

Massachusetts Commission For The Blind

CLIENT SERVICES POLICY MANUAL

VOCATIONAL REHABILITATION SERVICES

CLIENT SERVICES POLICY MANUAL 1

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Chapter 1

Referral and Application

Vocational Rehabilitation

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1A General Considerations

A referral is defined as any individual who has requested vocational rehabilitation services, by personal contact, telephone or letter to any MCB employee or who has been referred to an MCB employee for vocational rehabilitation services by another person, organization, agency, or physician. The following is the minimum information that is necessary to meet the full definition of a referral: 1) the name and address, 2) the nature of the disability, 3) age and sex, 4) date of referral, 5) source of referral, and 6) a statement that the person is present in the Commonwealth. All such persons referred to vocational rehabilitation counselors are classified as referrals and a vocational rehabilitation case must be opened in each instance.

1B Sources of Referrals

Optometric and ophthalmological reports of legal blindness received in the Central Register are the most common sources of vocational rehabilitation referrals. Such referrals are sent to the Regional Office via an Intra-Agency Referral Form (Form 50). After the vocational rehabilitation counselor has contacted the consumer and the result of the referral is known, the counselor will return one copy of the form to the Central Register with comments on the result of the referral.

Other frequent sources of referrals to VR are MCB caseworkers in other disciplines and programs, consumers themselves, relatives and friends, and other agencies. An Intra-Agency Referral Form should be completed and directed to the vocational rehabilitation counselor for the area in each case.

1C Processing of Referrals

The objective is to acknowledge consumer referrals from the referral source and to promptly contact the consumer to explain services to him or her. While these processes are taking place the consumer is placed in Status 00.

1D Initial Interview

The purpose of the initial interview is to establish a relationship with the person who has been referred and to explain vocational rehabilitation services. If the person is

interested in applying for vocational rehabilitation services after they have been explained, the Survey Interview form (VR-2) will be completed. The Application for Services and Release of Information Form (VR-2A) should be signed by the consumer at this time. If the individual states that he or she wishes to apply for VR but does not agree to sign the Application for Services and Release of Information Form, the counselor should consult with the agency General Counsel for guidance on how to proceed. In many cases it will be impossible to obtain enough information to find the person eligible for services or to develop an IPE without a signed copy of this form.

The counselor should explain the information contained on the Information for Vocational Rehabilitation Consumers Form (VR-1) and on the Application for Services and Release of Information Form to the applicant and also provide information about the MCB Consumer Assistance and Program Support Program and about the Consumer Assistance Program at the Massachusetts Office on Disability. After the applicant has signed the Application for Services and Release of Information Form, the case must be moved to Status 02.

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2A Purpose

The purposes of the evaluation services are:

- **to gather enough information to substantiate whether or not an applicant is eligible for vocational rehabilitation services or whether an extended evaluation is necessary to determine eligibility, the process of the actual determination of eligibility or ineligibility is discussed in Chapter 3; and**
- **to determine the nature and scope of services needed by the person to attain a vocational goal.**

The most important goal of evaluation is to help the consumer learn about himself, his disability, his functional limitations and strengths, how the information gathered relates to vocational choice. Therefore, where appropriate, the counselor should share and interpret information gathered during the assessment so that the consumer may use the information in decision-making and fully participate in the development of the IPE.

It is important to remember that when personal information has been obtained from another agency or organization, it may only be released to the consumer under the conditions established by that agency. For example, information marked "confidential" by the source should only be released to the consumer by the source agency or organization. In addition, medical, or psychological information which the counselor believes may be harmful to the consumer may not be released directly to the consumer, but must be released through his other representative, a physician, or a licensed

psychologist.

2B General Considerations

An applicant has a right to be determined eligible as soon as it is clear that he meets the criteria - the presence of a physical or mental disability which for him is a handicap to employment and a reasonable expectation that vocational rehabilitation services will benefit him in terms of employability. The eligibility determination should not be delayed until all the assessment material that the counselor needs to formulate an IPE is obtained since this process can and should continue after certification of eligibility or extended evaluation. Example: A counselor determines that a particular applicant is legally blind and has a vocational handicap on the basis of a general medical, an ophthalmological report, and his own interviews with the applicant. The counselor also believes that the applicant has good employment potential but suspects that the person may have a secondary psychiatric disability that should be considered in developing an IPE. In this case, the counselor determines the person eligible on the basis of the information collected so far and then refers the person for a psychiatric evaluation.

The assessment is a continuing study. The results of the assessment are used to determine the vocational goal and the nature and scope of services. The assessment synthesizes information about the consumer's strengths and limitations that goes beyond the basic information which is needed to determine eligibility. This information includes:

functional limitations of the visual disability and any secondary disability, age, intellectual assets or limitations, education, work history, social history, aptitudes, skills, vocational and recreational interests and behavior. A number of evaluations may be necessary to complete a thorough assessment; these may include, as appropriate: specialty medical evaluation, low-vision evaluation, rehabilitation teaching evaluation, mobility evaluation, rehabilitation engineering evaluation, psychiatric or psychological evaluation, psychological testing, work evaluation, or evaluation at a rehabilitation center. At times further assessment and evaluations may be necessary after IPE development and initiation.

2C Basic Medical Examination

A recent basic medical examination which evaluates the general health status of the person is not required unless there are indications that the consumer has severe health problems that may make him or her ineligible for vocational rehabilitation services.

2D Use of Existing Reports

The counselor will, early in the evaluation process, find out from the applicant the names of his doctors and any hospitals where he has been treated and write to them for medical records. The existence of unsuspected secondary disabilities often comes to light when the applicant is asked about past hospitalizations.

2E Ophthalmological Examination

A report of an ophthalmological or optometric examination is often not necessary if the consumer is registered as legally blind and the eye condition is stable. If the eye condition is one that may be progressive, an examination must have been performed no more than one year prior to the determination of eligibility. Federal regulations require that each applicant for vocational rehabilitation services be given the choice of having an examination by an optometrist or an ophthalmologist. Eligibility for VR services may be determined on the basis of either an optometric or an ophthalmological examination. However, a consumer who has a progressive eye disease or an eye condition which might be helped by medical treatment must have an ophthalmological examination before an IPE is written as part of the assessment.

Some examples may help clarify this distinction. Applicants who have relatively stable conditions such as optic neuritis, albinism, retrolental fibroplasia, or nystagmus may if they choose to have an optometric examination for the purpose of establishing eligibility. This same or another optometric examination may be used as a basis for planning services for such persons.

Applicants who have progressive or medically treatable conditions such as cataracts, glaucoma, macular or retinal degeneration, retinitis pigmentosa, or diabetic retinopathy may also if they choose to have an optometric examination for the purpose of establishing eligibility. But such persons

will have to have an ophthalmological examination as a basis for planning appropriate services before the IPE is developed. The ophthalmological consultant may also recommend an ophthalmological examination when it is in the best interests of the consumer.

2F Choice of Physician

Whenever possible, the applicant's personal doctor or specialist should provide necessary evaluations if the doctor is willing to accept our fee. If the applicant has no doctor, he should be assisted in finding one. The counselor should always give the applicant the choice of two or more physicians.

Any licensed physician may perform a basic medical examination; specialists should be board -eligible in their specialty areas.

2F Specialty medical examinations

Any specialty medical examinations recommended by the examining physician or the medical consultant will be obtained. Reports of specialty examinations conducted within six months of the eligibility determination will be acceptable.

2G Specialty Examinations

Any specialty medical examinations recommended by the examining physician or the medical consultant will be

obtained. Reports of specialty examinations conducted within six months of the eligibility determination will be acceptable.

2H Screening for Hearing Loss

The counselor should be alert to any sign of a possible hearing loss, particularly with consumers who have retinitis pigmentosa since that condition is often associated with hearing impairment.

A comprehensive hearing evaluation must be obtained whenever:

- the counselor thinks there may be hearing loss**
- any medical or other records indicate a possible hearing loss**

The hearing evaluation may be performed by either an otologist or an audiologist.

2I Presentation to the Ophthalmological Consultant

The counselor may present any vocational rehabilitation case to the ophthalmological consultant before determination of eligibility. The role of the ophthalmological consultant is to confirm or deny the presence of a disability and to offer information and recommendations about the person's functional limitations. The role of the counselor is to collect and analyze all relevant information and to decide whether the disability constitutes a vocational handicap and whether the applicant is eligible.

When the counselor has gathered all necessary evaluation reports, he may send or give them along with the physical capacities appraisal to the eye report specialist who will bring the materials to the consultation. It is most important for the counselor to ask specific questions of the consultant in order to get as much information as possible about the applicant's functional limitations.

2J Psychiatric or psychological evaluations

Consumers who have been hospitalized or treated for emotional disorders in the past may be referred for evaluation to determine whether there are any current psychological issues that may have a bearing on the vocational rehabilitation process. Such an evaluation may be done by either a psychiatrist or a licensed psychologist.

2K Psychological testing

Psychological testing is often appropriate for consumers as a source of information for the counselor and the consumer for vocational counseling purposes. Both interests and aptitudes may be tested. Through testing the consumer and counselor may learn about strengths and weaknesses, which will indicate areas for further vocational exploration. When interpreting the results of psychological tests to a consumer, counselors should not tell the consumer the actual scores since scores may not be meaningful or may be misinterpreted. If the consumer would like to know the actual score, the evaluator is in a better position to determine

how such information should be shared. Instead, the meaning of the results should be told to the consumer in terms of his frame of reference; for example, "You have above average ability to learn"; "Your interests are similar to those of people who work with the public," etc.

2L Evaluation at a rehabilitation center

Evaluation at a comprehensive rehabilitation Center such as the Carroll Center for the Blind may be authorized for up to four weeks (two weeks is usual) in order to assess the consumer's skills in coping with blindness and possible need for services at a comprehensive rehabilitation center.

2M Work evaluation

A consumer in applicant status may be referred for a work evaluation, including trial work experiences. A consumer in plan development status who has not previously undergone a work evaluation may also be referred for an evaluation . study.

The purpose in this instance would be to obtain information necessary for adequate plan development. The counselor may find a work evaluation useful to determine employment potential or employment readiness, to evaluate physical and mental capacities and limitations, to evaluate social and psychological factors, or to determine how the consumer relates to co-workers and supervisors. Eight weeks is ordinarily the maximum amount of time that may be authorized for a work evaluation in either status 02 or status 10. A longer evaluation may be authorized when there are legitimate problems that prevent speedier movement. If the

counselor expects that the consumer may need a longer period of evaluation services to determine eligibility, the case should be placed in status 06. It will take some consumers longer than others to accustom themselves to new routines; new people and new demands so it may take longer to accurately assess their potential. It is important that the counselor make clear to the consumer the reasons for the work evaluation, the gains to the consumer which are hoping for, and the procedures and routine which the consumer may expect when he begins the program. When the consumer has completed the evaluation, the counselor should discuss with him the findings made by both the counselor and the consumer as a result of the experience. Insights developed by the consumer can serve very useful purposes in the counseling process.

**Chapter 3
Eligibility
Vocational Rehabilitation**

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3L Annual Review of Ineligibility

3A Purpose

The purpose of this chapter is to assist the counselor in the process of determining an applicant's eligibility or ineligibility for vocational rehabilitation services. The procedure for conducting an annual review of ineligibility is discussed.

3B General Considerations

It is the counselor's responsibility to determine the eligibility or ineligibility of an applicant for vocational rehabilitation services. In making the determination, the counselor uses information provided by the applicant, the applicant's family, physicians who have examined or treated the applicant, and data from other professionals and agencies who have knowledge of the applicant. The counselor will use information that is existing and current and that is available from other programs, particularly information used by education officials and the Social Security Administration and information provided by the individual and the family of the individual. The counselor, of course, considers the possible validity or correctness of the information based upon the reliability of the source and his own knowledge of the consumer. Currency of the existing data is not a function of when the data was produced but whether the data describe the current functioning of the individual. Assessments to gather additional data should only be carried out when the existing data are not current, insufficient or inappropriate to make an eligibility determination. Consideration of the use of assistive technology may be necessary in some cases to determine eligibility.

Agency consultants are available for information and

recommendations but it is the counselor who collects and analyzes all the relevant information and makes a determination based on the unique circumstances of the person. The medical consultant confirms the presence of the disability of blindness and any other physical or mental disabilities and delineates the person's functional limitations based on material presented by the counselor, but it is the counselor who determines whether a vocational handicap exists and whether VR services are likely to lead to the attainment of a vocational goal.

3C Basic Eligibility Requirements

To be eligible for vocational rehabilitation services a person must meet the following criteria:

The person must have a disability of legal blindness which for that person constitutes or results in a substantial impediment to employment.

The person must require vocational rehabilitation services to prepare for, secure, retain, or regain employment.

There must be a determination that the person can benefit in terms of an employment outcome from vocational rehabilitation services.

3D Visual Disabilities Other Than Legal Blindness

Applicants who have visual disabilities but who are not legally blind must be referred to the Massachusetts

Rehabilitation Commission for vocational rehabilitation services. When there is likelihood that the applicant will become legally blind in the future the MCB counselor should be available for consultation with the MRC counselor about the prognosis and appropriate services for the applicant.

3E Elements of Eligibility Determination

Disability - a physical or mental impairment that constitutes or results in a substantial impediment to employment. The rationale for using existing data is to streamline the eligibility determination process and to expedite access to vocational rehabilitation services. All legally blind persons registered with MCB should be considered to have met the eligibility element of being an "individual with a disability" on the basis of the existing information in the Central Register, the eye report. The counselor will make a judgement on a case-by-case basis of whether the applicant meets the other elements necessary to be eligible for VR services.

Substantial impediment to employment - a significant limitation imposed by the disability that makes vocational success difficult. A legally blind person does not necessarily have a substantial handicap to employment. A legally blind person who is currently determined eligible for disability benefits under SSDI or SSI is presumed to be eligible for VR services provided that the consumer intends to achieve an employment outcome. SSDI and SSI beneficiaries are also presumed to be individuals with significant disabilities. The agency may not apply any additional tests or steps with respect to determining the eligibility of such individuals,

unless the presumption of benefit from VR services in terms of an employment outcome can be rebutted by clear and convincing evidence that the individual is incapable of benefiting in terms of achieving an employment outcome due to the severity of the individual's disability.

Determination of benefit - means that the counselor has determined that there is likelihood that through vocational rehabilitation services the person will be able to achieve a vocational goal consistent with his capacities and abilities. The law requires that all applicants be presumed to meet this requirement unless it can be demonstrated through trial work experiences, by clear and convincing evidence, that the person is incapable of benefiting in terms of an employment outcome from VR services. The standard of "clear and convincing evidence" means with a high degree of certainty. If the person cannot, even with appropriate supports, participate in trial work experiences, he or she may be found ineligible. A variety of trial work experiences must be offered over a period of at least several months to give the applicant every chance to demonstrate the potential to benefit from VR services. Trial work experiences should take place in realistic integrated employment settings.

Requirement of Services - The individual must require services to prepare for, enter, engage in, or retain gainful employment. Thus, a consumer who is determined to be an "individual with a disability" (that is, is legally blind) and therefore meets the first eligibility criterion, may be found ineligible for vocational rehabilitation services if the person does not also meet the second criterion, that is, if the

individual does not require VR services to obtain or retain an employment outcome. An example of a person who meets the first eligibility criterion while not meeting the second criterion might be a person who, at the time of application for vocational rehabilitation services, is already employed and possesses adequate education and training to pursue another employment opportunity if he or she desires.

Employment Outcome - employment in the competitive labor market, practice of a profession, self-employment, homemaking, farm or family work (including work for which payment is in kind rather than in cash), homebound employment, or other gainful work.

3F Determination of Significant Disability

It would be unusual for a legally blind person to be found to not have a significant disability as defined in the federal Rehabilitation Act. However, the counselor must look at each applicant and make a determination about whether a significant disability is present. The definition in the Act is:

Individual with a significant disability' means an individual with a disability--

(i) who has a severe physical or mental impairment which 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 an employment outcome;

(ii) whose vocational rehabilitation can be expected to require multiple vocational rehabilitation services over an extended period of time; and

(iii) who has one or more physical or mental disabilities resulting from amputation, arthritis, autism, blindness, burn injury, cancer, cerebral palsy, cystic fibrosis, deafness, head injury, heart disease, hemiplegia, hemophilia, respiratory or pulmonary dysfunction, mental retardation, mental illness, multiple sclerosis, muscular dystrophy, musculo-skeletal disorders, neurological disorders (including stroke and epilepsy), paraplegia, quadriplegia, and other spinal cord conditions, sickle cell anemia, specific learning disability, end-stage renal disease, or another disability or combination of disabilities determined ...to cause comparable substantial functional limitation.

3G Timeframe for Determining Eligibility

Federal law requires that the agency must make an eligibility determination within a reasonable period of time, not to exceed 60 days after the individual has submitted an application to receive services. Exceptions to this 60-day timeframe can occur only if:

1) The counselor notifies the individual that exceptional and unforeseen circumstances beyond the control of the agency preclude the agency from completing the determination within 60 days and the consumer agrees that an extension of time is warranted, or

2) The counselor and consumer are exploring applicant's abilities, capabilities, and capacity to perform in work in situations where there is doubt that the applicant can benefit from Vocational Rehabilitation services in terms of an employment outcome.

Any delay beyond the 60 days must be explained in the case record.

3H Case Recording on Eligibility

As a minimum the case record must include the following:

1. Medical and other information necessary to show the presence of a disability which, for the individual consumer, is an impediment to employment.

2. The counselor's analysis showing the specific ways in which the medical, psychological, vocational, educational and other related factors interfere with the person's occupational adjustment by preventing his obtaining, retaining, or preparing for employment consistent with his capacities and abilities.

3. The counselor's assessments of how VR services are expected to benefit the person in terms of an employment outcome.

This information is to be recorded on the certificate of eligibility.

3I Age

There is no upper or lower age limit that will in and of itself result in a finding of ineligibility. However, the person must be mature enough that a realistic plan of continuous service leading to a gainful occupation can be made.

3J Certification of Eligibility

The counselor certifies his or her finding that the consumer is eligible for vocational rehabilitation services on the certification of eligibility form. This form certifies the results of the assessment. The counselor should check that the consumer is eligible. The counselor must also write a brief analysis of the particular consumer's disability, employment limitations, and rehabilitation potential. Reference should be made in these analyses to the consumer's functional limitations, work history, education, and assets.

The counselor will also indicate on the form the results of his or her determination of whether the applicant has a significant disability and meet the criteria specified in the definition cited in Section 3F. The counselor must also indicate on the form that the consumer is presumed to be eligible when the consumer receives either SSI or SSDI benefits.

3K Certification of Ineligibility

When a counselor finds that an applicant does not meet eligibility requirements for vocational rehabilitation services,

a certificate of ineligibility must be completed. The case record must include the specific reasons for the ineligibility determination and an analysis of how the assessment data support the determination.

