



Montana Department of LABOR & INDUSTRY

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2 **Division: Workforce Services Division**
3 **Category: Programs**
4 **Effective Date: 9/16/2016**
5 **Last Revised: 10/03/2018**
6 **Policy No.: 04-16**

7 **Health and Economic Livelihood Partnership** 8 **(HELP) Link Policy**

9 **Background:** The 2015 Montana Legislature established the Health and Economic Livelihood
10 Partnership (HELP) Act through a collaborative effort between Department of Public Health and Human Services
11 (DPHHS) and Department of Labor and Industry (DLI) in Senate Bill 405. This Act will provide Medicaid coverage
12 and workforce development opportunities for adults ages 19-64 with income less than 138% of the federal
13 poverty rate. Through SB 405, DLI is required to identify workforce development opportunities for program
14 clients; gather information from state agencies on existing workforce development programs and opportunities;
15 and establish a comprehensive plan for coordinating efforts and resources to provide workforce development
16 opportunities. Under the guidance of SB 405, DLI implemented a workforce development program, referred to
17 as HELP Link, that focuses on specific labor force needs within the state of Montana; established the goal of
18 reducing the number of people depending on social programs, including the HELP Act; and created a model to
19 increase the earning capacity, economic stability, and self-sufficiency of program clients so that, among other
20 benefits, the clients are able to purchase their own health insurance coverage. A client is not required to receive
21 services from DLI. However, if clients meet two of six criteria, one of which is being enrolled in the HELP Link
22 program, and fail to pay monthly premiums they will not be subject to voluntary disenrollment.

23 **Scope:** This policy applies to all Job Service Workforce Consultants conducting HELP Link appointments,
24 Job Service Office Managers and Supervisors, HELP Link Program Manager and the HELP Link monitoring team.
25 The policy is effective January 5, 2017.

26 **Policy:**

- 27 • Local Job Service Offices/Workforce Consultants will set up a HELP Link appointment for the client
28 when contacted by the client.
- 29 • HELP Link clients must have a reportable service at least every 90 days to maintain HELP Act to avoid
30 voluntary disenrollment should the client not pay monthly premiums. Maintaining enrollment in HELP
31 Act is the responsibility of the client; not Job Service staff.
- 32 • The initial appointment shall include:
 - 33 ○ Completion of the HELP Link assessment/survey;
 - 34 ○ Completion of the HELP Link employment plan;
 - 35 ○ Record all services provided in MWorks. At a minimum the Workforce Consultant must provide
36 Labor Market Information and Intensive (comprehensive and specialized assessment or
37 description of skill level) Services;

- 1 ○ Registration in MWorks;
- 2 ○ Orientation to services;
- 3 ○ HELP Link clients must be informed that they need a reportable service at least every 90 days to
- 4 remain active.

5 **HELP Link Eligibility:**

- 6 ● Clients must be Medicaid Expansion eligible at the time of HELP Link enrollment and must provide
- 7 documentation from CHIMES or apply.mt.gov to confirm their DPHHS enrollment category.
- 8 ● HELP Link enrollment categories are limited to ACA Adult, ACA Adult Medicaid, ACA Pregnant Woman,
- 9 and ACA Parent/Specified Caretaker Relative.
- 10 ● Once a client is enrolled in HELP Link the person will continue to remain eligible until exited from the
- 11 program. Should the client no longer have ACA Adult, ACA Adult Medicaid, ACA Pregnant Woman, or ACA
- 12 Parent/Specified Caretaker Relative enrollment, they may still receive services under HELP Link until
- 13 exited.

