

2700 REHABILITATION PROGRAM DEVELOPMENT

2701 Informed Choice. The Counselor will develop a collaborative relationship with the consumer and will assist the individual in identifying goals, services, and service providers in assessing relevant factors related to each option. The Counselor will provide or assist the consumer in acquiring information necessary to make an informed choice regarding selection of the vocational goal, objectives, services, and service providers that are suitable and meet the consumer's needs.

2702 Comprehensive Assessment. To the extent possible, the vocational goal, intermediate objectives, and the nature and scope of rehabilitation services to be included in the consumer's *Individualized Plan for Employment* (IPE) will be determined based on data used for the assessment of eligibility, priority for services, and specific impediments to employment. To prepare the IPE, the Counselor will conduct a comprehensive assessment of the career goals, unique strengths, resources, priorities, interests, and needs (including the need for supported employment services) of an eligible individual in the most integrated setting possible, consistent with the consumer's informed choice.

2702.1 Scope of Assessment. The comprehensive assessment:

A. Is limited to information that is necessary to identify the rehabilitation needs of the eligible consumer and to develop the rehabilitation plan and vocational goal;

B. Uses as a primary source of such information to the maximum extent possible and appropriate and in accordance with confidentiality requirements existing information including that provided by the consumer, consumer's family, and educational agencies;

C. May include an analysis of pertinent medical, psychiatric, psychological, neuropsychological, vocational, educational, cultural, social, recreational, environmental factors, and related functional capacities that affect the consumer's employment and rehabilitation needs; and,

D. May include an assessment through provision of assistive technology services of the consumer's capacities to perform in work and home environments, including in an integrated setting to the maximum extent feasible

consistent with the individual's informed choice. (Section 3700 Rehabilitation Technology)

2702.2 Factors for Consideration in Comprehensive Assessment. Along with other psychological, medical, and/or vocational diagnostic evaluations, extensive assessment services may be utilized to assist the Counselor in determining the most appropriate vocational pursuits. Comprehensive assessment and evaluation information are available in the following forms:

A. *Specific Impediments to Employment and Specific Work Tasks Affected.* Specific impediments to employment are those that the consumer may experience as a result of their disability making it difficult for the consumer to go to the job site e.g., the need for home or work site environmental modifications or vehicle modifications. Specific work tasks affected are the actual tasks or duties of the job that may pose difficulty for the consumer due to limitations of their disability(ies) and result in requiring Division assistance with accommodating or circumventing those challenges. The Counselor should consider the consumer's specific impediments to employment and specific work tasks affected when discussing potential employment goals during the comprehensive assessment phase. For each vocational goal considered by the consumer in earnest, the Counselor should relate the specific impediments to employment and specific work tasks affected back to the disability(ies) and resulting functional limitations for which the consumer was found eligible. That information, including how the particular services considered may circumvent or accommodate those barriers, should be assessed with the consumer and documented in the *Actions/Details*.

B. *Transferable skills analysis:* The consumer's transferable skills (skills, aptitudes, and abilities) and previous training should always be considered during comprehensive assessment. The Counselor will evaluate past job experiences, previous training, and assessment information (academic, aptitude, psychological, and achievement).

C. *Job Analysis:* The job or job range the consumer is considering, especially in cases where training is being considered, should be one for which there will be a placement demand when the consumer completes training. If placement is not available in the local area, the consumer must be willing to relocate to facilitate placement. The Counselor and consumer should carefully consider the job range outlook. The Counselor will document discussion with the

Client Services Manual

consumer of resources to be utilized to support the availability of competitive integrated employment.

D. *Career Inhibiting Legal Concerns*: If the consumer has a felony conviction or another legal history situation resulting in career-related issues and is considering an occupation that requires licensure/certification, there may be a question whether s/he may be licensed/certified owing to the criminal record. In such a case, the Counselor will clarify the matter with the appropriate state licensing/certification board. The Counselor will not approve a vocational goal selection or training when the consumer will not be able to obtain the necessary licensure/certification.

