

2400 VOCATIONAL COUNSELING AND GUIDANCE AND CASE MANAGEMENT

2401 General. The Counselor will develop a collaborative relationship with each applicant and eligible individual and will promote the individual's full involvement and participation in the rehabilitation process. The Counselor's role in providing information and guiding the individual in exploration of the vocational options is critical to supporting informed choice. The Counselor will provide encouragement, support, and assistance with problem solving in relation to the case and vocational decision-making. The competitive integrated employment goal will be emphasized in contacts with the individual throughout the rehabilitation process through their preferred mode of communication.

2402 Vocational Counseling and Guidance. The Counselor's professional expertise as a career counselor utilizing assessment results and vocational counseling and guidance will offer the individual greater opportunities for career planning during the rehabilitation process. The Counselor will assist the individual with circumventing the impediments to employment and/or career-related challenges.

2403 Case Management. Regular contacts to facilitate case management will occur throughout the individual's rehabilitation program. To be effective, VR professionals need to optimize their time between working with clients, managing their caseloads, and adherence to documentation standards. Counselor's case management skills ensure cases progress in a timely and effective manner.

2403.1 Record of Services. The record of services will contain documentation related to the provision of services to the individual. Information provided by Division staff will be factual, legible, and objective. *Actions/Details* will be used to document contacts and relevant information including the appropriate selection of non-paid services. Documentation will demonstrate significant assessment and vocational counseling and guidance throughout the case record. Information will be placed in the file chronologically.

2403.2 Case Statuses. Case statuses indicate the movement of a case from application to closure. This movement will occur in a timely manner and according to the needs of the individual and capabilities/resources of the Division. The individual's status will be evident from the information in the case record

reflecting the most prominent major service being provided. (Section 3900 *Caseload Status System*)

2403.3 Personal Contacts. To facilitate case management and the vocational counseling and guidance relationship, the Counselor will conduct significant, regular personal contacts with the individual and maintain an emphasis on a competitive integrated employment outcome during the rehabilitation process. The Counselor's responsibility is to ensure progression of the case by documenting personal contact within the minimum 60/90-day timeframe. The issues discussed will be recorded using the *Actions/Details*.

A. A personal contact must be made every 60 calendar days, at a minimum, when an individual's case is in Status 02 through 14 and once the case enters Status 22. A personal contact must be made every 90 calendar days, at a minimum, when an individual's case is in Status 16 and above, except for Status 22.

B. Contact in the form of face-to-face or telephone conversation is preferable. However, interactive electronic communication (email and or text in which the consumer responds) is acceptable if other forms of communication are prohibitive. Correspondence through the mail does not constitute personal contact unless the consumer has a sensory impairment which prohibits or complicates other types of verbal communication.

C. Rehabilitation Service Associates or Employment Specialists may assist with ensuring personal contacts occur within the minimum 60/90-day timeframe and for the provision of rehabilitation services. However, only the Counselor will provide vocational counseling and guidance.

2404 Referral Procedure. The Division will establish and maintain processes which ensure that referrals are accepted and assigned promptly and equitably. Contact will be initiated to all referred individuals, within ten working days of receipt of the referral. The individual must be available to participate in services.

2405 Scheduling Initial Interviews. As soon as possible after referral, an initial interview will be scheduled with the individual and, as appropriate, the individual's guardian/representative. The individual will be advised to bring verification of the Social Security number to the initial interview. In order to expedite eligibility determination, the applicant will be advised to bring medical records regarding the

disability, secondary school records if applicable and available, and their Social Security Award letter if applicable and available. Special needs, particularly those that would affect the exchange of information, i.e. need for translator, interpreter, or alternate format, should be addressed. Individuals who have a legal guardian will be required to provide verification of the legal guardianship. The guardian will be involved in all phases throughout the case.

2406 Required Content of Initial Interview. The major goal during the initial interview with a potential applicant is to collect, analyze and evaluate the applicant's reported disability(ies), unique strengths, resources, priorities, concerns, abilities, capabilities, interests, and provide informed choice about Division services. At the time of the initial interview, the individual and/or the individual's representative will be advised of the following:

A. *Emphasis on Employment.* When the individual applies for vocational rehabilitation (VR) services, a staff member shall emphasize at the initial meeting and in subsequent contacts that the primary objective is achievement of competitive integrated employment.

