



"Fulfilling Services, *Fulfilling Lives*"

1611 S. Miller Street
Shelbyville, IN 46176
317-398-8218 (Local)
www.sharesinc.org

To: Division of Disability and Rehabilitative Services/ Bureau of Disability Services

DDRSwaivernoticecomment@fssa.IN.gov

Re: Waiver Amendment Public Comment

Date Submitted: 7/31/2025

Greetings Public Comment Review Committee,

Shares, Inc. appreciates the opportunity to provide our comment, as an established and successful BDS Family Supports and Community Integration and Habilitation Waiver Provider and Vocational Rehabilitation Community Rehabilitation Provider, regarding the proposed changes to Indiana's Medicaid Wavier programs, particularly the phaseout of pre-vocational services and subminimum wage employment.

Current Subminimum Wage Participants at Shares, Inc.

Shares, Inc. has been transforming away from subminimum wage since Indiana became an Employment First State in 2017 and has a long track record of success working with individuals to obtain competitive, integrated employment outcomes in partnership with Vocational Rehabilitation. Our agency currently supports 161 individuals with disabilities in our pre-vocational workshop with our 14c certificate. While competitive, integrated employment is the first and preferred outcome, not everyone we serve is interested in making the choice to pursue competitive, integrated employment outcomes.

Currently, 73% of Shares participants work at a production rate that is less than 50% of a non-disabled peer, in accordance with the US Department of Labor, Fair Labor Standards Act, and 14c Subminimum Wage Certificate regulations. Below is a chart of production rates for our current program participants; of those receiving pre-vocational training, 42% fall below a 30% production rate. These 67 participants are at risk of not having meaningful services to fill their work week should the pre-vocational program be eliminated. It is also this segment of the population that typically chooses not to pursue competitive, integrated employment. We fear that without this service or a comparable, affordable, replacement these individuals will simply stay at home, become isolated, and in some circumstances regress in physical, mental, and social wellbeing as employment is not a one-size-fits-all journey.

\$3.63 and up	50% OR HIGHER	43	94	58%
\$2.90-\$3.55	40-49	18		
\$2.18-\$2.89	30-39	33		
\$1.45-\$2.17	20-29	38	67	42%
\$0.73-\$1.44	10-19	19		
\$.72 and below	BELOW 10	10		
		161	161	

Shares, Inc. Recommendations

Part of the BDS Employment Collaborative Transformation Grant involved distinct timelines for the planned phaseout of subminimum wages associated with our pre-vocational training services, that we provide through the FSW and CIH Waivers. It was disappointing that this timeline seems to have been abandoned altogether. Shares, Inc. has sought out guidance on the revised 14c timelines from BDS, DDRS, advocacy groups, and case managers without resolution or clarity. There is no consistency of timelines or guidelines which has created chaos. The 18-month PV10 rules seem to be open to interpretation amongst providers and case managers which has created inconsistency and conflicting interpretations. All these things combined have led to fear and chaos with individuals receiving services and their families, guardians, and various stakeholders.

If the State is going to continue the path to phase out Subminimum Wages, it is imperative that the State and BDS produce the following:

1. **Clearly defined service definitions, rules, timelines, and guidelines hosted in a resource hub that is easily accessible to all stakeholders.** These resources should use simple, easy-to-understand language to help individuals make an informed choice about whether they want to participate in this service. Objectives of these rules should also be easy to interpret at the state, provider, and case management level and when an agency is seeking guidance on these issues we need something more than being directed back to the service guidelines.
2. Our primary position is to preserve 14(c) work opportunities. However, **if Indiana moves toward eliminating 14(c), we strongly recommend increasing waiver budget caps, particularly for the Family Supports Waiver, to support a successful, person-centered transition from PV10 services to Day Habilitation Group Small (DHGS).** The reimbursement rate for PV10 is \$5.66 per unit, compared to \$13.28 per unit for DHGS, highlighting the significant difference in service costs. Many participants receiving pre-vocational services utilize the PV10 service to ensure that they receive 40 hours per week of services and support. There is currently no similar service with a similar service cost that can replace the typical 40-hour week of services while still providing a meaningful, person-centered day. The 40-hour work week helps alleviate the immense pressure placed on primary caregivers, many of whom must work full time to cover basic living expenses and maintain a meaningful life of their own. Knowing their loved one is not home alone all day provides critical peace of mind and reduced stress and caregiver strain. For some families, leaving their loved one unsupervised for an 8-hour day is simply not safe. Additionally, this structure helps address the ongoing staffing shortages in residential settings by ensuring more consistent support throughout the day. Service providers are not equipped, nor is it in the best interest of our participants, to simply switch services from PV10 to Day Hab Medium Group at a 10:1 ratio. Smaller group settings allow for more meaningful, person-centered services; however, most budgets will not be able to replace the 40-hour “work week” with a 4:1 ratio service.
3. **Expand the amount of Career Exploration services available to individuals and remove the timeframe limitations on this service while offering additional training and guidance to ensure that this service is fully understood by providers and case managers and implemented in a way that benefits individuals receiving services.** Many providers, including Shares, Inc. are not utilizing this service because of the reimbursement rate, the varied limitations on timelines, and the requirement for 100% community-based service provision. Currently this service is limited to 20 hours a month for 6 months in a plan year; the total authorized service hours needs to be increased and allow for flexibility within the plan year in order to be feasible. While the addition of Career Exploration was a good first step, the service should be expanded and should not count toward the participant's budgeted service dollars.

