PART I – BLANKET PURCHASE AGREEMENT (BPA)

SECTION 1: THE AGREEMENT

In the spirit of the Federal Acquisition Streamlining Act, the Social Security Administration (SSA) and The Research Foundation for Mental Hygiene, Inc. (RFMH) enter into this agreement to further reduce the administrative costs of acquiring commercial items/services.

This BPA will further decrease costs, reduce paperwork, and save time by eliminating the need for repetitive, individual purchases. The end result is to create a purchasing mechanism for the Government that works better and costs less.

Signatures:

R E Burke 1/20/12

Contractor Signature Date

Contracting Officer Date
Social Security Administration
Office of Acquisition and Grants
Address:

The contractor, The Research Foundation for Mental Hygiene, Inc., agrees to the following terms of Blanket Purchase Agreement (BPA) # (filled in at time of award) exclusively with the Social Security Administration (SSA). All services provided under this BPA are subject to the terms and conditions noted herein.

DESCRIPTION OF SERVICES: This BPA is to provide Employment Network (EN) services to beneficiaries of SSA as described in Part III, Statement of Work.

PRICING: The contractor shall receive payments for services rendered in accordance with the terms found at Part III--Section 11, *Payments to ENs*.

DELIVERY/PLACE OF PERFORMANCE: Employment Networks shall provide services at their own facilities, as described in their quotation.

EXTENT OF OBLIGATION: This BPA does not obligate any funds. The Government is obligated only to the extent of approved payment requests from Employment Networks.

TERM OF AGREEMENT: This BPA is valid for ten years from the date of BPA award unless otherwise terminated or extended.

ORDERING PROCEDURES: The Government shall not issue call orders. A contractor's approved request for payment shall be considered the order.

PURCHASE LIMITATION: Each individual call order shall not exceed $100,000.00.

AUTHORIZED INDIVIDUALS: Contracting Officers in SSA's Office of Acquisition and Grants (OAG) are the only persons authorized to place orders against the BPA.

REQUESTS FOR EN PAYMENT: The requirements for Requests for EN Payment are specified in Part III -- Section 11.E, *Submitting Requests for EN Payment*.

Other terms and conditions specific to this BPA and all subsequently issued call orders can be found at Section IV of this agreement.

PART V – EN QUOTATION DOCUMENTATION REQUIREMENTS

[IMPORTANT]

52.212-1-- INSTRUCTIONS TO OFFERORS -- COMMERCIAL ITEMS
(JUN 2008)(ADDENDUM)

The provision at FAR 52.212-1 – INSTRUCTIONS TO OFFERORS – COMMERCIAL ITEMS (JUN 2008) is hereby tailored by this addendum as follows:

Sections 1-3 below shall be **completed in their entirety** and submitted to the Employment Network Contract Team at the address contained in the solicitation cover letter.

SECTION 1: Instructions for Completing Standard Form SF-1449

The Standard Form 1449, *Solicitation/Contract/Order for Commercial Items*, as shown below (or available for downloading from the SSA work web site www.ssa.gov/work) must be completed and submitted with your quotation. Although page 2 does NOT require your fill-in, you must submit it in order for the form to be considered complete.

You must fill in the following blocks on the SF 1449 form shown on the next page (as highlighted in yellow):

Block 17a

Please provide the name of the EN, address (no post office boxes), telephone number, and Employer Identification Number (EIN). If further guidance is needed regarding the EIN, please see V--Section 2.C (Employer Identification Number).

Block 17b

If the remittance address is different than the address in block 17a, check this block and include the remittance address in offer. This address may be a post office box.

Block 30a

Please provide a legible original signature, of an authorized official of your organization.

Block 30b

Please print or type the name and title of the individual who signed in block 30a.

Block 30c

Please enter the current date in this block.

SOLICITATION/CONTRACT/ORDER FOR COMMERCIAL ITEMS
OFFEROR TO COMPLETE BLOCKS 12, 17, 23, 24, & 30

1. REQUISITION NUMBER		
K520-12-3002		

2. CONTRACT NO.	3. AWARD/EFFECTIVE DATE	4. ORDER NO.	5. SOLICITATION NUMBER	6. SOLICITATION ISSUE DATE
			SSA-RFQ-11-0010K	October 5, 2011

7. FOR SOLICITATION INFORMATION CALL ▶	a. NAME	b. TELEPHONE NO. *(No collect calls)*	8. OFFER DUE DATE/ LOCAL TIME
	Employment Networks Contracts Team	*Toll Free #: 866-584-5180* *Toll Free TDD: 866-584-5181*	Open Continuously Until Further Notice

9. ISSUED BY CODE 00600

Social Security Administration
Office of Acquisition and Grants
1st Floor, Rear Entrance
7111 Security Blvd.
Baltimore, MD 21244-1811

10. THIS ACQUISITION IS

[X] UNRESTRICTED OR [ ] SET ASIDE: % FOR:

[ ] SMALL BUSINESS [ ] EMERGING SMALL BUSINESS

NAICS: 62412 [ ] HUBZONE SMALL BUSINESS

SIZE STANDARD: $5.0M [ ] SERVICE-DISABLED VETERAN-OWNED SMALL BUSINESS [ ]8(A)

11. DELIVERY FOR FOB DESTINATION UNLESS BLOCK IS MARKED [ ] SEE SCHEDULE	12. DISCOUNT TERMS	[ ] 13a. THIS CONTRACT IS A RATED ORDER UNDER DPAS (15 CFR 700)	13b. RATING 14. METHOD OF SOLICITATION [X] RFQ [ ] IFB [ ] RFP

15. DELIVER TO CODE

Social Security Administration
Employment Network Proposals
Attn: Employment Networks Contracts Team
P.O. Box 17778
Baltimore, MD 21235-17778

16. ADMINISTERED BY: CODE EDAY

Erica Day
Contracting Officer

17a. CONTRACTOR/ OFFEROR CODE FACILITY CODE

Research Foundation for Mental Hygiene, Inc. at
New York State Office of Mental Health
44 Holland Ave
Albany, NY 12229
TELEPHONE NO. (518) 474-5661
EIN: 14-1410842

18a. PAYMENT WILL BE MADE BY CODE HDQTRS

Social Security Administration
Office Of Finance
Post Office Box 47
Baltimore, MD 21235-0047

[x]17b. CHECK IF REMITTANCE IS DIFFERENT AND PUT SUCH ADDRESS IN OFFER

18b. SUBMIT INVOICES TO ADDRESS SHOWN IN BLOCK 18a UNLESS BLOCK BELOW IS CHECKED [ ] SEE ADDENDUM

19. ITEM NO.	20. SCHEDULE OF SUPPLIES/SERVICES	21. QUANTITY	22. UNIT	23. UNIT PRICE	24. AMOUNT
	(Use Reverse and/or Attach Additional Sheets as Necessary)				

25. ACCOUNTING AND APPROPRIATION DATA	26. TOTAL AWARD AMOUNT *(For Govt. Use Only)*

[X]27a. SOLICITATION INCORPORATES BY REFERENCE FAR 52.212-1, 52.212-4. FAR 52.212-3 AND 52.212-5 ARE ATTACHED. ADDENDA [X] ARE [ ] ARE NOT ATTACHED.

[ ]27b. CONTRACT/PURCHASE ORDER INCORPORATES BY REFERENCE FAR 52.212-4. FAR 52.212-5 IS ATTACHED. ADDENDA [ ] ARE [ ] ARE NOT ATTACHED.

28. ☐ CONTRACTOR IS REQUIRED TO SIGN THIS DOCUMENT AND RETURN ____ COPIES TO ISSUING OFFICE. CONTRACTOR AGREES TO FURNISH AND DELIVER ALL ITEMS SET FORTH OR OTHERWISE IDENTIFIED ABOVE AND ON ANY ADDITIONAL SHEETS SUBJECT TO THE TERMS AND CONDITIONS SPECIFIED HEREIN.

