

DRAFT

FY 2014 State Plan

Order of Selection

Attachment 4.11(c)(3) Order of Selection

- Identify the order to be followed in selecting eligible individuals to be provided vocational rehabilitation services.
- Identify the justification for the order.
- Identify the service and outcome goals.
- Identify the time within which these goals may be achieved for individuals in each priority category within the order.
- Describe how individuals with the most significant disabilities are selected for services before all other individuals with disabilities.

Justification for order of selection

Order of Selection

The Division's Director will determine whether resources will be available to provide vocational rehabilitation services to all eligible individuals throughout the program year. If not, consistent with state and federal law and regulations, the Director will establish restrictions regarding priority categories for selecting the order in which otherwise eligible individuals may be served. Only the Director may establish an order of selection.

In FY 2014, the West Virginia Division of Rehabilitation Services (DRS) will be operating under an order of selection (OS), as there will not be adequate resources to provide services to all eligible consumers. DRS will continue to place eligible applicants with non-significant disabilities (OS priority categories 3 and 4) on the waiting list in FY 2014.

Description of Priority categories

Priority Categories

Following are the order of selection categories currently applicable to the Division's vocational rehabilitation program:

Category 1: Eligible applicants with the most significant disabilities.

Category 2: Eligible applicants with significant disabilities.

Category 3: Eligible applicants with non-significant disabilities comprised of individuals with a permanent disability and whose service provision will be completed in less than nine months.

Category 4: Eligible applicants with non-significant disabilities comprised of individuals with a non-permanent disability.

Definitions

The Counselor will determine the significance of an individual's disability after conducting a diagnostic study that allows for assessing the permanency of the disability, the number of functional capacities limited by the disability, the number of vocational rehabilitation services needed, and the time in service

required to complete those services. These criteria are used when determining whether the individual's disability is non-significant, significant, or most significant.

Individual with Most Significant Disability (MSD).

An individual who:

- A. Has a permanent physical or mental impairment which seriously limits three or more functional capacities (mobility, communication, self-care, self-direction, interpersonal skills, work tolerances, or work skills) in terms of an employment outcome;
- B. Will require two or more vocational rehabilitation services in addition to counseling and assessment; and
- C. Those services will require more than twelve months.

Individual with Significant Disability (SD).

An individual who:

- A. Has a permanent physical or mental impairment which seriously limits one or more functional capacities (mobility, communication, self-care, self-direction, interpersonal skills, work tolerances, or work skills) in terms of an employment outcome;
- B. Will require one or more vocational rehabilitation services in addition to counseling and assessment; and
- C. Those services will require nine months or more.

Individual with Non-Significant Disability.

An individual who:

- A. Has a non-permanent disability, or
- B. Has a permanent disability whose service provision will be completed in less than nine months.

Automatic Classification as Individual with Significant Disability

An individual who is a Social Security Disability Insurance (SSDI) beneficiary or Supplemental Security Income (SSI) recipient will be coded automatically as SD. However, if the individual meets MSD criteria, that designation will apply.

Recertification

Once an individual has been certified as having a significant disability, the individual is exempted from being recertified as having a non-significant disability. However, an individual may be recertified from SD to MSD if all MSD criteria are met. In such instances, the Counselor will note appropriate circumstances in the Action Statement/Details section of the consumer's case record.

DRS Responsibilities when Implementing an Order of Selection

An OS has no impact on the DRS obligation for case finding and referrals. DRS has a continuing responsibility to make the public and referral sources aware of the services it has to offer individuals with disabilities, especially those with the most significant disabilities. Furthermore, DRS shall ensure its funding arrangements for providing services, including third party arrangements and establishment grants, are consistent with the OS. Any funding arrangements that are inconsistent with the OS will be renegotiated.

Priority of categories to receive VR services under the order

OS Administration Process

DRS will continue to place eligible applicants with non-significant disabilities (OS priority categories 3 and 4) on the waiting list in FY 2014. DRS consumers in priority categories 1 and 2 will continue to receive services in FY 2014.

Services necessary for determination of eligibility, assessment of rehabilitation needs, and post employment services are exempted from the Division's order of selection. No administrative exemption from the order of selection shall be approved except by the Director or his/her designee. Any individual notified by the Counselor of classification as a member of an open priority category shall be exempted should that category later be closed.

Plan for Implementing the Order of Selection

DRS will strictly adhere to federal regulations in administering its OS. DRS will continue to: (1) implement the order on a statewide basis; (2) notify all eligible persons of their assignment to a particular priority category and their right to appeal this assignment; (3) assure continuity of services to all persons who were receiving services under an IPE prior to the effective date of the closure order; and (4) assure that funding arrangements are consistent with the OS (34 CFR 361.36(e)).

When the order of selection is implemented, DRS will continue to ensure that an eligible individual who is not assigned to an open OS category has access to services provided under the information and referral system (Section 101(a)(5)(D) of the Act). Information and referral services include: (1) providing VR information and guidance to assist the individual to achieve employment and (2) appropriately referring the individual to other federal and state programs, including other statewide workforce investment programs, that are best suited to meet the individual's specific employment needs (Section 101(a)(20)(A) of the Act).

When making a referral, DRS will provide the individual with:

--a notice of the referral;

--information about a specific point of contact within the program to which the individual is being referred; and

--information and advice about the most suitable service for assisting the individual to prepare for, secure, retain, or regain employment (Section 101(a)(20)(B)(ii) of the Act and 34 CFR 361.37(b)(2)).

DRS will continue to maintain the individual's service record to include documentation on the nature and scope of the information and referral services it provides to the individual and documentation on the referral itself (34 CFR 361.47(a)(13)).

DRS will open and close priority categories as needed in FY 2014, so long as the order of the categories is maintained and continuity of services to all individuals selected for services is assured.

DRS will use the individual's date of application to rank individuals within a priority category. This equitable and reasonable factor provides a method of selecting individuals from a waiting list when DRS has enough resources to serve some, but not all, individuals in that OS priority category.

Describe how individuals with the most significant disabilities are selected for services before all other individuals with disabilities

DRS' Client Services Manual clearly outlines OS Categories to ensure priority services for persons with MSD throughout the state. Furthermore, DRS has budgeted sufficient resources to serve all consumers with disabilities in all open OS Categories with priority given to persons with MSD. DRS utilizes data and caseload management reports to monitor and ensure services to OS Category 1, persons with MSD, are maintained through the FY.

DRS will reopen priority categories as resources become available. In determining whether to reopen a priority category, DRS will ensure that sufficient resources will be available throughout the FY to continue providing services to individuals under an IPE and to serve individuals in the highest priority categories.

When a closed category is reopened for services, individuals in that category will be notified in writing by DRS that they can now receive services. DRS will ensure all individuals selected for services will continue to receive those services without interruption.

Service and outcome goals and the time within which the goals will be achieved

Service outcome goals and the time within which the goals will be achieved

In FY 2014, the agency plans to serve 14,219 individuals with an expected outcome goal of 2,302 rehabilitants within a service time frame of 10 and 26 months and at a cost of \$26,525,970 for all priority categories.

The table below projects FY 2013 related outcomes and goals for Titles I and VI-B by priority category:

Priority Category	Number of individuals to be served	Estimated number of individuals who will exit with employment after receiving services	Estimated number of individuals who will exit without employment after receiving services	Time within which goals are to be achieved	Cost of services
1	10,086	1,469	613	26	\$18,011,814
2	2,937	516	158	26	\$4,936,070
3	426	145	11	10	\$965,885
4	770	172	16	10	\$2,612,201