

## Putting it in Perspective

### Legislation Information

Remember closing a sheltered workshop is a local, state and federal shift in what **must** be done for people with disabilities rather than just a **philosophical idea**. The following list of legislation and articles prove why your agency should and must move forward in beginning this process:

**WIOA, The Workforce Innovation and Opportunity Act:** The Workforce Innovation and Opportunity Act (WIOA) was passed by the United States Congress and signed into law by President Obama in July 2014. WIOA is the legislation that authorizes six workforce development programs, which are considered “core” programs under the act. These programs include:

1. The Vocational Rehabilitation Program (VR)
2. WIOA Title I Adult Program
3. WIOA Title I Dislocated Worker Program
4. WIOA Title I Youth Program
5. Adult Education and Family Literacy Act Program
6. Wagner-Peyser Act Program

Each state is required to submit a WIOA plan to the federal government, which outlines the vision and goals of its workforce development system as a whole, as well as specifying how each of the programs authorized under WIOA will operate and deliver services over the next four (4) years.

<https://www.doleta.gov/wioa/>

<http://www.communityinclusion.org/wioa/>

**HCBS, Home and Community Based Services:** The Home and community-based services (HCBS) provide opportunities for Medicaid beneficiaries to receive services in their own home or community. These programs serve a variety of targeted populations groups, such as people with mental illnesses, intellectual or developmental disabilities, and/or physical disabilities.

<https://www.medicaid.gov/medicaid-chip-program-information/by-topics/long-term-services-and-supports/home-and-community-based-services/downloads/final-rule-fact-sheet.pdf>

**Rhode Island Settlement:** In April of 2014 the Justice Department ruled that the state of Rhode Island wasn't in compliance with providing appropriate, integrated, competitive employment to people with Intellectual Disabilities as stated in the Americans with Disabilities Act. This Settlement has paved the way for Rhode Island and the other 49 states to have a roadmap to compliance over the next 10 years that will:

- Help state residents with developmental disabilities obtain typical jobs in the community that pay at least the minimum wage and offer the maximum number of hours consistent with the employee's abilities and preferences;
- Provide support for non-work activities in the mainstream, including community centers, libraries, and recreational and educational facilities;
- Prepare high school-age students with developmental disabilities for competitive jobs in the community through internships and mentoring programs, among other efforts;
- Redirect the "significant" public funds that are used to support segregated settings toward encouraging services in integrated settings.

<http://www.justice.gov/opa/pr/department-justice-reaches-landmark-americans-disabilities-act-settlement-agreement-rhode>

**Executive Order 13548** – Obama's legislation to increase federal employment of individuals with disabilities

<https://www.whitehouse.gov/the-press-office/executive-order-increasing-federal-employment-individuals-with-disabilities>

In July of 2013 OPWDD put into place a regulation on how sheltered workshops would be funded going forward, after Governor Cuomo announced a plan to phase out all workshops by 2020. It places strict limitations on how providers can and can't place individuals into workshop settings. For many providers their sheltered workshops are their largest services offering and if they do not determine alternate ways of providing services to individuals with disabilities it will severely alter their ability to stay in business. Currently there are over 8000 individuals in the state of NY alone that are in sheltered workshops.

Additional information on the state of NY's plan for closing sheltered workshops:

[http://www.opwdd.ny.gov/regulations\\_guidance/opwdd\\_regulations/prevoc\\_in\\_sheltered\\_wkshps\\_text](http://www.opwdd.ny.gov/regulations_guidance/opwdd_regulations/prevoc_in_sheltered_wkshps_text)

<https://www.nysenate.gov/calendar/public-hearings/september-28-2015/future-sheltered-workshops-new-york-state-families-and>