E. *Career Advancement*. The Division recognizes the need to provide services that will assist individuals with disabilities in obtaining high-quality employment and who seek career advancement opportunities. An eligible applicant who is employed and seeking career advancement should receive vocational counseling and guidance to assist them with vocational goal planning and services. The Counselor will ensure that the consumer has the abilities and aptitude to achieve the advancement goal they seek and will discuss potential disability-related barriers prior to plan development.

2702.3 Types of Assessments. Along with other psychological, medical, and/or vocational diagnostic evaluations, additional assessment services may be utilized to assist the Counselor and consumer in determining the most appropriate vocational pursuits. Comprehensive evaluations are available in the following forms:

A. *Vocational Evaluation*. The vocational evaluation provides a comprehensive, intensive evaluation of work potential to assist in determining the specific job or range of jobs for which the consumer is best suited considering the individual's capabilities, limitations, interests, work habits, and competitive integrated employment locale. The evaluation is conducted through use of psychometric testing, work samples, behavior observation, learning styles assessment, transferability of job skills assessment, functional capacities study, and/or career exploration.

B. *Functional Capacities Study*. This evaluation provides information about the consumer's physical or functional abilities and limitations by

Client Services Manual

assessing mobility, work positioning, strength, range of motion, and endurance. The study should be completed by a licensed occupational or physical therapist.

C. *Community Based Assessment.* This service provides the consumer having a significant or most significant disability with the opportunity to observe and/or explore different jobs at community business sites to assist making an informed choice toward determining a vocational goal. In planning this service, the Counselor should consider that the:

1. Service be provided in a community integrated, competitive work setting.
2. Amount of service to be authorized should be based on the consumer's previous work history and stated preferences. The vendor's service plan may include four hours of interview time with the consumer and family members. Observation of the work site is limited to four hours per site. The plan should include at least two work-based training (observation and/or actual training) experiences but no more than 24 hours per work site. The interview and work experiences may not exceed a total of 90 hours and should be completed within 90 days. Additional time may be requested by exception through supervisory channels to the District Manager.
3. Assessment is completed by an acknowledged Division community rehabilitation program or service provider.
4. Community based assessment may be arranged in a paid or unpaid work environment. If the service is provided in an unpaid environment, the Counselor should obtain written documentation on the *Trial Work Contract* that the consumer, consumer's parent, guardian, or legal representative agrees to the individual's participation in non-paid work settings. Additionally, the Counselor will complete the *Statement of Certification for Unpaid Work Based Training Program* and the *Unpaid Work-Based Training Report*. The CRP should submit the *CRP Service Plan* to the Counselor. If the service is provided as a paid experience, then the entity paying the consumer will then take on the liability of the consumer being in that work site.

D. *Work Skills Assessment.* This service is utilized for consumers who have a general idea of a specific vocational goal, but it is unclear if the individual can meet the daily demands of work. This service can be utilized to

Client Services Manual

determine a vocational goal but only in one specific vocational area. In planning this activity, the Counselor should consider that the service:

1. Can be provided in a community or facility based integrated setting. The assessment may not exceed 90 hours and should be completed within 90 days. Additional time may be requested by exception through supervisory channels to the District Manager.

2. Can be a paid or unpaid experience. If the service is provided in an unpaid environment, the Counselor should obtain written documentation on the *Trial Work Contract* that the consumer, consumer's parent, guardian, or legal representative agrees to the individual's participation in non-paid work settings. Additionally, the Counselor will complete the *Statement of Certification for Unpaid Work Based Training Program* and the *Unpaid Work-Based Training Report*. The CRP should submit the *CRP Service Plan* to the Counselor. If the service is provided as a paid experience the entity paying the consumer will then take on the liability of the consumer being in that work site.

3. Allows the individual to be assessed in one vocational area;
and,

4. Allows the individual to be assessed for a number of consecutive days in a consistent work site.

2702.4 Plan Development Timeframe. The maximum time permitted to develop and complete the IPE will be 90 days following the determination of eligibility. Plan Development for Transition students has additional components and has been outlined in *Section 4000 Transition Programs*.