29. ☐ AWARD OF CONTRACT: REFERENCE _____ OFFER DATED _____. YOUR OFFER ON SOLICITATION (BLOCK 5), INCLUDING ANY ADDITIONS OR CHANGES WHICH ARE SET FORTH HEREIN, IS ACCEPTED AS TO ITEMS:

30a. SIGNATURE OF OFFEROR/CONTRACTOR	31a. UNITED STATES OF AMERICA *(SIGNATURE OF CONTRACTING OFFICER)*	
RE Burke		
30b. NAME AND TITLE OF SIGNER *(Type or print)* **Robert E. Burke** **Managing Director**	**30c. DATE SIGNED** 1/20/12	31b. NAME OF CONTRACTING OFFICER *(Type or print)* / 31c. DATE SIGNED

AUTHORIZED FOR LOCAL REPRODUCTION
PREVIOUS EDITION IS NOT USABLE

STANDARD FORM 1449 (REV. 3/2005)
Prescribed by GSA – FAR (48 CFR) 53.212

19. ITEM NO.	20. SCHEDULE OF SUPPLIES/SERVICES	21. QUANTITY	22. UNIT	23. UNIT PRICE	24. AMOUNT

32a. QUANTITY IN COLUMN 21 HAS BEEN

[ ] RECEIVED [ ] INSPECTED [ ] ACCEPTED, CONFORMS TO THE CONTRACT, EXCEPT AS NOTED:

32b. SIGNATURE OF AUTHORIZED GOVERNMENT REPRESENTATIVE	32c. DATE	32d. PRINTED NAME AND TITLE OF AUTHORIZED GOVERNMENT REPRESENTATIVE
32e. MAILING ADDRESS OF AUTHORIZED GOVERNMENT REPRESENTATIVE		32f. TELEPHONE NUMBER OF AUTHORIZED GOVERNMENT REPRESENTATIVE 32g. E-MAIL OF AUTHORIZED GOVERNMENT REPRESENTATIVE

33. SHIP NUMBER PARTIAL FINAL	34. VOUCHER NUMBER	35. AMOUNT VERIFIED CORRECT FOR	1. PAYMENT [ ] COMPLETE [ ] PARTIAL [ ] FINAL	37. CHECK NUMBER
38. S/R ACCOUNT NUMBER	39.S/R VOUCHER NUMBER	40. PAID BY		

41a. I CERTIFY THIS ACCOUNT IS CORRECT AND PROPER FOR PAYMENT	42a. RECEIVED BY (*Print*)
41b. SIGNATURE AND TITLE OF CERTIFYING OFFICER 41c. DATE	42b. RECEIVED AT (*Location*)
	42c. DATE REC'D (*YY/MM/DD*) 42d. TOTAL CONTAINERS

SECTION 2: EN INFORMATION SHEET

A. **OFFEROR'S NAME** (name of organization/entity submitting proposal as it appears on the SF1449 above):

Research Foundation for Mental Hygiene, Inc. at New York State Office of Mental Health

B. **NAME OF EMPLOYMENT NETWORK** (if different from item A above. This will appear in the EN Directory):

New York Employment Services System

C. **EN'S EMPLOYER IDENTIFICATION NUMBER (EIN):**

14-1410842

D. **EN'S DATA UNIVERSAL NUMBERING SYSTEM NUMBER, CENTRAL CONTRACTOR REGISTRATION AND ONLINE REPRESENTATIONS AND CERTIFICATIONS APPLICATION:**

1. Data Universal Numbering System Number (DUNS).

   Enter the DUNS Number here: 167202410

2. Central Contractor Registration (CCR). The CCR is the primary registrant database for all Federal Government contractors. Every EN contractor must register their DUNS number on the CCR website at **www.ccr.gov**.

   Please indicate if the EN has registered in CCR: Yes **[X]** No **[ ]**

3. Online Representations and Certifications Application (ORCA). All contractors that are required to register in CCR are also required to complete an ORCA record. Contractors cannot register in ORCA until their CCR record has been finalized and approved. Contractors can complete the ORCA record on the ORCA website at https://orca.bpn.gov.

   Please indicate if the EN has registered in ORCA: Yes [X] No [ ]

E. **ADDRESS** (no post office boxes):

44 Holland Avenue
Albany, New York 12229

F. MAILING ADDRESS (if different from above. May be post office box.):

N/A

G. LOCATION OF SERVICES

1. Will services to beneficiaries be provided at the location shown in E. above?

Yes [ ] No [X]

2. Will services to beneficiaries be provided at other locations? **Yes [X] No [ ]**

If you checked **"yes"** and you want these additional locations to appear on the Ticket to Work website, please fill in the Information Sheet — **Addendum** (below) for **EACH** additional location.

H. EN DIRECTORY CONTACT INFORMATION

Please provide the information requested below to facilitate beneficiary contact with your EN. This information will appear in the online EN Directory found at

www.yourtickettowork.com

At a minimum all ENs will be required to show an email address and telephone number in the EN Directory. For those ENs with a service area that covers more than one local telephone exchange, the EN must provide a toll-free telephone number.

An EN may choose not to appear in the EN Directory. Do you want your EN to appear in the EN Directory? **Yes [ ] No [X]**

1. **CONTACT NAME:** John Allen

2. **PHONE:** (518) 473-6579 3. **TOLL FREE #:** 1-800-597-8481

4. **FAX:** (518) 474 -8998 5. **TTY:** (____)____ -_____

6. **EMAIL:** john.allen@omh.ny.gov

7. **WEBSITE:** www.nyess.ny.gov

Do you want a link to this website on the Employment Network Directory?

Yes [ ] No [X]

I. OTHER EN CONTACTS

Please list the following contact information for all other program/BPA inquiries **if different from** item H above:

1. **CONTACT NAME:** _____

2. **PHONE:** (____)_____-_____ 3. **TOLL FREE #:** (____)_____

4. **FAX:** (____)_____ -_____ 5. **TTY:** (____)____ -_____

6. **EMAIL:** _____

NYESS does not intend to list all of the participating locations in the directory as that information can be found on the NYESS web page.

J. SERVICE AREA

Please check one only. This information will be listed in the online EN Directory and you may be contacted by beneficiaries living in the service area you designate.

[ ] **National** (serving all States and U.S. Territories)
[ ] **Multi-State** (list all States you will serve using the 2-letter state abbreviation)
_____
_____
_____

[X] **Single State** (list the State using the 2-letter State abbreviation)
___**NY**_____

For each State you are serving **in which you are serving only a selected county(s)**, please list the State (using the 2-letter State abbreviation), followed by the selected county(s):

All counties served.

For each State you are serving **in which you are serving selected zip codes**, please list the State (using the 2-letter State abbreviation), followed by the selected zip code(s):

N/A

K. CORPORATE STATUS (check all that apply)

[X] Corporation
[ ] Business Consortium/Association
[ ] Other corporate entity
[ ] Not a corporate entity
[ ] Partnership
[ ] Sole proprietorship
[ ] Public entity
[ ] For Profit
[X] Non-Profit
[ ] Other: _____

L. TYPE OF ORGANIZATION (check all that apply)

[ ] Advocacy Group
[ ] Center for Independent Living
[ ] Community Based
[ ] Employer
[ ] Employment/Career Development
[ ] Faith-based
[ ] Former Alternate Participant
[ ] Healthcare Provider
[ ] Higher Education
[ ] High School and Youth Transition
[ ] Mental Health Provider
[ ] Native American
[ ] State/Local Government
[ ] Transportation/Transit
[ ] Vocational/Training
[ ] WIA One-Stop Center
[ ] Workforce Investment Board
[X] Other: __Research and Training Organization___

M. PREFERRED IMPAIRMENT GROUPS SERVED

Check all that apply, but limit to those impairment groups you are prepared to serve since this information will appear in the online EN Directory and you may contacted by beneficiaries with the impairments you list.

[X] Hearing impairments
[X] Mental impairments including mental retardation/ Down's Syndrome/autism/ organic brain syndromes/developmental disabilities (including ADD and ADHD)
[X] Physical impairments

[X] Psychotic, depressive, manic, bipolar, anxiety and/or personality disorders, including eating disorders
[X] Visual impairments
[ ] Other: _____

N. SERVICES OFFERED

Check only those services you are prepared to offer, since this information will appear in the online EN Directory and you may contacted by beneficiaries seeking the services you list. Every EN must have the capability to provide or arrange for the delivery of services to beneficiaries throughout the EN's selected service area. At a minimum, these services shall include career counseling, job placement, and ongoing employment support.

[X] Career counseling
[X] Employment (i.e., hiring beneficiary to work for EN)
[X] Job accommodations
[X] Job coaching/training
[X] Job placement/job placement assistance services
[X] Ongoing employment support/job retention
[X] Special language capability (including Braille Services and Sign Language)
Please List: _____

[ ] Other: _____

O. EN PAYMENT SYSTEM ELECTION

(Reference Part III--Section 11.A, of this document) The offeror shall select **one** of following payment systems:

[X] Milestone-outcome payment

[ ] Outcome payment

P. EN QUALIFICATIONS REQUIREMENTS

(Reference Part III--Section 1.C, of this document)

***NOTE*: One-stop delivery systems established under subtitle B of Title I of the Workforce Investment Act of 1998 (29 U.S.C. 2811 *et seq.*) and organizations administering VR Services Projects for American Indians with Disabilities authorized under section 121 of part C of the Rehabilitation Act of 1973, as amended (29 U.S.C. 720 *et seq.)* are deemed to have met all requirements under Part III--Section 1, of this solicitation.**

1. The undersigned is submitting **one** of the following as evidence of qualifications to provide EN services for SSA:

[ ] a copy of a current license or certification to provide employment services, VR services or other support services in the State(s) of _____;

- OR -

in the absence of a licensing or certification requirement in the State(s) shown above, I am submitting the following documentation:

[ ] a copy of a current certification or accreditation from a national rehabilitation and employment services accrediting body that establishes qualifications to provide or arrange for the provision of employment services, VR services or other support services;

- OR -

[X] proof of a contract or an equivalent vendor agreement with a Federal agency, State VR agency (SVRA) or other State agency, or a grant from either a public or private entity, to provide employment, VR or other support services.

