

VRBS Policy and Procedure Manual

Table of Contents

Chapter 1: Timeliness, Intake and Eligibility

1.1	Timely Services
1.2	Timeliness of Referral
1.3	Information and Referral Services
1.4	Use of Existing Information
1.5	Presumption of Eligibility
1.6	Presumption of Benefit
Procedure 1.1	Procedure and Instruction for Learning Disorders
Procedure 1.2	Procedure for Presumed Eligibility

Chapter 2: State Financial Eligibility and Purchasing Policies

2.1	Table of Income and Resources
2.2	Financial Need Standard
2.3	Consumer participation in purchase
2.4	Determination of Financial Need
2.5	Rates of Payment (VRBS Policy B)
2.6	Prior Authorization and Verbal Authorization
Procedure 2.1	Office Financial Completion & Quality Control Procedure
2.7	Financial Limitations (VRBS Policy R)
2.8	Fee Schedule Appendix A
Procedure 2.2	General Purchasing and Property Management Instructions and Requirements

Chapter 3 Assessment and Individualized Plan for Employment (IPE)

3.1	Use of Existing Information (IPE)
3.2	Assessment of Rehabilitation Needs
3.3	Development of Initial Individualized Plan for Employment
3.4	Comparable Benefits
3.5	Mandatory Components of VRBS IPE
3.6	Core Requirements of IPE (VRBS Policy W)
3.7	Ongoing IPE Services (VRBS Policy X)
3.8	Vocational Rehabilitation Program: Adaptation of Standards
Procedure 3.1	Substance Abuse Service Procedure
Procedure 3.2	Utilization of Comparable Benefits and Financial Need
Procedure 3.3	Transitions and the IPE
Procedure 3.4	Counselor Generated Goal Assessment
Procedure 3.5	Rationale for Goal Selection and Services
Procedure 3.6	IPE Accountability Procedure
Procedure 3.7	IPE Extensions
Procedure 3.8	Case Transfers

Chapter 4: Scope of Services, Supported, Extended, and Self-Employment

- 4.1 Scope of VRBS Services (VRBS Policy M)
- Procedure 4.1 Determining Levels of Transportation Services
- 4.2 Supported Employment IV-B
- 4.3 Certification of Eligibility for (VREE)
- 4.4 Re-evaluation Sheltered, VREE, other employment settings
- 4.5 Self-Employment (VRBS Policy M1)

Chapter 5: Informed Choice, Due Process, and Personal Safety

- 5.1 Informed Consumer Choice
- 5.2 Counselor Determinations (Due Process and Fair Hearings) (VRBS Policy E)
- 5.3 Personal Safety (VRBS Policy C1)

Chapter 6: Case Outcome and Closure Policy

- 6.1 Case Closure Following a Determination of Ineligibility
- 6.2 Case Closure Following Employment Outcome
- 6.3 Supported Employment Closure
- 6.4 Post Employment Services
- 6.5 Consumer/Counselor Initiated Case Closure

Chapter 7: Confidentiality, Order of Selection and Case File Documentation

- 7.1 Confidentiality
- 7.2 Order of Selection
- 7.3 Case File Documentation
- Procedure 7.1 HIPAA Procedure Memo

Chapter 8: Homemaker, VSM and OB Programs

- 8.1 Visual Medical Services Eligibility
- 8.2 Visual Medical Services-Scope of Services
- 8.3 Visual Medical Services – Closure
- 8.4 Older Blind – Eligibility
- 8.5 Older Blind – Scope of Services and Independent Living Plan
- 8.6 Older Blind – Consumer Rights
- 8.7 Reduction of Service Population
- 8.8 Older Blind – Closure
- Procedure 8.1 Employment Outcome - Homemaker

