

OVERARCHING POLICY

Introduction

Certain principles and guidelines extend over all DSB policies. Therefore, overarching policy has been created to preface the specific program policies.

Overview

Consumers and potential consumers of the Arkansas Division of Services for the Blind are afforded certain rights with respect to the following principles:

- timeliness of services/decisions/notifications,
- nondiscriminatory availability of services,
- confidentiality of consumer records,
- informed choice (see VR 6.01 – 6.16),
- allowances for exemptions to policy limitations under reasonable extenuating circumstances, and
- an opportunity to appeal decisions regarding their planned services or their eligibility for such services.

Additionally, it is intended that consumers of this agency receive the best and most appropriate services available within agency guidelines and funding capabilities.

Use

While the guidelines and procedures contained herein will serve as general policy, specific legal questions which are not addressed may be referred to the Agency Director through appropriate supervisory channels. The Office of Chief Counsel is also available to address specific legal questions.

When to Inform

Consumers will be notified of their rights at the initial interview and throughout the VR process as appropriate, i.e., development of IPE, Progress/Program Reviews, closure, etc.

TIMELINESS

Timely Action

DSB consumers have a right to timely action without unreasonable delays in regard to eligibility determination, provision of services, case decisions, notifications and other activities. VR Counselors will follow timeframes as stated in policy. When necessary, the VR Counselor and the consumer may agree to a specific extension of time needed to complete an action. Such extensions should be documented in the case record.

EXEMPTIONS

Allowing for Exemptions

DSB recognizes that occasionally medical emergencies or other circumstances beyond the consumer's control occur, preventing the consumer from completing an activity within allotted timeframes or causing a need for additional services. In these situations, the consumer may request an exemption to policy limits. Depending on the policy affected, a VR Counselor, Field Supervisor or Program Administrator would review the situation and determine if reasonable extenuating circumstances existed and whether an exemption to policy limitations should be approved.

NONDISCRIMINATION POLICY

Policy

All persons eligible for services from the Division of Services for the Blind will receive the full range and scope of appropriate services on the basis of their visual disability and without reference to any other standards of criteria.

This policy of nondiscrimination applies to all of the Division's programs and activities.

Title VI Compliance

The Division's Vocational Rehabilitation Program is administered in such a manner that no person in Arkansas will be denied services on the basis of race, color, sex, age, disability, or national origin.

Legal Basis

The above policy statement is in compliance with

- Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000D et seq.), and
- federal regulations (34 CFR Part 361).

Section 504 Compliance

The Division's Vocational Rehabilitation Program is administered in such a manner that no person in Arkansas, who is otherwise qualified, will be denied services on the basis of disability.

Legal Basis

The above policy statement is in compliance with

- Section 504 of the Rehabilitation Act of 1973,
- federal regulations (34 CFR Part 361 and 28 CFR Part 35), and
- Title II of the Americans with Disabilities Act (ADA).

CONFIDENTIALITY

Introduction

All personal information regarding applicants/consumers of vocational rehabilitation services furnished to this agency will be held confidential in accordance with the following regulations and guidelines.

Legal Basis

Agency policy shall be in compliance with

- the Rehabilitation Act of 1973 as amended (Section 361.38),
- Arkansas Department of Human Services Policy 1059, and
- Arkansas Code 20-79-216.

Rules

1. All consumer information is the property of the Division.
2. All vocational rehabilitation applicants, consumers, providers of services, and interested persons will be informed as to the confidentiality of VR information and the conditions for release of such information.
3. All employees of this agency are responsible for protecting the confidentiality of consumer records.

What is to be Held Confidential

All information as to personal facts given or made available to employees or representatives of the Division in the course of the administration of the VR Program will be held confidential, including:

- lists of names and addresses,
- records of agency evaluation,
- reports of medical examination and treatment,
- financial information, and
- photographs.

Consumer Consent for Release

Information will not be disclosed directly or indirectly, other than in the administration of the VR Program, unless the informed consent of the consumer has been obtained in writing.

CONFIDENTIALITY (Continued)

Conditions for Release

Release of information to any individual, agency or organization shall be conditioned upon satisfactory assurance by such individual, agency or organization that

- the information will be used only for the purpose for which it is provided, and
- it will not be released to any other individual, agency or organization.

Release of Information to Consumer

- Upon written request, information shall be released to the consumer, or, as appropriate, parent/guardian, or other representative.
- For purposes in connection with any proceeding or action for benefit or damages, only information that is relevant to the needs of the consumer may be released.

Release of Medical or Psychological Information

In the case of medical or psychological information, the following guidelines apply:
If in the opinion of the counselor, release of such information would clearly **not** be harmful to the consumer, then such information may be released directly to the consumer.

Release of Information to Organizations Involved in Research

Information will be released to an organization or individual engaged in research only if the following conditions are met.

- The purpose of the research is directly connected with the administration of the Division's VR Program.
- Satisfactory assurance is given that the information will be used only for the purpose for which it is provided

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CONFIDENTIALITY (Continued)

Release of Information to Organizations Involved in Research Continued

- The information will not be released to persons not connected with the study under consideration.
- The final product of the research will not reveal any information that may serve to identify any consumer without written consent of such consumer and an authorized representative of the Division.

NOTE: Any request for release of information for research purposes requires approval through supervisory channels.

Cases of Abuse

Individuals who have reasonable cause to believe a child, elderly or disabled person is being abused, neglected or exploited shall report the information. For individuals in a facility, the incident is to be reported to the authority having responsibility for the facility. For other situations, the local office of Adult Protective Services (State Abuse Hotline 1-800-482-8049) will be notified if the individual is an adult; if the individual is a child, then Child Protective Services (Child Abuse Hotline 1-800-482-5964) will be notified.

Subpoena of Consumer Records

In the event a subpoena is served on a counselor or other Division employee, consumer information should not be released or testimony given except as noted below. The subpoena may specify personal appearance or specific file information. Time allowed to respond is specified in the subpoena (immediate response, same day response, or multiple day response) and dictates what action is to be taken.

The consumer or consumer's representative will determine if release of the information is detrimental to the consumer.

Immediate Response

In some situations no time is allowed to contact anyone (consumer, consumer's attorney or area supervisor) and records must be presented upon receipt of the subpoena.

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CONFIDENTIALITY (Continued)

Immediate Response Continued

The counselor or area supervisor (if counselor is not available):

1. Takes a copy of the requested case record information and goes before (in order of preferred availability) the:

- judge noted in the subpoena,
- judge's clerk, or
- attorney requesting subpoena material.

2. Presents the following statement:

“As a representative of the Arkansas Division of Services for the Blind, and in response to the subpoena, I am cooperating with the court. Please be advised that the confidentiality of these records is protected under federal regulations 34 CFR 361.49. Use of these records without consumer consent might jeopardize the case.”

3. Proceeds as directed by judge, judge's clerk or attorney.

Same Day Response

If the subpoena must be responded to the same day it is delivered, the counselor must immediately contact the consumer and the area supervisor.

If the consumer can be contacted and has signed a specific release form (DSB-8021), then the information may be released without consideration of quashing the subpoena.

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CONFIDENTIALITY (Continued)

Same Day Response Continued

If the consumer can be contacted and has an attorney, then contact the consumer's attorney to:

- advise the attorney of appropriate state and federal legislation regarding confidentiality of VR consumer records, and
- give the attorney an opportunity to quash the subpoena.

If the consumer can be contacted, but has no attorney, then the counselor must be sure the consumer has signed a specific written release prior to release of the information.

If the consumer can be contacted, but has not signed a specific release form **or** cannot be contacted, then proceed the same way as described in the Immediate Response (page VR 1.05).

Multiple Day Response

If the time allowed for response involves more than one day, follow the same procedure as Same Day Response.

Who is Authorized to Disclose Consumer Information

Disclosure of information in accordance with directives from supervisory staff may be made only by the responsible caseload carrying person.

Security of Confidential Records

Consumer records of a confidential nature will be kept in a locked desk or filing cabinet when Division staff is not present to assure proper security. Additionally, it is strongly urged that all employees, in handling confidential records, make it a practice to place such records face down, or otherwise protected from view, when they are not in immediate use and before they are returned to the files.

CONFIDENTIALITY (Continued)

Rule

Consumer records are not to leave the office. The only exception to this rule is when cases are being transferred. All case folders being transferred must be sent by certified mail or hand delivered.

AIDS and Confidentiality

Caution must be used in safeguarding the confidentiality of the existence of HIV, as well as the actual results of the tests. Division staff will not discuss any of this information with any other Division staff.

Releasing HIV Test Results

Only the diagnosing physician may share the test results with the person tested or with another physician without a release. A signed release specifying the person(s) to whom the information may be released is required for all circumstances. Only the person(s) named in the release may receive, see or act on the information regarding HIV test results, or the fact that testing was done. Example: If the counselor is named in the release, the information is not to be accessible to the secretary for filing, or to anyone else in the office for case review, etc.

Exception: Supervisory or audit review to assure adherence and procedure (not to determine who has been tested).

Informing the Applicant/ Consumer

If it is suspected that the applicant/consumer has not been informed of HIV test results, then refer the applicant/consumer to the testing physician.

DO NOT DISCLOSE TEST RESULTS TO THE PERSON TESTED.

CONFIDENTIALITY (Continued)

Separate Release Form (DSB-8021)

If the applicant/consumer authorizes the release of HIV status/AIDS results to facilities, other service providers and/or others, then obtain a written signed authorization for release of this information on the Division's Release Form (DSB-8021). A separate DSB-8021 should be used for the release of any HIV information. (A copy of the DSB-8021 is at the end of this section.)

The release form must:

- indicate the material to be released,
- indicate to whom the material will be released,
- indicate the purpose for which the information will be used, and
- be signed prior to the release of the information.

If the consumer disavows intent to release the information, even after signing the form, but prior to its release, the information will not be released.

**MEDIATION AND IMPARTIAL DUE PROCESS HEARING PROCEDURES--
OVERVIEW**

Introduction

The Arkansas Division of Services for the Blind aims, within policy and fiscal constraints, for consumer satisfaction in the provision of VR services. In situations where an issue is not resolved after discussion between the applicant/consumer and the counselor, an appeal process is available to provide an applicant/consumer an opportunity to remedy any dissatisfaction with respect to:

- denial of services,
- change in planned services,
- termination of services,
- inaction,
- failure to act with reasonable promptness, or
- any other Division action affecting the Vocational Rehabilitation Program.

Handling Complaints and Appeals

The Arkansas Division of Services for the Blind is committed to ensuring that complaints are handled fairly and impartially. In order to avoid an interruption in services, it is expected that complaints will be handled expeditiously and at the lowest level possible.

Counselors are to thoroughly investigate a consumer complaint and explore all options and alternatives available within Division policy to foster consumer satisfaction.

Consumer Assistance

While the applicant/consumer may at any time call the following numbers, it is encouraged that they first pursue this agency's informal appeal process. The numbers are:

- Client Assistance Program (1-800-482-1174)
- The Division of Services for the Blind's toll free number (1-800-960-9270)

**MEDIATION AND IMPARTIAL DUE PROCESS HEARING PROCEDURES--
OVERVIEW (Continued)**

Legal Basis

The hearing procedures available to applicants/consumers are in compliance with

- Rehabilitation Act of 1973 as amended in section 102 (d) and 504, and
- federal regulations (34 CFR 361.48) regarding administrative review of agency action and fair hearing.

Notification of Applicant/ Consumer Rights and the Appeal Procedure

It is the Division of Services for the Blind's policy that applicants/consumers be informed of their rights and the Division's appeal procedures on a timely basis. The following information outlines the information provided and the different times they are given.

Completion of the survey interview give Applicant Information Form (DSB-8033)

Upon applicant/consumer request give detailed description of Appeal Procedure (found in this section)

Initial I P E development, program or progress reviews of the I P E give written reference on the I P E to material previously presented to consumer

Completion of the Closure Form/I P E Program Outcome give Applicant Information Form (DSB-8033), and if requested, a detailed description of Appeal Procedure

Upon consumer/applicant request give copy of VR Manual (Section 1) which addresses consumer rights and appeal procedures

**MEDIATION AND IMPARTIAL DUE PROCESS HEARING PROCEDURES—
OVERVIEW (Continued)**

Applicant/ Consumer Options

An applicant/consumer may choose to request either or both of the options listed below:

- an informal review (informal administrative review)
- a formal review (impartial hearing)

An informal review is used to clarify issues and resolve disputes at the lowest possible level. The review involves the counselor, the area supervisor, and if necessary, an informal administrative hearing. Services are provided according to the rehabilitation needs of each individual as identified in the IPE and are consistent with the individual's informed choice. If an informal review finds exemptions to policies are necessary for the rehabilitation needs of the individual to be met, then such exemptions can be made. **AN INFORMAL REVIEW IS NOT INTENDED TO DELAY OR IN ANY WAY DENY ACCESS TO A FORMAL REVIEW.** Any planned services will continue to be provided pending the outcome of the appeal or review.

A formal review involves a formal hearing by an impartial hearing officer. It may be requested at any time.

Due Process Procedures

The grievance procedure starts the 45 day clock at the time the individual first appeals the State Agency's decision or determination. The entire appeals process, informal and formal, is a 45-day process. The appeals procedure will normally progress in the following sequence:

Step 1 - Applicant/consumer should discuss with counselor and ask for a decision.

Step 2 - If dissatisfied, applicant/consumer can ask for an informal administrative review from a Program Administrator.

Step 3 - If still dissatisfied, applicant/consumer can ask for a mediation session.

Step 4 - If still dissatisfied, applicant/consumer can ask for an impartial hearing.

MEDIATION AND IMPARTIAL DUE PROCESS HEARING PROCEDURES — STEPS 1 AND 2**Decision of the Counselor**

An applicant/consumer who is dissatisfied with an action (inaction) by DSB should notify the counselor of the matter in contention. If after discussing the decision and the applicant/ consumer is still dissatisfied, the applicant/consumer will be asked to complete a request for an administrative review. Counselor will advise the applicant/consumer of CAP assistance. This request for administrative review will be given to the Program Administrator and the Case Reviewer.

Informal Administrative Review

The Field Administrator will schedule the informal administrative review that will be conducted within ten (10) days of the initial date of request

- at the time and place convenient to the applicant/consumer (usually during business hours at the DSB local office), and
- by the Field Administrator, who has no direct personal knowledge of the details involved in the matter and has not participated in the decision being reviewed.

The applicant/consumer has a right to:

- be represented by an attorney, client assistance, parent or guardian, friend, relative, or any other representative of his/her choice (NOTE: DSB cannot provide reimbursement for attorney fees),
- reader services or interpreter services (requires a three (3) working day notice to arrange for these services),
- present evidence and call witnesses in support of the case,
- question Agency staff members, and
- receive a decision in writing from the person conducting the administrative review within five (5) days following the review.

**MEDIATION AND IMPARTIAL DUE PROCESS HEARING PROCEDURES— STEP 3 -
MEDIATION SESSION**

Mediators

The Client Assistance Program (CAP) will make available to DSB a list of individuals who are qualified mediators and knowledgeable in laws (including regulations) relating to the provision of Vocational Rehabilitation Services under this title, from which mediators shall be selected.

Rules

The mediation process shall:

- be voluntary on the part of the parties;
- not be used to deny or delay the right of an individual to a hearing under this subsection, or to deny any other right afforded under this title; and
- be conducted by a qualified and impartial mediator who is trained in effective mediation techniques.

Cost

DSB shall bear the cost of the mediation process (Mediator Officer expenses and Interpreters).

Scheduling

The mediation session must be held within 45 calendar days from the date the request for a mediation session is received, unless the issue is resolved prior to the 45th day or the parties agree to a specific extension of time. The administrative review must be conducted and concluded within the same 45 days. Delays or continuances will not be given for the purpose of extending the provision of services. Any agreement to an extension of time must be formalized in writing and agreed upon by both parties.

**MEDIATION AND IMPARTIAL DUE PROCESS HEARING PROCEDURES—STEP 3 -
MEDIATION SESSION (Continued)**

Consumer's Participation

At a mediation session, the individual or the individual's representative, is afforded the opportunity to:

- present additional evidence, information, and witnesses to the mediation office officer,
- be represented by counsel or another appropriate advocate (DSB cannot provide reimbursement for attorney's fees), and
- examine all witnesses and other relevant sources of information.

DSB Staff Attendance

Professional staff involved in the disputed determination will appear at the session to provide appropriate evidence and testimony. Other staff will appear as directed.

Order of Proceedings

The Mediation Officer will conduct the session in accordance with the State laws regarding conduct of individual proceedings before an agency, and applicable Federal laws and regulations. Generally, the mediation follows this order of proceedings:

- Presentation, arguments, and disposition of all preliminary motions and matters
- Opening statements
- Evidence presented by DSB
- Evidence presented by the applicant/consumer
- Rebuttal by either or both sides
- Closing statements by the applicant/consumer
- Closing statements by DSB

Agreement

The Mediation Officer shall help negotiate an agreement that can be agreed on by both parties in the dispute. The Mediation Officer shall write mediation agreement within ten (10) days of the final session. The written agreement should go to the applicant/ consumer or their representative and a copy to the Director of DSB.

If a mediation agreement cannot be reached or the applicant/ consumer disagrees with the mediation process, the applicant may request an impartial hearing.

**MEDIATION AND IMPARTIAL DUE PROCESS HEARING PROCEDURES—STEP 4 –
IMPARTIAL HEARING**

Submission of Request

When an applicant/consumer or his/her representative wishes to request an impartial hearing, he/she may do so by submitting a request in writing to the Director of the Division of Services for the Blind. The request must be made no later than five (5) days of the administrative review decision.

When the Division Director receives a request for a formal hearing, he will request a copy of the consumer's file from the Program Administrator. If the request for a hearing was not requested in a timely manner, the Director should be notified of that fact by the Case Reviewer. The impartial hearing will be completed no later than forty-five (45) days from the date of initial request.

The file will also contain a memorandum which summarizes the basis for the administrative review decision. It will also contain a statement of issues and a summary of all facts supporting the administrative review decision. All statements should be written in simple language. Ambiguous and technical words and phrases shall be avoided. The memorandum should be prepared in triplicate. The original memorandum is sent to the applicant/consumer, with a copy to the appropriate rehabilitation staff member, a copy to the Program Administrator and to the Case Reviewer.

Parties' Rights

Parties to a hearing conducted pursuant to these procedures shall be afforded the right to:

- be represented by counsel and by individuals with special knowledge or relevant training,
- present evidence and confront, cross examine and compel the attendance of witnesses,
- prohibit the introduction of evidence not discussed at least five days prior to hearing,
- have an interpreter present (in scheduling an interpreter, three (3) working days notice should be given), and
- a written report of the findings of fact and conclusions shall be provided to all parties within thirty (30) days of the hearing.

**MEDIATION AND IMPARTIAL DUE PROCESS HEARING PROCEDURES—STEP 4
IMPARTIAL HEARING (Continued)**

Requests for Witnesses

The applicant/consumer and/or representative will be advised by a letter prepared by DSB, and sent certified mail, return receipt requested, that he/she has ten (10) days from the date of signature on the certified mail receipt to request witnesses.

The Program Administrator must advise the Director at the time the Hearing File is submitted, of any witnesses he/she wishes to appear in order to document the action or to support an administrative decision.

Scheduling the Hearing

After the time frame for submitting applicant/consumer witnesses has expired, the hearing will be completed within forty-five (45) days of the initial request. The scheduling letter advises the applicant/consumer of the time, date, place of hearing, and the name of the Impartial Hearing Officer (I H O) who will conduct the hearing. The I H O shall be selected on a random basis from a pool of qualified persons by DSB.

Place of Hearing

The hearing will normally be held in the local DSB office. It may be held in another location if requested by either party and approved by the Director.

Non-Attendance

If either DSB or the applicant/consumer requests that the hearing be rescheduled prior to the date of the hearing, a request may be made to the Director, to determine if good cause for such a request exists. If it is determined that good cause does exist, the hearing may be rescheduled. If the applicant/ consumer fails to appear for the hearing and does not provide notice prior to the date of the hearing, the appeal may be dismissed at the discretion of the I H O. If an emergency arises, the applicant/consumer must justify in writing his/her reasons for non-appearance.

**MEDIATION AND IMPARTIAL DUE PROCESS HEARING PROCEDURES—STEP 4
IMPARTIAL HEARING (Continued)**

DSB Responsibilities

It is the responsibility of the Case Reviewer to arrange for an office in which to conduct the hearing.

The Rehabilitation Counselor or Program Administrator will be responsible for presenting the case for DSB and answering any questions regarding the issue. The applicant/consumer and/or representative has the right to cross-examine the DSB representative.

DSB may request legal assistance in preparing for the hearing by contacting the Arkansas Attorney General.

Confidentiality Requirements

Arkansas Code 20-79-216 states that it is unlawful, except for purposes directly connected with the administration of DSB programs, to disclose the name or refer to the name of persons applying to receive services.

To ensure the confidentiality of a closed hearing, the I H O shall inquire if there is anyone present with whom the applicant/consumer is not familiar. Should an applicant/consumer indicate in the affirmative, the party in question will come forward, identify himself/herself and state the reason for his/her presence. Should there be objection on the part of the applicant/consumer to the relevance of this person's attendance at the hearing, the I H O will have the responsibility to rule on the individual's presence.

Conduct of Hearing

- The hearing will be conducted by the I H O.
- The I H O's responsibility is to maintain a professional atmosphere and to ensure that the proceedings are conducted in a fair and impartial manner so that each party may present evidence and testimony.
- The I H O will explain hearing procedures and swear in witnesses.
- The hearing shall provide both parties with an opportunity to be heard and to present their evidence and testimony.

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**MEDIATION AND IMPARTIAL DUE PROCESS HEARING PROCEDURES—STEP 4
IMPARTIAL HEARING (Continued)**

Conduct of Hearing Continued

- The applicant/consumer may be represented by an attorney, or client representative who may present testimony.
- An applicant/consumer or representative will be given the opportunity to present witness, advance arguments, offer additional evidence, and to question or refute evidence.
- DSB will be given the opportunity to present witnesses, advance arguments, offer additional evidence, and to question or refute evidence.
- All parties have the right to cross-examine witnesses.
- The I H O can pose questions at any time during the proceedings.
- Questioning of all parties will be confined to the issue(s) involved.
- The I H O is to ensure only relevant information is permitted to be presented.
- Arkansas Rules of Evidence will serve as general guidance as to the admissibility of evidence.
- The I H O shall not fraternize with either party prior to or during the hearing.
- Situations may occur in which a party wishes to approach the I H O to say something privately. This is not permissible and the I H O may need to explain that all facts are to be heard by both parties and will be accepted impartially.
- The I H O should provide for reasonable recesses in lengthy hearings.

I H O Opening Statement

I H O opening statement will include:

- I H O self-introduction and statement of impartiality,
- function, role and authority,
- confidentiality,
- reason for hearing, and
- citing of applicant/consumer request.

**MEDIATION AND IMPARTIAL DUE PROCESS HEARING PROCEDURES—STEP 4
IMPARTIAL HEARING (Continued)**

Opening Statement on Behalf of Both Parties

Both parties will enter their appearances by stating their name, who they represent, and their address. Only one person shall make an opening statement on behalf of a party.

The DSB opening statement will be a summary of the rehabilitation status of the applicant/consumer and the reasons for that status.

The applicant/consumer opening statement will be a summary of his/her current rehabilitation status and the reasons for requesting a hearing on his/her rehabilitation status.

Questions for the Record (DSB)

- If records, reports, and files were requested, were they made available?
- Are copies available for the record?
- Are all appropriate personnel in attendance?
- Was applicant/consumer informed in writing that he/she has the right:
 - to bring counsel or consumer representative,
 - to provide witnesses,
 - to examine all DSB records upon which the Agency based its decisions, and
 - to request that certain DSB personnel be present at the hearing and of their right to cross-examine the DSB witnesses?
- Was the applicant/consumer informed in writing the role of the I H O includes:
 - hearing both sides,
 - limiting evidence that is presented at the hearing to relevant information,
 - making a decision in the applicant's/consumer's best interest, and
 - engaging in fact finding

**MEDIATION AND IMPARTIAL DUE PROCESS HEARING PROCEDURES—STEP 4
IMPARTIAL HEARING (Continued)****Questions for the Record (Applicant/Consumer)**

- Have you had an opportunity to examine your VR Record of Service, reports and files regarding your rehabilitation status?
- Have you had an opportunity for an informal administrative review by your counselor or Program Administrator?
- Have you had an opportunity to call witnesses?
- Have you been assured by DSB that your rehabilitation status would not change until all proceedings were completed?

Decision

The I H O will prepare the Decision based on a comprehensive review of the information presented at the hearing. The format will consist of an Introduction, Findings of Facts, Conclusion of Law, and a Decision. The Decision will be based on the provisions of the approved State Plan, the Rehabilitation Act as amended and applicable state laws. The Decision of the I H O must be provided to the applicant/consumer within thirty (30) days from the date the hearing was conducted. The applicant/ consumer must be advised at the time the Decision is sent that the decision will become final twenty (20) days from the date of mailing, unless it is to be reviewed by the DSB Director.

Review of Decision of Appeals and Hearings

The DSB Director has the authority under 34 CFR Section 361.57 (b) (5) to review the I H O's decision within twenty (20) days of the mailing of the I H O Decision. If the applicant/consumer is not notified within twenty (20) days of the I H O's Decision by the Director of the intent to review, the Decision of the I H O will become final. If the Director reviews the Decision, the final action occurs when the Director sends out a decision.

Criteria on which the Director can base his/her decision to review the I H O's Decision:

- The I H O's Decision is arbitrary, capricious, reflects abuse of discretion, or otherwise unreasonable.
- The I H O's Decision is not supported by substantial evidence, i.e., consistent with facts and applicable Federal and State policy.

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**MEDIATION AND IMPARTIAL DUE PROCESS HEARING PROCEDURES—STEP 4
IMPARTIAL HEARING (Continued)**

Review of the Decision Continued

In reviewing the I H O's Decision, inappropriate and inadequate interpretation to such factors may be noted:

- The Federal Statute and Regulations as they apply to the specific issue(s) in question
- The State Plan as it applies to the specific issue(s) in question
- The State Procedures Manual as it applies to the specific issue(s) in question
- Key portions of conflicting testimony
- State Agency options in the delivery of services if such options are permissible by regulations
- Restrictions in the Federal Statute or regulations with regard to such supportive services as maintenance and transportation
- Approved Federal or State Agency policy as it relates to the issue(s) in question

In those instances where one or more of these standards have been abused, the DSB Director should have grounds upon which to exercise his/her option for a review. That review would be limited to the findings with which the Director took issue. Consequently, the complexity of the review would be dictated by the degree to which there is a disagreement.

If the DSB Director decides to review the decision of the I H O, an opportunity must be provided all parties involved in the hearing to submit additional evidence and information that may be pertinent to the final decision.

The DSB Director must make a final decision and provide full report in writing of the decision within thirty (30) days of providing notice of the intent to review the I H O's Decision. The final decision must contain all the findings and grounds upon which the decision is based.

Copies of the decision are to be provided to the applicant/consumer or, if appropriate, the individual's parent, guardian, or other representative.

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**MEDIATION AND IMPARTIAL DUE PROCESS HEARING PROCEDURES—STEP 4
IMPARTIAL HEARING (Continued)**

Review of the Decision Continued

The DSB Director cannot delegate the responsibility to make the final decision to any other officer or employee of DSB.

Except for the provision requiring a twenty (20) day time limit for the Director to notify all parties of his/her intent to review the I H O's Decision, reasonable time extensions for good cause can be granted.

CLIENT ASSISTANCE PROGRAM

Overview

The Client Assistance Program (CAP) is established and funded in the Rehabilitation Act. This program is designed to uphold the rights of individuals who are applying for or receiving services from DSB. CAP is operated independent of any agency which provides treatment, services or rehabilitation to individuals under the Rehabilitation Act.

CAP Services

When an applicant/consumer is not satisfied with services provided or denied from DSB, the Client Assistance Program can assist in resolving the problem. CAP personnel offers the following:

- provides information and referral services
- gives information on consumer rights
- advises consumers of the procedure to follow for resolving problems
- aids, if requested by the applicant/consumer, in pursuing administrative or legal action, if necessary, to ensure the consumer's rights under the Rehabilitation Act are protected.

Counselor Responsibility

It is the DSB counselor's responsibility to inform applicant/ consumer of the Client Assistance Program and how to access the service.

Number to Contact

The Client Assistance Program can be reached at one of the following numbers:

1-800-296-1775 V/TDD, or
1-800-482-1174 V/TDD

Applicant Information Form (DSB-8033)

ALL DSB applicants are to be given the Applicant Information Form (DSB-8033). This form explains the applicant's rights and responsibilities, and provides information on appeals and the Client Assistance Program. A copy of this form, signed by the applicant, is to be placed under the Application for Services Form in the case record.

DIVISION OF SERVICES FOR THE BLIND
REQUEST FOR AN IMPARTIAL HEARING

Name _____ Social Security # _____
Counselor _____ Counselor # _____

Please list the decision(s) you are wanting resolved. _____

I have been advised that I can seek assistance from the Client Assistance Program.

Client Assistance Program
1100 North University, Suite 201
Little Rock, AR 72207
Telephone: (501) 296-1775

Applicant/Consumer

Date

DSB-8022

Rev. 08-03

**ARKANSAS DIVISION OF SERVICES FOR THE BLIND
AUTHORIZATION FOR RELEASE OF INFORMATION**

I, _____, with a birth date of _____, hereby authorize
Client's Name

_____ (physician, hospital, clinic, agency, or school),
its director, designee, or records department to release information contained in my records to the
individual or organization listed below:

1. Name of person/organization to whom this disclosure is to be made:

Attention: _____, Counselor
Division of Services for the Blind

2. Specific type of information to be disclosed:

☐ Medical, includes visual
☐ Psychological
☐ Vocational
☐ Other (specify) _____

3. Purpose/need for such disclosure:

☐ Establish eligibility for services
☐ Develop a vocational program for client
☐ Determine need for and/or type of treatment
☐ Other (specify) _____

4. Expiration:

This release may be revoked at any time and shall be valid no longer than is reasonably
necessary to accomplish the necessary purpose for which it is given, not to exceed twelve months
from the date this release form was signed.

Client, Parent, Guardian or Representative Signature

Date

Witness Signature, if required

Date

STATUS 02 - APPLICANT

Definition

An individual is considered an applicant when the individual or individual's representative, as appropriate, has completed and signed an agency application form (DSB-8006) or otherwise submitted a single written request for services, and the individual is available for an assessment to determine eligibility.

Note: The procedure for moving an applicant into this status is the completion of the Information and Referral Form, DSB-8006.

A flow charge describing the VR process is at the end of this section.

Application DSB-8006

It is the responsibility of the counselor to complete and sign the DSB-8006. However, in an emergency, a rehabilitation assistant may be asked to complete the application form. The DSB-8006 should be completed on all new applicants.

Purpose

The purpose of Status 02 is to gather diagnostic information sufficient to make a determination of:

- eligibility for placement in a Trial Work Experience or Extended Evaluation (Status 06),
- ineligibility (Status 08), or
- eligibility (Status 10).

Moving From Status 02

Movement out of Status 02 occurs once a determination has been made that the applicant should be certified as:

- eligible for VR services,
- ineligible for VR services, or
- eligible for a Trial Work Experience or Extended Evaluation.

STATUS 04 - PRE-SERVICE

Definition

A consumer in Status 04 is one who has been determined eligible for VR services, but does not meet the agency's order of selection priorities, and therefore, must wait for services to be provided. The consumer's name is placed on a waiting list for services until such time as the agency has sufficient funds to provide the needed services.

Purpose

The purpose of Status 04 is to provide a holding status for consumers who are eligible for VR services, but due to limited funding must wait for the provision of needed services.

When to Move Into Status 04

A consumer is moved into Status 04 after they have been found eligible for VR services, but due to limited funding will not move on to Status 10.

When to Move Out of Status 04

A consumer is moved out of Status 04 when

- the agency has money to provide the needed services, or
- the case is closed Status 38 which indicates services will not be provided for whatever reason.

STATUS 06 – EXTENDED EVALUATION/TRIAL WORK EXPERIENCE

Purpose

Extended evaluation/trial work experience is used only to determine if an applicant with a significant disability is capable of achieving an employment outcome.

