needs-based assessment tool, to help determine if a consumer meets the needs-based criteria for receipt of Supported Employment services.



**Supported Employment Fidelity Scale** – the Supported Employment Provider evaluation tool developed in accordance with an evidence-based practice adopted by the Department and as stated in Department policy.

All persons desiring to comment on the subject matter of this proposed rule should file comments in writing not later than thirty (30) days after the date of publication of this notice in the *D.C. Register*. Comments should be filed with Trina Dutta, Director, Strategic Management and Policy Division, Department of Behavioral Health, 64 New York Ave, N.E., Second Floor, Washington, D.C. 20002, (202) 671-4075, [trina.dutta@dc.gov](mailto:trina.dutta@dc.gov), or [DBHpubliccomments@dc.gov](mailto:DBHpubliccomments@dc.gov).