2702.5 Plan Development Extension. Exceptional and unforeseen circumstances beyond the control of the Counselor may preclude completion of the Plan within 90 days. The Counselor will notify the consumer or consumer's representative of those circumstances and mutually agree to an extension for an additional 90 days. Prior to electronically signing the Plan Extension form, the Counselor will provide documentation in *Actions/Details* that indicate communication and agreement with the consumer or the consumer's representative regarding the Extension and detailing the exceptional, unforeseen circumstances that prohibit Plan completion. Once the extension is signed by the Counselor, it will be filed in the consumer's case record.

Client Services Manual

2703 IPE Development Guidance. The IPE is a vehicle for combining the consumer's informed participation and the Counselor's expertise in a way that clearly outlines a strategy for confronting the primary issues and reaching the individual's rehabilitation goal. Therefore, the complexity of the comprehensive assessment and the IPE will vary depending on the consumer's needs and limitations.

2703.1 Services in Integrated Setting. Each VR service provided under an IPE will occur in the most integrated setting that is both appropriate for the service and consistent with the consumer's informed choice and functional capacities.

2703.2 Planning. The Counselor will facilitate, arrange, coordinate, and monitor as necessary for timely delivery of services included in the IPE. The Counselor should make every effort to be proactive rather than reactive with in-service delivery by anticipating service needs to the extent possible and preventing unnecessary service interruptions and delays through appropriate case management, and vocational counseling and guidance.

2703.3 Relevance to Vocational Outcome. In completing the IPE, a relationship should exist between services rendered and the vocational outcome expected in that the services are necessary and will have a positive effect on the consumer's preparation for or placement in competitive integrated employment.

2703.4 Supportive Services. During the program formulation phase, the Division can provide a limited scope of supportive services such as transportation, short term maintenance, and other similar sorts of assistance that do not improve the consumer's functional capacities. If, however, it is determined that a hand splint or some other assistive device is needed for adequate appraisal of an eligible individual's functional and vocational limitations and rehabilitation potential, such services may be provided during the assessment. Supportive services provided in Status 10 are not subject to the consideration of economic need unless actual devices and/or aids are purchased. All fiscal records related to this purchase should be filed in the fiscal section of the case folder and thoroughly explained in *Actions/Details*.

2703.5 Case Recording

Client Services Manual

A. *Certificate of Significance of Disability.* The electronic caseload management system requires that the appropriate certificate be completed prior to IPE development.

B. *IPE Approval.* The IPE is subject to review at the supervisor's discretion.

C. *Specificity of Vocational Goal.* The Counselor should enter the title of the specific job in which the consumer will be placed. If the specific job title is unknown, the Counselor will enter a general occupational route. Although the Counselor has considerable latitude regarding the vocational goal, entries should be as specific as possible. If the goal changes from a general area to a specific area, an amendment to the IPE is required.

D. *Documenting Consumer's Views.* The Counselor will make every effort to ensure that the views of the consumer or, as appropriate, the consumer's representative, are recorded in the section provided for *Client Comments* on the IPE or the Amended IPE.

E. *Notice of Rights and Responsibilities.* The consumer is given a written explanation of the individual's rights and responsibilities concurrent with completion of IPE development.

F. *Documentation of Significant Events.* The Counselor should record any significant events related to IPE implementation or about the consumer's progress toward a rehabilitation goal in the section provided for *Actions/Details*.

2704 Individualized Plan for Employment (IPE)

2704.1 Rehabilitation Services Provided Under IPE. Rehabilitation services shall be provided in accordance with an IPE developed with the eligible consumer. Services provided under an IPE will be required for and directly related to the competitive integrated employment goal. Services will be provided within a vocational counseling and guidance relationship in the most integrated setting possible and should have a substantial and positive impact on the consumer's competitive integrated employment outcome. All services provided under an IPE are subject to the Division's economic resource policies unless specifically cited as exclusions in policy. All services included in the IPE shall be provided in accordance with the prearranged agreement with the consumer except in

Client Services Manual

circumstances where changes in funding or policies necessitate a revision to the planned services. Upon initial completion of the IPE, the Counselor will advise the consumer that the IPE is not a binding contract for services and that services outlined on the IPE may be subject to changes in law, Division funding and policies, or administrative approval for certain services.

2704.2 IPE Development

A. *Facilitating Consumer's Participation.* The Counselor will offer information and technical assistance to eligible consumers and/or their representatives as needed to facilitate their full participation as partners in designing and carrying out rehabilitation efforts, including IPE development. Information offered will include *Options for Developing an Individualized Plan for Employment*.

