



Policy

Division and Program:	Vocational Rehabilitation
Title:	Order of Selection for Vocational Rehabilitation Services
Policy #:	VR.19.01
Audience:	This policy applies to VR staff
Federal and State Legal Reference(s):	CMR 107 4.08 and 34 CFR §361.36
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Approved by:	Assistant Commissioner of Vocational Rehabilitation
Person to Contact:	Assistant Commissioner of Vocational Rehabilitation

I. Purpose of Policy & Procedure:

The purpose of this policy and procedure is to describe Order of Selection (OOS). A vocational rehabilitation agency can implement an OOS when it does not have sufficient funds to serve all eligible individuals. MRC will enter a statewide OOS on January 8, 2019.

II. Rationale:

MRC is implementing an OOS because it has insufficient resources to serve all eligible individuals. When a vocational rehabilitation agency is in OOS, it is charged with prioritizing services for eligible individuals who are most significantly disabled. MRC obtains input, guidance, and an official recommendation from the Statewide Rehabilitation Council as part of the process to determine whether an OOS needs to be established or modified.

This policy and procedure provides detail on key concepts and definitions of OOS. Guidance on implementation and monitoring of OOS will be provided in a separate policy and procedure document, *Implementation and Monitoring of Order of Selection for Vocational Rehabilitation Services*.

III. Modifications from Previous Policy & Procedures:

The new OOS policy and procedures includes changes in priority category definitions.

IV. Definitions:

Priority Category 1: Individuals with most significant disabilities. Has a physical, intellectual, or mental impairment which seriously limits four or more functional

capacities. These include mobility, communication, self-care, self-direction, interpersonal skills, work tolerance, or work skills in terms of an employment outcome. Individuals with the most significant disabilities are individuals whose vocational rehabilitation can be expected to require multiple services over an extended period of time. They also have one or more physical, mental, intellectual disabilities resulting from: amputation, arthritis, autism spectrum, blindness, burn injury, cancer, cerebral palsy, cognitive dysfunction, cystic fibrosis, deafness, head injury, heart disease, hemiplegia, hemophilia, respiratory or pulmonary dysfunction, developmental/intellectual disabilities, mental illness, multiple sclerosis, muscular dystrophy, musculoskeletal disorders, neurological disorders, (including stroke and epilepsy), paraplegia, quadriplegia, and other spinal conditions, sickle cell anemia, specific learning disability, or end stage renal disease that causes comparable functional limitation in terms of an employment outcome.

Individuals with the most significant disabilities require services or accommodations not routinely made for others in order to prepare for, enter, engage in, or retain employment.

Priority Category 2. Individuals with a significant disability. Has physical, intellectual, or mental impairment that seriously limits two or three functional limitations. These include mobility, communication, self-care, self-direction, interpersonal skills, work tolerance, or work skills in terms of an employment outcome and requires VR services over an extended period of time and has one or more physical, intellectual or mental disabilities resulting from: amputation, arthritis, autism spectrum, blindness, burn injury, cancer, cerebral palsy, cognitive dysfunction, cystic fibrosis, deafness, head injury, heart disease, hemiplegia, hemophilia, respiratory or pulmonary dysfunction, developmental/intellectual disabilities, mental illness, multiple sclerosis, muscular dystrophy, musculoskeletal disorders, neurological disorders, (including stroke and epilepsy), paraplegia, quadriplegia, and other spinal conditions, sickle cell anemia, specific learning disability, or end stage renal disease that causes comparable functional limitation.

Individuals receiving SSI and/or SSDI benefits are presumed eligible for VR services are defined as an individual with a significant disability, and are presumptively placed in Priority 2. As part of the OOS process, MRC counselors can conduct a functional assessment to determine if these individuals meet the criteria for Priority 1 assignment.

Priority Category 3. Individuals with a disability. Has physical, intellectual, or mental impairment that seriously limits one functional limitation. These include mobility, communication, self-care, self-direction, interpersonal skills, work tolerance, or work skills and has one or more physical or mental disabilities resulting from: amputation, arthritis, autism spectrum, blindness, burn injury, cancer, cerebral palsy, cognitive dysfunction, cystic fibrosis, deafness, head injury, heart disease, hemiplegia, hemophilia, respiratory or pulmonary dysfunction, developmental/intellectual disabilities, mental illness, multiple sclerosis, muscular dystrophy, musculoskeletal disorders, neurological disorders, (including stroke and epilepsy), paraplegia, quadriplegia, and other spinal conditions, sickle cell anemia, specific learning disability, or end stage renal disease that causes comparable functional limitation which constitutes or results in a

substantial impediment to employment and can benefit in terms of an employment outcome from VR services.

OOS Priority Category List. This list documents eligible MRC VR consumers assigned to a closed priority category. This list is based on application date. Distinct lists will be kept for Priority 1, Priority 2, and Priority 3.

Job Retention. The provision of services to VR eligible individuals who require specific services or equipment to maintain employment who are in immediate danger of losing their job. These individuals, upon provision of appropriate documentation, will be placed into services.

V. Policy:

When OOS is implemented, MRC will serve VR eligible individuals in open priority categories. If any priority categories are open, they will be opened in priority order.

Job Retention services for VR eligible individuals can be provided when in OOS. Job Retention services may be delivered even if all priority categories are closed. Job Retention services will be available if any priority categories are open. MRC may also choose to close all priority categories and Job Retention services.

Possible OOS configurations of priority categories and Job Retention include:

- All priority categories and Job Retention are closed
- All priority categories are closed and Job Retention is open
- Priority 1 is open, Priority 2 and 3 are closed, and Job Retention is open
- Priority 1 and 2 are open, Priority 3 is closed, and Job Retention is open
- Priority 1, 2, and 3 are open, and Job Retention is open.

VI. Procedures and Responsibilities:

Guidance on procedures, implementation and monitoring of OOS will be provided in a separate policy and procedure document, *Implementation and Monitoring of Order of Selection for Vocational Rehabilitation Services*.

VI a. Risks:

Risks include insufficient forecasting regarding numbers of MRC applicants and eligible consumers, costs of services, and numbers of eligible individuals in each priority category.

VI b. Controls to Minimize Risks:

MRC will utilize a forecasting process to estimate the number of consumers to be served per OOS priority category per Federal Fiscal Year estimating the cost of services overall and per OOS category, and the average cost per consumer per category. This will also incorporate forecasting for the number of individuals who are selected for service who are in immediate danger of losing their job. This will be incorporated in the VR section for MRC in the Massachusetts Combined State Plan.

Priority Category	Estimated Number of Consumers to be Served	Estimated Cost of Services	Average Estimated Cost Per Consumer
1			
2			
3			
Job Retention			
Potentially Eligible Students			
Total			

VII. Forms and Attachments: N/A.

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