

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

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MVR Policy 4.1 (Policy M) Scope of Services

Applied Effective Date: 12/27/02

Last Edition Date: 1/ 1/2000

Federal Authority: 34CFR 361.48 Scope of Vocational Rehabilitation Services for Individuals with

State Authority: ARM 37.30.706 and 37.39.102 Vocational Rehabilitation
Program: Physical And Mental Restoration Services And Vocational Rehabilitation
Policy: Incorporation By Reference Of Federal And State Authority

Policy Statement:

Vocational rehabilitation services are any services described in an IPE necessary to assist an individual with a disability in preparing for, securing, retaining, or regaining an employment outcome that is consistent with the strengths, resources, priorities, concerns, abilities, capabilities, interests, and informed choice of the individual, including:

1. An assessment for determining eligibility and vocational rehabilitation needs by qualified personnel, including, if appropriate, an assessment by personnel skilled in rehabilitation technology;
2. Counseling and guidance, including information and support services to assist an individual in exercising informed choice.
3. Referral and other services to secure needed services from other agencies through agreements;
4. Job-related services, including job search and placement assistance, job retention services,
Follow-up services and follow-along services.
5. Vocational and other training services, including the provision of personal and vocational adjustment services, books, tools, and other training materials, except that no training services provided at an institution of higher education shall be paid for with funds under this title unless maximum efforts have been made by MVR and the individual to secure grant assistance, in whole or in part, from other sources to pay for such training;
6. To the extent that financial support is not readily available from a source (such as through health insurance of the individual) or through comparable services and benefits other than MVR, diagnosis and treatment of physical and mental impairments, including:
 - a. Corrective surgery or therapeutic treatment that is likely, within a reasonable period of time, to correct or modify substantially a stable or slowly progressive physical or mental impairment that constitutes a substantial impediment to employment;
 - b. Diagnosis of and treatment for mental or emotional disorders by qualified personnel in accordance with State licensure laws;
 - c. Dentistry;
 - d. Nursing services;

- e. Necessary hospitalization (either inpatient or outpatient care) in connection with surgery or treatment and clinic services;
- f. Drugs and supplies;
- g. Prosthetic and orthotic devices;
- h. Eyeglasses and visual services, including visual training, and the examination and services necessary for the prescription and provision of eyeglasses, contact lenses, microscopic lenses, telescopic lenses, and other special visual aids prescribed by personnel that are qualified in accordance with State licensure laws;
- i. Podiatry;
- j. Physical therapy;
- k. Occupational therapy;
- l. Speech or hearing therapy;
- m. Mental health services;
- n. Treatment of either acute or chronic medical complications and emergencies that are associated with or arise out of the provision of physical and mental restoration services, or that are inherent in the condition under treatment;
- o. Special services for the treatment of individuals with end-stage renal disease, including transplantation, dialysis, artificial kidneys, and supplies; and
- p. Other medical or medically related rehabilitation services

7. Maintenance for additional costs incurred while participating in an assessment for determining eligibility and vocational rehabilitation needs or while receiving services under an IPE;

8. Transportation, including adequate training in the use of public transportation vehicles and systems, that is provided in connection with the provision of any other service described in this section and needed by the individual to achieve an employment outcome;

9. On-the-job or other related personal assistance services provided while an individual is receiving other services described in this section;

10. Interpreter services provided by qualified personnel for individuals who are deaf or hard of hearing, and reader services for individuals who are determined to be blind, after an examination by qualified personnel who meet state licensure laws;

11. Rehabilitation teaching services, and orientation and mobility services, for individuals who are blind;

12. Occupational licenses, tools, equipment, and initial stocks and supplies;

13. Technical assistance and other consultation services to conduct market analyses, develop business plans, and otherwise provide resources, to the extent such resources are authorized to be provided through the statewide workforce investment system, to eligible individuals who are pursuing self-employment or telecommuting or establishing a small business operation as an employment outcome;

14. Rehabilitation technology, including telecommunications, sensory, and other technological aids and devices.

MVR Procedure 4.1 Determining Levels of Transportation Services
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Transportation means travel and related expenses that are necessary to enable an applicant or eligible individual to participate in vocational rehabilitation and blind services (VRBS). Transportation cannot be a stand-alone service and must be required by the individual to participate in an assessment activity or services identified in the Individualized Plan of Employment (IPE).

