

# VOCATIONAL REHABILITATION

## CHAPTER II

Vocational Rehabilitation is a state-federal program conducted in Missouri by the Division of Vocational Rehabilitation and the Department of Elementary and Secondary Education. Its main purpose is to provide a variety of services to eligible individuals with disabilities to help them go to work and earn a living.

### ELIGIBILITY

Age is not a factor in determining eligibility for Vocational Rehabilitation services. Services to transition a student from school to work may begin as early as necessary to prepare the student for a specific vocational goal.

To be eligible, a person:

1. Must be a person with a disability;
2. That disability must keep the individual from getting or keeping a job; and
3. There must be a reasonable chance that the person can be helped to get a job if appropriate services are provided.

An individual's eligibility is determined by a Vocational Rehabilitation counselor. The decision can be made based on existing documentation of the disability, such as doctor's or school records, supplied by the client. If further information is needed, the counselor can send the client for additional evaluation. After determination, the counselor will try to help the client to become employed and earn enough money to support himself/herself. If that is not possible, the client may still be able to get enough help to permit him to function more independently.

### REFERRAL

For Vocational Rehabilitation services, one should contact the nearest district Vocational Rehabilitation office. Any individual, organization or government agency may refer a case to the Missouri Division of Vocational Rehabilitation. The state office is located at 3024 Dupont Circle, Jefferson City, Missouri 65109; the toll free number is 1-877-222-8963.

## SERVICES

Many services can be provided for a client. Some of these services are provided free of charge, while others are provided based upon the client's needs and ability to pay for some or all of the service. However, provision of services should not be denied because of the client's inability to pay.

Some of the services which may be made available to a client and are **not based on financial need** include:

- An examination to determine the extent of disability
- An evaluation to determine what kind of work is most suitable
- Guidance in choosing suitable employment
- Short-term individual counseling during rehabilitation and during the first 90 days on the job
- Psychological tests and measurements
- Interpreter services, when necessary for the client to reach a vocational goal
- Information and referral services
- Transportation, if required for diagnostic purposes
- Help in finding a job, and
- Rehabilitation engineering to assist the client in performing particular job duties.

Other services which may be provided **based on financial need** include:

- Medical, surgical, psychiatric or hospital care to reduce or remove disabling conditions so that the individual can go to work.
- Special devices (such as artificial limbs, wheelchairs or hearing aids) that increase the individual's ability to work.
- Vocational training to prepare him for employment. This may include tuition and fees as well as books and supplies for education in a college, university, trade school, or on-the-job training program. Note-taking services or other auxiliary aids may also be provided.
- Basic living expenses and transportation assistance, if receiving medical treatment or vocational training and needed services are unavailable in the client's community.
- Job-related tools and licenses, if ready to go to work.
- Vehicle modifications necessary to enable the client to work (limitations apply).
- Home modifications or remodeling, if client has been determined severely and permanently disabled (limitations apply).

Although funding for these services may be available through Vocational Rehabilitation (VR), VR is required by federal law to consider other resources such as Medicaid, private insurance, grants, and scholarships available to the client before determining the extent of VR financial participation.

## **INDIVIDUALIZED PLAN FOR EMPLOYMENT**

Once a client is found eligible, it is up to the counselor and the client to jointly develop a plan of action. This is known as the client's Individualized Plan for Employment (IPE).

An IPE must include both long-term goals and short-term goals. The counselor and the client should work together to establish these goals. For example, a client's long-term goal may be to secure competitive employment in a factory setting. One of his short-term goals might be to attend a training session on machine operation. The fact that the client and the counselor have agreed on a plan does not mean that it cannot be changed. At least once a year, the client's IPE will be reviewed with the client to determine if it is still the best plan for the client. If changes are made, it will be by mutual agreement between the counselor and the client.

## **RIGHT TO APPEAL**

Any time the client does not agree with a decision about his case made by the counselor or anyone else in the Division of Vocational Rehabilitation, the client has the right to appeal by requesting due process. The client may also request mediation, which will be provided if mutually agreed upon by the client and VR. If resolution is not reached, the client has the right to continue the appeal process.

The first step in the appeal process is for the client to inform the counselor, preferably in writing, that he is in disagreement with what the counselor has done. If the counselor responds with the reasons for his decision and the client still does not agree, the client may appeal the counselor's decision. This may be done through an "informal review." Although federal regulations do not require an informal review, the procedure can be used to enable resolution at a less formal level. This review may be conducted either by the supervisor of the Vocational Rehabilitation district office handling the client's case or by the area supervisor. He will consider both the client's complaint and the actions of the counselor. The supervisor or area supervisor will then make his decision and give it to the client in writing within ten days of the review.

If the client does not agree with the decision of the district supervisor or the informal review is not used, the client may appeal that decision by requesting a formal hearing before an impartial hearing officer. Once the client requests an appeal of a counselor's decision, a formal hearing must be held within forty-five days unless it is mutually agreed by both parties to extend that time period.

