

## **8.00 VR SERVICES - OVERVIEW**

### **Introduction**

This chapter contains specific information on each of the services which may be provided for CBVH consumers. The services described in this chapter may be provided in accordance with an approved IPE, as appropriate to the needs of the individual consistent with the individual's informed choice.

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## **8.01 COUNSELING AND GUIDANCE SERVICES**

### **Introduction**

Counseling and guidance is provided by the counselor to:

1. promote a successful consumer/counselor partnership throughout the rehabilitation process, and
2. engage the consumer in a decision-making process in the selection, planning and achievement of an employment outcome, where the consumer is responsible for, and makes, decisions about the plan and services leading to employment.

### **When to Provide**

Counseling and guidance is a core vocational rehabilitation service that is provided throughout the consumer's entire experience with CBVH. Counseling and guidance is provided by CBVH counselors and is not purchased from other sources. However, other community members (e.g. services providers, family, friends) can play a crucial role in the effectiveness of counseling and guidance by supporting the achievement of vocational goals.

### **Scope of Service**

Counseling and guidance may be provided to:

1. encourage the consumer through establishing a relationship of mutual respect, where the counselor can be both supportive, yet challenging, in promoting the consumer's development of the skills needed to achieve an employment outcome.
2. facilitate informed choice throughout the entire rehabilitation process by providing information about the scope and limits of vocational rehabilitation services, and by helping the consumer obtain specific information on programs, resources and services that can assist him/her in the selection and achievement of vocational goals and an employment outcome. When there are limits on the provision or availability of vocational rehabilitation services, the counselor can assist the consumer in exploring alternatives.

3. gain a comprehensive and individualized understanding of the consumer's abilities, capabilities, interests, strengths, resources, priorities and concerns in order to identify factors that will be critical to vocational achievement.
4. facilitate the consumer's understanding of his/her strengths on which to capitalize in achieving vocational goals and plan with the consumer to find ways to work around any impediments, such as functional limitations related to health, personal, economic (e.g. benefits, work disincentives/incentives) and social issues.
5. assist the consumer in selecting a vocational goal and developing a plan of services toward that goal.
6. involve "significant others" (with the consumer's consent) such as family members, relatives and friends in the community who can: be assets to counseling; support the desired outcomes; and, at times, provide valuable resources.
7. provide follow-along services that are not intrusive but continue to support the achievement of long-term outcomes.
8. enhance self-reliance by teaching the consumer how to get information and tap into supportive workplace and community networks, promoting independence beyond the provision of vocational rehabilitation services.

### **Therapeutic Counseling Services**

If based on the counselor's observations, assessments or training reports, the counselor believes that a consumer can benefit from therapeutic counseling, the counselor should strongly recommend that the consumer seek these counseling services. If the consumer agrees to participate in counseling services, the counselor should arrange for the service and revise the IPE as needed. If the consumer refuses counseling, the counselor should advise the consumer that failure to address issues may impact on the consumer's ability to participate successfully in their vocational rehabilitation program.

## **8.02 MEDICAL RESTORATION SERVICES**

### **Introduction**

Medical restoration services (physical or mental restoration) are those services designed to correct or substantially modify within a reasonable period of time a physical or medical condition which is stable or slowly progressive, and results in a substantial

impediment to employability. Medical restoration services are provided to enable an individual to achieve an employment outcome by reducing or eliminating functional limitations resulting from the disability, thus lessening the impediment to employment and providing greater opportunity for vocational success.

### **Examples**

Examples of medical restoration services include the following:

1. physicians and surgeons fees for eye treatment and medical/surgical treatment
2. surgery
3. diagnosis and treatment of mental or emotional disorders by a psychiatrist, licensed psychologist or certified psychotherapist
4. dental work
5. hospitalization for surgery or treatment including inpatient and outpatient services, room, board and special nursing services
6. drugs and supplies incidental to surgery and/or treatment
7. prosthetics or other assistive devices, including low vision devices and hearing aids
8. physical, occupational, or speech therapy

### **Criteria for the Provision of Medical Restoration Services**

The following criteria are to be met prior to the authorization of medical restoration services:

1. eligibility for VR services
2. the physical or mental disability should be stable or slowly progressive
3. the plan for medical restoration services must be included on the IPE
4. the restoration service(s) must be expected to eliminate, substantially reduce or curb the impact of the disability within a reasonable period of time (as determined by the nature of the individual's disability, the prognosis regarding life expectancy and employability; and the individual's general health).

Prior to the provision of medical restoration services, the individual must have had a recent examination by a licensed physician or low vision specialist. In some cases, an examination within the past twelve months will suffice, e.g. for individuals with certain chronic diseases or disabilities such as controlled epilepsy, congenital defects or those from whom appliances such as orthoses or prostheses are needed. The determination as to whether or not a more recent exam is needed will be made by the counselor after consultation with the medical consultant or senior counselor

### **Consultation with Medical Specialists**

When available, a medical consultant may be consulted during the provision of medical restoration services in order to advise and assist the counselor in planning the restoration service. If no medical consultant is available, the counselor can arrange a consultation with an appropriate medical specialist. Counselors may also request a second medical opinion when needed in order to determine the appropriateness of the medical restoration service.

### **Provision of Audiological Services**

CBVH will provide hearing aids to individuals who require the aid in order to function in employment. For individuals with a goal of homemaker, CBVH will only provide hearing aids to those individuals who have hearing loss that meets the definition of severe hearing impairment (see below) as documented by an audiologist. Many individuals lose hearing as they age. This is considered to be a medical issue that must be addressed by the consumer's medical care provider. It is presumed that hearing loss becomes a rehabilitation issue when it meets the definition of severe hearing impairment. The provision of hearing aids is contingent upon the individual's economic need status unless the individual meets the definition of deafblind and is identified as being deafblind on the RSA-911.

### **Definition: Severe Hearing Impairment**

Severe hearing impairment is defined as at least a 55db loss in the better ear, unaided, measured as an average loss in the speech range of 500, 1000 and 2000HZ or a speech discrimination score of 40% or less.

### **Provision of Psychological/Psychiatric Services**

Psychological and psychiatric therapy may be provided to CBVH consumers who have a mental or emotional disability that can be reduced or substantially modified through the provision of such services. However, this service is not intended to meet ongoing mental health needs. Individuals should be encouraged to use community resources that will be affordable and available after CBVH funding for this service is completed.

### **Duration of Psychological Services**

When psychological and psychiatric therapy is provided it must be short-term in duration, not to exceed 18 months. In all cases of psychological and psychiatric therapy, the counselor must arrange a review of the consumer's case with the senior counselor at every six month interval.

## **Medical Care for Acute Conditions**

CBVH may provide medical restoration services for treatment of either acute or chronic medical complications that arise out of the provision of other medical restoration services or are inherent in the condition under treatment which if not cared for would complicate or delay the rehabilitation program. If the seriousness of the complication is such that it interferes with the possibility of achieving the employment outcome, it may be necessary to re-evaluate the individual's IPE or determine that case closure is appropriate.

It is not necessary to revise the IPE to include medical care for acute conditions. However, a case note regarding the service provision must be entered into the record of service.