2. **In addition to** the documentation requested above, the undersigned is submitting:

[X] a business plan that describes how the offeror's services will support a beneficiary's achievement of self-sufficiency through work (i.e., sustained work at or above the Substantial Gainful Activity (SGA) level). Any proposed changes to your business plan made subsequent to the award of an EN BPA must be approved by SSA in advance of implementation.

- AND -

[ ] Names, addresses and qualifications of any subcontractors that the offeror plans to use to provide EN services under this BPA.

Contractors qualifications are enumerated in this document (see proof of qualifications section below) as the governing laws, regulations and contracts that each participating state agency uses with it's contractors. Only community providers that have in place an existing state contract for services which include rehabilitation and employment supports are available to participate. Additionally each provider must be in good standing with the state agency that licenses, regulates and funds the provider. Given the dynamic nature of this project, information on all subcontractors and their staff will be available to SSA through our data system where SSA staff can

view specific information on each contractor as well as the training that each individual staff person has completed.

Q. INDEMNIFICATION AND LIABILITY INSURANCE

(Reference Part III--Section 1.A.9 and Part IV--Section 3.F, of this document)

1. The undersigned has read, understood, and agrees to comply with the requirements for indemnification and liability insurance under the EN program if awarded a BPA.
   ***NOTE*: While one-stop delivery systems established under subtitle B of Title I of the Workforce Investment Act of 1998 (29 U.S.C. 2811 et seq.), organizations administering VR Services Projects for American Indians with Disabilities authorized under section 121 of part C of the Rehabilitation Act of 1973, as amended (29 U.S.C. 720 *et seq.)* and instrumentalities of a State (or political subdivision of a State) must comply with the insurance requirements identified in Part IV--Section 3.F, of this document, they are exempt from submitting proof of insurance and completing Part IV--Section 3.Q.2-3 below.**

2. The undersigned is submitting proof of the following insurance:
   (Check all that apply)

   [X] general liability insurance with a minimum coverage of $500,000 per occurrence.

   [X] professional liability insurance with a minimum coverage of $500,000 per occurrence.

   [ ] medical liability insurance with a minimum coverage of $500,000 per occurrence

3. As proof of current insurance coverage, the undersigned is submitting a:

   [X] certificate of insurance issued by the insurance company, agent or broker; or

   [ ] copy of the insurance policy.

R. EN EMPLOYEE SUITABILITY

In the course of providing services to SSA beneficiaries participating in the Ticket Program, ENs acquire, handle or have access to beneficiary personally identifiable information (PII). Consequently, the procedures governing background checks and suitability determinations set forth in Part IV--Section 3.H of this solicitation are applicable to **all** EN employees and subcontractor employees who acquire, handle or have access to SSA beneficiary PII in performing their duties under the BPA.

Following award of this agreement, the EN will provide to the SSA/CPSPM and to the ENCT an applicant listing of all individuals for whom the contractor is requesting a suitability determination; i.e., background investigation. (see Part IV--Section 3.H.f). No EN employees or subcontractor employees who will acquire, handle or have access to beneficiary PII in the performance of their duties under this BPA will be permitted to begin working under this BPA until they have received a favorable suitability determination from SSA.

In the space below, please provide a preliminary list names of all EN employees and subcontractor employees who in the performance of their jobs under this BPA will acquire, handle or have access to beneficiary PII.

_____

_____

_____

_____

_____

More than 3000 individuals work for community and state based providers which are part of the NYESS system. This staffs currently work with clients, who include beneficiaries. Many of these staff have assisted the individual with applying for benefit eligibility and maintaining that eligibility as part of their contracts with NYS. This data is safeguarded via state policy and regulations and will continue to be used for the purposes for which NYS requires providers to obtain access and support clients who may include beneficiaries.

Once we have identified the actual processes required for efiling, NYS will provide the specific staff names of individuals that will interface with SSA for the receiving and transmission of data. The number of staff that have access to this data will be limited to only those that have immediate need to handle, transmit or process the files.

S. BENEFICIARY CD

ENs may elect to receive beneficiary information in CD format directly from SSA to help market the EN's services. Should the EN elect to receive the CD, the EN shall designate a CD manager, to whom the CD will be released. The CD manager will be responsible for maintaining the CD in compliance with Part IV--Section L of this solicitation. **The CD will not be released to the CD manager until the CD manager receives a favorable suitability determination from SSA.**

If you wish to receive the beneficiary CD, please complete the following:

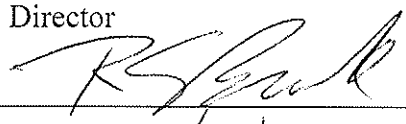
[ ] I would like to receive the beneficiary CD.
Name of CD Manager_____

T. SIGNATORY AUTHORITY

Only the EN official with signatory authority shall be authorized to request BPA changes. This should be the same individual who completes SF1449, Section 30. See Part III--Section 10.D (BPA Changes).

Name Typed: Robert Burke

Title: Managing Director

Signature: 

Date: 1/20/11

Telephone #: 518-474-5661

FAX #: 518-474-6995

Email Address: rburke@rfmh.org

SECTION 3: INFORMATION SHEET — ADDENDUM

The following information sheet should be completed for each additional or different location, access information and/or service the offeror wishes to be published publicly for beneficiaries in the online EN Directory at **www.yourtickettowork.com**. **Please fill out one addendum for EACH different service delivery location.**

Information Sheet - Addendum

The Ticket to Work and Self-Sufficiency Program
Employment Network

Information Sheet - Addendum*

*Complete the appropriate sections below ***ONLY*** if you wish additional or different locations, access information and/or services to be published publicly for beneficiaries on the **www.yourtickettowork.com** website in the Employment Network directory. *Please fill out one addendum for **EACH** different service delivery location.*

1. **LOCATION ADDRESS:** _____
   _____
   _____
   _____

2. Please list the following contact/referral information for **beneficiaries to use** (this information will appear on **www.yourtickettowork.com**):

   a. CONTACT NAME: _____

   b. PHONE: (____)_____-_____ **c. TOLL FREE #:** (____)_____-_____

   d. FAX: (____)_____ -_____ **e. TTY:** (____)____ -_____

   f. EMAIL: _____

3. Please list the following contact information for **all other program/BPA inquiries** (if different from item 2. above):

   a. CONTACT NAME: _____

   b. PHONE: (____)_____-_____ **c. TOLL FREE #:** (____)_____-_____

   d. FAX: (____)_____ -_____ **e. TTY:** (____)____ -_____

   f. EMAIL: _____

Business Plan

The Research Foundation for Mental Hygiene, New York Office Of Mental Health, New York State Department of Labor their State Agency partners and community providers are currently funded via a variety of mechanisms included State appropriation. The community provider agencies that are part of this project all have contracts with the State agency partners that license, regulate and fund their activities.

Background: Key Findings of Population Statistics for New Yorkers with Disabilities

The New York State (NYS) Disability and Employment Status Report issued by the Employment and Disability Institute, Industrial Labor Relation School of Cornell University, provides the backdrop of information on individuals with disabilities in New York State under which this effort will be based. Based on the most recent study, the following findings provide an overall context for the vocational rehabilitation program to consider the potential needs of individuals with disabilities in New York State:

- The employment and earnings gap between New Yorkers with disabilities and those without, like the rest of the U.S., continues to grow exponentially. According to the 2007 American Community Survey (Cornell University, 2009), there are over 1.4 million working-age adults with disabilities in New York State (11.1% prevalence rate). The prevalence rate is slightly lower in NYS than the national average of 12.3%.
- The employment rate of working-age people with disabilities (ages 21-64) is 33% as compared to 72% for people without disabilities, **a gap of 39%.**
- The education system continues to struggle to adequately prepare students with disabilities for employment and financial independence. Even with recent growth in the performance outcomes for students with disabilities, the gaps in performance remain significant, with only approximately 43% of New York's students with disabilities graduating with a regular high school diploma.
- Opportunities to participate in higher education are limited. Many institutions of higher education have not put in place the level of supports needed by individuals with disabilities to succeed. Only 16% of working-age individuals with disabilities in New York hold a Bachelor's degree as compared to 36% of non-disabled individuals.
- For working-age individuals with disabilities working full-time/full-year, the median annual labor earnings equaled $34,500 compared to $41,800 for those without disabilities, a gap of $7,300.
- The median household income of working-age adults with disabilities in New York is $35,200 and $71,100 for families without disabilities in New York, a gap of $35,900.

- The poverty rate of working-age adults with disabilities in New York is 28% as compared to 11% for non-disabled adults, close to 2.5 times the poverty rate for people without disabilities.

In addition to these statistics, one in five working-age adults with disabilities in New York are recipients of SSI (279,000 individuals). These findings draw a clear link between the experiences of poverty and disability. New findings from the Center for Economic Policy Research (CEPR) show that the share of people experiencing income poverty who have physical or mental health impairments and/or learning disabilities is far larger than conventionally understood. The paper, "Half in Ten: Why Taking Disability into Account is Essential to Reducing Income Poverty and Expanding Economic Inclusion" (September 2009), reviews recent research on disability and poverty. The report asserts that: "*Disability is both a fundamental cause and consequence of poverty.*" Currently, two percent of individuals served went to Vocational Rehabilitation (VR) as TANF recipients and 12.7% went to VR as Safety Net participants.