The applicant or his parent, guardian or other representative must fully participate in the ineligibility determination (he does not have to agree) or must have been given clear opportunity to participate. Where a counselor is considering finding an applicant ineligible, he should write or call the applicant (or parent, etc.) and offer an opportunity to come in and discuss the reasons why the applicant seems to be ineligible. The applicant may be able to offer new information that will affect the counselor's decision. Federal regulations require that the fact that the applicant has been offered an opportunity to consult in this way with the counselor be documented in the case record.

The applicant must be notified in writing of the determination of ineligibility, the reasons for the determination, and the means of expressing any dissatisfaction - administrative review, mediation, and fair hearing. The applicant must also be notified in writing of the availability of the Consumer Assistance Program at the Massachusetts Office on Disability as well as of the address and telephone number of that office.

A case closure in status 08 for any of the following reasons does not constitute a decision of ineligibility and a certification of ineligibility is not appropriate or required:

- **Died**
- **Moved out of state, or has been impossible to contact after reasonable efforts to do so.**
- **Has been institutionalized under circumstances making the person unavailable for evaluation or other essential services for an indefinite or considerable period of time.**
- **Has declined to accept or use vocational rehabilitation services after reasonable efforts have been made to encourage participation.**

Note that when a person declines to participate for reasons determined to be related to the severity of a disability, such as emotional problems which cannot be satisfactorily resolved, the reason for closure should be ineligibility rather than unavailability.

The following reasons for closing a case in status 08 do constitute a decision of ineligibility and do require certification of ineligibility:

- **no determination that VR services may benefit the applicant in terms of employability**
- **an unfavorable medical prognosis**
- **no disabling condition**
- **no impediment to an employment outcome**

Certification of ineligibility is also required for each case in status 10 or above that is closed because the person is no longer capable of achieving an employment outcome (statuses 28 and 30).

3L Annual Review of Ineligibility

Annual reviews are required by federal regulations where the basis for an ineligibility determination is that the person is not capable of achieving an employment outcome. The counselor must be sure that the person understands the purpose of the review and is consulted fully in the reconsideration of the determination of ineligibility. In practice, this means that the counselor should meet or offer to meet with the person to see if there are any new circumstances or information that might change the ineligibility decision. The review process should begin during the eleventh month after closure and be completed within 60 days.

A first review must be conducted 12 months after closure and subsequent annual reviews will be done if requested by the applicant or his or her parent or guardian.

Annual reviews need not be conducted if:

- the individual has refused to participate;**
- the individual is no longer present in the state;**
- the individual's whereabouts are unknown; or**
- the individual's medical condition is rapidly progressive or terminal.**

Chapter 4

Counseling and Guidance Services

Vocational Rehabilitation

CONTENTS

4A General considerations

4B Objectives of counseling and guidance

4C Case recording of counseling and guidance

4A General considerations

Counseling and guidance is a process in which the consumer and counselor work together to understand the consumer's assets, skills, limitations, interests, and goals and to formulate and carry out a rehabilitation plan which is appropriate to the consumer's individual needs. Counseling and guidance continues through all phases of the vocational rehabilitation process. The needs, problems, and concerns of vocational rehabilitation consumers are so variable and changeable that flexibility has to be an essential element of counseling and guidance. It should be noted that at times interpreter services may be needed in order for the consumer and counselor to communicate effectively.

4B Objectives of counseling and guidance

Counseling and guidance may have different objectives at different times during the rehabilitation process. The counselor should carefully consider what the current

objective should be at each stage of the process. Vocational rehabilitation counseling objectives include:

- **To assist the consumer in understanding his or her capacities, aptitudes, skills, and interests;**
- **To assist the consumer to understand any limitations and any other problems that have an impact on his or her vocational rehabilitation;**
- **To assist the consumer to understand the services available from MCB and other community resources;**
- **To assist the consumer to deal with issues such as the development of appropriate work or study habits, preparation for job interviews, the development of effective interpersonal skills, etc. ;**
- **To assist the consumer to select suitable and realistic vocational goals;**
- **To develop an Individual Plan for Employment with the full participation of the consumer;**
- **To facilitate appropriate involvement of family members, staff of other service agencies, and potential employers in the rehabilitation efforts of the consumer;**
- **To provide follow-up counseling after the consumer is employed until any problems are resolved and the job appears to be secure.**

4C Case recording of counseling and guidance

All of the recording in a case record should reflect the counseling and guidance that are taking place throughout the rehabilitation process. The recording should identify the major problems which the counselor and consumer

encounter in working toward the rehabilitation objectives, the contributions of the counselor and consumer in resolving problems, and the effectiveness of the services provided. As a minimum, there should be a summary contact report every three months that reflects ongoing counseling and guidance and future counseling goals.

Chapter 5 Individual Plan for Employment Vocational Rehabilitation

Contents

5A Purpose

5B Nature of the IPE

5C Narrative Justification

5D Joint Development of the IPE

5E Content of the IPE

5F Amendments to the IPE

5G Periodic and Annual Reviews of the IPE

5A Purpose

The Individual Plan for Employment (IPE) is intended to formalize the establishment of VR goals and objective and to assure active consumer participation in rehabilitation program development. The IPE is developed in face-to-face meetings of counselor and consumer. Prior to the development of the IPE, there should be active and extensive involvement of the consumer in considering various options. Although the IPE is not a legal contract, it is a definite commitment to mutually agreed upon services and goals.

5B Nature of the IPE

The initial IPE should be understood as the starting point, subject to addition and amendment if the consumer's needs or circumstances change. The IPE is essentially a plan of action with goals, objectives, and action steps but it is also a statement of understanding of rights, responsibilities, and certain procedures. The development of the IPE is a continuous process that is recorded and reflected in the initial IPE and subsequent amendments and reviews. The IPE must be a separate part of the case record; the IPE itself and all program attachments will be grouped together in the record.

5C Narrative Justification

At the time the IPE is written the information which has been obtained from the assessment is analyzed and synthesized in the narrative justification (VR-5). The assessment is a continuing study that begins even before eligibility is determined and continues throughout the case. The results to date of the assessment are used to determine the vocational goal and the nature and scope of services. The assessment synthesizes information about the consumer's strengths and limitations that goes beyond the basic information which is needed to determine eligibility. This information includes: functional limitations of both the visual disability and any secondary disability, age, intellectual assets or limitations, education, work history, aptitudes, skills, interests, and behavior. This information should be

discussed in the narrative justification along with the occupational demands and labor market potential of the chosen vocational goal. The narrative justification should clarify the consumer's needs and make the reasoning behind the IPE apparent.

The narrative justification is for the use of the counselor and supervisor; a copy of it is not routinely given to the consumer, but is available to the consumer.

5D Informed Choice and Joint Development of the IPE

The counseling process by its nature involves participation of the consumer in developing a plan. Informed choice is the cornerstone of the vocational rehabilitation process. Parents or other significant persons in the consumer's life should be included in the counseling process to the extent they are needed to help develop or clarify the IPE for the consumer. Exercising informed choice and taking more responsibility in the VR process makes demands on consumers, and may also make demands on other people in their lives. To be fully engaged in the VR process, including development of the IPE, the consumer must gather and use information to the extent possible, participate in planning and problem solving, make and implement decisions, and seek or identify needed resources. The consumer engages in these activities to make decisions about the selection of the employment outcome, VR services, service providers, service and employment settings, and methods for procuring services. Once the IPE has been signed both by the consumer and the VR counselor, the consumer assumes the responsibilities

identified in the IPE for implementing the decisions and achieving the employment outcome. It is important that there be a shared understanding and agreement between the consumer and the counselor about the nature of the consumer's needs and plan of services to meet the needs. The consumer must review the proposed services and vendors with the counselor and be afforded an informed choice of services and vendors. The consumer's choice of vendor is to be met if at all possible.

5E Content of the IPE (VR-4)

This form is to be used for the consumer's original IPE. All revisions are to be made on the IPE program attachment form (VR-6). The sections of the IPE form are discussed below.

- Understandings - The first page and a half of the IPE should be discussed with the consumer. This material provides the consumer with a statement of whether he or she is eligible for extended evaluation or VR services and the basis of this determination; the conditions for changing the IPE; the review and evaluation procedures; and consumer rights and appeal procedures.**
- Comparable benefits - This section on comparable benefits should be completed even if comparable benefits are not used to show which benefits were considered in a particular case. For example, the Department of Employment and Training might be checked as "Explored" with a note under "Remarks" such as "No appropriate training course." Only the**

benefits that seem to the counselor to be possibly available to a particular consumer need to be explored. In those few cases when none are explored or used, simply write across the chart "None appropriate."

- **Program goal - The counselor must check whether the program goal of the IPE is extended evaluation or vocational rehabilitation.**
- **Vocational goal - The specific occupation that the consumer has chosen as a vocational objective must be listed.**
- **Estimated date of achievement of program goal - This is the date when the counselor expects to close the case in status 26 after placement and follow-up services have been provided.**
- **Intermediate objectives - Intermediate objectives are measurable steps or expected service outcomes that are planned to help the consumer achieve the vocational goal or to complete the extended evaluation. Since each service outcome represents one or more services, there may be as many intermediate objectives as there are services or there may sometimes be only one intermediate objective. Some examples of intermediate objectives are: physical restoration, achievement of specific vocational skills, and attainment of a GED. One or more services may be necessary to the accomplishment of an intermediate objective. For example, if the intermediate objective is the attainment**

of typing skills, the services listed under it might be: business school and books and supplies. The estimated date when each intermediate objective is expected to be achieved must be recorded. The relevant services and vendors are to be listed under each intermediate objective and the expected beginning and ending dates of each service.

- **Criteria to be used for review and evaluation - This section is to be used to record the specific consumer responsibilities agreed to by consumer and counselor and the criteria the counselor will use to determine whether the program is being successfully carried out. A sample entry might be: "Monthly evaluations and attendance reports submitted by the school. Consumer will attain at least average ratings on all reports. Agreement upon specific criteria for evaluation of progress is in some cases a critical part of the counseling process. If the consumer has had problems in certain areas in the past, the criteria should reflect specific expectations in those areas, For example, a consumer who has had attendance problems in the past could agree to a criterion that specifies a maximum number of absences that will occur in his training program.**
- **Counseling and guidance goals - Counseling and guidance is provided continuously during the course of every IPE. The counselor should record in this section the primary goals that will be pursued during ongoing counseling with the particular consumer. A sample**

entry might be: "Counselor and consumer will try to improve his positive assertiveness skills and ability to look for jobs. Job-seeking skills will be explored. Counselor and consumer will meet at least once a month throughout this IPE. "

- **Consumer's Statement (In his or her own words describing how he or she was informed about and involved in choosing goals, services, and vendors) - The views of the consumer about the IPE must be recorded in his or her own words. It is most important that the consumer express any thoughts he or she may have about how his or her choice of goal s, services, and vendors was accommodated. If the consumer declines to write or dictate a statement, the counselor record the consumer's own words to that effect; for example, "I don't want to make a statement.**
- **Assessment of expected need for post-employment services - The counselor should record his or assessment of the consumer's expected need for post-employment services, including the type of services expected to be needed and the possible duration of the need. If the counselor does not expect that the consumer will need post-employment services, the box "None expected to be needed" should be checked.**
- **Periodic and annual review dates - The counselor must establish periodic and annual review dates and list them on the IPE; these dates may be approximate. Federal**

law requires that every IPE have a formal review at least once a year.

- **Signatures** - The consumer and counselor should sign the IPE at the same time and then it should be submitted to the supervisor for approval. The counselor should have had ongoing discussions with the supervisor about the probable content of the IPE in order to minimize the cases when the supervisor will not be willing to approve the signed IPE. After the supervisor has signed it, a copy must be mailed or given to the consumer in a format of the consumer's choice and in his or her native language.
- **Statement relative to supported employment program services attached** - If the consumer is found to meet the selection criteria for supported employment program services, this box must be checked "Yes" and the form (VR-4A) completed and attached. (14)
- **Statement relative to special education services attached** - If the consumer is receiving special education services, this box must be checked "Yes" and the form (VR-4B) completed and attached.

5F Amendments to the IPE

An amendment is any change or addition to the original IPE such as a different vocational goal or a change in the plan of services. The counselor will write an amendment to the plan when any part of the IPE is changed as a result of change in

the consumer's needs, in the agency's policies, or other factors. The IPE may be amended at any time, whether as a result of a periodic or annual review or at the initiative of the consumer or counselor. Of course, consumer, counselor, and supervisor must all agree to any amendment. The consumer must review the proposed services and vendors with the counselor and be afforded an informed choice of services and vendors. Each amendment is to be recorded on an IPE program attachment (VR-6); a copy must be given to the consumer.

5G Periodic and annual reviews of the IPE

Periodic reviews of the various services or the program as a whole should be done as often as is necessary in a particular case. Periodic reviews are recorded on the IPE program attachment (VR-6). For example, if a counselor meets with a consumer for the purpose of finding out how the consumer's training is going, this is a periodic review and the case recording should be made on the IPE program attachment instead of on a contact report. It should be noted that when the IPE is for extended evaluation, the law requires that periodic reviews be done at least once every ninety days. A formal review of the entire IPE must be done at least once a year in all cases and recorded on an IPE program attachment. The consumer must review the proposed services and vendors with the counselor and be afforded an informed choice of services and vendors.

Chapter 6

Physical and Mental Restoration Services

Vocational Rehabilitation

Contents

- 6A Scope and Purpose**
- 6B Criteria for Provision of Physical or Mental Restoration Services**
- 6C Case Recording**
- 6D Counseling During Physical or Mental Restoration**
- 6E Hearing Aids**
- 6F Complications of Physical or Mental Restoration**
- 6G Acute Medical Conditions**
- 6H Choice of Vendor**
- 6I Services to Family Members**

- 6A Scope and Purpose**

This chapter provides guidelines on the provision of physical and mental restoration services to legally blind individuals under an approved IPE. (Low-vision services, which are one

type of physical restoration service are discussed in Chapter 27.) The purpose of physical and mental restoration services is to, within a reasonable period of time, correct or substantially modify a physical or mental condition which is stable or slowly progressive (based on findings from physical or psychological examinations) and which results in a substantial handicap which directly affects the employability of the individual. In all cases, before the provision of physical or mental restoration services, the consumer must have had a recent (within three months) examination by a licensed physician. The report of this examination must include findings necessary to determine the health of the individual and the characteristics of his impairment. This report may be obtained directly from the examining physician or from hospital or clinic records. These reports of examinations and all other relevant medical data must be reviewed by the medical consultant before the provision of physical or mental restoration services. The advice of the medical consultant is necessary to determine whether the medical condition is stable or slowly progressive and whether the restoration services can be expected to correct or substantially modify it within a reasonable period of time. Physical and mental restoration services may include but are not limited to:

- 1. Services provided by: physicians (including generalists and specialists), dentists, nurses, and other health-related professionals such as audiologists, chiropractors, mobility teachers, occupational therapists, optometrists, orthotists, physical therapists, podiatrists, psychologists, speech therapists. These**

professional persons are required to be licensed according to the licensing laws of Massachusetts.

- 2. Services provided at: hospitals (in-patient and outpatient), doctors' offices, rehabilitation facilities, special clinics (e. g., low vision, speech and hearing), hemodialysis facilities, State hospitals and mental health facilities.**

7B Criteria for Provision of Physical or Mental Restoration Services

- 1) An approved IPE outlining the services to be provided;**
- 2) The consumer must review the proposed services and vendors with the counselor and be afforded an informed choice of services and vendors.**
- 3) The physical or mental disability to be treated must be stable or slowly progressive. This disability should constitute or result in a substantial handicap to employment and vocational rehabilitation services may reasonably be expected to benefit the individual in terms of employability. In this context, restoration services should be expected to eliminate, substantially reduce or contain the impact of the disability or the handicapping condition, within a reasonable period of time, or, in selected cases maintain or improve functional capabilities. In estimating a reasonable period of time, many factors must be considered, such as the nature of the disability, prognosis with respect to life expectancy and employment potential, and other contributing factors such as age, general health, family stability and**

- support, education, former type of work.
- 4) **Qualified vendors must be used. Fees are to be paid in accordance with the regulations of the Massachusetts Rate-Setting Commission.**
 - 5) **Comparable benefits must be used to the greatest extent possible. Medicare, Medicaid, and private medical insurance will often be available as comparable benefits. If the consumer is eligible for any of these benefits, they must be used unless their use would result in extreme medical risk to the consumer. See Section 21E for a discussion of extreme medical risk as it applies to comparable benefits.**

7C Case Recording

For each individual to whom physical and/or mental restoration services are provided, the case record must document and include:

- 1) **Pertinent information obtained in the assessment.**
- 2) **Data supporting the clinical status of the consumer's disabling condition as stable or slowly progressive, or the need for extended evaluation.**
- 3) **Physical and/or mental restoration services needed to achieve the stated vocational objective and the services to be provided according to the Individual Plan for Employment.**
- 4) **The way in which such services will be provided,**

probable length of time required, and a statement on the use of other resources-health insurance, Medicaid, Medicare, other state-operated facilities and programs operated by the Veterans Administration, etc. to be used in paying for these services.

7D Counseling During Physical or Mental Restoration

Since the consumer's full cooperation in his restoration program is indispensable to its success, the counselor should be aware of the meaning that the disability has for the consumer, his family and his employer, and of his reactions to and feelings about the treatment he is undergoing. Continuing counseling may be needed to help the consumer use fully and appropriately the restoration services he is receiving and to coordinate this program with other vocational rehabilitation services which may be provided concurrently.

7E Hearing Aids

The purpose of a hearing aid is to amplify sound for an individual with a hearing disability. The individual may need one or two aids depending on the nature and severity of the disability. An audiological evaluation and a prescription for the specific aid(s) must be obtained and reviewed by the medical consultant before a hearing aid may be purchased.

7F Complications of Physical or Mental Restoration

Treatment of complications and emergencies, either acute or

chronic, which are associated with or arise out of the provision of physical or mental restoration services, or are inherent in the condition under treatment, is an integral part of rehabilitation services. These complications may be acute or chronic in nature and may occur in or outside of the hospital. Their treatment is properly a part of the total rehabilitation process. When a complication arises as a result of physical or mental restoration services, the agency has an obligation to continue its services as long as the rehabilitation objective is considered reasonable and obtainable. If the seriousness of the complication is such that it interferes with the possibility of achieving the rehabilitation objective, it may be necessary to reevaluate the consumer or even to close the case as not rehabilitated or currently not eligible. In cases where there are complications, the case record should contain information about the nature of the complications and their relationship to the restoration process. The treatment of such complications must be approved by the agency's medical consultant.

7G Acute Medical Conditions

Restoration services may be provided for the treatment of an acute medical condition when the following conditions are met:

- 1) the duration of the illness is expected to be less than thirty days; and**
- 2) the consumer has been participating in and expects to**

resume participation in the services outlined in an approved IPE; and

- 3) the acute medical condition, if not treated, would interfere with the consumer's completion of the IPE. Such services to treat an acute illness may not be provided in post-employment status. See Section 20F for a discussion of this issue.**

7H Choice of Vendor

A consumer may select for the provision of restoration services any vendor who meets the standards set forth for the provision of the service in the regulations of the Massachusetts Rate-Setting Commission. The consumer must review the proposed services and vendors with the counselor and be afforded an informed choice of services and vendors.