VR Eligibility Criteria

If the applicant has a disability that is a substantial impediment to employment, but is so severe that the counselor cannot presume the person can benefit from vocational rehabilitation services in terms of an employment outcome, the counselor must use extended evaluation/trial work experience for a maximum of 18 months.

Clear and Convincing Evidence

A consumer can be closed due to the severity of the disability only if there is clear and convincing evidence that the individual is not capable of an employment outcome including supported employment. The "clear and convincing" standard in civil matters is similar to the "beyond a reasonable doubt" standard in criminal matters, but it is a slightly less rigorous standard for evidence. To find a person incapable of gainful employment, there must be evidence that establishes such a conclusion with a high degree of certainty.

Trial Work Experience

If the counselor has reason to doubt that the consumer can benefit from VR services, the consumer should be provided with a trial work experience of sufficient variety and over a sufficient period of time to determine if the individual is eligible for VR services or to determine that clear and convincing evidence exists to refute the presumption of benefit.

The trial work experience should explore the individual's abilities, capabilities, and capacity to perform in work situations with appropriate supports and training, except in limited circumstances when the individual cannot take advantage of such circumstances.

The trial work experience may be on-the-job training, part of work adjustment training program or other experiences in realistic work settings.

continued on next page

**ELIGIBILITY FOR EXTENDED EVALUATION/TRIAL WORK EXPERIENCE
(Continued)**

Trial Work Experience Continued

Supported employment should be considered if it appears likely that the individual could work with the availability of ongoing support services after VR case closure is successful.

Note: For potential supported employment cases, the trial work experience is referred to as a situational assessment and can only be provided in a community integrated work setting.

Time Limits

A case should be moved out of Status 06 immediately upon making a decision that the consumer does or does not meet criteria for active VR services. This determination must be made within a maximum of 18 months. After 18 months the case must be closed Status 08 or certified eligible and moved to Status 10.

Monitoring Requirements

Progress toward the goal of determining eligibility must be constantly assessed to assure appropriate expenditure of VR funds. In addition, a progress review must be completed at least every 90 days.

Services in Extended Evaluation

Services are provided in extended evaluation to explore the consumer's abilities, capabilities, and capacity to perform in work situations. Evaluations may determine whether supported employment services may be appropriate for the individual. The primary service should be utilization of work in real job situations. Other vocational rehabilitation services may also be provided which support the consumer during the extended evaluation.

Assessments will be planned and provided in partnership with the consumer (and/or representative). Services will be provided in the most integrated setting possible consistent with the consumer's informed choice.

**ELIGIBILITY FOR EXTENDED EVALUATION/TRIAL WORK EXPERIENCE
(Continued)**

Initiating Eligibility for Extended Evaluation

Complete the certificate for extended evaluation to indicate that the consumer has been determined eligible for extended evaluation.

STATUS 08 - CLOSURE FROM STATUS 02 OR 06

Definition

A consumer in Status 08 is one not accepted for VR services.

Purpose

The purpose of this status is to identify all consumers not accepted for VR services and close from either Status 02 or Status 06.

When to Move Into Status 08

When a case has been processed through Statuses 02 and/or 06 and evidence is documented regarding the reason for not accepting the case for VR services, the case must be moved into Status 08.

Closed 08 From 02

When a case is closed Status 08 from Status 02, a Closure Form is completed in duplicate. The consumer is to be provided a copy of the closure and a copy is to be placed in the case service record.

Closed 08 From 06

When a case is closed Status 08 from Status 06, the Closure Form, is to be completed. The consumer is to be provided a copy of the closure and a copy placed in the case service record.

Note

When closed a case Status 08, Reason 2 (handicap too severe), the case will require an annual review. **It is also necessary to cancel or pay all outstanding encumbrances prior to closure.**

STATUS 10 - CERTIFICATION OF ELIGIBILITY (DSB-1)

Definition

A consumer will be placed in this status when it has been determined that the consumer is eligible for VR services. The consumer may require diagnostics beyond those necessary to determine eligibility and to plan the VR program. Comprehensive diagnostics are often required to formulate an I P E.

Purpose

The purpose of Status 10 is to conduct a comprehensive case study in order to determine the nature and scope of services.

NOTE: It is critical that the counselor has a clear understanding of the client's abilities, limitations, and desires before proceeding with the development of an I P E.

When to Move Into Status 10

A consumer is placed in Status 10 upon certification for VR services as evidenced by: a visual disability which is a substantial impediment to employment and the individual can benefit from vocational rehabilitation services in terms of an employment outcome, and the individual requires vocational rehabilitation services to prepare for, enter, engage in, or retain gainful employment.

When to Move Out of Status 10

A consumer is moved out of Status 10 when the I P E has been formulated and written. Supervisor approval of the I P E is required for counselors during their first six (6) months of employment.

90 Day Time Frame

The I P E will be developed concurrently or within 90 days after a Certificate of Eligibility for VR services has been completed.

STATUS 12 - COMPLETION OF INDIVIDUALIZED PLAN FOR EMPLOYMENT (I P E)

Definition

A consumer is placed in Status 12 when the I P E for VR services (DSB-8017) has been completed.

Purpose

The purpose of Status 12 is to mark a milestone in the VR process. Moving a consumer into this status indicates that the consumer is ready for services that will assist him in the accomplishment of the vocational goal and the accrual of employment.

When to Move Into Status 12

Movement into Status 12 occurs when the counselor and consumer have jointly developed and signed the I P E.

When to Move Out of Status 12

Movement out of Status 12 occurs when a planned VR service has been initiated or the case is closed prior to the initiation of services.

STATUS 14 - COUNSELING AND GUIDANCE

Definition

A consumer in Status 14 is one who is receiving intensive counseling and guidance by the VR counselor beyond that which is routinely provided during the VR process.

Purpose

The purpose of Status 14 is for those cases where counseling, guidance and placement are the only or primary services required to prepare the consumer for employment.

When to Move Into Status 14

A consumer is moved into Status 14 once a determination is made that intensive counseling and guidance are the only or primary services required at that time.

When to Move Out of Status 14

A consumer is moved out of Status 14 when counseling and guidance are complete enough for the case to proceed further or to be closed.

Documenting

Thorough and frequent documentation in the narrative section of the case service record is necessary to justify the use of this status. Contact with a consumer and case documentation should occur on, at least, a monthly basis, if not more often.

STATUS 16 - PHYSICAL AND MENTAL RESTORATION

Definition

An individual is placed in this status while receiving physical and mental restoration services including medical, surgical, psychiatric, or therapeutic treatment, the fitting of prosthetic appliances, hospitalization, convalescent care, and nursing services.

Purpose

The purpose of providing restorative services is to alleviate or diminish the effects of the handicapping disability in order to improve employability.

When to Move Into Status 16

A consumer is moved into Status 16 upon initiation of planned:

- medical treatment
- psychological or psychiatric treatment
- surgical treatment, or
- fitting of a prosthesis or aid.

Which Status to Use

If a consumer is receiving two services simultaneously, such as training and restoration services, the case service record should reflect the status of greater significance to the rehabilitation goal.

Emergency Physical Restoration Policy

DSB should not be used as a medical insurance resource. Inform the consumer and the community that physical restoration services are:

- one of many services offered by vocational rehabilitation, and
- provided to assist consumers to reach specific vocational goals.

Emergencies and Prevention of Blindness

Emergencies do occur which threaten an individual's vision and ability to work requiring intervention to prevent blindness. It is the VR counselor's responsibility, with the corroboration of the supervisor, to determine the feasibility of emergency intervention prior to payment for any physical restoration services.

STATUS 16 - PHYSICAL AND MENTAL RESTORATION (Continued)

Note

The counselor will not allow the consumer to remain in this status for a period of more than 90 days unless the case service record contains evidence of client's progress.

STATUS 18 - TRAINING

Definition

A consumer in Status 18 is one who is receiving training in such areas as:

- academic
- business
- vocational
- personal and/or vocational adjustment

Purpose

The purpose of providing training is to develop or restore those vocational and/or independent living skills necessary for successful employment outcomes.

When to Move Into Status 18

A consumer is placed in Status 18 when one or more of the following planned services are actually being received:

- training in a public or private school
- training in a commercial or industrial establishment under employment conditions
- training by an individual teacher, instructor, or by mail at any facility
- personal/social adjustment training
- work adjustment training
- rehabilitation teacher training

When to Move Out of Status 18

A consumer moves out of Status 18 once training has either been:

- completed
- interrupted
- terminated

STATUS 20 - READY FOR EMPLOYMENT

Definition

A consumer in Status 20 is one who has completed preparation for employment and

- is ready to accept employment but has not yet been placed, or
- has been placed but has not begun employment.

Purpose

The purpose of Status 20 is to indicate a milestone in the VR process as VR services toward the vocational goal have been accomplished.

When to Move Into Status 20

A consumer is moved into Status 20 when planned services have been completed insofar as necessary or possible and when the consumer is ready for employment.

When to Move Out of Status 20

A consumer is moved out of Status 20

- once the consumer's employment actually begins
- if the rehabilitation program is interrupted
- if the consumer's case is closed in Status 28

Note

In some situations the purchase of specific services may be appropriate for consumers in Status 20, i.e., job adaptation or modifications of equipment.

STATUS 22 - IN EMPLOYMENT

Definition

A consumer in Status 22 has actually begun employment.

Purpose

The purpose of Status 22 is to provide sufficient time on the job to assure employment stability before case closure.

When to Move Into Status 22

Movement into Status 22 is made once a consumer is actually working and the program of rehabilitation services has been completed insofar as necessary or possible.

When to Move Out of Status 22

A consumer may be moved from Status 22 to Status 26 only after being continuously employed for at least 90 days. Movement out of Status 22 may also occur if:

- additional services in another status are required, or
- for any reason employment is interrupted during Status 22, or
- the case is closed not rehabilitated due to a change in circumstances (Status 28).

STATUS 24 - SERVICE INTERRUPTION

Definition

A consumer in Status 24 is one who has experienced a significant change in circumstances which interferes with the VR process such that the program of services may need to be reformulated or closure, not rehabilitated, may be indicated.

Purpose

The purpose of Status 24 is to re-examine the consumer's situation in terms of:

- resuming services if the interruption is temporary in nature
- providing additional diagnostics and evaluation toward redevelopment of the I P E
- closing the case not rehabilitated

When to Move Into Status 24

A consumer is placed in Status 24 if rehabilitation services are interrupted while the consumer is in Status 14, 16, 18, 20, or 22.

When to Move Out of Status 24

A consumer is held in Status 24 until:

- the consumer returns to previously initiated services
- a program of services is reformulated and such services are initiated
- the case is closed not rehabilitated

STATUS 26 - CLOSED REHABILITATED

Definition

A consumer in Status 26 is one who has successfully attained their vocational goal and reached an employment outcome. With respect to an individual, an employment outcome means:

- entering or retaining full-time or, if appropriate, part-time competitive employment in the integrated labor market,
- satisfying the vocational outcome of supported employment, or
- satisfying any other vocational outcome RSA may determine to be appropriate (including satisfying the vocational outcome of self-employment, telecommuting, or business ownership), in a manner consistent with the Rehabilitation Act.

Purpose

The purpose of Status 26 is to indicate when a consumer has been successfully rehabilitated.

When to Move Into Status 26

A consumer is moved into Status 26 when all of the following are applicable:

- consumer's I P E has been completed
- the consumer is engaged in employment that is commensurate with ability or circumstances at the time of closure
- consumer is engaged in a satiable occupation for a minimum of 90 days

Bills

Before a case can be closed all outstanding encumbrances must be paid or canceled.

Note: A consumer will not be closed in Status 26 more than once in any fiscal year.

STATUS 28 - CLOSED AFTER I P E INITIATED

Definition

A consumer closed in Status 28 is one who is unable to achieve the vocational goal after having received at least one planned VR service.

Purpose

The purpose of Status 28 is to identify all persons not rehabilitated even though the I P E had been developed and services initiated.

When to Move Into Status 28

A consumer is moved into Status 28 if the following criteria have been met:

- at least one service planned in the I P E has been initiated
- circumstances prevent the consumer's attainment of a suitable occupation

STATUS 30 - CLOSED, OTHER REASONS, BEFORE I P E INITIATED

Definition

A consumer is closed in Status 30 when it is determined the individual cannot progress to a point of initiating services. A consumer is closed in this status from Status 10 or Status 12 only.

Purpose

The purpose of Status 30 is to identify all persons closed, not rehabilitated, before actual initiation of services in an I P E.

When to Move Into Status 30

A consumer is moved into Status 30 if:

- no planned service has been provided, and
- circumstances preclude participation in a VR program of services as outlined in the I P E.

STATUS 32 - POST EMPLOYMENT SERVICES

Definition

A consumer is placed in this status if he/she has previously been rehabilitated (Status 26) and is receiving any service designed to maintain the individual in employment.

Purpose

The purpose of this status is to avoid, wherever possible, the necessity of re-opening a case in order to provide a relatively minor service.

Note: Cases in Status 32, post-employment, cannot be transferred out. No case will remain in this status over 8 months without supervisor approval.

STATUS 34 - CLOSED FROM POST-EMPLOYMENT

Definition

A consumer closed in Status 34 is one for whom all post-employment services have been completed insofar as necessary or feasible in terms of an employment outcome.

Purpose

The purpose of Status 34 is to furnish a means for identifying all persons who have received post-employment services and are being closed from Status 32.

When to Move Into Status 34

A consumer is moved into Status 34 when:

- services which required the need for post-employment are successfully completed, or
- it is determined that post-employment services cannot maintain the consumer in employment.

STATUS 38 - CLOSED FROM PRE-SERVICE

Definition

A consumer closed in Status 38 is one who is being closed from pre-service status when it is determined that services will not be provided for whatever reason. A consumer is only closed in this status from status 04.

Purpose

The purpose of Status 38 is to identify those consumers eligible for VR services who will not advance to the service statuses (10 through 24) and whose names are being removed from the pre-service listing (status 04).

TRANSFERS

Introduction

A transfer will be made when a consumer on a counselor's master list permanently moves into another counselor's area. Status 22 cases will only be transferred when the counselor believes that it is the best choice for the consumer. Transfers will not be made during the same month the case is accepted and/or the I P E is completed and/or services are initiated.

Transferring Out

When it is determined that a case should be transferred to another counselor, the following instructions should be followed.

1. Document in case narrative the reason for the transfer.
2. Send a memo with the case to the receiving counselor explaining the make-up of the case thus far.

The Vocational Rehabilitation Process

On this page is a flow chart to assist sighted counselors in visualizing the VR process. The information in the flow chart is contained throughout the text in Section VR 2. **[Click Here For Flow Chart](#)**

DIAGNOSTIC STUDIES--PRELIMINARY

Purpose of Diagnostics

All diagnostics are gathered to help applicants/consumers better understand their skills, abilities, and interests and to assist the counselor in making decisions in partnership with the consumer.

Purpose of Preliminary Diagnostics

The purpose of the preliminary diagnostic study is to gather information to help the counselor establish whether an applicant is eligible or ineligible for services. These diagnostics also provide valuable information to the applicant regarding the applicant's strengths and weaknesses in terms of employability.

The study is performed in Status 02 or Status 06.

Who May Participate?

All applicants are entitled to participate in the preliminary diagnostic study.

RULE

All diagnostic work, for the purpose of establishing eligibility, must be completed prior to placing a consumer in active status.

Using the Preliminary Diagnostic Study

Following the determination of eligibility, results obtained in the preliminary diagnostic study serve as a starting point in development of the Individualized Plan for Employment (I P E).

Diagnostics in Status 10

Diagnostic work is also done in Status 10. The study is referred to as the THOROUGH DIAGNOSTIC STUDY. (See Page 3.02.)

NOTE

After a consumer has been placed in active status, it may become necessary to provide additional diagnostic work. As long as these studies are not done to determine eligibility, these services may be provided at any time during the rehabilitation process without change of status.

DIAGNOSTIC STUDIES--THOROUGH

Purpose of Diagnostics

The purpose of the thorough diagnostic study is to determine the vocational goal and nature and scope of services in support of that goal.

These diagnostics may also provide valuable information to the consumer regarding vocational interests and aptitudes, the marketability of the consumer's present and potential skill level, and amount of services that will increase consumer's marketability of skills, equipment needs, etc.

When is the Thorough Diagnostic Study Conducted?

This study is provided after the consumer has been determined eligible for vocational rehabilitation services (Status 10).

Components of the Thorough Diagnostic Study

The study may include a comprehensive evaluation of pertinent

- medical,
- psychological,
- vocational,
- educational,
- and other factors which bear upon the individual's handicap to employment.

NOTE: See page 3.11 for more information on the use of psychological evaluations.

DIAGNOSTIC STUDIES--THOROUGH (Continued)

Examples of Thorough Diagnostic Study

This study may include, but is not limited to

- placement of consumer in a rehabilitation facility in order to evaluate work tolerance,
- ability to acquire specific job skills, and
- patterns of work behavior, and
- provision of additional medical and/or psychological evaluations for the purpose of determining the nature and scope of services needed.

Scope

Thorough diagnostic study represents the completion of all diagnostic studies necessary to determine the nature and scope of services needed by the consumer in order to develop the I P E.

Use of Comparable Services and Benefits

Although expenditure of agency funds is authorized for thorough diagnostics regardless of the consumer's income level, the counselor accesses all resources available through comparable services and benefits programs prior to using case service funds.

DIAGNOSTIC STUDIES--MEDICAL**Introduction**

This section provides information regarding three types of medical diagnostic studies used by the VR counselor, they are

- the eye examination,
- the general medical examination, and
- specialist examinations.

When Can These Diagnostics be Provided?

Medical diagnostic studies may be provided as a part of

- the preliminary diagnostic study,
- the thorough diagnostic study, or
- a re-evaluation of any area that might impact the consumer's reaching the long range goal.

Required Examinations

To determine if a consumer is eligible to receive services from this agency, medical information consisting of

- an eye examination and
- a general medical examination

are required.

NOTE: The eye examination is necessary to determine if the consumer has a visual disability which will allow him/her to receive services from DSB. The VR counselor is allowed to use some discretion in using his/her own judgement where both of these examinations are concerned. For example, if the consumer has bilateral enucleation, the counselor can assume the obvious and needs only to document this fact in the record. In regards to the general medical examination, if through discussion with the consumer, and counselor through observation, there is no reason to believe that there is a presence of physically limiting factors other than blindness, this exam can be omitted. This fact should be documented in the service record.

DIAGNOSTIC STUDIES--MEDICAL (Continued)

Accountability

VR counselors will be held accountable for certifying a consumer eligible for VR services and the placement of the consumer in the Order of Selection for services.

Types of Eye Specialists

Ophthalmologist

1. Is a Doctor of Medicine (M.D.)
2. Specializes in the diagnosis and treatment of eye diseases
3. Performs ophthalmic surgery when necessary
4. Prescribes glasses, contact lenses and low vision aids

Optometrist

1. Performs eye examinations
2. Diagnoses eye diseases
3. Prescribes lenses and trains individuals in their use.

Optician's Work Clarified

Confusion sometimes develops about the work performed by an optician. An optician Does...

1. Grind lenses
2. Fit spectacles and contacts
3. Dispense glasses and other optical aids

Does not...

1. Diagnose or treat eye diseases
2. Perform surgery
3. Prescribe lenses

DIAGNOSTIC STUDIES--MEDICAL (Continued)**Selection of an Eye Specialist**

If an applicant has already chosen an eye specialist, then the applicant may return to that specialist for the examination.

If an applicant does not have an eye specialist, then the counselor will provide a list of specialists to the applicant.

General Medical Examination

In most cases, the results of a general medical examination will be reported to the counselor on the Physical Examination Form. The physician must be a licensed

- Doctor of Medicine (M.D.) or
- Doctor of Osteopathy (D.O.)

Exceptions

If there are current specialists examinations or hospital and clinical records which can provide the information required on the physical examination or the eye examination, they may be obtained from these sources by a request from the counselor, accompanied by a Release of Information Form (DSB-8021) signed by the consumer.

Cases From Institutions (Hospitals, State Schools, Correctional Facilities)

Most individuals who come from an institution are

- given thorough physical examinations upon admission
- under close supervision, and
- monitored for any significant change in health.

Therefore, the general medical information supplied by the institution may be considered adequate unless the counselor thinks additional medical information is required.

DIAGNOSTIC STUDIES--MEDICAL (Continued)

Selection of a Physician

If an applicant has already chosen a physician, then the applicant may return to that physician for the examination.

If an applicant does not have a physician, then the counselor will provide a list of physicians to the applicant.

If a List is Provided

When providing a list of several physicians or specialists to applicants/consumers, the counselor considers the

- amount of time the applicant will be waiting for the examination to be conducted,
- timeliness of doctor in reporting examination results to the agency, and
- willingness of doctor to accept agency fees.

Hearing Evaluation

A hearing evaluation should be obtained on all consumers who are suspected of having a hearing loss.

Detection of Hearing Problems

The presence of a hearing loss may be suspected because

- it is indicated on the medical record by the physician,
- observed by the counselor during routine visits, or
- the consumer informs the counselor of a problem.

Audiological Examination

When a hearing loss is suspected, a comprehensive hearing evaluation will be obtained from a physician specializing in the diseases of the ear or from a licensed or certified audiologist.

DIAGNOSTIC STUDIES--MEDICAL (Continued)

Decision Table

If a hearing loss is indicated on the physical examination, then the counselor must obtain a hearing evaluation.

If a hearing loss is not indicated on the physical examination, but counselor suspects a hearing loss, or consumer indicates a hearing problem, then the counselor should obtain a hearing evaluation.

If a hearing loss is not indicated, then the counselor need not obtain an evaluation.

Specialist Examinations

In addition to the eye exam and the general medical exam, other medical specialty exams may be needed, such as

- an examination by a cardiologist for an applicant who has a suspected heart problem, or
- an examination by an internist for an involved diabetic applicant.

Decision Table

If a special exam is recommended on a general medical exam, then the counselor obtains the exam.

If a special exam is not recommended on the medical exam, but the counselor thinks that an exam is necessary, then the counselor may obtain the exam.

DIAGNOSTIC STUDIES--MEDICAL (Continued)

Contents of All Diagnostic Studies

All reports received during preliminary diagnostic study should include

- diagnosis,
- prognosis,
- functional limitations, and
- recommendations.

NOTE

Counselors should request assistance from their supervisor if difficulty exists in obtaining adequate and complete diagnostic reports.

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DIAGNOSTIC STUDIES--OTHER**Introduction**

Diagnostic studies are not always medical in nature. Examples of other types of diagnostic studies might be

- vocational evaluations,
- educational evaluations,
- psychological evaluations, and
- evaluations of potential benefit from rehabilitation engineering.

When Can These Diagnostics be Provided?

Non-medical diagnostic studies may be provided as a part of

- the preliminary diagnostic study,
- the thorough diagnostic study, or
- a re-evaluation of any area that might impact the consumer's program.

Use for Non-Medical Diagnostic Studies

When used in conjunction with other diagnostic studies, non-medical diagnostic studies provide sufficient evaluation of an individual's assets and limitations so that

- the extent of the handicap can be evaluated, and
- an effective I P E can be developed.

Vocational Evaluation

A vocational evaluation provides much useful data, such as

- a complete work history,
- specific skills already developed,
- tolerance for work,
- vocational aptitudes, and
- work behaviors and attitudes.

DIAGNOSTIC STUDIES--OTHER (Continued)

Vocational Records

Through reviewing employment records, the counselor can determine the

- types of jobs,
- degree of skills, and
- levels of performance

which have been the individual's pattern of work activity.

Other Areas of Consideration

The counselor will also consider

- stated vocational interests and aptitudes,
- general ability to work, and
- whether or not the visual problem will interfere with a specific interest.

Applicants

Counselors sometimes work with consumers who have been infrequently employed or have never worked for a living. When there is no established work history, a careful appraisal must be made to determine the individual's abilities and interests.

Psychological

Psychological evaluations may be used to help determine eligibility or for development of the I P E. When a consumer/applicant has a difficult, complex vocational problem, a psychological evaluation may be obtained to determine aptitudes, interests, mental capacities, and emotional strengths and weaknesses that impact vocational decisions.

As with other diagnostics, this information is helpful in counselor assessment as well as consumer's understanding of self. Informing the consumer/applicant of the purpose and process of

continued on next page

DIAGNOSTIC STUDIES--OTHER (Continued)**Psychological Continued**

the evaluation may increase their willingness to participate. If the consumer/applicant has been presented with the possible benefits of psychological testing but is unwilling to undergo such an examination, then the counselor discusses other methods of gathering useful vocational information.

If a consumer requests an interpretation of the results, it is recommended that the consumer contact the psychologist directly.

Mental Retardation or Emotionally Disturbed

Only under the following circumstances are these diagnostics required:

If an applicant/consumer is mentally retarded or there is reason to believe so, then a psychological evaluation with a test of intelligence must be obtained.

Where to Obtain Psychological Information

The counselor can obtain psychological information, as appropriate, from

- schools,
- clinics,
- community agencies,
- public and private organizations,
- certified or licensed psychologists, or
- vocational diagnostic units.

DIAGNOSTIC STUDY--OTHER (Continued)

Case Recording and Documentation

Document conclusions drawn from reviewing records and diagnostic studies in the record of services.

The counselor addresses the individual's attitude toward

- himself/herself,
- his/her disability, and
- the support, or lack of it, from family and friends.

NOTE

In cases where the counselor only plans to provide the consumer with services needed for job retention, he/she may use their own discretion as to what diagnostic services are needed.

OVERVIEW**Individuals to be Served**

The Arkansas Division of Services for the Blind is a state vocational rehabilitation agency established to serve blind and visually impaired individuals in this state. In order to receive services from this agency, an individual must be classified in one of the following categories:

- total blindness,
- legal blindness, or
- visually impaired

Total Blindness

Any permanent visual condition resulting in total loss of vision.

Legal Blindness

Any visual condition resulting in:

- a visual acuity for distance vision in the best eye with the best correction of 20/200 or less, or
- the widest diameter of visual field subtending an angle of less than 20 degrees.

Visually Impaired

A progressive visual condition with a visual acuity of 20/50 in the best eye after correction, which may result in total or legal blindness, or there is imminent danger that the individual may become totally or legally blind as documented by a physician who is skilled in diseases of the eye.

DETERMINATION OF ELIGIBILITY**Introduction**

The primary purpose of determining eligibility is to identify those individuals with visual disabilities who may be served with VR funds. The intent is to empower them to maximize their employment, economic self-sufficiency, independence, and inclusion and integration into society, through a comprehensive and coordinated state-of-the-art program of vocational rehabilitation.

The Role of the VR Counselor

The VR counselor has the responsibility for determining an individual's

- eligibility for VR services,
- eligibility for a trial work period, or
- ineligibility for VR services

This responsibility cannot be delegated.

Note: For counselors within their first six months on the job, each Certification of Eligibility (DSB-1) must be reviewed and approved by the supervisor.

Eligibility Criteria for VR Services

The eligibility criteria for services from this agency are:

- the individual has a visual impairment which for such individual constitutes, or results in, a substantial impediment to employment and meets the DSB criteria stated in the VR Manual Section 4, page 4.01, and
- the individual can benefit in terms of an employment outcome from vocational rehabilitation services, and
- the individual requires vocational rehabilitation services to prepare for, secure, retain, or regain employment.

60 Day Rule

Eligibility determinations for either active VR services or for a trial work period must be made within 60 days after the consumer has applied for VR services. Exceptions can only occur if the consumer is notified that exceptional and unforeseen circumstances beyond the agency's control prevent making a determination within the prescribed time (60 days) and the

continued on next page

DETERMINATION OF ELIGIBILITY (Continued)**60 Day Rule Continued**

consumer agrees that the extension of time is necessary. Document that the consumer has agreed in a contact report and by placing a copy of a letter signed by the consumer in the record of services. This can be found on the reverse side of the DSB-1.

SSA Disability Determination

For VR purposes, all individuals that are SSDI beneficiaries and SSI recipients and meet the DSB criteria stated in the VR Manual Section 4, page 4.01 are considered to meet all eligibility criteria for VR services.

NOTE: Although allowed SSDI beneficiaries and SSI recipients are presumed to be eligible for VR services, the presumption of their benefit from VR services in terms of an employment outcome can be rebutted in the same manner as with any other applicant for VR services. The rebuttal of the benefit presumption must be based on clear and convincing evidence that demonstrates the individual is incapable of benefiting in terms of an employment outcome from VR services due to the severity of the individual's disability. The required "clear and convincing evidence" must be produced through the provision of trial work experiences.

Residence Requirement

DSB may not impose any durational or other residence requirement that excludes any individual who is present in the state.

Rule

Certification of eligibility for active VR services must be determined prior to applying an Order of Selection for payment of services.

Non Discrimination

Eligibility requirements must be applied without regard to age, gender, race, color, creed, national origin, or type of disability.

Age Limits for Eligibility

No upper or lower age limit may be established that will, in and of itself, result in finding ineligible any individual who is otherwise eligible.

DETERMINATION OF ELIGIBILITY - IMMIGRANTS**Aliens**

The counselor must consider for every individual/applicant whether there is a presumption that the individual can benefit from VR services **and** work in the United States after services are provided. An individual must have the required document(s) to work in the United States.

Required Documents

Required documents for working in the United States may include, but are not limited to:

- Valid Social Security Card
- Valid Driver's License
- Valid Non-Driver Identification Card (issued by the Department of Motor Vehicles)
- U.S. passport
- Certificate of Naturalization
- Certificate of Citizenship

If the individual is not a citizen of the United States, one of the following documents must be presented at application:

- Form I-551 (includes machine-readable immigrant visa with the applicant's unexpired foreign passport);
- I-94 with the applicant's unexpired foreign passport; or
- Work permit card from the Department of Homeland Security (I-766 or I-688B)

Illegal Aliens

By definition, individuals in the United States without legal status are not eligible for VR services.

ELIGIBILITY FOR ACTIVE VR SERVICES - CRITERION I**Statement of Criterion I**

The individual has a visual disability which is a substantial impediment to employment, and the individual can benefit from vocational rehabilitation services in terms of employment outcome.

What is a Visual Disability?

A visual disability exists when the functional ability of an individual is limited or may in the future be limited as a result of

- a significant visual loss or
- a potentially significant visual loss due to an eye condition being progressive in nature as documented by medical evidence.

Impact of a Progressive Eye Condition

A progressive eye disorder, for purposes of disability definition, is a visual condition which, if left untreated, may lead to blindness in both eyes.

What is a Substantial Impediment to Employment?

A substantial impediment to employment exists when a visual impairment significantly

- limits the opportunity for suitable employment,
- limits preparation for suitable employment,
- causes the individual to require special assistance in securing suitable employment or in performing job tasks, or
- threatens current employment.

Other Factors

Other medical, psychological, vocational, educational, cultural, and social factors may combine with a visual impairment to create an impediment to employment. Examples of such factors include:

- lack of motivation
- low educational level
- community attitudes concerning the disability
- employer attitudes concerning the disability

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ELIGIBILITY FOR ACTIVE VR SERVICES - CRITERION I (Continued)**Other Factors Continued**

- long-term unemployment
- unstable work record
- ethnic group
- poverty environment
- long history of dependency
- consumer's poor attitude toward work, family and community
- mental retardation
- psychiatric condition
- orthopedic impairment
- deafness
- epilepsy, or
- other documented chronic conditions
- lack of accessible transportation

Clear and Convincing Evidence

A consumer can be closed with a "disability too severe" only if there is clear and convincing evidence that the individual is not capable of an employment outcome. There must be evidence that establishes such a conclusion with a high degree of certainty. This determination is made only after providing services through a trial work experience. Supported employment services should also be considered.

Examples of Clear and Convincing Evidence

Clear and convincing evidence could be derived from the results of a thorough diagnostic study which factually proves the individual is not capable of benefiting from VR services.

ELIGIBILITY FOR ACTIVE VR SERVICES - CRITERION II**Statement of Criterion II**

The individual requires vocational rehabilitation services to prepare for, enter, engage in, or retain gainful employment.

What is Required?

The second eligibility criteria restated means that VR services must be required to enable the consumer to participate in employment.

The consumer requires VR services to prepare for, obtain, retain, or regain employment if one or more of the following services are needed for employment.