VRBS may provide transportation, including adequate training in the use of public transportation vehicles and systems that are required by the individual to participate in a core VRB service. This is not a service that can be provided as a sole service. The consumer remains financially responsible to cover personal transportation cost for those portions of his or her lifestyle that are not related to the VRBS program.

A consumer's need for transportation services must be considered and discussed by the VRBS counselor with the consumer during the eligibility determination and IPE planning process. A consumer's prospective capability to get to and from work may influence that consumer's ability to benefit from VRB services. All alternative means of transportation will be explored and the least expensive option that meets the needs of the consumer will be selected.

For a list of the current public transit agencies in the State of Montana go to:
http://www.mdt.mt.gov/publications/docs/maps/public_transportation.pdf.

Note: In the event the consumer requires lodging and per-diem reimbursement, travel rules and policy for state employee reimbursement must be followed.

Personal Vehicle

VRBS can provide assistance in personal transportation when the consumer or consumer's driver has:

- A valid driver's license
- Liability insurance

A copy of the driver's license and liability insurance will be documented in the case file when assisting with personal transportation.

VRBS will pay for the cost of using a personally owned vehicle which is available to transport the consumer if:

- Public transportation is not available (e.g. bus system; schedule or routes are not adequate) and/or;
- The consumer's disability prevents him/her using public transportation, and;

- There are no other comparable benefits available.

Note: VRBS funds may not be used to pay fines imposed on a consumer by the legal system.

Mileage Rate: VRCs must document the estimated miles associated with assessment or IPE activities and document a justification for the amount being approved and/or reimbursed. If the consumer uses his/her own vehicle, the amount of gas authorized will be determined as follows:

Example: A consumer is requesting authorization for payment for fuel to travel to and from school. School is a service in his/her IPE. The consumer is unable to access public transportation due to the non-availability of such service, or for disability related reasons. The individual does not have the financial resources to pay for his/her transportation costs.

The round-trip mileage to school is 30 miles. The consumer's vehicle averages 20 miles/per gallon.* The consumer goes to school four times per week. The VRBS contribution would be calculated as follows:

30 miles round-trip times 4 trips per week = 120 miles per week x 4 weeks = 480 miles

480 miles divided by 20/mpg = 24 gallons.

24 gallons times x \$3.26 per gallon (use prevailing cost of gas) = \$78.24 gas assistance per month.

*To determine average miles per gallon use fuelconomy.gov.

VEHICLE MAINTENANCE/REPAIRS:

Maintenance and Repairs

Maintenance and repairs to a vehicle and/or its adaptations may be provided when required by the individual to participate in assessment or other IPE core services. The consumer and the VRC will mutually choose a qualified mechanic to help ensure that the proposed service will result in safe and reliable use of the vehicle and that the vehicle's value justifies the repairs. Repairs shall not exceed \$1,000 for the life of the case. Exceptions to the \$1,000 limit must be pre-approved by the regional manager.

To determine the value of a vehicle please utilize Kelly Blue Book, or the National Automobile Dealers Association (NADA) or have a qualified mechanic assess. The website for Kelly Blue Book is: <http://www.kbb.com/>. Use "private party sale value" instead of "retail sale value".

The website for NADA is: <http://www.nadaguides.com/Cars>. NADA publishes vehicle values prior to 1994. Kelly Blue Book does not.

VEHICLE PURCHASES/MODIFICATIONS:

In general, VRBS will not purchase or participate in the purchase of a vehicle for eligible individuals who do not require a modified or accessible vehicle to participate in assessment or other IPE core services. When VRBS participates in the purchase of a modified or accessible vehicle, the VRC and consumer must explore necessary, appropriate and least possible cost option on vehicle purchases, as well as comparable benefits.

In order to consider VRBS's participation in the purchase and modification of a vehicle*, the VRC must:

- Consult with the transportation program manager prior to the purchase of a vehicle.
- Document the justification for exploration of vehicle purchase including all other alternatives explored including public transportation.
- Obtain cost estimates if retrofitting or modification of the accessibility equipment is necessary; cost estimates will be obtained and factored into the necessary, appropriate and least cost justification
- Verify that the consumer has or can obtain a driver's license and is insurable
- Follow the purchasing guidelines outlined in VRBS Procedure 2.2 General Purchasing and Property Management Instructions.
- Clearly document in the consumer record that a review of the consumer's living expenses and income or projected income demonstrates personal funds are/will be substantial enough to meet operating/maintenance costs.

