

2800 REHABILITATION SERVICES

2801 Requirements for Rehabilitation Service Provision. Rehabilitation services will be provided as follows:

A. Services will be provided, as appropriate:

1. For assessment to determine eligibility and rehabilitation needs;
or,
2. For a Trial Work Experience (vocational rehabilitation only);
or,
3. In accordance with a rehabilitation plan.

B. Medical and allied medical services will be provided based upon the recommendation and written prescription, as appropriate, of a licensed physician or other authorized health care professional. Copies of recommendations for treatment, prescriptions, and reports of progress or outcome of treatment will be placed in the record of services. See Section 3800, *Diagnostic and Treatment Services*.

C. Services will be purchased only from professionals licensed or certified according to state law and approved by the Division.

D. Services will be provided in accordance with the Division's economic resources policy and purchasing procedures.

2802 Scope of Vocational Rehabilitation Services. Vocational rehabilitation (VR) services are any goods or services necessary to render an individual employable, including but not limited to the following:

A. An assessment for determining eligibility and priority for services by qualified personnel including, if appropriate, an assessment by personnel skilled in rehabilitation technology;

B. An assessment for determining VR needs; C. Vocational counseling and guidance;

D. Referral and other services necessary to help applicants and eligible individuals secure needed services from other agencies and to advise those individuals about the Client Assistance Program;

E. Physical restoration and mental health services, including:

1. Corrective surgery or therapeutic treatment that is likely, within a reasonable period of time, to correct or modify substantially a physical or mental impairment that constitutes a substantial impediment to employment;

2. Diagnosis of and treatment for mental and emotional disorders by a licensed psychiatrist, licensed psychologist, or a psychologist employed by a school system;

3. Dental services;

4. Nursing services;

5. Necessary hospitalization (either inpatient or outpatient) in connection with therapeutic treatment, corrective surgery, or clinic services;

6. Medication and medical supplies;

7. Prosthetic, orthotic, or other assistive devices, including hearing aids;

8. Eyeglasses and visual services;

9. Podiatry;

10. Physical therapy;

11. Occupational therapy;

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12. Speech or hearing therapy;

13. Mental health services; or,

14. Intercurrent illness.

F. Vocational and other training services, including personal and vocational adjustment training, books, tools, and other training materials, except that no training or training services in an institution of higher education may be paid for with Division funds unless maximum efforts have been made by the client to secure grant assistance in whole or in part from other sources to pay for that training. Institutions of higher education include universities, colleges, community or junior colleges, vocational schools, technical institutes, or hospital schools of nursing.

G. Interpreter services for individuals who are deaf and tactile interpreting services for individuals who are deafblind;

H. Reader services, rehabilitation teaching services, and orientation and mobility services for individuals who are blind;

I. 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;

J. Job search and placement assistance and job retention services;

K. Supported employment services;

L. Specific post-employment services necessary to assist clients to maintain, regain, or advance in employment;

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

N. Rehabilitation technology services, telecommunications, sensory and other technological aids and devices;

O. Pre-employment transition services;

P. Transition services;

P. Vehicular modification;

Q. Other goods and services determined necessary for the individual with a disability to achieve an employment outcome; and,

R. *Support Services*. The following services may be provided while a client is receiving other VR services:

1. Maintenance for additional costs incurred while participating in vocational rehabilitation services;

2. Transportation;

3. VR services to family members (an individual who either is a relative or guardian of an applicant or eligible individual; or lives in the same household as an applicant or eligible individual; has a substantial interest in the wellbeing of that individual; and who requires VR services to enable the applicant or eligible individual to achieve an employment outcome); and,

4. Personal assistance services.

2803 Informed Choice

2803.1 General. While the concept originated with and was a major theme in the Rehabilitation Act Amendments of 1992, neither the Act nor regulations defined informed choice, leading to various interpretations. The following definition was proposed by the 1995 Institute of Rehabilitation Issues: *“Informed choice is the outcome of a process that occurs within a partnership where the partners identify and explore together the various options at each decision point in the consumer’s rehabilitation, where the positive and negative implications from the consumer’s perspective are identified, and where the Counselor provides support as needed for the consumer to make the informed choices that will result in a meaningful career outcome.”*

2803.2 Considerations. When identifying feasible options with the client, the Counselor should consider that:

A. The client's choices may be limited by laws, regulations, policies, or qualification issues. Should this occur, the Counselor will fully explain the reason(s) to the client and document in the case *Actions*.

B. Client choices may be limited by the disability itself. Therefore, the Counselor must ensure that the client understands limitations imposed by the disability.

C. The rehabilitation plan must be developed and implemented to afford eligible clients the opportunity to exercise informed choice in selecting an employment outcome, rehabilitation services, service providers, and methods for procuring services. This opportunity requires special emphasis during rehabilitation plan development.