7I Services to Family Members

In certain instances, services to family members of a consumer may be necessary to the adjustment or rehabilitation of such individual. In these cases, see Chapter 15.

Chapter 7 Training Services Vocational Rehabilitation

Contents

- 7A Scope and Purpose**
- 7B Vocational Training**
- 7C Prevocational training**
- 7D Personal Adjustment Training**
- 7E Duration of Training Services**
- 7F Fees for Training**
- 7G Comparable Benefits**
- 7H College Training Services Regulations**

- 7A Scope and Purpose**

This chapter contains guidelines for the provision of training services, other than college training services, when provided to consumers under an approved IPE. College training services are discussed in the Commission's regulations, 111 CMR 6. 00. Training services are those services which provide the consumer with necessary knowledge and skills or which assist the consumer to develop necessary attitudes,

habits, or behavior in order to attain a vocational objective or to complete an extended evaluation of rehabilitation potential. Training services must be provided by a qualified facility, person, or school which will meet the consumer's needs and fulfill the goals of the IPE in the shortest time possible at the least cost to the Commission. All training must be provided for the primary purpose of facilitating the consumer's vocational adjustment and enabling him or her to reach the vocational goal. The consumer must review the proposed services and vendors with the counselor and be afforded an informed choice of services and vendors.

7B Vocational Training

Vocational training includes any form of instruction which provided the knowledge and skills that are essential for performing the tasks involved in an occupation. Vocational training may be provided by a licensed or accredited educational institution, on-the-job, by correspondence, or, in very unusual circumstances, by tutors.

7C Prevocational training

Prevocational training may include any form of academic or basic training given for the acquisition of background knowledge prerequisite or preparatory to vocational training. It may include training for the purpose of removing an educational deficiency which interferes with the effective use of the occupational skills or knowledge already possessed by the consumer. Examples of prevocational training are: completion of high school requirements or preparation of a

General Equivalency Diploma (GED) examination, training in English as a second language for non -English speaking consumers.

7D Personal Adjustment Training

Personal adjustment training includes training given for one or more of the following reasons:

- 1) to assist the consumer to acquire personal habits and skills to be able to function effectively in spite of a disability;**
- 2) to develop or increase work tolerance prior to engaging in prevocational or vocational training or in employment;**
- 3) to orient the consumer to the world of work and to develop work habits;**
- 4) to provide skills and techniques to enable the consumer to compensate for blindness and to become independent in areas such as mobility, communication, home management, personal management, etc. Personal adjustment training most commonly takes place in a comprehensive rehabilitation center, such as the Carroll Center for the Blind.**

7E Duration of Training Services

The projected length of time needed to complete a training

program must be specified on the IPE. If there is a need to extend the training period, the IPE must be amended to specify the current projection of the duration of the training program. The duration of training should not exceed the usual time for completing the training as established by the training facility unless the consumer has developed an illness that has resulted in long absences from the training program.

7F Fees for Training

- 1) Fees for training services which have been established by the Massachusetts Rate-Setting Commission will not be exceeded.**
- 2) The maximum fees for vocational, trade, or other non-degree granting institutions will not exceed those rates charged to other public agencies, or the published rates for the institutions, whichever amount is less.**
- 3) Payments for training services not included in the above may not exceed those rates ordinarily charges other users in the community. For example, to determine a typical tutorial fee, the counselor might call a local college or other facility which provides or uses tutors. The counselor may then negotiate a fee with a private tutor, depending on the purpose, length, and frequency of tutoring sessions.**

7G Comparable Benefits

Comparable benefits must be used to fullest extent possible in the provision of the services discussed in this chapter. Consumers must make maximum efforts to secure grant assistance, including making timely application for all financial aid, to pay, in whole or in part, for all post-secondary training. Post-secondary training includes universities, colleges, community/junior colleges, vocational schools, technical institutes, and hospital schools of nursing.

7F College Training Services Regulations

111 CMR 6.00: VOCATIONAL REHABILITATION SERVICES: COLLEGE TRAINING SERVICES

SECTION

6.01 STATEMENT OF PURPOSE

6.02 DEFINITIONS

6.03 SCOPE OF COLLEGE TRAINING SERVICES

6.04 CONSUMER RESPONSIBILITY

6.05 DETERMINATION OF FINANCIAL NEED

6.06 REIMBURSEMENT FOR PROVISION OF NECESSARY

BOOKS AND SUPPLIES

6.07 REIMBURSEMENT FOR PROVISION OF NECESSARY READER SERVICES

6.08 ADMINISTRATIVE REVIEW

6.09 EFFECTIVE DATE

6.10 APPENDIX 1: FORM

6.01: STATEMENT OF PURPOSE

These regulations are published in order to establish the conditions and requirements governing the provision of college training services. The purpose of these services is to enable blind persons to attain suitable employment outcomes under the provisions of the Federal-State Program of Vocational Rehabilitation for the Blind. The Commission recognizes that consumers often have disabilities in addition to blindness. Issues which effect other disabilities may be dealt with in other regulations or policies (e.g. interpreter or note taking services for deaf/blind consumers) and may not be dealt with specifically in these regulations. Individual sections of these regulations must be read in the context of the whole, since one part may rely on another. In particular, the availability of resources other than college training

services must be given appropriate consideration in determining eligibility.

6.02: DEFINITIONS

- (1) Academic Year: The period of time between September 1 and August 31 of any year.**
- (2) College Training: Training at an accredited college, junior college, community college, or other degree-granting institution.**
- (3) Consumer: A person who is receiving vocational rehabilitation services from the Commission for the Blind or who has been determined to be eligible for such services.**
- (4) Commission: The Massachusetts Commission for the Blind.**
- (5) Commissioner: The Commissioner of the Massachusetts Commission for the Blind.**
- (6) Comparable Benefits: Those resources which are available to a consumer for payment for or provision of specified vocational rehabilitation services and which must be taken into consideration prior to payment by the**

Commission for provision of college training services, as required by the Rehabilitation Act of 1973, as amended. Particular attention should be paid to the Americans with Disabilities Act which requires public accommodations and governmental entities to provide services to persons with disabilities.

- (7) Counselor: A counselor for the blind on the staff of the Commission's Vocational Rehabilitation Program.**
- (8) Individualized Written Rehabilitation Plan (IWRP): A plan, developed jointly by the counselor and consumer, as required by the Rehabilitation Act of 1973, as amended, which defines the consumer's vocational goal and outlines the responsibilities of the consumer and the Commission and the vocational rehabilitation services which will be provided in order to achieve that goal.**
- (9) Regional Director: The Commission employee responsible for the planning, coordination, and management of services in a designated geographical area of the Commonwealth.**
- (10) Vocational Rehabilitation Program: Counseling, training, physical restoration, job placement, follow up, vocational rehabilitation and other services as provided**

in P.L. 93-112, as amended.

(Note: On occasion, a term may be changed without changing the function of the term, e.g. a regional director could be called an area director without essentially changing the function of that position. Unless there is a material change in the function of a term, it will not be necessary to amend these regulations.)

6.03: SCOPE OF COLLEGE TRAINING SERVICES

(1) College training services shall only be provided when:

- (a) such services are necessary to enable a consumer to reach a specific vocational outcome which has been determined to be suitable by both the consumer and the counselor and which have been identified in an individualized written rehabilitation plan (IWRP); and**
- (b) the IWRP specifies the nature, purpose, and duration of the services as well as the terms and conditions for the services; and**
- (c) the IWRP has been approved by the consumer, the counselor, the counselor's supervisor and the**

Regional Director.

- (2) College Training Services leading to a baccalaureate degree will be limited to four academic years unless one of the following circumstances applies:**
- (a) A consumer is pursuing a plan under an approved IWRP which normally requires five years of undergraduate training leading to one specialized undergraduate degree. In such cases, the consumer may be provided five years of full-time undergraduate training.**
 - (b) A consumer is pursuing a plan under an approved IWRP which involves a cooperative plan of education. In such cases, the consumer may be provided five years of full-time undergraduate training.**
 - (c) A consumer who is unable to undertake the usual full-time course of study due to the functional limitations of a disability or due to acute illness, may be allowed to attend college part-time and may be allowed an extension of time of a specified duration. Such an exception must be approved by the Regional Director, and the reasons for the exception documented in the consumer's file.**

EXAMPLE: A consumer has to have surgery and will be unable to study full-time for six months while she is recuperating. Acute illnesses are generally of relatively short duration. Another consumer, who is deaf/blind, is unable to study full-time, because the severity of his disabilities substantially slows his ability to process information. This may continue for the duration of his studies. In general, part-time study should be the exception, allowed for the shortest time reasonable and the basis for the exception should be well documented.

(d) A consumer who is eligible for vocational rehabilitation services because s/he is seriously underemployed and is unable to undertake the usual full-time course of study because s/he is employed on a full-time basis, may be allowed to attend college part-time and may be allowed an extension of time of a specified duration. Such an exception must be approved by the Commissioner or his/her designee, and the reasons for the exception must be documented in the consumer's file.

(e) A consumer whose potential ability to undertake a baccalaureate degree program is undetermined, may be allowed to take a maximum of two courses per semester on a part-time trial basis for no more than one academic

year under an IWRP approved by the counselor, the counselor's supervisor and the Regional Director. The reasons for the exception must be documented in the consumer's file.

- (3) Full-time graduate training services leading to an advanced degree may be provided when such a degree is necessary for the consumer to achieve the goal established under the consumer's IWRP. Services will be provided only as far as needed to achieve the minimum advanced degree needed to enter the field (e.g. JD, MD). Maximum years covered will be the norm for the program (e.g. three for a JD, four for an MD) up to a maximum of four years. A one year extension may be granted by the Commissioner or his/her designee, under extraordinary circumstances, which must be documented in the consumer's file.**

- (4) A consumer who is eligible for vocational rehabilitation services because s/he is seriously underemployed and who is unable to undertake the usual full-time course of study leading to an advanced degree because s/he is employed on a full-time basis may be allowed to attend part-time and may be granted an extension of time for a specified duration. Such an exception must be approved by the Commissioner, or his/her designee, and the reasons for the exception documented in the**

consumer's file.

- (5) The Commission will not provide college training services to any person who has previously been awarded any advanced degree , unless the advanced degree was awarded before the onset of a new disabling condition or a severe exacerbation of the previously existing disability, and the degree is only useful in an occupation which the person cannot pursue because of the functional limitation of her/his new or exacerbated disability.**
- (6) The maximum payment the Commission may contribute for a consumer toward college training during any academic year may not exceed the total amount charged to Massachusetts residents for two semesters of tuition and mandatory fees at the University of Massachusetts at Amherst, prorated for part-time students.**
- (7) College training services may be provided at institutions outside Massachusetts, if approved in the IWRP. Transportation back to a Massachusetts residence for the holidays will be limited to two round trip tickets per year at the lowest reasonable cost.**

6.04: CONSUMER RESPONSIBILITY:

- (1) A consumer may be required by the counselor to undergo suitable intelligence scale, aptitude, or interest tests or other appropriate evaluation prior to the formulation of the IWRP. This may include consultation with college advisory personnel.**
- (2) A consumer may be required by the counselor to submit a completed Statement of Vocational Objective, which is attached and incorporated by reference into these regulations, prior to the formulation of the IWRP.**
- (3) A consumer may be required by the counselor to provide other materials necessary for the development of an IWRP for the provision of college training services such as school transcripts.**
- (4) Each consumer interested in undergraduate training must apply for a Massachusetts State Scholarship, a Pell Grant, and at least one scholarship or grant from each of the colleges to which the consumer is making application for admission. A consumer may be required to give the counselor a letter from each of the above sources indicating the results of the grant/scholarship application. A consumer may also be required to apply for and participate in a work-study program.**
- (5) Each consumer interested in advanced degree training**

must apply for at least two scholarships and/or grants. A consumer may be required to give the counselor a letter from each source to which the consumer applied, indicating the results of the application. A consumer may also be required to apply for and participate in a work-study and/or teaching assistant program.

- (6) Each consumer must file a Free Application for Federal Student Aid (FAFSA) annually, no later than April 15th, with a request that a copy of the FAFSA and the analysis be sent to the Commission, the colleges to which applications are being made, the Massachusetts State Scholarship Program, and Pell Grant Program. The Regional Director may grant a waiver for the deadline of April 15th if the Regional Director finds that circumstances beyond the consumer's control prevented the consumer from meeting this deadline. Waivers, and the reasons for granting them, must be documented in the consumer's file. No such waiver will be granted if the Commission has not received a copy of the FAFSA at least fifteen (15) days before the college training services are to commence. If such a waiver of the deadline of April 15 is granted, the Commission cannot guarantee that the necessary procedures for authorization will be completed before the consumer is scheduled to begin college training.**

- (7) A consumer must notify the counselor in writing of his/her wish to develop an approved IWRP toward college training services no later than February 1st of the calendar year in which the training is to commence after that date. This requirement will be waived by the Regional Director if the Regional Director finds that circumstances beyond the consumer's control prevented the consumer from meeting this deadline of February 1st.**
- (8) Consumers who are receiving college training services will be required to submit to the counselor copies of all grade reports issued by the college within two (2) weeks of the consumer's receipt of those grades.**
- (9) A consumer receiving college training services is responsible for keeping the counselor advised regarding progress, problems, or any circumstances which might interfere with the completion of the IWRP.**
- (10) A consumer receiving college training services may not change the course of study specified in the IWRP unless there is an amendment to the IWRP agreed upon with the counselor and approved by the counselor's supervisor and the Regional Director in advance of the change. Any amendments must be signed by the counselor, consumer and Regional Director.**

6.05: DETERMINATION OF FINANCIAL NEED

The counselor will determine the consumer's financial need in accordance with the following standards before authorizing paid college training services.

The existence and extent of the financial need is determined by subtracting the following amounts from the projected total cost for the academic year:

- (1) The amount designated as "Parents' Contribution" on the analysis of the FAFSA; and**
- (2) The amount designated as "Student's Contribution" on the analysis of the FAFSA; and**
- (3) The amount of any Federal government grants awarded to the consumer (If the grant has not yet been awarded at the time financial need is determined, the estimated amount of grant eligibility that is reported on the FAFSA will be subtracted. If the grant, when awarded, is more or less than the estimated amount, financial need will be recalculated.); and**
- (4) The amount of any scholarship or grant awarded to the consumer; and**

- (5) The projected work-study and/or teaching assistant earnings. The projected total cost of tuition and fees, for the academic year will be determined by the Financial Aid Officer of the institution which the consumer will be attending and will be reported to the counselor.**

6.06: REIMBURSEMENT FOR NECESSARY BOOKS AND SUPPLIES

- (1) Reimbursement for necessary books and supplies will be provided to a consumer receiving college training services under an approved IWRP without regard to financial need. Necessary books and supplies do not include personal items or any material that is not directly related to the consumer's course of study.**

- (2) The maximum payment which the Commission may authorize during any academic year for necessary books and supplies for a consumer receiving college training services will be determined by the Commissioner or his/her designee on an annual basis, the date to be determined by Commonwealth fiscal year budget requirements. Rates of reimbursement are applied universally and may not be adjusted for individuals. No consumer may receive more than the actual cost of necessary books and supplies.**

- (3) No consumer may receive more than the maximum amount established except under extraordinary circumstances, such as theft or fire, and then only what is necessary to replace the items so that the consumer may complete his/her course work. Exceptions may be approved by the Commissioner or his/her designee upon sufficient showing of proof of the loss, which must be documented in the consumer's file.**

- (4) Equipment, such as tape recorders, CCTVs, etc., is not included in the definition of "necessary books and supplies". Such equipment may be provided when necessary to consumers receiving college training services. Provision of such equipment will be made within the scope of the Commission's equipment guidelines.**

6.07: REIMBURSEMENT FOR NECESSARY READER SERVICES

- (1) Reimbursement for necessary reader services will be provided to a consumer receiving college training services under an approved IWRP without regard to financial need.**

- (2) The Commission may reimburse a consumer for**

necessary reader services at an hourly rate as established by the Commissioner, or his/her designee, on an annual basis the date to be determined by Commonwealth Fiscal Year budget requirements. Rates of reimbursement are applied universally and may not be adjusted for individuals. A maximum of sixty hours of service per calendar month may be reimbursed, provided said services are associated with the consumer's status as a registered college student, and provided further that said reader services and student status are incorporated in an individualized written rehabilitation plan approved by the Commission.

The sixty hour limitation of this subsection may be waived by the Commissioner or his/her designee, upon a showing of extraordinary circumstances. Extraordinary circumstances do not include situations where the normal course of study is one that requires a heavy reading schedule.

Examples of extraordinary circumstances:

A consumer, in consultation with his/her counselor, decides to pursue an accelerated program which results in an earlier graduation.

A consumer normally depends on a CCTV for reading

and the equipment becomes unavailable and cannot be promptly replaced.

- (3) When a consumer receiving college training services has possession of or reasonable access to a CCTV, scanner, or other device that can facilitate reading, the maximum amount the Commission may authorize for reimbursement for necessary reader services will be for fifteen hours at the hourly rate established above.**
- (4) If reader services are authorized, a report in the form of properly completed and signed certificates for reimbursement, on a form provided by the Commission, must be submitted in a timely manner. Failure to do so could result in the consumer not receiving reimbursement for that period. Consumers may need to provide other documents in a timely manner in order to receive payment.**

(Note: Reader fee reimbursement is reimbursement to the consumer, not the reader. Payment to the reader is the consumer's responsibility, not the Commission's. Rate of payment to the reader, number of hours for which service is contracted, etc. is not determined by or limited by the Commission. Reimbursement by the Commission to the consumer may not meet the full need a consumer may have for reader services.)

6.08: ADMINISTRATIVE REVIEW

Pursuant to Section 1.00, any consumer who is dissatisfied with any decision made under this section, may file a request for Administrative Review of such action by writing to the Commission, Hearings Officer. If the consumer is dissatisfied with the findings of the Administrative Review, he or she may request a hearing before an impartial hearings officer. The Commission also operates a Client Assistant Program, the services of which are available to any consumer who is dissatisfied with services under this chapter. In addition, the Massachusetts Office on Disability operates a federally-mandated Client Assistance Program, the services of which are also available to any consumer who is dissatisfied with services under this chapter.

6.09: EFFECTIVE DATE

The effective date of this chapter, as amended, will be the date of publication in the Massachusetts Register. July 28, 1995

REGULATORY AUTHORITY: 111 Code of Massachusetts Regulations 6.00; Chapter 6, section 131J, Massachusetts

General Laws

6.10: APPENDIX I: FORM

STATEMENT OF VOCATIONAL OBJECTIVE

This statement must be completed and returned by.

