



ADMINISTRATIVE RULES OF MONTANA

37.34.986 0208 MEDICAID HOME AND COMMUNITY-BASED SERVICES PROGRAM: SUPPORT EMPLOYMENT, COWORKER SUPPORT

- (1) Coworker support service allows the Developmental Disabilities Program (DDP) and developmental disabilities provider agencies to contract with a business to provide coworker job supports as a part of the natural workplace. This service differs from supported employment, follow along support, in that it creates opportunity for services and supports to be provided by the employee of a local business where the waiver recipient is employed. Receiving mentoring from a fellow employee increases opportunities for acceptance into and thus success in the workplace community. This service is intended to provide ongoing coworker support allowing follow along support to be decreased.
- (2) The purpose of supported employment coworker support is to assist the waiver recipient to:
 - (a) develop positive work-related habits, attitudes, and skills;
 - (b) acquire work etiquette directly related to their specific employment;
 - (c) gain knowledge of the health and safety aspects/requirements of their particular job;
 - (d) assist the waiver recipient in becoming a part of the informal culture of the workplace;
 - (e) provide job skill maintenance or assistance with incorporating new tasks;
 - (f) facilitate other supports at the work site; and
 - (g) assist during breaks and/or lunch.
- (3) Waiver recipients participating in this service must be employed by a business and be paid at or above the state's minimum wage, with a goal of not less than the customary wage and level of benefits paid by the employer for the same or similar work performed by individuals without disabilities.
- (4) Waiver recipients using coworker support services may utilize individual and small group employment support, follow along support, and day supports and activities in conjunction with coworker support.
- (5) The employer is reimbursed a daily rate to offset the cost to the employer for providing the supports which may be needed to maintain the waiver recipient in the job.
- (6) Coworker support and follow-along support cannot be billed for during the same time but could be billed for during the same day.
- (7) The activities of this service are over and above the obligations an employer has for an employee without a disability and does not duplicate or supplant those provided under the provisions of the

Individuals with Disabilities Education Improvement Act, or Section 110 of the Rehabilitation Act of 1973, or the Americans with Disabilities Acts.

- (8) The waiver will not cover activities which are otherwise available under section 110 of the Rehabilitation Act of 1973, the IDEA (20 U.S.C. 1401 et seq.), or EPSDT.
- (9) The department requires all other funding sources be utilized, and a denial from other funding sources before this service is entered into the cost plan and approved by the Developmental Disabilities Program.

Authorizing statute(s): 53-6-113, 53-6-402, 53-20-204, MCA

Implementing statute(s): 53-6-101, 53-6-402, 53-20-205, MCA

History: NEW, 1995 MAR p. 1136, Eff. 6/30/95; TRANS, from SRS, 1998 MAR p. 3124; AMD, 2014 MAR p. 220, Eff. 1/31/14; AMD, 2024 MAR p. 2067, Eff. 8/24/24.