To request a formal hearing, the client must contact, preferably in writing, the Coordinator of Development and Consumer Affairs, Department of Elementary and Secondary Education, 3024 Dupont Circle, Jefferson City, Missouri 65109. The coordinator will assign an impartial hearing officer to hear the case and contact the client to set up a time and place that is convenient for the client. The impartial hearing officer will listen to both sides of the case and then will advise the client and the Division of Vocational Rehabilitation, in writing, of his decision within thirty days of the hearing.

Either party may then appeal to the Commissioner of the Department of Elementary and Secondary Education within 20 days. The Commission will allow for the submission of additional evidence and will only overturn the Hearing Officer's decision if there is clear and convincing evidence that the Hearing Officer's decision is erroneous. The Commissioner will then issue a final written order.

If the client is dissatisfied with the final decision, he may file for a judicial review according to RSMo Chapter 536. At this point, legal representation is necessary.

### **CLIENT ASSISTANCE PROGRAM**

Missouri Protection and Advocacy Services (MO P&A) operates the Client Assistance Program in Missouri on behalf of clients and client applicants of the Division of Vocational Rehabilitation, Rehabilitation Services for the Blind, Independent Living Centers, rehabilitation facilities and other services funded under the Rehabilitation Act of 1973 (as amended).

The purpose of the Client Assistance Program (CAP) is to help those individuals learn about and/or obtain the services to which they are entitled. Information about the employment provisions of the Americans with Disabilities Act is also available. The toll free number to contact CAP is 1-800-392-8667.

### **REHABILITATION SERVICES FOR THE BLIND (RSB)**

The Rehabilitation Services for the Blind (RSB) is placed administratively within the Division of Family Support, Department of Social Services.

The purpose of RSB is to provide services that will enhance the quality of life for persons with visual impairments or blindness. These services include the development of independent living skills and the achievement of skills that will enable the individual to enter competitive employment.

To be eligible for RSB services, the applicant must have an impairment which severely limits vision or visual fields, or a progressive impairment which will result in such a loss of vision.

RSB offers a variety of programs for Missourians who are blind or visually impaired.

**Vocational Rehabilitation:** Eligible individuals are provided with services needed to enter, remain in, or return to suitable employment. Services include diagnosis and evaluation; counseling and guidance; physical or mental restoration; training, including college or university, technical or trade; job development and job placement; rehabilitation engineering; and follow-up services to ensure that the rehabilitated person is performing satisfactorily on the job.

To receive vocational rehabilitation services from RSB, a person must:

1. Meet the eligibility criteria regarding visual impairment;
2. Have an impairment which creates a substantial barrier to employment; and
3. Require vocational rehabilitation services to become employed.

**Business Enterprise Program:** Self-employment opportunities are provided to persons with legal blindness. The program includes vending facility operations in public buildings, in private industry, and in roadside rest areas of the interstate highway system.

**Assistive Technology:** Information, tips, and resources for computer assistive technology are provided for computer users who are blind and visually impaired. More information about manufacturers, updates of the most recently available software and hardware, and discussion of how this can be of use to consumers of vision-related assistive technology can be found on the Internet at [www.dss.state.mo.us/dfs/rehab](http://www.dss.state.mo.us/dfs/rehab).

**Independent Living Rehabilitation:** Services are provided to eligible persons with blindness and visual impairment so that they can function independently in their homes and communities. Services include the teaching of alternative techniques in the activities of daily living, communication skills in the medium that is best utilized by the individual, and homemaking activities.

**Children's Services:** RSB provides services for children age birth to fourteen years to assist in their growth, education and development.

**Transition Services:** RSB provides services to help high school students with blindness or visual impairment prepare for the transition from school to post-secondary education or work.

**Prevention of Blindness:** Diagnostic services and needed eye care are provided to medically indigent persons in order to prevent blindness. Vision screening and glaucoma testing clinics are provided for early detection of eye pathology that could lead to blindness.

**Employer Services:** RSB has a variety of services that can benefit an employer. They can be a valuable and dependable resource in efforts to increase the efficiency and productivity of a business which employs or seeks to employ persons with blindness or visual impairment. Services range from on-site job task analysis to placement of well-trained employees to consultation on ADA requirements.

**State Rehabilitation Council for the Blind:** The Missouri State Rehabilitation Council for the Blind (SRC) provides advice and recommendations to RSB on rehabilitation programs, policies and processes. The SRC is made up of consumers and representatives from: businesses, other programs that serve persons who are blind and visually impaired, and state agencies. Members are appointed by the Governor.

The central office of RSB is located at 3418 Knipp Drive, Jefferson City, Missouri 65103 and its telephone number is 1-800-592-6004. District offices can be found in Jefferson City, Kansas City, St. Louis, Sikeston, and Springfield.

### **CENTERS FOR INDEPENDENT LIVING**

There are twenty-two Centers for Independent Living in Missouri, which offer a variety of independent living services for individuals with severe disabilities. These services must include:

- Advocacy
- Independent living skills training, to include, but not be limited to, health care and financial management
- Information and Referral
- Peer counseling

Each Center for Independent Living also offers other areas of service. For the location of these Centers for Independent Living, contact the Statewide Independent Living Council, Division of Vocational Rehabilitation, Department of Elementary and Secondary Education, 3024 Dupont Circle, Jefferson City, Missouri 65109, telephone number 1-877-222-8963.