- assessment for determining eligibility and VR needs
- counseling, guidance, and work-related placement services
- vocational and other training services
- physical and mental restoration services
- maintenance
- interpreter services for individuals who are deaf
- reader services for those who are blind
- rehabilitation teaching services and orientation and mobility services
- occupational licenses, tools, equipment, and initial stocks and supplies
- transportation in connection with other VR services
- rehabilitation technology services
- referral to other agencies
- transition services that result in employment
- on-the-job or other related personal assistance services provided while the consumer is receiving other services described above
- supported employment services
- services to family members

These services must be provided, paid for, arranged, coordinated, or otherwise enhanced by the VR program.

ELIGIBILITY FOR ACTIVE VR SERVICES - CRITERION II (Continued)

Situations Not Requiring VR Services

Situations where the counselor determines that a consumer may not require VR services are:

- consumer is already receiving the services needed for employment (e.g. physical restoration, training, etc.),
- services needed for employment are readily available without VR providing, paying for, arranging, coordinating, or otherwise enhancing the services,
- consumer can obtain or retain employment without VR services, and/or
- requested services are not VR services.

ELIGIBILITY FOR EXTENDED EVALUATION**Criteria for Extended Evaluation**

There are two criteria for extended evaluation. They are the

- presence of a visual disability which for the individual constitutes or results in a substantial impediment to employment outcome, and
- a need to gather evidence to clearly demonstrate that the individual can or cannot benefit from VR services in terms of an employment outcome.

Purpose of Extended Evaluation

The purpose of providing VR services in extended evaluation is to assess the effect of the impairment on the individual in terms of employment outcome.

Extended Evaluation Services

The following services may be provided while in extended evaluation.

- Diagnostic and related services, including assessment for appropriateness for supported employment
- Counseling and guidance
- Rehabilitation teacher services
- Rehabilitation technology
- Physical restoration
- maintenance
- comprehensive evaluation at a community rehabilitation program, workshop, actual work site or other suitable facility
- transportation

Services Not Allowed

These VR services may not be provided to a person certified for extended evaluation.

- job placement
- occupational tools
- on-the-job training
- active supported employment services

ELIGIBILITY FOR EXTENDED EVALUATION (Continued)**Time Limits**

A case should be moved out of Status 06 immediately upon making a decision that the consumer does or does not meet the criteria for active VR services. This determination must be made within a maximum of 18 months. After 18 months the case must be closed Status 08 or certified eligible and moved to Status 10 with the top portion of the DSB-1 completed.

Monitoring Requirements

A comprehensive assessment of progress must be constantly made to assure appropriate expenditure of VR funds. Progress must be documented at least every 90 days.

Certification of Eligibility for Extended Services

Complete the bottom portion (Certification for Extended Evaluation) of the DSB-1 to certify that the consumer has been determined eligible for extended evaluation to determine vocational potential. (See DSB-1 at the end of this section.)

NOTE: THE TRIAL WORK EXPERIENCE HAS REPLACED THE EXTENDED EVALUATION. COUNSELORS MUST USE THE TRIAL WORK EXPERIENCE PRIOR TO AN EXTENDED EVALUATION. THE USE OF AN EXTENDED EVALUATION IS ONLY ACCEPTABLE AFTER ALL OTHER OPTIONS HAVE BEEN EXPLORED AND NO CONCLUSIONS CAN BE DRAWN.

CERTIFICATION OF ELIGIBILITY DOCUMENT (DSB-1)**Purpose**

The DSB-1 is used to certify that an individual has met the basic eligibility requirements for services, either in

- extended evaluation (Status 06), or
- as an active consumer (Status 10)

Who Completes the DSB-1

It is the responsibility of the counselor to complete the form.

Directions for Completion

The following steps should be followed in completing the DSB-1.

Step 1 - Enter the individual's last name, first name and middle initial.

Step 2 - Enter the individual's Social Security Number

Step 3 - If individual is being certified for active services (Status 10), then complete the top section as follows:

- check appropriate statements
- enter counselor signature
- enter date of certification for active services

If individual is being certified for extended evaluation (Status 06), then complete the bottom section as follows:

- enter counselor signature
- enter date of certification for extended evaluation

Step 4 - Place certification in case service record.

INELIGIBILITY FOR VR SERVICES**Introduction**

An individual who has applied for services from this agency may not be eligible for VR services. The VR counselor must document in the case service record that one or both of the VR eligibility criteria are not met in order to show ineligibility. An applicant's case service record may not be closed prior to making an eligibility determination unless circumstances are evident which prevent this decision.

Reasons for Ineligibility

Any of the following reasons may constitute the basis for a determination of ineligibility.

- Diagnostics indicate there is **NO DISABLING CONDITION**
- There is a disabling condition, but it **DOES NOT PRESENT AN IMPEDIMENT TO**

EMPLOYMENT OUTCOME

- The person's **DISABILITY IS TOO SEVERE TO ALLOW GAINFUL**

EMPLOYMENT*

- **DOES NOT REQUIRE VR SERVICES** to prepare for, enter, engage in, or retain gainful employment

* A case cannot be closed due to disability too severe unless an extended evaluation has been provided or the consumer is being closed from active status.

Criteria for Closing a Case from Status 02

A case is closed from Applicant Status (02) when

- one or both of the VR eligibility criteria are not met

OR

- circumstances are evident that an eligibility/ineligibility determination cannot be made (e.g., the applicant declines to participate in the assessment, and the VR counselor has made a reasonable number of attempts to encourage the applicant's participation).

INELIGIBILITY FOR VR SERVICES (Continued)**Closure Form**

If a consumer is determined ineligible, a DSB Closure Form is completed and signed by the counselor and consumer. The consumer is to receive a copy of the signed document and a copy is to be placed on top of the right-hand side of the case service record. If the consumer has died, or the counselor is unable to locate the consumer, the counselor should make notation of this on the Closure Form and in the closing narrative. The date on the Closure Form, DSB-8075 tracking document, and closing narrative should match.

ANNUAL REVIEWS OF INELIGIBLE CASES

Annual Review of Cases Closed Ineligible

Individuals whose cases have been closed in

- Status 08 from Status 02 or 06,
- Status 28 from Statuses 14-24, and
- Status 30 from Statuses 10-12

are to be provided an opportunity for a review of the ineligibility determination no later than 12 months after the decision is made.

When is an Annual Review NOT Required?

An annual review will not be conducted when the following apply:

- the individual refuses the opportunity for review,
- he/she is no longer present in the state or his/her whereabouts are unknown,
- medical information upon which the ineligibility decision was based indicated the condition was terminal,
- deceased,
- institutionalized,
- transferred to another agency,
- closed for failure to cooperate,
- no disabling condition, or
- no vocational handicap.

When is an Annual Review Required?

Any closure found ineligible because the individual is incapable of achieving an employment outcome (Code 02 Handicap too Severe) will be scheduled for an annual review.

ARKANSAS DIVISION OF SERVICES FOR THE BLIND

Certification of Eligibility

Consumer's Name: _____

It is hereby certified that this individual has met the basic eligibility requirements for vocational rehabilitation services:

I. There is a visual disability which is a substantial impediment to employment and the individual can benefit from vocational rehabilitation services in terms of an employment outcome.

II. This individual requires vocational rehabilitation services to prepare for, enter, engage in, or retain gainful employment.

Counselor Signature

Date:

Certification for Extended Evaluation

I. There is a visual disability which is a substantial impediment to employment but an extended evaluation (status 06) is necessary to gather evidence to clearly demonstrate that the individual can or cannot benefit from VR services in terms of an employment outcome.

Counselor Signature

Date:

DSB-1

Rev. 2-95

ARKANSAS DIVISION OF SERVICES FOR THE BLIND

Dear : _____

Re: NEED FOR EXTENSION OF TIME TO DETERMINE ELIGIBILITY

You understand that the information needed to determine eligibility for VR services is not going to be available within 60 days of the date you applied for services. Because of exceptional and unforeseen circumstances, beyond the control of the Division of Services for the Blind, you agree to allow an extension of _____ days in order to obtain the following information:

(Applicant's Signature)

Date:

DSB-1

REV. 2-95

OVERVIEW

Definition

The DSB Order of Selection is an explanation justifying the order in which eligible individuals will be served if DSB cannot provide services to all eligible individuals.

Purpose

The Order of Selection assures that priority is given to those individuals with the most severe disabilities in the provision of any VR services.

Individuals to be Served

In order to receive services from this agency, an individual must be classified in one of the following categories:

- Total Blindness
- Any permanent visual condition resulting in total loss of vision
- Legal Blindness

A visual acuity for distance vision in the best eye with the best correction of 20/200 or less, or the widest diameter of visual field subtending an angle of less than 20 degrees.

Visually Impaired

A progressive visual condition with a visual acuity of 20/50 in the best eye after correction which may result in total or legal blindness, or there is imminent danger that the individual may become totally or legally blind as documented by a physician who is skilled in diseases of the eye.

OVERVIEW (Continued)**Eligibility for DSB Services**

In keeping with federal mandates, all applicants for VR services are entitled to a preliminary diagnostic study to determine eligibility or ineligibility for services. Diagnostic services provided in Status 02 (and sometimes Status 06) to determine eligibility and priority classification are provided without regard to Order of Selection.

NOTE: Eligibility must be determined before applying the Order of Selection. DSB consumers who were in Status 06 or 12-24 (have been determined eligible, an IPE completed, and services in place) prior to the implementation of the Order of Selection policy (October 1, 1995) will receive services as stated in their I P E.

Severe Disability

The Rehabilitation Act of 1973, as amended, Section 7 (15) (A), defines an individual with a severe disability as one

1. who has a severe physical or mental impairment that seriously limits one or more functional capacities (such as mobility, communication, self-care, self-direction, interpersonal skills, work tolerance, or work skills) in terms of employment outcomes;
2. whose vocational rehabilitation can be expected to require multiple vocational rehabilitation services over an extended period of time; and
3. who has one or more physical or mental disabilities as identified in Section 7 (15) (A) of the Act, or any other disability or disabilities that cause comparable substantial functional limitation.

OVERVIEW (Continued)

Priority Categories

The Director of DSB will establish the priority levels for expenditures based on availability of funds. The following sets forth the manner in which the Order of Selection will be applied by DSB.

Priority 1

Eligible individuals with the **most severe disability** whose impairment limits **four or more** functional capacities in terms of employment outcome and whose rehabilitation requires **three or more** substantial VR services over an extended period of time.

Priority 2

Eligible individuals with a **severe disability** whose impairment limits **three** functional capacities in terms of employment outcome and whose rehabilitation requires **three or more** substantial VR services over an extended period of time.

Priority 3

Eligible individuals with a **severe disability** whose impairment limits **two** functional capacities in terms of an employment outcome and whose rehabilitation requires **two or more** substantial VR services over an extended period of time.

Priority 4

All other eligible individuals.

APPLYING THE ORDER OF SELECTION

Determining Priority Category

In determining the priority category, the consumer will be placed in the highest category for which they qualify. However, if a consumer's condition changes after being assigned a category, re-evaluation may cause a downward or upward reclassification.

The following are the steps a counselor needs to take in placing a consumer in the proper priority category.

- Determine if the applicant meets the requirements to be served by this agency.
- Determine if the applicant is eligible for VR services.
- If eligible, determine the number of functional limitations of the applicant.
- Determine the number of services an applicant will need to achieve his/her VR goal.
- Determine the time it will take the applicant to achieve the goal.
- Place in proper Order of Selection priority.

Any applicant or eligible consumer who is dissatisfied with the Order of Selection and the category assigned them, may request an administrative review for re-evaluation. Counselors will inform applicants and eligible consumers of this right.

SERVICES TO SPECIAL GROUPS OF INDIVIDUALS WITH DISABILITIES

Definition of Public Safety Officer

Public safety officer means a person serving the United States or a state or unit of local government, with or without compensation, in any activity pertaining to:

1. the enforcement of criminal laws, including highway patrol, or the maintenance of civil peace by the National Guard or the Armed Forces;
2. a correctional program, facility, or institution if the activity is potentially dangerous because of contact with criminal suspects, defendants, prisoners, probationers, or parolees;
3. a court having criminal or juvenile delinquent jurisdiction if the activity is potentially dangerous because of contact with criminal suspects, defendants, prisoners, probationers, or parolees; or
4. firefighting, fire prevention, or emergency rescue missions.

Special Consideration for Public Safety Officers

Special consideration will be given to public safety officers whose disability is a result of any of the following:

- action performed in the line of duty
- a criminal act, apparent criminal act, or a hazardous condition
- the officer's performance of duties in direct connection with the endorsement, execution, and administration of law or fire prevention, firefighting, emergency rescue missions, or related safety activities

Public safety officers who meet eligibility criteria for a specific category will be given priority for services over other eligible individuals within that specific category.

**SERVICES TO SPECIAL GROUPS OF INDIVIDUALS WITH DISABILITIES
(Continued)**

Civil Employees of the United States

Vocational rehabilitation services are available to civil employees of the United States Government who are disabled in the line of duty under the same terms and conditions applied to other individuals with disabilities.

American Indians

Vocational rehabilitation services are available to American Indians with disabilities residing in the State to the same extent that these services are provided to other significant groups of individuals with disabilities residing in the State.

DSB will continue to provide VR services, including, as appropriate, services traditionally used by Indian tribes, to American Indians with disabilities who reside on reservations and are eligible for services by a special tribal program under 34 CFR part 371.

OVERVIEW**Definition**

Informed choice occurs within a partnership where the partners identify and explore together the various options at each decision point in the consumer's rehabilitation, and where the counselor/team provides support as needed for the consumer to make the informed choices that will result in a meaningful career outcome. This is a true partnership of a skilled counselor and informed consumer. Informed choice means

- that consumers are empowered to consider a range of options,
- that they own decisions, and
- share responsibility for the outcomes.

It is the process by which individuals participating in the VR Program make decisions about their vocational goals, the services and service providers that are necessary to reach those goals, and how those services will be procured. The decision-making process takes into account the individual's values and characteristics, the availability of resources and alternatives, and general economic conditions. Implementing informed choice requires:

- communicating clearly,
- gathering and understanding information,
- setting goals,
- making decisions, and
- following through with decisions.

To the extent that the individual participates in the procurement of services, implementing choice may also involve basic consumer skills, such as money management and negotiating in the marketplace.

The VR Process

The process of vocational rehabilitation is not a linear process based on the old diagnostic/prescriptive model, but is a consumer-centered, consumer-owned process with key decision points focused on quality outcomes. Informed choice begins with the first meeting of the consumer and counselor and moves from that first moment toward an employment outcome.

OVERVIEW (Continued)

Counselor Role versus Consumer Role

Informed choice does not mean unlimited or unreasonable choice. The counselor's role is:

- to provide information, tools, and resources to teach decision making skills,
- to facilitate the decision-making process, and
- to support decision implementation.

The counselor will provide the consumer with up-front information about the parameters which may affect the range of available career goals or service options. It is the consumer's responsibility to take the information provided and make sound career decisions, and to accept ownership of the decisions that he/she has made.

ADVICE AND INFORMATION**Traditional Rehabilitation**

In traditional rehabilitation, information and advice have been fundamental aspects of the counselor/consumer relationship. The counselor has been responsible for gathering facts and offering opinions on the consumer's efforts to become employed as well as defining the questions, issues and barriers which need to be addressed. The provision of counselor-centered advice and information is no longer an option for the counselor, and he/she must shift the focus away from counselor ownership of advice and information to a broader, more natural and consumer-centered basis.

Biased Information and Advice

It is important to note that almost all advice and information are biased by some influence on the individual who is giving the information. Information relates to facts, so it would appear to be bias free. However, since most rehabilitation personnel work for systems with rules and traditional responses to certain situations, it is often difficult to know whether an interaction concerning informed choice is factual or biased in some way.

The opinion aspect of advice is almost always inherently biased. Therefore, good advice should contain alternate avenues for consumer consideration, as well as the opinion of those offering the opinion. Good advice is an individualized blend of

- information,
- opinion and
- workable options

offered to a consumer in a manner which can be *understood and utilized*.

ADVICE AND INFORMATION (Continued)**Processing Information and Opinion**

While it may seem that a consumer is making an informed decision based on the information and opinion of a counselor, the reality may be that the consumer is seeking to please or to simply follow any advice offered. Understanding the difference requires those giving advice and information to closely monitor all decisions and to consider subtle ways to insure that the consumer owns and understands the decisions as much as possible.

It is important to consider that technology, interpretation services and accessible formats may need to be available to assure that an individual understands and processes opinions of others. When confronted with new and complex decisions, people with disabilities, especially persons with significant intellectual disabilities, may need support and feedback from those most closely concerned about them in order for information and advice to be understood and processed.

Gatekeeping Issues

VR counselors are entrusted with the proper disposal of public funds which consumers use to accomplish the decisions they make. When the sole source of information a consumer receives is from a counselor, who works in the system, it is easy for that input to become infused with the gatekeeping responsibilities which are part of the VR counselor's duties. All systems have gatekeeping issues which affect the consumer's choices and which often require a blend of information and advice to assist them to make successful informed decisions. Counselors must recognize the limits of their advice and the possible bias of their information in light of their gatekeeping responsibilities, and be able to communicate these limits to the consumer. The limits referred to here typically are monetary issues such as the cost, value or individual's need relative to a service or product. Counselors need to reduce any arbitrary and limiting rules on the use of funds by placing the consumer's needs and satisfaction as first line considerations.

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ADVICE AND INFORMATION (Continued)**Gatekeeping Issues Continued**

However, there are gatekeeping issues which go beyond money and which can compromise the effectiveness of advice and the validity of information which the counselor gives the consumer. If the decision of the consumer is one which has the potential to cause physical or emotional harm, it is often necessary to impose limits as opposed to offering information, options or opinions. Counselors must decide if and when it is appropriate to intervene if it appears harm may occur. These types of situations obviously go against the purpose of informed choice, so when it is necessary for a counselor not to support a decision made by a consumer, he/she should seek a wide variety of acceptable options which can be presented to the consumer.

Believability/Reputation

Since one of the traditional counselor roles has been that of gatekeeper, many consumers have questioned the degree to which advice and information serve their needs or the agency needs. In order for counselor input to be perceived as believable, it is necessary for the counselor to build a reputation of honesty distinguishing between advice and the limiting reality of the gatekeeping needs of the agency.

Consumer Ownership of the Decision

The most important consideration relating to good advice and information is that responsible, viable and final decisions are made by the consumer, or by a designated family member, as appropriate. In order to accomplish this, counselors in advising roles must strive to provide unbiased advice and information which relates directly to the consumer choosing and pursuing a realistic employment objective. This advice and information should be adequate for the consumer to make an informed decision based on accurate information. It is the role of the counselor to provide information, but not usurp ownership by the consumer.

ADVICE AND INFORMATION (Continued)**Rehabilitation Act Requirements**

Rehabilitation Counselors are required by the Rehabilitation Act of 1973, as amended in 1992 (Section 361.52), to insure that each individual receives, through appropriate modes of communication,

- information concerning the availability and scope of informed choice,
- the manner in which informed choice may be exercised, and
- the availability of support services for individuals with cognitive or other disabilities who require assistance in exercising informed choice.

Complex Issues

Counselors may find that complex issues are difficult for some consumers to comprehend. The more truly complex the issue, the more likely it is that the consumer will feel the need for professional/technical information and advice. In these cases it is important for the counselor to consider using an outside advisor who has special knowledge of the issue, especially if the counselor feels that he/she is not qualified to inform the consumer on the issue.

Different Sources of Information

An effective way to reduce bias information and deal with complex issues is to broaden the scope of those who provide the information. Counselors should seek input from a variety of sources, but should not overload the consumer with conflicting information. By viewing advice and information from multi-sources rather than a single, system-provided source, it is possible to include the counselor in the mix without violating the principle of impartiality. In general, the counselor should see that the consumer has access to information from a variety of sources.

STRATEGIES FOR IMPLEMENTING INFORMED CHOICE**Determining Consumer Ability**

Methods to determine the consumer's ability to implement informed choice may vary depending upon the individual's disability and the severity of that disability. For some individuals the counselor, the consumer, or others can use a checklist to analyze the consumer's skills and abilities in areas important to the implementation of informed choice. Such an analysis provides a way for the consumer and others working with him/her to identify those tasks for which the consumer needs support, accommodations, and skill building. Purchased checklists can be used or counselors can develop their own.

Working with a consumer on developing a vocational profile and employment goal will yield information about how the consumer gathers and responds to information and makes decisions. Situational assessments or trial work experiences provide the opportunity to observe the consumer in natural life situations that help clarify not only the consumer's goal and service needs, but how the individual makes decisions. Interviewing family, friends, and others who are close to the individual may also yield the same information.

Counselor Judgement and Observation

Counselor judgement and observation are a primary source of discovery throughout the VR process. How the individual followed the process of obtaining VR services and how he/she processes information and responds to questions during interview and intake provides information about some of the skills related to informed choice. Probing the reasons that the individual says "no" to a particular option helps to determine if the consumer is responding because of lack of information or because of fear. Assessing changes in the consumer's skill in implementing informed choice and adapting supports appropriately is a continuous evaluation and educational role for the counselor.

STRATEGIES FOR IMPLEMENTING INFORMED CHOICE (Continued)**Consumer Self-Discovery**

Self-discovery is an important factor in the implementation of informed choice. Employment outcome as defined in the final regulations for the VR Program includes the element that the employment outcome must be consistent with an individual's

- strengths,
- resources,
- priorities,
- concerns,
- abilities,
- capabilities,
- interests, and
- informed choice.

The more complex the individual's situation or disability, the more difficult it is for others to help the individual consider all the factors necessary for making informed decisions. Using techniques that teach individuals

- to develop an awareness of how their disability affects them,
- how they function on a daily basis, and
- how they respond to information and make decisions

may be a better investment of the time and efforts of VR counselors.

One method of self-discovery is for the individual to keep a diary/log/journal, either in writing or by audiotape. Individuals can record information such as variations in their energy level, times and conditions when they feel good and are doing their best work, variations in symptoms, and other revelations about the VR process. The log becomes a self-management tool, providing insight into behavior patterns and forming the basis for strategies to maximize the individual's functioning level.

STRATEGIES FOR IMPLEMENTING INFORMED CHOICE (Continued)**Gathering Information**

Assisting the consumer in gathering information can begin during the assessment process by allowing him/her to direct the discussions between counselor and consumer. Also, the VR counselor can provide the consumer with information which is written in a manner the individual can understand. The consumer can then clarify and discuss the information with the counselor, a peer group, rehabilitation team, family members, or other individuals. In this manner the VR counselor makes sure that the consumer understands the information.

Consumers can also be taught to gather information about goods, services and service providers. To provide structure for gathering such information, the VR counselor and consumer can develop a list of questions to ask providers. For example, an individual who is seeking the services of a job developer might want to ask

- if the job developer specializes in certain types of jobs,
- how the developer gets job leads,
- show much time the developer will spend per week working with the individual, and
- what the developer is expecting from the individual.

VR counselors can support this method by developing a list of core questions to be supplemented by specific individualized questions as appropriate.

Support and Assistance from Others

Consumers can obtain assistance from other individuals in the form of support in their decision making process. For any aspect of their rehabilitation process, the consumer could bring a friend, family member, or other individual into their making decisions on informed choice. The VR counselor plays a key supportive role in this process by following up with the consumer frequently to see how he/she is doing and by modifying or developing strategies to assist the individual in improving their planning and decision-making skills.

STRATEGIES FOR IMPLEMENTING INFORMED CHOICE (Continued)

Simplifying Information

Counselors should provide consumers with access to appropriate information which will allow them to

- identify opportunities and solutions to problems,
- assess strengths and weaknesses,
- ask appropriate questions,
- locate resources, and, if necessary,
- advocate effectively.

Access to appropriate information allows a consumer to influence, and to be influenced by, the rehabilitation process.

Modes of Communication

The Rehabilitation Act of 1973, as amended (Section 361.52), requires that consumers receive information on informed choice through an appropriate mode of communication. This information must cover

- the availability of and scope of informed choice,
- the manner in which informed choice may be exercised, and
- the availability of support services for individuals with cognitive or other disabilities who require assistance in exercising informed choice.

GUIDELINES FOR IMPLEMENTATION**Partnership**

Although the consumer and counselor form the heart of the partnership in the rehabilitation process, other individuals, such as parents, friends, advocates, peer counselors, mentors, vendors, other agencies, or the Client Assistance Program, etc., may be directly or indirectly involved in career identification and planning. These other partners may provide valuable support to the consumer in making informed choices. The consumer should be provided information and assistance as appropriate to evaluate/ determine the involvement, impact and quality of these resource partners in the formulation of career options and plans.

Consumer Benefits

With the assistance of the VR counselor and through the formulation of partnerships, the consumer receives all the information necessary to make valid and responsible decisions. Through the information provided, the consumer develops decision-making skills which will benefit and empower him/her for a lifetime,

- owns decisions and shares responsibility for outcomes,
- learns that each option or choice has a different impact, meaning or result, and should be weighed carefully,
- learns that being an active partner means that to reach a goal, you have to be part of making it happen,
- gains a better understanding of his/her own needs, strengths and desires,
- shares the responsibility for information gathering and exploration,
- gains in self-assurance and the ability to be a self-advocate, and
- has a better chance for a satisfying, rewarding and secure job as a result of exploring thoroughly his/her own capacities and a wide range of options.

GUIDELINES FOR IMPLEMENTATION (Continued)

Counselor/Team Role

Counselors/teams focus on

- guidance and counseling,
- skills training,
- providing tools and resources,
- consulting, and
- facilitating and advocating.

Counselors/teams assure that

- consumers obtain adequate information on their strengths, resources, priorities, concerns, needs, abilities, and capabilities in order to develop personally meaningful short-term employment goals and long-term career and quality of life goals;
- they provide skills training and opportunities to practice how to:
- evaluate and prioritize options,
- solve problems,
- make decisions,
- communicate choices, and
- take responsibility for outcomes;
- they retain responsibility as professionals to present their best judgements to
- teach consumers to evaluate options,
- say "no" when alternatives are not possible under law, policy, budget constraints, the labor market or other circumstances, and
- help the consumer to understand that the universe of choices is not infinite;

- they inform the consumer that they have the right to appeal when agreement cannot be reached within the rehabilitation partnership or parameters of agency policy and refer the consumer to the Client Assistance Program;
- they create hope, empower and expand the consumer's range of possibilities thinking" by emphasizing strengths and building capacities, and help identify and diminish barriers and fears;
- they individualize and customize their consumer partnerships and are sensitive to diversity issues;
- they create ways for consumers, regardless of their level of functioning, to participate to the fullest extent possible in the informed choice process.

GUIDELINES FOR IMPLEMENTATION (Continued)**Consumer Role**

The consumer is an active partner in researching and exploring options, strengths, barriers, resources, solutions, and a range of career possibilities.

The consumer

- evaluates, reality-tests and prioritizes options,
- develops and uses decision-making and self-advocacy skills,
- learns to make career choices consistent with identified strengths, resources, abilities, and environmental realities,
- is responsible for the results of decisions, and for following through on planned activities and steps toward their employment goals,
- may choose to include family, advocates or service providers in identifying options,
- learns to offset barriers through technology, adaptive and other skills, natural supports and reasonable accommodations,
- learns how to advocate for his/her own choices, when the counselor or others do not agree, by presenting additional information, by finding solutions or resources, and by using the right to appeal, etc., and
- learns skills that will assist in keeping or advancing in employment throughout his/her lifetime.

Assessment and Career Planning

Consumers will be expected to own and share responsibility for their assessment and career exploration experience. Self-assessment opportunities and experiences will be offered and facilitated by the counselor. These will be reality-based and employment focused.

Consumers will be assisted, to the extent needed, to become aware of and knowledgeable about their skills, abilities, talents, interests, and priorities and how these relate to selection of meaningful career options. The pros and cons of a range of career paths will be explored with care and research. The

continued on next page

GUIDELINES FOR IMPLEMENTATION (Continued)**Assessment and Career Planning Continued**

counselor/team will provide the consumer with information and assist him/her to evaluate factors such as financial needs, occupational outlook, job availability, career values, and alternative strategies. This exploration may include other partners as the consumer decides appropriate.

Consumers will be taught to consider critical questions such as "What more do I need to know about myself or about the world of work?" Counselors will facilitate critical thinking and support the process by suggesting and providing tools and resources, and by helping the consumer evaluate what is explored or experienced.

Options for Self-Assessment and Career Exploration

The following are some options for self-assessment and career planning:

- Participate in a job club which provides valuable peer feedback and support, as well as builds job search skills.
- Conduct an informational interview or job shadow a friend or mentor.
- Attend a career exploration or even specific job skills class.
- Take an interest or aptitude test.
- Get feedback from family and friends.
- Explore specific barriers through further standardized testing or psychological testing.
- Complete an assistive technology evaluation.
- Develop a resume or work profile.
- Do volunteer work.
- Attend an Academic Preparation Workshop or use the Student Handbook.
- Form a consumer-centered team of selected friends, neighbors, providers, advocates, or others to participate in career exploration, assessment and planning.
- Take a self-advocacy skills class.
- Get feedback from the counselor and other partners on the above activities or experiences.
- Participate in participant group or mentoring programs.

NOTE: This list is by no means complete. Other tools/ resources may be identified or created to fit the specific needs of a particular consumer.

GUIDELINES FOR IMPLEMENTATION (Continued)**I P E**

The Individualized Plan for Employment is the tool for focusing and organizing informed choices toward the goal of employment. Based upon the results of the self-assessment process, the consumer and counselor will jointly develop an employment goal from the range of vocational goals that were considered, and will base the choice upon the appropriateness of the goal in relation to the consumer's interests, skills, abilities, and needs.

The consumer and counselor will identify specific steps (intermediate objectives) needed to reach the employment goal. The counselor will provide information about the range of services available to support those steps. This will include specific information about various service providers, training programs, etc., their effectiveness and other quality factors. The counselor will provide as many service options from which to choose as reasonable and possible. The counselor will assist the participant to evaluate the options in order to make appropriate and informed choices.

The counselor and consumer will agree upon and clearly identify responsibilities, time lines and how progress will be measured.

If agreement cannot be reached, the partners may need to gather more information or to further research options. If this does not result in a mutual decision, the consumer may exercise the right to appeal.

Case Recording and Documentation

The case record should reflect the consumer's active involvement at major decision points (specifically, in the development of the I P E) and how information about choices was provided. The record should indicate what range of career options was considered and the rationale for the choice of vocational goal. I P E documentation should describe, in the consumer's own words, how he/she participated in the decision-making process, development of vocational goals and selection of service providers. This documentation reinforces participant ownership of and responsibility for the plan.

GUIDELINES FOR IMPLEMENTATION (Continued)

Consumer Satisfaction

The effectiveness of the Informed Choice policy and practice will be evaluated through the Consumer Satisfaction Survey, area supervisors, and through DSB case review.

OVERVIEW**What is VR?**

Vocational rehabilitation is the provision of services designed to assist the consumer in obtaining a successful employment outcome that is commensurate with the consumer's abilities, capabilities, unique strengths, resources, priorities, concerns, interests, and informed choice to the maximum extent appropriate, which results in employment in an integrated setting.

Aim of VR

To provide the consumer tailor-made services which will lead to a successful employment outcome, self-independence, and independence from the state and federal programs providing financial assistance in most VR cases.

What is the I P E?

The I P E is a written document, which specifies a series of actions necessary for the consumer to obtain or retain full-time or part-time employment, as appropriate. The I P E is jointly developed by the counselor and the consumer and/or a representative, as appropriate.

Objectives

The objectives of the I P E are:

- to formalize joint case planning toward selection and achievement of an appropriate employment outcome
- to formalize case management practices
- to specify means and time frames for achieving and reviewing intermediate objectives and specific goals
- to jointly evaluate and monitor a consumer's choice, participation, protection of rights, and understanding of the responsibilities involved in the rehabilitation process.

OVERVIEW (Continued)**Range of Services**

Section 103(a) (Scope of Vocational Rehabilitation Services) in the Rehabilitation Act of 1973, as amended, lists a wide variety of services that may be provided to a consumer who is seriously seeking an employment outcome. In the provision of services through the I P E, the counselor **MUST** document the need for the services, and how the services will assist the consumer in accomplishing the goal and achieving an employment outcome.

Assessment

DSB will conduct a thorough assessment for determining VR needs for each eligible individual. The purpose of this assessment is to determine:

- The specific employment outcome,
- The nature and scope of service needed to be included in the I P E and
- The criteria for evaluation of progress toward an employment outcome.