- 1. What is your vocational objective? Give us a comprehensive job description of your chosen objective including dates and responsibilities.**
- 2. How did you arrive at this objective? Give details.**
- 3. What training is required to attain this objective? (Give specific details on content of training program.)**
- 4. Will such a training program equip you for employment in other occupations? If so, what occupations?**

Chapter 8

Reader and Note-Taking Services, Rehabilitation Teaching Services, and Orientation and Mobility Services

Vocational Rehabilitation

Contents

8A Purpose

8B Reader and Note-Taking Services

8C Rehabilitation Teaching Services

8D Orientation and Mobility Services

8E Comparable Benefits

8A Purpose

The Massachusetts Commission for the Blind provides reader and note-taking services, rehabilitation teaching services, and orientation and mobility services under an approved Individual Plan for Employment (IPE) when they are necessary for the consumer to reach her or her vocational objective. The consumer must review the proposed services and vendors with the counselor and be afforded an informed choice of services and vendors.

8B Reader and Note-Taking Services

Reader and note-taking services are those provided by a literate person to enable a legally blind consumer necessary access to printed material when the use of special media (braille, large print, etc.) would be impractical. Reader and note-taking services are supportive rehabilitation services and may only be provided when necessary to enable a vocational rehabilitation consumer to receive the full benefit of another vocational rehabilitation service. For example, many legally blind consumers who receive college and university training services will need reader and note-taking services to keep up with the requirements of their courses. The scope and limitations on the provision of reader and note-taking services to support college training services may be found at 111 CMR 6.08 in the Commission's regulations. The determination of the extent of reader and note-taking services needed to support other vocational rehabilitation services will be based on an assessment of individual needs. When reader and note-taking services are provided, under an approved IPE, on a monthly basis the consumer must submit to the counselor, on a form provided by the Commission, properly completed requests for reimbursement for payment of readers and note-takers.

8C Rehabilitation Teaching Services

Rehabilitation teaching services are provided by qualified Commission staff to assist consumers to develop or improve personal independence by mastering skills of daily living without vision or with impaired vision. Areas of instruction may include communication, home management, and general self-management skills necessary to enable an individual to

participate in vocational rehabilitation services and to obtain a vocational goal. Referral of a vocational rehabilitation consumer for evaluation for rehabilitation teaching services is made via an Intra-Agency Referral Form (Form 50). However, subsequent to the evaluation by the rehabilitation teacher, there should be close collaboration among the vocational rehabilitation counselors, the rehabilitation teacher, and the consumer in developing the sections of the IPE relative to the specifics of the rehabilitation teaching services and any intermediate objectives relating to rehabilitation teaching. During the course of service provision, it is important that the rehabilitation teacher make frequent reports to the vocational rehabilitation counselor about the consumer's progress in meeting the intermediate objectives.

8D Orientation and Mobility Services

Orientation and mobility services are services provided by qualified orientation and mobility specialists intended to teach legally blind consumers to travel on foot as independently as is possible. "Mobility" is the act of moving, while "orientation" is awareness of pertinent factors in the environment which enable the legally blind person to react, move, and travel in a safe and purposeful manner. Orientation and mobility services are provided by the Mobility Unit at MCB. Instruction is given either by a staff mobility instructor or by a mobility instructor who is employed by a vendor which has a contract with the Commission. The choice of an instructor depends on the location of the consumer's home and the workload of the instructor. The

primary consideration is to provide services promptly to the consumer. Referral of a vocational rehabilitation consumer for evaluation for orientation and mobility is made via an Intra-Agency Referral Form (Form 50). Current eye and medical reports must be attached to the Referral Form. Subsequent to the evaluation by the mobility instructor, there should be close collaboration among the vocational rehabilitation counselor, the mobility instructor, and the consumer in developing the sections of the IPE relative to the specifics of the orientation and mobility services and any intermediate objectives relating to orientation and mobility. During the course of service provision, it is important that the mobility instructor make frequent reports to the vocational rehabilitation counselor about the consumer's progress in meeting the intermediate objectives.

8E Comparable Benefits

Comparable benefits must be used to fullest extent possible in the provision of the services discussed in this chapter. The most likely source of comparable benefits in the provision of reader and note-taking services are programs available at some colleges and post-secondary schools.

Chapter 9 Maintenance Services Vocational Rehabilitation

Contents

9A Purpose

9B Examples of Appropriate Use of Maintenance Services

9C Comparable Benefits

9A Purpose

The Massachusetts Commission for the Blind provides maintenance services when necessary to enable a consumer to participate in other vocational rehabilitation services being provided. Maintenance may only be provided in order to support other vocational rehabilitation services and to enable the consumer to receive the full benefit of the other services. Maintenance is a limited service for use when the circumstances of providing vocational rehabilitation services require assistance to the consumer in meeting the extra costs of food, shelter, clothing or subsistence. Maintenance payments may not exceed the amount of increased expenses for food, shelter, clothing and subsistence which the vocational rehabilitation program causes for the individual. Maintenance is not a service intended to reduce or eliminate poverty or to improve an individual's living conditions. When used appropriately as a time-limited support to derive the intended benefit from another vocational rehabilitation

service, maintenance may be provided at any time from the date of initiation of such services through the provision of post-employment services. The consumer must review the proposed services and vendors with the counselor and be afforded an informed choice of services and vendors.

9B Examples of Appropriate Use of Maintenance Services

- 1) The IPE calls for a consumer to attend a residential rehabilitation facility. Maintenance will be provided by the agency to pay the necessary room and board at or near the facility. In many cases, the maintenance charge is built into the rate charged to MCB by the facility.**
- 2) The IPE calls for the consumer to come to Boston from another part of the state to be trained to become a vending facility operator. Maintenance will be provided to enable the consumer to stay at a hotel and to obtain meals.**

9C Comparable Benefits

Comparable benefits, when available, must be used to meet any need for maintenance services. Comparable benefits for maintenance are most often available to consumers in training programs, particularly college training programs. The financial need determination process used by MCB (based on information and calculations provided by the college financial aid officer) when consumers are to receive college training services takes into account the consumer's

maintenance needs and the application of comparable benefits to meet these needs.

Chapter 10

Telecommunications, Sensory, and Other Technological Aids and Devices

Vocational Rehabilitation

The Massachusetts Commission for the Blind provides telecommunications, sensory, and other technological aids and devices, under an approved IPE, when necessary to enable legally blind persons to attain suitable vocational goals or when necessary to enable an applicant to complete an IPE for extended evaluation of rehabilitation potential. A "telecommunication system" is defined in federal regulations as any transmission, emission, or reception of signs, signals, written images or sounds of intelligence of any nature by wire, radio, visual, or other electromagnetic system including any intervening processing and storage. "Sensory aids and other technological aids and devices" are defined in federal regulations as electronic or mechanical equipment or hardware intended to improve or substitute for one or more of the human senses, for impaired mobility, or for motor coordination. Telecommunications, sensory, and other technological aids and devices may be divided into two broad categories:

- 1) Specialized equipment (including telecommunications systems and many sensory aids and devices) which meets the needs of a blind person or a deaf-blind person. Examples of such equipment include closed circuit television systems, light probes, and computerized speech systems. The policies of the Massachusetts Commission for the Blind relating to**

such equipment may be found in Chapter 29.

- 2) Medically-prescribed sensory aids and devices such as hearing aids or low-vision devices. The policies of the Massachusetts Commission for the Blind relating to the provision of low-vision devices may be found in Chapter 27. Agency policies relating to the provision of other medically prescribed sensory aids and devices may be found in Chapter 7.**
- 3) The consumer must review the proposed services and vendors with the counselor and be afforded an informed choice of services and vendors.**

Chapter 11

Occupational Licenses and Tools

Vocational Rehabilitation

Contents

11A Purpose

11B Occupational Licenses

11C Occupational Tools

11A Purpose

Occupational licenses and tools are provided, under an approved IPE, when necessary to enable a legally blind consumer to reach his or her vocational objective. The intent of these services is that the consumer will have any necessary occupational licenses and tools at the time he or she is job-ready and seeking employment or entering self-employment. The consumer must review the proposed services and vendors with the counselor and be afforded an informed choice of services and vendors.

Employment-related equipment is discussed in Chapter 29. Initial stocks and supplies for small business enterprises are discussed in Chapter 18.

11B Occupational Licenses

Occupational licenses are defined in the federal vocational

rehabilitation regulations as "any license, permit, or other written authority required by a state, city, or other governmental unit to be obtained in order to enter an occupation or to enter a small business. " The Commission will pay for the first issuance of an occupational license necessary for the consumer to obtain employment or to enter self-employment. Ordinarily, the Commission will not pay for routine renewal of occupational licenses, either as a regular vocational rehabilitation service or as a post-employment service. In rare instances, such as when a governmental unit increases licensing requirements without giving sufficient notice to enable the consumer or former consumer to plan, the agency may, with proper documentation, provide for renewal of an occupational license.

11C Occupational Tools

The provision of tools as a vocational rehabilitation service is limited to those tools needed or required by the consumer to participate in a training program or to obtain entry -level employment in the occupational area designated on his or her IPE. Tools that are ordinarily provided by the employer or that are seldom used in actual employment situations will not be provided.

Chapter 12 Transportation Services Vocational Rehabilitation

12A General Considerations

12B Scope of Transportation Services

12C Rate of Payment

12D Transportation after Job Placement

12E Use of Comparable Benefits

12A General Considerations

This chapter establishes standards for provision of transportation services which may be necessary at any time during the vocational rehabilitation process to enable blind individuals to appropriately utilize other vocational rehabilitation services provided by the Commission.

12B Scope of Transportation Services

Transportation services may only be provided when they are necessary to enable the consumer to benefit from other VR services and:

- The Individual Plan for Employment increases the cost of transportation for the consumer; and**
- The value of rehabilitation services would be**

substantially lost or reduced without the support of transportation services; and

- **Diligent efforts have been made to find comparable benefits and any comparable benefits have been found to be unavailable or inadequate.**

Transportation services will be provided to consumers as needed, either for evaluation or physical restoration services, or when in a training program.

In extraordinary circumstances and with the written approval of the Deputy Commissioner for Services, transportation may be provided to a consumer recently placed into employment for a short period of time only—for example, until the second paycheck is received, or the first month of employment has been completed.

12C Rate of Payment

- 1) Transportation services will be provided by the least expensive means that is available and usable.**
- 2) The actual, reasonable fare charged for use of public transportation will be the maximum payment permitted pursuant to this chapter unless in a given situation, public transportation is not available to or usable by the consumer.**
- 3) Where public transportation is not available to or usable by a consumer, the rate for private transportation established by the Massachusetts Rate Setting Commission or, if no such rate has been established, the rate allowed by the Commonwealth of**

Massachusetts, will be the maximum payment permitted.

- 4) Payment will be made only where there is full compliance with procedures established by the Commission, including the submission of receipts in particular circumstances.**

12D Transportation after Job Placement

In general, transportation between the consumer's residence and place of employment is not provided. In extraordinary circumstances and with the written approval of the Deputy Commissioner for Services, transportation may be provided to a consumer recently placed into employment for a short period of time only—for example, until the second paycheck is received, or the first month of employment has been completed. This transportation is only provided to allow time for the consumer to develop a reasonable plan to commute to work.

After placement and before case closure, transportation services may include financial assistance for reasonable relocation and moving expenses incurred by a consumer due to new employment when:

- The new place of employment is more than 50 miles from the consumer's current residence;**
- The plan for permanent relocation is incorporated into the Individual Plan for Employment.**

At his or her discretion, the Deputy Commissioner for

Services may waive the 50 mile requirement upon a showing of unforeseen and extraordinary circumstances.

Relocation and moving expenses means direct costs such as movers' fees and non-refundable indirect costs such as telephone or utility installation charges.

12E Use of Comparable Benefits

Comparable benefits must be used to the fullest extent possible to pay for interpreter services. Comparable services and benefits means s services and benefits that are:

- **provided or paid for, in whole or in part, by other federal, state, or local public agencies, by health insurance, or by employee benefits;**
- **available to the individual at the time needed to address the employment goal in the individual's Individual Plan for Employment (IPE); and**
- **commensurate to the services that the individual would receive from MCB.**

Chapter 13 Services to Family Members Vocational Rehabilitation

Contents

13A Purpose

13B General Considerations

13C Examples of Services to Family Members

13D Relationship to Consumer's IPE

13E Terminating Services to Family Members

13F Case Recording

13G Application of Similar Benefits

13A Purpose

Services to family members are provided to assist the consumer in the successful completion of his vocational rehabilitation. This objective is carried out by helping the family to use its own resources to contribute to the rehabilitation of the consumer and by supplementing or supporting the family's resources or the resources available in the community. The consumer must review the proposed services and vendors with the counselor and be afforded an informed choice of services and vendors.

13B General Considerations

Any relatives by blood or marriage are family members. The definition of a family member also includes other people living in the same household with whom the consumer has a close interpersonal relationship. Thus, a counselor may make a judgment that an adopted brother or a longtime roommate meets the definition of a family member when the relationship with the consumer is as close as that of a relative living in the same house. Services to family members are provided as part of the consumer's IPE. They are designed to enable the consumer to make the greatest possible use of rehabilitation services. They are really intended to benefit the consumer and not the family member although the family member will generally benefit from the service. When the family member has a disability which might make him eligible for vocational rehabilitation services, he should be considered as a possible consumer of this or another rehabilitation agency rather than as a family member and should be encouraged to apply for vocational rehabilitation services. Services to family members may include any of the vocational rehabilitation services that the Commission provides to consumers (subject to any limitations that apply to consumers) and will be provided if appropriate without any consideration of the age of the family member.

13C Examples of Services to Family Members

The following examples illustrate a few of the many situations which call for the provision of appropriate services

to family members.

- (1) A consumer begins an extensive vocational training program. Since his wife is very anxious about his altered role, a counseling program is undertaken with her to help her understand her feelings and how she can support his rehabilitation program.**
- (2) A consumer is nearing completion of training to become a piano tuner. The consumer lives in an area which has little public transportation. He and his wife have decided that the best solution to the transportation problem is for the consumer's wife to act as his driver in the piano tuning business. However, the consumer's wife has never learned to drive, so the Commission provides a driver training course to the wife as a necessary service to a family member.**
- (3) Several older adolescents are receiving VR services in a regional office. The regional office provides group counseling to the parents of these consumers to help them to understand and deal with their children's problems related to adjustment to blindness and vocational choice.**
- (4) A consumer is unable to continue her vocational training program because she has no one to care for her two small children. The counselor has referred her to the department of social services. DSS will provide the necessary day care service but will charge a weekly fee based on the consumer's income. The Commission**

arranges to pay the fee until the training program ends so that the consumer can complete her training.

13D Relationship to the Consumer's IPE

Services to family members can only be provided under the consumer's IPE, whether the IPE is for an extended evaluation program or a VR program. Although family members are often seen by counselors during the assessment, these interviews and any counseling provided during such sessions are not considered to be a service to a family member but rather a part of the assessment process since services to family members cannot be provided in status 02 or status 10 under the regulations. In developing the IPE, it is important that both the consumer and the family member understand that services to the family member are only being provided to the extent that they are necessary for the rehabilitation or adjustment of the consumer. The consumer and the family member must both be involved in deciding whether a service to a family member can make a substantial contribution to the consumer's rehabilitation. Case data supporting the decision to provide services to family members must be included in the IPE and, when necessary, elaborated in contact reports.

This data must indicate:

- (1) why services are needed;**
- (2) which family members need the service;**

- (3) what services are needed;**
- (4) how services are expected to contribute to the rehabilitation or adjustment of the consumer;**
- (5) whether any similar benefit resources are available to provide the services;**
- (6) how the services will be secured;**
- (7) how the services to be provided will be evaluated in terms of meeting the objective of the consumer's IPE.**

Since it is the consumer's IPE, only consumer's signature is required and only the consumer need be given a copy of the IPE and any amendments.

13E Terminating Services to Family Members

Services to family members must be terminated when:

- (1) it is determined that the services no longer make a substantial contribution to the consumer's vocational rehabilitation or extended evaluation program; or**
- (2) the consumer's case is closed in status 08, 28, or 30; or**
- (3) the consumer is determined to be rehabilitated and the case is closed in status 26. (However, services to family members may also be provided as post-employment services. Supportive services such as**

regular day care may not be provided as post-employment services. See chapter 20.) When the consumer has been placed in employment and the case is ready for closure, but services to family members have not been completed and are still expected to contribute substantially to the consumer's rehabilitation program, the case cannot be closed until services to the family member are completed, or terminated on the basis that they no longer make a substantial contribution to the rehabilitation of the consumer.

13F Case Recording

All records and documents pertaining to services to family members should be kept in the consumer's folder. When services to family members are provided at cost to the Commission, there should be a notation on the proposal "services to family members. " The proposal should bear the consumer's name and other identifying information. The provision of services to family members, with or without agency cost, is to be recorded on the R-911.

13G Application of Similar Benefits

Similar benefits have particular application to the provision of services to family members since services needed by family members will very often be available through social service agencies, etc. VR services which require full consideration of similar benefits when provided to an individual consumer require the same consideration when provided as services to family members.

Chapter 14

Interpreter Services for Deaf-Blind Consumers

Vocational Rehabilitation

14A General Considerations

14B Scope of Interpreter Services

14C Fees for Interpreter Services

14D Arranging Interpreter Services

14E Use of Similar Benefits

14F Resources for Interpreter Services for Personal Needs

14A General Considerations

An interpreter for a deaf-blind person may be defined as a person who is able to recognize the comprehension level of the deaf-blind person and is able to communicate effectively in a mode used by the deaf-blind person and to translate or interpret accurately the statements of the deaf-blind person into spoken English. Generally, a deaf-blind vocational rehabilitation consumer will be assigned to a specialized worker who is skilled in communicating with deaf-blind persons. Therefore the need to purchase interpreter services mainly arises when the consumer needs access to services other than counseling and guidance. However, there may be occasional situations when an interpreter is needed to assist the counselor in communicating with the

consumer to provide counseling and guidance services. The consumer must review the proposed services and vendors with the counselor and be afforded an informed choice of services and vendors.

14B Scope of Interpreter Services

Interpreter services may only be provided when they are necessary to enable the consumer to benefit from other VR services. Some examples of appropriate use of interpreter services are:

- 1) to enable a consumer to be interviewed by a potential employer.**
- 2) to enable an applicant to communicate with a physician during a specialty, exam**
- 3) to assist a consumer attending a community rehabilitation program to become acquainted with the staff and the routine.**
- 4) to enable a consumer to participate in an administrative review or fair hearing on his or her case.**

14C Fees for Interpreter Services

Interpreters cannot be paid more than the maximum fee set by the Massachusetts Rate Setting Commission. Currently the maximum fee is \$15 per hour. Travel time is not paid for. The Massachusetts Office of Deafness is able to tell the

worker the fee a particular interpreter should be paid based on his or her level of skill. If a consumer does not show up when an interpreter has been engaged, the interpreter is entitled to payment for two hours' time.