B. *IPE Developed by Consumer.* When the eligible consumer desires to develop all or part of the IPE, the Counselor will provide to the consumer and/or the consumer's representative a copy of the *IPE Self-Completed Form* published by the Division to assist in this endeavor. The self-explanatory form booklet contains necessary instructions and descriptions of various IPE components.

1. The consumer and/or consumer's representative may address any or all required components of the IPE using any format they find most suitable except that all proposed components must be submitted in writing.

2. Should the consumer and/or consumer's representative desire to develop an entire IPE for review by the Counselor, IPE components proposed by the consumer and/or consumer's representative also will be supported by a written statement addressing required components of the program explanation statement discussed earlier in this section.

3. After the consumer and/or consumer's representative and Counselor agree on all components of the proposed IPE, the Counselor will assist the consumer and/or consumer's representative in documenting the IPE by transposing the provisions of those components to forms designated by the Division.

Client Services Manual

4. All documents submitted to the Division by the consumer and/or the consumer's representative regarding IPE development will be filed with the IPE in the case folder.

C. *Approval.* The consumer or, as appropriate, the consumer's representative, and the Counselor shall sign and date the IPE and any amendment(s) indicating that:

1. *Consumer's Agreement.* The terms of the IPE and the consumer's rights and responsibilities have been explained and are agreed to by the consumer or, as appropriate, the consumer's representative.

2. *Counselor's Approval.* The Counselor to whom plan authority has been delegated has approved the IPE. Otherwise, the IPE will be submitted to the supervisor for approval and signature.

2704.3 Contents. The IPE will be documented by the Counselor using form(s) designated by the Division and will include the following components:

A. *Employment Goal.* The IPE shall be developed to achieve the consumer's rehabilitation goal for competitive integrated employment, consistent with that individual's unique strengths, resources, priorities, needs, concerns, abilities, and capabilities. The rehabilitation goal will be based on the assessment for determining eligibility and priority of services, assessment for determining rehabilitation needs, and the consumer's informed choice.

B. *Timeframe.* Under the section "I expect to achieve my goal by...", the date entered will be the estimated date of case closure, based on completion of rehabilitation services and 90 days consecutive competitive integrated employment in the vocational goal.

C. *Intermediate Goals.* Intermediate rehabilitation goals will support attainment of the rehabilitation goal and shall be based on the assessment for determining rehabilitation needs and consistent with the consumer's informed choice.

D. *Intermediate Objectives and Specific Services.* The specific rehabilitation services to be provided shall be included on the IPE. The following sections will be completed:

West Virginia Division of Rehabilitation Services
Client Services Manual

1. “*Services I will need*”;
2. “*Who will provide the services*”;
3. “*Who will pay*”;
4. “*Beginning date of services*”; and,
5. “*Ending date of services.*”

E. *Comparable Services and Benefits.* Other sources or benefits that are available to pay in whole or in part for the cost of rehabilitation services shall be indicated.

F. *Evaluation Criteria.* Evaluation will be completed on each intermediate objective. The method and schedule will be based on objective criteria and nature of the service provided.

G. *Post–Employment Services (Vocational Rehabilitation).* The consumer’s need for post–employment services and, if appropriate, extended services will be indicated.

H. *Financial Arrangements.* Based on the consumer’s financial resources, the IPE will inform the individual of personal responsibilities regarding any financial arrangements.

I. *Client Comments.* The consumer or, as appropriate, the consumer’s representative, will be provided an opportunity to describe how the individual was informed about and involved in choosing among alternative goals, objectives, services, entities providing such services, and methods used to provide or procure such services, and to express personal views concerning the rehabilitation goals, objectives, and services.

J. *IPE for Supported Employment.* For clients with the most significant disabilities for whom supported employment with ongoing support has been determined to be appropriate, each IPE shall contain:

1. All information appearing in the “*Contents*” paragraph;

Client Services Manual

2. Selection of the Supported Employment box;
3. A vocational goal;
4. Supported employment as an intermediate objective;
5. A description of the time-limited services to be provided by the Division, not to exceed 100 hours within a 24-month period;
6. Identification of the consumer's weekly work goal (stated in terms of hours per week), which reflects the individual's vocational potential at the time of transition to extended services; and,
7. A description of the extended services needed, identification of state, federal, or private programs that will provide the continuing support and a determination that continuing support is available. In the event that identification of the source is not possible when the IPE is developed, a statement shall be included explaining the basis for concluding that there is a reasonable expectation that services will become available.

