

Implementation Memorandum of Agreement on Competitive Integrated Employment for Individuals with I/DD

I. Parties

NC Department of Health and Human Services (NCDHHS), Disability Rights NC (DRNC), and the Center for Public Representation (CPR)

II. Purpose

The purpose of this Implementation Memorandum of Agreement (“Agreement” or “MOA”) is to describe the Parties’ agreement regarding the activities, responsibilities, and timelines necessary to continue to advance the North Carolina Department of Health and Human Services’ ongoing plan to expand supported employment services and to improve and increase competitive integrated employment (“CIE”) for individuals with intellectual and developmental disabilities (I/DD) in North Carolina during the term of this MOA.

III. Covenants

DRNC and CPR agree not to pursue any legal or administrative remedies against NCDHHS regarding the October 8, 2021 Competitive Integrated Employment Memorandum of Understanding (“CIE MOU”) prior to October 1, 2023. Until that time, DRNC and CPR agree that the covenant not to sue contained in the CIE MOU shall not be subject to rescission, and NCDHHS agrees to toll any legal and administrative remedies DRNC and CPR may have under the CIE MOU until October 1, 2023. DRNC and CPR also agree to work cooperatively with NCDHHS to support the Department’s implementation of the steps set forth in this MOA.

IV. Commitments to Continued Development of Enhanced Competitive Integrated Employment Services and Supports

In consideration of the terms set forth in section III of this MOA, NCDHHS commits to the following timelines and actions to further develop and enhance CIE services and supports for individuals with intellectual and developmental disabilities:

1. Timelines and Actions for Implementing Employment Assessments and Career Development Plans (CDPs)

Assign responsibility for Employment Assessments and Career Development Plans –
December 31, 2022

Finalize Employment Assessment and Career Development Plan tools – January 31, 2023

Train staff to conduct employment assessments and develop Career Development Plans –
March 1, 2023

Award a contract for initial implementation of the Employment Assessments and Career Development Plans – March 31, 2023.

Initiate implementation of employment assessment and Career Development Plan tools– April 1, 2023

2. Timelines and Actions for Implementing CIE Services (a new, three-phase service definition for state and Medicaid-funded supported employment that includes “discovery”)

Initiate implementation of new Medicaid- and State-funded service definitions for integrated supported employment – April 1, 2023, subject to CMS approval of pending waivers

3. Timelines and Actions for Implementing a Provider Innovation Initiative

Develop an RFP – April 30, 2023

Identify successful RFP bidder(s) – July 31, 2023

Award new contracts – as soon as feasible after new CIE I/DD funding is identified and/or appropriated and available from the North Carolina General Assembly to NCDHHS

4. Timelines and Actions for Creating a Stakeholder Education, Outreach and Engagement Campaign

Retain experienced, qualified consultant to work with NCDHHS communications team to develop and implement stakeholder education, outreach and engagement campaign regarding CIE for individuals with I/DD – February 1, 2023

Develop media campaign – March 1, 2023

Implement new media campaign and stakeholder engagement – April 1, 2023

5. Issue quarterly reports to DRNC and CPR within sixty days after the end of each calendar quarter

6. Beginning in December 2022, meet with DRNC and CPR every two months on the second Tuesday of the month to evaluate progress regarding the CIE I/DD implementation steps set forth in this Agreement.

V. Communications

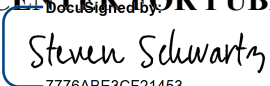
The Parties agree to work cooperatively to develop shared talking points to be used in educating and communicating regarding the CIE MOU and the Department's ongoing CIE efforts in order to help ensure consistent and clear messaging and avoid misunderstandings.

VI. Re-Evaluation of CIE MOU

The Parties agree to evaluate the status of the CIE I/DD implementation steps set forth in this Agreement, and to re-evaluate all of the provisions and requirements of the CIE MOU no later than October 1, 2023.

IN WITNESS WHEREOF the Parties hereunto have caused this Agreement to be executed by their duly authorized representatives this 8th day of December, 2022.

CENTER FOR PUBLIC REPRESENTATION

DocuSigned by:

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Steven Schwartz

DISABILITY RIGHTS NORTH CAROLINA

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Virginia Knowlton Marcus
CEO

NORTH CAROLINA DEPARTMENT OF HEALTH AND HUMAN SERVICES

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Dave Richard
Deputy Secretary