## **Provision of Dental Services**

While CBVH does not assume responsibility for a program of general dental care, dental services may be provided when the dental evaluation indicates that the condition of the teeth and gums are so severe that they will interfere with the individual's ability to achieve an employment outcome.

An evaluation of a consumer's dental condition may be indicated when the general and/or specialty medical examination reveal(s) the existence of serious maxillo-facial problems and/or diseases of the gums and teeth that may cause or aggravate problems of speech, personal appearance, personal adjustment or other specific health problems. Ordinarily, dental conditions such as caries, gum abscess or multiple extractions with the provision of dentures do not meet the criteria for provision of dental services. However, CBVH may provide dental services if the criteria are met as a result of any of these conditions.

## **Selection of a Service Provider**

For guidance in selecting a service provider refer to Chapter 14.00 Selection of Providers of Medical Services.

## **Economic Need**

All medical restoration services, except low vision devices, are provided contingent upon the consumer's economic need.

Low vision devices are not contingent upon economic need.

## **Comparable Benefits**

A full consideration of comparable benefits should be completed prior to authorizing medical restoration services.

## **Payment of Medical Restoration Services**

If no comparable benefit is available for the payment of medical restoration services, CBVH can purchase the service in accordance with the Medicaid Fee Schedule. For services not included in the Medicaid Fee Schedule, prior approval for the purchase must be obtained from the District Manager.

## **8.03 MAINTENANCE**

### **Introduction**

Maintenance is a supportive vocational rehabilitation service and can only be provided to enable an individual to receive or participate in another VR service.

Maintenance payments are not made for the purpose of ameliorating poverty, or guaranteeing consumers and/or their families a standard of living equal to what they may be accustomed.

### **Federal Definition**

Maintenance means monetary support provided to an eligible individual or an individual receiving extended evaluation services for those expenses, such as food, shelter, and clothing, that are in excess of the normal expenses of the individual and that are necessitated by the individual's participation in a program of vocational rehabilitation services.

### **Times When Maintenance May Be Needed**

Maintenance assistance is frequently required when an individual is receiving the following services:

1. Assessment Maintenance payments for room and board may be paid to allow consumers to participate in assessment services (i.e. short term lodging and meal costs while receiving specialized tests in an out-of-town medical center).

2. Medical Restoration Maintenance may be paid to allow a consumer to receive medical restoration services.
3. Training Maintenance payments for room and board may be paid to allow a consumer to participate in training.
4. Placement Maintenance may be provided to facilitate placement (i.e., maintenance may be provided for consumers to participate in employment seminars or job clubs; maintenance may be provided to a consumer who moves out-of-town to accept a job).

### **Maintenance for Family Members**

1. CBVH does not pay maintenance for family members unless it is necessary to allow the consumer to participate in a vocational rehabilitation service.
2. CBVH does not pay maintenance for family members when a consumer is relocating in connection with placement.
3. Authorization of maintenance for family members requires District Manager approval.

### **College Students**

Maintenance expenses for college students are described in Section 8.32 - College Training.

### **Description of Maintenance Services During Assessment, Training and Medical Restoration**

Maintenance in the form of room and meal expenses may be provided to consumers during assessment and medical restoration.

Room and meal expenses (including heat and electricity) may be provided for a consumer who is required to live away from home while participating in a rehabilitation program in accordance with the following guidelines:

Short Term Living Situation (Hotel or Motel): Individuals cannot reside in a hotel or motel after eight weeks. When a counselor knows that assessment, training or physical restoration services will continue beyond eight weeks, she/he should begin to look for a long-term living situation at the outset of service provision. A long-term living situation must be found by the end of the eighth week.

1. Time frame: up to a maximum of eight weeks with the possibility of a four week extension with adequate justification and senior counselor approval.
2. Room expenses: an allowance to meet the actual cost of room expenses incurred by the consumer may be provided. This allowance cannot exceed the prevailing State lodging allowance from PEF union members.
3. Meal expenses: when included with the cost of the rehabilitation program, the actual cost of meals may be provided up to a maximum of \$17 per day. When the consumer is required to obtain or prepare his/her own meals, he/she may be provided an allowance of \$17/day.

Long-term Living Situation (includes, but is not limited to: congregate housing provided by vocational schools or private agencies; transitional apartments, and private apartments occupied by one or more persons)

1. Time Frame: anytime during the service provision and after the eight week period has expired.
2. Room Expenses/Meal Expenses: Actual costs up to a maximum of \$750/month may be provided for lodging (including utilities). A maximum of \$300/month may be provided for meals. In no case will the combined room and meal payment exceed \$1,050/month.

### **Individuals Who Commute to Services**

Individuals who commute to and from their rehabilitation program are not entitled to any room or meal allowance.

### **Example of Maintenance Services During Medical Restoration**

Maintenance is not commonly needed during the provision of medical restoration services. However, when it is needed, it may be paid to a consumer or vendor in accordance with the allowances established above.

Example: A consumer from upstate New York is scheduled for eye surgery in a NYC hospital. CBVH may pay the actual cost of receipted hotel expenses up to the maximum allowed for PEF members and meal costs up to \$17 per day if the consumer needs to arrive in the out-of-town location the day before treatment.

In many instances, the supportive services needed during medical restoration are considered attendant care services and not maintenance. See Section 8.11 for guidelines on the provision of Personal Assistance Services.

## **Description of Maintenance Services During Placement**

Maintenance may be provided to consumers who have relocated to accept employment in accordance with the following guidelines:

1. Room (lodging) Expenses - An allowance to meet the actual cost of lodging expenses in accordance with the allowances established for maintenance during assessment, training and physical restoration will be paid for a maximum of 60 days.
2. Board (Meal) Expenses - An allowance of \$17.00/day will be authorized until receipt of the first paycheck.

## **Security Deposits**

CBVH will pay security deposits in accordance with the guidelines below:

1. CBVH will pay deposits only if required to allow a consumer to participate in a rehabilitation program.
2. The consumer is responsible for repayment of the deposit and any interest which may have accrued while the deposit was being held.

If the security deposit (plus any interest) is not repaid to CBVH, CBVH will take appropriate action to recover the amount involved.

## **Absenteeism**

Maintenance in the form of room and meals will continue to be paid for consumers who are living away from home and participating in evaluation or training programs when the absence is due to:

1. illness, or
2. urgent personal business.

## **Notification of Absences**

Counselors should be aware that community rehabilitation programs are required to notify CBVH counselors of:

1. a consumer's absence on the third day of absence during any evaluation or

- training program, and
2. erratic or excessive tardiness.

### **Lodging, Special Considerations**

It is the policy of CBVH that individuals, whose IPEs include reimbursement for housing, shall be lodged in sites which are in conformance with basic health and safety requirements.

The satisfaction of these requirements shall be the responsibility of the landlord or agency providing the housing. The documentation of conformity with these requirements shall be the responsibility of the counselor.

### **Rule**

Individuals who utilize dog guides must show evidence from a veterinarian that the dog has updated vaccinations and is free from parasites.

### **Types of Lodging Included**

Housing includes, but is not limited to:

1. hotels
2. motels
3. congregate housing provided by vocational schools or private agencies
4. transitional apartments, and
5. private apartments occupied by one or more persons.