The employment gap is an issue of vital concern to the public-private vocational rehabilitation system, but should also be a concern to the entire workforce investment system and all partners under the Workforce Investment Act. The employment rate for individuals with disabilities is suppressed by factors such as access to housing, transportation, health care (including treatment for mental illness, substance abuse and chronic disabilities), childcare, and opportunities for asset accumulation. All of these factors impact the employment rate for individuals with disabilities and closing the employment gap will require a much broader public policy approach across federal, state and local economic initiatives and programs.

It is why the New York Employment Services Support (NYESS) Virtual Employment Network will be such an asset to providers and consumers in New York State as it has the capacity to integrate all services through the data sharing that is available in this system.

New York State EN Qualification Requirements

In NYS, an Interagency Agreement has been signed between the New York State Department of Labor (NYSDOL) and The Office of Mental Health (OMH). This Interagency Agreement authorizes the creation of a new computer employment support system adapting, developing and creating the necessary components of the NYSDOL One Stop Operating System (OSOS) and the OMH Data Warehouse/Web portal to accommodate the mutual use by NYSDOL, OMH and participating NYS agencies. This system will assist each participating agency and their contracted providers who provide employment supports to gather, access and analyze information in furtherance of their employment services activities as well as employment services program reporting and performance purposes and will be known as New York Employment Support System (NYESS). This system expands the operation of the NYSDOL's One Stops by enabling a variety of disability providers to become virtual One Stops working with the existing NYSDOL One Stop Career Center system.

This "virtual" network offers any beneficiary the capacity to work with any number of providers under contract with state agencies to provide the necessary supports and services to assist them towards their highest level of self sufficiency.

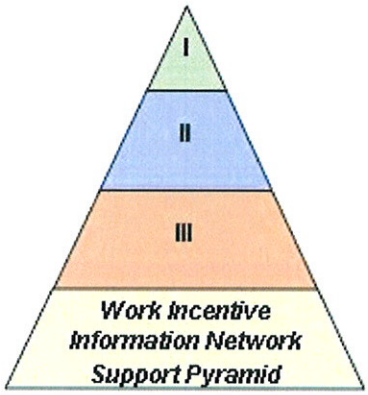
In NYS, the NY Makes Work Pay initiative (NY-MWP) (funded by the Medicaid Infrastructure Grant that was awarded to NYS) produced positive impacts for individuals, employers, service providers, communities, funders and policy-makers. It built improved systems that provide skills, awareness, developed partnerships and increased resources all that are leading to and allowing New Yorkers to achieve improved and lasting workforce participation and self-sufficiency outcomes.

The project's mission states: "All people can work." NYS, in partnership with the whole community, is exercising leadership to advance prospects for employment and economic self-sufficiency of all individuals with disabilities. Resources have been directed or redirected to realize this vision of integrated competitive employment: Individuals with disabilities will have the opportunity to contribute to and benefit from the economic vitality of the workforce; and employers will view individuals with disabilities as valued employee in their recruitment and hiring efforts.

NY-MWP (www.nymakesworkpay.org) built on New York State's rich history of engaging in employment systems change efforts to affect positive work outcomes for New Yorkers with disabilities. The OMH, through the Research Foundation for Mental Hygiene (RFMH), with their academic partners Cornell University and Syracuse University, and in conjunction with the NYS Department of Health, (NYSDOH), joined together and continue to work in collaboration with the state agencies and organizations comprising the membership of the Governor's Most Integrated Settings Coordinating Council's (MISCC) Employment Committee. Together they have designed and implemented a series of statewide strategic interventions to close the employment gap for individuals with disabilities.

In addition, the Work Incentive Information Network (WIIN), another statewide effort, was built creating an informed and well educated network of professionals and peers throughout NYS who understand public benefits and the various work incentives. This network is engaged to discuss and plan, in a meaningful and useful manner, work incentives and benefits planning to individuals with disabilities entering, or returning, to the work force. Accurate and customized information is critical to the decision to risk cash benefits and health care and begin the journey to independence through work. The goal of the WIIN is to ultimately increase the number of individuals with disabilities who choose work, reduce their dependence on public benefits, leave the rolls completely or attain incomes above the poverty limit. Providing individuals with disabilities the information that will allow an educated informed choice about work and providing assistance to take the "next step" is the goal of each benefits specialist.

Core training and WIIN seminars have been presented at locations across the state to allow for building resources in all locations - both rural and urban. To date, the WIIN has added 140 fully trained benefits planners and has provided basic training seminars to 280 information and referral personnel. As the WIIN continues to expand there will be a cadre of 500 benefits planners and full state access for individuals with disabilities.



In the WIN Network model, individuals with disabilities who begin to question whether work is the right choice will receive basic information (level III) and, if necessary, referral "up the pyramid" for short term intervention (level II) and/or full benefits planning and follow up (level I) to support the individual's work goal. Once fully implemented, our NYESS system will be able to target individuals whom we can connect to the appropriate level of support. Currently benefits planning and information and referral services are located in many areas of NYS. We continue to endeavor to make services available in every neighborhood in the state.

The MIG outcomes have established a very important link to business owners – a valuable labor pool of potential employees. As a state we participated in the national Think Beyond the Label campaign and have established our own web page for New York on www.thinkbeyondthelabel.com. This real time Internet connection allowed New York business owners to post job openings and put information at the job seekers fingertips.

To complete the process' circle, working directly with NYSDOL, a new data reporting system was developed to create a multi-level, multi-functional data warehouse of vocational services and supports in a fully secure HIPPA compliant environment. This new and improved data system will replace the existing New York Interagency Supported Employment Report (NYISER), which was a reporting only environment. NYISER presently only collects pure outcome job service data from four state agencies – ACCES-VR, Center for the Blind and Visually Handicapped, OMH and the Office for Persons With Developmental Disabilities. The new NYESS (New York State Employment Services System) was crafted not only to collect this information but more importantly, to interact with our state's NYSDOL One Stop Operating System (OSOS) drawing all the valued components of it to work with NYESS. Once an individual with a disability has his/her information entered into this system, a true service system of collaboration across providers is then available to assist the job seeker with a disability to find and retain employment.

The long-term vision is to have one comprehensive data warehouse with transparency to all, assisting job seekers with and without disabilities in the procurement and retention of jobs. For the first time, using the new system, it will be possible for providers to truly begin coordinating employment support efforts in a seamless way.

To provide oversight to NYESS, a DOL/OMH Joint Management Committee has been created, comprised of an equal number of program, information technology and legal representatives from each agency. This Joint Management Committee is co-chaired by a NYSDOL and OMH representative and will collaboratively establish policy, guidelines, training, security, systems sustainability, ands/or audit for the mutual benefit of the participating agencies. Resolution of issues that are not able to be resolved in the Joint Management Committee will be referred to the NYSDOL and OMH Executive Deputy Commissioners. This body will also be responsible to identify and implement policies, procedures and processes to monitor the use of this system. These policies, procedures and processes will continuously be assessed and refined based on information learned from the system monitoring, available security technology/software and continuously evolving local, state and federal security standards.

Accessibility to beneficiaries is offered in many ways. NYSDOL One Stops have locations that are physically accessible to individuals with disabilities. In addition, NYESS, as a virtual employment network, offers any and all beneficiaries the capacity to work with the provider of their choice at any point in the career development and search.

The NYESS Virtual Employment Network would fully embrace the independence, person-centered and self-directed interests of people with disabilities. It will also ensure that all services and supports are:

- Provided through a strengths-based system
- Are based on the individuals preferences (self-directed when possible based on the individual making his/her voice heard)
- Demonstrating equality and the importance of every individual
- Supporting self determination and an individual's right to make his/her own choices
- Driven by individual respect, demonstrating the worth of a person including a recognition of dignity, diversity and cultural differences
- Offering new opportunities / possibilities for people, organizations, and systems
- Providing networking that includes the sharing of promising practices as well as concerns and complaints
- Respecting legal and civil rights
- Eliminating coercion, stigma and discrimination
- Protecting privacy and confidentiality of an individual's data

SPECIFIC EN QUALIFICATIONS

RFMH in partnership with NYSDOL and OMH, meets all of the requirements for the Ticket to Work program that SSA has associated with a One Stop Employment Center by virtue of our new NYESS system. RFMH has an ongoing relationship with OMH and NYSDOL as a result of the MIG grant for which RFMH administers the MIG funding under the supervision of an OMH Project Director and a broad stakeholder committee. As the managing partners for this project, NYSDOL and OMH have ongoing existing relationships with a variety of federal agencies and regularly convene the participating partners. Under the auspices of RFMH, DOL and OMH will convene as a governing body, the 12 state agency partners who will continue their individual responsibility for licensing, regulating, contracting and/or funding the local partners participating in this project. Any provider, in any of the state agency networks, that provides employment supports is eligible to participate. New York State Statutes and Regulations provide the framework for public oversight and responsibility. Some examples of the regulations include the following citations:

- OMH: see New York State Mental Hygiene Law (NYSMHL) secs. 7.07, 7.09, 7.15 and sec 31.01 et seq.;
    - See also New York Code Rules and Regulations (NYCRR) Part 551 and Part 573;
- OPWDD: see NYMHL secs 13.07, 13.09, 13.15 and sec 16.00 et seq;
    - See also NYCRR Part 635;
- OASAS: see NYMHL secs 19.07, 19.15, 32.01 et seq;
    - See also NYCRR Part 810.