NOTE: The term employment outcome means with respect to the individual:

- Entering or retaining full-time, or if appropriate, part-time competitive employment in the integrated labor market, and
- Satisfying the vocational outcome that is determined appropriate, including self-employment or business ownership.

OVERVIEW (Continued)**Plan Development**

The I P E may be jointly developed between the VR counselor and the consumer or the consumer may develop all or part of the plan independently or with technical assistance from another source. If the consumer chooses the latter option, the counselor must provide the consumer with:

- Information on the availability of assistance, to the extent the consumer determines appropriate
- A description of the full range of components that shall be included in the I P E
- An explanation of agency guidelines and criteria associated with financial commitments concerning the I P E
- Additional information requested by the consumer or information deemed necessary by the agency
- Information on the availability of assistance in completing designated State agency forms required in developing the I P E
- A description of rights and remedies available to the consumer
- The availability of the client assistance program.

The I P E must be developed in accordance with any applicable fee schedule along with the methodology to permit exemptions so individual needs can be addressed.

The counselor will document in the case narratives the counseling provided at I P E development.

Design

The I P E must be designed to achieve the specific employment outcome chosen by the individual and be consistent with the individual's unique strengths, resources, priorities, concerns, abilities, capabilities, career interests, and informed choice. The documentation should show that there is adequate labor market demand to support the employment outcome chosen. If relocation would be required for the employment outcome chosen, the consumer must agree to relocate to an area with sufficient labor market demand for the chosen employment outcome prior to the signature and initiation of the I P E. The individual should acknowledge that he/she is familiar with the entry-level wages that are common in the chosen vocation.

OVERVIEW (Continued)**Components of the I P E**

The I P E must contain the following components:

- A specific employment outcome consistent with informed choice,
- Criteria for evaluation of progress toward employment outcomes,
- Specific rehabilitation services,
- Projected timelines for initiation and duration of services,
- Schedule for periodic reviews and evaluations,
- Entity to provide services and methods for procurement,
- Responsibilities of the individual,
- Need for post-employment services, and
- Need for supported employment services.

NOTE: The services, service providers, and all activities selected by the consumer must be necessary to meet the employment outcome goal.

Supported Employment

For supported employment services, an employment outcome should include a description of the extended services needed and the source of extended services. If it is not possible to identify the source of extended services at the time the I P E is developed, a statement must be included explaining the reasonable expectation that extended services will become available prior to closure.

Counselor's Role

It is the counselor's role to:

- Provide information, tools, and resources to encourage decision making skills,
- Facilitate the decision making process,
- Support decision implementation, and
- Provide the consumer with information about the parameters, which may affect the range of available career goals or service options.

OVERVIEW (Continued)**90-day Time Frame**

The I P E will be developed concurrently or within 90 days after a Certificate of Eligibility for VR Services, a Certificate of Eligibility for Trial Work Experience, or EE Services has been completed.

NOTE: Transition cases should be treated the same as any other case. VR Counselors are not to open a case unless they are going to write an I P E within the 90-day time frame.

Plan Approval

The completed plan must be signed and dated by the DSB counselor and the individual or, if appropriate, the individual's representative. Within the framework of a counseling and guidance relationship, the DSB counselor is the approving authority; therefore, the counselor's signature indicates approval of the I P E. A copy of the approved I P E must be given to the consumer or his/her representative. The approved I P E must be in accordance with any applicable fee schedule along with the methodology to permit exemptions so individual needs can be addressed.

Reviews

The I P E is to be reviewed at least annually.

Amendments

The I P E will be amended each time a substantial change is made in the consumer's rehabilitation program. The I P E can be amended at anytime utilizing informed choice. A copy of all amendments will be provided to the consumer.

Amendments do not take effect until agreed to and signed by the DSB counselor and the consumer or the consumer's representative.

NOTE: A new I P E must be completed when a consumer is moved from Trial Work Experience or EE services to an accepted status.

I P E FORMS

Introduction

In response to the legal requirements for a written record of the rehabilitation program, DSB has created the following documents:

- DSB-8017 (Original Form)
- DSB-8017A (Amendment Form)

The above forms are designed to effectively document all phases of the rehabilitation process, and are developed through the mutual participation and acceptance of the VR Counselor and the consumer and/or a representative, as appropriate.

Purpose of the DSB-8017 I P E

The purpose of the I P E is to formalize the development of a plan of rehabilitation services by the VR Counselor and consumer and/or representative, as appropriate, and documents the responsibilities of all parties involved.

The I P E documents the rehabilitation goal, services, and responsibilities of the VR Counselor and consumer. By this time in the rehabilitation process, the VR Counselor **MUST** have adequate documentation supporting the services needed to assist the consumer in accomplishing the goal and achieving an employment outcome.

Development of the I P E

The DSB-8017 is **ALWAYS** developed when a consumer moves from Applicant Status (Status 02) or Status 10 and is placed in one of the following statuses:

- Trial Work Experience or, if applicable, Extended Evaluation (Status 06)
- Plan Developed (Status 12)
- ILRS Plan Developed (Status 02 of ILRS Program)

Individualized Plan for Employment (I P E)

7.07

I P E FORMS (Continued)

Dates

The date the I P E is signed should match the date the consumer is moved into Plan Developed status (Status 12) in BSIS.

I P E Disbursement

The original I P E, which has been signed and dated, is to be filed on the left side of the case service record. Provide the consumer a signed copy of the I P E.

COMPLETING THE I P E FORM (DSB-8017)

The following instructions are to be used whenever the VR Counselor must use a form to manually capture information that will later be entered into BSIS. Instructions for using BSIS are found in the BSIS manual and through using the BSIS system.

Identifying Information

Enter the client's name and case number. This must be done for each page of the I P E form DSB-8017.

Caseload

In this space enter the program number, followed by a hyphen and the VR counselor's identification number. This must be done for each page of the I P E form DSB-8017.

Employment Information

Enter the Dictionary of Occupational Titles (DOT) code and the employment goal.

Pell Grant

Place an "X" in the space indicating whether the consumer will need a Pell Grant.

Assessments

Place an "X" in the spaces showing that assessments are needed at initiation and closure.

Dates

Enter the date that the plan will begin, which is the same date as the counselor signs the I P E form, and the estimated completion date.

Purpose

Read and explain purpose to consumer.

Client's Responsibilities

Read and explain client's responsibilities to consumer.

COMPLETING THE I P E FORM DSB-8017 (Continued)

Client's Rights and Solutions

Read and explain client's rights and solutions to consumer.

Category

A category is a type of assistance that will be outlined in the I P E. There are several I P E categories, listed in BSIS, available to aid in detailing the plan of service. A number of services can be planned for each category. Complete a separate sheet for each category.

Date Printed

BSIS will automatically generate the date printed.

Dates

Enter the start and completion dates as described previously.

Specific Responsibilities of DSB, Client and Other Entities

List and describe the responsibilities of DSB, the consumer and any other entities involved for each particular category. Information will be in sufficient detail to ensure that all parties involved know exactly what is expected of them during the VR process.

NOTE: This is a very important section of the I P E and as much time as needed should be taken to ensure that the consumer understands and accepts responsibility for the I P E and its outcome.

Services

List the services to be provided within each category including the name of the vendor from whom the service will be purchased.

Evaluation Method

Describe how the progress of the plan will be monitored.

Evaluation Schedule

Each detailed plan includes an evaluation schedule. Record how often the I P E progress will be evaluated.

Individualized Plan for Employment (I P E)

7.10

COMPLETING THE I P E FORM DSB-8017 (Continued)

Start and End Dates

List the estimated date each detailed plan is to begin and end.

NOTE: Plans are not to be written for more than a year at a time.

Costs

The consumer and VR Counselor need to understand exactly who will be paying for the planned services. List the approximate cost of the services to be paid by the client, other sources (comparable benefits), and DSB.

NOTE: All other available sources must be utilized before DSB funds are expended.

Annual Review

Read and explain to the consumer that the I P E is scheduled for a review at least one year from the date it is originally signed.

Consumer's Understanding of the I P E

The consumer completes this section explaining his/her involvement in the development of the I P E. The consumer must initial if the VR Counselor has written the comments. **THIS SECTION IS NOT AN OPTIONAL SECTION; IT IS MANDATED BY LAW.**

Signatures/Date

Both the VR Counselor and consumer should sign the I P E if both are in agreement to its terms and conditions. Record the date the I P E is signed by the consumer.

I P E AMENDMENT

Purpose

An amendment to the original I P E is made when a change takes place in the rehabilitation program after its original development. Should it become necessary to make changes in the I P E, the VR Counselor and consumer **MUST AGREE TO THE CHANGE AND BOTH MUST SIGN THE I P E AMENDMENT FORM BEFORE THE CHANGES TAKE EFFECT.**

When to Amend

The original I P E needs to be amended when the VR Counselor and consumer agree that a service or extension of time, etc. is needed in order to accomplish the I P E goal. An amendment reflects a change in the I P E that was not evident as something needed at the time the plan was originally developed. The DSB-8017A is used to document the following:

- Amendment
- Goal change
- Post-employment

Completing the Amendment

When completing an amendment, follow the same guidelines listed for the original I P E.

VR SERVICES AVAILABLE TO CONSUMERS**Introduction**

The Rehabilitation Act of 1973, as amended, sets out specific services that vocational rehabilitation agencies may provide to consumers. Depending upon the needs of the consumer, all or a portion of these services can be provided.

Mandate

All goods and services necessary for the consumer to achieve a successful employment outcome will be provided as planned for on the I P E.

Services Provided

Only those services specified for on the I P E may be provided by DSB. Should the consumer need additional services to secure employment, an amendment to the I P E must be completed.

Authorizing Services

All services or goods for which DSB is to pay must be authorized in writing, simultaneously with, or prior to, the provision of the services or goods.

In-State Services

It is the policy of DSB to provide all services to consumers from within the state whenever possible. If DSB purchases a service outside of the state that is available within the state, the consumer will be responsible for any difference in the cost of the service.

Out-of-State Services

If a consumer is in need of a service that will assist in securing or maintaining a successful employment outcome, and the service is not available within the state, the service may be provided from a vendor outside the state and the expense endured fully by DSB.

ASSESSMENT OF REHABILITATION POTENTIAL

Who is Assessed

All consumers referred for vocational rehabilitation services will receive an assessment to determine rehabilitation potential.

Scope

A primary assessment will be completed to determine a consumer's eligibility for VR services. If the consumer is found eligible for services, a thorough assessment will be completed to determine the nature and scope of services needed to assist the consumer in achieving a successful employment outcome.

For More Information

For more detailed information on the assessment of rehabilitation potential, see Section 4 in the VR Program section of this manual.

COUNSELING, GUIDANCE AND REFERRAL SERVICES**Definition**

Counseling and guidance services are those services provided when a consumer is consulted with or advised regarding any problem/situation impacting upon or any facet of his/her successful vocational functioning. These ongoing services may be provided during any stage of the rehabilitation process.

Counseling and guidance implies a greater impact has been made upon the consumer by the provision of such services; in other words, the consumer's life must somehow be changed. It includes physical restoration, provision of prosthesis, arrangement of services, employment assistance, etc.

Examples

The following are examples of counseling and guidance:

- assisting consumers in understanding his/her capacity, attitude and interest throughout the vocational rehabilitation process on the basis of assessment of the consumer's progress toward selected goals
- helping consumers understand his/her limitations and health, personal and social problems related to their vocational adjustment
- assisting consumers in understanding the services available from the agency and other community resources and how they can best be obtained and utilized in his/her vocational adjustment
- assisting consumers in situations encountered in achieving rehabilitation, e.g., control of anxieties concerning physical restoration, developing appropriate study and work habits, improving personal appearance, managing finances, preparing for job interviews and tests, devising effective relationships, gaining insight into the world or work, etc.
- assisting consumers in selecting a suitable and realistic vocational goal
- planning with the consumer and others, when necessary, for a program to attain a specific vocational goal

continued on next page

COUNSELING, GUIDANCE AND REFERRAL SERVICES

Examples Continued

- working with family members, relatives and various segments of the community to aid in the individual's vocational adjustment
- continuing follow-up relationships with the consumer, employer, and others, as necessary, to assure suitability of occupation

What are Referral Services?

Referral services are those which assist a consumer in accessing other agencies or resources. These services are provided according to the individual needs of the consumer.

PHYSICAL AND MENTAL RESTORATION SERVICES

Definition

Physical and mental restoration services are those services necessary to

- correct or
- substantially modify

within a reasonable period of time a physical or mental condition which is

- stable
- slowly progressive, and
- results in a substantial handicap

directly affecting the employability of a consumer.

Purpose

Restoration services are provided to enable a consumer to

- enter or
- retain
- employment by
- reducing or
- eliminating

functional limitations imposed by the disabling condition, providing greater opportunity for vocational success thus lessening the employment handicap.

Use of Comparable Services & Benefits

Prior to the provision of any physical or mental restoration services, the counselor must determine if a comparable service or benefit is available to provide such services or cover a portion or total cost thereof.

Examples

Examples of physical and mental restoration services include the following:

continued on next page

PHYSICAL AND MENTAL RESTORATION SERVICES

Examples continued

- medical services
- surgery
- diagnosis and treatment of mental or emotional disorders by a psychiatrist or psychologist
- dental work
- hospitalization for surgery and/or treatment
- drugs and supplies incidental to surgery and/or treatment
- prosthetics or other assistive devices
- eye exams and glasses if needed for employment
- physical, speech or hearing therapy

TRANSPORTATION**Definition**

Transportation is defined as necessary travel and related expenses in connection with transporting a consumer who is disabled for the purpose of providing VR services. It is considered a supportive service which contributes to the consumer's ability to benefit from other VR services.

When to Provide

Transportation services may be furnished in connection with other rehabilitation services at any time during the rehabilitation process.

What is Included

Transportation services may include the following:

- fares/travel costs to use public or private modes of transportation
- attendant/escort for a person who is severely disabled
- travel cost incurred by an attendant/escort
- relocation or moving expenses

Counselor Duties

It is the counselor's responsibility to assure that:

- no consumer is unable to obtain services due to the lack of transportation
- available transportation without cost to the agency is utilized whenever possible
- if agency funds are used, purchased fares must be the lowest available for type of transportation employed

Payment

Payment should be made directly to the vendor using the DSB-1080 form.

SERVICES TO FAMILY MEMBERS**Definition**

Services to family members are those provided to one or more of a consumer's family (as defined below). The purpose is to increase the effectiveness of VR services to the consumer and bring about a successful employment outcome.

Who is a Family Member?

The family of the consumer is considered to be the consumer, the parent(s), and/or legal guardian(s) and all individuals residing in the household for whom the consumer, parent(s) and/or legal guardian(s) have legal or financial responsibility.

Criteria for Provision

In order to provide services to family members, such services will be:

- provided only after determination of eligibility for VR services or acceptance for extended evaluation,
- planned with the consumer and designated on the I P E
- furnished to only those family members meeting the definition of family as set out above,
- responsive to the needs of the consumer,
- a material contribution to the consumer's vocational adjustment or rehabilitation, and
- unavailable through existing community resources, agencies, or comparable services or benefits.

Rule

Services to family members are provided only if without such services, the consumer would be unable to begin or continue the I P E, and the program would be jeopardized or interfered with to the extent that employment would be unnecessarily delayed or could not be achieved.

INTERPRETER SERVICES FOR PEOPLE WHO ARE DEAF

Definition

Interpreting is defined as a means by which the oral remarks of one person are translated or interpreted to another person through the use of sign language, finger spelling, alternate language and/or pantomime.

Purpose

Interpreter services are offered to an applicant or consumer in order to assure participation in VR services and attainment of a vocational goal.

Selection of Interpreters

If available, only interpreters certified by the Registry of Interpreters are used; if none are available, care is taken to assure quality services. If assistance is needed in locating a qualified interpreter for the deaf or hearing impaired, contact Communications Plus for assistance.

Payment of Service

Payment for this service should be consistent with the rate paid in the local market area. If a rate has not been established for this service, it is to be negotiated between the counselor and the service provider.

READER SERVICE FOR THE BLIND**Definition**

Reader service is oral reading or taped recording provided by a vendor to a blind consumer. The material read is that which is otherwise inaccessible to the consumer. Reader service may be used for academic training, vocational training, and to maintain employment.

Who is Eligible

Any person who is legally or totally blind and is receiving academic or vocational training, or is employed and in need of this service in order to maintain employment is eligible for reader service.

Payment

The fee for this service should be negotiated between the counselor and the reader and reported on the DSB statement of reader service form (see forms section). The statement of reader service form should be submitted to the counselor by the consumer at the end of each calendar month for payment. The counselor will complete a DSB-1080 and pay the vendor directly for this service. The counselor may approve amounts up to a maximum of \$8.00 per hour. Any amount above \$8.00 must have the written approval of the Program Administrator.

Allowable Hours

The counselor and consumer should negotiate the number of hours of reader service needed in order for the consumer to complete training or maintain employment. This is a limited service and the consumer should understand this at the onset of this service.

Consumer Responsibility

It is the consumer's responsibility to

- utilize all other reading sources to the maximum degree possible prior to seeking payment by DSB, and
- submit the DSB statement of reader service form at the end of each month.

TELECOMMUNICATIONS, SENSORY AND OTHER TECHNOLOGICAL AIDS AND DEVICES**Introduction**

As a result of technological advancements in the area of telecommunications, a number of special devices have been and will be developed which have considerable impact on training, employment and independent living for the severely disabled. Proper selection, timely acquisition and effective use of technology may make the difference in a consumer achieving success in training and employment.

Examples

Such special devices may include, but are not limited to, any electronic, computer-based, or mechanical equipment such as:

- audio reading machines
- braille writers
- closed circuit television reading systems
- TTY's
- wheelchairs
- speech boards
- devices to aid in comprehension

Rehab Technology Specialist

The rehabilitation technology specialist develops and maintains information on scientific technological devices designed to assist people with disabilities to achieve their rehabilitation goal and achieve a successful employment outcome.

Assessment

Each consumer will receive a technological assessment at the time of application. This assessment is to aid the counselor and consumer in determining if the consumer will need a more thorough assessment by the rehabilitation technology specialist.

Referral for Assessment

Should the counselor and consumer agree that a more thorough technological assessment is needed, the counselor will refer the consumer to the rehabilitation technology specialist for assessment.

TELECOMMUNICATIONS, SENSORY AND OTHER TECHNOLOGICAL AIDS AND DEVICES**Recommendations**

Appropriate adaptive devices may be purchased for the consumer if the need is documented on the technological assessment and the devices will assist the consumer in achieving a successful employment outcome. The rehabilitation technology specialist will send his recommendations to the counselor in a timely manner.

Before Obtaining Equipment

When equipment is recommended for a consumer the counselor must be certain that

- the consumer is committed to the training employment opportunity,
- the consumer will be able to learn to use the equipment effectively,
- the equipment recommended will allow the consumer to perform the necessary tasks,
- exploration of available options regarding technology has occurred, and
- upon signing the DSB Title Agreement, the consumer understands the purpose and conditions under which adaptive equipment is issued.

Purchase of Equipment

The counselor should follow normal purchasing procedures for items under \$1,000 by completing the DSB-1080. For items over \$1,000, complete the DHS-1914 requesting a purchase order.

Returning Equipment

If it is determined that the equipment issued to a consumer is no longer needed for the training or employment or pursuit of employment, the equipment is to be returned to the counselor for re-assignment (see page 8.15).

OCCUPATIONAL LICENSES, TOOLS, EQUIPMENT, AND INITIAL STOCK AND SUPPLIES**Purpose**

Occupational licenses, tools, equipment, and initial stock and supplies are provided to increase a consumer's prospects of a successful employment outcome or successful self-employment following the completion of their rehabilitation program. By providing these services at the proper time during the rehabilitation process, a counselor can assure that the consumer is ready for employment at the completion of the I P E.

Definition

Occupational licenses are any licenses, permits, fees for examination of licenses, or other written authorities required by the state, city, or other government unit which must be obtained in order to practice an occupation or enter a small business.

Tools

Tools are limited to those items provided to the consumer when the I P E involves entry into a training program or an occupation.

Rule

Tools must be needed and required by the consumer to

- participate in training programs, or
- enter into an employment situation.

This includes only those tools that are normally provided workers in the same or similar trade or profession.

Counselor Obligation

The counselor must assure that the proper tools are purchased and that they are not ordinarily provided by the employer.

Equipment

Equipment is defined as fixtures, apparatuses, machinery or appliances which are normally required to carry out the functioning of a specific business.

OCCUPATIONAL LICENSES, TOOLS, EQUIPMENT, AND INITIAL STOCK AND SUPPLIES (CONTINUED)**Examples**

Examples of equipment that might be provided are:

- power accessories
- garden tractors
- stationery equipment
- special lighting fixtures

Examples of items **not** considered as equipment are:

- automobiles
- operating capital
- buildings
- land
- operating costs

Note: In many instances equipment is provided by the owner or manager of the business rather than by the employee.

Initial Stock & Supplies

Initial stock and supplies are defined as the initial inventory of merchandise or goods necessary for direct resale or for further preparation for direct resale, either on a wholesale or retail basis, by a consumer entering into a self-employment enterprise.

Example

Examples of initial stock and supplies include:

- livestock necessary to establish a base stock of animals
- required books or technical manuals needed to assist a consumer in efficient/proper operation of the consumer's business
- purchase of initial supplies of seed for agricultural self-employment

Note: The amount of initial stock to be provided is determined as the amount deemed necessary to enable the consumer to initially open a place for business.

OCCUPATIONAL LICENSES, TOOLS, EQUIPMENT, AND INITIAL STOCK AND SUPPLIES (CONTINUED)

Ownership of Items

DSB retains residual title to all

- tools,
- equipment, and
- unused supplies

issued to a consumer during the rehabilitation process.

Transfer of Items

Tools, equipment and supplies recovered from a consumer for whom these items were purchased may be transferred to another consumer.

Recovering Property

The counselor must exercise good judgment in recovering physical possession of DSB property no longer being properly used or needed by the consumer. The counselor must keep in mind the degree to which fair wear and tear has affected its value.

Responsibility

The consumer is:

- required to take care of the tools, equipment, and supplies provided, and
- liable for loss and damage resulting from wrongful act or neglect.

The counselor must:

- exercise reasonable diligence in recovering items, and
- document in the case record circumstances related to any loss or damage to equipment.

OTHER GOODS AND SERVICES

Definition

Other goods and services are those identified by the counselor and consumer which

- can reasonably be expected to benefit the consumer in terms of employability, and
- are not described elsewhere in this section

Examples

The following are possible examples of other goods and services:

- payment of rent on premises to be used by the consumer for establishment of a business
- insurance premiums for business equipment, premises and/or liability
- dues for union membership
- modification of buildings to remove architectural barriers

PROVISION OF SERVICES TO GROUPS OF INDIVIDUALS**Overview**

The Rehabilitation Act of 1973 as amended authorizes the provision of rehabilitation services to groups of individuals. DSB may establish contracts or grants to public or private, profit or nonprofit entities, including rehabilitation facilities to:

- broaden the scope of goods and services, and
- create resources or facilitate the provision of services to consumers with disabilities.

For example, DSB could establish grants to LWSB for provision of rehabilitation teaching which would be available to any person who is blind.

Guidelines

While services to groups of individuals are intended to primarily benefit consumers served in the vocational rehabilitation program, they are not restricted to that group. Thus, these services do not require an I P E entry.

EMPLOYMENT ASSISTANCE**Introduction**

Employment assistance is the planning and provision of services to prepare a consumer for work and to assist in obtaining suitable employment. These activities begin at referral and continue through placement and may continue through post-employment.

Services

Employment assistance services include:

- development of consumer attitudes consistent with the job environment
- reconciling problems/barriers to employment that are caused by factors outside the consumer's control such as:
 - architectural barriers
 - transportation barriers
 - job barriers
 - employer attitudes concerning people who are blind or visually impaired

MAINTENANCE**Definition**

Maintenance is a supportive vocational rehabilitation service in the form of cash payments which can be made either to an individual consumer or a vendor for basic living expenses such as

- food,
- shelter,
- clothing, or
- other incidental needs

so a consumer may participate in a specific service.

Purpose

Maintenance is a support which is provided, if necessary, so that the consumer can derive full benefit of vocational rehabilitation services, accomplish the vocational goal, and achieve a successful employment outcome.

Comparable Benefits

The counselor must first exhaust the assistance available through

- the Social Security Administration,
- community resources,
- consumer resources, and
- any comparable services or benefits programs.

When Maintenance is Needed

There are three stages during the vocational rehabilitation process which frequently create the need for maintenance assistance:

- diagnosis and evaluation
- physical restoration
- training

Maintenance may also be required during other phases of the rehabilitation process.

MAINTENANCE (Continued)

Diagnosis & Evaluation

Securing diagnostic and evaluation services might represent out-of-the-ordinary or extra costs to the consumer.

Example: Payment for short-term lodging and meals while receiving specialized tests in a distant medical center or hospital.

Physical Restoration

Maintenance may be paid to allow the consumer to participate in or recuperate from physical restoration services. Payment requires supervisor approval.

Training

To participate in vocational, prevocational, or college training, the consumer may need maintenance assistance for supplies, room and board, etc.

Rule

Assisting consumers in achieving a normal standard of living is to be accomplished through the extension of effective rehabilitation services, not through making cash payments.

TRAINING**When is Training Required?**

Training is rendered to those consumers who require additional skills in order to maintain or establish employment. The training must be consistent with the consumer's interests, aptitude and abilities. The training must also be compatible with the consumer's physical and mental impairments.

Types of Training

There are nine basic types of training:

- vocational
- business/trade school
- academic
- personal/social adjustment
- work adjustment
- community rehabilitation
- on-the-job program
- by correspondence
- job coach services

Note

For further information see VR Program Section 12.

OVERVIEW**Introduction**

This section includes the following:
overview of the supported employment (SE) program of services

- casework procedures
- purchasing procedures
- supported employment guidelines

It is important that VR staff develop an understanding of this non-traditional program before implementing services. The authorized services, use of statuses, case documentation, and purchase procedures are somewhat different from usual VR practices.

Supported Employment as a Program of Services

Supported employment is a specific program of services within the Federal-State Vocational Rehabilitation (VR) Program. The purpose of supported employment is to provide competitive employment in the community for consumers who have the most severe disabilities and who need extended ongoing support after VR case closure to maintain employment and community inclusion.

Essentially, SE is consistent with the basic philosophy of VR's community integration goals. SE is distinctive in that it is designed only for those consumers with the most severe disabilities. The services begin while the case is VR active and continue after successful VR case closure with funding from sources other than VR.

Basic Premise of SE

A basic premise of supported employment is the belief that consumers with the most severe disabilities can, with availability of extended ongoing support services, maintain competitive employment in the community in an environment where they interact with employees who are not disabled and/or the general public. This work may be performed on a full or part-time basis. Wages are paid consistent with the standards of the Fair Labor Standards Act and must also be consistent with wages paid to other workers with similar job functions.

OVERVIEW (Continued)

SE Guidelines

The SE guidelines of this section provide

- details of the program of services,
- federal requirements,
- definitions, and
- DSB rules for implementation.

The guidelines are followed by both VR staff and organizations from which the services are purchased.

VR staff follow the guidelines when

- accepting a consumer into the program of services,
- planning services on the IPE,
- purchasing the services, and
- doing case documentation.

VR staff provide a copy of the guidelines to and review the material with the vendor before services are initiated.

SE Model: Place-Then-Train

In traditional VR, a "train-then-place" model has been used. Consumers are trained for a job then placed in a job. In the SE program of services, a "place-then-train" model is used. Consumers are placed on jobs in the community, and needed training and supports are developed during employment.

Sequential preparatory VR services such as vocational evaluation, personal/social adjustment and work adjustment training are neither prerequisite nor desirable before a consumer enters into SE.

Supported Employment**VR 9.03****OVERVIEW (Continued)****Different Use of Statuses in SE**

Below, the "typical" status order for a regular VR case is compared to that of a VR case accepted for SE.

VR Activities	Typical Use	SE Use
Determine eligibility for VR	02, 06, 10	None
Thorough diagnostic study (nature and scope of services)	10	10 (supplemental and only if necessary)
Write I P E	12	12 (I P E for SE)
Provide training or other "preparatory" service	14, 16, 18	None
Develop job	14, 16, 18, 20	18 (develop other community supports)
Place in job	22	18
Train in job	22	18
Transition into extended SE services	None	22
Monitor stability for 90 days	22	22
Close case	26	26
Provide Post-Employment Services	32	32

CASEWORK PROCEDURES**Eligibility for SE**

An individual shall be eligible to receive supported employment services authorized under the Rehabilitation Act if:

- the individual is eligible for VR services,
- the individual is determined to be an individual with the most severe disabilities, and
- a comprehensive assessment of rehabilitation needs of the individual provided under section 102 (b) (1) (A), including an evaluation of rehabilitation, career, and job needs, identifies supported employment as the appropriate rehabilitation objective for the individual.

Determining VR Eligibility and SE Assessment

As with any case, determination of VR eligibility is required before a program of services is implemented. When determining eligibility, the counselor must consider if the consumer can reasonably be expected to work in a competitive work environment in the community if extended ongoing support services are available. If SE is identified as the appropriate program of services, but a resource for the provision of the extended services is not available, the consumer is determined eligible for VR, and the counselor pursues resources for extended services. If there are no SE funds available, the counselor may choose to fund this service from regular VR money.

A supplemental evaluation can be provided following the determination of eligibility for the VR program if it is needed to:

- determine the most suitable job,
- determine needed ongoing support services,
- re-assess the suitability of a job, or
- re-evaluate any changes in the individual's functioning or medical condition.

Data Item for SE Acceptance

When the consumer is accepted for the SE program of services, the "SE Status" on the DSB-8075 is completed.

CASEWORK PROCEDURES (Continued)**I P E for SE**

Joint development of the I P E occurs as is required with any case. In addition to regular VR services, federal requirements state that an I P E for SE services must also include the following as appropriate to progression of the case.

- a description of SE services to be purchased with VR funds
- identification of the provider and the basis for determining the availability of continuing support for extended services
- prior to transition of case responsibility to the extended services provider, a description of the needed extended services
- a provision for periodic monitoring to ensure the consumer is making satisfactory progress toward meeting a weekly goal established in the I P E by the time of transition to extended services
- as appropriate, the rationale for any extension of an eighteen month limitation on VR expenditures during consumer employment before transition is made to extended services
- as appropriate, the rationale for provision of extended services (monitoring and assessment of employment stability) away from the work site as being in the best interest of the consumer

These can be recorded as specific services under intermediate objectives, and can be established as part of a program or progress review.

NOTE

All SE plans will include placement in an integrated work setting for the maximum number of hours possible based on the unique strengths, resources, interests, concerns, abilities, and capabilities of individuals with the most severe disabilities.

CASEWORK PROCEDURES (Continued)**Time Limited Services**

Time limited services means ongoing support services provided by the state VR agency until transition to extended services. They

- generally, do not exceed 18 months,
- are established in I P E if 18 months is exceeded because individual has not achieved job stability,
- include a variety of training, follow along, and related support services.

Progression of a SE Case

The logical progression of an SE case is as follows:

Status	Purpose
Status 10	Use only if a thorough diagnostic study is needed
Status 12	Develop IPE or SE
Status 18	Develop job and other community supports, place in job, and train in job
Status 22	Transition into extended SE services, monitor stability for 90 days

Status 26	Close case
Status 32	Provide post-employment services if needed

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CASEWORK PROCEDURES (Continued)**SE Services Agreement**

There must be a SE Services Agreement in the consumer's case record. The Services Agreement authorizes the purchase and initiation of services. It is signed by the counselor, the agreement vendor organization, and the area supervisor (optional). The agreement is maintained in the consumer's case record, and a copy is provided to the vendor.

Training: Status 18

The case is moved to Status 18 when the consumer is accepted into the program and SE services are initiated. The case remains in Status 18 during job development, job coaching at the work site and in the community, and until the consumer is stable in employment and the decision is made to transition case responsibility to the extended services provider.

NOTE

Because the core of the training takes place while a consumer is employed, Status 20 is not appropriate for use in SE.

Transition to Extended Services: Status 22

The case is moved to Status 22 at the point of transition of case responsibility for the extended services to the SE vendor. The transition reflects employment stability. DSB funds are no longer provided after the case responsibility has been transitioned.