All of these situations, and others not listed, must meet prevailing requirements for health and safety conditions.

### **Documentation: Hotels, Motels, Colleges**

Due to the regulation of hotels and motels, it will not be necessary for the counselor to obtain documentation for these situations.

### **Appropriate Documentation - Apartments and Single Family Homes**

In situations involving apartments or single family homes in New York State, the applicable documentation will usually consist of a copy of the owner's Certificate of

Occupancy. In areas that do not have a certification program, it will be necessary to forward a copy of that area's equivalent documentation.

### **Documentation**

For all other situations, it will be necessary for the counselor to furnish documentation indicating that the residence complies with the prevailing local codes governing the type of residence being utilized.

This documentation must be forwarded to Central Office, to the attention of the Facilities Specialist, before individuals can be housed in the residence.

### **Appropriate Documentation, Group Homes and Congregate Living Situations**

For group homes and other congregate living situations which are regulated by a government agency, it will be necessary to forward copies of the facility's approval documents issued by that government agency.

### **Clothing Allowance**

A clothing allowance may be provided at any time during the rehabilitation process to a consumer who has a documented need for clothing in order to participate in his/her rehabilitation plan. Up to \$300 may be authorized for clothing during the time an individual's case is open.

### **Economic Need**

All maintenance costs associated with the provision of assessment services, including extended evaluation services, are provided without regard to the consumer's economic need status.

When provided to support non-assessment services, maintenance services are contingent upon the consumer's economic need status.

### **Comparable Benefits**

A full consideration of available comparable benefits should be made prior to authorizing maintenance.

### **Comparable Benefits - Use of SSI Award**

Supplemental Security Income (SSI) is to be used as a comparable benefit toward the cost of room and board for individuals in long-term living situations (as defined on page 8.03.03) in accordance with the following guidelines: For individuals who are recipients of SSI, any money received from SSI over \$100 per month must be considered as a comparable benefit toward the cost of room and board. Exceptions to this policy will be made for individuals who must maintain their own residence, other than their temporary residence while in training. Exceptions will not be applied to individuals who contribute to a family residence.

For individuals in a long-term living situation where the facility directly receives the individual's SSI money, (such as a qualified congregate care facility) CBVH requires that the facility apply the SSI money (less \$100 per month for personal expenses) to the room and board costs for the individual.

## **8.04 TRANSPORTATION**

### **Federal Definition**

Transportation services is travel and related expenses that are necessary to enable an applicant or eligible individual to participate in a vocational rehabilitation service.

### **Scope of Services**

Transportation is considered a supportive service and can only be provided to enable a consumer to receive or participate in another VR service. Transportation services which may be provided to enable a consumer to participate in another VR services include:

1. actual fares/travel costs for the consumer to use public or private conveyances.
2. actual fares/travel costs for an individual escorting the consumer when the consumer is not able to travel independently to a service or when the total cost of this method of transportation is less than other options.
3. mileage reimbursement at the state rate when another individual provides transportation for the consumer using a personal vehicle.
4. relocation or moving expenses in accordance with the guidelines on pages 8.04.04 - 8.04.05.
5. hourly costs for a travel aide when required due to the severity of the consumer's disability or the lack of other transportation options.

## **Counselor Responsibility**

In order to minimize the cost of transportation services, "no cost" or "low cost" options which meet the consumer's particular needs should be explored with the consumer from the beginning of the rehabilitation process. Every effort should be made to have the consumer travel independently using public transportation (when they are able to safely and comfortably use this option) or to use transportation services available at no cost to CBVH. For those consumers who use public transportation, counselors should ensure that consumers are aware of reduced fare cards.

## **Transportation Options**

During intake process, counselors should discuss the following options (listed in priority order) with consumers to determine the method(s) to be used by the consumer to travel to other rehabilitation services:

1. Transportation by a family member or friend using either a personal vehicle or accompanying the consumer using public transportation.
2. Transportation paid by Medicaid (i.e. taxi service to medical appointments).
3. Volunteer providers
4. Public transportation when the individual is able to safely and comfortably use public transportation.
5. Paratransit systems, local office for the aging transportation services, where available or other community resources available to older individuals or individuals with disabilities other than blindness
6. Group van service
7. Individual car service or taxi cab service

## **Selection of Transportation Providers**

When selecting among the alternatives listed above, in addition to the cost of the services, the counselor and consumer should also take into account the availability and the appropriateness of the selected option.

## **Payment for Travel Aides**

When necessary due to the severity of the consumer's disability or the lack of other transportation options, CBVH may pay an individual to provide travel aide services for a consumer. Travel aides will be paid at the minimum wage level. This rate can only be exceeded with senior counselor approval and case documentation indicating that a travel aide cannot be secured at minimum wage. A member of the consumer's family who customarily provides travel assistance or an individual already receiving payment by CBVH or a comparable benefit to provide personal assistance services cannot be paid to provide travel aide services.

### **Transportation Services During Assessment Services**

CBVH may pay the actual fare and travel costs to use public or private conveyances for consumers participating in assessment services.

### **Transportation Services During Training**

CBVH may pay the actual costs of public transportation costs (or when appropriate, mileage reimbursement) for:

1. travel to training at the beginning and end of the program.
2. travel to and from training at a community rehabilitation program or other training site (except a college or university campus) during any break that is four or more days between when the program ends and begins again. (See Section 8.32 for guidelines for transportation services for college students.)
3. emergency leave from training due to the death or sudden hospitalization of a member of the consumer's immediate family. (See page 8.06.01 for the definition of family member.)
4. daily travel to and from training for commuting consumers

Transportation services will not be paid for overnight or weekend travel unless required by the training program.

### **Transportation Services During a Job Search**

The actual fares and travel costs to use public or private conveyances may be paid for consumers to attend job clubs, conduct a job search and travel to job interviews, when planned by the counselor and consumer. Travel receipts must be submitted to the counselor in order to receive payment.

## **Transportation Services When Relocating for Employment**

Allowable relocation expenses may be paid by CBVH for the permanent relocation of a consumer (or a consumer and his/her family), when relocation is necessary in order for the consumer to obtain employment, employment has been secured and the consumer met economic need prior to obtaining the employment.

### **Allowable Relocation Expenses**

Individuals who meet the criteria for reimbursement for relocation expenses can be reimbursed their actual costs up to a maximum of \$1,000 for either an in-state move or an out-of-state move.

Allowable relocation expenses include:

1. actual cost of moving household goods by commercial carrier or rental truck/trailer.
2. actual cost of packing and unpacking if performed by vendor and not included in the costs in #1 above.
3. cost of meals and lodging (for the consumer only) during transit in accordance with established per diem rates (See Section 8.03 - Maintenance).
4. cost of tolls and mileage at the State approved rate for automobile travel, rental truck/trailer, or the fare of a common carrier if not using a private automobile (if not included in the costs in #1 above).

Receipts for meals, lodging and tolls must be submitted to the counselor in order to receive payment.

## **Transportation Services During Post-Employment Status**

Transportation services may be provided as a post-employment service to enable an individual to participate in other rehabilitation services. Services are to be provided in accordance with the economic need guidelines on page 8.04.05.