4. **For the career exploration and planning service, we recommend that the community-based limitation be removed, and that all those participating in subminimum-wage work settings be allocated hours of career exploration services to help them decide if competitive employment is something they would like to pursue; making this more of a blended model (community settings and facility based settings).** This is about informed choice and allowing individuals the ability to explore the community at their desired pace. These services could be the steppingstone to exploration of what is available in the community in a way that is comfortable to participants, their guardians, and other stakeholders. If individuals who are currently choosing to utilize prevocational services and earning a subminimum wage are hesitant to go to the community to find employment, frequently they are also hesitant to do career exploration in the community.
5. **Increase the reimbursement rate for the career exploration and planning service.** The waiver reimbursement rate for this service is \$37.06 an hour, and the service definition mirrors Vocational Rehabilitation services which reimburses at \$50 per hour. The waiver reimbursement rate needs to be more in line with the VR rate as the current service definition includes setting up business tours, job shadows, work experiences, and completing career profiles and vocational assessments.
6. **As BDS is the placement authority for SGL participants, BDS should prioritize equity for SGL residents by creating increased oversight and providing a higher level of personalized services to this population.** While not necessarily directly associated with these proposed changes, people residing in Supervised Group Living sites continue to not be included in the development of new services, nor does this group have access to increased oversight. Historically, advancements in Waiver services occur while nothing changes for the betterment of SGL residents. Shares, Inc. believes that this population deserves access to a wider array of services and especially needs true person-centered case management to ensure that those in SGL settings have access to HCBS Waiver services and person-centered services. Currently, Shares, Inc. provides day services to 47 people coming from SGL residential sites and all of them chose to utilize the pre-vocational subminimum wage program. While many of them do find employment via our VR program, Vocational Rehabilitation continues to be the *only* individualized service which they can access. It is also noted that there is a lack of concise, easy to find information on how SGL residents can apply for the CIH Waiver. These residents need advocacy and education about these processes.

Shares, Inc. Final Thoughts on the Proposed Changes

In summary, Shares, Inc. encourages, and will continue to encourage, the pursuit of competitive, integrated employment for everyone who attends our services. It is our position and experience that participants and families who are not yet ready to pursue competitive, integrated employment fear that they will be left with no reasonable and affordable alternative if Indiana continues down the path to eliminate sheltered workshops. Internally, we are seeing more interest in VR with the addition of SE+. Referrals of pre-vocational program participants has increased 412% over the last fiscal year, however many of these cases get closed by VR because participants are deemed not "job ready" according to their definition. It is our position that Indiana should consider this when assuming that everyone in the pre-vocational program can obtain competitive, integrated employment as it reinforces our core message that transformation must include a continuum of supports. Simply, there is a need for more robust services, especially for those who see their own choice of a sheltered workshop to be their desired outcome in their employment journey. Shares, Inc. suggests that there is a need for clearly-defined and easily interpreted service definitions, resources, and guidelines regarding these proposed changes; enhanced services and budgets to allow for a transition from PV10 to DHGS; and a broadening of the existing career exploration service if Indiana phases out the use of subminimum wages. Furthermore, the Federal government has recently acknowledged that while the overall enrollment of people with disabilities in sheltered settings has significantly decreased, there is still a need for this setting to be a choice for those who are not yet interested in choosing a competitive, integrated employment outcome, asserting that many individuals with significant disabilities would face unemployment, underemployment, or loss of ancillary services if 14(c) options were eliminated. Our concern is that the current proposed changes risk eliminating meaningful services for individuals who are not yet ready, or who choose not, to pursue competitive integrated employment and that without an alternative, with a similar waiver rate or an increased budget cap, these individuals will face increased isolation, mental and physical regression, and caregiver strain leading to undesired outcomes. We ask that Indiana's waiver options reflect the complexity and diversity in the lives of those we serve.

Thank you for your time and thoughtful consideration of our public comment on these important topics,

Shares, Inc.