14 **Appointments:**

- 15 ● The client is directed to complete the survey prior to the appointment in jobs.mt.gov. However, should
- 16 the client not complete the survey prior to the appointment, the Workforce Consultant conducting the
- 17 appointment shall complete the survey with the client during the appointment and record the answers
- 18 in the “Staff Answers” box. The Workforce Consultant shall not require the client to complete the survey
- 19 at a resource computer.
- 20 ● Clients may request to have their appointment by phone when extenuating circumstances prevent a
- 21 person from attending in person. The phone appointment must still contain a reportable service.
- 22 ● All HELP Link appointments must contain a reportable service. The service must be recorded in MWorks
- 23 within 7 days of the appointment. If a client does not participate to the point of receiving a reportable
- 24 service, do not record a service but do record a general note explaining what had transpired during the
- 25 appointment.
- 26 ● HELP Link appointments may be rescheduled but may not be waived. In the case of a no-show
- 27 appointment, the Workforce Consultant is not required to further contact the client to reschedule and is
- 28 not required to record the appointment as a no-show in MWorks.

29 **Training:**

- 30 ● The survey and an Individual Employment Plan (IEP) must be completed prior to the client enrolling in a
- 31 training program. The IEP must reflect the need of training to obtain or retain employment.
- 32 ● Clients may enroll in and receive any training that is supported by the IEP; there is no requirement that
- 33 the training result in an industry recognized credential so long as the training is consistent with the IEP.
- 34 ● The training provider is not required to be listed on the Eligible Training Provider List (ETPL). The
- 35 Workforce Consultant is responsible for ensuring the training provider is a legitimate and reputable
- 36 entity. The training provider must be willing and able to complete and produce a W-9 form and return it
- 37 to receive payment.
- 38 ● Training services may include, but are not limited to:
 - 39 ○ Occupational skills training;
 - 40 ○ On-the-job training;
 - 41 ○ Programs that combine workplace training with related instruction, which may include
 - 42 cooperative education programs;
 - 43 ○ Training programs operated by the private sector;
 - 44 ○ Skill upgrading and retraining;
 - 45 ○ Entrepreneurial training;
 - 46 ○ Job readiness training;
 - 47 ○ Adult education and literacy activities;

- Customized training conducted with a business or group of businesses to employ an individual upon successful completion of the training; or
- Short-term pre-vocational training that is generally one week or less.
- HELP Link funds may be used for training that leads to self-employment.
- Any single payment to a training provider in excess of \$5000 must receive prior written approval from the Program Manager.

On-the-Job Training (OJT):

- An IEP must be completed prior to the clients' involvement in an OJT. The IEP must reflect that the training chosen is appropriate, the training is necessary, the client does not already possess the skills and the client needs to upgrade their skills to move to a new job.
- HELP Link clients that complete an OJT with a business must be retained in permanent employment.
- An OJT shall be used for occupations in higher skill categories; it is not appropriate for low-skill occupations which require very little training time.
- OJT contracts may be written for, at a minimum, part-time employment or full-time employment.
- The standard reimbursement rate for an OJT contract is up to 50% wages earned. An OJT contract reimbursement rate may be up to 75% of wages earned if a higher rate is justified based on at least one of the following factors:
 - The client is a long-term unemployed, has little or no work history, has a physical or mental disability or is an ex-felon;
 - The size of the business is 50 employees or less;
 - The business has demonstrated their ability and willingness to train employees, advance their skills and promote within their business; or
 - The training is in an apprenticeable occupation and the business has agreed to sponsor a registered apprenticeship.
- An OJT may not be arranged for:
 - Occupations in lower wage industries where prior skill or training is not a prerequisite for hiring;
 - Seasonal occupations;
 - Occupations with a substantial number of experienced and able workers who are presently unemployed;
 - Occupations dependent on tips and/or commission to equal minimum wage;
 - Positions held with any government business or staffing agency;
 - Positions affected by labor conditions such as a strike, lockout or similar condition; and
 - A position that would replace/displace a current employee.
- OJT training shall be limited to a period not in excess of that generally required for the acquisition of skills needed for the particular occupation. To determine the maximum number of reimbursable weeks of training for an occupation:
 - Locate the title of the occupation in [O-Net](#) and identify the occupations 5 or 6-digit occupational code.
 - Using the O-Net code, find the Job Zone level in the occupation summary report.
 - Then, utilizing the Job Zone Conversion Table below, determine the maximum OJT time reimbursable for any occupation at a given Job Zone.