### **Economic Need**

The provision of transportation services is not contingent upon the consumer's economic need status when provided in support of assessment services, including extended evaluation; when provided in support of other services which are not

contingent upon economic need; and when provided to enable the consumer to attend an initial review, administrative review or administrative hearing.

The provision of all other transportation services is contingent upon the consumer's economic need status.

### **Comparable Benefits**

When providing transportation services comparable benefits should be explored and fully utilized when available.

### **Payment of Transportation Services**

Transportation services can be paid directly to the vendor or service provider using a DSS-335 or directly to a consumer using a DSS-1016.

When payment is advanced to a contract agency, the agency should provide the consumer with transportation money only for days in attendance and bill CBVH accordingly.

When payment is advanced directly to a consumer, the counselor should inform the consumer that she/he is required to reimburse CBVH for transportation costs for days not in attendance at the program.

For relocation expenses, when the actual costs are not known in advance, the consumer can receive reimbursement for allowable costs upon submittal of receipts to the counselor.

## **8.05 HOME MODIFICATION**

### **Introduction**

Within the context of an IPE, CBVH may provide modest home modifications to meet the functional needs of a consumer in the home. Modest home modifications are minor structural changes such as widening doorways, construction of ramps or installation of lifts, and making a bathroom accessible. Home modification services must directly benefit the individual in terms of achieving an employment outcome.

### **When to Provide Home Modification**

Home modification can only be provided to consumers in Status 10 and beyond upon completion of an evaluation. An evaluation to determine the need for home modification may be conducted during Status 02 or 06.

**Note**

Home modification may be provided to a consumer for the primary purpose of obtaining access to the house or apartment, or to make features of the residence more accessible; i.e. those home features that are critical to participation in job preparation services or necessary for employment of the consumer.

**Who Evaluates the Need for Home Modifications**

Home modification evaluations should be done by a home modification specialist. District offices may develop a list of local resource persons approved as vendors to provide these services. VESID district offices can provide information about approved local vendors.

**Purpose of Home Modification Specialists**

A home modification specialist can be used for two main purposes:

1. specify what modifications are needed;
2. to specify how modifications will be made or installed by the contractor.

Frequently, we may need to use individual specialists for each purpose.

**Qualifications of Home Modification Specialists**

A home modification specialist has demonstrated expertise in:

1. adaptive modifications with training in occupational therapy, physical therapy, or rehabilitation engineering; and/or
2. developing construction specifications, blueprints materials and or drawings with knowledge of methods; architects or contractors most often have this type of expertise. Note: If a contractor is used as a home modification specialist, the contractor is disqualified from participating in the bid process.

**Functional Evaluation**

The counselor should provide the evaluators with written information about the functional limitations created by the consumer's disability. The evaluators also need to

understand the objectives of altering the consumer's current living situation only as related to reaching the vocational goal.

For example, the consumer may use a wheelchair and live in a home with 5 steps at the entrance. The consumer needs to get in and out of the house independently to attend a daily training program.

The counselor should work closely with the consumer and the evaluator and must be present for the evaluation home visit. Recommended modifications should be discussed and result in the most practical solution to the problem at hand, taking into account reasonable cost factors.

Recommendations by evaluators must be submitted to CBVH in a detailed written report. Recommendations are not binding upon CBVH.

### **Cost of Evaluations**

The cost of evaluations are authorized by the counselor at an appropriate hourly rate. CBVH will pay the current hourly rate for the vendor as approved by VESID. This rate may range from \$20.00/hour to \$50.00/hour. Each specialist can be authorized for a maximum of six hours. Additional hours can be authorized with senior counselor approval.

### **Expenditures Review/Approval**

Total cost of home modifications should not exceed \$12,000. Most modifications will cost considerably less than this amount.

All IPE's and expenditures involving home modification must be approved by the senior counselor and district office manager. Plans to provide home modifications should be discussed with the senior counselor prior to development of the IPE.

### **Economic Need**

The provision of home modification services is contingent upon the consumer's economic need status.

### **Comparable Benefits**

When appropriate, maximum utilization should be made of available comparable benefits. Counselors are advised that towns and community organizations may have funds, or provide materials or labor resources to assist individuals in making

modifications or repairs.

Inquiry into availability of comparable benefits should not unduly delay provision of services.

**Note**

When the consumer is having a home custom built, CBVH cannot pay the consumer for home modification.

**Leased or Rented Property**

For property leased or rented by the consumer, the consumer must provide CBVH with written assurance that the building is intended to be the consumer's long term residence. When considering such modifications to property which is leased or rented, the property owner should be contacted first to see if he/she will make the changes. If not, the property owner must provide written permission for the modifications to be made. CBVH can only be responsible for the accessibility of a consumer's immediate living area. The property owner is responsible for the overall accessibility of the building.

**Required Documentation**

In all cases of property modification or repair, the record of services should clearly indicate:

1. the need for the modification or repair and how it will contribute to the consumer's employability, and
2. that building permits, pre-modification consents and all appropriate clearances and approvals from the owner have been obtained. Note: The contractor is responsible for obtaining a building permit.

**Rule 1**

All modifications or repairs must follow prescribed federal, state and local standards. Specifications developed by the American National Standards Institute (U.S. Department of Housing and Urban Development) should be consulted when necessary for technical information regarding accessibility.

**Rule 2**

CBVH will not pay for work or modifications initiated prior to approval through the bid

process and IPE.

### **Procedure: Home Modification**

The following procedures are to be completed in obtaining home modifications:

1. Counselor obtains a written functional assessment report including detailed narrative description, specifications and drawings of work to be done. In order to facilitate the bid process, home modification specifications should be as clear and detailed as possible so that the quality of service, materials and products are consistent among bids.
2. Consumer must review recommendations and sign statement that he/she agrees with modification plans prior to initiation of bid process. Any changes to the plans must be requested by the consumer in writing and approved by the evaluator and the counselor.
3. Counselor identifies a minimum of 5 contractors (possibly available from local VESID office) who might perform modifications. Consumer can suggest a contractor, but inclusion of the contractor in the bid process is at the discretion of CBVH. References should be obtained for each contractor. Note: If 5 contractors cannot be secured, the counselor should describe attempts to identify contractors in a brief memorandum to Chief, Fiscal and Program Support Section. Place a copy in the record of services.
4. Counselor sends the following items to Central Office to the attention of Chief, Fiscal and Program Support Section:
  - a. complete functional assessment report, and
  - b. names, addresses of possible contractors
  - c. completed DSS-1013 with descriptions and estimated costs

Central Office will review and forward the information to OCFS Purchasing.

5. OCFS Purchasing coordinates the entire Request for Proposal and bid process. Depending on the estimated cost of the project, the bid process can take from 6-8 weeks from the date that OCFS Purchasing receives the home modification specifications. OCFS Purchasing will schedule a pre-bidders conference date after contacting Central Office. Central Office will check with counselor on possible dates to accommodate consumer.
6. The pre-bidders conference is held at the consumer's home. The counselor and the Home Modification Specialist must be present.

After the Request for Proposal is issued, a potential bidder may be unable to

attend the pre-bidder's conference, but interested in submitting a bid. The counselor can arrange, with the consumer's approval, an opportunity for the bidder to examine the home site before the bid submission deadline.