Due to the unique nature of our project, New York, through our network of state and local providers currently and under this project will continue to provide extensive services and supports creating the possibility for beneficiaries to participate in employment. By building Ticket to Work supports on the existing provider state provider networks, a variety of not just employment, but holistic health / disability supports are insured for eligible beneficiaries.

Any provider that contracts with a NYS agency partner is eligible on a voluntary basis to participate. To be a NYESS (RFMH) subcontractor there are specific requirements in addition to those determined by the state agency that provides their core funding as a recognized provider of employment supports and or ancillary services. In the initial phase of NYESS all providers were required to complete three phases of enrollment. Agency reps were required to view a PowerPoint presentation describing the new system and its components. They then needed to identify Security Officers, as well as identify Master trainers for their agency. In certain instances Master trainers from some agencies will be training more than just their own staff. Finally all agencies were required to submit signed original contracts agreeing to all terms identified under the MOU between OMH and NYSDOL. Guaranteed in this MOU are compliance regulations to cover HIPPA, HITECH, NYS Unemployment Insurance and NYS Tax and Finance requirements. All of this once agreed upon has the agencies defining how they will comply and maintain all information electronically.

PROOF of QUALIFICATIONS

This application proposes to SSA that the State of New York is developing an encompassing virtual ONESTOP system. The goal is to eventually include all existing state agencies and their contracting community-based organizations as users of this system. It is to be noted that all of NYSDOL "designated" Onestops in operation now will be part of this virtual, fully inclusive system. Since the state has its own regulating, licensing and contracting processes, those processes will govern how this system will work. To provide oversight to NYESS, under the auspices of RFMH, a NYSDOL/OMH Joint Management Committee comprised of equal number of program, information technology and legal representatives of each agency has been established. The Commissioner of each agency will conduct such appointments. It is planned that this Joint Management Committee will be co-chaired by a program person representative of each agency and will collaboratively establish policy, guidelines, training, security, systems sustainability, ands/or audit for the mutual benefit of the participating agencies. Resolution of issues that are not able to be resolved in the Joint Committee will be referred to the NYSDOL and OMH Executive Deputy Commissioners. This body will also be responsible to identify and implement policies, procedures and processes to monitor the use of this system. These policies, procedures and processes will continuously be assessed and refined based on information learned from the system monitoring, available security technology/software and continuously evolving local, state and federal security standards.

In addition, all state agencies provide oversight to organizations that receive public funding and therefore are required to provide quality assurances to their oversight entities.

RFMH will continue to provide the administrative support for NYSDOL and OMH to implement the NYESS project as began under the MIG. As a result, the MOU between NYSDOL and OMH provides the operational requirements for the NYESS computer system. The MOU specifies that OMH will take responsibility for administration and compliance of the NYESS network, ("Authorized Agencies"), with a variety of standards including hardware, software and security. As such, OMH acknowledges and understands that individual customers information derived from the NYSDOL's administration of the unemployment insurance system and State Directory of New Hire data contained in OSOS is confidential and privileged and may only be disclosed to OMH for the purpose of operating and integrated authorized employment activities system for employment services and for providing access to information that may be used by OMH for reporting on program performance. OMH shall ensure that all use of such confidential information shared with OMH pursuant to this Agreement shall be consistent with such purposes.

Access to the OMH Data-Warehouse (which provides the backbone reporting site for the NYESS computer system) shall be subject, at a minimum, to the security protocols set forth in Exhibit B from the NYSDOL/OMH Agreement (Full text of MOU attached):

> "OMH shall ensure, and shall require all state Authorized Agencies to ensure compliance with all applicable federal and state privacy laws and regulations governing information shared pursuant to this Agreement. OMH shall ensure that all disclosure of confidential information made to state Authorized Agencies shall be subject to the terms of a fully executed Data Sharing Agreement that requires the state Authorized Agency to comply

with the limitations on data use, access, disclosure, privacy, and security set forth in this Agreement. The terms of such Data Sharing Agreement shall be jointly developed and approved by the NYSDOL/OMH Joint Management Committee and, at a minimum, shall incorporate by reference the data confidentiality and security requirements set forth in this Agreement. The NYSDOL/OMH Joint Management Committee shall identify and implement policies, procedures and processes to monitor the use of the system. These policies, procedures and processes will continuously be assessed and refined based on information learned from system monitoring, available security technology/software and continuously evolving local, state and federal security standards. Authorized Agencies will be continuously monitored in complying with these requirements.

A. Authorized Agencies shall monitor the performance of their employees, agents, and contractors/service providers in complying with these requirements and maintain documentation of such efforts subject to audit. Such monitoring shall, at a minimum, comply with the provisions of Exhibit C from the NYSDOL/OMH Agreement (attached), but may also include such additional provisions and protections as the Authorized Agency shall determine will further ensure the confidential handling of the information shared hereunder.

B. OMH shall limit, and shall require all Authorized Agencies to limit access to information governed by this Agreement to their respective employees, agents and contractors/service providers who are administering employment services to their respective clients. The level of access granted to an individual user shall be in accordance with security requirements and established permissions as provided by the NYSDOL/OMH Joint Management Committee and the NYSDOL/OMH respective security officers.

C. OMH shall ensure that all personnel, including its employees, agents, and contractors/service providers and those Authorized Agencies, (hereinafter collectively referred to as "Employees"), authorized to access the NYS DOL/OMH Employment Support System (NYESS), as well as their supervisors, have been fully advised of the confidential nature of the information contained therein, the safeguards required to protect the information, and the civil and criminal sanctions for noncompliance contained in applicable state and federal laws. Such information shall be made available to Employees through successful completion of unemployment insurance confidentiality training, and HIPAA/HITECH training within the prior twelve-month period. Such training shall consist of courses regularly used by NYSDOL and OMH to address Unemployment Insurance and HIPAA/HITECH training or be new courses jointly approved by the NYSDOL/OMH Joint Management Committee.

D. Each participating Agency shall annually sign an agency non-disclosure acknowledgement that its Employees have been so advised and that such Employees will adhere to the confidentiality disclosure requirements set forth herein and shall report fully and promptly and infraction of such requirements to the NYSDOL/OMH Joint Management Committee. The NYSDOL/OMH Joint Management Committee shall

develop a guideline for the frequency of security reminders, security notifications and completion of annual acknowledgement forms.

E. All Employees, as well as those of Authorized Agencies, shall sign an individual employee non-disclosure acknowledgement prior to being granted access to the NYESS. Acknowledgement forms will be automated into the user sign on process and the NYSDOL/OMH Joint Management Committee shall have the authority to make modifications to this form as appropriate. Access shall be granted by issuance of a user name and a password. Employees, as well as those of Authorized Agencies, must also agree to be bound by the secrecy provisions of the Tax Law and the Internal Revenue Code and to have each individual user sign the New York State Department of Taxation and Finance Secrecy Agreement attached hereto as Exhibit F prior to being granted access.

During the initial roll out of the NYESS, NYSDOL and OMH shall accept the confidentiality agreements that NYSDOL contractors and employees have signed as grandfathered in to initially meet the agreements required under this document. By January 2012, NYSDOL will work with its contractors and employees to sign all of the confidentiality agreements as identified herein. Access to the web/portal will require execution of a new data sharing agreement.

F. NYSDOL shall execute a signed Business Associate Agreement with OMH to cover both entities in the event that protected health information is sued or disclosed in the course of responsibilities with this agreement. The parties have agreed that no data stored in the OSOS portion of the system will be defined by HIPAA.

When an individual user leaves the employment of NYSDOL, OMH or an Authorized Agency, or an agent or contractor/service provider of such Agency, or no longer serves in an appropriate position OMH and NYSDOL shall ensure that access to the NYESS is immediately terminated. Access to the NYESS may also be terminated for any individual who violates any terms of this Agreement under policy, guidelines or after review by the NYSDOL/OMH Joint Management Committee.

G. The NYSDOL/OMH Joint Management Committee will establish, and shall ensure that Authorized Agencies establish internal management systems, protocols, and security procedures to ensure that information sharing activities by their respective Employees are in compliance with this Agreement prior to being granted access. It shall be understood that NYSDOL and OMH shall each maintain primary responsibility for the users that each has authorized to access the NYESS. Such protocols and procedures shall also require the designation of a security officer within each Authorized Agency and its agents and contractors/service providers who shall be responsible for monitoring the use of the NYESS by its Employees.