B. *Available Services.* A knowledgeable staff member shall explain the rehabilitation process and services available through the Division. If not previously provided, relevant brochures will be offered to the individual.

C. *Rights and Responsibilities.* A staff member shall inform the individual regarding:

1. Their rights, including the appeal process, availability of the Client Assistance Program (CAP), and confidentiality;
2. The right and responsibility to fully participate in the selection of the:
 - a. Rehabilitation goal;
 - b. Objectives and services required to meet the goal; and,
 - c. Providers of services.

D. *Non-Discrimination.* A staff member shall notify the individual orally or in writing that the Division complies with the Civil Rights Acts and the Americans with Disabilities Act and does not discriminate on the basis of gender, sex, race, religion, color, age, national origin, residence, physical or mental disability, or political affiliation in determining eligibility and in providing services. (Section 3300 *Rights and Responsibilities*)

E. *Financial Participation.* A staff member shall explain the Division's policy and procedures related to financial need, participation, and use of comparable benefits. It shall be emphasized that the Division will pay only for those services that have been preauthorized by a signed Division purchase document(s). (Section 3200 *Economic Resources*)

F. *Order of Selection.* A staff member shall explain the order of selection policy including the order of selection categories and which categories are currently being served (Section 2200 *Order of Selection*)

2407 Application for Services. A staff member shall describe the application process and request that the individual or individual's representative complete and sign the *WVDRS Statement of Application* if interested in receiving rehabilitation services. The individual will be advised that eligibility will be determined within 60 days after the completed and signed application is received by the Division unless there are extenuating and unforeseen circumstances. (Section 2500 *Eligibility*)

A. *Rehabilitation Application Packet.* If the individual decides to apply for rehabilitation services, the staff member will complete the *Rehabilitation Application Packet* (RAP) in iECM based on the consumer's self-report. These forms, which include: Social Profile, Medical, Health Assessment Questionnaire, Education, School, Work/Vocational, Work History, Third Party, Economic Resources, and RSA Data at Application, will be completed as mandated by the Quality Assurance Review Guide.

B. *Initial Diagnostic Interview Summary (IDIS).* The assigned Counselor will meet with the individual and/or representative to discuss and collect information related to their disability, background, career aspirations, preferences, capabilities, limitations, accommodations, and other matters related to competitive integrated employment and/or independence. During the initial diagnostic

interviewing process, the Counselor assesses the applicant's functional limitations in order to determine which of those functional limitations may be reduced, circumvented or accommodated by the provision of appropriate rehabilitation services. The range of relevant topics will vary with the applicant's circumstances and needs. This information will be used as a basis for assessing rehabilitation needs.

2408 Notification of Eligibility Decision. The preliminary diagnostic study is the counselor's tool for determining consumer eligibility. All records and/or evaluations not provided by the applicant during the initial interview will be obtained and reviewed with the consumer in terms of the eligibility determination. The Counselor will document the consumer's understanding of the vocational implications in the *Actions/Details* and next steps in the rehabilitation process. The Counselor will assure that the applicant has received an adequate explanation of the eligibility decision and an explanation of how the decision affects their future relationship with the Division.

A. *Ineligible Applicant.* The Counselor will provide the ineligible applicant the *Closure Notification, Rights and Responsibilities, and Information and Referral*.

B. *Eligible Applicant.* The Counselor will work with an eligible individual who has been assigned to an open order of selection category to promptly initiate the comprehensive assessment.

1. If the eligible applicant has been assigned to an order of selection category that has been closed, then the Counselor will notify the individual in writing of the decision that services will be delayed until the order of selection is opened. This notification will contain information and referral of services available from WorkForce West Virginia, workforce partners, and other agencies. The Counselor will provide vocational counseling and guidance to ensure the individual understands that s/he will be placed on a waiting list and will be notified of any change in the order of selection that would allow the individual to receive services from the Division. (Section 2200 *Order of Selection*)

2. If the individual has been presumed eligible and the Counselor needs to additionally assess the feasibility of competitive integrated employment, the Counselor may initiate a trial work experience(s). (Section 2500 *Eligibility*)

2409 Comprehensive Assessment. The purpose of the comprehensive assessment is to provide career-related assessments and vocational counseling and guidance to evaluate the individual's abilities, specific impediments to employment, specific work tasks affected, and determine an appropriate vocational goal through informed choice. The Counselor will ensure the consumer was informed of all the assessment/evaluation results and the impact on vocational planning and document in *Actions/Details*. The Counselor will ensure all career-related challenges are being addressed and the individual's case progresses in a timely manner utilizing case management skills by means of facilitation, arrangement, coordination, and monitoring plan development. (Section 2700 *Rehabilitation Program Development*)

