

2200 ORDER OF SELECTION

2201 General. 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.

2202 Exemptions. No administrative exemption from the order of selection shall be approved except by the Director or his/her designee. The following are exempt from the order of selection restrictions:

- A. Assessment services necessary for the determination of eligibility;
- B. Pre-Employment Transition Services for potentially eligible individuals;
- C. Pre-Employment Transition Services if initiated prior to being placed on the waiting list (Status 04); or
- D. An individual under an *Individualized Plan for Employment (IPE)*.

2203 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.

2204 Notice of Order of Selection. The Counselor shall provide both written notice and an oral explanation or in preferred mode of communication of the order of selection to each applicant, including a copy of the form

Information about the Order of Selection.

2205 Category Assignment. The assessment for eligibility determination yields sufficient information to support an appropriate priority assignment. The Counselor will determine the appropriate order of selection priority category for each applicant upon eligibility determination or recertification.

A. Recertification. An individual who the Counselor determines has been misclassified may be reclassified into a higher priority category, but not into a lower priority category. In such instances, the Counselor will note the circumstances in the Actions/Details section of the individual's case record.

B. Documentation. The Counselor will complete the Eligibility Summary on the Certificate of Eligibility based on the determination of priority category or recertification. In instances of recertification, the counselor will add an addendum with information pertaining to permanency of disability, functional capacities affected, vocational rehabilitation services, and/or expected time in service.

2206 Assignment into a Closed Category. When an individual is assigned into a closed order of selection category, the Counselor will notify them of eligibility and placement on the waitlist. Members of closed categories do not receive vocational rehabilitation services while on the waitlist. Pre-Employment Transition services may continue if initiated prior to being placed on the waitlist (status 04).

A. Category Reopened. An individual may be classified into a closed category which is later declared open. If this occurs while the case is in Status 04 and the individual desires to pursue vocational rehabilitation services, the Counselor will notify the individual in writing and the case will be removed from the waitlist by the date of application.

B. Review. Cases placed into Status 04 will be reviewed annually or upon the request of the individual or the individual's representative. During the review, the individual or individual's representative will be contacted to ascertain whether any change of the individual's disability or functional limitations indicate that the current classification may no longer be appropriate or if the individual wishes to remain on the waiting list. The case will remain in Status 04

West Virginia Division of Rehabilitation Services
Client Services Manual

if there are no changes and the individual requests to remain on the list.

C. *Status 38 Closure.* A case is moved from the waitlist and closed into status 38 if an individual requests to have the case closed while on the waitlist or, if during the annual review, the counselor is unable to contact the individual after two documented unsuccessful attempts. The Counselor will complete the Closure Notification and send verification to the individual of case closure.