H. OMH shall require its Employees, and shall also require the Employees of Authorized Agencies to obtain signed informed consent forms from their respective clients, or their

legal representative where applicable, authorizing NYSDOL to disclose to such Employees any unemployment insurance information pertaining to them that may reside in OSOS in connection with the client's receipt of employment services from OMH or one of its Authorized Agencies. The identity of persons executing such informed consent forms shall be subject to verification in accordance with the identity validation procedure set forth in Exhibit I.

I. All Authorized Agencies shall monitor, the use of the NYESS by their Employees to ensure that the data and information covered by the terms of this Agreement are accessed and provided solely in accordance with authorized employment service program activities, and shall take appropriate, immediate remedial action for any unauthorized use. The NYSDOL/OMH Joint Management Committee shall ensure that the frequency and content of the compliance monitoring is sufficient to ensure that there is no misuse, misappropriation, or unauthorized disclosure of information contained in the new system. The NYSDOL/OMH Joint Management Committee shall reserve the right to audit any agency or provider to ensure compliance. At a minimum, monitoring shall be conducted in accordance with Generally Accepted Accounting Principles through the use of the protocol set forth, although any entities covered by this Agreement, either as signatories to this Agreement of signatories to an Agreement that incorporates the terms of this Agreement by reference, may elect to engage in additional monitoring that will further protect the confidentiality of data and information exchanged hereunder.

J. All Authorized Agencies will ensure that any data, records, or information obtained from the NYESS will be stored in an area that is physically safe from access by unauthorized persons during duty hours as well as non-duty hours. Information obtained from the NYESS that is maintained in an electronic format must be stored and processed such that unauthorized persons cannot obtain the information by any means. All Authorized Agencies shall store data on equipment using security methods, including encryption following New York State Office For Technology data security standards. Violation of this prohibition shall be grounds for immediate termination of this Agreement.

K. All Authorized Agencies shall notify the NYSDOL/OMH Joint Management Committee immediately upon discovering any breach or suspected breach of security, or any unauthorized disclosure of ruse of the confidential information provided under this Agreement.

L. NYSDOL and OMH will not retain or use the records or information provided hereunder beyond completion of the purposes specified herein without written permission from the other party. All Authorized Agencies must also comply with these requirements.

M. OMH acknowledges that it is responsible to monitor the Authorized Agency compliance with the terms and conditions of OMH Authorized Agency access to the NYESS as described herein and the separate Agreements between OMH and the

Authorized Agency. Compliance audits of Authorized Agencies may be required by the NYSDOL/OMH Joint Management Committee to meet operation and security demands. Participating agencies shall require all of their vendors' contracts include a provision that, upon the unilateral expression of concern by a NYSDOL or OMH, the vendor may be required to engage an accounting or auditing firm to conduct an audit under standards set forth by the NYSDOL/OMH Joint Management Committee to ensure that Authorized Agencies have in place procedures and protocols to monitor use of the NYESS by their respective Employees and that the Authorized Agencies are complying with these procedures and protocols. Copies of audits shall be made available to the NYSDOL/OMH Joint Management Committee upon request. The NYSDOL/OMH Joint Management Committee will have the right to approve the choice of auditor but in any case will allow the vendor's own accountant or auditor to submit a preliminary audit before the NYSDOL/OMH Joint Management Committee requires the engagement of another outside auditor or accountant."

The State of New York has an over 100-year history of providing supports and services to people with disabilities who seek self-sufficiency. Over the past three years, efforts have been enhanced in the area of delivery of vocational and employment services and supports by NYS OMH and the other state agencies providing services and supports to people with disabilities. This is a result of New York State receiving one of the national Medicaid Infrastructure Grants (MIG). In New York our project was referred to as New York Makes Work Pay. It is a statewide initiative with the intent to dramatically improve the rate of employment among people with disabilities funded by the Center for Medicaid Services. The initiative's seven goals target sustainable, comprehensive policy and practice solutions to address the state's estimated 70% unemployment rate among working-age people with disabilities.

Through the work of the MIG, many changes have already been introduced and are indeed in practice with providers to offer enhanced employment services and supports that are person-centered, and self-directed to the degree that is possible. Evidence based practices like Customized Employment and IPS as well as seminars on entrepreneurship are all examples of the ways in which New York services are refocusing their attention on offering improved vocational supports. The addition of over 140 trained benefits advisors certified under the MIG approved training seminars and workshops will truly assist more New Yorkers with disabilities to make informed decisions about their initial job search, job development and overall job retention. Contracted services to community based organizations are regulated to ensure that quality services are offered and sensitive information is protected. As was noted earlier in the eligibility process for providers with the NYESS all the security components had to be agreed with a security officer named.

All state funded and prospective EN payments will be used to enhance statewide employment services and supports for beneficiaries. This application to be a registered Employment Network will not supplant or replace the current funding that is annually made to community-based organizations to conduct employment services and supports. The funding paid to RFMH for the NYESS EN, for services rendered to beneficiaries meeting employment milestones, will be solely allocated to fund the following services and supports:

A. Funding for the administration of the network
B. Beneficiary Advisement – life planning
C. Hiring of Peer Specialists – serve as role models and Employment / Life Coaches
D. Development of positions known as Benefit Specialist/Life Coaches – these individuals will be hired to provide additional "life" training/supports for those seeking and / or in jobs to succeed.
E. Continuation of the Disability Employment Initiative (DEI) at NYSDOL project as its pilot with the federal government ends
F. Enhanced employment supports disability providers as may be approved by the NYESS joint management committee

In addition, it is expected that at a state level the ability to leverage EN payments for so many New Yorkers who are presently beneficiaries would mean additional core services would be available for more people, where in the past a waiting list would have been in place. NYESS, as a large virtual network, will offer beneficiaries a wide selection of providers to meet all their needs to be successful in the community and the world of work. It is these providers that will offer the core services and will work collaboratively to build a plan for people as they self-direct to meet their needs.

NYESS (RFMH) will allocate 20% of the EN payment funds for administrative services which will include:

1. Support the infrastructure of NYESS, the data warehouse and billing infrastructure
2. Train and offer technical assistance to all contracted providers (Authorized Agencies) in the system
3. Provide enhanced benefits advisement services offering incentives to providers that develop systems that have positions referred to as Benefits counselors or Life Coaches. These paid staff positions would be best filled by people with disabilities themselves as the services to be provided by these staff are directly to beneficiaries
4. Continuation of the DEI project after its pilot with the federal government ends, and
5. All other administrative/support functions that enable New York to sustain, enhance and increase outcomes in employment for people with disabilities.

NYS follows the federal law of mandating all business owners to be Equal Employment Opportunity/Affirmative Action businesses. As such, under this initiative the state and community-based organizations will be expected to employ people with disabilities that have the skills and talents to be hired as Benefits Counselors / Life Coaches. The hiring of these talented people with disabilities will demonstrate to all New York businesses the value of a diverse workforce to assist them to strengthen their businesses.

In addition, all contracting agencies will be reporting monthly on employment services being offered. All of this information will be available to the job seekers to help them decide which agency could best meet their needs in their job search. It in itself produces an inherent screening

process of good performing agencies versus non-performing agencies. Notwithstanding, the quality assurance reviews conducted by State agencies will continue in the regulatory oversight provided by each.

The primary point-of-contact for both the NYSDOL and OMH are listed below:

NYSDOL contact:

Karen Coleman, Acting Deputy Commissioner of Workforce Development
NYS Department of Labor
Building 12, Room 590
W. Averill Harriman State Office Campus
Albany, New York 12240
518-457-0380

OMH contact:

John Allen, Special Assistant to the Commissioner
NYS Office of Mental Health
44 Holland Avenue
Albany, NY 12229
518-473-6579

DISTRIBUTION AND ASSIGNMENT OF TICKETS

NYESS fully supports the individual in their choice to participate in the Ticket to Work program on a voluntary basis. It will be expected that any individual choosing to assign his/her ticket will then direct and design his/her own individualized plan. Beneficiaries will have the choice of over 300 providers to work with to meet the needs of their individualized plan.

It is information drawn from a single disability population that helped drive NYS to develop and implement NYESS for the full spectrum of people with disabilities that seek employment and the services and supports to be successful. As a virtual network, providers throughout a catchment area would be able to work supportively with each other to provide a full circle of support to any individual that has assigned their ticket to the NYESS.

Verification of the beneficiary's Ticket will occur through the data warehouse NYESS. Using all the protections and security that the State has required, any information entered about an individual is protected. All Authorized Agencies will have completed Security training as well as an online HIPAA training prior to being able to have access to any person specific information. The matching of the beneficiary's Ticket to his/her social security number will verify the enrollment is available to this beneficiary. The efficiency that this also provides for all system partners – SSA, NYS, employment support providers, and most importantly the beneficiary – is a huge step in the right direction for achievable results and successful outcomes in competitive employment for people with disabilities.