2409.1 Vocational Goal Selection. The Counselor will assist the individual to be self-determined and facilitate an informed choice toward selection of a suitable vocational goal, utilizing knowledge of the individual's disability(ies), unique strengths, resources, priorities, concerns, abilities, capabilities, and interests. The Division is committed to assisting individuals with disabilities in achieving high-quality competitive integrated employment outcomes. The Counselor will address with the individual desired salary and location, labor market information, transferable skills, career development and educational possibilities. The Counselor may need to provide extensive vocational counseling and guidance exploring the advantages and disadvantages of possible vocational goal choices consistent with information collected, discussed and assessed with the individual. (Section 2700 *Rehabilitation Plan Development*)

A. The Counselor needs to understand the importance of promptly completing the comprehensive assessment for program formulation within 90 days of eligibility determination and avoid a delay in services. The Counselor will document any extenuating or unforeseen circumstances concerning the rehabilitation plan in *Actions/Details*.

B. If clear and convincing evidence indicates that the vocational goal selected by the individual is inappropriate, vocational counseling and guidance will be provided to find a more appropriate vocational goal and documented in *Actions/Details*. If the individual continues to disagree with the Counselor's decision not to endorse the vocational goal, the Counselor will explain the individual's right to appeal.

2409.2 Selection of Rehabilitation Services. The Counselor will provide vocational counseling and guidance to assure that the individual understands his/her responsibility for actively participating in receiving services included in the rehabilitation plan and understands the contribution of each service toward accomplishment of the vocational goal. The Counselor together with the individual will determine the scope of disability-related rehabilitation services within the Division's policies that will have a substantial and beneficial impact on the individual's career development and employability in the chosen vocational goal.

2409.3 Financial Participation by the Individual. The Counselor will provide the individual with vocational counseling and guidance to explain any expectations of consumer participation in the cost of rehabilitation services when economic need/resources apply. (Section 3200 *Economic Resources*)

2410 Program Implementation. The Counselor with the individual will regularly conduct Intermediate Objective Reviews (I.O. Review) of the IPE, Measurable Skills Gain toward credential attainment, and Annual Review of the Plan to assess and determine progress.

A. Intermediate Objective Review. To ensure that adequate progress is being made toward the vocational goal and to address any disability or career-related challenges that might arise, the Counselor must review the appropriate intermediate objective(s) on the rehabilitation plan with the individual.

1. I.O. Reviews occur at least every 60 calendar days for the IPE-PT.
2. I.O. Reviews occur no less than every 90 calendar days for all other IPEs.
3. This applies to all active cases in which the services on the rehabilitation plan have been implemented (status 14 and above, except for status 22).

B. Measurable Skills Gains (MSG). The MSG indicator is used to track a consumer's progress while under an IPE and enrolled in education or training services leading toward a recognized post-secondary credential or employment as defined by the federal Rehabilitation Services Administration (RSA). The Counselor is responsible for maintaining up-to-date and accurate educational information in iECM. If the consumer did not meet the criteria for an

MSG or there is no available supporting documentation, the Counselor must document “no new skill gain to report” in iECM. Depending upon the type of education or training program in which a consumer is enrolled, documented progress is defined as one of the following:

1. Documented achievement of at least one educational functioning level of a participant who is receiving instruction below the postsecondary education level;
2. Documented attainment of a secondary school diploma or its recognized equivalent;
3. Secondary or postsecondary transcript or report card for a sufficient number of credit hours that shows a participant is meeting the DRS academic standards;
4. Satisfactory or better progress report, towards established milestones, such as completion of OJT or completion of one year of an apprenticeship program or similar milestones, from an employer or training provider who is providing training; or
5. Successful passage of an exam that is required for a particular occupation or progress in attaining technical or occupational skills as evidenced by trade-related benchmarks, such as knowledge-based exams.