7. Contractors will send itemized bids to OCFS Purchasing. Purchasing will notify Central Office of the results of the bid process. Central Office will share information with the district office. The District Manager and counselor will have an opportunity to review bids before a final determination is made.

Itemized bids should include: the cost of labor (# of hours and hourly rate); the quantity, type, and cost of materials; and the cost, manufacturer's name and product number of specific equipment being installed.

8. OCFS Purchasing determines which bid is acceptable. The lowest bid is usually accepted by OCFS Purchasing as the bidder of choice.

If other than the lowest bidder is accepted, the choice must be justified in terms of specific services, materials or products that are necessary to fulfill the specifications.

9. Once a bidder has been selected by OCFS Purchasing, the bidder and CBVH Central Office are notified. Central Office will notify the counselor.
10. Once work is completed by contractor, the counselor should ensure that the modifications are satisfactory through inspection by the Home Modification Specialist and consumer contact prior to approval for payment.

**Note**

Once modifications are completed to specifications, CBVH is not responsible for removing modifications or restoring the structure to its previous condition.

## **8.06 SERVICES TO FAMILY MEMBERS**

### **Introduction**

Vocational rehabilitation services may be provided to family members of an applicant or eligible individual if necessary to enable the applicant or eligible individual to achieve an employment outcome.

The purpose of providing services to family members is to alleviate problems within the family which have a negative impact upon the consumer's adjustment or rehabilitation to the extent that the individual would be unable to begin or continue his/her IPE or employment would be unnecessarily delayed or could not be achieved

### **Federal Definition: Family Member**

For the purposes of this service, family member means an individual:

1. who either is a relative or guardian of an applicant or eligible individual; **or** lives in the same household as an applicant or eligible individual
2. who has a substantial interest in the well-being of that individual **and** whose receipt of vocational rehabilitation services is necessary to enable the applicant or eligible individual to achieve an employment outcome.

### **Criteria for Provision**

In order to provide services to family members, such services must be:

1. furnished to only those individuals who meet the definition of family member,
2. planned with the individual and documented in a case note,
4. related to the rehabilitation needs of the consumer and contributes to achievement of the employment outcome; and
6. unavailable through existing community resources, agencies, or comparable benefits.

### **Scope of Services**

Services to a family member may include any of the VR services available to consumers during the vocational rehabilitation process.

### **Examples**

Examples of the provision of Services to Family Members are:

1. A consumer whose goal is self-employment as a storekeeper recently indicated that her spouse is needed to assist in the business. The counselor may provide the spouse with training in business practices, accounting or other related training to enable the spouse to work with the consumer in the business.
2. A consumer is unable to engage in vocational training (which must begin in July or be delayed indefinitely) because she has no one to care for her two young children while school is out of session. This consumer is unable to pay for day care services and is not eligible for temporary assistance. After an unsuccessful search of community resources, the counselor has arranged to pay for summer

day care thus enabling the consumer to participate in the needed training.

3. A consumer who has recently become blind due to trauma has applied for VR services and is anxious to develop and begin a vocational plan. However, the rehabilitation process is being delayed because the consumer's concern for his spouse who is having difficulty adjusting to the consumer's move towards greater independence. Counseling services may be provided to the spouse or to the couple to assist in their adjustment to the consumer's efforts towards rehabilitation.

### **Terminating Services to Family Members**

Services to family members should be terminated when:

1. the service is no longer needed,
2. the provision of the service no longer contributes to achievement of the consumer's employment outcome,
3. the consumer's case is closed

### **Exception**

In instances where the consumer has been placed in employment and the case is ready for closure, but services to the family member(s) have not been completed and are still expected to contribute substantially to the consumer's rehabilitation, the individual's case should not be closed until such services are completed or terminated.

### **Documentation**

When services are provided to members of a consumers family, the record of services should be documented to include:

1. what services are needed
2. why services are needed
3. which family member or members need the services
4. how the services are expected to contribute to achievement of the consumer's employment outcome.

### **Economic Need**

The provision of services to family members is subject to the rules and procedures for providing services to VR consumers. See Chapter 5.00 - Determination of Economic Need for further guidance.

## **Comparable Benefits**

The provision of services to family members is subject to the rules and procedures for providing services to VR consumers. See Chapter 9.00 - Comparable Services and Benefits for further guidance.

## **8.07 INTERPRETER SERVICES FOR INDIVIDUALS WHO ARE DEAFBLIND**

### **Introduction**

In recognition of the importance of communications in assuring the provision of vocational rehabilitation services and the communication needs of individuals who are deafblind, CBVH provides interpreter services to aid communication during the VR process.

### **Purpose and Scope of Services**

The purpose of interpreter services is to facilitate the exchange of information between the individual who is deafblind and the counselor, and assure the individual's active participation in the VR process.

Interpreter services will be provided during contacts between the counselor and the deafblind individual and during the provision of rehabilitation services.

### **Who May Benefit from Interpreter Services**

Interpreter services will be provided for deafblind individuals who have a significant hearing loss which prevents adequate speech discrimination or to ensure adequate two-way communication so that deafblind individuals have equal access to all rehabilitation services.

### **Qualifications for Providing Interpreter Services**

Interpreters services are provided by interpreters who are certified by the Registry of Interpreters for the Deaf (RID) and/or the National Association of the Deaf. If a certified interpreter is not available, a non-certified interpreter may be used, provided the consumer agrees.

### **Assessment of Communication Skills**

When necessary, the deafblind individual's communication skills should be evaluated by a competent evaluator to determine the best means of communication for the individual.

#### ***Note***

If an interpreting session is expected to be lengthy, the counselor should consider using more than one interpreter. This decision may be made in consultation with the initial interpreter in advance of the session.

### **Economic Need**

Interpreter services may be provided without consideration of a consumer's economic need status.

### **Comparable Benefits**

When available, adequate and timely, comparable benefits are to be accessed when providing interpreter services.

### **Authorization and Payment**

Interpreter services will be authorized in accordance with established rates (See Chapter 15.00 - Private Vendors) and paid for using the DSS-335.

## **8.08 INTERPRETER SERVICES FOR NON-ENGLISH SPEAKING INDIVIDUALS**

### **Introduction**

CBVH provides foreign language interpreters for individuals who do not speak English to enable them to participate in the rehabilitation process and communicate in their native language.

### **Purpose and Scope of Service**

The purpose of interpreter services is to facilitate the exchange of information between

the individual and the counselor, and assure the individual's active participation in the VR process. Interpreter services may be provided during contacts between the counselor and the individual, and during the provision of rehabilitation services.

### **Qualifications for Foreign Language Interpreters**

Foreign language interpreter services are provided by interpreters who are conversant in both English and the foreign language which they interpret and have a high school education or equivalent.

### **Economic Need**

Interpreter services may be provided without consideration of a consumer's economic need status.

### **Comparable Benefits**

When available, adequate and timely, comparable benefits are to be accessed when providing interpreter services.

### **Authorization and Payment**

Interpreter services will be authorized in accordance with established rates (See Chapter 15.00 - Private Vendors) and paid for using the DSS-335.