Job Zone Level	Maximum Training Allowed
1	400 hours
2	800 hours
3	1200 hours
4	1600 hours
5	2080 hours

- The minimum starting pay rate of OJT employees shall be the greater of:

- 1 ○ Applicable federal and state minimum wage; or
- 2 ○ At the same rates as trainees or employees similarly situated in similar occupations by the same
- 3 business, and who have similar training, experience and skills, whichever is higher.
- 4 • HELP Link funds shall not be used for overtime wages, holidays, sick leave or vacations.
- 5 • When training is proposed for apprenticeable occupations, the Workforce Consultant, with the
- 6 knowledge and approval of the business, shall consult with the appropriate apprenticeship
- 7 representative regarding the coupling of training with apprenticeship programs.
- 8 • The OJT contract with the business must reflect:
 - 9 ○ The business hires the client as of the entry date into the OJT program;
 - 10 ○ The client is considered to be an employee, not a trainee, of the business;
 - 11 ○ The client is entitled to all the rights and benefits of all regular employees; and
 - 12 ○ The business has made a commitment to provide continued employment after training.
- 13 • An OJT Monthly Invoice must be completed monthly for each contract. The initial invoice will be
- 14 completed for the month in which the contract is approved regardless of reportable activity. The final
- 15 invoice shall be completed for the month in which the scheduled training days are completed. When
- 16 used for payment, this invoice must be completed within five (5) days of contract
- 17 completion/termination. Do not wait until the end of the month. The invoice is kept on file with the
- 18 Workforce Consultant.
- 19 • The Workforce Consultant must maintain contact with the client and the business throughout the OJT
- 20 contract.
- 21 • OJT Contract Modifications require the Program Manager's approval. The business or the Workforce
- 22 Consultant may initiate a contract modification. Copies of the modifications shall be distributed to the
- 23 business, client and Workforce Consultant.

24 Supportive Services:

- 25 • HELP Link clients are eligible to receive supportive services. The IEP must reflect the need of supportive
- 26 services to obtain or retain employment.
- 27 • Supportive services shall only be used to pay for specific necessary services and shall be limited to
- 28 payments that are necessary for participation in HELP Link. The individual determination of need and
- 29 the amount of such assistance shall be based upon the results of the comprehensive assessment or
- 30 objective assessment and similarly documented in the IEP.
- 31 • Documentation must be maintained in the appropriate client's files. Source documentation includes
- 32 but is not limited to actual bills and/or receipts for goods and services purchased. Accepting a client's
- 33 self-disclosure or declaration of expenses as documentation is not allowable. Additionally, source
- 34 documentation must be current and not incurred prior to the individual's enrollment in HELP Link. The
- 35 Workforce Consultant is responsible for documenting in the IEP or case notes that the service is not
- 36 available from any other source (including the client's own resources).
- 37 • A supportive service request form documenting the need for the supportive service must be completed
- 38 prior to receipt of the supportive service. The supportive services request must include:
 - 39 ○ A brief description of the expenditure;
 - 40 ○ The amount requested; and
 - 41 ○ The signatures of the Workforce Consultant and client, as well as the date the request was
 - 42 signed. Electronic signatures are permitted.
- 43 • All supportive services must have been approved prior to the client receiving or obtaining the goods or
- 44 services. Backdated requests for services will not be approved.
- 45 • Supportive services cannot be used to pay for charges that were incurred prior to the client's
- 46 enrollment.
- 47 • Allowable Supportive Services include but are not limited to:
 - 48 ○ Health Care and Medical Services - These services are of a one-time nature, such as a physical
 - 49 examination, prescription drugs, prescription eyeglasses, immediate dental care, and mental
 - 50 health care which are needed to enable an individual to participate in any re-employment
 - 51 activity. Health insurance payments are not an allowable service for HELP Link.