Marketing efforts to inform beneficiaries seeking services and supports for assistance to obtain employment in New York will begin with the development of a brochure describing all aspects of the process and services available in New York and how best to choose ANY provider within the network for a menu of services and supports. While we have the NY Makes Work Pay website www.nymakesworkpay.org in place now that beneficiaries may use to find valuable resources and contacts for assistance, a new website www.nyess.ny.gov has been developed. Information from www.nymakesworkpay.org will be moved to the new site and updated information providing assistance will be added. Direct links to resources like CareerZone and JobZone through NYSDOL will be available, as will links to access the SMART technology for job matching. All providers will have similar information and will be able to add links to their own websites allowing beneficiaries access to these vital resources via any NYESS network partner.

The NYESS network currently serves more than one million individuals per year through state and Medicaid funded supports in a network that includes more than 300 individual contractors. Additionally, all New Yorkers will be eligible to receive services from the NYESS network if they have a Ticket to assign. It will be their voluntary choice to assign their ticket to the NYESS Network which gives them access to any or all of the providers which make up the network and offer them assistance. This allows individuals to obtain assistance from multiple providers at the same time and change providers as needed without changing their Ticket assignment. NY beneficiaries will have flexibility not available anywhere else. Many of the NYS network providers have specialized experience in supports to individuals with specific types of disabilities.

New York State is different than the typical SSA Employment Network in that we are currently working with most beneficiaries providing a wide array of health, disability and employment supports. Those activities will continue in spite of whether the individual assigns their Ticket to the NYESS network or not. It is in the State and SSA's mutual interest to use this existing network of providers for the mutual benefit of the beneficiary, SSA and the State, assisting the beneficiary returning to work. Since we currently provide an array of services, we are proposing that EN funds will not supplant state funding.

Since NYS and its provider network have ongoing relationships with the potential beneficiaries who will be served under this EN, the EN relationship with the NYESS system will only be ended by the beneficiary wishing to assign his / her Ticket outside of the NYESS network.

Individual Work Plans

NYS providers who are part of the NYESS Employment Network already have extensive requirements for service planning and documentation for each recipient served following State and Federal guidelines, including Medicaid for many. In addition, we will be providing all of the NYESS providers with a standard Individual Employment Plan that will aid in seamless support between the One Stop providers that are part of the NYESS network and the disability providers.

The NYESS Network is unique in that any and all of its providers are available to provide services and supports to many people each presenting their own specific needs. As a large virtual Employment Network, a beneficiary will have the flexibility to work with whatever agencies they choose and may change providers as well.

"Standard" Employment Networks may typically seek the beneficiary that is more "job ready" and may not take as much time to become employed. This means the individual reaches employment and wages at Substantial Gainful Activity (SGA) in a time frame that provides faster reimbursement for services offered, ultimately meeting the needs of the agency first.

The NYESS Network will have the capacity to support individuals who are at any stage of their career development. The NYESS Network offers any job seeker from someone with considerable challenges, a lack of marketable skills and a great deal to learn, to be a successful employee, while also providing for the employee only needing retention supports to keep their job. The NYESS Network vision is not focused only on the payment for the beneficiary working at SGA, but about a self directed truly individualized person-centered plan that includes time for exploration, intensive and prevocational preparation, health coordination and other life supports to achieve employment success. We are committed to long term financial self-sufficiency for the individuals served by the system. Because the system is not motivated by quick placements, but rather long term commitment to supporting individuals with disabilities to become self-sufficient, we believe this enhances the mutual benefit of the NYESS Network to the individual, SSA and the State. Due to this unique focus, we are convinced this Network will achieve results that other EN's cannot.

Integrated into the resources of NYESS is the Skills Matching and Referral Technology (SMART) offering a resume builder, job matching, and other tools for job seekers.

> SMART can help the job seeker create or enhance a resume with very little typing. The statements it uses to build the applicant's resume uses the language that businesses are asking for, and that other job seekers are using in their resumes.
>
> SMART Job Matching reads the applicant's resume and understands the knowledge, skills and abilities gained through their work and volunteer experiences. The system asks: "Who are you?" and "Where are you going?" It then recommends potential career opportunities where skills can apply. It will also assist the job seeker to find jobs that they likely may not find with other key word search sites.
>
> SMART looks for new job leads every day, sending the applicant the top 10 job leads per day (or once per week when no strong leads are available) by email. E-mail will have job leads rated on a five-star scale, and the links for the full job openings. No employer will see the applicant's resume unless that option is chosen.

SMART's Insight Tools allow the job seeker to explore the skills, education, and experience of real workers in jobs that match their interests as well as find out what career paths others have taken before being employed in their current position.

In addition to all of this, another service will be that each beneficiary enrolled in the NYESS system will be able to develop their own email account. This way they will get all pertinent job matches as well as email reminders about contacts, meeting requirements, annual progress reviews, timely progress review guidelines and anything else they may need to assist them in their search. In a beneficiary's individual work plan (IWP) it will be stated any terms and conditions for services to be provided. If they are in need of Life-coaching – a new service to assist them when they are at plateaus in their benefits and or at risk of losing benefits, the email will notify them that it is time to meet with their benefits coach to discuss what steps they need to make and or decisions that need to be considered. As well, the beneficiary will learn that being part of the NYESS Network automatically provides the verification of evidence of work and earnings, which is a requirement of the Ticket program. The individual needs to do nothing but work. Information entered into the data system offers this link because it is directly connected to the NYS DOL employment information.

The NYESS Network plans to design and provide both in hard copy and electronically, brochures that will outline all nine (9) items that are the network's responsibility to share with any beneficiary that assigns their ticket to it.

The NYESS Employment Network will regularly be providing medical and other related health services as part of its extensive network of support. All of the providers in the network are licensed, regulated or funded by the State. Our existing contracts with these providers for the services that they currently provide require compliance with supervision and licensing. Our ongoing monitoring and quality assurance processes regularly monitor to insure compliance.

The NYESS EN will require one-on-one (should the individual beneficiary choose) individualized discussion involving career counseling, life coaching and health care coordination in the development of employment goals and supports in conjunction with the preparation of the IWP be available. Beneficiaries will have great choice of providers as well as tools like CareerZone and JobZone (www.nycareerzone.org). A website www.nyess.ny.gov has been established and offers the beneficiary access to all the resources, information and providers in the State virtual employment network. Through this portal an individual will be able to find a provider to work with him/her.

The providers in the NYESS Employment Network regularly provide and will continue to provide holistic supports and treatment services to the individual outside of the IWP. Many of these services are funded and supported via Medicaid and Medicare. Other services are funded via state procurement processes for specific services. Other services are regulated by a variety of State and Federal laws and provide for a sliding fee scale. Individuals in the NYESS Employment Network will not be directly paying for any NYESS-related services.

Providers in the NYESS Employment Network will be keeping the IWP on file at their locations as we develop the computer systems capacity to support the file online. At that point all of the individual providers who are working with a beneficiary will be working from the same IWP rather than at cross purposes from an IWP developed provider by provider.

REFERRAL AGREEMENTS BETWEEN NYS NETWORK AND State VR

The NYESS Network provides a seamless system of data exchange and capacity to make referrals for any and all services that a beneficiary may need to succeed in their employment search, thus obviating the need for an agreement of the type contemplated. NYESS will be an efficient coordination of a menu of services. Operating under a whole-person philosophy, NYS has successfully brought together its employment services systems to create a single approach to linking and coordinating employment supports, using the Medicaid Infrastructure Grant as the catalyst. NYS' 2011 Medicaid Infrastructure Grant funds the initiatives that comprise the New York Makes Work Pay program, which has provided the opportunity to bring various, disparate parties and systems together to focus on creating sustainable systems changes that will positively impact the ability of New Yorkers with disabilities to find and retain competitive and integrated employment opportunities. NYS has seized upon this opportunity, focusing a large component of MIG dollars on efforts to merge the segregated disability-related employment systems into the mainstream resource that most people in NYS (and elsewhere) turn to for assistance in finding job opportunities and supports – the Department of Labor. This comprehensive employment system will provide all New Yorkers – regardless of their (dis)ability – with a single point to access of all employment-related services and supports, including job matching with the approximately 90,000 jobs currently posted by employers in the NYS Job Bank.

The two vocational rehabilitation organizations in New York, ACCESS VR and CBVH, are part of the initial phase of NYESS. Partnership Plus is the Ticket to Work Program that they offer and will continue to offer. Information about the NYESS network will be offered to all beneficiaries participating through this system to ensure full disclosure and therefore allow individuals to choose. In addition this has been built into the design of the data warehouse reporting process.

The NYESS network is a large virtual system allowing a beneficiary the capacity to choose from over 300 qualified and certified providers. With this level of flexibility NYS does not truly see potential for disputes as each person will be the manager of their own Ticket. Any New York beneficiary will be given information about all their choices and for some, participation in the NYESS network will most likely only occur after VR services have concluded and therefore will not present any conflict at all.