Successful SE Closure: Status 26

Following transition of the case, VR staff must allow for the usual 90 days of consumer employment stability before the case can be closed as successfully rehabilitated. Successful SE cases are considered competitive employment closures. A job placement is considered supported employment if at the time of case closure the consumer is

- employed in an integrated work setting at the number of hours established as the goal in the I P E,
- paid according to Fair Labor Standards Acts, and
- receiving extended support services as specified in the I P E.

CASEWORK PROCEDURES (Continued)**Post-Employment Services Following Transition: Status 22 & 32**

If an SE case has been transitioned to the vendor or closed successfully rehabilitated, then only discrete post-employment services may be purchased for job retention. Discrete post-employment services are provided only if the needed services are not available through the SE vendor. The following are examples of such services.

- job station redesign
- repair and maintenance of assistive technology
- replacement of prosthetic and orthotic devices
- orientation and mobility services

NOTE

Purchase of additional job coach services is not allowed. The vendor has made the commitment to provide/arrange available services after case transition and after VR case closure.

Reopening a VR Case

In instances of underemployment or a need for extensive retraining, discrete post-employment services should not be used. Consideration should be given to opening a new case. If a consumer whose case has been closed successfully rehabilitated in the SE program of services loses employment and a new comprehensive program of services is indicated, the individual may reapply for VR services and a new SE program of services may be initiated under the new case.

PURCHASING SERVICES**Authority and Funding**

The Arkansas Division of Services for the Blind receives authority and funding for SE through Title VI-C of the Rehabilitation Act, as amended.

SE Service Agreements

DSB makes agreements with various organizations to develop SE services. The counselor should use one of these providers or initiate a service agreement with another provider to develop an I P E for supported employment services. The Supportive Employment Service Agreement form (at the end of this section) will be used to purchase all SE services from a provider.

Counselor's Responsibilities

Counselors have the following responsibilities in an SE case:

- initiate service agreements
- determine appropriateness for SE services
- develop an I P E
- monitor services with the SE project staff
- manage case movement
- encumber
- review monthly summary reports from SE provider
- approve payments

Payments

Upon referral of a consumer for Supported Employment Services, the SE Provider will receive a letter of referral from the counselor and an authorization for \$500.00 from DSB.

After the consumer has been placed in competitive employment at or above minimum wage, authorizations will be issued in the following amounts when the specific goals listed are accomplished. A total of \$4,000.00 will be authorized in the following manner:

- \$1,000.00 at the time of job placement
- \$ 500.00 30 days after placement
- \$2,500.00 90 days after placement and the consumer is still
- stable on the job

PURCHASING SERVICES (Continued)

Alternate Funding

When regular SE funds are not available, counselors may purchase SE services out of case service funds. When using this alternative funding, counselors should use only SE providers that commit to providing extended services. SE services will not be purchased from independent contractors.

All SE services purchased with case service funds will be purchased in accordance with SE policies and using the Supported Employment Services Agreement form.

Combining Funding

Regular VR funds and SE funds may be used simultaneously. For example:

- Medical, diagnostic, and physical restoration services should be purchased out of regular VR funds and SE services be provided out of SE funds.
- The consumer could receive academic training with regular VR funds and then initiate an SE plan.

SUPPORTED EMPLOYMENT GUIDELINES**Introduction**

Supported Employment (SE) is a specific program within the Federal-State Vocational Rehabilitation Program. It is intended to provide competitive employment in the community for consumers who are severely disabled and who need long term assistance (extended ongoing support) to maintain employment and community inclusion.

Background

Continuing concern about competitive work available for persons with severe disabilities is reflected by inclusion of Supported Employment (Title VI, Part C) in the 1986 and the 1992 Rehabilitation Act Amendments.

SE Regulations

The Supported Employment federal regulations were opened for Amended comment in the spring of 1990. Amended regulations became effective in August of 1992 and reflect greater flexibility in meeting the vocational and community integration needs of consumers who have severe disabilities and who need long term support services.

Potential SE Consumers

By federal definition, consumers for whom SE may be appropriate are those who have the most severe disabilities and who meet all of the following criteria:

- have not worked, or have worked only intermittently, in competitive employment
- have been determined on the basis of an evaluation of rehabilitation potential (including a consideration of whether SE is a possible vocational outcome) to meet the eligibility criteria for state vocational rehabilitation services
- need extended ongoing support services to maintain job performance after successful VR case closure
- have the ability to work in a supported employment setting in the community

SUPPORTED EMPLOYMENT GUIDELINES (Continued)

Definitions

Supported Employment: competitive employment in an integrated work setting in the community with ongoing support services for consumers with severe disabilities.

Competitive Employment: work that is performed on a full-time or part-time basis, as determined in each consumer's Individualized Plan for Employment (I P E), and for which a consumer is paid consistent with the wage standards of the Fair Labor Standards Act. Minimum wage is not a requirement. Wages must be paid consistent with those paid to other workers with similar job functions.

Integrated Work Setting: an employment environment where consumers with disabilities interact with employees who are not disabled and/or the general public on a regular basis in the immediate work setting.

Ongoing Support: includes any service necessary to achieve and maintain the SE placement through the duration of that job. It applies to services provided while the VR case is open and after the case is closed. Components of ongoing support are:

- Time-Limited Services: the services purchased by the state VR agency with VR funds, not to exceed 18 months during consumer employment (unless a longer period to achieve job stabilization is established in the I P E), and discrete post-employment services which are not available through the extended service provider, and
- Extended Services: the services that are arranged or provided by the SE vendor to the consumer after state VR agency services are completed and responsibility for ongoing services has been transitioned to the SE vendor. Time-limited VR funding ceases when the consumer's employment is stable and case responsibility is transitioned to the SE organization for provision of the extended services.

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SUPPORTED EMPLOYMENT GUIDELINES (Continued)

Definitions Continued

The extended ongoing support services must be provided throughout the duration of the job (in which the consumer is employed at the time of VR case closure). Provision of the extended services must be in accordance with the consumer's I P E. Possible options for provision of the extended services throughout the duration of the job are as follows:

a minimum of twice monthly monitoring the consumer's employment stability at the work site, or

if in the best interest of the consumer, a minimum of twice monthly face-to-face contact with the consumer away from the job site in the community and contact with the employer at least once each month.

Additional extended support services are provided on an individual consumer basis and as a result of the monitoring of employment stability.

Discrete Post-Employment Services Following Transition: unanticipated services needed to maintain the job placement following transition of case responsibility to the SE vendor and only those services which are not available through the SE vendor. These services may be purchased with VR funds.

The following are examples of discrete post-employment services following transition:
job station redesign

repair and maintenance of assistive technology

replacement of prosthetic and orthotic devices

orientation and mobility services

After transition of case responsibility to the SE vendor has occurred, that organization will also be responsible for communicating with the VR counselor if needed extended services are not available through the vendor or an arranged source. After transition of the case, and with a subsequent 90-day minimum, the consumer's case is closed from the VR rolls.

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Supported Employment VR 9.14

SUPPORTED EMPLOYMENT GUIDELINES (Continued)

Definitions Continued

Discrete post-employment services may be available after a case is closed from the VR rolls with the same requirements of consumer need, non-availability of services through the SE vendor, and communication with VR staff.

Supported Employment Vendors

Because the financial commitment for the extended services is required as long as the consumer is employed in the job, independent contractors do not qualify as vendors. SE services are purchased by written agreement with organizations or employers that commit to provide or arrange for the extended support services after VR responsibility for the case ceases.

Cost of Extended Services

The Arkansas Division of Services for the Blind (DSB) does not reimburse the cost of the extended support services. Federal regulations require that these services be paid for by a source other than VR. The SE vendor is responsible for arranging or providing for the extended services and the associated costs.

Authorized Activities in SE

Any or all of the following time-limited services are authorized for purchase with VR funds: subsequent to VR eligibility determination and only if necessary for an individual case, consumer assessment to determine the most suitable SE placement or the needed support services

job development, job placement or reassessment in the case of unsuitable employment or a change in a consumer's medical condition

job skills training and related services that are needed to support consumers in employment such as intensive on-the-job skills training and other training provided by skilled job trainers, co-workers, and other qualified individuals

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Supported Employment VR 9.15

SUPPORTED EMPLOYMENT GUIDELINES (Continued)

Authorized Services in SE Continued

follow-up services, including regular contact with employers, trainees with severe handicaps, parents, guardians or other representatives of trainees, to reinforce and stabilize the job placement

other specified services needed to achieve and maintain job stability

Facility Based Services Versus SE

Traditional VR training facility services differ from those in SE. Historically, facility based services have been provided on a "train-then-place" model. Consumers are trained for a job then placed on a job. SE services are provided on a "place-then-train" model. Consumers are placed in competitive jobs in the community and needed training and supports are developed during training. Traditional sequential services such as vocational evaluation, personal and social adjustment training, and work adjustment are neither prerequisite, nor desirable, for consumer participation in SE.

Supplemental SE Assessment

Before a referral is made to the SE vendor, the consumer must be determined eligible for VR services by the counselor. The counselor considers the consumer's potential for SE participation when determining eligibility. If additional information is necessary, a supplemental assessment may be performed by the vendor to determine the most suitable job placement and

supports that will be needed.

VR counselors are responsible for planning the program of services with the consumer,

authorizing expenditures, and

monitoring case progress.

SE vendors provide the service and offer input to the consumer and VR counselor.

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Supported Employment VR 9.16

SUPPORTED EMPLOYMENT GUIDELINES (Continued)

SE Acceptance: Job Development & Job Placement

When a consumer has been accepted for the SE program of services, the counselor and consumer develop the I P E to initiate services. Job development and job placement can be done by the counselor or the counselor can purchase the services from the SE vendor.

Examples of job development activities authorized for reimbursement with VR funds are:
research for job market analysis

phone work for appointment setting with employers

time spent with employers for discussion of SE services, plant tours, job analysis, obtaining employer commitment to hire and activities related to the job placement

expenses for travel costs (mileage) up to the maximum state rate (travel time is not reimbursable)

Supported Employment Placement Options

Depending upon an individual consumer's needs, there are options for SE placements. DSB places priority on individual job placements within an immediate work setting.

Examples of other placement options are:

work groups of not more than eight individuals with disabilities within an immediate job site

mobile work crews

VR Funding Restriction During Consumer Employment

During consumer employment use of VR funds is restricted. Starting with the first day of a consumer's employment, time-limited services can be purchased with VR funds for up to

eighteen months, unless the I P E indicates that more than eighteen months of service is necessary for the consumer to achieve job stability prior to transition to extended services. The eighteen months do not have to be consecutive. Months of unemployment are not counted. For consistency purposes, any portion of a month during which a consumer is employed is counted as a whole month.

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Supported Employment VR 9.17

SUPPORTED EMPLOYMENT GUIDELINES (Continued)

Co-Workers as Job Coaches

Federal regulations authorize a variety of persons to provide necessary training to the consumer during employment, such as, SE vendor job coaches or employment specialists, co-workers and any other qualified individuals.

If an employer prefers to have a co-worker provide the job skills training (rather than the SE vendor), then arrangements should be made to reimburse the employer for the service provided. Counselors should not pay the SE vendor for this service if it is provided by the employer. In cases where job coach service is provided by someone other than the SE vendor, the Supported Employment Service Agreement should be amended to reflect this fact.

Traditional O J T Payments to SE Employers Not Allowed

VR agency O J T payments are not used in SE. The intent of the federal SE funds is to pay for the costs associated with training severely disabled consumers for competitive jobs. Traditional VR agency O J T payments to offset the employer's cost to train a consumer and payment for a job coach or employment specialist services cannot be made for the same activity.

Reassessment

After a job placement has been made, reassessment of the case could be indicated. Reasons might include unsuitable employment or a change in the consumer's medical condition.

Transition to Extended Services

In the initial stages of training during employment, a consumer may need a considerable number of SE service hours. As the consumer becomes more self-sufficient, the number of service hours required drops to a level of stability (job coach fading).

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Supported Employment VR 9.18

SUPPORTED EMPLOYMENT GUIDELINES (Continued)

Transition to Extended Services Continued

Not all consumers will require the full eighteen months of VR funded training before the case is transitioned to extended services. At any time during the eighteen months when the consumer has received job skills and other needed training necessary to become stable in employment, the case should be transitioned to the SE vendor for provision of extended ongoing support services. Reimbursement from VR ceases at the point of transition of service responsibility to the vendor. The responsibility for extended services is transitioned to the SE vendor when all of the following criteria have been met:

the consumer's level of job performance and work behavior has stabilized

all other needed training/services have been provided

all needed supports have been established for optimal community inclusion

the consumer's requirement for hours of service provision has reached a plateau

VR and SE vendor staff concur that timing is appropriate for transition of case responsibility to the SE vendor

Supported Employment Outcome

Job placements are considered supported employment if, at the time of transition to extended services, the consumer is working in a community integrated competitive job at the number of hours established as the goal in the I P E,

paid according to the Fair Labor Standards Act, and

receiving extended support services as specified in the I P E.

VR Case Closure

Following transition of case responsibility, VR counselors must allow for a minimum of 90 days of consumer employment stability before the case is closed from the VR rolls as successfully rehabilitated.

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Arkansas Division of Services for the Blind

Supported Employment Agreement

1. This Supported Employment Agreement is entered into on the ____ day of _____, 20__, between the Supported Employment (SE) Provider _____ and the Arkansas Department of Human Services Division of Services for the Blind (DSB).
2. Upon referral of a consumer for Supported Employment Services, the SE Provider will receive a letter of referral from the Counselor and an authorization for \$500.00 from the DSB.
3. After the consumer has been placed in competitive employment at or above minimum wage, authorizations will be issued in the following amounts when the specific goals listed are accomplished. A total of \$4,000.00 will be authorized in the following manner:
\$1,000.00 at the time of job placement
\$ 500.00 30 days after placement
\$2,500.00 90 days after placement and the consumer is still stable on the job
4. Each month the SE Provider will submit a summary of the month's activities and progress of the consumer to DSB. The report will be provided whether billing occurs or not.
This agreement is effective the date of signature by representatives of both agencies.

Signature and Title of Date
Provider Representative

Signature of DSB Counselor Date
7-03

Vending Facility Program 10.01

VFP

Introduction

The Vending Facility Program was established through the Federal Randolph-Sheppard Act and its subsequent amendments and Arkansas Act 201 of 1969. This program is the largest resource of employment for blind citizens of Arkansas who have the necessary aptitudes and skills to manage a small business or food facility operation. Food facilities managed by blind vendors are located throughout the State of Arkansas in Federal, State, and private buildings as well as industrial plants. The Vending Facility Program provides vocational evaluation and training opportunities in both a classroom and on-the-job setting in the area of food facility management.

Applying for VFP

Consumers interested in VFP proceed through the VR process like any other consumer.

The following criteria must be met prior to the time that the person is admitted to the Vending Facility Program for evaluation and/or training. These criteria are based on Federal regulations of the Randolph-Sheppard Act and DSB rules.

The applicant must:

be legally blind

be a citizen of the United States

possess either a high school diploma or a GED certificate; in the absence of either of these, a score of 7 on the Wide Range Achievement Test (WRAT) or a score on an equivalent test which indicates general level of educational achievement will be acceptable

possess necessary skills to travel independently and become oriented to new environments utilizing reasonable assistance

have necessary personal hygiene and grooming skills which are acceptable to the general public

have the ability to write Braille at a level proficient enough to record basic information and to read Braille at a level which will enable him/her to assimilate classroom training materials, or read and write in large print, or use recorded and taped materials to assimilate lesson materials and to maintain business records

Vending Facility Program 10.02

VFP

Required Documentation

The following documentation will be required before entering the program:

1. Documented evidence supporting the fact that the applicant meets the above stated criteria. A report from the orientation and mobility specialist is required. Training reports from Lions World Services for the Blind are acceptable.
2. Ophthalmological report.
3. General medical examination, as well as any other medical information that is available regarding other disabilities.
4. A copy of the completed DSB-8006, Information and Referral Form.
5. Profile or report of an interest inventory such as the Kuder, Hall or Strong or other accepted vocational interest inventories.
6. Outline of person's previous work history. If no work history, then some description of the individual's activities in volunteer and civic organizations, etc.
7. A brief statement in the words of the client stating why he wishes to enter the Vending Facility Program.

Pre-Training Interview

After receiving the above listed information, a pre-evaluation intake interview will be scheduled with the consumer, the rehabilitation counselor, the VFP training specialist and the VFP administrator. This interview will provide the consumer with pertinent information about the VFP and ensure that the consumer has a good understanding of the requirements necessary for success in the program. If all requested information is in place and the consumer and the involved staff are in agreement, the consumer will be required to sign a training agreement and will be accepted for entry in the training program. A math placement test will be administered by the Vending Facility Program prior to or at the beginning of training.

08-03

Vending Facility Program 10.03

VFP

Former Vendors

Former vendors interested in re-entering the program must reapply through a DSB VR counselor

and, if eligible, may be referred by the counselor under the same guidelines as for new trainees. Decisions for acceptance for training will be based on the same criteria as for new trainees, their former work history in the program, and requires repayment of deficits not previously repaid.

Training

The training program shall consist of at least 4 weeks of classroom training including documented testing. The training specialist shall submit a monthly training report in writing to the referring counselor. The remainder of the vending facility training shall consist of on-the-job training (5 weeks) in a vending facility location or locations throughout the State of Arkansas in order that the trainee shall be given the widest possible experience and trained in all aspects of the Vending Facility Program. Training programs will be scheduled a minimum of two, and if possible, three times a year.

Note: The trainee is not paid during the training period by the Vending Facility Program.

Tuition

Tuition for the Vending Facility Program evaluation and training is \$5.00 per day or \$110 per month. Authorizations for tuition should be made and sent to the Vending Facility Program. This fee is paid to the vendors providing on-the-job training.

If maintenance is to be provided, it should be arranged for by the counselor, an authorization issued to the VFP and coordinated through the training specialist. If the consumer is to be provided with personal items needed while in training, e.g. additional clothing, those items should be purchased by the counselor prior to the day on which the consumer enters training.

08-03

Vending Facility Program 10.04

VFP

Progress Reports

The VFP training specialist will submit training progress reports to the consumer's counselor at the end of each month. Any unplanned deviation in the consumer's program of training or termination of training will be reported to the counselor immediately. The counselor will be notified when the consumer successfully completes training so that any assistance needed for initial employment may be planned.

08-03

DIVISION OF SERVICES FOR THE BLIND VFP-27

Vending Facility Program

700 Main, P. O. Box 3237
Little Rock, AR 72203-3237

Application for Evaluation and Training

I. Client's Name _____ **Telephone** _____

Address _____

Date of Birth _____ **Social Security** _____ **Sex** _____

Race _____ **Marital Status** _____ **High School Diploma** Yes ___ No ___

Highest Grade Completed 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15

GED _____ **College Degree** _____ **Emergency #** _____

II. Legally blind Yes ___ No ___ **Other disabilities** _____

Current Medication _____

Last job

Has client had mobility training? _____ **DSB** _____ **LWSB** _____ **Other** _____

Basic mathematical skills: Good _____ Average _____ Poor _____

Communication skills: Reads print _____ Reads braille _____ Neither _____

Uses low vision aids: Yes ___ No ___ **Type** _____

Counselor's assessment of client's personal adjustment.

Grooming and hygiene

**Date client is available for training_____ Client's statement of why he
selected vending facility management as a vocational objective:**

Client's signature:

Counselor's signature:

Date:_____

DSB-12A

DSB-12B

Employment Assistance VR 11.1

OVERVIEW

Introduction

Employment assistance and follow-up of agency consumers are integral parts of the rehabilitation process. The responsibilities for establishing a vocational objective and providing the services related to it, including satisfactory employment, are expressed in regulations. The regulations also require that vocational rehabilitation programs implement these functions.

Definition

Employment assistance is the planning of services to:
prepare a consumer for work,

assist in obtaining suitable employment, and/or

assist in maintaining employment.

Philosophy

The Arkansas Division of Services for the Blind maintains the philosophy that the rehabilitation process is not complete until the individual has achieved a vocational objective commensurate with the individual's:
abilities,

aptitudes,

interests,

aspirations, and

limitations

Strategy

A successful employment assistance program emphasizes the importance of the:

delivery of effective employment assistance services and
development of employment resources.

NOTE: Employment assistance begins with the consumer's application for VR services and continues through each step of the rehabilitation process.

Rev. 09-03

Employment Assistance VR 11.2

OVERVIEW (Continued)

Purpose

The Division asserts that all persons who are blind, statewide, that are in need of employment assistance are entitled to services. Through this commitment:

employment of individuals who are blind will be in keeping with their aptitudes and interests,

new areas of employment will be developed, and

employers will be made aware of the abilities of individuals who are blind or visually impaired.

Benefits of Employment

DSB strives to provide vocational rehabilitation services and assistance that enable consumers to realize independent and meaningful lives. Employment provides for most individuals a means of: social acceptance,

self-realization, and

attainment of materialistic needs and desires dictated by each person's values.

Employment then becomes not an end in itself, but a means through which a broader goal is achieved. However, work that:

holds no promise,

provides no personal satisfaction,

creates frustration, or

demands too much or too little of the worker

obstructs the attainment of these broader goals. Work of this nature likely will prevent the individual from successfully maintaining and progressing in employment.

Rev. 09-03

Employment Assistance VR 11.3

VR COUNSELOR RESPONSIBILITIES

Introduction

The vocational rehabilitation process differs from other types of counseling in that it focuses on the realistic achievement of suitable employment by the individual who is disabled. The vocational rehabilitation counselor has responsibility for all consumers on their caseload from referral through employment and follow-up.

Goal

The goal of job development and placement is to enhance the quantity, and more importantly, the quality of employment for individuals who are legally or totally blind.

Degree of Assistance

The degree of consumer participation is dependent upon the consumer's needs and capabilities.

The consumer's I P E reflects the mutually agreed upon delegation of these responsibilities.

The VR counselor should determine the capacity of the consumer to locate his/her own employment, but this does not exclude the counselor from providing information, referral, and any other assistance that might increase the consumer's employability.

Knowledge of Employment Legislation

Counselors will maintain a current knowledge of:

federal, state, and local labor laws, and

tax credits, such as earned income tax credits, childcare credits, Work Opportunity Tax Credits (WOTC), etc.

Knowledge of Business Community

Counselors will maintain a current knowledge of:
job opportunities and labor market trends in the area

new businesses coming to the community, and

changes in the status of companies currently located in the community

Rev. 09-03

Employment Assistance VR 11.4

VR COUNSELOR RESPONSIBILITIES (Continued)

Marketing

Marketing activities for DSB are intended to make the community and the employment sector aware of program services, activities, and goals. Marketing has two elements:
marketing DSB (its purpose, services, strengths, and accomplishments) and

marketing the consumers (their skills, abilities, and capabilities to meet employer needs).

Marketing can be done directly or indirectly. Marketing includes, but is not limited to: face-to-face contacts with employers; mail-outs (introductory letters, notes of appreciation, newsletters, fact sheets); involvement with the Chamber of Commerce; press releases; networking with other public and non-profit employment agencies; and speaking to civic organizations.

DSB office staff can assist counselors in job development and job placement by sharing potential job leads with the counselor. The staff can provide information of job openings or new businesses that they may know. When a staff member explains the program to a consumer, he/she is marketing DSB, its services, and its purpose. When a DSB employee tells a relative or community member about DSB, he/she is giving that person an image of the program.

Many approaches can be taken to persuade someone to accept an idea (DSB's purpose) or product (in this case a consumer). Marketing involves a degree of trial and error to find which approach will work with a specific employer. Counselors can familiarize themselves with marketing/sales techniques by researching the volume of information available on the subject.

Research about the local labor markets, the economy, and the caseload can be used to select or prioritize employers to contact. Small businesses should not necessarily be overlooked in favor of large companies. It is important that contact eventually be made with all or as many employers as possible in the area. Counselors should not be disappointed or expect every marketing contact to result in a job order. Counselors should work toward name recognition for DSB and develop a long-term relationship with the employer.

Rev. 09-03

Employment Assistance VR 11.5

VR COUNSELOR RESPONSIBILITIES (Continued)

Networking with Employers

Counselors shall develop relationships and network with employers. It is highly recommended that counselors offer to speak to civic groups, Chambers of Commerce, and other organizations that have members who are employers and business owners. Counselors are encouraged to become members of such groups. Frequent contact and communication can build trust with employers and can provide natural opportunities to talk about their companies, job openings, the work of a VR counselor and the positive aspects of hiring DSB consumers.

Networking with Other Groups

Counselors shall develop relationships and network with agencies and organizations that assist individuals in seeking employment, such as:

Department of Human Services

Employment Security Division

Arkansas Rehabilitation Services

one-stop centers

local mental health agencies

Lighthouse for the Blind

Goodwill Industries

college/university placement offices

Veteran's Administration

unions

civic clubs

organizations for people with disabilities

Some communities have interagency associations or similar groups that meet to exchange information about programs, services, and needs. Counselors are encouraged to participate in interagency associations, if applicable, and to make appropriate referrals to assist consumers with employment or services.

Rev. 09-03

Employment Assistance VR 11.6

VR COUNSELOR RESPONSIBILITIES (Continued)

Other Employer Contacts

In addition to networking through organizations, it is important that the counselor makes individual contacts with employers. Employer contacts serve to:

- expand the counselor's knowledge of employment opportunities

- provide an understanding of the company's employment needs and requirements

- improves the vocational guidance the counselor is able to offer consumers

- increase the employer's awareness of the capabilities of DSB consumers

Employer Contact File

Counselors should keep an employer contact file or database containing information about local companies and potential employers. An employer contact file is used for keeping information about the company,

- the contact information for the person who hires,

- the results of calls and/or visits to employers,

- employer needs and requirements, and

follow-up plans

Note: Counselors also should keep a list, card file or database of job-ready consumers (see VR 11.12).

Public Sector Employment

In addition to private sector employment, counselors should be knowledgeable about state and federal employment opportunities and provide this information to consumers seeking jobs.

Rev. 09-03

Employment Assistance VR 11.7

VR COUNSELOR RESPONSIBILITIES (Continued)

Awareness Training

The employment of individuals who are blind or visually impaired is directly related to the employer's awareness of:

the skills and abilities of persons who are blind in general and

the ability of a person who is blind to function in a specific job.

Therefore, counselors should strive to educate employers about the capabilities of persons who are blind or visually impaired. In addition to individual employer contacts and speaking to groups, counselors may consider having a training session for human resource officers, supervisors, and employers in their area. If possible, counselors could invite employers who have hired employees who are blind or visually impaired to participate. Some employers may have never met anyone who is blind or visually impaired. It may be beneficial to share etiquette guidelines with employers or to have some employed consumers speak to the group of employers at the training.

Rev. 09-03

Employment Assistance VR 11.8

REHABILITATION ENGINEERING

Introduction

Rehabilitation engineering is provided to assist a consumer in reaching a vocational goal.

Elements of Rehabilitation Engineering

Rehabilitation engineering includes:

job analysis,

job modification,

job restructuring,

technical information, and

applications of technology.

It may be necessary to incorporate one or more of these elements to overcome a barrier to employment.

Job Analysis

In a thorough job analysis the counselor will:

determine the purpose of the job

identify and analyze the tasks

determine the qualifications, skills, and abilities necessary to perform each task of the job,

evaluate the environment within which the job is located, and

determine whether rehabilitation engineering is necessary.

During a thorough job analysis, the counselor may identify some aspects of the job that present problems for the consumer and constitute a potential job barrier. At this point, a decision must be made as to whether rehabilitation engineering may assist in eliminating that job barrier.

Job Modification

A job modification enables a consumer to execute the tasks in a safe and productive fashion by altering some aspect of the work site.

Job Restructuring

Job restructuring alters the tasks to enable the consumer to perform each one safely and productively.

Rev. 09-03

Employment Assistance VR 11.9

REHABILITATION ENGINEERING (Continued)

Technology Information

Technology can eliminate barriers to employment. The counselor should maintain a knowledge of current technology, which might enable the consumer to accept a job and remain employed.

Devices

The counselor should consider whether application or implementation of a device would result in a consumer being able to perform a job task and thereby, become employable. Any conclusions should be discussed with the consumer and a mutual decision, based upon informed choice, should be made.

Counselor's Responsibilities

The counselor will:

consult with the employer and the consumer regarding the modification or restructuring of a job to enable an individual who is blind or visually impaired to perform the job successfully,

refer situations regarding more sophisticated rehabilitation engineering to appropriate resources, and

implement technology whenever it is needed to enhance the quality of employment for individuals who are blind or visually impaired.

Rev. 09-03

Employment Assistance VR 11.10

JOB READINESS

Introduction

Job readiness is the possession of marketable skills and a pattern of acceptable work behavior.

Assessment

An assessment of job readiness includes consideration of the consumer's:

medical,

psychological,

educational,

socio-economic, and

work history.

Job readiness assessments identify:

barriers;

services needed;

job skills, abilities, and capacities; and

other assets and limitations of the consumer.

The job readiness assessment measures the employability of an individual at the time of assessment. Job readiness should increase throughout the vocational rehabilitation process.

Job Readiness Criteria

Job readiness criteria includes, but is not limited to the following:

age

adjustment

mobility

personality

supervision

motivation

work habits

physical and mental condition

vocational training

Rev. 09-03

Employment Assistance VR 11.11

JOB READINESS (Continued)

Job Readiness Criteria Continued

Regarding age the consumer must be of a legally employable age. Counselors should not overlook consumers who are in their early teens or an advanced age.

Regarding adjustment to disability the consumer must be adjusted to disability, insofar as possible, having achieved reasonable skills to compensate for limitations.

Note: The consumer's adjustment should include an understanding of the wide range of job opportunities available to people who are blind or visually impaired.

Regarding mobility the consumer must be mobile to the extent that the consumer can travel to and from work as independently as possible and

within a work setting safely.

Regarding personality the consumer must be able to get along with others, especially in a work situation. The consumer also must be able to adjust to pressures and responsibilities of the job. These characteristics may be determined through the following:

work adjustment

simulated work setting

psychological testing

observation by the rehabilitation teacher

vocational evaluation

observation of consumer behavior throughout the process

Regarding supervision the consumer must be able to recognize and respond appropriately to supervision.

Continued on next page

Rev. 09-03

Employment Assistance VR 11.12

JOB READINESS (Continued)

Job Readiness Criteria Continued

Regarding motivation the consumer must be motivated to accept responsibilities of a chosen vocation such as

relocation, if necessary,

transportation,

availability of jobs, and

work conditions.

Note: Other forms of income, e.g. SSI, SSDI, V A, etc., may affect the consumer's motivation.

Regarding work and personal habits the consumer must be acceptable to employer with regard to timeliness,

good attendance,

productivity,

grooming, and

general appearance.

Regarding physical and mental condition the consumer must be unhindered by any physical and/or mental problems, which preclude pursuit of a chosen vocational objective.

Regarding vocational training the consumer must be adequately trained or willing to accept training when it is a prerequisite to employment.

Job-ready List

Counselors should keep a list, card file, or database of job-ready consumers to refer to employers. This information should include the person's name, contact information, his/her

skills, and his/her employment goal. In addition to using the information to refer consumers to job openings, it is also possible to use this list to prioritize which employers/companies to contact to develop jobs.

Rev. 09-03

Employment Assistance VR 11.13

PREPARING THE JOB APPLICANT

Thorough Diagnostics

Thorough diagnostics are a prerequisite to vocational counseling. Such diagnostics may include:
eye examination

general medical examination

psychological evaluation

vocational evaluation

rehabilitation teacher evaluation

counselor observations and evaluation

Interpretation and Evaluation of Diagnostics

Once diagnostic information has been conveyed, the counselor and the consumer will be better prepared to search for a career compatible with the consumer's interests and aptitudes. (See Job Readiness Criteria previously discussed in this VR section.)

Identification of Service Needs

Based on the results of the thorough diagnostics and continued observations, a determination is made of the consumer's needs and capabilities. The consumer's functional level determines the scope and nature of the employment services provided.

Functional levels include:

basic skills

job specific skills

experience

credentials

career and self awareness

job seeking skills

independent living skills

personal adjustment

resources and personal support systems

consumer's knowledge of adaptive devices

Delivery of Services

The counselor and consumer plan appropriate and needed services to fulfill any job readiness criteria by:

evaluation of career alternatives

selection of a vocational goal

determination and delivery of training

periodic evaluation

continued counseling

Rev. 09-03

Employment Assistance VR 11.14

EMPLOYMENT ASSISTANCE PROCESS

Introduction

The employment assistance process can start with

the employer or

the client

For example:

If the counselor learns about a job opening from an employer, he/she can search his/her job-ready consumer file (see VR 11.10) for consumers matching the employer's needs. In this situation the counselor would be starting the employment assistance process with the employer.