2803.3 Role and Responsibility of the Applicant and/or Eligible Individual. To accomplish the goal of a client's participation in making an informed choice, the client must decide about options for rehabilitation plan development, the extent of technical assistance needed to exercise the various options, and the extent to which family members and others are to be involved in the rehabilitation planning process. Exercising informed choice and taking more responsibility in the rehabilitation process may be demanding on individuals with disabilities as well as upon other people in their lives. To be fully engaged in the process, including rehabilitation plan development, the client must:

A. Gather and use information to the extent possible, participate in planning and problem solving, make and implement decisions, and seek or identify needed resources; and,

B. Assume responsibilities identified in the rehabilitation plan for implementing decisions and achieving the employment outcome after the rehabilitation plan has been signed by both the client and the Counselor.

C. Take responsibility in his/her role for maintaining communication with the Counselor and WVDRS staff.

2803.4 Counselor Role and Responsibility in Informed Choice. The Counselor's role in informed choice includes the following responsibilities:

A. Inform each applicant and/or eligible individual, through effective modes of communication, about the opportunities to exercise informed choice throughout the VR process, including the availability of support services for clients who require assistance in exercising informed choice;

B. Provide information regarding services and service providers that must include:

1. Cost, accessibility, and duration of services;
2. Types of services;
3. Degree to which service settings are integrated;
4. Qualifications of service providers;
5. To the extent available, information about consumer satisfaction with those services; and,
6. To the extent available, outcomes achieved by working with those service providers.

C. Use counseling skills to encourage an insecure, doubtful, and uncertain client to become a partner in planning;

D. Make certain the client is aware of all relevant options;

E. Recognize that in a partnership the client has equal responsibility to perform research necessary to identify and analyze options;

F. Ensure that the client is aware of the implications of each option;

G. Consider options from the client's point of view;

H. Understand that choices are not informed unless they are based upon the pool of options remaining after possibilities have been identified, considered, and options less preferable to the client and Counselor are discarded;

I. Ensure that choices clients make truly are their own and not choices imposed by a family member, guardian, or other well-meaning individual;

J. Remember that accommodations and technological solutions exist to overcoming many obstacles presented by the severity of the client's disabling condition; and,

K. Say "no," when appropriate, and help the client understand that the universe of choices is finite. It is important for the client to understand that funds, availability of resources, legalities, limitations of the disability, and the job market may limit some choices.

2803.5 Counseling Tools for Informed Choice. Sometimes the most difficult task in counseling is helping clients understand and analyze their limitations, strengths, and interests; to be knowledgeable about various options that may be available in services, goals, and job market opportunities; and to have the desire to explore fully the spectrum of opportunities that exist. Before planning a goal, a client must have a strong sense of self awareness, understand what it will require to reach the desired goal, and have the ability and motivation to obtain the skills necessary to reach the goal. Affording the client the opportunity to participate in discovery of answers to these concerns is the intent of informed choice. Utilization of tools such as self-determination guides, career assessment inventories, and other assessments allow the client to advance through various stages of the self-discovery and goal setting process.

2803.6 Self-Determination. Self-determination is key to making an informed choice and achieving goals. Participation in the self-determination process will assist the client to identify strengths, capabilities, barriers, interests, and resources. Additionally, self-determination assists the client to develop skills relevant to decision making, goal setting, problem solving, and self-advocacy. The *Self-Determination Guide (SDG)* is a counseling tool to encourage clients to evaluate their own strengths, interests, and barriers relating to employment. This assessment tool will be used with all High School students to facilitate the vocational decision making process. The SDG may also be completed with other individuals during the comprehensive assessment or at any time during the rehabilitation process when the client experiences difficulty making employment related decisions. In conjunction with other assessment data, this information can be used by the client and Counselor to develop an appropriate vocational goal.

2804 Comparable Services and Benefits. The Counselor will determine whether comparable services or benefits are available under any other program prior to providing any VR service. The Counselor will ensure that determination of the availability of comparable services or benefits will not interrupt or delay:

- A. The client's progress toward achieving the employment outcome identified in the rehabilitation plan (IPE);
- B. An immediate job placement;
- C. The provision of needed VR services to any client at extreme medical risk;
- D. Information and referral services to persons classified into a closed category of the order of selection;
- E. Assessment for determining eligibility and VR needs, including assessment of rehabilitation technology needs;

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F. Vocational counseling and guidance, including information and support services necessary to assist a client in exercising informed choice throughout the rehabilitation process;

G. Referral and other services necessary to assist a client in securing needed services through cooperative agreements with other agencies who also are members of the statewide workforce investment system when such services are not available from the Division;

H. Job-related services, including job search and placement assistance, job retention services, follow-up services, and follow-along services; and,

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