RESPONSIBILITIES TO TICKET PROGRAM BENEFICIARIES

The NYESS Network plans to design and provide, both in hard copy and electronically, brochures that will outline all nine (9) items that are the network's responsibility to share with

any beneficiary that assigns their Ticket to it. The brochure as well as the website www.nyess.ny.gov will describe:

a. All the services offered by the NYESS EN and how to easily identify providers that offer what they are looking for in their personalized job/career search. Core services, such as interest and functional capacity assessment, job development, resume writing, career coaching, case management, will all be available from a multitude of qualified providers that will allow a beneficiary to have flexibility to find the right organization to assist them to find successful employment.
b. The providers in the NYESS Employment Network regularly provide and will continue to provide holistic supports and treatment services to the individual outside of the IWP. Many of these services are funded and supported via Medicaid and Medicare. Other services are funded via state procurement processes for specific services. Other services are regulated by a variety of State and Federal laws and provide for a sliding fee scale. Individuals in the NYESS Employment Network will not be directly paying for any NYESS-related services.
c. There will be a dispute resolution process that will follow the state agencies grievance procedures in place now and it will be available to any beneficiary, especially advocacy services and assistance in resolving disputes. However, since beneficiaries have increased flexibility and choice with the vast number of providers involved in the network it is not anticipated that there will be a need for this. A beneficiary will simply choose a new provider to work with him or her.
d. All beneficiaries' personal information will be kept private and confidential. Security Officers have been assigned, Training has been required and providers must demonstrate completion of unemployment insurance confidentiality training, and HIPAA/HITECH training within the prior twelve-month period. Such training shall consist of courses regularly used by NYSDOL and OMH to address Unemployment Insurance and HIPAA/HITECH training or be new courses jointly approved by the DOL/OMH Joint Management Committee.
e. A copy of their IWP is in the format they preferred. All reasonable accommodations will be offered.
f. An email account will be developed for the individual if they do not have one. This will be the way in which an individual receives the majority of the necessary information as well as reports to counselors what they need as well. There is an expectation of face to face counseling but where electronic communication offers fast and effective service it will be used.
g. Any provider that contracts with a NYS agency partner is eligible on a voluntary basis to participate. To be a NYESS (RFMH) subcontractor there are specific requirements in addition to those determined by the state agency that provides their core funding as a recognized provider of employment supports and or ancillary services. In the initial phase of NYESS all providers were required to complete three phases of enrollment. Agency reps were required to view a powerpoint presentation describing the new system and its components. They then needed to identify Security Officers, as well as identify Master trainers for their agency. In certain instances Master trainers from some agencies will be training more than just their own staff. Finally all agencies were required to submit signed original contracts agreeing to all terms identified under the MOU between OMH and

NYSDOL. Guaranteed in this MOU are compliance regulations to cover HIPPA, HITECH, NYS Unemployment Insurance and NYS Tax and Finance requirements. All of this once agreed upon has the agencies defining how they will comply and maintain all information electronically.

h. If an EN arranges for medical or related health service those services will be provided under the supervision of persons licensed to prescribe or supervise the provision of these services in the State.

PRIVACY AND SECURITY

Since the NYESS Network is State government driven, security and privacy requirements are well understood. Further, to provide oversight to NYESS, the NYSDOL/OMH Joint Management Committee is comprised of equal number of program, information technology and legal representatives of each agency. The Joint Management Committee is co-chaired by a program person representative of each agency and collaboratively establishes policy, guidelines, training, security, systems sustainability, and/or audit for the mutual benefit of the participating agencies. Resolution of issues that are not able to be resolved in the Joint Committee will be referred to the NYSDOL and OMH Executive Deputy Commissioners. This body is also responsible to identify and implement policies, procedures and processes to monitor the use of this system. These policies, procedures and processes will continuously be assessed and refined based on information learned from the system monitoring, available security technology/software and continuously evolving local, state and federal security standards.

In addition all state agencies provide oversight to organizations that receive public funding and therefore are required to provide quality assurances to their oversight entities.

Individual customer's information derived from the NYSDOL's administration of the Unemployment Insurance system and State Directory of New Hire data contained in OSOS is confidential and privileged and may only be disclosed to providers in the NYESS network for the purpose of operating an integrated authorized employment activities system for employment services and for providing access to information that may be used by NYESS for reporting on program performance. NYESS providers shall ensure that all use of such confidential information shared with them pursuant to this Agreement shall be consistent with such purposes. The attached NYSDOL – OMH MOU contains additional documentation on system security.

TICKET TRAINING

Under the MIG three year framework a key component to the work that has gone on has been the ongoing training of providers and people with disabilities about the Ticket to Work program. Over 150 organizations have received training on what Ticket to Work is and how it works. This work set the stage for the success of NYESS EN. With this level of knowledge to work from, the NYESS EN commits to providing training to all providers and beneficiaries online and face to face. The State partners have all agreed to be part of providing the necessary training for

providing services and for managing quality systems. It is expected that statewide Trade Associations and the Stakeholder Workgroup established under the MIG will be convened to serve as advisors to the ongoing management and future development of the NYESS EN services. The New York Makes Work Pay initiative under the MIG has developed a Work Incentives Information Network to increase the number of certified benefits and work incentives specialists available statewide

DISPUTE RESOLUTION

The NYESS Network is vast and offers a variety of providers. The "beneficiary rules" is the rule for this network. If they are not pleased with their services and / or are not reaching their outcome as they wish, they simply will seek services from another provider. The network will assist them in all ways. Should there be a grievance, each state agency will continue to offer individualized assistance to assist the person to grieve a conflict with the service they are in need of but are not receiving as they wish. Beneficiaries can always go out of network as well. NYESS EN will not be the exclusive EN in NY and an individual that no longer wants services from the NYESS network is free to reassign his or her Ticket and will be assisted to do so as appropriate. Even though we do not anticipate any disputes, NYESS agrees that it will maintain all records should a dispute arise and will assist SSA in investigation and resolution of the matter.

EVALUATING PERFORMANCE

The NYESS Network has specific performance outcomes established via the OMH data warehouse. All information will be publicly available, will be reviewed regularly and evaluated in an ongoing manner. It is anticipated that a "public report card" will be generated annually that will highlight some specific categorical information. Samples of these reports are in Addendums at the end of this document under "Sample Reports".

REPORTING REQUIREMENTS

New York will be using the eFiling system with all supporting documentation stored on the NYESS data system or at its individual provider locations.

The NYESS Employment Network has extensive data analytics once the data warehouse is fully functional. Reports as outlined previously will be publicly available on the NYESS web site (www.nyess.ny.gov), permitting beneficiaries and the public to evaluate each individual provider in the NYESS system as well as the system. This unique benefit will aid beneficiaries and their families in choosing which specific NYESS provider they may want assistance from based on that provider's performance helping others with similar disabilities.

The Research Foundation for Mental Hygiene and the participating state partners will provide all information and reports to SSA as requested.

PAYMENTS SELECTION

New York State OMH will elect payments be made on an outcomes-milestone basis. The NYESS Employment Network system supports the documenting and tracking of each beneficiary's progress toward achieving the milestones.

The NYESS Network works to provide services and supports for the whole person. As an administrative EN, NYESS (RFMH) will pay its network of providers based on a pro-rated payment calculated on a percentage of actual time documented by the provider to offer the services required in IWP/IEP. In this way, all of the providers in the NYESS Employment Network will have an incentive to work together to achieve the best possible outcomes for the individual, rather than competing for market share of the easiest to serve individuals. This collaborative structure is one of the things that make the NYESS Employment Network unique and adds great value to all involved. All of the NYESS processes including payment strategies will be regularly reviewed by our public stakeholders group which currently meets monthly. We anticipate that once the system is up and fully functional, the stakeholder group may meet quarterly. After the administrative overhead is subtracted from payments, the individual provider's share for those providers that worked with the beneficiary will be calculated as a percentage by:

$$\frac{\text{TOTAL NUMBER OF HOURS PROVIDED TO BENEFICIARY BY ONE PROVIDER}}{\text{TOTAL NUMBER OF HOURS PROVIDED TO BENEFICIARY BY ALL PROVIDERS}}$$

The NYESS Employment Network (RFMH) will be eFiling all request for payment. Since the NYESS Employment Network (RFMH) will be eFiling with SSA verifying wages and employment, we do not anticipate any overpayments. If for some reason, an overpayment should occur we will work with SSA for a mutually agreeable solution. However it should be noted that the State requests the opportunity to revisit if there is a need in future to adjust as necessary.

Computer Matching and Privacy Protection Act Agreement

The New York State Office of Mental Health will serve as the data steward for this project. OMH currently has a "Computer Matching and Privacy Protection Act ("CMPPA") Agreement" (copy provided in attachments) with the Social Security Administration ("SSA") which was signed in May 2001 and Recertification of the CMPPA for the period 06/30/11 - 06/30/12 was signed April 2011. We would propose modifying the scope of that agreement to include the administration of Vocational Rehabilitation Services (the Employment Network / Ticket to Work), on behalf of participating New York State Agencies. This modification would permit the NYESS system to perform its functions as an employment network. In addition, this would permit NYESS to use the data system to identify beneficiaries in potential need of the type of benefit advisement that we have previously described as life coaching. The State will use the data provided by SSA to improve public service and program efficiency and integrity. The use of

SSA data exponentially will assist beneficiaries in moving from disability to mainstream employment.