## **8.09 READER SERVICES**

### **What are Reader Services**

Reader services include the following:

1. reading and recording class notes for later listening by the consumer
2. recording textbooks or other printed materials
3. taking notes in classes or other training situations
4. use of amanuensis during tests or written examinations
5. use of a laboratory assistant when a consumer must participate in laboratory experiments or exercises
6. reading work-related materials for a consumer in an employment setting

## **Who Provides Reader Services**

Reader services are available through the "Readers' Aid Program" administered by the New York State Education Department, Office of Vocational and Educational Services for Individuals with Disabilities (VESID). The Readers' Aid Program Fact Sheet for Colleges and Students provides information about the Readers' Aid Program.

CBVH provides reader services as a supplement to the Readers' Aid Program and to consumers who are not eligible for services through the Readers' Aid Program (See pages 8.09.03-8.09.04.)

## **Who May Receive Reader Services**

Reader services are available to consumers:

1. engaged in training at a college or university
2. attending vocational, technical and business schools
3. in other training situations where significant amounts of reading are essential to the completion of the training program
4. who have obtained employment where reader services are essential to support the placement

## **Criteria for Receiving Reader Services Through the Readers' Aid Program**

To receive funds from the Readers' Aid Program, a consumer must:

1. be a legal resident of New York State
2. be legally blind or deaf
3. be matriculated in an institution of higher education authorized by law to grant degrees, and if in New York State, approved by the New York State Board of Regents

## **Guidelines for Readers' Aid Funds**

Readers' Aid funds are limited to a maximum of \$1,000 per academic year. The following procedures or provisions apply to the use of those funds:

1. Readers' Aid funds can only be used for the first five services listed on page 8.09.01.

2. Readers' Aid funds cannot be used for tuition, room and board, equipment, supplies, textbooks or guide services.
3. Readers and notetakers cannot be members of the student's immediate family without requesting and justifying the need for same in writing.
4. Readers are paid by the college or university upon receipt of bills, along with time sheets (available through VESID), approved by the student.

### **How to Apply for the Readers' Aid Program**

Students must apply **directly** to the college or university for **each** semester for which Readers' Aid is desired. The first application for Readers' Aid must be:

1. on the standard application form (available through VESID),
2. accompanied by a medical eye report from a certified ophthalmologist or certification of legal blindness by CBVH, and
3. submitted to the school after school registration.

Reapplication may be made by:

1. completing another application form, or
2. submitting a written request to the school, after registration. The request must include the: student's social security number; school; semester; number of credit hours currently registered.

### **Application Deadlines**

Applications for the fall semester must be received at the institution by September 30. Applications for the spring semester must be received at the institution by February 1.

### **Guidelines for CBVH Supplemental Reader Funds**

CBVH may provide reader funds to CBVH consumers who are attending college and not otherwise eligible for the Readers' Aid Program (New York State Education Department, NYSED). CBVH may also supplement the funds provided by the Readers' Aid Program when the counselor can demonstrate or document unusual need for reader use or costs beyond that provided by the NYSED.

CBVH may also provide reader service funds for non-college consumers if:

1. reader assistance is essential to support training or placement as established on

- the approved IPE, and
2. there is no viable alternative such as volunteer readers, magnification devices, braille, or large print resources.

### **Rule**

CBVH cannot pay for reader services rendered by a member of the consumer's family or household, unless requested by the consumer, documented as necessary and approved by the senior counselor.

### **Consumer Responsibility**

Consumers are responsible for:

1. locating readers
2. maintaining time sheets required by CBVH
3. utilizing volunteer readers wherever possible
4. supplementing paid reader services with volunteer resources when needed
5. budgeting their reader funds allocation

### **Maximum Payment Amounts**

1. The total amount of reader funds provided to a consumer by CBVH and the NYSED to consumers attending college should not exceed \$2,000 per academic year. This amount can only be exceeded with senior counselor approval, the decision must be documented in the record of services.
2. CBVH can provide up to \$1,000 per calendar year of reader services to consumers not attending college when reader services are necessary to support training or placement. This amount can only be exceeded with senior counselor approval and case documentation.

### **Payment of CBVH Supplemental Reader Funds**

Reader funds provided by CBVH may be paid directly to the student using the DSS-1016 or paid to the college, university or other facility using the DSS-335.

### **Rates Paid to Readers**

Hourly rates for reader services will be negotiated on an individual basis by the consumer and the reader.

## **Economic Need**

The provision of CBVH reader funds is not contingent upon the consumer's economic need status.

## **8.10 LOW VISION REHABILITATION SERVICES**

### **Purpose of Low Vision Rehabilitation Services**

Low vision rehabilitation services are those services provided to legally blind individuals for the purpose of maximizing the use of their residual vision. Low vision rehabilitation services are designed to increase the consumer's independence in activities of daily living, such as self-care, mobility in the home and the community, and reading.

### **Low Vision Rehabilitation as Medical Restoration**

Low vision rehabilitation services are considered medical restoration services. These services are only provided by CBVH when necessary for the achievement of the vocational goal. Low vision rehabilitation services are frequently medically necessary to increase a person's visual functioning and the ability to perform activities of daily living. Low vision rehabilitation may also include training on the use of devices for activities of daily living.

### **What is Low Vision Rehabilitation?**

Low vision rehabilitation includes an initial examination and follow-up examinations as described below. A maximum of one initial examination and three follow-up examinations can be purchased by CBVH within any consecutive twenty-four month period.

### **Initial Examination**

The initial low vision examination is expected to include but not be limited to:

1. case history (including use of large print, braille, special aids; occupation before and after visual impairment; current goals; mobility)
2. exterior eye examination
3. internal eye examination

4. visual acuity (includes lighting analysis)
5. objective tests
6. subjective tests (includes refraction)
7. tests of eye coordination and muscle function
8. visual field tests
9. color vision tests
10. glaucoma tests
11. pre-confirmation of all subjective tests
12. prescription of specific low vision aids

### **Follow-up Examinations**

The follow-up examination will be used to:

1. assess the functional use of prescribed aids, and
2. instruct the individual in the use of prescribed aids, when necessary.

An authorization of a follow-up examination should not occur for simple fitting or adjustment of the low vision devices. One follow-up examination can be reserved for changes in visual functioning.

### **Rule**

VR counselors should not routinely authorize follow-up examinations. Follow-up examinations are authorized in response to specific needs of the individual which are identified as a result of the initial low vision examination.

### **Who Provides Low Vision Rehabilitation Services?**

Low vision rehabilitation services may be provided by all licensed ophthalmologists, and those optometrists who have been certified as low vision specialists by the New York Optometric Association.

Training in the use of low vision devices for activities of daily living may also be provided by rehabilitation teachers and orientation and mobility specialists; or by licensed health care providers, such as occupational therapists, when prescribed by a qualified physician.

### **List of Approved Low Vision Specialists**

CBVH maintains a statewide list of approved low vision optometrists (see pages 8.10.10-8.10.17). The list is updated periodically.

## **When Are Low Vision Services Provided?**

Low vision initial and follow-up examinations may be provided to CBVH consumers at any time during the rehabilitation process. Low vision aids may be provided only in Status 06 or above.