In general, if VRBS participated in the purchase of a vehicle, it will not fund its maintenance and repairs.

The purchase of a vehicle must be pre-approved by the Chief of Field Services or the DETD Administrator.

* Vehicle modification is coded under Rehabilitation Technology

MVR Policy 4.2 Supported Employment VI-B

Applied Effective Date: 12/27/02

Last Edition Date: 01/01/2000

Federal Authority: CFR 363.11 What Information and Assurances must be included in the state plan supplement?

State Authority:

Policy Statement:

An individual shall be eligible to receive supported employment services using Title VI Part B funds if:

1. The individual is eligible for vocational rehabilitation services.
2. The individual is determined to be an individual with the most significant disabilities; and
3. There is comprehensive assessment of rehabilitation needs of the individual including an assessment of rehabilitation career and job needs, and identifies supported employment as the appropriate rehabilitation objective for the individual.

a. Cooperative Agreements:

When a goal requiring supported employment is identified in the IPE, a document (cooperative agreement) signed and dated by the extended service provider reflecting the commitment of extended service provisions will be placed in the file prior to closure. If the cooperative agreement is dated after the IPE, there must have been reasonable expectation that extended services were to be available prior to closure.

b. Funding Extended Services Prior to Closure:

For the 90 days preceding closure, the extended services provider must have met the individual's support needs without VR time limited funding.

MVR Policy 4.3 Certification of Eligibility for State Extended Employment (VREE) Services and Funds

Applied Effective Date: 12/27/02

Last Edition Date: 12/27/02

Federal Authority:

State Authority: ARM 37.30.1613 Extended Employment Services:
Eligibility

Policy Statement:

Prior to the utilization of Montana State Extended Employment-funding, MVR must certify the individual as eligible for the Extended Employment Program. To be eligible for the Extended Employment Program, the individual must have:

1. A most significant disability that results in an impediment to employment.
2. Historically not been employed, or if employed, the employment has been interrupted or intermittent as a result of those disabilities.
3. Priority for placement in the extended employment program, in the event of a waiting list.

MVR Policy 4.4 Re-evaluation of Sheltered, VREE, other employment settings.

Applied Effective Date: 12/27/02

Last Edition Date: 01/08/2001

Federal Authority: 34 CFR 361.55 Annual Review of Individuals in Extended Employment or Other Employment under Special Certificate Provisions of the Fair Labor Standards Act.

State Authority:

Policy Statement:

For individuals closed in outcomes that are not competitive employment in an extended employment setting there shall be:

1. An annual review and reevaluation of the status of each individual with a disability served under this title who has achieved an employment outcome either in an extended employment setting in a community rehabilitation program or any other employment under section 14(c) of the Fair Labor Standards Act (29 U.S.C. 214(c)) for 2 years after the achievement of the outcome (and thereafter if requested by the individual or, if appropriate, the individual's representative), to determine the interests, priorities, and needs of the individual with respect to competitive employment or training for competitive employment;
2. Input into the review and reevaluation, and a signed acknowledgment that such review and reevaluation have been conducted by the individual with a disability, or, if appropriate, the individual's representative; and
3. Maximum efforts, including the identification and provision of vocational rehabilitation services, reasonable accommodations, and other necessary support services, to assist the individual in engaging in competitive employment.

MVR Policy 4.5 Self Employment (MVR Policy M1)

Applied Effective Date: 12/27/02

Last Edition Date: initial policy

Federal Authority:

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

Policy Statement:

MVR provides technical assistance and other consultation services to conduct market analyses, develop business plans, and otherwise provide resources, to the extent such

resources are authorized to be provided through the statewide workforce investment system, to eligible individuals who are pursuing self-employment or telecommuting or establishing a small business operation as an employment outcome. As a condition of MVR financial participation in the establishment of a small business, the consumer shall, based on need, complete small business startup training from an approved MVR training resource. A Regional MVR Business Plan Review Group composed of the MVR administrative representative, the counselor, and a small business-lending consultant shall be established in each MVR region. Prior to MVR financial participation in funding requests for initial stocks and supplies, tools, equipment, and occupational licenses exceeding \$5000, the Regional MVR Business Plan Review Group shall review the IPE and small business plan. The MVR Agency may approve additional VR financial assistance for the initial costs of self-employment plans above \$5,000. The additional support may not exceed 25% of business startup costs that exceed \$5,000.