Chapter 9: Definitions

9.1	Applicant
9.2	Assessment for Determining Eligibility and Vocational Rehabilitation Needs
9.3	Assistive Technology Device
9.4	Assistive Technology Service
9.5	Community Rehabilitation Program
9.6	Comparable Services and Benefits
9.7	Competitive Employment
9.8	Dependent
9.9	Emancipated Adult (VRBS Policy ZGD08"-Definitions")
9.10	Employment Outcome
9.11	Extended Employment
9.12	Extended Services
9.13	Extreme Medical Risk
9.14	Family Member
9.15	Financial Resources
9.16	Individual with a Disability
9.17	Individual with a Significant Disability
9.18	Individual with a Most Significant Disability (VRBS Policy ZGD16"-Definitions")
9.19	Individual's Representative
9.20	Integrated Setting
9.21	Maintenance
9.22	Ongoing Support Services
9.23	Personal Assistance Services
9.24	Physical or Mental Impairment
9.25	Post Employment Services
9.26	Rehabilitation Engineering
9.27	Serious Limitation
9.28	Substantial Impediment to Employment
9.29	Substantive Services
9.30	Supported Employment
9.31	Supported Employment Services
9.32	Transition Services
9.33	Transitional Employment
9.34	Transportation

Chapter 1: Timeliness, Intake and Eligibility

VRBS Policy 1.1	Timely Services
VRBS Policy 1.2	Timeliness of Referral
VRBS Policy 1.3	Information and Referral Services
VRBS Policy 1.4	Use of Existing Information
VRBS Policy 1.5	Presumption of Eligibility
VRBS Policy 1.6	Presumption of Benefit
VRBS Procedure 1.1	Procedure and Instruction for Learning Disorders
VRBS Procedure 1.2	Procedure for Presumed Eligibility

VRBS Policy 1.1 Timely Services

Applied Effective Date: 12/27/02

Last Edition Date: 6/ 1/1999

Federal Authority: 34 CFR 361.41 Processing Referrals and Applications

State Authority: ARM 37.30.102 Vocational Rehabilitation Policy:
Incorporation by Reference of Federal and State Authority

Policy Statement:

VRBS will inform individuals of the time requirements incorporated in the application and eligibility determination process at the time the individual expresses intent to apply. VRBS shall process applications and determine eligibility and ineligibility within sixty days of the date of application unless the consumer and the counselor mutually agree on a specific extension of time due to circumstances beyond the control of the consumer or agency. The agency shall provide all services in a timely and equitable manner.

VRBS Policy 1.2 Timeliness of Referral

Applied Effective Date: 10/01/03

Last Edition Date:

Federal Authority: Sec. 361.41 Processing referrals and applications

State Authority:

Policy Statement:

Vocational Rehabilitation and Blind Services will inform individuals who are referred to the VRBS agency of application requirements and the necessity of gathering information necessary to initiate an assessment for determining eligibility and priority for services within 30 days from notification of referral. The means by which the individual is to be informed shall be either:

1. Through a face to face meeting with an agency representative or when that is not possible;
2. By means of a mailing (or other appropriate electronic means of transfer) of information in accessible format and language including an application form.

VRBS Policy 1.3 Information and Referral Services

Applied Effective Date: 12/27/02

Last Edition Date: 6/1/1999

Federal Authority: 34 CFR 361.37 Information and Referral Services

State Authority: ARM 37.30.102 Vocational Rehabilitation Policy: Incorporation
by Reference of Federal and State Authority

Policy Statement:

VRBS will implement an information and referral system to ensure individuals with disabilities will be provided accurate vocational rehabilitation information and guidance, using appropriate modes of communication, to assist such individuals in preparing for, securing, retaining, or regaining employment. In addition to information regarding the availability and benefits of, and information on eligibility standards for vocational rehabilitation services, consumers will be appropriately referred to federal and state programs (other than the vocational rehabilitation program carried out under this title), including other components of the statewide workforce investment system in the state.

An appropriate referral will be made through VRBS to federal or state programs, including programs carried out by other components of the statewide workforce investment system in the state, best suited to address the specific employment needs of an individual with a disability; and include, for each of these programs, provision to the individual of:

1. A notice of the referral by VRBS to the agency carrying out the program;
2. Information identifying a specific point of contact within the agency carrying out the program;
3. Information and advice regarding the most suitable services to assist the individual to prepare for, secure, retain, or regain employment; and
4. Provide that eligible individuals, who do not meet the order of selection criteria, shall have access to services provided through the information and referral system.