### **Rule**

CBVH VR counselors will not routinely re-activate closed cases to provide low vision services when there is no evidence of significant or substantial limitations in the individual's ability to function in an occupation. **A documented change in vision is not a sole indicator for re-activating a case and providing low vision rehabilitation.**

### **Post Employment Services**

Low vision rehabilitation services can only be provided under post employment services when the services are necessary for the individual to maintain an employment outcome.

CBVH VR services are not to be used for routine low vision rehabilitation services once a person has achieved a vocational goal. Once an individual has achieved their vocational goal and their case is closed as rehabilitated, the individual is responsible for independently addressing the need for any subsequent routine low vision rehabilitation services. Independent living services may be available to assist individuals who do not require vocational rehabilitation services.

### **Rule on Replacing Low Vision Devices**

Low vision devices will only be replaced once for eligible individuals when the devices are damaged through occurrences beyond the control of the individual or when lost.

Once an individual completes the rehabilitation plan and the case is closed, the risk of loss or damage rests upon the individual.

### **How to Determine Substantial Limitations for Previously Closed Applicants Requesting Low Vision Services**

Upon receipt of a request for low vision services from an individual whose case has been closed, the CBVH staff will conduct a telephone interview to determine whether or not the request is for routine medical (low vision rehabilitation) care or a need for additional rehabilitation services due to substantial changes in the person's ability to

function in his/her occupation. Substantial changes would mean that the person can no longer perform tasks that are essential requirements of the occupation.

If the VR counselor concludes that the consumer's need for low vision is for routine medical eye care, then the person does not require VR services to achieve an employment outcome. The applicant would not be eligible. If the counselor concludes, due to substantial changes in the person's ability to function in the occupation, that VR services are required, then the person can be considered eligible.

### **What Are Low Vision Aids?**

A low vision aid is any lens, corrective device or other instrument prescribed by a low vision specialist which improves visual functioning. Examples of low vision aids are:

1. hand magnifiers
2. bifocal aspheric cataract lenses
3. single vision photochromic lenses
4. fresnel prism
5. binocular loupe
6. reading telescope
7. soft and hard contact lenses
8. wide angle mobility light
9. portable electronic magnification devices

Low vision aids are not conventional eyeglasses. They are prescribed when conventional eyeglasses cannot correct vision to a normal range due to a permanent eye disease or impairment.

### **CCTV's**

Closed Circuit Television (CCTV) systems are not classified as low vision aids. They are classified as equipment. See Section 8.20 - Rehabilitation Technology. The Low Vision Specialist must recommend a CCTV and may be involved in the assessment and selection of an appropriate CCTV system. When recommending a CCTV, the low vision specialist should be as specific as possible in describing any features required by the individual. This information will assist CBVH VR Counselors in providing a cost-effective solution.

### **Economic Need**

The initial low vision evaluation, all follow-up examinations and low vision devices can be provided without regard to economic need when the individual has no medical insurance benefits which cover these services (see Comparable Benefits below). Low

vision devices can also be provided without regard to the individual's economic need status.

### **Comparable Benefits**

A full consideration of available comparable benefits should be made when authorizing low vision rehabilitation services. Any applicable Medicaid, Medicare and private medical insurance benefits should be billed by the provider as comparable benefits and should be utilized before CBVH processes a voucher for low vision rehabilitation services. Low Vision Providers should clarify to the insurance carriers that the low vision rehabilitation exams and devices are medically necessary services which increase the visual functioning for patients whose vision cannot be corrected to normal by surgical means or by conventional eyeglasses.

All authorizations or letters for low vision services must include the statement "Less any third party insurance reimbursement". If providers are reimbursed after CBVH has paid for a service, the provider is obligated to reimburse CBVH for any excess payment.

### **Referral for Low Vision Rehabilitation Services**

When referring a individual for low vision rehabilitation services, the counselor should provide the low vision specialist with:

1. a copy of the individual's most recent ophthalmological examination report (provided that the information is available and the individual signs a release form for this information);
2. a Low Vision Evaluation Report Form (DSS-1119); and
3. a voucher or letter authorizing the provision of an initial low vision exam at the established CBVH fee less any third party medical insurance reimbursement.

### **The Low Vision Evaluation Report**

The Low Vision Evaluation Report (DSS-1119) is used by the CBVH counselor to describe proposed consumer activities and the vocational goal, if known. The CBVH VR counselor can also discuss any specific concerns. The Low Vision Specialist uses the DSS-1119 to report findings to the CBVH counselor and to prescribe low vision aids for the consumer.

### **Who Completes Low Vision Evaluation Report?**

The CBVH counselor is responsible for completing the top half of the Low Vision Evaluation Report.

The low vision specialist is responsible for completing the bottom half of the Low Vision Evaluation Report.

**Note**

The DSS-1119 is required to be completed by the low vision specialist for all individuals referred for services. Other forms may be used by the low vision specialist in lieu of completing the bottom portion of the DSS-1119, at the discretion of the district manager. The form must contain all the information requested on the DSS-1119.

**Authorization to Purchase Low Vision Devices**

The authorization of low vision devices is frequently a routine purchase of prescribed devices from the low vision provider. Spectacles, simple telescopes/microscopes, hand and stand magnifiers, and glare protection are often typical items. Authorizations are processed when the above economic need and comparable benefits policies are met.

**When to Examine Low Vision Recommendations**

Before authorizing devices, counselors should examine the Low Vision Evaluation Report recommendations, particularly when the total cost of the devices is greater than \$800.00 or, for an individual device, the cost is greater than \$200.00, or if the device requires special procedures or conditions to be used properly, such as high powered focusable telescopes. The CBVH Low Vision Consultant can be contacted if the CBVH VR counselor has any questions about the devices being prescribed.

**Guidelines for Deciding What Devices to Purchase**

The CBVH VR counselor, upon consultation with the consumer, the low vision provider and other members of the rehabilitation team, is ultimately responsible for deciding which devices are necessary to purchase for the consumer in order to achieve the vocational goal.

Use the following guidelines when authorizing the purchase of low vision devices recommended by a low vision practitioner on the DSS-1119 Low Vision Evaluation Report form:

1. Find out if the device is to be used on tasks that are essential to the achievement of the vocational goal. Has the low vision practitioner considered the vocational goal in selecting devices?

For example, if the cost of the prescribed device exceeds \$200.00 and its only function is to view TV at home, this is not an essential task. Even if the device can be used to assist with travel, but you know the person will never actually use it for this purpose, the item should be denied.

2. For more sophisticated LV devices, consider if the individual has the motivation and the ability to learn to use a device properly. Discussion with the consumer and the direct service provider (e.g. rehabilitation teacher, O&M instructor or occupational therapist) will help to assess these factors.

While a device may improve acuity and the ability to perform a particular task during an examination, will the individual be willing and able to learn to use the device independently and sustain use over time? This cannot always be answered definitively, but careful consideration of these factors must support the decision to purchase.

3. For devices exceeding \$200.00, the counselor will ask the practitioner if there are less expensive alternatives that will work as well for the particular purpose. Consider the key function of the device and the situation in which it will be used.

For example, the 3X Eschenbach sportsglasses (T4000 - \$222.00) are optically superior to the 2.8X Selsi sportsglasses (T4100 - \$68.00), but depending on the purpose, the more expensive device may not be necessary.