2704.4 Program Explanation Statement. It is essential that the case record clearly and fully reflect the foundations upon which the vocational rehabilitation (VR) planning effort will be based, most especially the information and reasoning that shaped the plan and the contributions that the consumer and the Division will make toward its successful implementation. The program explanation statement is crucial because it provides the only documentation in the case record at the time of IPE development that comprehensively addresses all relevant factors and considerations that led to the vocational choice. Included may be the consumer's past work history, educational background, transferable work skills, intellectual capacities, interests, assessments, evaluations, and other relevant information. However, the program explanation must include the following information:

- A. How and why the vocational goal and planned services were selected;
- B. Job prospects, placement plans, and placement services that will be required, including a description of efforts to be made by the consumer and Counselor in obtaining competitive integrated employment; and,

C. Utilization of comparable benefits.

2704.5 Consumer's Rights and Responsibilities. The Counselor shall advise the consumer of the individual's rights and responsibilities to include information concerning:

A. The Client Assistance Program;

B. The appeal process;

C. Confidentiality of personal information;

D. Consumer responsibilities associated with participation in the rehabilitation program; and,

E. Financial participation of the consumer in the cost of services, as appropriate. The Counselor also shall inform the consumer that services are subject to funding availability and that the Division will not pay for services that have not been pre-approved and pre-authorized by a signed, written purchase document.

2704.6 Copy of IPE. Immediately upon signature of all parties, the Counselor shall provide the consumer or, as appropriate, the consumer's representative, with a printed copy of the IPE and any amendments. Based upon the need and request of the consumer, the Counselor shall provide a copy of the IPE in Braille or other appropriate mode of communication within 15 working days of required signatures. To the maximum extent possible, arrangements will be made for provision of the IPE in the consumer's native language or, if appropriate, the individual's representative. The original IPE will be maintained in the consumer's record of services.

2704.7 Periodic Reviews of Progress. The case will contain documentation of the results of periodic reviews of the consumer's progress toward achievement of the rehabilitation objectives outlined on the IPE.

2704.8 Annual Review. The IPE shall be reviewed as often as necessary, but no less than annually. Each consumer or, as appropriate, the consumer's

representative will be offered an opportunity to review the program and jointly redevelop and agree to its terms.

2705 IPE Amendment

A. *When Required.* The IPE will be amended when:

1. Major service(s) is/are deleted and/or added;
2. The vocational goal is revised;
3. There is a change in financial participation;
4. There is a change in the consumer's responsibilities as an active participant in the rehabilitation effort;
5. The consumer requests other substantive changes;
6. The consumer changes vocational goals, changes jobs, or changes employers; and/or,
7. The *IPE* Employment Goal and SOC code does not match the *Status 22 Employment Verification* Employment Goal and SOC due to a change in vocational goal. The IPE will be amended with the most recent Status 22 Employment Goal and SOC as appropriate and compatible with the consumer's disability. Once the case is moved to Status 22 the consumer will maintain employment with the same employer for 90 days to ensure stability and satisfaction of the competitive integrated employment outcome and rehabilitation services are no longer needed.

B. *When Not Required.* An amendment to the IPE is not required for provision of minor services. Minor services provided must be documented in the case record.

C. *Procedure.* Changes to the IPE will be designated as "Amendment" and include the amendment number. Revisions or amendments to the IPE will not take effect until all parties agree to and sign the IPE amendment. Immediately upon signature of all parties, the Counselor shall provide the

Client Services Manual

consumer or, as appropriate, the consumer's representative, with a printed copy of the IPE amendment(s).

2706 Ineligibility Determined After IPE Development. After IPE development, if the consumer is determined no longer eligible for rehabilitation services, procedures pertaining to ineligibility and closure of the record of services will be followed. (Section 3000 Closure).