- 1 ○ Childcare - Childcare is a service provided to ensure proper care of children while the parent or
2 guardian is participating in an employment and training program. The childcare cost may be
3 reimbursed at the local documented rate. The childcare provider must be licensed or
4 registered. If no licensed and/or registered provider of care is available or adequate, the case
5 manager shall make a case note indicating the situation prior to providing payment to the non-
6 licensed or non-registered provider.
- 7 ○ Transportation – Providing transportation for a client that enables them to get to and from HELP
8 Link activities.
 - 9 ▪ Public and private transportation is payable within IRS rate.
 - 10 ▪ Inter-community travel is payable for travel to training at the beginning of training and
11 return at the end of the training session. Travel to and from training on weekends or
12 breaks is not payable with the exception of the lodging cost being higher than the travel
13 cost to and from the training facility during the weekend or break.
 - 14 ▪ Auto repair is payable if the repair enables the client to seek, accept or retain
15 employment. The vehicle being repaired must be owned by the client.
- 16 ○ Automobile Insurance – Liability insurance only will be paid if it enables the client to seek,
17 accept or retain employment.
- 18 ○ Tools and Equipment - Tools and equipment may be purchased for clients, if the tools are required
19 to continue a training program or obtain employment. The Workforce Consultant must determine
20 that the tools or equipment are required and they cannot be provided by any other source.
- 21 ○ Housing – Housing assistance includes rent payments. Documentation of lease agreement must
22 be in the clients file. Payments shall only be made directly to the landlord.
- 23 ○ Out of Area and Relocation Assistance – Clients may be provided with assistance related to travel.
24 A documented interview or job offer must be presented prior to authorization.
- 25 ○ Internet Services – Payment of internet services is allowable for client enrolled in online training or
26 if it enables the client to seek, accept or retain employment.
- 27 ○ Other Supportive Services – Goods and services the Workforce Consultant finds to be
28 reasonable and necessary for the client to remain in training and/or obtain or retain
29 employment are allowable.

30 **Supportive Services Paid Directly to Clients:**

- 31 • Supportive service payments shall only be paid for mileage and per diem for intercommunity travel. All
32 other supportive services must be paid directly to a vendor.
- 33 • Mileage and per diem payments made to a client must be paid prior to or during training. Mileage and
34 per diem may not be reimbursed. Mileage and per diem client payments may be paid for a maximum of
35 2 weeks at a time.
- 36 • A written waiver request and approval from the Program Manager is required prior to the cumulative
37 payment total exceeding \$500.
- 38 • Payments must be documented on the *Direct Participant Payment Log*.
- 39 • The payment log and the written waiver must be kept in the participant's file.

40 **Follow-Up:**

- 41 • Follow-up activities are conducted to ensure positive outcomes and to give credit for outcomes.
- 42 • Obtaining supplemental data to determine if the individual is employed in the four calendar quarter
43 following exit to unsubsidized employment is a follow-up activity.
- 44 • Follow-up activities shall be recorded in MWorks on the Progress Follow-Up tab.
- 45 • A comment is required for each quarter's follow-up activity. To be considered valid, a comment shall be
46 entered in the Comments section on the Follow-Up tab for each follow-up contact. The comment for an
47 employed client shall include all information as required in the Follow-Up Contact section of the [Quality](#)
48 [Control Policy](#).

1 **Administrative Requirements:**

- 2 • Feedback to and from both DPHHS and DLI to communicate client involvement in HELP Link and
3 services provided.
4 • Provide data and information to legislative subcommittees regarding program participation,
5 expenditures and outcomes.
6 • Provide data and reports to DPHHS as needed.

7 **Funding:**

- 8 • ESA provides \$888,531 for FY 2019.

9 **Monitoring and Evaluation:**

- 10 • A monitoring and /or audit will be conducted by the Program Manager and/or designee(s).

11 **References:**

- 12 • Senate Bill 405 <http://leg.mt.gov/bills/2015/billpdf/SB0405.pdf>
13 • Definition of assistance [45 CFR 260.31](#)