14D Arranging Interpreter Services

The Massachusetts Office Deafness is the best source for referral of interpreters who are skilled in communicating with deaf-blind persons, a worker who wishes to contract the services of an interpreter should call MOD (727 -5106) no less than one week in advance of the day when the interpreter is needed. The worker will tell the office the date, time, place, and the number of hours. MOD will locate a qualified interpreter and call the worker back to confirm the engagement. MOD is not involved in the financial aspect of the arrangement. The proposal is written with the interpreter specified as the vendor.

14E Use of Similar Benefits

Similar benefits must be used to the fullest extent possible to pay for interpreter services. A number of medical, educational, and rehabilitation facilities provide interpreter services in order to comply with section 504 of the rehabilitation act of 1973, as amended. For example, before sending a consumer for an exam at a hospital clinic, the worker should check to see whether the clinic is able to provide interpreter services for the consumer.

14F Resources for Interpreter Services for Personal Needs

There are limited resources to provide interpreter services to deaf-blind persons when they are needed for purposes that are not related to vocational rehabilitation. Some of these are:

- 1) Courts - if a deaf person goes to court the court must pay for an interpreter under Massachusetts law (Chapter 221, section 92a).**
- 2) The Massachusetts Office of Deafness will pay for interpreters for some legal, medical, or employment situations. They will not pay for interpreting for social or recreational activities or for services provided by a government-funded organization.**

Chapter 15 Personal Assistance Services Vocational Rehabilitation

15A General Considerations

15B Scope of Personal Assistance Services

15C Payment for Interpreter Services

15D Use of Comparable Benefits

15A General Considerations

Personal assistance services refers to a range of services, provided by one or more persons, designed to assist an individual with significant disabilities that include legal blindness to perform daily living activities on or off the job that would typically be performed by the individual if they did not have a disability. The provision of services is intended to increase the individual's control in life and ability to perform everyday activities on and off the job.

15B Scope of Personal Assistance Services

Personal assistance services can be provided to individuals to enable participation in trial work experiences or extended evaluations, or to enable participation in vocational rehabilitation services identified in the Individual Plan for Employment.

The provision of funding for personal assistance services is time limited and cannot extend past the period when an individual has been determined to have achieved the employment outcome identified and agreed to in the Individual Plan for Employment. Since personal assistance services will not be funded by the Vocational Rehabilitation Program after the achievement of an employment outcome, it is essential that the counselor and consumer explore alternative funding arrangements prior to case inactivation to ensure a stable job placement will remain in effect.

15C Payment for Assistance Services

Agency funding will be based upon approved fee schedules. Authorizations for services will be calculated based upon the number of hours that are required for the consumer to prepare for and participate in vocational rehabilitation services. It will be the responsibility of the consumer to hire the personal care attendant(s), and to provide documentation of hours rendered when submitting invoices to the agency for payment.

15D Use of Comparable Benefits

Comparable benefits must be used to the fullest extent possible to pay for personal assistance services. Comparable services and benefits means services and benefits that are:

- provided or paid for, in whole or in part, by other federal, state, or local public agencies, by health insurance, or**

- by employee benefits;**
- **available to the individual at the time needed to address the employment goal in the individual's Individual Plan for Employment (IPE); and**
 - **commensurate to the services that the individual would receive from MCB.**

Chapter 16 Homemaker Goals Vocational Rehabilitation

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16A General considerations

16B Eligibility Considerations

16C Considerations When the Vocational Objective Changes

16D Considerations When the Consumer Lives Alone

16E Homemaker Checklist

16A General considerations

A homemaker is a person who has the skills and capabilities to maintain a home and actively function in that capacity. Homemaking is recognized as a gainful occupation in the vocational rehabilitation program. Homemaking may be a gainful occupation for any person, man or woman depending upon individual needs and circumstances. This goal is not restricted to people who have previously functioned as homemakers. It may be appropriate for some consumers for whom a change in vocational objective to homemaking is suitable. It may also be appropriate for some consumers who live alone. In order for homemaking to be considered to be a gainful occupation, homemaking activities must be performed by the consumer himself and the vocational

rehabilitation services provided must have been necessary to enable the consumer to adequately perform homemaking tasks. As with all decisions about the provision of vocational rehabilitation services, the decision to pursue a homemaker goal must be made as a result of the informed choice of the consumer.

16B Eligibility Considerations

In making a determination of whether a person who is expected to become a homemaker is eligible for vocational rehabilitation services, a judgment must be made about whether the person meets the second criterion of eligibility, a reasonable expectation that provision of vocational rehabilitation services will benefit the person in terms of employability. This judgment will often depend upon:

- 1) whether the person needs services to stay in his home (not eligible), or**
- 2) whether he needs services to help him maintain or attain employment as a homemaker (eligible).**

People who need services solely for the first reason above, independent living, are not eligible for vocational rehabilitation services at this time, although many of them are, of course, eligible for independent living social services to meet their needs.

16C Considerations When the Vocational Objective Changes

It is possible to close a consumer's case as rehabilitated when the job at closure is homemaker even though the vocational objective and rehabilitation services were originally directed toward other employment. The validity of such closures depends, however, on whether the particular circumstances as documented in the case justify the action.

One example where this situation arises is the person who is preparing for other employment but who marries and decides to stay home. Key points to consider in such a case are:

- 1) were substantial vocational rehabilitation services provided; and**
- 2) did the services contribute significantly to the consumer's vocational adjustment as a homemaker.**

A second example is a consumer who decides to remain at home following services with a different objective in view. Some of these situations pose an additional question: that is, when there is little or no evidence that the consumer is performing homemaking activities, is he actually in a gainful occupation? To be closed rehabilitated, the person must himself be performing homemaking activities. It is not necessary to demonstrate that VR services have freed another family member to go to work in order to justify a homemaker rehabilitation but it is necessary to demonstrate that the consumer is performing substantial homemaking activities. For example a consumer has learned to sew as a result of rehabilitation teaching services and has made several garments for herself. Her mother performs all other

homemaker duties in the household, this consumer could not be considered to be employed as a homemaker because her homemaking activities are not substantial. However, if she had also learned to cook and made dinner every night, her homemaking activities might be judged to be substantial even though her mother continued to perform some of the homemaking activities.

If a consumer who had a vocational objective decides to stay at home but is not in fact carrying out homemaking activities, the case must be closed in status 28. a certain proportion of status 28 closures are to be expected, so there should be no hesitation in using this closure status when the circumstances warrant it.

In any case where the consumer changes his vocational objective to homemaker, the consumer record should reflect that the consumer has made this choice and his reasons.

16D Considerations When the Consumer Lives Alone

People who live alone may be rehabilitated as homemakers. However, there may be greater difficulty in justifying this objective than when the consumer is responsible for the homemaking activities of a family, the major problem is to differentiate between self-care and homemaking activities.

Self-care activities, even though they may be essential for the consumer to be able to perform, are not homemaking responsibilities and do not justify a determination that a consumer is employed as a homemaker. Some examples of

self-care activities are:

- **grooming skills**
- **eating skills**
- **communication skills such as handwriting, braille, typing, or using the telephone, or reading with the use of low-vision aids except to the extent that such skills are necessary to perform a specific homemaking task**
- **orientation and mobility skills for the purpose of helping the person travel outside the home to medical appointments, social visits, etc.**

Successful performance on a regular basis of several homemaking activities does justify a determination that a consumer is employed as a homemaker. Some examples of homemaking activities are:

- **Serving**
- **Washing dishes**
- **Shopping**
- **Child care**
- **Bed making**
- **Laundry**
- **Clothing care**
- **Cleaning**
- **Sewing**
- **Communication skills (such as reading with low vision aids to the extent that such skills are necessary to perform a specific homemaking task)**
- **Orientation and mobility skills (to the extent that such skills are necessary to perform a specific homemaking task)**

16E Homemaker Checklist

A copy of the homemaker checklist must be completed prior to case closure in status 26. This form is designed to show that the consumer has improved in his or her ability to perform the duties of a homemaker. Otherwise, the consumer cannot be considered to have been rehabilitated as a result of vocational rehabilitation services. The counselor should review the form with the consumer at the time of plan development or plan amendment to assist in planning needed services. The checklist form should be updated and completed in status 22.

Chapter 17 Adaptive Housing Services Vocational Rehabilitation

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17A Purpose

17B Maximum Payment

17C Limitation

17D Procedures

17E Similar Benefits

17A Purpose

This chapter describes the conditions under which the Commission's Vocational Rehabilitation program will provide adaptive housing services to eligible vocational rehabilitation consumers who, because of multiple disabilities and severe functional limitations, need the services to reach their vocational goal. Adaptive housing services are those architectural changes or related equipment installations which are necessary to render a consumer's home suitable for the pursuit or maintenance of a vocational objective under an approved IPE. The consumer must review the proposed services and vendors with the counselor and be afforded an informed choice of services and vendors.

17B Maximum Payment

The maximum payment which the Commission will authorize for all adaptive housing services under the vocational rehabilitation program is \$4,000. The Deputy Commissioner has the authority to waive the maximum fee when he or she determines that there are exceptional circumstances which warrant a waiver. Any such circumstances will be thoroughly documented in the case record by means of enclosure of the Proposal/rationale for expenditures more than \$4,000.

17C Limitations

- 1) The Commission will only provide adaptive housing modifications which are directly related to the functional limitation imposed by a disability.**
- 2) The Commission will not provide adaptive housing services for the purpose of adding to the resale value or assessed value of the property. The Commission will not provide adaptive housing services which increase the living space in the house.**
- 3) The Commission will not provide adaptive housing services in a new home under construction. The Commission will provide architectural consultation on specific adaptations to a consumer building an adapted house.**

- 4) **The Commission will not provide adaptive housing services to modify a consumer's home if the Commission has previously provided adaptive housing services to modify that same home under any of its programs unless the Deputy Commissioner determines that changed conditions related to the functional limitations of a disability make additional modifications necessary. Any such circumstances will be thoroughly documented in the case record for the Deputy Commissioner's review.**

17D Procedures

Adaptive housing services may only be funded under the vocational rehabilitation program when the following steps have been completed before the adaptive housing work has begun:

- 1) **The consumer has been certified as eligible for vocational rehabilitation services; and**
- 2) **An Individual Plan for Employment has been approved which includes adaptive housing as a needed service; and**
- 3) **An adaptive housing evaluation has been performed by an architect and plans have been drawn for the specific adaptations needed; and**
- 4) **The Commission has contracted with the vendor who will perform the work and has sent authorization for the**

work to begin. In cases where the job must be sent out for bid, the Commission will send the authorization once the bidding process is completed.

17E Similar Benefits

Comparable benefits must be used to the fullest extent possible to pay for personal assistance services.

Comparable services and benefits means services and benefits that are:

- **provided or paid for, in whole or in part, by other federal, state, or local public agencies, by health insurance, or by employee benefits;**
- **available to the individual at the time needed to address the employment goal in the individual's Individual Plan for Employment (IPE); and**
- **commensurate to the services that the individual would receive from MCB.**

Chapter 18
Services to Establish Small Business Enterprises
Vocational Rehabilitation Contents

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18A General Considerations

18B Scope of Services to Establish Small Business Enterprises

18C Limitations on Provision of Services to Establish Small Business Enterprises

18D Consumer Evaluation

18E Business Evaluation

18F Bid Process

18A General Considerations

This chapter defines the scope of services the Commission may provide to enable a vocational rehabilitation consumer to establish a small business enterprise under an approved IPE. Since the Commission does not provide management services for small business enterprises, the small business services provided by the Commission will be solely to establish businesses that are managed by the consumer and which provide the consumer with full-time, gainful

employment. Self-employment in a profession is a kind of small business enterprise. In many cases the consumer will need other sources of capital (his own funds, Small Business Administration loans, etc.) to make up the total required to establish the business. The consumer must review the proposed services and vendors with the counselor and be afforded an informed choice of services and vendors. This chapter will not address the establishment of vending facilities under the Randolph-Sheppard Act; services related to the establishment of vending facilities are provided in accordance with Commission regulations on vending facilities (111 CMR 3. 00).

18B Scope of Services to Establish Small Business Enterprises

The scope of services provided by the Commission for the establishment of small business enterprises will be limited to the following services:

- 1) Provision of business equipment such as machinery and appliances normally found and needed at the site of a particular kind of business. Example: a cash register in a store.**
- 2) Provision of initial stocks which are defined as the initial inventory of merchandise or goods necessary for direct resale to consumers or for further preparation for resale to consumers. The consumer is expected to replenish the initial stock when it is depleted.**

- 3) Provision of initial supplies which are defined as the expendable items necessary to enable the consumer to carry out the normal operation of business. Examples: paper, stamps, twine. The consumer is expected to replace these supplies as necessary.**
- 4) Advertising which includes media advertisements, telephone directory listings, signs, and mailings.**
- 5) Lease or rental fees for no more than one year for the space necessary to operate a business, trade, or profession. Ordinarily, rental fees will only be provided for one month.**
- 6) Insurance fees for no more than one year to cover personal liability of the consumer, equipment, stocks and supplies, tools, or premises.**

18C Limitations on Provision of Services to Establish Small Business Enterprises

- 1) Provision of initial stocks and supplies is limited to the amount of such items that will be needed during the first six months the business will be in operation.**
- 2) The Commission will not provide, purchase, or lease any motor vehicles to enable a person to establish a small business.**
- 3) The Commission will not provide funds for the construction of a building or the purchase of any land or**

building.

- 4) The Commission will not become a party to any contract between the consumer and any other individual or organization in relation to the establishment of a small business enterprise.**

18D Consumer Evaluation

The evaluation of the consumer's suitability to operate a small business will ordinarily take place in status 10 as part of the assessment. Factors that must be evaluated by the counselor include:

- 1) The consumer's skills - specific occupational skills are needed in many businesses; the consumer will have to be as well trained as he would be to become employed by someone else. The consumer will also need financial and management skills to operate any small business.**
- 2) The consumer's temperament - has he or she demonstrated the ability and preference to be self-directed and to take initiative? A consumer who has the temperament necessary to be successful in self-employment will be able to research and formulate a sound business plan with minimal direction from the counselor.**
- 3) The consumer's disability in relation to the demands of the proposed business.**

- 4) **The consumer's previous work history and any experience in business.**

18E Business Evaluation

The evaluation of the feasibility of the proposed business will also ordinarily take place in Status 10. The most important factor in this evaluation is the written business plan which the consumer must submit to the counselor. A written business plan must be submitted because vague and imprecise planning is a major cause of small business failure. A detailed and realistic business plan will also demonstrate the consumer's commitment to the kind of serious effort required to operate one's own business. SCORE (The Senior Corps of Retired Executives) which is located in Boston is a resource available to provide free consultation to persons who wish to formulate plans for small businesses. The consumer is required to consult with SCORE before submitting the business plan and to also submit a letter from the consultant used which states his or her opinion about the feasibility of the business plan. The business plan must include:

- 1) **A description of the business which discusses location, market, competition, management, and personnel requirements; and**
- 2) **a description of the finances of the business which discusses sources and application of funding and includes a capital equipment list, a list of initial capital**

requirements, and a personal financial statement.

18F Bid Process

Goods and services with a total cost of less than \$500 may be purchased under the normal proposal procedures. Items purchased from the same vendor that have a total cost of \$500 or more must be purchased through the State bid procedures. The Purchasing, Contracting Property Supervisor coordinates this process. Because the bid process usually takes at least five weeks, it is important to start the process well ahead of the time the consumer will need the services. The final purchase may only be made when the consumer is actually ready to begin self-employment.

Chapter 19 Placement Services Vocational Rehabilitation

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19A General considerations

19B Responsibilities of the Regional Director

19C Responsibilities of the Vocational Rehabilitation Supervisor

19D Responsibilities of the Vocational Rehabilitation Counselor

19A General considerations

The ultimate goal of the Commission for the Blind's Vocational Rehabilitation Program is the placement of each consumer in employment consistent with his or her capacities and abilities. It is understood that the consumer must play as active a role as possible for job placement to be successful. It is the consumer's responsibility to use all the resources at his or her disposal, in addition to the assistance available from the Commission, to find an appropriate job. Employment is defined as a job in the competitive labor market, the practice of a profession, self-employment, farm or family work, home-based employment, supported

employment, or independent homemaking. All services must, via the IPE, be geared toward the achievement of an occupational goal. The development and provision of the placement services are the responsibility of all staff (direct service, supervisory, and managerial), who work in the vocational rehabilitation program .

19B Responsibilities of the Regional Director

The Regional Director is responsible for organizing the overall job placement effort within the region with the assistance of the Vocational Rehabilitation Supervisor. Specific responsibilities are to:

- 1) Specify objectives and action steps, as part of his or her annual plan, designed to maximize job placement within the region.**
- 2) Develop and coordinate, on a regional basis, contacts with appropriate collateral agencies and employer groups.**

19C Responsibilities of the Vocational Rehabilitation Supervisor

The Vocational Rehabilitation Supervisor is responsible for assisting the Regional Director in all aspects of the organization of the regional job placement effort. Specific responsibilities are to:

- 1) Determine, with the assistance of the counselors, which industries and organizations to target for placement**

development.

- 2) **Conduct site visits to new potential employers and share any information and job leads obtained with the counselors in the region.**
- 3) **Report information gathered from counselors' site visits to employers to the Office of the Deputy Commissioner for Services for inclusion in a centralized electronic database.**

19D Responsibilities of the Vocational Rehabilitation Counselor

The Vocational Rehabilitation Counselor is responsible for facilitating the consumer's ultimate job placement and, broadly, for all phases of the placement process. While a number of persons and organizations may be involved, the counselor is the primary planner and coordinator of the placement effort for each consumer. Specific responsibilities are to:

- 1) **Assist the consumer in developing a strategy to obtain a suitable job.**
- 2) **Counseling the consumer about job-seeking skills and assisting the consumer in preparation for job interviews through provision of information about the employer , practice interviews, in preparation of resumes, etc.**
- 3) **Arrange for job interviews for the consumer, when**

appropriate.

- 4) Contact the prospective employer following a job interview to find out the employer's impression to communicate to the consumer.**
- 5) Provide follow-up services to the consumer for a minimum of ninety days after employment begins. Follow-up services are intended to resolve any problems that may arise and to provide support to the consumer. The frequency of calls to or meetings with the consumer during the follow-up depends on the needs of the individual consumer and on the situation.**
- 6) Contact prospective employers with the general goal of promoting the capabilities of blind workers and the specific goal of surveying work facilities in order to identify particular jobs that may be available to blind consumers. The counselor will also seek to identify possible adaptations that might be made to particular jobs to facilitate the employment of blind consumers.**
- 7) Report information obtained from site visits to employers to the Vocational Rehabilitation Supervisor.**

Chapter 20 Post-Employment Services Vocational Rehabilitation

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20A Purpose

20B General Considerations

20C Examples of Post-Employment Services

20D Criteria for Provision

**20E Post-Employment Services to Achieve More Suitable
Employment**

20F Acute Medical Conditions

20G Supportive Vocational Rehabilitation Services

20H Duration of Post-Employment Services

20I Documentation Requirements

20K Termination of Post-Employment Services

20L Comparable Benefits

20A Purpose

The purpose of post-employment services is to provide appropriate vocational rehabilitation services after a consumer has been successfully rehabilitated in order to maintain the consumer is employment, generally, post-employment services may include any services necessary to maintain employment if the services do not involve a complex or comprehensive effort which is unrelated to the original IPE, for example, if a consumer develops a new, secondary disability, or if his disability becomes substantially worse with new functional limitations, or if he has lost his job, a complex or comprehensive effort would be needed to rehabilitate him once again. If complex or comprehensive services are indicated, an entirely new case should be opened.