If the counselor identified a job-ready consumer with auto mechanic skills, then the counselor would begin contacting garages and the service departments of car dealerships to develop a job for the consumer. In this situation the counselor would be starting the employment assistance process with the consumer.

Employment Assistance Process

The following steps describe the employment assistance process starting with the consumer. This list of steps is not intended to hinder the counselor in developing creative and innovative approaches in the delivery of employment services.

Note: If you were starting the employment assistance process with the employer, you would do Step 1 to identify the consumers, Step 6 to match them to the job opening, and then Steps 7, 8, and 9.

Step 1 - Identification of Consumers' Skills, Abilities, and Capabilities

Counselor evaluates the caseload to identify the kind of jobs that would be appropriate for the consumers on his/her caseload, starting with the job-ready consumers.

Rev. 09-03

Employment Assistance VR 11.15

EMPLOYMENT ASSISTANCE PROCESS (Continued)

Employment Assistance Process Continued

Step 2 - Identification of Employers

Counselor identifies companies/businesses that have jobs that are compatible with the employment needs of the consumers and learns who has the power to make hiring decisions within the companies.

Resources to identify potential employers include, but are not limited to:
Arkansas Directory of Manufacturers

company annual reports

local Chambers of Commerce

Employment Security Division

counselor's personal knowledge and employer contact file (see VR 11.6)

Yellow Pages® of the telephone book

Step 3 - Employer Contacts

Counselor makes personal contact with potential employers and establishes ongoing relationships with employers.

Note: The concept of hiring consumers who are blind or visually impaired may be new to some employers. The counselor can inform these employers about the abilities and capabilities of consumers and how they can be productive employees. This may require several visits to build interest and trust. This may be a good opportunity to suggest placement of a consumer in On-the-Job training at the company.

The counselor should remember that not all contacts are productive.

Rev. 09-03

Employment Assistance VR 11.16

EMPLOYMENT ASSISTANCE PROCESS (Continued)

Employment Assistance Process Continued

Step 4 - Evaluation of Employer Contacts

After the employer contact, the counselor will need to evaluate his/her approach to the employer,

the appropriateness of the work setting,

the potential for job openings,

the employer's openness toward hiring individuals who are blind or visually impaired or the potential to change his/her attitude, and

what modifications, if any, might be needed.

Step 5 - Successful Contact

The employer contact increases the employer's awareness of DSB and its services; increases the employer's knowledge of the skills and abilities of consumers who are blind or visually impaired; and results in a job order from the employer.

Note: It may take several visits to accomplish this.

Step 6 - Job Placement

In order for job placement to occur, the counselor needs to identify:
an employer with a job opening and

a qualified consumer who is blind or visually impaired.

Successful job placement is dependent upon selectively matching the qualifications of an applicant with the requirements of the job. Such efforts by the counselor maximize the probability of successful employment for an individual who is blind or visually impaired.

Rev. 09-03

Employment Assistance VR 11.17

EMPLOYMENT ASSISTANCE PROCESS (Continued)

Employment Assistance Process Continued

Step 7 - Pre-job Orientation

After the employer hires a consumer, the counselor and the consumer need to discuss
modification or purchase of equipment;

preparation of materials;

orientation to the work environment;

training in the use of adaptive equipment;

employer/peer awareness presentations;

and any other needs the consumer may have.

A thorough analysis of the consumer's pre-job needs and the subsequent provision of services to resolve those needs will

minimize the pressures experienced by consumers in starting a new job, and

maximize the probability of success.

Step 8 - Initiation of the Job

The first day on the job is critical since a number of small details that may not have been identified prior to the start of work may arise.

The counselor's presence may be needed so that these problems can be addressed and resolved immediately.

Rev. 09-03

Employment Assistance VR 11.18

EMPLOYMENT ASSISTANCE PROCESS (Continued)

Employment Assistance Process Continued

Step 9 - Follow-up

The majority of job failures are a result of poor follow-up activities. Therefore, the counselor must:

inform the employer and the consumer that assistance is available upon request.

contact the employer and the consumer periodically to monitor the situation so that problems may be prevented or resolved.

Rev. 09-03

Training and Other Support Services VR 12.01

TRAINING--OVERVIEW

Introduction

Training is a service rendered to those consumers who require initial/additional knowledge or skills to enter employment:

consistent with their knowledge, aptitudes and abilities, and

compatible with their physical/mental impairments.

Before training is provided, counselors should be certain that the case folder contains sufficient documentation of the consumer's aptitude and interests in achieving the selected vocational objective.

IPE Documentation

Any training arrangement made by a counselor or any other agency/organization is considered to be training and should be written into the IPE. This is true even if no tuition or fee is involved.

Economic Needs

An economic needs assessment will be used to determine if the individual can pay any costs of VR services for academic training and if so, how much. An individual's economic need will not be used to determine eligibility for VR services or payment for other VR services. (Additional information is in 12.24.)

Least Costly Alternative

When a consumer chooses a more expensive good or service from among alternatives that all fully meet the consumer's vocational rehabilitation needs, the Division of Services for the Blind will not be responsible for those costs in excess of the least costly alternative.

Use of Comparable Services and Benefits

Whenever possible, maximum utilization must be made of public training facilities and other appropriate comparable services and benefits. (Additional information is in 12.29)

Rev. 07-03

Training and Other Support Services VR 12.02

TYPES OF TRAINING

List

There are eight basic types of training:
vocational

work adjustment

on-the-job

correspondence

personal/social adjustment

rehabilitation center

academic

job coach service

Vocational Training

Vocational training is any form of instruction designed to provide knowledge and skills required to perform the tasks involved in an occupation. (Additional information is in VR 12.05.)

Work Adjustment Training

Work adjustment training is training that assists individuals to:
understand the meaning, value and demands of work,

modify or develop attitudes, personal characteristics and work behavior, and

develop work tolerance.

On-the-Job Training

On-the-job training is training that is received in an actual work setting and provides specific skills and knowledge related to that particular occupation. (Additional information is in VR 12.07.)

Correspondence Training

Training by correspondence is training done via mail or computer, perhaps with testing at a designated location or online. It may be provided by:
recognized educational institutions, or

other reputable sources specializing in this type of training.

When using such training, the counselor determines if the providing facility is reputable.
Rev. 07-23

Training and Other Support Services VR 12.03

TYPES OF TRAINING (Continued)

Personal/ Social Adjustment Training

Personal/social adjustment training is training that assists an individual in improving skills which, while not vocational, do impact on the chances of obtaining and retaining a job. This training is available through:
rehabilitation teachers or

facilities.

Rehabilitation Center Training

Rehabilitation center training is training that is provided in a campus/residential setting and includes aspects of medical care, restoration, and rehabilitation along with vocational training. Consumers should be encouraged to use in-state rehabilitation centers when possible. If the consumer requests that a counselor pay for attendance at a rehabilitation center which is in another state, the counselor may approve such training after:
discussing with the consumer the reasons for their request,

counseling with consumer, and

relating the information to the consumer's training needs and VR goals.

When counseling the consumer, consider:
the difference in programs,

the appeal of the center choice,

the average length of training time at each center,

how each center deals with any special needs, and

costs for same type of training.

Academic Training

Academic training is training that is provided by colleges and universities. This type of

training should normally be provided through in-state public colleges and universities. Except in highly unusual cases, private colleges and universities will not be utilized unless someone other than DSB is paying part of the tuition. An unusual case would exist when a consumer wanted to pursue a course of study which was not offered at a public college or university, e.g. theological training. (Additional information is in VR 12.13.)

Rev. 07-03

Training and Other Support Services VR 12.04

TYPES OF TRAINING (Continued)

Job Coach Services

Job coaching is training provided to a consumer to reinforce and stabilize the consumer in employment. It often involves individualized attention and oversight by the trainer in a work environment. (Additional information is in VR 12.10.)

Rev. 07-03

Training and Other Support Services VR 12.05

VOCATIONAL TRAINING

Vocational Training

Vocational training is any form of instruction designed to provide knowledge and skills required to perform the tasks involved in an occupation.

Length of Vocational Training

The length and extent of training is determined by the vocational objective selected by the consumer and the amount of training determined to be necessary to prepare the consumer for the vocational objective.

Attendance and Progress

Consumers are expected to attend classes regularly and make continuous progress toward completion of their vocational training.

Private verses Public

Consumers may choose between private trade schools and area vocational schools, but if they choose a private school, they must pay any cost difference.

Out-of-state Vocational Training

If a consumer chooses to attend an out-of-state vocational school, the maximum amount

payable would be the same as that which would have been paid in-state. The consumer would be responsible for paying any cost difference.

If the training is not available within the state, DSB may pay the amount charged by the particular out-of-state vocational school.

What Specific Services Are Available

Services available to vocational students may include:
reader services

maintenance

equipment

diagnostic testing

academic/vocational planning

payment of tuition and fees, under certain circumstances given in policy

books and supplies under certain circumstances given in policy

Rev. 07-03

Training and Other Support Services VR 12.06

VOCATIONAL TRAINING (Continued)

Changing Vocational Objectives

Students must request approval from their counselor to change their vocational school objective/course of study. The student must provide justification for the change. Each case is determined on an individual basis, but counselors should use caution in approving a change of vocational studies, especially as the student nears completion of his/her original goal. In this situation, counselors should use their experience and judgement; their knowledge of the student; and their rapport with the vocational school. Approval of a change of vocational studies would require a change in the IPE.

Rev. 07-03

Training and Other Support Services VR 12.07

ON-THE-JOB TRAINING

Introduction

On-the-job training (O J T) is training received in an actual work setting and provides specific skills and knowledge related to that particular occupation.

Reasons for Providing O J T to Consumers

O J T may be offered to consumers to:

sharpen skills,

augment work history with relevant work experience and references,

provide a local training setting for consumers unwilling to relocate for training, and

provide alternative training experience when a vocational objective cannot be met through a conventional training facility.

Advantages

O J T has the flexibility to be:

cost-effective training,

offered in any needed time frame, and

a safe testing ground to experience the demands of a particular job.

Marketing Strategy

O J T is a useful tool for the VR counselor to use when developing job opportunities for consumers. It can be used and promoted in conjunction with other marketing strategies.

Employer Benefits

The employer benefits of O J T include the opportunity for employers to learn the: skills and functional abilities of a consumer,

interaction among the consumer, VR counselor and employer, and their mutual responsibilities, and

value of hiring a consumer they have trained.

Rev. 07-03

Training and other Support Services VR 12.08

ON-THE-JOB TRAINING (Continued)

Approval for Exceptional O J T

Approval from the Program Administrator for Field Services is needed when O J T includes:
highly complex training,

extends beyond six months, and/or

involves additional costs beyond the guidelines of this section.

NOTE: Approval may be sought by justifying the O J T plan in a memo sent to your immediate supervisor.

Equipment for Training

Equipment may be purchased for a consumer's O J T if there is a reasonable expectation that the consumer will become employed upon completion of O J T.

All equipment purchased for O J T will remain the property of the Division.

O J T Agreements

When developing O J T agreements as a training resource, the VR counselor should use these options in the following order:

The Division will pay the employer up to 50% of the full salary and the employer will contribute the difference to pay the consumer a full salary for up to six months.

The Division will negotiate a fee with the employer for training, based upon not more than 50% of full salary for the job being trained for, and the consumer will receive no wages during training with the VR counselor having the option of providing maintenance to the consumer.

NOTE: The first option should be used when developing O J T as a marketing strategy.

Rev. 07-03

Training and Other Support Services VR 12.09**ON-THE-JOB TRAINING (Continued)****O J T Guidelines**

Consider the following when developing O J T agreements with employers using the Services Agreement form found at the end of Section 12.

1. Financial arrangements:

a. How much money will be exchanged?

- b. When will it be paid (dates)?
 - c. To whom will it be paid?
 - d. From whom?
 - e. What changes or circumstances would affect renegotiation?
2. The training plan:
- a. What specific services will be provided by the Division?
 - b. What specific services the O J T trainer will provide?
 - c. How does the training relate to the consumer's vocational goal?
 - d. When and how will O J T progress reviews be conducted?
 - e. Who will provide the necessary liability insurance?

See Services Agreement form at the end of this section.

Rev. 07-03

Training and Other Support Services VR 12.10

JOB COACH SERVICES

Introduction

Job coaching is training provided to a consumer to reinforce and stabilize the consumer in employment.

Reasons to Provide Job Coach Services

Job coach services may be provided to any VR consumer who needs more specialized or intensive training than is available from the employer or within a conventional rehabilitation facility. Job coaching is especially useful as a marketing tool for employers who are uneasy about hiring a person who is blind or visually impaired.

Benefits to the Employers

The benefits of job coaching services to the employer are:
training at no cost to the employer

follow-up to assure stabilization of the consumer on the job

Who May Provide Job Coach Services

The following are considered as sources for provision of job coach services:
rehabilitation facilities,

employers or co-workers at the job site,

individuals who DSB hires for this purpose based upon their resumes outlining their skills and experience appropriate to functioning in this capacity, and

volunteers who are knowledgeable about the job and have the skills necessary to be a job coach

Other Job Coach Services

In certain circumstances, the job coach may provide other services such as securing housing, transportation assistance, contacts with family or other representatives of the consumer, and contacts with suitable professionals and advisors. Such services can be provided when necessary to reinforce and stabilize the consumer in employment. VR counselors can provide these services.

Rev. 07-03

Training and Other Support Services VR 12.11

JOB COACH SERVICES (Continued)

Guidelines for Payment

VR counselors may approve up to 200 hours of job coach services per consumer. Any other extensions would require approval by the Program Administrator for Field Services and may require a re-evaluation of the placement.

Job coach services may not be provided to a consumer while on-the-job training is being provided to that consumer.

Non-Supported Employment Job Coaches

With non-supported employment cases, the job coach services occur and are completed during active statuses. The consumer functions independently on the job at the completion of job coach services. The service is short term.

The counselor is required to assess the skills of a job coach in relation to a consumer's need. Job coach services are reimbursed at a rate up to \$16.00 per hour plus mileage. The Counselor may approve up to \$25.00 per hour for job coaches with special skills, e.g., working with deaf/blind or head-injured consumers. Any exceptions would require approval of the Program

Administrator. The Program Administrator can approve per diem at current state rates if overnight travel is required/approved.

The service provider must provide:
a training report and

daily travel and mileage log.

Supported Employment Job Coaches

With supported employment cases, job coach services can only be purchased through organizations which have fiscal capability to commit to providing/arranging for ongoing support after VR services are completed and VR funding ceases.

continued on next page

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Training and Other Support Services VR 12.12

JOB COACH SERVICES (Continued)

Supported Employment Job Coaches Continued

Job coach services in supported employment can include:

assessment of appropriateness for supported employment as part of thorough diagnostics,

job development/job placement,

job skill training at the work site,

observation and supervision of the consumer at the work site,

follow-up services such as regular contact with employers, parents, etc.,

assistance with housing and transportation, and

must include on-going support services (after 26 closure).

See Section 9 of the VR Manual for details of the Supported Employment Program.

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Training and Other Support Services VR 12.13

ACADEMIC TRAINING

Introduction

It is the policy of this agency to provide academic training for the purpose of reaching a specific goal. This training is limited to:

a course of study related to the individual's vocational objective, and

the attainment of a college/university degree required for entry-level employment in that chosen field.

Duration of Academic Training

As long as the consumer meets other requirements in policy, DSB will pay its portion of academic training expenses for up to 5 consecutive years to assist a consumer in obtaining a bachelor's degree necessary to reach the employment goal listed on his/her IPE.

NOTE: The only exceptions to this time frame are medical emergencies or other circumstances beyond a consumer's control. Any change in the timeframe would require the Program Administrator's written approval.

Advanced Degrees

Academic training beyond a bachelor's degree may be provided only if it is necessary for employment and requires the Program Administrator's written approval. This determination must take into consideration the nature of the consumer's disability, individual needs, the labor market, and job requirements.

Second Degrees

There are two circumstances in which DSB will pay its portion of academic training expenses for a second bachelor's degree:

if the individual became a DSB consumer after already having one bachelor's degree and is no longer able to do that type of work or

if the consumer's vision has diminished to the extent that he/she can no longer do the type of work for which he/she originally trained.

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Training and Other Support Services VR 12.14**ACADEMIC TRAINING (Continued)****What Specific Services are Available**

Services available to college/university students may include:

reader services

maintenance

equipment

diagnostic testing

academic/vocational planning

payment of tuition and fees under certain circumstances given in policy

books and supplies under certain circumstances given in policy

Important Considerations

Any individual wishing to obtain DSB assistance for college/university training must be able to show a satisfactory record of prior academic achievement and a high level of proficiency in all areas of personal adjustment.

Evaluation of Consumer Potential

To adequately assess an individual's capabilities regarding academic training, the counselor will have in the record of services prior to the consumer entering college/university:

a copy of the consumer's college/university admission letter, or

transcripts of previous academic work (high school or undergraduate),

any psychometric/psychological tests which are available,

a rehabilitation teacher summary or rehabilitation facility report, and

a low vision examination (optional).

NOTE: If supervisory approval has been received for graduate school or any academic work past the first bachelor's degree, then a copy of the college/university transcript and a copy of the admission notice into the graduate program must be in the folder.

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Training and Other Support Services VR 12.15

ACADEMIC TRAINING (Continued)

Questionable Academic Performance

If the individual's history includes a record of marginal/poor academic performance, the

counselor is advised to obtain diagnostic tests for help in:
identifying causes of deficient performance,

evaluating continued existence of problems, and

developing remedial plan of action.

What is a "Full-time" Course Load?

A "full-time" course load consists of at least:

12 semester hours for undergraduate school

9 semester hours for graduate school (unless completing a thesis/dissertation)

3 hours per summer semester

Note: Counselors may make an exception if the consumer is a graduating senior or is medically unable. Refer to policy 12.19 through 12.21 for exceptions and additional information.

Counseling the Potential College or University Student

The counselor will make every effort to:

assist the consumer in exploring vocational objectives,

offer information in choosing a college/university to fit a vocational goal,

relate the chosen objective to an appropriate major field of study,

link specific objectives and the major field of study with employment, and

encourage consumer independence in seeking admission to college/university.

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Training and Other Support Services VR 12.16

ACADEMIC TRAINING (Continued)

About CLEP

Counselors should encourage students with the potential, based on past academic performance and courses taken, to take the College-Level Examination Program® (CLEP) tests to reduce the time it takes to earn a college/university degree.

CLEP provides students with the opportunity to earn college/university credit and demonstrate college/university-level achievement through a program of exams in undergraduate college/university courses. There are 2,900 college/universities that grant credit and/or advanced standing for CLEP exams.

In talking to consumers who are interested in attending colleges/ universities, counselors should point out the following benefits to taking CLEP exams:

By taking one or more CLEP exams in the student's strong subjects, he/she will:

Save time. Get college/university credit for what he/she already knows. Be rewarded for what he/she has learned through independent study, advanced high school courses, noncredit adult courses, or professional development.

Save money. Compare the cost of a CLEP exam, just \$50, to hundreds or even thousands of dollars in tuition.

Make college/university more interesting. Move right into advanced courses.

Graduate on time. CLEP can help a student to the finish line if he/she is a few credits shy of graduating.

Satisfy a proficiency requirement. Demonstrate he/she has already mastered the content of, for example, a basic math or language course.

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Training and Other Support Services VR 12.17

ACADEMIC TRAINING (Continued)

Other Counselor Responsibilities

The counselor will explain academic training policies/requirements to the consumer and have him/her sign a Student Responsibilities Relating to Academic Training form (included at the end of Section VR 12). A copy of the signed form will be given to the consumer and the original placed in the case record.

The counselor must record the specific courses and hours taken by a consumer at the beginning of each semester. The counselor will adjust payments for reader service according to any changes in the consumer's course schedule.

NOTE: Where feasible, the VR counselor may make arrangements with the college/university to obtain any required information.

Notification of Intent

Every new student must notify his/her VR counselor by July 1 prior to his/her first semester of his/her intent to enroll at a college/university.

Continuing students must notify their VR counselors at least 30 days prior to the start of each semester or summer session of their intent to attend college/university.

Other Consumer Responsibilities

Once admitted to college/university training, the following is required of the consumer:

1. Maintain and complete a "full-time" course load each semester. (Counselors may make an exception if the consumer is a graduating senior or is medically unable.)
2. Maintain a "C" average within a given semester.
3. Provide the VR counselor with:
 - a. class schedule,
 - b. proof of PELL grant application/outcome,
 - c. add/drop sheets, and
 - d. grade slips.

Note: Refer to policy 12.19 through 12.21 for exceptions and additional information.

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Training and Other Support Services 12.18

ACADEMIC TRAINING (Continued)

Penalties

Failure to provide information will cause delays in service and may prevent payment of expenses. If the student is consistently late or neglectful in providing required information, the VR counselor may use his/her discretion whether to place the student on probation.

Grade slips must be provided to the counselor before payment can be authorized for the next semester.

Attendance and Progress

Consumers are expected to attend classes regularly and make continuous progress toward completion of their academic training.

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Training and Other Support Services 12.19

ACADEMIC TRAINING (Continued)

Criteria for DSB Support, Probation, and Reinstatement

If a consumer fails to complete a full-time course load with a "C" average during a semester, then the consumer will be placed on probation for one semester and DSB academic support will be continued,

written warning will be sent to the student, and

probationary terms will be addressed on the IPE.

If a consumer fails to complete a full-time course load with a "C" average during a probationary semester, then

DSB academic support will be terminated, or

probation may be extended one additional semester with supervisory approval if extenuating circumstances hindered the student and

the consumer's vocational goal and college/university potential will be re-evaluated,

the consumer may continue college/university assuming all costs, or

may resume DSB academic support upon completion of successful ("C" average full-time course load).

If a consumer achieves a full-time course load with a "C" average during a probationary semester, then the consumer will be removed from DSB probation and DSB academic support will be continued.

Continued on next page

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Training and Other Support Services 12.20

ACADEMIC TRAINING (Continued)

Criteria for DSB Support Probation, and Reinstatement Continued

If a consumer is suspended by the college/university, then all DSB academic services will be terminated and:

the rules of the college/university apply for re-admission, and

consumer assumes all costs until completion of one successful semester with a "C"

average.

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Training and Other Support Services 12.21

ACADEMIC TRAINING (Continued)

Unusual Circumstances

If it is believed that extenuating circumstances warrant an exception to the policies regarding DSB support, probation, and reinstatement, the counselor must present a written request of such to the Field Supervisor, and

obtain written approval of the request.

Setting Realistic Goals on the IPE

The counselor must be mindful to specifically outline both consumer and counselor responsibilities on the IPE. Counselors will not sign off on an IPE with a Bachelor's degree that will not lead to employment, but is more for self-enrichment. Counselors will encourage the consumer to set realistic employment goals. Tools, such as aptitude/interest tests, may be useful in assisting consumers in finding a suitable career. These tools are sometimes available free of charge on the Internet.

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Training and Other Support Services 12.22

ACADEMIC TRAINING (Continued)

Changing Majors

Students must request approval from their counselor to change majors and provide justification for the change. Each case is determined on an individual basis, but counselors should use caution in approving a change of majors, especially as the student nears completion of his/her original goal. In this situation, counselors should use their experience and judgement; their knowledge of the student; and their rapport with the college/university counselors. Approval of a change of majors would require a change in the IPE.

If changing majors causes the consumer to take additional hours beyond the number originally planned, DSB will not pay for the excess hours, unless the change of majors was due to circumstances beyond the student's control. Examples:

A consumer completes 115 hours toward a business degree, which takes 129 hours to graduate. She only needs 14 hours. However, she decides to change majors to journalism.

She needs 20 hours in her major courses before she can graduate. This produces a difference of 6 hours that DSB will not pay.

A consumer has to take 134 hours to graduate from his college/university with a degree in horticulture, and he already has 124 hours. The consumer is only 10 hours from meeting his graduation requirements. However, he decides to switch to a degree in elementary education. The consumer must now take 30 hours in his new major and complete practice teaching requirements. The difference would be 20 hours plus the practice teaching costs/fees. DSB would not pay for the extra 20 hours or the practice teaching fees.

A consumer completes 60 hours and he decides to change majors. Most of his hours were required basic courses; his university will count his other hours toward his college minor or as electives. His future courses will be in his new major. Changing majors did not affect the number of hours he needed to graduate. Therefore, the amount the DSB would pay toward his college expenses did not change.

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Training and Other Support Services 12.23

ACADEMIC TRAINING (Continued)

Private versus Public

Consumers may choose between a private college/university and a state college/university, but if they choose a private one, they must pay any cost difference.

Accreditation

Counselors will assist individuals in pursuing two and four year college and university training programs in only those colleges and universities accredited by the appropriate accrediting agency and whose courses will be given full recognition by other accredited colleges and universities. It is the counselor's responsibility to determine if the selected institution is approved by the State Department of Education or by another qualified accrediting agency of the state in which it is located.

Out-of-State Tuition and Fees

If a consumer chooses to attend an out-of-state college/university, the maximum amount payable would be the same as that which would have been paid in-state. The consumer would be responsible for paying any cost difference.

If the training is not available within the state, the agency will pay the academic training

expenses charged by the particular out-of-state college/university for a full-time student. Comparable benefits and other policy criteria would still apply.

Tutoring and Remedial Classes

DSB will only pay for a limited amount of tutoring. Counselors should use their judgement and knowledge of the student in determining whether to pay tutoring expenses for classes.

DSB will only pay for a total of six (6) semester hours of remedial work. These remedial hours must be completed during the first academic year. The counselor will include a statement to this effect on authorizations for college/university tuition. Any exceptions would require approval from the Program Administrator. **Excluded Fees**

The following college/university fees will not be paid by DSB:
late fees

parking fees

auto registration/decals

ID card replacement

drop/add course change fees

fees for checks returned for insufficient funds

overdue library fees

non-resident fees

withdrawal from college/university fees

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Training and Other Support Services 12.24

ACADEMIC TRAINING (Continued)

Covered Fees

Examples of covered fees include, but are not limited to:
general education fees

college/university assessment fees

first college/university ID card

technology fees

required campus Post Office fees

student activity fees (including required athletic fees)

fees for campus publications

student health fees

student government fees

classroom equipment fees and lab fees for classes related to the consumer's vocational goal

special course/program fees related to the consumer's vocational goal

transcript fees

student teacher supervision fees for consumers doing their practice teaching (except if this is a result of changing majors, see VR 12.22)

graduation fees

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Training and Other Support Services VR 12.25

ECONOMIC NEEDS

Introduction

A sliding fee scale based on income will be used to determine the portion of academic training expenses DSB will pay and the portion the consumer will be responsible for paying. An individual's economic need will not be used to determine eligibility for VR services or payment for any other VR services.

NOTE: Students enrolled prior to July 1, 2003, will be exempt from this requirement as long as: there is no break in course work

the student maintains a full-time student caseload

the student maintains a minimum grade point average of 2.0

the student complies with all existing policy requirements

Income-disregarded Services

The following academic training services are provided without regard to income: assessment

eligibility determination

counseling and guidance

vocational planning

and reader services (although comparable benefits policy will apply if the college/university provides this service)

Exemptions

SSDI and SSI recipients are exempt from financial needs assessment.

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Training and Other Support Services VR 12.26

ECONOMIC NEEDS (Continued)

Financial Resources

This policy is based on the idea that students (and their parents or spouse) have the primary responsibility for paying for their postsecondary education. Students will be classified as dependent or independent. If the consumer is classified as an independent student, only the gross income of the consumer and the consumer's spouse, if married, will be considered. The consumer will be considered an independent student if at least one of the following applies to the him/her:

is age 26 or older

is married

is enrolled in graduate school

has his/her own legal dependents other than a spouse

is an orphan or ward of the court (or was until age 18)

is a veteran of the U.S. Armed Forces (includes a student who attended a military academy, but was released under a condition other than dishonorable).

All other consumers will be classified as dependent students, and the financial resources of the consumer and the consumer's parents will be considered.

Income will not be adjusted for items such as rent, utilities, business expenses, number of people in the home, etc. Consumers wanting assistance for academic training benefits will need to provide proof of income to their counselor prior to approval. This may be in the form of pay stubs or income tax data.

Refusal to Disclose Economic Resources

A consumer has the right not to disclose his/her income. When a consumer declines to provide this information, it will be assumed the consumer has resources in excess of the agency's economic resources table and would not be eligible for payment of VR services related to academic training.

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Training and Other Support Services VR 12.27

ECONOMIC NEEDS (Continued)

Sliding Fee Scale

Consumers whose considered income before taxes is \$45,000.00 or below are eligible for up to 100% of their academic training expenses to be paid in accordance with other policy guidelines, such as comparable benefits. Consumers whose considered income is greater than this will be required to pay a portion of the costs of their academic training based on the sliding fee scale below:

\$45,000.01 to \$55,000.00 eligible for up to 75%

\$55,000.01 to \$65,000.00 eligible for up to 50%

\$65,000.01 to \$75,000.00 eligible for up to 25%

Consumers whose considered income is above \$75,000 will not be eligible for payment of academic training expenses except for the list of income-disregarded services listed in VR 12.25.

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Training and Other Support Services VR 12.28

ECONOMIC NEEDS (Continued)

Calculation of DSB Payment

Below is an example for calculating payment amounts for academic training based on an average semester at an Arkansas public college/university.

Add allowable expenses:

\$2,000 tuition

1,400 dorm room/housing

900 cafeteria meal plan

450 books

500 supplies and lab fees

200 covered fees (see list 12.24)

\$5,450 total allowable expenses

Use the sliding fee scale in VR 12.27 to calculate the portion of academic expenses DSB would pay. For the example, use an income of \$50,000. At this level, DSB would pay up to 75% of the allowable academic expenses, which comes to:

\$5,450 total allowable expenses

x 75%

\$4,087.50 DSB would pay if there were no comparable benefits

Add the amount of comparable benefits:

\$1,350.00 PELL grant

500.00 scholarship

\$1,850.00 in comparable benefits

Subtract the total amount of comparable benefits from the portion of expenses DSB would pay:

\$4,087.50

- 1,850.00

\$2,237.50 remainder after applying comparable benefits

Add reader services, and the total is what DSB will actually pay that semester:

\$2,237.50

+ 250.00 reader services

\$2,487.50 the amount DSB will pay for the semester

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Training and Other Support Services VR 12.29

ECONOMIC NEEDS (Continued)

Determination of Economic Need verses Comparable Benefit

A "comparable benefit" is not the same as "determination of economic need." In determination of economic need, the objective is to set the conditions for equitably determining the amount, if any, an individual is expected to participate in the cost of academic training. In the area of comparable benefits, the objective is to give full consideration to alternative funding sources prior to spending VR funds to purchase consumer services (see VR 12.30).

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Training and Other Support Services VR 12.30

COMPARABLE SERVICES AND BENEFITS

Introduction

Comparable services and benefits are defined as those resources that may be available to help meet, in part or whole, the cost of services provided to an individual.

In this section, comparable services and benefits means any resource available to assist a consumer throughout college/university training, whether it be undergraduate or graduate.

Examples

The following funds are examples of comparable services and benefits:

PELL grants

Veterans Administration benefits

Medicare

Medicaid

scholarships

organizations for students with disabilities

NOTE: Repayable loans should not be considered as a comparable benefit or resource.

Maximum Effort

No academic training services provided at a college/university shall be paid for with VR funds unless maximum efforts have been made by the VR counselor and the consumer to secure assistance, in part or in whole, from other sources to pay for such training.

Rev. 07-03

Training and Other Support Services VR 12.31**COMPARABLE SERVICES AND BENEFITS (Continued)****Consumer Responsibilities**

It is the consumer's responsibility to:

notify the VR counselor of his/her intent to go to college/university,

contact the financial aid officer at a college/university to determine what grants or scholarships may be available,

apply for SSI or SSDI, and

complete any necessary paperwork required to apply for such grants or scholarships, including PELL grants.

NOTE: The consumer must provide proof of application for a PELL grant by July 1, prior to the start of academic training each school year. The VR counselor shall not authorize payment for academic services unless this proof is provided.