VRBS Policy 1.4 Use of Existing Information

Applied Effective Date: 12/27/02

Last Edition Date: 6/ 1/1999

Federal Authority: 34 CFR 361.42 Assessment for Determining Eligibility and Priority for Services

State Authority: ARM 37.30.102 Vocational Rehabilitation Policy: Incorporation
by Reference of Federal and State authority.

Policy Statement:

1. Use of Existing Information.

The determination of eligibility and the development of the Individualized Plan for Employment (IPE) shall be based on a review of existing data and to the extent that additional data is necessary, a preliminary review of that data. Determinations made by officials of other agencies regarding whether an individual has an impairment that

creates a substantial impediment to employment shall be used to the extent appropriate and available. To the extent appropriate, information provided by the individual and by the family of the individual will be used. Prior to the determination of eligibility, the case record must contain evidence of the disability upon which the determination was based. An individual is eligible for VRBS Title I services if the individual is an individual with a disability and requires vocational rehabilitation services to prepare for, secure, retain, or regain employment. The term "individual with a disability" means any individual who:

- a. Has a physical or mental impairment which for such individual constitutes or results in a substantial impediment to employment; and
- b. Can benefit in terms of an employment outcome from vocational rehabilitation services.

VRBS Policy 1.5 Presumption of Eligibility

Applied Effective Date: 12/27/02

Last Edition Date: 6/ 1/1999

Federal Authority: 34 CFR 361.42 **Assessment for Determining Eligibility and Priority for Services**

State Authority: ARM 37.30.102 Vocational Rehabilitation Policy: Incorporation by Reference of Federal and State Authority.

Policy Statement:

An individual who has a disability or is blind as determined pursuant to Title II or Title XVI of the Social Security Act shall be:

1. Considered to be an individual with a significant disability; and
2. Presumed to be eligible for vocational rehabilitation services under this title (provided that the individual intends to achieve an employment outcome consistent with the unique strengths, resources, priorities, concerns, abilities, capabilities, interests, and informed choice of the individual) unless VRBS can demonstrate by clear and convincing evidence that such individual is incapable of benefiting in terms of an employment outcome from vocational rehabilitation services due to the severity of the disability of the individual.

Nothing in this policy shall be construed to create an entitlement to any vocational rehabilitation service.

VRBS Policy 1.6 Presumption of Benefit

Applied Effective Date: 12/27/02

Last Edition Date: 6/ 1/1999

Federal Authority: 34CFR 361.42 Assessment for Determining (2) Eligibility and Priority for Services

State Authority: ARM 37.30.102 Vocational Rehabilitation Policy: Incorporation by Reference of Federal and State Authority.

Policy Statement:

An individual shall be presumed to be an individual that can benefit in terms of an employment outcome from vocational rehabilitation services, unless the counselor can demonstrate by clear and convincing evidence that such individual is incapable of benefiting in terms of an employment outcome from vocational rehabilitation services due to the severity of the disability of the individual. In making the demonstration, the counselor shall explore the individual's abilities, capabilities, and capacity to perform in work situations, through the use of trial work experiences with appropriate supports provided through VRBS, except under limited circumstances when an individual cannot take advantage of such experiences. Such experiences shall be of sufficient variety and over a sufficient period of time to determine the eligibility of the individual or to determine the existence of clear and convincing evidence that the individual is incapable of benefiting in terms of an employment outcome from vocational rehabilitation services due to the severity of the disability of the individual.

VRBS Procedure 1.1 Procedure and Instruction for Learning Disorders

Applied Effective Date: 03/21/11

Last Edition Date: 06/05/03

Policy Statement:

Individuals who have diagnosed learning disabilities may be eligible for Vocational Rehabilitation and Blind Services if their disabilities cause a substantial impediment to employment, and if they require services to prepare for, secure, retain or regain employment.