C. Credential Attainment. The Counselor must collect and document the appropriate supporting documentation when a consumer who is enrolled in a school/training program attains a credential from any of the following:

1. Secondary school diploma or equivalency;
2. Associate degree;
3. Bachelor’s degree;
4. Master’s degree;
5. Graduate degree above master’s level;
6. Vocational/technical license;
7. Vocational/technical certificate;
8. Other diploma, degree, or certificate; or
9. Recognized credential

D. *Annual Review.* The IPE shall be reviewed with the consumer as often as necessary, but no less than annually. The Counselor will provide career and vocational counseling and guidance and offer the individual an opportunity to jointly amend the rehabilitation plan following agency policy. (Section 2700 *Rehabilitation Plan Development*)

2411 Transfer of Record of Services. If a case transfer is requested or otherwise necessary, a record of services will be transferred based upon the residence of the individual, the nature of the individual's disability, and the individual's best interests. The transfer will be accomplished as follows:

A. *Transfer Based Upon Residence*

1. The Counselor shall discuss the transfer with the individual and the receiving Counselor, except for referrals where contact with the individual has not yet been made.

2. The Counselor shall complete an up-to-date summary including reason for transfer, in *Actions/Details*.

B. *Transfer to Specialty Territories.* Individuals who are determined to be appropriate for a special caseload should be transferred promptly to the specialty Counselor.

1. *Counselor for the Blind and Visually Impaired.* This Counselor will review all ophthalmological and optometric evaluations obtained in the district and assign appropriate disability codes prior to determining the individual's eligibility. The Counselor for the Blind and Visually Impaired will provide consultative services to other Counselors within the district.

a. Each case with an impairment Code 01 (Blindness) or an impairment Code 02 (Visual Impairment) in which the consumer meets the other eligibility criteria for vision impairment, at or subsequent to referral will be transferred to the Counselor for the Blind and Visually Impaired.

b. At the discretion of the District Manager, the Counselor for the Blind and Visually Impaired may recommend that selected cases with special visual accommodation need to be transferred to the specialty territory.

c. Cases referred from the West Virginia School for the Blind usually will be served by the Counselor for the Blind and Visually Impaired (BVI).

2. Role of Counselor for the Deaf and Coding

a. *Rehabilitation Counselor for the Deaf.* Each District has a Counselor for the Deaf, Hard of Hearing, and Deaf Blind (RCD) who is specially trained in the areas of deafness, hearing loss, and deaf blindness. The RCD reviews all audiological and otological evaluations obtained in the district and assigns appropriate disability codes prior to determination of the applicant's eligibility.

b. *RCD as Counselor of Record.* The RCD will consult with the District Manager to review any case recommended for transfer to a general field counselor. The RCD will serve as the Counselor when any of the following criteria are met:

(1) A consumer has a hearing loss of 55dB or greater in the better ear; or

(2) A Cochlear Implant (CI) and/or a BAHA implant is recommended as treatment; or

(3) A consumer uses ASL as their primary form of communication or any case in which the hearing loss is progressive; or

(4) A consumer requiring accommodations in the classroom and/or workplace such as a FM system, interpreter, computer-aided transcription service such as Communication Access Realtime Translation (CART); or

(5) A consumer is a first-time wearer of hearing aids; or

(6) The deafblind individual meets eligibility criteria of blindness or low vision or has a condition of progressive visual loss which has been verified by a physician skilled in disease of the eye and as such blindness may result. Also, the individual has a hearing impairment of 40dB (ANSI) or more, unaided for either speech reception threshold (SRT) or pure tone average (PTA) in the better ear; or impairment between 30-54 dB (ANSI), unaided, for either SRT or

PTA in the better ear and either speech discrimination less than 80 percent or a statement by an Audiologist indicating progressive and/or chronic loss. The primary mode of communication determines whether the consumer is served by the RCD or BVI. It is expected the assigned Counselor will consult with the appropriate Program Specialist for sensory impairments.

(7) A case has been referred from the West Virginia School for the Deaf.

3. *Students in Secondary Education with Severe Sensory Impairments.* Students with severe sensory impairments will be referred to the Counselor for the Deaf and Hard of Hearing and/or the Counselor for the Blind and Visually Impaired for consultation and determination of the appropriate territory to serve the individual. In the instance of severe sensory impairments, there will be collaboration between the Transition or General Counselor, and the specialty Counselor.