Rev. 07-03

Training and Other Support Services VR 12.32**COMPARABLE SERVICES AND BENEFITS (Continued)****The PELL Grant**

The PELL Grant is sponsored by the Department of Education and allots a specified amount to be applied toward specific educational costs.

RULES:

Like any other comparable service and benefit, a PELL Grant must be applied to the educational process prior to the expenditure of agency funds.

Services are not to be denied pending receipt of a PELL Grant, but are contingent upon making application if eligible.

Securing a PELL Grant

Consumer obtains an "Application for Determination of Basic Grant Eligibility" from any post-secondary educational institution, completes the application, with assistance if needed, and submits it to the educational institution that the consumer plans to attend.

Department of Education evaluates application and makes an eligibility determination.

Notification is then sent to applicant and school at which applicant attends or plans to enroll.

School, if application is approved, calculates amount of grant and specific cost to which grant funds may be applied.

Rev. 07-03

Training and Other Support Services VR 12.33**COMPARABLE SERVICES AND BENEFITS (Continued)****Counselor's Role**

The counselor:

1. informs each consumer about the PELL Grant, and other financial aid,
2. assists the consumer in completing the application if necessary,
3. works closely with the financial aid officer/representative of the institution in
 - a. finalizing the details of the grant, etc. (how it will be applied to educational costs, e.g., books, tuition, housing), and
 - b. assuring that all available resources are utilized in the most efficient manner, and
4. verifies/documents that each consumer has applied for a PELL grant and other financial aid prior to issuing any authorizations.

NOTE: No academic training services at a college/university shall be paid for with agency funds unless maximum efforts have been made to secure grant assistance, in whole or in part, from other sources to pay for the training.

Reader Services

Through contacting the Disabled Students Coordinator at the college/university, the counselor or consumer may determine if the college/university has funds for reader service and tutoring or if it has volunteers.

Recordings for the Blind

Recordings for the Blind is frequently used as a resource to obtain recorded material.

Who May Use the Service?

Recorded materials are available through Recordings for the Blind for:
agency staff

agency consumers

Rev. 07-03

Training and Other Support Services VR 12.34

COMPARABLE SERVICES AND BENEFITS (Continued)

How to Order

An individual must be registered with Recordings for the Blind and have a borrower identification number assigned before an order can be processed. To place an order send the following information:

consumer name

consumer's borrower identification number

consumer's Social Security number

consumer's current mailing address

title and subtitle

full name of author(s)

copyright date

edition

grade level if applicable

Rev 07-03

Arkansas Division of Services for the Blind

SERVICES AGREEMENT

This agreement made this day of 20 is entered into by the Division of Services for the Blind

(hereinafter referred to as the "Division") and _____ (hereinafter referred to as the "Service Provider") to provide services to Division consumer _____ in the following areas _____.

It is agreed that no changes or additions to these services may be made by the Service Provider without the written consent of the Division.

This agreement is effective from _____ to _____. If for any reason services are discontinued before completion, the Division shall be fiscally responsible for only that portion of the agreement, which is fulfilled.

The Division agrees to pay the Service Provider a fee of \$_____ per _____. The total amount of fees paid under this agreement shall not exceed \$_____ and the service period of _____. Either party may terminate this agreement by providing the other party seven (7) days written notice.

For payment processing, the Service Provider will submit a statement of services rendered and a consumer progress report to the Division on a monthly basis. The statement and the report must be in a form acceptable to the Division.

When the Division has authorized travel in providing the services defined in this agreement, reimbursement shall be in accordance with the State Arkansas Travel Regulations as they apply to employees of the state, and as implemented by the Division.

Other obligations applicable to the agreement are: _____

By: _____ By: _____
Counselor (signature) Date Service Provider (signature) Date

Supervisory approval if required Date Service Provider (Print)

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Student Responsibilities

Relating to Academic Training

My DSB Counselor has discussed DSB policies and services regarding college/university training with me, and I understand the information. DSB will pay its portion of academic training expenses for up to 5 consecutive years as long as I remain eligible and follow policies. The following covers my primary responsibilities:

notify my counselor at least **30 days** prior to the start of each semester of my intent to attend college/university (by July 1 for new students)

provide proof of application for a PELL grant by **July 1**, prior to the start of academic training each school year

take CLEP tests, if requested

provide requested information, such as grade slips, schedules, class changes, and financial information (Failure to provide information will cause delays in service and may prevent payment of expenses or result in probation. Grade slips must be provided to the counselor before payment can be authorized for the next semester.)

maintain at least a 2.0 grade point average each semester

complete a "full time" course load each semester

request approval for changing majors

pay fees and training expenses not covered by DSB

I understand if I do not fulfill these responsibilities, it will impact my academic services from DSB.

Student or Representative's Signature Date
7-03

Self-Employment VR 13.01

OVERVIEW

Introduction

An individual's desire to start his/her own business may cause them to overlook important factors which may impact on the success or failure of the business. Business ownership is a balance between the reward of success and the risk of failure. Only the owner can define what success means but failure is obvious.

For long-term success, the business must generate enough sales to pay all expenses and provide the owner with an adequate reward. It should produce an adequate return on the amount of time and money invested. If it cannot be reasonably determined that the business will provide an adequate return, then the business is not a viable option.

Typically, the time it takes to start a business is longer than anticipated, and the expense usually exceeds the original estimate. Even after the business begins operations, it often takes longer to build sales in a new business than the owner expects. In the meantime, the many costs continue whether or not sales occur. These factors need to be taken into account and plans made to overcome the problems.

The use of professionals for specialized advice will help the consumer and counselor avoid costly mistakes. More money can be spent on correcting mistakes than it would cost to hire the professionals.

In order for a business to survive and grow, a lot of time and effort must be spent in planning, and all aspects of what it takes to make the business successful must be taken into account.

02-16-00

Self-Employment VR 13.02

CHECKLIST FOR STARTING A BUSINESS

Step 1

Examine your motivation for starting a business.

Although businesses are started each day, owning and operating a business is not for everyone. If the consumer opens a business without an honest evaluation of the motives behind starting the business, he/she may find themselves unhappy and disillusioned. Before opening a business, the following should be considered:

The personal objectives of the consumer

The consumer's talents

The consumer's personality traits

Step 2

Choose a suitable business.

Before starting any business, the consumer must answer one question, "What kind of business should I start?" No one else can answer this question. Businesses of all types are both successful and unsuccessful. A business generally succeeds or fails based on the customer market, the skills of the owner and workers, and the quality of the products, not because of the type of business. When choosing a suitable business, the consumer and counselor must consider the consumer's experience,

talents, and

interests.

A consumer's experience is the most important aspect to consider when starting a new business because past experience in that particular field will help in understanding your customer market and avoid costly mistakes.

02-16-00

Self-Employment VR 13.03

CHECKLIST FOR STARTING A BUSINESS (CONTINUED)

Step 3

Evaluate the feasibility of the chosen business.

A common mistake made by many individuals is to begin a business without evaluating whether it is feasible. A feasibility evaluation will allow you to make a more informed decision as to whether this is a practical decision. It involves a detailed examination of financial, personal, and market realities. This is required for all plans.

The consumer and counselor must address the following before making a decision that the business is feasible:

Competition, "Is there a need or room for a business of this nature in the area?"

Who will be your customers and how far away in the surrounding area will the business draw them? (Small businesses generally cannot draw customers from more than sixty miles away.)

Is there a demand for this product or service?

Does the consumer have any prior knowledge or experience in the chosen field?

A sampling of topics that should be honestly considered are:

Does the consumer have enough money to start the business without going into debt?

If money has to be borrowed, does the consumer have some cash and own other pledgible assets?

Is the consumer willing to risk these assets to borrow money? If not, where will the money come from?

Can the business generate enough cash to pay its expenses as well as a desired level of profit?

Is the consumer's management skills adequate to oversee and develop the business operation?

Is there really a demand for the product or service?

Has the market demand been researched?

continued on next page

02-16-00

Self-Employment VR 13.04

CHECKLIST FOR STARTING A BUSINESS (CONTINUED)

Step 3 Continued

NOTE: You need to know if the idea is feasible before you progress past this point in starting a business.

Step 4

After the first three steps have been completed and it has been determined that the selected business is feasible, there are several common errors that can occur.

Start-up requirements:

Determine which legal forms are necessary to establish a legal business entity.

Determine which permits, licenses, rules, and regulations are applicable to the proposed business.

Determine the types of records you will have to keep for tax purposes.

Determine professional needs such as legal, accounting and tax, insurance, and banking.

Common pitfalls to be avoided include
thinking someone else will do the work for you,

entering into verbal agreements,

paying licenses and fees before adequate funds are secured to start the business, and

thinking it will cost less and take less time to get into the business than it actually will.

02-16-00

Self-Employment VR 13.05

CHECKLIST FOR STARTING A BUSINESS (CONTINUED)

Step 5

Develop a business plan.

A business plan is a strategic plan for development and operation of a business. This plan should
be used to

help with the management of the business,

help the consumer and counselor think through the development of the business to insure that all
the options and potential difficulties have been considered,

evaluate progress against your business goals, and

develop financial proposals.

Step 6

Developing and obtaining financing.

Most businesses will fail if the consumer does not have enough money to keep the business
going during the early stages. After all necessary purchases have been made to initially get the
business into operation, the consumer must have enough money to run the business until the cash
flow generated by the business will support expenses. These expenses will cover both the
expense of operating the business and the living expenses of the consumer. This does not
necessarily mean that DSB will cover all expenses connected with the starting and operating of a
business until it begins to make a profit.

DSB will fund 100% of any business that the consumer and counselor agree upon if all the required steps in the following section (Business Plan) have been followed and it is reasonable that the business will be successful. The 100% funding will only include any business which has a start-up cost of \$10,000.00 or less. Not to be included in the above \$10,000.00 are any expenditures which are considered technical assistance. Items which are considered technical assistance are the cost to develop a business plan, legal services, feasibility study, etc. This means that DSB will fund the above items plus the \$10,000.00 initial start-up cost.

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02-16-00

Self-Employment VR 13.06

CHECKLIST FOR STARTING A BUSINESS (CONTINUED)

Step 6 Continued

If, however, the counselor and consumer have a business plan in which the initial start-up cost is over \$10,000.00, and the feasibility study clearly shows that the business has every chance of success, then DSB will fund 40% of the initial start-up cost which exceeds the initial \$10,000.00, not to exceed \$40,000.00 total DSB expenditure for start-up cost. (NOTE: The \$40,000.00 total does not include expenditures for technical assistance.) The funding of any business proposal will depend upon the needed funds being available within the current fiscal year.

EXAMPLE #1: If the above criteria is met and the initial start-up cost of a business is \$10,000.00 or less, then DSB will fund 100% of the initial start-up cost plus any needed technical assistance.

EXAMPLE #2: If the above criteria is met and the initial start-up cost of a business is \$60,000.00, then DSB will fund the initial \$10,000.00 plus 40% of the remaining \$50,000.00. This would mean that DSB would fund a total of \$30,000.00 for the initial start-up cost of the business plus any needed technical assistance.

EXAMPLE #3: If the above criteria is met and the initial start-up cost of a business is \$100,000.00, then DSB will fund \$40,000.00 of the initial start-up cost since \$40,000.00 is the maximum the agency will fund for start-up cost. (The \$40,000.00 does not include expenditures for technical assistance.)

Step 7

Finalize all start-up requirements.

After all planning is completed and funding has been secured, all contracts and lease agreements will be signed. Various licenses, permits, and fees will be paid and utility services will be secured.

02-16-00

Self-Employment VR 13.07

BUSINESS PLAN

Introduction

In all cases where it is the intention of the consumer and counselor to start a small business, a business plan must be developed along the guidelines which are listed in this section. This plan should be tailored to fit the personality and circumstances of the business and consumer. Only the portion of the business plan that is relevant to the intended business needs to be developed.

Business Plan Outline

This business plan outline will be completed by the counselor and consumer and approved by the counselor's immediate supervisor.

Name of business

What are the consumer's personal objectives? (Will the business satisfy the wants and needs of the consumer. Will the business make the desired level of profit?)

Describe the business. What kinds of products or service will it sell?

What is the consumer's personal skill level and experience in this area?

Describe or define the customer. Who will buy the product or service? How far will a customer travel to buy the product or service? Estimate the number of individuals in the market area who will purchase from the business.

Who will be the competition?

How will the product or service be marketed? Describe why there is market for the product or service and how long will this need last. Describe how the product or service will be advertised.

Develop a sales forecast. What will be the charge for the product or service, how many units will be sold each month, and what is the projected revenue for the first year?

What will be the start-up expense? (How much will it cost to get started?)

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02-16-00

Self-Employment VR 13.08

BUSINESS PLAN (CONTINUED)**Business Plan Outline Continued**

Estimate a twelve (12) month operating budget.

What is the feasibility of the business? Why do you think the business will work? (To complete a feasibility study, refer to Checklist for Starting a Business, Step 3.)

What is the consumer asking DSB to provide?

The VR counselor will assist in the development of all or any part of this plan, but the consumer must be involved in all aspects of the development. DSB will not provide the service if the consumer is not completely involved. It is strongly advised that the counselor and consumer hire a professional to help with the development of the business plan and feasibility study.

02-16-00

Vocational Rehabilitation Teacher VR 14.01

OVERVIEW

Introduction

The vocational rehabilitation of any individual whose primary disability is blindness must consider the total functioning of the individual. An individual's skills and adjustments to the disability or disabilities are directly related to employability and employment. Independence is a relative concept which must be defined personally. Each individual has needs, wants, skills, abilities, and goals. Differing personalities and social, ethnic and economic backgrounds must be noted and respected as consumers define independence for themselves.

Role of the Teacher

The role of the VR teacher is to provide VR services to assist consumers in gaining adaptive skills necessary to maintain themselves and their residence, and/or

access the community, and

enter, maintain or return to a job.

The teacher provides specialized teaching services focusing on visual disabilities to consumers, their families, educators, and others supportive of the consumer's independent living and work related goals.

VRC/VRT Teamwork

Working in partnership with the consumer and counselor, teachers focus on services that will boost the consumer's ability to control their own life and to make informed choices.

Teamwork between the counselor and teacher in the joint planning of services, consumer contacts, and sharing of information is necessary, and

will be consistently stressed and monitored by the supervisor.

06-18-99

Vocational Rehabilitation Teacher VR 14.02

STATUS 02 REFERRAL/APPLICANT

Definition

A teacher referral is an individual referred in writing by the counselor to the teacher for diagnostic evaluation services.

Who the Counselor Refers

The counselor is required to refer all individuals who have signed a document requesting VR services.

NOTE: It is also the teacher's responsibility to initiate referrals and bring them to the counselor's attention. If the referral is initiated by the teacher, then the teacher will provide the counselor the information listed below.

How and When the Counselor Refers

The counselor is required to provide the teacher with a written referral as soon as possible after the referral is received by the counselor that includes the following:

name

date of referral

Social Security Number

where the referral can be contacted

telephone number where the consumer can be contacted

age

sex

copy of current eye exam (if one is available)

disabilities other than visual

any questions or concerns the counselor feels need to be addressed during the teacher diagnostic evaluation

any functional limitations observed and noted during the counselor's interview with the consumer

06-18-99

Vocational Rehabilitation Teacher VR 14.03

STATUS 02 REFERRAL/APPLICANT (Continued)

Status 02 Referral

When the teacher receives a referral, a preliminary diagnostic evaluation will be completed and the teacher will assess all available information prior to contacting the referral.

The preliminary diagnostic evaluation includes assessment referral information such as:
written referral from the counselor

current eye exam and physical exam (if appropriate)

other diagnostics

closed case folder, if applicable

Status 02 Applicant

An applicant is an individual referred for teacher services who has signed an application for VR services.

During 02

During 02, the teacher
completes a thorough diagnostic evaluation, and

completes a Teacher Plan with the counselor and consumer, or

determines that the case needs to be closed Status 08 (CLOSURE).

What is a Thorough Diagnostic Evaluation

A teacher thorough evaluation addresses
questions and concerns of the counselor at time of referral,

functional limitations of the applicant as a result of the disability,

assessment of interviews with consumer and significant others,

consumer's ability to adapt themselves to their environment in relation to their disability

outcome of training in adaptive skills in order to evaluate consumer's willingness and capability to acquire and apply new skills to identified needs, and

results of ongoing communication with counselor, job developer, and other significant individuals.

06-18-99

Vocational Rehabilitation Teacher VR 14.04

STATUS 02 REFERRAL/APPLICANT (Continued)

Use of Training as a Diagnostic Tool

Training as a diagnostic tool is used to assist the teacher in determining consumer's most efficient way of learning, and

motivation to apply skill to mutually agreed upon need(s).

Training with an adaptive device with the consumer allows the teacher to determine consumer need and plan for provision of services once the VR plan is initiated.

06-18-99

Vocational Rehabilitation Teacher VR 14.05

TEACHER INDIVIDUALIZED PLAN FOR EMPLOYMENT

Initiation of Teacher I P E

When all diagnostics are complete and needed services are determined, the teacher will write and initiate the teacher I P E. The DSB-8017 will be used for the teacher plan. The plan will be developed with the counselor and consumer following the determination of consumer needs in order to reach a vocational goal.

The plan will list:

all needed services,

any planned purchases, and

a time frame for completion.

Objectives

The objectives of the I P E are to

formalize joint case planning for the provision of teacher services directed toward consumer's vocational goal, and

ensure consumer understanding of and agreement with planned services.

Consumer Participation in Plan Completion

The consumer
participates in the writing of the plan,
receives a copy at completion, and
is informed in writing when all planned services are complete.

When to Amend

The teacher I P E is amended if the
projected date of completion is extended, and/or
there is a need for a change in planned services.

06-18-99

Vocational Rehabilitation Teacher VR 14.06

TEACHER INDIVIDUALIZED PLAN FOR EMPLOYMENT (Continued)

Documentation of Case Record

The teacher will document the case record
to record the progress of the case, and

documentation will be required at least every 90 days.

This documentation will also be filed in the VR record of services.

What to Document

The teacher will document in the record of services
when there is an interruption of services,

the reason for consumer contact,

the outcome of service provided toward consumer goals, and

the primary status of the service being provided.

06-18-99

Vocational Rehabilitation Teacher VR 14.07

EMPLOYMENT ASSISTANCE AND THE VR TEACHER

Overview

The teacher supports the achievement of the vocational goal of consumers who are blind or blind/multi-handicapped. The teacher's role is an integral part of the overall employment process whether the consumer's vocational goal is homemaker, self-employment or work outside the home.

Vocational Goal

The vocational goal is determined by the consumer and the counselor. The teacher may be consulted regarding this decision. Once the determination is made, all services are directed toward the achievement of that goal.

Definition

Employment assistance services by teachers are the planning and provision of services to assist the counselor in

determining a suitable vocational objective,

preparing a consumer for work,

determining and/or obtaining suitable employment for consumers, and/or

maintaining employment of the consumer.

NOTE: Any services provided by the teacher will be considered employment assistance services since this is the ultimate goal of the consumer.

Goals

The goal of teacher employment assistance services is to support the consumer's achievement of the vocational goal by

planning with the counselor and consumer to meet consumer's need, and

facilitating assessment and skills training impacting on consumer's job readiness.

Consumers Served

Consumers receiving services from the teacher are receiving employment assistance.

06-18-99

Vocational Rehabilitation Teacher VR 14.08

EMPLOYMENT ASSISTANCE AND THE VR TEACHER (Continued)

Extent of Services

The extent of teacher employment assistance services will vary depending on needs of the consumer,

vocational goal of the consumer, and

outcome of planning between counselor and teacher.

Nature and Scope of Services

The consumer's level of independent living skills has a major impact on consumer's employability. In some cases consumers are not successful in obtaining or maintaining employment due to deficits in grooming,

health maintenance,

time management and organization,

expressive and receptive communication,

interpersonal skills,

mobility,

use of leisure time,

problem solving, or

attitudes conducive to work.

Employment assistance services are available from the teacher in home management,

aspects of job readiness,

communications,

visual efficiency,

personal management,

social skills, and/or

participation in community resources.

Services in the area of job readiness assist the counselor in planning for services to provide needed skills, and

determining the consumer's job readiness.

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06-18-99

Vocational Rehabilitation Teacher VR 14.09

EMPLOYMENT ASSISTANCE AND THE VR TEACHER (Continued)

Nature and Scope of Services Continued

Once determination has been made of the consumer's job readiness using resources including the teacher, employment assistance services from the teacher can include provision of teacher training directed toward the anticipated actual job duties of the consumer,

identifying/assisting the counselor in obtaining aids and appliances necessary for use by consumer on the job,

accompanying counselor to employer contacts, e.g., plant tours,

orienting consumer to the work site,

assisting the counselor with job analysis,

assisting the counselor with adaptation of the work place, and

acting as a resource to the counselor in developing training and using community resources supportive of the consumer's employment.

Clarification of the Teacher Role

Employment assistance services from the teacher do not include responsibility for establishing the vocational goal with the consumer,

changing the vocational goal of the consumer,

making the final determination as to the consumer's job readiness,

providing employment assistance services prior to joint planning with the counselor, or

obtaining employment for the consumer.

06-18-99

Vocational Rehabilitation Teacher VR 14.10

COUNSELOR AND TEACHER JOINT PLANNING SESSIONS

Purpose

The purpose of the joint planning session between the teacher and counselor is to formulate a comprehensive, coordinated plan with each consumer by identifying and clarifying consumer strengths and deficits impacting on consumer's employability, and

formalizing and planning action to be taken.

When

Employment assistance services provided by the teacher must be planned with the counselor in a face-to-face meeting,

on an individualized consumer basis, and

documented on the Teacher Plan of Services.

To individualize and coordinate consumer service delivery on an ongoing basis, regular planning sessions are required to occur at least monthly, and

be documented in the case record.

Documentation of the planning session should consist of date of meeting,

content of meeting, and

decisions made as a result of the meeting.

Content

Since joint planning between counselor and teacher is intended to result in a plan that is supportive of consumer employment, the content is directed toward that goal,

increases the counselor's knowledge about the consumer's capacities, behaviors, and limitations, and

increases the teacher's knowledge about employment for the consumer.

06-18-99

Vocational Rehabilitation Teacher VR 14.11

COUNSELOR AND TEACHER JOINT PLANNING SESSIONS (Continued)

Conclusion

Joint planning of employment assistance services between the counselor, teacher, and consumer will help ensure that the best interest of the consumer is met.

06-18-99

Post-Employment Services VR 15.01

OVERVIEW

Introduction

Post-employment services are those services provided after a consumer has been determined to be rehabilitated to assist the consumer in maintaining employment. The goal of post-employment services is to help the consumer reach a level of

- self-sufficiency,
- job retention, and
- job stability

in the career of their choice.

Purpose

Consumers placed in jobs may experience problems which emerge or persist after a period of time. Post-employment services are designed to

- respond to consumers' problems and
- supplement services provided to consumers previously planned on the I P E.

Policy

As part of the rehabilitation process, all consumers must be informed of

- the purpose of post-employment services,
- their eligibility for such services, and
- their right to contact the counselor if any problem arises which jeopardizes their job.

Eligibility

A consumer may be considered for post-employment services if the consumer

- has been determined to be rehabilitated,
- needs help in maintaining employment, and
- has an employment-related problem which does not
- entail a complex or comprehensive rehabilitation effort, or
- addresses a new and distinct vocational handicapping condition.

Rev. 07-03

Post-Employment Services VR 15.02

OVERVIEW (Continued)

When to Reopen a Case

Consideration should be given to reopening the case in Status 02 if any of the following conditions are met:

- a consumer requires complex or comprehensive services
- consumer's problem regarding employment addresses a vocational handicapping condition that is new and distinct from that condition addressed in the original I P E
- consumer has a new vocational goal which would require extensive additional training
- provision of post-employment services will exceed 12 months
- consumer's case has been closed over one year

Post-Employment versus Reopening

When determining whether to provide additional services in post-employment status (32) versus reopening the case, consider the following:

- current validity of previous data
- whether previous rehabilitation efforts have lost relevancy or significance
- any new vocational goal that would require training skills

Use of I P E

Post-employment services must be recorded on the I P E.

Comparable Services and Benefits

The counselor must make full use of all comparable services and benefits, both public and private, to reduce or eliminate the need for payment for post-employment services and document accordingly.

Rev. 07-03

Post-Employment Services VR 15.03

SCOPE OF POST-EMPLOYMENT SERVICES

General Criteria

Post-employment services must be

- incidental to the original handicapping condition,
- ancillary to the services provided through the consumer's I P E, and
- related to the previously planned vocational goal.

Examples

The following are examples of using post-employment services:

Example 1:

A blind consumer is placed in a competitive industrial position. The case has been closed for eight (8) months. The company moves to a larger location which places the consumer's job in jeopardy because there is no public transportation to the new location and the consumer could not find the job station even if he/she could get there.

Course of action:

The counselor may provide as changes to the I P E:

- temporary transportation through comparable services and benefits or purchase of services
- orientation services

Example 2:

A counselor anticipates, prior to closure or at the time of employment, that a visually impaired, mentally retarded consumer will need personal adjustment counseling over an extended time period to maintain employment.

Course of action:

The counselor may provide counseling, guidance, and other services appropriate to improving the consumer's personal adjustment and ability to keep a job.

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Rev. 07-03

Post-Employment Services VR 15.04

SCOPE OF POST-EMPLOYMENT SERVICES (Continued)

Examples Continued

Example 3:

Over time a counselor observes a consumer who has been trained and placed as a computer programmer. Computer technology is complex and changes rapidly. A seemingly minor change, especially if it affects hardware, might jeopardize the continued employment of the consumer in this field unless the consumer is provided supplemental training.

Course of action:

The counselor may provide the following to help the consumer perform the job:

- supplemental training
- equipment alteration

Rev. 07-03

Post-Employment Services VR 15.05

RULES GOVERNING POST-EMPLOYMENT SERVICES

Introduction

Any time a counselor has a question regarding the use of post-employment services, the counselor may consult the supervisor before making a decision.

If a case has been in Status 32 and the counselor determines that the case must be reopened in Status 02, then the case is first closed in Status 34.

Rule One

The counselor may provide post-employment services if a consumer experiences a minor setback or recurrent problem resulting from or related to a pre-existing condition served by the I P E.

Note: The counselor may not provide post-employment services for acute conditions unrelated to the original disabling condition.

Rule Two

The counselor may provide post-employment services to help a consumer find more suitable employment commensurate with the consumer's abilities.

Note: The counselor may not provide post-employment services solely to upgrade a consumer's financial status.

Example

After a period of satisfactory adjustment to employment, a consumer may have the potential to work in a closely related job without going through extensive training. The provision of post-employment services would enable the consumer to make a satisfactory transition into a position more suited to the consumer's capabilities.

Order of Selection

The counselor must follow the Order of Selection for payment of post-employment services the same as he/she would for any other consumer.

Rev. 07-03

Post-Employment Services VR 15.06

CASE RECORDING OF POST-EMPLOYMENT SERVICES

Introduction

Once the counselor determines the appropriateness of post-employment services, proper case recording must be followed. To record services, the counselor must

- develop an I P E post-employment program, and
- document post-employment services on the I P E closure form.

I P E Post-Employment Program

The I P E post-employment program will include

- documentation supporting the need for post-employment services,
- what services will be provided, and
- how the program will be monitored.

No Transfers

Cases in post-employment, Status 32, cannot be transferred out.

Termination

The decision to terminate post-employment services should be

- made on an individual basis in consultation with the consumer, and
- based on the counselor's professional judgement.

Termination Criteria

When making such a judgement, counselors will consider whether the following criteria have been met:

- the precipitating problem which required post-employment services has been satisfactorily remedied
- the consumer has attained sufficient independence to function without continuing post-employment services

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Rev. 04-07

Post-Employment Services VR 15.07

CASE RECORDING OF POST-EMPLOYMENT SERVICES (Continued)

Termination Criteria Continued

- the consumer's prospects of job security are good due to
- job performance,
- job satisfaction, and
- acceptance of the employment setting with respect to employee benefits and opportunities for job development and advancement
- the consumer holds a position at a level suited to the consumer's capabilities
- within the particular locality and labor market the consumer has a chance to advance through self-initiative
- the consumer's condition or situation becomes such that post-employment services cannot help in maintaining employment

Outcome of Services

Closure from post-employment services must be documented on the Closure Form.

Post-Employment Assessment

Each I P E will contain

- an assessment of the expected need for post-employment services and provide for
- a reassessment of the need for post-employment services.

Rev. 07-03

Standards for Service Delivery and Case Recording VR 16.01

OVERVIEW

Introduction

State and federal regulations along with agency policy require that certain information be contained in each consumer's record of service. The extent of the information needed varies in relation to where the consumer is in the VR process.

Purpose

The purpose of this manual section is to provide field staff with standards for case recording which meet agency standards.

Note

Do not duplicate any information that is otherwise documented in the record of service.

Rev. 06-03-02

Standards for Service Delivery and Case Recording VR 16.02

CASE NARRATIVES

Purpose

The case narrative allows recording of

- significant consumer/staff interaction and
- critical steps in advancing the rehabilitation process

from the time of initial consumer contact through closure.

What to Include

Only significant events or developments related to the case should be recorded in a narrative.

These include, but are not limited to, the following:

consumer perceptions and expectations

counseling efforts

rationale for providing services in special or exceptional situations

specific extensions of time agreed upon for the completion of determination of eligibility

explanation of a status change

explanation of cases in a particular status for unusual lengths of time

discrepancies in medical or diagnostic recommendations and counselor decisions

loss of contact with consumer and attempted efforts to contact

significant changes in consumer situation (disability, family, financial situation, etc.) which might affect the program

changes in the availability of comparable services and benefits and efforts to secure these benefits

status changes (if not explained elsewhere, as in closures)

employment assistance activities (including employer contacts made on behalf of the consumer)

explanations of how services in the consumer's IPE contributed to his/her employment outcome

verification of earnings for individuals who obtain competitive employment and are compensated at or above minimum wage and that the wage and level of benefits are not less than that customarily paid by the employer

notation of case transfer

Rev. 06/03

Standards for Service Delivery and Case Recording VR 16.03

CASE NARRATIVES (Continued)

What not to Include

Do not include in a narrative:

statements containing medical or psychological labels describing a consumer unless appropriate documentation is in the record of service; if there is appropriate documentation, quote the documentation

any judgmental statements without proper documentation

duplicate information

Key Point

Case narratives should be concise, relevant, and must address who,

what,

when,

why,

where,

and, sometimes, how.

Example:

who--I counseled Mr. Bill Jones

when--on 7/21/98

where--at Joe's Print Shop

why--to see if he and his employer were mutually satisfied

what--Mr. Jones and I discussed his employment and he indicated he was very happy with his job

Summaries

While most contacts with consumers should be recorded, it is permissible to summarize in one entry the information secured or action taken in the course of several contacts if this period does not extend past two weeks. The case narrative date should be the date of the last contact.

NOTE: An important event should have its own narrative.

Method of Recording

Case narratives must be written so that other staff such as supervisors, administrators, other VR counselors, rehabilitation teachers, or RSA audit staff reading the record can get an accurate understanding of the consumer and the development of the case.

Rev. 06/03

Standards for Service Delivery and Case Recording VR 16.04

CASE NARRATIVES (Continued)

Counseling Sessions

Counseling sessions are recorded in the case narratives. These may include a description of the purpose and the results of the counseling session,

focus on the progress or lack of progress being made in relation to consumer's program,

indicate any changes in attitude, if any, since the last contact, and

describe efforts that the consumer and/or staff will take prior to the next contact.

Employment Assistance Activities

Any and all employment assistance activities must be recorded in the case narrative. These include, but are not limited to:

Making employer contacts on behalf of a particular consumer

Referring a consumer to the Arkansas Employment Security Division

Working with a consumer on resume writing or interviewing skills

Employment assistance will be entitled as such.

Examples

Status 18 06-03-98: Employment Assistance Activity: On this date, counselor contacted Mr. John Smith at Best Foods, Inc. regarding a position of computer operator for Ms. Simms. Mr. Smith was very receptive and indicated he would like to interview Ms. Simms on 07-15-02 at 1:00 p.m.

Rev. 06-03-02

Standards for Service Delivery and Case Recording VR 16.05

CRITERIA FOR CLOSING CASES FROM STATUS 02

Basic Criteria

Criteria for terminating cases in Status 02 are:

One or more of the basic conditions for eligibility for VR services are not met.