20B General Considerations

Post-employment services are intended to respond to previously identified, or unexpected or persistent problems and to supplement the services provided prior to rehabilitation. However, the vocational rehabilitation program is not intended to provide all services a blind person may need throughout his or her working life. Therefore, a planned course of activities and services should be developed between counselor and consumer, directed toward the goal of self-sufficiency and job stability. The consumer must review the proposed services and vendors with the counselor and be afforded an informed choice of services and vendors.

20C Examples of Post-Employment Services

The following examples illustrate a few of the many situations that can arise which call for the provision of appropriate post-employment services:

- < A rehabilitated consumer who has been working successfully calls her counselor and says she is having problems getting along with her co-workers and is afraid she may have to quit her job. After discussing the situation, the counselor and consumer agree that counseling about the job situation would be helpful. The counselor provides the counseling over a period of several months and the consumer learns how to better cope with her job situation.**

- < A consumer who has been rehabilitated as a homemaker has moved and needs instruction in the use of an electric stove since she previously used a gas stove. Rehabilitation teaching services are provided as a post-employment service and the consumer is able to continue to function as a homemaker.**

- < A rehabilitated consumer has been working for five months as a dispatcher. The employer is pleased with the reliability and good judgment of the consumer but now reports that the consumer's typing has not improved as quickly as had been expected and that there will have to be considerable improvement soon if they are to keep him on. The counselor and consumer agree that a part-time typing course is an appropriate post-employment service. The consumer's typing**

becomes adequate and his job is no longer in jeopardy.

20D Criteria for Provision

The following criteria must be met before providing post-employment services:

- < The consumer has been previously determined to be rehabilitated (closed status 26).**
- < Post-employment services are necessary to assist the consumer to maintain employment or to obtain more suitable employment if there is no expected substantial change in the type of employment.**
- < The solution of the problem does not involve a complex or comprehensive rehabilitation effort and no extensive new problems exist.**
- < The problem that has arisen is directly related to the consumer's original handicapping condition (for example, a blind consumer who develops employment problems due to a recent hearing loss is not appropriate for post-employment services since the new hearing problem and any needed services to overcome it are unrelated to the consumer's original disability).**
- < The previous data in the case is currently valid and the case record is still available.**
- < If any of these criteria are not met, an entirely new VR**

case should be opened to meet the consumer's need since post-employment services are not appropriate.

20E Post-Employment Services to Achieve More Suitable Employment

- < Post-employment services may not be provided simply to upgrade a consumer's financial status. However, post-employment services may be provided to assist a consumer to achieve more suitable employment, especially where a determination as rehabilitated was based on employment which was appropriate at the time but was below the consumer's potential. New employment may be considered to be more suitable when it is more likely to maintain the consumer in employment, when it is closely related to the consumer's present job and does not require extensive training, and when it will significantly improve the consumer's level of independence.**

20F Acute Medical Condition

Since medical care for acute conditions unrelated to the consumer's disability is a service restricted to the period of active service before rehabilitation, such care cannot be provided as a post-employment service. Physical restoration services may be provided, however, for post-employment treatment of exacerbations, recurrences and complications of the original disability when they jeopardize the consumer's employment. For example, a consumer who was originally diagnosed as having a

secondary psychiatric disability and whose IPE took this disability into account, could be provided psychotherapy as a post-employment service if the psychiatric problem began to affect his work performance. However, a consumer who did not have a previously diagnosed psychiatric disability could not be provided psychotherapy as a post-employment service if a psychiatric disability emerged after closure in status 26. An entirely new case would have to be opened. The reasoning behind this rule is that where extensive new vocational problems arise, a new case will assure adequate assessment and planning to overcome them.

20G Supportive Vocational Rehabilitation Services

Supportive vocational rehabilitation services such as transportation and maintenance (money for extra costs of food, shelter, etc.) may be provided as post-employment services only if the purpose is to enable the consumer to participate in other post-employment services. They cannot be provided simply to support the consumer in employment after closure because employment is not a service, but, rather, a goal. So, for example, transportation to and from work can never be provided as a post-employment service.

20H Duration of Post-Employment Services

The period of time after closure during which post-employment services may be provided cannot be arbitrarily limited but must be determined on an individual basis. (At one time there was a 24-month limit, but no longer.) For example, a consumer who comes back for a

post-employment service five years after closure should be given the service if the case record is available and all the other criteria are met.

20I Documentation Requirements

To document the provision of post-employment services, a written revision to the IPE is required. The revision should specify the type of service, the provider, the anticipated amount and duration of services, anticipated costs and any financial participation of the consumer and also should justify the need for the service. The consumer is placed in status 32. Closure of post-employment services takes place in status 34 and the consumer's movement to status 34 should be noted on a contact report with the reasons for the decision to terminate the services.

20K Termination of Post-Employment Services

Successful closure of post-employment services is a mutual decision of the counselor and consumer based upon a finding that the consumer's employment is now secure. The consumer should be advised that if he or she needs post-employment services again in the future, he may reapply. Unsuccessful closure of post-employment services may occur when the consumer's situation is such that he or she cannot be expected to maintain employment. Sometimes, it will become apparent during the course of post-employment services that the consumer needs a new comprehensive rehabilitation effort and then a new case should be opened and a new IPE developed.

20L Comparable Benefits

Appropriate and available resources should be fully used in the provision of post-employment services. Post-employment services are exempt from the requirement that VR fully consider comparable services and benefits available under other programs before providing the post-employment service. Such services as counseling, evaluation, and placement (which normally would not be subject to the comparable benefits requirement) should not be subject to a test when provided as post-employment services. However, when other services which normally require consideration of comparable benefits such as physical or mental restoration or interpreter services are provided as post-employment services, these services should be provided taking into account any comparable benefits to the extent that they are both appropriate and available.

Chapter 21 Comparable Benefits Vocational Rehabilitation

Contents

21A General Considerations

21B Services Requiring Consideration of Comparable Benefits

21C Services Not Subject to Consideration of Comparable Benefits

21D Criteria for the Use of Comparable Benefits

21E Extreme Medical Risk

21F Use of Comparable Benefits for Extended Evaluation Services, Post-Employment Services, and Services to Family Members

21G Case Documentation

21A General Considerations

This chapter outlines the Commission policy on the use of comparable benefits in the vocational rehabilitation program. "Comparable benefits" are services or financial assistance available through other agencies and programs such as the

department of public welfare, the department of mental health, private health insurance, title XX, or medical assistance which is similar to or like another service in supporting the goals and objectives of the consumer's IPE. The consumer's own funds are not a comparable benefit.

The federal rehabilitation act requires that comparable benefits must be considered and used to the extent possible before spending VR funds for certain services. Comparable benefits must be considered even though this may result in delay of services to a consumer, except that comparable benefits do not need to be considered if the result would be delay in provision of VR services to a consumer who is at extreme medical risk or would delay progress toward achieving the employment outcome identified in the Individual plan for employment or an immediate job placement. There are factors to be considered in determining whether a benefit or service is truly comparable. The service must:

- 1) be available to the individual at the time needed to ensure the progress of the individual toward achieving the employment outcome in the individual's Individual plan for employment; and
- 2) be commensurate to the services that the individual would otherwise receive from the vocational rehabilitation agency.

Early in the rehabilitation process, when gathering preliminary information for case planning, the counselor

should refer the consumer to appropriate agencies and services for a determination of eligibility for comparable benefits. It is important that this be done early so that the availability and adequacy of the comparable benefit can be assessed. Comparable services will be determined to be available unless their use would interrupt or delay:

- 1) The progress of the individual toward achieving the employment outcome identified in the Individual plan for employment;**
- 2) An immediate job placement; or**
- 3) The provision of vocational rehabilitation services to a consumer who is determined to be at extreme medical risk, based on medical evidence provided by an appropriate qualified medical professional.**

21B Services Requiring Consideration of Comparable Benefits

The VR counselor and consumer must fully investigate the feasibility of using available comparable benefits before using MCB funds to purchase the following services whether they are to be provided as regular VR services or as post-employment services:

- 1) physical and mental restoration;**
- 2) maintenance;**
- 3) interpreter services for the deaf;**

- 4) recruitment and training services for individuals with handicaps in new fields of employment;**
- 5) Occupational licenses, tools, equipment, initial stocks and supplies;**
- 6) transportation;**
- 7) training (personal adjustment, vocational, college etc.) services including books, tools, and other training materials. See 111 CMR 6. 00 for description of the application of comparable benefits to college training services. NOTE: Comparable benefits do not include awards and scholarships based on merit.**

21C Services Not Subject to Consideration of Comparable Benefits

Referral, counseling and guidance, rehabilitation engineering and placement services may be provided without consideration of comparable benefits; however, with the exception of rehabilitation engineering services, these services are almost always provided by the agency staff without cost. Paid evaluation services may be provided without consideration of comparable benefits. Rehabilitation technology, including telecommunications, sensory, and other technological aids and devices may also be provided without consideration of comparable benefits. In addition, any of the services are exempt from the requirement to use comparable benefits when they are provided as post - employment services. Counselors are encouraged to use

appropriate comparable benefits to provide any of these services but they may choose to purchase the service if they believe that a paid service will be superior or timelier than one available through comparable benefits.

21D Criteria for the Use of Comparable Benefits

Consumers must apply for and accept those comparable benefit services to which they are entitled from another agency or program as long as the services meet the criteria set forth in section 21A and discussed more fully below.

The comparable benefit service need not be used if the counselor and the consumer jointly determine and document that it would be inappropriate because:

- 1) the services provided by the comparable benefit resource are inaccessible to the consumer; for example, the training facility is 100 miles away from a commuting consumer's or the service provider states in writing that it cannot accommodate blind consumers; or**
- 2) use of the comparable benefit would interfere in some demonstrable way with the achievement of the rehabilitation objective and therefore would not satisfy the requirements of the IPE; for example, the training provided by the comparable benefit resource is not likely to lead to competitive employment in the chosen field because the training program is unaccredited; or**
- 3) use of the comparable benefit would aggravate the**

consumer's disability; for example, the schedule maintained by the comparable benefit facility is so irregular that a diabetic consumer's need for regular meals and exercise would be compromised resulting in problems controlling blood sugar. This example describes a situation which would be extremely unusual. It is not expected that there would be many instances when use of a comparable benefit would aggravate the consumer's disability.

The comparable benefit service does not have to be the best of its kind or the most convenient to the consumer to meet the criteria which mandate its use in place of paid vocational rehabilitation services. Refusal or failure to apply for comparable benefits may result in the denial of paid services. When a consumer fails to apply for a comparable benefit, the counselor should document the reasons in the case record.

21E Extreme Medical Risk

In addition to the criteria mentioned above (section 21D) the circumstance of extreme medical risk to the consumer allows provision of services needed to lessen the extreme medical risk without consideration of comparable benefits. In most cases, services that would meet this condition would be physical and mental restoration services. Counselors may only make a determination that there is extreme medical risk if medical evidence indicates that the consumer is at risk of substantially increased functional impairments or at risk of death if services are not provided expeditiously. This evidence must be provided by an appropriate licensed

medical professional and be fully documented in the case record.

21F Use of Comparable Benefits for Extended Evaluation Services, Post-Employment Services, and Services to Family Members

When a particular service which normally requires consideration of comparable benefits is provided in extended evaluation (status 06), in post-employment (status 32), or as services to family members, the counselor must give full consideration to the use of comparable benefits.

21G Case Documentation

Completion of the comparable benefits checklist on the IPE (form VR-4) will in most cases provide adequate case documentation of the consideration and use of comparable benefits. In those instances when it may be debatable whether the comparable benefit service is appropriate, the counselor should provide a full explanation of the reasons for his or her decision on a contact report.

More documentation is required when college training is being provided. The requirements relative to college training are contained in the regulations on college training services (111 CMR 6.00, see policy memo #55).

Chapter 22 Supported Employment Services Vocational Rehabilitation

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22A General Considerations

22B Eligibility for Supported Employment

22C Criteria for Supported Employment Services

22D Placement into Supported Employment

22E Extended Support Services

22F Rehabilitation into Supported Employment

22A General Considerations

Supported employment means:

Supported Employment means employment in an integrated, work setting typically found within a community, with ongoing support services for individuals with the most significant disabilities, where the opportunity is present to be earning, or working toward earning the commensurate competitive wage for the position. Some VR consumers may make an informed choice to pursue a vocational goal of supported employment. Supported employment is most appropriate:

- 1) for individuals whom competitive employment has not traditionally occurred, or for whom competitive employment has been interrupted, or intermittent as a result of a significant disability; and**
- 2) who, because of the nature and significance of their disabilities, need intensive supported employment services from the Massachusetts Commission for the Blind and extended services after transition in order to perform this work; or**
- 3) As transitional employment for individuals with the most significant disabilities due to mental illness.**

A consumer should be counseled to consider supported employment only after all alternative vocational goals have been explored and it has been determined that , without supports, the consumer is unemployable in the competitive labor market at this time and can benefit from supported employment . A thorough assessment must be done in all cases. In the Commission's experience, a number of consumers whose cases were closed in supported employment have, after receiving supported employment services, become able to pursue competitive employment goals. However, no consumer for whom a plan leading to competitive employment can realistically be developed should be provided supported employment services .

22B Eligibility for Supported Employment

A person is eligible for supported employment services if he or she is:

- 1) Is eligible for VR services.**
- 2) Has not worked in competitive employment or has only worked intermittently in competitive employment due to a severe disability. The nature of the consumer's problems in working competitively must be explained in the case record so that it is clear that a competitive employment goal would not be realistic for the consumer even with the provision of traditional V R services.**
- 3) Has a need for on-going support services in order to be able to perform competitive work. The case record should explain what kinds of supports are needed and make it clear that the consumer needs more than transitional support services (except in the case of mental illness as stated above), that is, that his or her need for support services is expected to be on -going in order to continue to perform the job after case closure.**

22C Criteria for Supported Employment Services

Supported employment services :

- May be provided under regular VR funds when necessary. A consumer may need supported employment services or services similar to supported employment services and, yet, not meet all the criteria for supported employment services provided out of Title VI (Supported Employment) funds. For example, the consumer may be expected to need transitional support services for six months to adjust to a job; such a consumer would not meet the criterion of needing on-going support and could not be served under**

Title VI. However, the consumer could be provided the needed services under the regular VR program, since the goal would be closure into competitive employment after the transitional support services are completed.

Supported employment services may also be provided under regular VR funds when Title VI funds have been exhausted.

- **Include evaluation of rehabilitation potential when a supplementary evaluation is necessary after the regular evaluation provided under regular VR funds and after determination of eligibility for VR. Reasons why a supplementary evaluation may be necessary include: a reassessment of the suitability of the placement is warranted; there is a change in the consumer's medical condition; additional information is needed in order to determine the most suitable supported employment placement or what on-going support services will be needed to support the consumer on the job.**
- **Provision of time-limited supported employment services such as: intensive on-the-job skills training such as that provided by job coaches in order to achieve and maintain job stability; follow-up services including contact with employers, consumers, and parents, when appropriate, in order to stabilize the job placement; post-employment services after closure that are unavailable for the extended services provider and that are necessary to maintain the job placement. Examples of appropriate post-employment services are: job station redesign, repair of assistive technology, replacement of prosthetic devices. Post-employment services cannot be provided to provide job**

coaches on an on-going basis or to provide transportation to work or to provide personal care assistance, etc.

- **Time-limited supported employment services provided before closure are not to exceed 18 months unless under special circumstances the eligible individual and the rehabilitation counselor or coordinator jointly agree to extend the time to achieve the employment outcome identified in the Individual plan for employment and the special circumstances have been documented in the case record. Thus, ordinarily the supported employment services may not last longer than 18 months. When a longer period is planned for in the IPE, the documentation in the case record must make it clear that unusual or unexpected circumstances make the longer period necessary. In addition, the length of the planned services must be definitely stated in the IPE or amendment.**

22D Placement into Supported Employment

- **Must be competitive employment for which the consumer is paid in accordance with the Fair Labor Standards Act.**
- **May be full-time or part-time, but the employment must be regular and the number of hours per week that the consumer will work must be established in the IPE. If the employment is part-time, the reasons must be fully explained.**
- **The employment must be in an 'integrated work setting' which means a job site of either of the following types: 1) Most of the other employees are not handicapped and the consumer interacts with them on a regular basis in the performance of his duties. (Interaction with job coaches**

and service providers does not fulfill this requirement.) A consumer in this kind of work setting may be part of a work group of other handicapped employees, but if so, the work group may not consist of more than eight handicapped employees and the requirements that most of the employees not be handicapped and that there be regular interaction still apply; or 2) There are no other employees or the only other employees are part of work group of no more than eight handicapped employees. In such a work site, the consumer must interact on a regular basis in the performance of his duties with persons who are not handicapped, including members of the general public. Again, interaction with job coaches and service providers does not fulfill this requirement.

22E Extended Support Services

Extended support services are:

- 1) On-going support services that are provided after closure and are necessary for the consumer to maintain his employment. VR funds may not be used to provide these services. Another appropriate resource must be identified before the IPE is developed and the IPE justification must state that the other resource (for example, a private non-profit organization or another state agency) has agreed to provide and coordinate the on-going support services needed in the particular case. The case record should also contain written documentation of this agreement such as a letter from the resource or, in the case of deaf-blind consumers**

whose on-going services will be provided by Title XX funds, a memo from the Director of the MCB Multi-handicapped Unit.

- 2) Must include, at a minimum, twice-monthly monitoring at the work site to assess employment stability. The IPE may alternatively call for off-site monitoring and coordination of support services. If off-site monitoring is determined to be appropriate, it must at a minimum consist of at least two meetings with the consumer and one contact with the employer each month. “Natural supports” such as a co-worker or supervisor or a non-VR case manager may provide the twice-monthly monitoring.**
- 3) If the consumer does not need or will not need extended supported employment services as described above on an on-going basis, supported employment is not the appropriate goal and the consumer should be served under the regular VR program.**

22F Rehabilitation into Supported Employment

The criteria for successful rehabilitation into a supported employment goal are that the consumer has made the transition to extended services, that the placement is stable and the extended services will be provided by another resource indefinitely, and that there has been at least a ninety-day follow-up period after the extended services have begun.

