

Employment First and HCBS Final Rule



What is Employment First?

The philosophy that employment **in the general workforce** should be the first and preferred option for individuals with disabilities receiving assistance from publicly funded systems. Simply put, Employment First means real jobs, real wages, earning minimum wage, or better.



Employment in the General Workforce

What does this mean?

- Employment in the general workforce means regular jobs like everyone else in society: in typical work settings, working side-by-side with people without disabilities, earning regular wages, benefits, and being part of the economic mainstream of our society.
- The individual sets employment as a goal with assistance from the service provider. Not mandated on the individual to become employed, but instead a goal set based on the individual's desire.

How is Employment First different?

Historically, when it came to publicly funded services, employment in the community has been among a number of choices presented to people with disabilities, and in many cases individuals have been shuttled to facility-based segregated services. Under Employment First, assistance to find a job in the community and become a tax-paying citizen, is the preferred choice.

Employment First Assumption

Employment First starts with a presumption a person with a disability **can work**. Unlike other individuals of working age in our society, where it's presumed they will become employed, people with disabilities have too often had to demonstrate their “readiness” for employment. Under Employment First, it is assumed that individuals are capable of working until proven otherwise, and employment in the general workforce is the first option pursued.



Why is this important to YOU?

- Texas became an Employment First state with the passage of the 2013 Senate Bill 1226, 83rd legislature, regular session.
- HHSC, Texas Education Agency, and Texas Workforce Commission have adopted the Employment First policy.
- Read the policy and find out more about Texas Employment First at <https://hhs.texas.gov/services/disability/employment/employment-first> or [EmploymentFirst](#)

HCBS Final Rule

- Released January, 2014 by the Centers for Medicare and Medicaid Services (CMS).
- Deadline for compliance initially set for March 17, 2019.
- Deadline extended to March 17, 2022.

Purpose of HCBS Final Rule

Purpose: To make sure individuals receive services in settings that are integrated in and support full access to the community.

Give people the opportunity to:

- Seek employment in competitive and integrated settings
- Take part in the community
- Be in control of personal resources
- Get the same access to services as those not receiving HCBS

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