2412 Placement. The Counselor will take a leadership role, providing career guidance in the placement process and is responsible for assuring the individual is placed into suitable high-quality competitive integrated employment consistent with the disability(ies), unique strengths, abilities, capabilities, interests, informed choice and vocational goal, prior to closure of the case as being rehabilitated. The Counselor will monitor the individual's participation in placement and offer additional vocational counseling and guidance as needed to support the individual in their job seeking and career-related issues that may arise during the first months of competitive integrated employment. Vocational counseling and guidance during placement activities can address functional limitations, specific impediments to employment, specific work tasks affected, and other employment barriers that might arise. Vocational counseling and guidance will be documented in the *Actions/Details*. (Section 2000 *Employment Services*)

2413 Closure. The Counselor will promptly initiate the case closure when the conditions of competitive integrated employment have been satisfied or the continuation of rehabilitation services will be of no further benefit in terms of employability. Prior to documentation of the rehabilitated closure, the Counselor will determine and document that the rehabilitation services provided had a substantial impact on the individual's rehabilitation (Section 3000 *Record of Service Closure*)

A. Rehabilitated Closure. The Counselor and individual should engage in a closure process through a discussion of services received, vocational adjustment, vocational plans, professional career development, concerns about future service needs, and the Counselor's rationale for the rehabilitated closure.

B. Non-Employed Closure. Written notification of the closure decision may be supplemented by a meeting with the individual and/or representative if the Counselor and the individual determines that such a meeting would be beneficial. The Counselor will provide vocational counseling and guidance to assure that the following is accomplished:

1. The individual has received an adequate explanation of the rationale for the non-employed closure decision.
2. If the individual disagrees with the Counselor's decision for closure, the Counselor will provide vocational counseling and guidance to assure that an adequate explanation of the individual's rights to appeal is provided.
3. The individual has received assistance in obtaining services from other agencies and organizations, including referral to WorkForce West Virginia, that may be helpful in meeting his/her needs.
4. The individual has been informed that if the closure decision is based on either an unfavorable medical prognosis or a determination that the disability is too severe to permit reasonable expectation that the individual will benefit substantially in terms of employability from the provision of rehabilitation services, the closure decision will be reviewed within one year.
5. The individual has been informed that should they experience disability-related work issues, s/he may reapply for rehabilitation services at any future time.

2414 Post-Employment Services. The Counselor will provide and document vocational counseling and guidance to the individual who may need post-employment services to maintain, regain or advance in competitive integrated employment consistent with the individual's strengths, resources, priorities, concerns, abilities, capabilities, and interests related to the original disability. (Section 3100 *Post Employment Services*)

2415 Referral Source Development. The Division will develop and maintain relationships with organizations, secondary and post-secondary educational programs, agencies, and persons in the community to obtain appropriate, timely referral of individuals with disabilities who may need rehabilitation services and career counseling. Division staff members shall inform referral sources of available VR services for high-quality competitive integrated employment outcomes, policies and procedures related to the order of selection, application requirements, and the need to provide relevant information regarding the disability for determining eligibility and priority of services. Division brochures will be provided to referral sources and a Division staff person will be assigned to serve as a liaison to the referral source as appropriate.

2416 Community Outreach and Partnerships. DRS staff should be knowledgeable and able to inform individuals of any appropriate services that might be available from other agencies or organizations such as our partners, WorkForce West Virginia, Adult Education, Centers for Independent Living (CIL), and Disability Rights of West Virginia and to refer the individual to those services as appropriate.

A. *Workforce Innovation and Opportunity Act (WIOA).* The 2014 Amendments of the Rehabilitation Act of 1973 further develops our partnership with Workforce WV and Adult Education. The unified state plan, under the provision of WIOA, places heightened emphasis on coordination and collaboration with our partners. While all the partners are geared towards education and employment, vocational rehabilitation services are specifically designated to assist individuals with disabilities toward high-quality competitive integrated employment outcomes.

B. *Centers for Independent Living (CIL).* Verbal and written information about Centers for Independent Living (CILs) will be provided to everyone during the initial interview and as the individual's need is identified. This information will explain how the individual could benefit from CIL services. If the individual lives within a CIL service area, a formal referral will be made if the individual expresses interest.

C. *Disability Rights of West Virginia.* Disability Rights of West Virginia is an organization that advocates for individuals with disabilities “to remove barriers to opportunity and equality.” The Client Assistance Program (CAP) administered under the Disability Rights of West Virginia offers assistance and

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information to individuals with disabilities of all available services and benefits under the *Rehabilitation Act of 1973* as amended and *Title I of the Americans with Disabilities Act (ADA)*.