The case closure documentation must include (in addition to the usual requirements):

- **The dates during which Title VI funds were used and the services provided with them, and also any services provided under regular VR funds.**
- **A statement that the consumer is working competitively and the number of hours the consumer works each week, and that the consumer is being compensated under the Fair Labor Standards Act.**
- **A description of the 'integrated work site'.**
- **A description of the extended services being provided to the consumer and of the source of the funding for the extended services.**

Chapter 23 Case Recording Vocational Rehabilitation

23A Purpose of Case Recording

23B Principles of Case Recording

23C What to Include

23D What Not to Include

23E Breakdowns in Case Recording

23F Styles of Case Recording

23A Purpose of Case Recording

The primary purpose of case recording is to give a clear picture of the consumer and the vocational rehabilitation process. Case recording should be comprehensive enough, and current enough, so that another staff member or a supervisor can pick up the threads of the case and, if there is a change of a counselor, case progress can be carried on intelligently.

Case recording serves several other important purposes:

- **It encourages good counseling relationships bringing into focus pertinent data about the consumer.**
- **It contributes to sound thinking on the part of the counselor because he or she must be selective in the recording of information and must make the data meaningful.**
- **It substantiates a particular course of action and expenditure of public funds.**
- **It gives information that is essential for supervision.**
- **It reflects the effectiveness of the services provided.**

Many professionals find case recording to be a tedious task. However, it must be stressed that it is a most important responsibility of every staff member.

23B Principles of Case Recording

- 1) All significant material should be recorded.**
- 2) All forms should be filled out completely and accurately.**
- 3) Forms or sections of forms which call for an evaluation of data rather than mere facts should reflect the counselor's thinking and interpretation and be clearly identified as such.**
- 4) In addition to reflecting the counselor's thinking and**

action, the record should reflect the consumer's thinking, perceptions, actions, and feelings as the consumer states them and should be clearly identified as such.

- 5) Case recording should reflect the dynamics of the counseling process. Achievement toward goals should be depicted.**
- 6) The consumer's actions and statements should be described in concrete behavioral terms. Don't say "Mrs. A. is a chronic complainer"; a concrete, behavioral description would be "Mrs. A. says that the ABC association has neglected her case and that MCB has never helped either."**
- 7) Every contact report should show clearly what the next step in the processes will be, who is to take it, and when it will be taken.**
- 8) Hearsay information should not be recorded and opinions about the consumer should be identified as such and not stated facts. The sources of all information about the consumer should be identified in the case record.**

23C What to Include

Generally, any significant information, events or developments in the case should be recorded. These include:

- **The consumer's perception of his or her vocational problem, including changes in the consumer's perception of his vocational problem throughout the VR process.**
- **Any new medical, vocational, personal or financial information that becomes available at any time during the VR process. Evaluation is important at all stages of a case.**
- **Discussion of the pros and cons of the various vocational goals that have been explored.**
- **Rationale for providing services in special or exceptional situations.**
- **Explanation of a case being in a particular status for an unusual length of time.**
- **Loss of contact with the consumer and attempts to contact the consumer.**
- **Significant changes in the consumer's situation which might affect the program.**
- **Explanation of the reasons for any service interruptions and the next steps the counselor intends to take.**
- **The counselor's evaluation of the consumer's job readiness. This evaluation need not be more than a few paragraphs but it should state the reasons why the counselor believes the consumer is now ready for employment, why the consumer believes he is ready employment, and an outline what the placement plan is.**
- **Placement efforts such as employer contacts made on behalf of the consumer.**
- **The results of follow-up contacts made after job placement.**

23D What Not to Include

- 1) It is not necessary to repeat information which is recorded on other forms or reports which are already part of the case record. For example, if the counselor receives a letter, the contents of the letter do not need to be recorded on a contact report because the letter itself will be in the case.**

- 2) It is not necessary to record status changes on contact reports when the status change can be noted on another form which the supervisor will see. For example, it is easier to write: "change to status 12" across the top of the IPE than to write a separate contact report to make the change.**

- 3) It is not absolutely necessary to write a contact report on every counseling session, phone call, etc. Counselors are expected to use judgment and common sense in deciding what contacts or events are significant enough to be recorded in detail. At a minimum, there should be a summary contact report every three months which gives a brief picture of what has happened since the last contact report, what will happen now, and what is expected to happen in the future.**

- 4) Psychological labels should not be used to describe a consumer unless the case contains documentation that a psychiatric condition exists. A statement such as "Mr.**

Y. is schizophrenic" is inappropriate; it would be perhaps accurate instead to state, "Dr. P. has evaluated Mr. Y. and made a diagnosis of simple schizophrenia, "refer to Dr. P's letter of January 12."

23E Breakdowns in Case Recording

Case recording seems to break down most often just after an IPE is written. The reason for this could be that the counselor believes that the major part of his job is completed and so he can turn his attention to other consumers. Another obvious point of breakdown occurs after "the consumer completes his vocational training or other services and is ostensibly ready for employment. When the counselor fails to develop and record a specific organized plan for job placement the consumer is sometimes left on his own to find a job when he may need the placement help of MCB.

23F Styles of Case Recording

The style of case recording used is a matter of personal preference as long as the necessary information recorded. It doesn't matter whether the counselor refers to the consumer as the consumer" or as "Mr. Jones" or whether he refers to himself as "I" or as "the counselor." Some counselors naturally write succinctly, others prefer to make detailed notes to help them think things through. The content is important; the style is not.

Below are descriptions of some styles of case recording

often used by VR counselors.

- 1) Some counselors find it useful to record every contact with the consumer immediately afterwards describing the conversation and anything else of significance. A good outline for this kind of contact report is: 1) what happened since the last contact, 2) the goal of this contact, 3) the topics discussed, and 4) the next steps agreed upon for both the counselor and the consumer. (A counseling session should not end until the next steps are agreed upon).**
- 2) Some counselors prefer to write a summary contact report every month or two to describe the progress the consumer has made since the last report.**
- 3) Some counselors find it helpful to organize their writing of contact reports around a mental checklist of the questions: who? what? why? how? where? when?**
- 4) Some counselors like to use caption headings in contact reports to save time such as "job leads to be explored" or "options for training" or "next step."**
- 5) Some counselors write acceptable contact reports without always using complete sentences. A shorthand notation such as "Says fed up with red tape at school" is sufficiently clear.**

Chapter 24 Other Goods and Services Vocational Rehabilitation

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24A General Considerations

24B Other Goods and Services That Are Not Provided

24C Documentation and Approval Required

24A General Considerations

The Massachusetts Commission for the Blind provides other goods and services under an approved Individual Plan for Employment (IPE) when they are necessary for the consumer to reach her or her vocational objective. "Other goods and services" are vocational rehabilitation services which are not specified elsewhere in the Client Services Manual or in the federal vocational rehabilitation regulations. An example of "other goods and services" would be a suit for a consumer who is in placement status seeking a professional position who has no appropriate clothing for job interviews. As may be seen from this example, "other goods and services" are meant to meet unusual needs arising from the consumer's individual circumstances. It must be emphasized that provision of other goods and services is only allowable when the service is necessary to meet the vocational goal. Services that are desirable or would merely enhance the consumer's functioning are not permitted. When "other

goods and services" are to be provided, the case record must specifically document the need for the service and the fact that the vocational objective is unlikely to be attained without provision of the service.

24B Other Goods and Services That Will Generally Not Be Provided

The Commission does not generally provide the following types of goods and services to vocational rehabilitation consumers unless there are exceptional circumstances and the service has been approved by the Deputy Commissioner for Services:

- **Automobiles, trucks, or vans**
- **Adaptations to motor vehicles**
- **air conditioners**
- **tandem bicycles or other recreational equipment**
- **land, buildings, or other real estate**
- **furniture**
- **washers, dryers, stoves, or refrigerators**
- **experimental surgery**

24C Approval Required for Provision of Other Goods and

Services

Because "other goods and services" are by their nature, unusual services, extensive documentation of the need for the service is required. An exact description of the service must be recorded on the IPE or IPE amendment and approved by the supervisor.

**Chapter 25
Case Closure
Vocational Rehabilitation**

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25A General Considerations

Case closure is the action taken when the counselor determines

that the consumer has completed VR services or is unable or unwilling to complete them. Closure may occur at any time during the VR process.

It is very important to either close a case or place it in status 24 when active rehabilitation services are no longer being provided. Since it is always possible to open a new case, counselors should not keep inactive cases open unless there is a definite plan to resume active services within a specified time frame.

25B Reasons for Case Closure

There are three principal reasons for case closure: the consumer is ineligible; the consumer is rehabilitated; or the consumer is expected to be unavailable for an extended period of time. The counselor will make an individual judgment about when an "extended period of time" of unavailability makes it impractical to plan for services. Generally, an "extended period of time" will be three or more months. Consumer ineligibility and consumer rehabilitation are discussed elsewhere in this chapter. The consumer's case should be closed because of unavailability in the following situations.

- 1) The person has died. Note in the case record how the counselor learned that the person has died. (Notify the central register of the death.)**

- 2) The person has moved out of state or been transferred to Massachusetts Rehabilitation Commission. See section 25G.**

- 3) It has proved impossible to contact the person after reasonable efforts have been made to do so.**
- 4) The person has declined to accept or use vocational rehabilitation services after reasonable efforts have been made to encourage his or her participation. When the person declines to use VR services, or fails to cooperate, the counselor must make a judgment, backed by documentation in the case record, about when reasonable efforts have failed to enlist the consumer's participation. For example, a consumer who repeatedly cancels appointments (three or more, depending on the circumstances) without good reason is probably declining to use VR services.**
- 5) The person has been institutionalized under circumstances making him or her unavailable to participate in services for an indefinite or considerable period of time. This, again, will be a judgment made by the counselor based on the facts of the case. For example, a person might be a patient at a state hospital and still be available to participate in VR services on a day basis. Another person might be imprisoned for a year with no provision for work release, and, therefore, unavailable.**

25C Ineligibility

A case may be closed because the consumer has been found to be ineligible at any time during the VR process.

There are a number of legally required actions that must be taken when a consumer is found ineligible. These steps are

discussed in detail in chapter 3.

It should be noted that when a case is closed from status 12 or above because of ineligibility (status 28 or 30), an IPE program attachment (form VR-6) must be completed as well as a certificate of ineligibility (form VR-3). The counselor can merely write on the program attachment a reference to the certificate of ineligibility which will contain the details.

25D Case Closure from Referral and Applicant Status

Status 01 is used when a person is closed from referral (00); status 08 is used for closure from applicant (02) status. The counselor may make a judgment to close the case because the person is ineligible for VR services or because the person is unavailable for one of the reasons listed in section 25B. When the person is ineligible, the closure action is recorded on the certificate of ineligibility. When the person is unavailable, the closure action and the reasons for it are recorded on a contact report. The person must be notified in writing of the closure from these statuses only in cases of ineligibility.

25E Case Closure from Extended Evaluation Status

Cases in status 06 are closed in status 07. Criteria for closing cases from extended evaluation are:

- 1) Ineligibility The counselor will find the person ineligible for any additional VR services when it has been determined beyond any reasonable doubt that the person cannot be expected to benefit in terms of employability from VR services.**

- 2) **Unavailability** - The person may be unavailable to participate in the extended evaluation for one of the reasons listed in section 25B. The case must be closed as ineligible and a certificate of ineligibility completed which explains the reasons for the person's unavailability for evaluation.

25F Case Closure from Active Status When Not Rehabilitated

Status 28 is used for closures from statuses 18-24. Status 30 is used for closure from statuses 10 and status 31 for closures from status 12. Status 28, status 30, and status 31 closures are recorded on IPE program attachment (form VR-6). The counselor may make a judgment to close the case because the person is ineligible for VR services or because the person is unavailable for one of the reasons listed in section 30B. When the person is ineligible, the closure action is recorded on both the certificate of ineligibility and the IPE program attachment (form VR-6). (The IPE program attachment can merely refer to the certificate of ineligibility.) When the person is unavailable, the closure action is recorded only on the IPE program attachment. The consumer must be notified in writing of the closure action. There is an optional form letter (VRL -2) which may be used for this purpose.

25G Transfer to Another VR Agency

When it is necessary to 'transfer' a consumer to another VR agency (either an agency in another state or the Massachusetts Rehabilitation Commission), MCB's case must be closed in status 08, 28, or 30, or 31. In such cases, the counselor should

contact the other VR agency and discuss the consumer's plans. The consumer should be given the name and address of the person to contact at the other agency and be told to contact the person as soon as possible. A duplicate case record or a summary of case data should be sent to the consumer's new counselor once one is assigned. MCB's case should be closed as soon as it is known that the new agency and the consumer have made contact.

25H Closure from Active Status When Rehabilitated

In order for a case to be closed as "rehabilitated" in status 26, the following criteria must be met.

- 1) The consumer must have received an evaluation and counseling and guidance.**
- 2) The consumer must have received substantial vocational rehabilitation services in accordance with the IPE.**
- 3) It must be determined through follow-up that the consumer has maintained suitable employment for at least sixty days.**

The case record must show that these requirements have been met.

The consumer must be notified in writing of the closure action. There is an optional form letter (VRL-1) which may be used for this purpose.

25I Substantial Rehabilitation Services

Substantial rehabilitation services are defined as any VR services provided within a counseling and guidance relationship that contributes in an identifiable way to the rehabilitation of the consumer. The substantiality of the service can best be determined by its contribution, or effect on, the consumer's ability to reach the vocational goal, rather than on factors such as the number of services or expenditures although such factors may be good indicators. In essence, the services provided must have had a discernible impact on the person's employability. When the facts of a given case do not support the substantial effect of the services on the ultimate employment of the consumer, the case should be closed not rehabilitated (status 28).

25J Suitable Employment

An occupation may be considered suitable when; after a reasonable period of adjustment (no less than 60 days), the counselor believes that the following conditions are met:

- 1) The consumer and the employer are reasonably satisfied.**
- 2) The occupation is consistent with the consumer's capacities and abilities, taking into consideration the consumer's choice.**
- 3) The consumer has the skills necessary to perform the work.**
- 4) The employment and working conditions will not aggravate the consumer's disability. It is understood, however, that the consumer may choose to accept a job which, in the counselor's opinion, does not meet this criterion. In such a case the case record should show that the counselor has explained to the consumer why he thinks the job may not**

be suitable and that the consumer has made the job choice in light of all the facts.

25K Case Closure from Post-Employment Status

Successful closure of post-employment services is a mutual decision of the counselor and consumer based on a finding that the employment is now secure. The consumer should be advised that if he needs post-employment services again in the future, he may reapply.

Unsuccessful closure of post-employment services may occur when the consumer's situation is such that he cannot be expected to maintain employment. Sometimes it will become apparent during the course of post-employment services that the consumer needs a new comprehensive rehabilitation effort and, then, a new case should be opened and a new IPE developed. See chapter 25 for more information about post-employment services.

All closures from post-employment status are made on an IPE program attachment (form VR-6).

Chapter 26
Recruitment and Training Services to Provide New Employment
Opportunities in the Fields of Rehabilitation, Health,
Welfare, Public Safety, Law Enforcement and Other
Appropriate Public Service Employment
Vocational Rehabilitation

The Massachusetts Commission for the Blind will, when appropriate and available, provides recruitment and training services to provide new employment opportunities in the fields of rehabilitation, health, welfare, public safety, law enforcement, and other appropriate public service employment.

Chapter 27 Low-Vision Services

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27B Consumer Understanding of Low-Vision Services

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27E Consumer's Ophthalmologist's or Optometrist's Opinion

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27I Follow-up After Provision of Low-Vision Aids

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27A General Considerations

The Commission's policies and fees for low -vision services are uniform for the social rehabilitation, vocational rehabilitation, independent living, and medical assistance programs. While the procedures to be followed in authorizing the services are the same for the VR, IL, and SR programs, slightly different procedures are necessary when the service is to be provided under-toe medical assistance program. These guidelines contain the Commission's policies and fees and the procedures to be followed in various circumstances.

27B Consumer Understanding of Low-Vision Services

When a worker is considering referring a consumer for a low-vision evaluation, a necessary first-step is to fully explain both the advantages and disadvantages of low -vision devices to the consumer. The consumer should understand that low -vision devices can help compensate for visual loss but do not restore vision or completely correct it.

The worker should explain that an aid may be useful for only one particular task. The effort involved in learning a new visual technique and the necessity for extensive practice before substantial usefulness can be expected should also be discussed.

Since consumers understandably sometimes get confused about the relationship between low -vision providers and the Commission, it is necessary to make every effort to assure that the consumer understands the limits of the Commission's authorization of services. Some low -vision providers may ask

the consumer to return for follow-up visits that have not been authorized by the worker or for visits that cannot be authorized under the policies outlined in this chapter. Sometimes a consumer will get a letter from a clinic to come in for an annual checkup. To prevent misunderstanding, the worker should explain to the consumer that all visits beyond the first two must be approved by the worker before the Commission can accept financial responsibility. Since this is a very problematic issue, the worker must supplement his verbal explanation by having the consumer read and sign the low-vision services information form (see section 27K) and by giving the consumer a copy of the form to keep for his reference.

27C Fees

- 1. Initial low-vision evaluation visit - \$35.00 maximum.**
- 2. Second visit \$20.00 maximum.**
- 3. Third visit \$20.00 maximum; (prior approval required by MA if the consumer is MA eligible, by counselor or social worker if services are to be provided under VR or SR).**
- 4. Total cost of the initial evaluation and subsequent visits for the first six months period may not exceed \$75.**
- 5. After six months has passed since the initial visit, prior approval will become necessary to schedule subsequent follow-up visits, not to exceed a maximum of two visits at a cost of \$20 per visit.**
- 6. Included in the initial evaluation fee will be the loan of an aid or device to the patient for at least a four -week**

period.

- 7. Low-vision aids and devices ranging in acquisition cost from \$1.00 to \$200.00 - the acquisition cost, plus a maximum markup not to exceed 40% of the acquisition cost will be allowed.**
- 8. Low-vision aids and devices whose acquisition cost exceeds \$200.00 - the acquisition cost, plus a flat fee not to exceed a maximum amount of \$100.00, will be allowed.**

27D Limitations

- 1) The Commission will not provide goose neck lamps under any of its programs, unless the approval of the ophthalmological consultant is obtained. The ophthalmological consultant will not approve provision of a goose neck lamp unless:**
 - the prescribed low-vision aid cannot be used without such lighting, and**
 - The consumer does not have proper lighting available in his home. When a worker believes that a goose neck lamp may be indicated, the worker will visit the consumer's home in order to make a recommendation to the ophthalmological consultant.**
- 2) 2) The Commission will not provide prescription sunglasses unless the approval of the ophthalmological consultant is obtained. The ophthalmological consultant will not approve prescriptions for sunglasses unless the quantification of**

the glare factor demonstrates the need for sunglasses.

27E Consumer's Ophthalmologist's or Optometrist's Opinion

The worker must first send the attached form letter (see section 27K) to notify the consumer's ophthalmologist or optometrist that the consumer is interested in a low-vision evaluation and to request his opinion about the possible value of the evaluation. The doctor's opinion should be recorded in the case and shared with the consumer to help the consumer to decide whether to go for the evaluation. In cases where MA will pay for the evaluation but the consumer is an active VR, IL, or SR consumer, the worker must send a copy of the proposal for the evaluation to the medical social worker in MS.

