

**Massachusetts Rehabilitation Commission**  
**Instructional Memorandum**  
**Reference Number: 7.03**

**To:** Commission Staff

**Subject:** Case Closure as Rehabilitated

**References:** 107 CMR 7.03

**Date:** December 13, 2012

Please file this instructional memorandum in Appendix I of your hardcopy regulation manual. This memorandum replaces instructional memorandum ref 7.03 dated September 8, 1997.

Purpose

The Code of Federal Regulations (CFR) requires that for an individual to be considered to have attained an employment outcome, i.e. attained vocational rehabilitation, the following criteria must be met:

- provision of services under the IPE contributed significantly to the achievement of an employment outcome in the most integrated setting possible;
- employment outcome is consistent with the individual's abilities, interests, and informed choice; and
- employment outcome has been maintained for period of at least ninety (90) days.

Conditions for Formal Termination of Vocational Rehabilitation Services and Closure as Rehabilitated

Please note that 107 CMR 7.00 establishes the conditions and policies for formal termination of vocational rehabilitation services and closure of the case record of any individual who has been referred, applied for, been determined eligible for, or received vocational rehabilitation services from the Commission.

107 CMR 7.03(1)(c) requires that vocational rehabilitation services shall be terminated and the case of an individual shall be closed when the individual is determined to have attained an employment outcome and requires no further vocational rehabilitation services except post employment services. A successful employment outcome must be a competitive job in an integrated setting and can include the goal of homemaker or self employment.

107 CMR 7.03(5) requires that termination of vocational rehabilitation services after the development of an individualized plan for employment (IPE) requires an IPE amendment for case closure.

107 CMR 7.03(8) requires that closure action shall be taken when the counselor:

- 1) determines that VR services were directly related to achievement of an employment outcome in an integrated setting and
- 2) determines that the employment outcome has been maintained for period of at least ninety (90) days; and
- 3) agrees with the individual that he or she is performing well; and that a suitable employment outcome has been achieved; and
- 4) determines that all planned services, expenditures, and reports are completed and that additional vocational rehabilitation services are either unnecessary or inappropriate, except when planned as post employment services.

107 CMR 7.03(9) requires that the Commission shall provide the individual (or in appropriate cases, such individual's parents or guardians) with written notification of termination of vocational rehabilitation services and closure of the case record.

### Documentation

The case record must contain clear and adequate documentation that:

- the provision of services under the IPE contributed significantly to the achievement of an employment outcome in the most integrated setting possible;
- the employment outcome is consistent with the individual's abilities, interests, and informed choice; and
- the employment outcome has been maintained for period of at least ninety (90) days.

An approved and implemented IPE and any amendments must describe the services that addressed the individual's major needs (as identified in the assessment process or later in the service record) that had to be met in order for the individual to achieve an employment outcome consistent with that individual's unique strengths, resources, priorities, concerns, abilities, capabilities, interests, and informed choice. The VR counselor may have planned to meet these needs through services provided directly by the agency, may have purchased these services from vendors, or may have arranged to meet the needs through other service providers using comparable services and benefits. Regardless of how the services are provided, the services planned to meet the needs should be listed on the IPE.

Also note the case record must demonstrate that a need has been met, appropriate OOS determination has been made and that services contributed to the achievement of the employment outcome. Such demonstration is not made when:

- 1) Counseling and guidance were needed and not provided or not documented; and/or
- 2) Placement assistance was necessary but not provided or not documented; and/or
- 3) Services were stated as needed on the IPE, its amendments, or anywhere in the service record and, were planned, but were not provided subsequent to approval and implementation of the IPE or not documented.

The provision of all VR services must be clearly documented and must demonstrate that the services were directly related to achievement of the employment outcome. The case record must contain clear documentation which demonstrates that the employment outcome is consistent with the individual's abilities, interests, and informed choice. The case record must contain clear documentation that the employment outcome has been maintained for period of at least ninety (90) days.

### Notifications

It is necessary that before closing a case the counselor advise the individual (and/or representative) in writing of the:

- 1) intent to close,
- 2) reasons for doing so;
- 3) opportunity to participate in the decision; and
- 4) appeal procedures.

When closure occurs after an approved IPE, the counselor should meet or offer the opportunity to meet with the individual (and/or representative), complete the IPE conclusion amendment obtain appropriate signatures, and provide the individual (and/or representative) with a copy of the IPE conclusion amendment

Central to such documentation is thoughtful and careful development and completion of all IPE documents including the initial plan, all amendments, periodic reviews and the conclusion amendment. ("Individualized IM 7.03-2

Plan for Employment” Initial Program, Amended Program, Post Employment Services; “Individualized Plan for Employment Periodic Review”; “Individualized Plan for Employment Conclusion Amendment” and “Assessment for Determination of Vocational Goal, Employment Objectives, Nature and Scope of Vocational Rehabilitation Services” However, it is essential that the IPE be supported by sound professional practice and related case recording. Such practice and recording is essential to both efficient service delivery and conformance to documentation requirements.

**Approved:** \_\_\_\_\_  
Joan Phillips, VR Assistant Commissioner