Reasons other than eligibility exist.

Basic Documentation

All closed cases must have documentation in the record of service describing and supporting

the reason for the closure and

referral action to other resources, if appropriate.

Rule

Cases closed for "other reasons" must be restricted to reasons that do not appropriately fit into more definitive categories.

Rev. 06-03-02

Standards for Service Delivery and Case Recording VR 16.06

CRITERIA FOR CLOSING CASES FROM EXTENDED EVALUATION

Basic Criteria

Criteria for closing cases in Status 08 from Extended Evaluation (06) are:

There is no reasonable likelihood that a vocational rehabilitation objective can be achieved.

The individual's needs have changed.

Note

Extended Evaluation must be terminated at the earliest time it can be determined that either of these conditions exists. (This determination may occur prior to expiration of an eighteen-month evaluation.)

No Reasonable Likelihood

Extended Evaluation must be terminated

when it has been determined that there is no reasonable likelihood that VR services may render the individual able to engage in a gainful occupation, or

for reasons other than ineligibility.

Needs Have Changed

When an individual's needs change and it can be determined that Extended Evaluation can be continued without interruption, then the program is changed.

When an individual's needs change to the extent that an interruption of services become apparent, then an assessment, using additional diagnostic studies where necessary, is made to arrive at one of the following three decisions.

Rev. 06-03-02

Standards for Service Delivery and Case Recording VR 16.07

CRITERIA FOR CLOSING CASES FROM EXTENDED EVALUATION (Continued)

When Services are Interrupted

If the interruption is short and temporary, and would not preclude continuation of the same or amended extended evaluation plan during the same certification period, then leave case in Status 06.

If the interruption is such that the remaining period of extended evaluation would not be sufficient to meet its objective, and closure of the case is necessary until the basic conditions for acceptability can be re-established and extended evaluation is needed to determine rehabilitation potential, then close case in Status 08.

If the interruption was caused by circumstances which clearly indicate that there is no reasonable expectation that VR services may render the individual fit to engage in a gainful occupation, then close case in Status 08.

Rev. 06-03-02

Standards for Service Delivery and Case Recording VR 16.08

CRITERIA FOR CLOSING CASES AS "REHABILITATED"

Basic Criteria

Criteria for terminating services to a consumer in Status 26 and reporting the consumer as "rehabilitated" are:

The program of rehabilitation services has been completed insofar as necessary or possible.

Substantial rehabilitation services have been provided to the consumer by DSB.

The consumer is engaged in a suitable occupation at least 90 days, which is also in an integrated setting.

Note: Consumer must meet all three of these criteria.

Integrated Setting Definition

The definition of an integrated setting is:

■ A setting typically found in a community in which applicants or eligible individuals interact with non-disabled individuals other than non-disabled individuals who are providing services to those applicants or eligible individuals, AND

■ With respect to an employment outcome, means a setting typically found in the community in which applicants or eligible individuals interact with non-disabled individuals other than non-disabled who are providing services to those applicants or eligible individuals to the same extent that non-disabled individuals in comparable positions interact with other persons.

Implications of Integrated Setting Definition

Counselors should not decide that an employment situation is not an integrated setting based on just the name of the employer. Jobs should be viewed on a case by case basis if there is question of integration. To be integrated, the:

■ individual is employed in a type of job available to the general public in the community and is doing the same job in the company as individuals without a disability

individual is employed under the same working conditions as others without a disability in similar positions (e.g. rest room facilities, lunch or break arrangements, entrance/exit)

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Rev. 06-03-02

Standards for Service Delivery and Case Recording VR 16.09

CRITERIA FOR CLOSING CASES AS "REHABILITATED" (Continued)

Implications of Integrated Setting Definition Continued

individual has ongoing interaction with other workers, supervisors and the general public to the same degree as workers without disabilities in the same or comparable occupations

general working conditions reflect integration with other workers rather than separation/segregation.

Notification to Consumer

It is the responsibility of the counselor to inform consumers in writing when the case is closed.

Accepting Employment Prior to Completion

In some cases, the consumer may identify an employment opportunity prior to completing the planned program of services. This employment may occur as a result of

■ uncontrollable circumstances

- changes to more immediate goals, or
- finding acceptable employment.

The consumer and counselor may jointly decide that it is necessary or appropriate for the consumer to accept this employment opportunity.

Changed Program

If the employment opportunity is a different type of goal, then the planned program of services should be re-evaluated to determine if there is an additional need for services. If so, the program should be amended to show this new employment goal and the additional services needed to assist the consumer to obtain or maintain this employment opportunity.

If the reassessment determines that additional services are not needed, as jointly decided by the consumer and counselor, then services may be terminated and the case closed. The consumer would be considered "rehabilitated" since all the services needed for the consumer to be successful in obtaining or retaining this job have been planned and provided.

Rev. 06-03-02

Standards for Service Delivery and Case Recording VR 16.10

CRITERIA FOR CLOSING CASES AS "REHABILITATED" (Continued)

Substantial Rehabilitation Services

Substantial rehabilitation services is defined as any vocational rehabilitation service provided within a counseling relationship that assists the consumer's vocational rehabilitation.

The substantiality of the service can best be determined by its impact on the consumer's vocational rehabilitation, not on factors such as
a fixed number or amount of services,

expenditures,

counseling hours, or

contacts with the consumer.

Suitable Occupation

An occupation is generally considered suitable when, after a reasonable period of employment (90 days is considered minimum), the following conditions have been met:

The consumer and employer are mutually satisfied.

The consumer is maintaining adequate interpersonal relationships and acceptable behavior in the job environment.

The occupation is consistent with the consumer's interests, capacities, and informed choice.

The consumer possesses acceptable skills to perform or continue to work satisfactorily.

The employment and working conditions will not aggravate the consumer's disability, and the consumer's disability in the job situation will not jeopardize the health or safety of the consumer.

The wage and working conditions conform to state and federal statutory requirements.

The employment is regular, reasonably permanent, and the consumer receives a wage commensurate with that paid other workers for similar work.

Rev. 06-03-02

Standards for Service Delivery and Case Recording VR 16.11

CRITERIA FOR CLOSING CASES AS "REHABILITATED" (Continued)

When All Conditions Are Not Met

In some situations, a case may be justifiably closed even though some of the conditions are not completely apparent.

Example: A consumer may desire to accept or remain on a job which, in the opinion of the counselor, is not compatible with the consumer's physical, mental and educational abilities, or the job is not sufficiently permanent to assure continued self-support. Good counseling procedure recognizes the consumer's right to make such choices. The counselor's obligation is to help the consumer understand the situation,

give the consumer adequate information upon which to base decisions,

encourage the consumer to pursue a more suitable plan and objective, and

document assistance on the I P E.

When One or More Conditions Are Not Met

When a consumer accepts a job which fails to meet one or more of the criteria for suitability, the counselor must assure that explanation has been given to the consumer concerning the unsuitable aspects of the job,

the consumer has made the job choice in light of all the facts, and

the consumer has been informed of the option to reapply for VR services if the job does not prove suitable or the need arises for further services.

NOTE: The case record must clearly indicate the justification for closing the case under these circumstances including alternatives that were considered.

Rev. 06-03-02

Standards for Service Delivery and Case Recording VR 16.12

HOMEMAKER CLOSURES

Introduction

Historically, there have been many problems in determining what constituted a valid homemaker closure. This section contains descriptions and definitions that will aid the counselor in determining what constitutes a valid homemaker closure.

Definition

A homemaker is an individual who has the skills and abilities to maintain a home and actively functions in that capacity.

Eligibility Criteria

The first important determination must be eligibility. In many cases, an individual may have a disability and meet the first eligibility criterion.

However, when addressing the second criterion, for example, there is a distinct difference between

provision of medical care so that an individual can stay at home, and physical restoration under a vocational rehabilitation program to aid the person in maintaining or attaining employment (which, in this case, is homemaking).

Changes in Vocational Objective

A consumer who decides to stay home may become a candidate for a homemaker closure if the following criteria are met:

the agency actually provided a substantial vocational rehabilitation service, this service contributed significantly to the consumer's vocational adjustment, and the consumer meets the definition of a homemaker.

Rev. 06-03-02

Standards for Service Delivery and Case Recording VR 16.13

HOMEMAKER CLOSURES (Continued)

Family Status

Family status refers to the number of people in the family. When determining a homemaker closure, it is a fairly straightforward decision when an individual is responsible for the homemaking activities of an entire family.

However, for individuals who live alone, the counselor must differentiate between self-care and home management activities.

Self-Care Activities

Examples of self-care activities include:

grooming skills

personal hygiene

care of hair

makeup

shaving

care of clothing

social skills

eating skills

posture

table manners

communication skills

legible signature and/or handwriting

Braille or writing

dialing a telephone

orientation and mobility skills

long cane travel

orientation at home

orientation outside home and neighborhood

personal safety

These are all examples of activities of daily living which, while being essential for consumers to learn, do not constitute the responsibilities of a homemaker.

Rev. 06-03-02

Standards for Service Delivery and Case Recording VR 16.14

HOMEMAKER CLOSURES (Continued)

Home Management Activities

Examples of responsibilities of a homemaker may include:

meal preparation

marketing/shopping

baking

bed making

sewing

laundry

washing dishes

hanging clothes

child care

cleaning

Rule

An individual's family status and anticipated earnings are not conditions for eligibility for homemaking.

Single Person Households

A man or a woman who
lives alone,

needs services related to the maintenance of a home, and

is actually performing the duties necessary

may be closed a homemaker.

Secondary Gain

A situation in which an individual who
has been closed as a homemaker,

is now running a home, and

can thereby free another family member to engage in competitive employment

describes a secondary gain upon which eligibility is not contingent.

Rev. 06-03-02

Standards for Service Delivery and Case Recording VR 16.15

HOMEMAKER CLOSURES (Continued)

Documentation

The case record must contain evidence that the homemaker is actually performing these home management activities in the home.

Valid Closure

A valid homemaker closure is a VR closure in which a consumer is closed Status 26, after the provision of VR services, and at closure the consumer is performing a minimum of seven of the following home management activities:

meal preparation

sewing

washing dishes

child care or care of a family member

marketing/shopping

laundry

cleaning

home maintenance/repair

accessing mail/attending to correspondence/paying bills

yard work

home finances, including money management and budgeting

accessing transportation

other, identify and explain

Reminder

Just because an individual has the ability to perform these work activities does not in itself indicate a homemaker closure. The individual must, on a day to day basis, actually function as a homemaker, and there should be an observable relationship between services provided and the consumer's performance of homemaker duties.

Definition: Unpaid Family Worker

An unpaid family worker is a person who works without actual cash reimbursement on a family farm or

in a family business

operated by one or more members of the consumer's family and has received substantial services which assisted in enabling the consumer to perform such activity.

Rev. 06-03-02

Standards for Service Delivery and Case Recording VR 16.16

CRITERIA FOR CLOSING CASES AS "NOT REHABILITATED"

Basic Criteria

Cases may be closed as "not rehabilitated" when it is determined that a suitable occupation cannot be achieved. Such closure may be categorized as either

Status 30 (closed, before I P E initiated) or

Status 28 (closed, after I P E initiated).

Status 30 Closures

Situations will occur which may necessitate closing a case (from 10 or 12) before services are begun under an I P E. A determination that a suitable occupation cannot be obtained must be based upon all facts and circumstances and documented in the case record.

Notification to Consumer

It is the responsibility of the counselor to advise the consumer by letter, with a reasonable explanation concerning the case closure action.

Decision Not to Follow Through

An individual for whom eligibility has been determined and a rehabilitation program is being developed or has been formulated, may decide not to follow through with a program of services.

Before closing such a case, the counselor takes the following action:

Step 1 - Assure that the individual understands the purpose of the program and the services that are available.

Step 2 - Inform the consumer that he or she may reapply for services at a later date.

Rev. 06-03-02

Standards for Service Delivery and Case Recording VR 16.17

CRITERIA FOR CLOSING CASES AS "NOT REHABILITATED" (Continued)

Consumers Who Move

Contact with a consumer may be lost before a rehabilitation program is formulated or services have begun as a result of the consumer's changing residence. Caseload management involving sufficient consumer contact will keep such occurrences at a minimum.

New Developments

In some instances, after an individual has been determined eligible, but before services are begun, new information or complications will require reconsideration of the consumer's prospects of attaining a gainful occupation and, after further evaluation, the counselor may determine that such attainment is not possible.

Referrals To Other Agencies

When a consumer can appropriately be referred to another agency, such referral involves more than merely advising the consumer to make application to the other agency. Counselors take the following action in such cases:

Step 1 Discuss possible referral with consumer.

Step 2 Transmit essential case data to the other agency.

Step 3 Provide additional assistance as required to best meet the needs of the consumer.

Status 28 Closures

After services have been initiated under an I P E (Status 14-24) various circumstances may prevent the attainment of a suitable occupation. When such a decision is reached after full consideration of all pertinent facts, services are discontinued and the case closed in Status 28.

Note

All case service procedures as described above (under Status 30 closures) apply as well to cases closed after initiation of the I P E.

Rev. 06-03-02

Standards for Service Delivery and Case Recording VR 16.18

NARRATIVE DOCUMENTATION

Status 02

Status 02 Statement

State that the consumer is being placed in Status 02 on this date, has signed an application for services and received a copy of the Applicant Information Form, also that the individual has been informed of consumer groups in the State and how they can be contacted.

State:

Consumer's Perception of Problem

Include:

consumer's perception of disability

consumer's perception of handicap to employment

any proposed solutions

any future goals

Counselor's Observations

Include:

your perception of consumer and disability

Status 06

Status 06 Statement

Make a statement to indicate that a DSB-1 was completed and the consumer was placed in Status 06. Indicate that a plan has been developed and what evaluations are being obtained.

Examples of evaluations include:

medical,

psychological,

vocational,

educational, and

other diagnostics.

Rev. 06-03-02

Standards for Service Delivery and Case Recording VR 16.19

NARRATIVE DOCUMENTATION (Continued)

Status 08

Closure Narrative

State and briefly justify reason for closure.

Note: If case is being closed because you are unable to locate the consumer, state what attempts were made.

Note that the consumer was notified in writing of closure; if not notified, state why not, e.g., death, terminal illness, etc.

Note if consumer was referred to another agency.

Status 10

Status 10 Statement

Make a statement to indicate that a DSB-1 was completed and the consumer was placed in Status 10. For purposes of good vocational planning, the counselor will consider the following:
personal adjustment

vocational adjustment

social adjustment

intelligence

prior educational achievement

work experience

ability to acquire occupational skill

capacity for successful job performance

consumer's employment opportunities

When the counselor is unable to address these factors to the degree necessary to determine a vocational goal and the nature and scope of services, a more thorough diagnostic study must be done. This study should be of sufficient depth to enable the development of a comprehensive I P E. Document the rationale for doing such studies and the progress toward completing the diagnostics.

continued on next page

Rev. 06-03-02

Standards for Service Delivery and Case Recording VR 16.20

NARRATIVE DOCUMENTATION (Continued)

Status 10 Continued

Examples of additional studies might include the following:

specialty medical

psychological

vocational

educational

other diagnostics deemed necessary

Any potential problems in the areas above will be the basis for discussion with the consumer in determining the vocational goal and the nature and scope of services.

Informed Choice

Beginning with Status 02 and continuing through to case closure, counselor should list a complete record of how the consumer was given informed choice. This record should include the choices the consumer was given and the decisions that he/she made.

Rev. 06-03-02

Standards for Service Delivery and Case Recording VR 16.21

UPDATING CASE RECORD

Purpose

The purpose of this section is to establish procedures for updating case files deficient in documentation.

Documentation Requirements

Many documents in the case record are DSB requirement; however, there is some documentation that is required in federal legislation. This includes the following:

Application for Services

Certificate of Eligibility (DSB-1)

I P E (DSB-8017)

Preliminary diagnostic studies

Eligibility for comparable services and benefits

Confidentiality statement

Rule

It is not against agency policy or federal regulations to update a service record so that it accurately reflects the services and progress that a consumer has made in his/her rehabilitation program. Such updating is to be clearly explained in case narratives. A reasonable explanation of facts and rationale for actions taken is to be entered in the narrative to preclude any implications of falsifying records, fraud, etc.

Procedure for Updating

To update documentation include:

Date: When the documentation should have taken place.

Signature: Name and title of person completing update; also, if applicable, the name of the previous worker.

Date of the corrective action.

Example: This counselor noted that, although the consumer was certified eligible for services, 3/21/96, no Certificate of Eligibility is in the case record. Therefore, a Certificate of Eligibility is being entered at this time for Counselor Bill Smith.

Rev. 06-03-02

Standards for Service Delivery and Case Recording VR 16.22

UPDATING CASE RECORD (Continued)

Procedures for Updating Other Caseload Materials

When any other caseload information is missing, such as training reports, the counselor attempts to obtain copies of those reports; however, if copies are not obtainable, the counselor states in the case narrative that these items are missing from the record.

Rev. 06-03-02

Transition Services VR 17.01

OVERVIEW

Definition

Transition services are activities designed for a student to promote movement from school to post-school activities. These activities must be:
coordinated

goal-oriented, and

based on the student's needs and interests

Purpose

Transition services are intended to provide a smooth transfer from the responsibility of the educational agency to vocational rehabilitation services under DSB. Services allow:
the VR Counselor to begin to establish a rapport with the young person before he/she leaves school,

creates an avenue to share information on instructional modifications and equipment to enhance academic preparation,

allows uninterrupted services,

lets the student make more informed choices,

uses time more wisely, so the student can achieve a career more quickly, and

instills within the student the possibility of real vocational participation.

When to Open a Case

Transition cases should be treated the same as any other case. VR Counselors are not to open a case unless they are going to write an IPE within 90 days after certifying eligibility (see VR 7.05).

Notice of Eligibility

Upon determination of eligibility, the VR Counselor will notify the minor consumer and his/her parent or representative and proceed with program planning.

Definition of a Minor

A minor is an individual who:
is under 18 years old and

is not or has not been married or

has not had minority status removed for general purposes.

07-03

Transition Services VR 17.02**OVERVIEW (Continued)****IPE Development**

The primary differences in developing an IPE for a minor consumer are:
the level of involvement by the parent or representative will be greater for a minor than for an adult consumer and

the employment goal of the IPE may shift more frequently for a minor consumer, who interests and abilities are growing and developing.

07-03

Transition Services VR 17.03**SERVICES****Transition Services**

Transition services, by their nature, must be individualized and adjusted to the specific needs, environments, supports, and skills of each consumer. No service or plan of services can be applied uniformly for every consumer. Transition services may include, but are not limited to the

following:
counseling,

assessment and vocational assessment,

vocational planning,

orientation and mobility,

academic recommendations, including tutoring and instructional adaptations,

instruction, including ADL, self-advocacy, and social skills,

advocacy,

adaptive technology,

rehabilitation engineering,

reader service,

transportation,

work experience, including summer employment and job shadowing,

physical restoration, and

community experiences.

Technology

Purchases

The VR Counselor can only purchase assistive devices and adaptive equipment if the items are needed for post-secondary education or long-term employment. If a student needs assistive devices or adaptive equipment for his/her participation in secondary school, the public school, under the ADA, should provide the equipment necessary for the student's participation. (Devices unrelated to education or vocational rehabilitation will be the responsibility of the parents/guardian. For example, devices for recreational purposes.)

07-03

Transition Services VR 17.04

RESPONSIBILITIES

School's Responsibilities

Public schools have primary responsibility for ensuring and providing a free and appropriate public education (FAPE) for children. The Special Education Unit will establish and maintain policies and procedures and provide technical assistance to local education agencies to assure that:

individuals who are blind, severely visually impaired, or deaf-blind have been provided with pre-requisite academic, personal adjustment, and pre-vocational skills prior to being referred to DSB.

placements of individuals who are blind, severely visually impaired, or deaf-blind are based on an Individualized Education Program (I E P), and that the child will be served in the least restrictive environment.

schools will involve DSB staff in writing I E P's for children who will be referred for appropriate services.

schools will initiate and/or cooperate in the development of graduation plans, Tech Prep programs of study, vocational components and transitional goals of the I E P, and the Individual Plan for Employment (I P E).

comprehensive services including, but not limited to, appraisal services, instructional services, and support services will be provided.

under the Americans with Disabilities Act (ADA), Special Education shall furnish appropriate auxiliary aids and services where necessary to afford an individual with a disability an equal opportunity to participate in, and enjoy the benefits of services, programs, or activities conducted by Special Education.

07-03

Transition Services VR 17.05

RESPONSIBILITIES (Continued)

I E P Meeting

The VR counselor will attend all I E P meetings scheduled for the minor consumer.

Counselor's Other Responsibilities

The VR counselor will be responsible for:

providing information, support, and guidance to students, parents, and schools to promote a smooth transition

attending students' Individualized Education Program (I E P) meetings

assisting students in developing their Individualized Plans for Employment (I P E)

assisting students in technology decisions

assisting students in career exploration

Family's Role

When family support is available, family involvement in the transition process will significantly enhance both transition planning and a successful outcome. Each family has a unique set of family values and cultural influences that will affect their concerns, opinions, and requests. The family's role in the vocational rehabilitation process is to:

assist the consumer in identifying and describing consumer and family needs,

express expectations for services,

encourage the consumer to act as primary coordinator for all services to the consumer and the family, and

assist the consumer in becoming an effective self-advocate.

07-03

Transition Services VR 17.06 WORK AND TRANSITION

Knowledge of Work Laws

VR Counselors will keep current in their knowledge of state and federal labor laws that affect minor consumers. This knowledge will include, but is not limited to:

minimum ages for employment,

the number of hours a minor is allowed to work,

requirements for lunch/breaks, and

restrictions for certain types of jobs.

Part-time or Summer Employment

Students sometimes seek part-time or summer employment. This type of work: introduces the student to the world of work,

offers the student opportunities to earn money for educational purposes,

gives the student an inside look at a potential career

can provide a sense of independence and self-esteem,

teaches responsibility,

can increase the student's maturity,

increases their experience in interacting with the general public, and

provides networking opportunities.

VR counselors can assist minor consumers seeking part-time or summer employment by, but not limited to:

providing counseling

recommending places the students might apply for work,

advising student on how to fill out a job application, and

assisting the student in developing a resume.

Transition Services VR 17.07**WORK AND TRANSITION (Continued)****Leaving the Transition Stage**

There should not be a break in services when transition consumers become adults while receiving services. Counseling should begin early with the consumer and his/her parents regarding changes in the consumer's rights and responsibilities at age 18. Unless a consumer has been assigned a court-appointed guardian, a consumer who reaches the age of 18 while receiving services has all the rights and responsibilities of adulthood. The Counselor should meet with the consumer to discuss future plans and, if necessary, to update the I P E.

Post-school Activities

Post-school activities include:

colleges and universities,

vocational training,

continuing adult education,

independent living, and/or

employment.

07-03

Physical Restoration Services 18.01

OVERVIEW

Definition

Physical restoration services are those medical and medically related services that are necessary to correct or substantially modify within a reasonable period of time a physical or mental condition.

Services

Physical restoration services include:

Medical treatment

Psychiatric treatment

Surgical treatment

Dental treatment

Physical and occupational therapy

Medications

Prosthetic appliances

Treatment of medical complications and emergencies, either acute or chronic, which are associated with, or arise out of, the provision of physical restoration services or are inherent in the condition under treatment

Hospitalization (both inpatient and outpatient care) and clinic services

Physical rehabilitation in a rehabilitation facility

Convalescent care

Nursing services

Medically directed speech or hearing therapy

Other medical or medically related rehabilitation services

Low vision services

Statuses

Physical restoration services may be provided in statuses:

06

10 through 22 (except 14 which is counseling and guidance only)

32

01/04

Physical Restoration Services 18.02

ELIGIBILITY

Substantial Impediment

DSB will assist consumers to receive physical restoration services who have:
a substantial impediment to employment,
a good potential for completing the planned program, and
a need for vocational services.

“Substantial impediment to employment” for this purpose means those individuals who are severely disabled and who have no skills to perform work in line with their abilities. Generally, this will include persons who:
are blind or severely visually impaired,
have a severe physical or mental impairment which limits one or more functional capacities (such as mobility, communication, self-care, self-direction, interpersonal skills, work tolerance, or work skills), and
are expected to require multiple vocational services over an extended period of time.

NOTE: Both Social Security Disability Insurance beneficiaries and Supplemental Security Income recipients are considered “severely disabled” for the purposes of providing physical restoration services.

Conditions for Eligibility

Individuals determined to be eligible for vocational rehabilitation services are those who have a condition which is not acute or transitory, or of so recent an origin that the resulting functional limitations, limitation of activities, and the extent to which such limitations affect occupational performance cannot be identified. In other words, the condition must be stable or slowly progressive and have a favorable prognosis that after services are completed the individual can remain in, or become engaged in, a wage earning situation.

01/04

Physical Restoration Services 18.03**ELIGIBILITY (Continued)****Trial Work Period**

Individuals who are in a trial work period may be furnished physical restoration services without the need for determining that the physical or mental condition is stable or slowly progressive.

NOTE: Physical restoration services may be expected to eliminate or substantially reduce the handicapping condition within a reasonable period of time.

01/04

Physical Restoration Services 18.04

SERVICES

Prior Approval

All surgery other than eye surgery must be prior approved by the Program Administrator.

Refusal of Services

Refusal of physical restoration does not in and of itself constitute the basis for denial of other services needed to complete the consumer's rehabilitation program. The counselor should, however, determine whether the consumer would be able to engage in competitive employment without the surgery.

Services Purchased in State

DSB will pay for all physical restoration services that are properly authorized. The rate of payment will be according to the vendor's stated fee up to, but not to exceed, the maximum amount determined by the current Medicaid fee schedules. The fee paid to physicians for surgical treatment includes 15 days routine post-operative care. After 15 days the counselor may authorize up to three post-operative visits if it is decided they are needed.

Services Purchased Out of State

If DSB purchases physical restoration services out of state, the rate paid for such services may equal, but not exceed, that paid by the local Rehabilitation Service or other comparable public agency of that state. **NOTE:** Texarkana, Texas is considered in state.

DSB also will use physicians and facilities that are used by the Rehabilitation Service or other comparable public agency of that state. If information concerning fees is not available, the counselor will contact the nearest appropriate agency. If information regarding fees is not available there, the counselor will contact the nearest appropriate Vocational Rehabilitation Office to find the rate that the particular agency pays for the needed service. When an appropriate fee schedule is not available for a procedure being performed out-of-state or in those rare situations that an in-state vendor will not accept payment not to exceed the current Medicaid fee schedules, the counselor may be required to negotiate a special rate. In these cases the rate may not exceed the current Medicare fee schedule minus 20% and must be pre-approved by the counselor's Field Services Supervisor or the Program Administrator.

Rev. 05-07

Physical Restoration Services 18.05

SERVICES (Continued)

Medical Payments

After the initial diagnostic medical examination and the eligibility certification, payments may be made to a physician (general practitioner or specialist), clinic, dispensary, or hospital for services rendered in the treatment of the consumer. The counselor can also pay for medications and medical supplies incidental to such treatment.

NOTE: Medications may only be purchased in conjunction with a surgical procedure or to treat a short-term illness to enable a consumer to return to work or training. Medications will not be purchased for long-term illnesses. A short-term illness for the purpose of this policy is one that is expected not to last over 60 days.

Psychiatric Treatment

Payments may be made to specialist in neuropsychiatry or to a psychiatric clinic or hospital for psychiatric treatment after the initial psychiatric diagnostic examination. In the case of long term mental illness counselors should determine if this is the primary disability. If so, the case should be referred to the Arkansas Rehabilitation Services.

Surgical Treatment

Payments may be made for preoperative care, surgical operations, and postoperative care. This is in addition to the 15 days of required postoperative care that is to be provided as a part of the surgical fee. Payments will be made according to the physician's quoted usual, customary, and prevailing fee, but not to exceed the current Medicaid fee schedule.

Rev. 05-07

Physical Restoration Services 18.06

SERVICES (Continued)

Anesthesia

Payments may be made to anesthetists and anesthesiologists not included in the hospital costs.

Counselors will pay \$42.00 a point for anesthesia and \$42.00 per unit of time.

A unit of time can be up to 15 minutes. Therefore if a procedure required 16 minutes, the counselor would pay for two units at \$42.00 per unit.

To determine the amount DSB will pay for a procedure, multiply the point value of the procedure times the \$42.00 cost per point. Then multiply the number of units times the \$42.00 cost per unit of time. Then add the two totals together.

For example, if the counselor were to pay for 10 points and 9 units, the payment would be \$798.

\$42 per point x 10 points = \$420

\$42 per unit x 9 units = \$378

\$420 for the points + \$378 for the units = \$798 payment)

Physical and Occupational Therapy

Payments for physical therapy services other than those furnished as a part of hospital or clinic treatment may include payments for such services as massage, heat treatment, water treatment, etc. Physical therapy may be done in the consumer's home, convalescent home, center, workshop or elsewhere.

Occupational therapy is an activity, mental or physical, prescribed by a physician for remedial value. It covers a wide range of tasks, such as weaving, woodworking, leatherwork, photography, metal work, and other crafts, when prescribed as treatment.

DSB will pay for physical or occupational therapy only:

upon the recommendation of a medical specialist, and

when the treatment is given under the direction of a medical specialist.

Physical Restoration Services 18.07

SERVICES (Continued)

Counselor's Responsibility

The counselor has the responsibility for making such arrangements as are necessary for providing all physical restoration services. DSB will not pay for any procedure that has not been authorized prior to the consumer receiving the planned services. The counselor should plan and authorize all services prior to them being provided, and doctors and consumers should be made aware of this fact in advance.

Surgical Insurance

Benefits from insurance policies that cover any planned surgical and medical services must be used. It is the counselor's responsibility to inform the doctor that DSB will pay only that part of the surgery not covered by the insurance policy.

Consultation

For diagnosis, upon the recommendation of the examining specialist, another specialist may be brought in on a consultative basis.

Hearing Aids

DSB will purchase hearing aids for consumers from licensed dealers or physicians skilled in diseases of the ear after a hearing evaluation by a physician and a hearing aid evaluation by an audiologist. The audiologist's hearing aid evaluation report must specify, in addition to the types of hearing aid, the specific brand name and model and when applicable, internal and /or external adjustment for a hearing aid being purchased by DSB. The hearing aid evaluation will be sent to the counselor with the prescription, including the model, brand, bidders to be used, and the price to the agency. Any deviation from this procedure must have the approval of the Program Administrator.

01/04

Physical Restoration Services 18.08

SERVICES

Eyeglasses, Contact Lens, Artificial Eyes, Optical Aids

Eyeglasses, contact lenses, artificial eyes, and optical aids may be purchased only after a current eye examination (not more than three months old) by an ophthalmologist or optometrist upon receipt of a written report.

These items may only be purchased when they are determined to be a necessary part of completing a consumer's comprehensive rehabilitation program (IPE). The purchase of eyeglasses and contact lenses must be for their use as a functional prosthesis and not for cosmetic effect.

Artificial eyes and dark glasses may be provided for cosmetic purposes as part of a consumer's IPE.

On all prosthetic devices, whether for functional use or cosmetic reasons, only the least expensive or stock items will be purchased unless otherwise indicated by the report of an optometrist/ophthalmologist.

01/04

Physical Restoration Services 18.09

CONTINGENT PROGRAM

Contingent Program

If physical restoration services are to be provided at great distances from the consumer's home or beyond the counselor's territory, creating travel and communication difficulties, the services may be expedited by the use of a contingent program. The contingent program: requires the completion of every evaluation step and case procedure and the provision of service is contingent upon the doctor's agreement with the tentative diagnosis that is made and his recommendations. Planned services are to be rendered only if his findings agree with those on which the program has been based.

When a counselor desires to use a contingent program, he/she must complete the case record, write a program, either original or supplemental, and issue the necessary authorizations to the vendors of service.

Accompanying the authorization to the doctor must be an explanation of the contingent nature of the program. The counselor should provide exact copies of his/her medical reports to the doctor, so that he is made aware of the tentative diagnosis and the basis for the proposed services. He shall be informed that the planned services are to be rendered only if his findings agree with those on which the program has been based, namely, that in his opinion the proposed service will either remove or substantially reduce the disability.

The counselor must inform the doctor about arrangements for hospitalization or outpatient surgery. Also, the counselor may give the surgeon the authority to select the anesthetist; this can be done by written or verbal communication.

01/04