27F Procedure for Approval of Devices to be Provided Under VR, IL, or SR When the Acquisition Cost Is Less Than \$300

The purchase of a low-vision device under the VR, IL, or SR programs may be approved by the regional director or program director when the acquisition cost of the device is less than \$300. When three or more devices are prescribed for one person, the procedure below for devices more than \$300 is to be followed, even though the acquisition cost of each device may be less than \$300.

27G Procedure for Approval of Devices to be Provided Under Ma When the Acquisition Cost Is Less Than \$300

When a VR, IL, or SR consumer is eligible for medical assistance and the acquisition cost of the device is less than \$300, the worker will give the eye report specialist a packet

containing the following:

- **a handwritten proposal for the prescribed device**
- **MCB form 400b (see section 27K) completed by the provider or prescribing professional stating the need for and potential use of the aid recommended and the acquisition cost.**

These requests will be reviewed for approval by the low -vision consultant. The eye report specialist will coordinate the review.

27H Procedure for Approval of Devices When the Acquisition Cost Is More Than \$300

When the acquisition cost of a device is more than \$300 or when three or more less expensive devices are prescribed for one consumer, this procedure is to be followed no matter which funding source will pay for the services. By the Tuesday before the ophthalmological consultant's visit (the consultant visits every other Thursday), the regional worker will give to the eye report specialist a packet containing the following:

- **a handwritten proposal**
- **a copy of the most recent eye report**
- **MCB form 400a completed by the provider or prescribing professional stating the need for and potential use of the device recommended and the acquisition cost.**

These requests will be reviewed by the ophthalmological consultant and the low-vision consultant. The eye report specialist will coordinate the review.

271 Follow-up after Provision of Low-Vision Aids

A significant number of consumers who have been provided low-vision aids find that they have great difficulty using them. Some consumers have aids that are not useful for the tasks they wish to perform. Some consumers' vision has changed since the aids were prescribed. Some consumers just need brief training to use the aids. The majority of consumers who have difficulty have not practiced enough to become proficient or have been led to expect too much improvement from the aids. Because there are a number of different problems that can make the device useless to the consumer, follow-up is necessary in every case.

The worker should see the consumer about two weeks after the last scheduled visit to the low-vision clinic or provider to find out whether the consumer is regularly using the aid for the purpose or task for which it was prescribed. If the consumer is not using the aid regularly at that point, the worker should explain to the consumer the importance of daily practice and ask if the consumer is willing to try to see whether a few weeks of regular practice will help. The worker should plan to see the consumer in another two weeks to find out whether to the consumer now feels more comfortable using the aid.

If the worker concludes on the first or a later follow-up meeting with the consumer that the consumer's practicing on his own for a time will probably not be enough to make the aid useful to

the consumer, the worker should refer the consumer to an RT for more extensive follow-up. There are one or more rehabilitation teachers in each region who will accept such referrals. If the consumer would like to use the aid at his job, referral should be made to the low-vision consultant. It is important to recognize and accept that some consumers, because of the difficulty of learning to use low-vision aids efficiently, will make a decision that the potential benefit is not worth the effort. The worker might, in certain situations, ask a consumer if he has decided that the effort is not worthwhile. Sometimes it will be a relief for the consumer to admit that he has decided that low-vision aids are not for him. Some consumers may wish to return the aid to the Commission. Any aids that are returned should be sent to the low-vision consultant.

27J Use of the Low-Vision Consultant

The low-vision consultant ordinarily becomes involved in services to an individual consumer in one of the following situations:

- When the worker is uncertain whether there would be any value to having a low-vision evaluation. The low-vision consultant will visit the consumer and perform a functional vision assessment to determine whether the consumer has enough residual vision to warrant a low-vision evaluation.**
- When a worker or low-vision evaluator has a question about whether low-vision devices could help the consumer to perform a specific task such as operating a sewing machine, the worker may request that the low-vision**

consultant visit the consumer at home or on the job to assess the task and the environment. The consultant's recommendations will be useful to the worker, the low-vision evaluator, and the ophthalmological consultant in deciding whether low-vision devices can enable the consumer to do the task.

- **When a consumer is having difficulty in using an aid on the job, the worker should refer the consumer to the low-vision consultant for an assessment of the problem.**
- **When a rehabilitation teacher who is providing low-vision follow-up is unsure of the cause of the problem or the best training approach, referral will be made to the low-vision consultant who may, if appropriate, design a training program for the consumer which the rehabilitation teacher will monitor and carry out.**

27K Sample Letters and Forms

The letter below must be sent to the consumer's ophthalmologist or optometrist before any low-vision evaluation is scheduled. Since ophthalmologists are one of our principal sources of referrals, it is very important to extend them this courtesy. A dated copy of the letter sent is to be kept in the case record to be available should there be any inquiry.

Name of Patient:

Address

Dear

Massachusetts Commission for the Blind
Client Services Manual
January 2009

The above-mentioned patient is interested in having an evaluation for low-vision aids to be provided by a clinic or professional specializing in this type of service. I would appreciate an expression of your opinion about the possible value of this kind of an evaluation for this patient. I will share your thoughts with the patient to aid him or her in reaching a decision about whether to have the evaluation. If the patient decides to request the evaluation after receiving your opinion, we, as a public agency, will be required to provide the evaluation.

Also, please let me know if you recommend a particular clinic or professional specializing in this type of evaluation as best suited to evaluate this patient. If I do not hear from you within two weeks, I will assume you have no comments about this evaluation.

Thank you for your assistance.

Very truly yours,

MASSACHUSETTS COMMISSION FOR THE BLIND LOW-VISION SERVICES INFORMATION

Your worker is referring you for a low -vision evaluation to find out whether low-vision devices could help you to use your vision better. The Commission plans to pay for up to two visits to the doctor or clinic to make this evaluation. If a third visit is

required, your worker must approve the visit. Otherwise, the Commission will not be responsible for the cost of a third visit.

If the clinic or doctor prescribes any low -vision devices, your worker must approve the purchase of these devices. The Commission will only pay for devices which it has approved in advance.

If you are contacted at any time after the first two visits by a low-vision clinic or doctor to come in for a checkup, you must call your worker to find out whether any additional visits can be approved or whether you will have to pay yourself if you wish to go. Sometimes, a doctor or clinic will contact a patient for a checkup once a year but, even so, the Commission cannot be responsible for any visits that are not approved by its workers.

I have read and understand the above information and have been given a copy of it for my reference.

Consumer's Signature

Date

Chapter 28

Transition Services to Adolescents

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28A General Considerations

In this chapter, the term adolescent is used to refer to a blind person between the ages of 14 and 22 (or the age of high school graduation). Adolescents may be eligible for any of the services offered by the Commission depending on the individual's needs and circumstances. However, adolescence is usually the time when a legally blind person becomes ready to become involved in vocational rehabilitation services. The procedures discussed in this chapter have been developed to facilitate appropriate case manager assignment and service planning for the adolescent who has reached age 14 and, thus, will no longer be served by the children's worker.

28B Preparation for Transfer from Children's Worker at Age 14

The children's worker will make plans to transfer each active case on his or her caseload when the adolescent turns 14 or, with the Regional Director's approval, by the end of the school year in which the adolescent becomes 14 years of age. The children's worker will update the case record. This update must include discussion of:

- recent contact with the adolescent**
- recent contact with the parents**
- the adolescent's progress in school**
- the adolescent social progress**
- the adolescent's activities of daily living skills**

When an adolescent who is known to the Commission does not have an active children's services case, the children's worker will refer the adolescent to the VR counselor within 30 days of the adolescent's 4th birthday. The VR counselor will arrange to meet with the adolescent and parents and prepare a report covering the five items listed above in preparation for a team review of the adolescent situation. The VR counselor will not open a VR case unless the adolescent is referred to VR as a result of the team review or the consumer requests VR services.

28C Team Review

Within a month after the end of the school year in which the adolescent becomes 14, a team meeting will be initiated by the worker who has had the most recent contact with the adolescent (children's worker or VR counselor). The purpose of the team meeting will be to review the adolescent needs and to assign a case manager for the immediate future. The team will be composed of the children's worker, the VR counselor, a rehabilitation teacher, and a social worker. Other professionals such as a multi handicapped worker or an independent living coordinator, who are or may be involved in the case will be invited to participate. As a result of the team review, the team will decide to assign the most appropriate case manager to open the case and make a further evaluation. The case manager assigned may be a VR counselor, a social worker, a rehabilitation teacher, a multi handicapped worker, or an independent living coordinator. At this time any active children's services case will be closed in the appropriate status by the children's worker.

28D Evaluation

- 1) If the case is referred to an RT by the team, the RT will conduct an evaluation of the consumer RT needs and, if any RT services are needed, will continue as the case manager and provide the services.**
- 2) If the case is referred to a VR counselor, the counselor will conduct an evaluation in status 02 or 06 and, if the consumer is determined eligible for VR services, will continue as the case manager and provide VR services.**
- 3) If the case is referred to a social worker, Multi-handicapped worker, or independent living coordinator, the worker will**

conduct an evaluation of the consumer needs and will, if appropriate, continue as the case manager.

This in-depth evaluation by the case manager may lead the case manager to close the case as ineligible or not in need of services or to refer the adolescent to a worker in another discipline as a more appropriate case manager.

28E Case Manager Responsibilities

In addition to providing needed services to the consumer, the case manager will be responsible to:

- 1) participate with the school in development of the education plan for each active consumer. These plans are generally developed during the months of April, May, and June; the case manager should be sure to contact the school in time to be involved in the process; and**
- 2) to obtain a copy of the educational plan for each active consumer after it has been developed each year, all of the educational plans should be included in the case record.**

28F Administrative List

At any time that the assigned case manager finds that the adolescent does not want or need or is ineligible for active services, whether during the evaluation or after services have begun, the Adolescent name will be placed on an administrative list and any open case will be closed. The administrative list will be the mechanism used to track those adolescents for whom active services are not currently indicated. The regional director

will be responsible for the maintenance of the administrative list although he or she may delegate this responsibility to a VR supervisor. The person responsible for the administrative list will ensure that each adolescent on the list is contacted by a worker by phone, letter, or visit, once a year to determine the current status and possible service needs of the adolescent. These yearly contacts will be recorded in writing on contact reports and the reports will be sent to the central register for inclusion in the adolescent case record. The date of the contact will be recorded on the administrative lists.

Chapter 29
Employment and Vocational Rehabilitation
Related Equipment
Vocational Rehabilitation

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- 29B Role of the Technology for the Blind Program**
- 29C Vocational Rehabilitation Equipment**
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- 29F Role of the Rehabilitation Engineer(s)**
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- 29K Equipment Not Provided**

- 29A General Considerations**

The Commission provides four categories of equipment.

- 1) Vocational rehabilitation equipment. This chapter contains the policy of the agency for provision of employment-related equipment provided under the vocational rehabilitation program.**
- 2) Equipment supplied under the Independent Living Social**

Services Program (ILSS). The policies of the ILSS Program in provision of equipment are not covered in this chapter. However, the ILSS Program may make use of the expertise of the Technology for the Blind Program in decision-making relative to purchases of technology equipment and software. The policies of the Independent Living Social Services Program are described in the Comprehensive Annual Plan for Independent Living Social Services.

- 3) Medical equipment, which is provided either under MassHealth, or as a physical restoration service, under the Vocational Rehabilitation Program. Medical equipment will not be discussed in this chapter. Medical equipment is provided as described in the MassHealth Medical Care Plan.**

The word "equipment" will be used in this chapter only to refer to the kinds of equipment included in subsection #1 above -- those that are employment-related.

29B Role of the Technology for the Blind Program

The Technology for the Blind Program is responsible for researching, selecting, ordering, and installing adaptive equipment and providing consultation on the use of that equipment by consumers involved in employment or training services under an approved Individual Plan For Employment (IPE). The researching and selecting of equipment shall be done with the consultation of an advisory board of users. The program maintains an electronic inventory of all equipment and software and its status. Adaptive equipment and devices provided by the Technology Program include but are not be limited to: computerized speech, large print and Braille output

devices, adaptive software, Closed Circuit Televisions, talking calculators, Braille Writers, tactile communicators, cassette four-track tape recorders, light probes and other optical aids, and other computer-based or non-computer-based adaptive equipment. The Technology for the Blind Program is also responsible for providing adaptive engineering services in the field. These typical engineering services include analysis and adaptation of jobsites. The Technology for the Blind Program provides technical support and initial training on the use of adaptive equipment and, under appropriate circumstances, specific applications software, within agency facilities or onsite.

29C Vocational Rehabilitation Equipment

Vocational rehabilitation equipment is defined in this chapter as equipment that is necessary to enable a rehabilitation consumer to reach a vocational goal, to complete an extended evaluation, or to complete college or other type of approved training, leading to the realization of the vocational goal under an approved Individual plan for employment (IPE).

29D Procedures for Authorization of Vocational Rehabilitation Equipment

- 1) The vocational rehabilitation counselor determines eligibility and places the consumer in the appropriate status.**
- 2) The vocational rehabilitation counselor requests services or equipment from the Technology for the Blind Program using the appropriate electronic referral system.**
- 3) The Technology for the Blind staff evaluates consumer**

equipment needs and makes a recommendation for appropriate equipment.

- 4) The counselor develops an Individual plan for employment (IPE) or Individual plan for employment (IPE) amendment with the consumer, which includes provision of the recommended equipment.**
- 5) The vocational rehabilitation supervisor approves or disapproves the Individual Plan for Employment (IPE).**
- 6) Upon notification of the development of an Individual Plan for Employment (IPE) or changes to an Individual Plan for Employment by the VR Supervisor or Counselor, the staff of the Technology for the Blind Program will:**
 - a) order the equipment or provide it from available stock, and enter the information in an ongoing equipment tracking database;**
 - b) insure that the proper loan agreement is signed by the consumer, and is on file at the Technology for the Blind Program;**
 - c) provide or certify the provision of necessary initial technical training in the use of the equipment; and**
 - e) provide appropriate follow-up assessments.**

29E Placement of Vocational Rehabilitation Equipment

All equipment provided by the Massachusetts Commission for the Blind is provided on loan and does not become the property

of the consumer or employer. However, in general equipment that is required by the consumer to perform the job is placed on permanent loan. If, at any time the consumer no longer has a need for the equipment, the equipment will be recalled. Equipment will also be removed if the counselor or the Supervisor of the Technology for the Blind Program determines that the equipment is being utilized for purposes other than its original purpose of assisting the consumer in employment or employment-related training or is being abused. The Supervisor of the Technology for the Blind Program, or the counselor, will evaluate the consumer's use of equipment one month after placement, and six months after placement.

The Commission for the Blind Technology for the Blind Program as a general rule does not provide personal computers (PC's). Personal computers may, however, be provided under the following conditions:

- 1) to assist in the establishment of a small business by a blind consumer under an approved Individual plan for employment (IPE),**
- 2) to high school and middle school students for use in the home when necessary for study and homework under an approved Individual Plan for Employment. These PCs will be placed in the home only, and are not in lieu of adaptations to be provided by the school district as required by statute.**
- 3) as recommended by the Regional Director, to college students enrolled in an approved course of study consisting of a minimum of three three-credit courses. This PC, plus additional necessary adaptations will be**

placed in lieu of reader fees as specified in 107 CMR 6 (the agency's college regulations).

29F Role of the Rehabilitation Engineer(s)

The rehabilitation engineers provide technical consultation to the Commission for the Blind under the direction of the Supervisor of the Technology for the Blind Program. The rehabilitation engineer's role is central to the operation of the program. Responsibilities of the Technology for the Blind's rehabilitation engineers include:

- 1) to analyze, through site surveys and other contacts, jobs or tasks with a goal of enabling persons who are blind to perform them efficiently;**
- 2) to determine, as a result of those surveys, appropriate equipment to be used in job adaptations, and to make recommendations to the Supervisor of the Technology for the Blind Program;**
- 3) to design and perform engineering adaptations to computer related equipment, when necessary and feasible.**
- 4) to evaluate the utility of newly developed technological equipment for blind persons ;**
- 5) 5) to develop or provide initial orientation and training in the use of particular equipment systems to individual consumers when necessary;**
- 6) to evaluate and make recommendations to the Supervisor of the Technology for the Blind Program on the**

effectiveness of particular computer related equipment in the employment and training of persons who are blind.

29G Vocational Rehabilitation Equipment Provided Directly by Regional Staff

When a consumer needs any of the following types of equipment to reach his or her vocational objective, the regional staff will order the items directly. The costs of these items will be paid out of the regional budgets.

- 1) rehabilitation teaching supplies,**
- 2) low vision devices and accessories, such as, gooseneck lamps and sunglasses. See Chapter 27 for policies and procedures on provision of these items.**

29H Eligibility for the Technology for the Blind Program

Equipment services from the Technology for the Blind Program will be provided within the program structure listed below.

- 1) Job acquisition and retention. This includes legally blind vocational rehabilitation consumers who have an approved Individual plan for employment (IPE) and an opportunity to obtain a particular job which will require computer related equipment, and vocational rehabilitation consumers who require adaptive equipment for the retention or maintenance of employment.**
- 2) College and other approved training programs. This includes legally blind vocational rehabilitation consumers who have an approved Individual plan for employment (IPE)**

to attend college or another approved training program. In such a case, the appropriate adaptive equipment will be lent to the consumer for the duration of the course or longer when the accomplishment of the vocational goal is dependent upon retention of the equipment for a specified period of time for a specified purpose under an approved Individual plan for employment (IPE).

- 3) Consumers pursuing a vocational goal of homemaker will be eligible for placement of a Closed Circuit Television when that CCTV is to be used for recipe reading, assistance with homework and other tasks associated with management of the household under an approved IPE (See Policy Memorandum #52 for guidelines relative to homemaker goals).**

29I Referral to the Technology for the Blind Program

Consumers meeting one of the above program criteria will be referred to the Technology for The Blind Program by the rehabilitation counselor by means of the appropriate electronic referral system.

29J Repair and Maintenance of Equipment

The Commission will be responsible for the repair and maintenance of equipment provided for one year after the date the equipment is delivered to the consumer, subject to applicable warranties. The consumer will be responsible during this first year to take reasonable care of the equipment, and to notify the Technology for the Blind Program immediately in case of equipment malfunction. After the first year, the employed consumer will be responsible for all repairs and maintenance of

the equipment. Any equipment returned to the Technology for the Blind Program after the first year must be returned in good working order. Consumers who have been lent equipment for college, or other training, will be responsible for the daytoday maintenance, but not for repairs of the equipment after the first year.

29K Equipment Not Provided

The Commission does not generally provide the following types of equipment unless there are exceptional circumstances approved in writing by the Deputy Commissioner for Services :

- 1) automobiles, trucks, or vans**
- 2) adaptations to motor vehicles**
- 3) air conditioners**
- 4) computer printers, except for large print access, unless such printers are necessary to the vocational goal completion such as a small business application, or completion of college courses.**
- 5) recreational equipment of any type**
- 6) personal computers, except as specified in section 29E.**