Definitions

- Learning Disorder

The term "learning disorder" includes a number of related structural and/or functional central nervous system disorders that affect higher cognitive functioning. The DSM-IV lists the following categories: reading disorder (dyslexia), mathematics disorder (dyscalculia), disorders of written expression (dysgraphia) and learning disorders that are not otherwise specified, usually because the disorder may include problems in multiple areas. Learning disorders are not the result of visual, hearing, or motor disabilities, intellectual disabilities, mental illness, or environmental, cultural, or economic disadvantage.

➤ **Specific Learning Disability**

As described in IDEA, the term "specific learning disability" means a disorder in one or more of the basic psychological processes involved in understanding or in using language, spoken or written, which may manifest itself in the imperfect ability to listen, think, speak, read, write, spell, or do mathematical calculations.

Criteria for Evidence of Learning Disability

Evidence of a learning disability may be established via the following criteria:

1. A report from a qualified professional, including clinical psychologists, **school psychologists, educational psychologists, and neuro-psychologists.
2. The report must contain a diagnosis based on a comprehensive assessment battery which includes:
 - a. A diagnostic interview
 - b. Assessments of academic achievement and information processing.
 - c. Evidence of a substantial limitation to learning or other major life activities
3. The report can be no more than three years old.

***Note: In Montana, school psychologists summarize the above information into an "Evaluation Report." Likewise, the VRBS counselor may consider the "Evaluative Report" as sufficient.*

Eligibility Considerations

A diagnosis of a learning disability alone is not sufficient to establish eligibility for VRBS services. The VRBS counselor must then determine if the learning disability constitutes a substantial impediment to employment, VRBS staff must address the following:

- Does the individual have considerable difficulty with job tasks requiring reading or writing, spelling or math calculations/application? For example, would the person's reading and/or writing difficulties impede his/her ability to independently complete a job application?
- Does the individual lack transferable work skills that would require the provision of VRBS services?

- Would it be difficult or impossible for the individual to achieve a suitable vocational objective—that is, one equal to his/her potential—without one or more vocational rehabilitation services? For example, consider the individual with a high IQ who, without adjustment counseling and significant accommodations, can't complete a college degree.

VRBS Procedure 1.2 Procedure for Presumed Eligibility

Applied Effective Date: 09/30/06

Last Edition Date: **New Procedure**

At the time of application for services, upon report of eligibility for benefits pursuant to Title II or Title XVI of the Social Security Act, VRBS shall acquire verification of the consumer's benefit status. The date upon which the benefit verification is received by VRBS is the date of eligibility.

Definitions:

“Necessary notifications”: Consumer letter; system input

“Date of verification”: date stamp, fax date, or other electronic mark of date

Policy 1.7 Eligibility Extension

Applied Effective Date: 05/23/13

Federal Authority: **34 CFR 361.41** Processing Referrals and Applications

State Authority: **ARM 37.30.102**

Within 60 days of application completion, counselor will determine eligibility or ineligibility, unless applicant and Counselor mutually agree upon an extension due to circumstances beyond the control of the applicant or agency.

Extensions will specify:

1. a mutually agreed upon date for completion, not to exceed 60 days
2. steps that have been taken and steps that will be taken to reach a decision
3. Eligibility Extensions require Supervisor Approval

TEMPLATE INSTRUCTIONS

1. Type over instructions in each section.
2. Copy and paste entire document (except these instructions) into MACS as a case journal entitled Eligibility Extension
3. Print MACS journal.

ELIGIBILITY DETERMINATION EXTENSION

EXTENSION DEADLINE:

(Enter date here. Not to exceed 60 days.)

EXTENSION RATIONALE

The following exceptional and unforeseen circumstances, which are beyond the control of Montana Vocational Rehabilitation (MVR), preclude the completion of your eligibility determination within sixty (60) days of your application:

(Enter rationale here.)

ACTION TAKEN

The MVR counselor has taken the following action to proceed toward making an eligibility decision:

(Enter activity here.)

COUNSELOR SIGNATURE

CONSUMER SIGNATURE

SUPERVISOR SIGNATURE