4. Follow the special request procedures when purchasing a portable electronic magnification device.
5. Whenever the counselor has doubts about how effective a device may be, the possibility of a trial loaner with rehabilitation teaching (or O&M instruction depending on the purpose of the device) must be explored. For custom devices, this is not always feasible.
6. Occasionally, by looking carefully at the functional gain the individual wants to achieve, adaptive equipment, adaptive skills training or non-optical devices can be more effective than some low vision devices. If this seems possible, ask the low vision practitioner if these alternatives are appropriate.

### **Payment for Aids on the Low Vision Aid Fee Schedule**

Any aids prescribed by the low vision specialist which are on the Low Vision Aid Fee Schedule and not in excess of the approved fee, may be ordered by the CBVH VR counselor using the DSS-335 voucher.

### **Low Vision Device Special Request Procedure for VR Consumers Only**

When a low vision device prescribed by a certified low vision optometrist or ophthalmologist is not on the CBVH Low Vision Fee Schedule, use the following procedure to request approval for an exception, **if the low vision provider is unable to find an appropriate substitute on the existing fee schedule.**

This procedure is for optical devices only. Non-optical aids and lamps should be purchased as rehabilitation equipment if they are not found on the fee schedule.

1. The Low Vision Practitioner submits the DSS-1119 to the CBVH VR counselor, including the product description, specifications, pricing and a narrative discussing the device, its purpose, the goal of the service, **and the reasons why existing devices currently on the fee schedule cannot meet the individual's needs.**
2. Within three working days, the CBVH counselor will fax a copy of the DSS-1119 and supporting documents (product descriptions, narrative report) to the CBVH Low Vision Coordinator in Central Office. A cover memo should highlight the device needing approval and provide a brief summary as to why the device is necessary for the individual to achieve the vocational goal.
3. The CBVH Low Vision Coordinator will review the request and consult with the CBVH Low Vision Consultant as necessary.
4. Within three working days, the CBVH counselor will be notified of the decision in a memorandum which includes a description and the approved fee. This notification will be faxed to the counselor. **A copy of this memorandum must be attached to the DSS-335 when submitted to OCFS Accounts Payable.** If the request is denied, the CBVH VR counselor will be notified with the reason for the denial.
5. The counselor notifies the low vision practitioner and the consumer of the outcome.

### **Ordering Aids**

Prescribed aids are ordered directly from the low vision specialist unless she/he specifies another source.

## **8.11 PERSONAL ASSISTANCE SERVICES**

### **Federal Definition**

Personal assistance services means a range of services provided by one or more persons designed to assist an individual with a disability to perform daily living activities on or off the job that the individual would typically perform without assistance if the individual did not have a disability. Personal assistants provide a variety of services to individuals who, because of their disability, experience limited mobility or personal care skills.

Personal assistance services must be designed to increase the individual's control in life and ability to perform everyday activities on or off the job. The services must be necessary to the achievement of an employment outcome and may be provided only while the individual is receiving other vocational rehabilitation services. The services may include training in managing, supervising, and directing personal assistance services.

### **Scope of Services**

Personal assistance services are provided for individuals whose secondary disability(ies) limit their physical functioning and mobility to the degree that a personal assistant is required to enable the individual to achieve an employment outcome.

Personal assistance services include but are not limited to assistance with: personal hygiene; mobility; eating; dressing; errands and incidental communications.

Personal assistance services can only be provided by CBVH as a supportive service to another rehabilitation service. It can be authorized only when the individual is engaged in another rehabilitation service or preparing to access another service. Both the personal care service and the rehabilitation service being supported are to be indicated on the IPE.

### **Rule 1**

Personal assistance services are not intended to supplant the care customarily provided by family members.

### **Evaluation of Need for Personal Assistance Services**

A consumer shall be evaluated by a physician, occupational therapist, physical therapist

or other appropriate professional having the skill and knowledge to determine the consumer's personal assistance needs. In some cases, individuals may be referred to CBVH with adequate information concerning their personal assistance needs. If this information is current and sufficiently comprehensive, it may be used in lieu of an evaluation.

### **Recruiting a Personal Assistant**

In order to provide flexibility and choice in obtaining personal assistance services, CBVH will inform individual of the availability of Consumer Directed Personal Assistance Programs. These programs allow individuals to recruit, hire, train and supervise their own attendants while a vendor agency handles the administrative tasks and provides training and support to the consumer.

Personal assistants may be recruited through the following resources:

1. the individual's informal network of family and friends
2. local CBVH district office
3. local independent living centers
4. local Department of Social Services
5. community service organizations
6. work study programs and personal assistants referral services at colleges
7. public and private home health care agencies

### **Selecting a Personal Assistant**

Personal Assistants will be selected by the individual and counselor based on their ability to fulfill the individual's identified needs, and their rapport with the individual.

### **Consumer and Counselor Involvement**

Some individuals may initially require assistance from their counselor for recruiting, training and supervising their attendants. This may be coordinated by the counselor with the individual through an independent living center, occupational therapist, physical therapist, disabled students program or other appropriate source.

Individuals who have demonstrated the ability to self-direct their personal assistance services should be encouraged to recruit, hire, train and supervise their attendants. The counselor will act as a facilitator, assisting the individual with any problems as well as compliance with CBVH standards. The individual should notify the counselor about any unresolved problems as soon as they occur.

## **Termination of Personal Assistance Services**

Personal assistance services will be terminated when:

1. the service is no longer needed, or
2. the consumer becomes employed and does not need to continue receiving services during the first 90 days of employment.

## **Continuation of Personal Assistance Services During Employment**

A transitional period of up to 90 days of personal assistance services may be provided after employment if the counselor determines that:

1. arrangements are being made for personal assistance services when CBVH sponsorship ceases, and
2. the consumer needs support during placement prior to case closure.

## **Economic Need**

The provision of personal assistance services is not contingent upon the individual's economic need status.

## **Comparable Benefits**

1. A full consideration of all comparable benefits available to a consumer must be made prior to authorizing payment for personal assistance services.
2. When personal assistance services are provided on an ongoing basis by another resource (i.e. Medicaid) prior to the consumer's involvement in a rehabilitation plan, that resource should be considered as a possible comparable benefit.

## **Payment**

Payment for personal assistance services may not be made to a member of a consumer's family which includes: spouse; parents; stepparents; grandparents; children; and spouses of children.

When a Medicaid provider is used, payment will be the Medicaid provider rate.

When a non-Medicaid provider is used, payment will be at the minimum wage.

Minimum wage can be exceeded with senior counselor approval and case documentation indicating that a Medicaid provider or a provider accepting minimum

wage cannot be found. However, when an agency or an individual provider is used, payment should not exceed the rate charged to other recipients of their services.

## **8.12 OCCUPATIONAL AND PROFESSIONAL LICENSES**

### **Introduction**

Occupational and professional licenses are licenses, permits or other written authority required by a state, city, or other governmental unit to be obtained in order to enter into an occupation or become self-employed. Occupational and professional licenses are provided as part of the rehabilitation plan to increase the individual's prospects of employment or self-employment.

### **Who May Receive An Occupational and Professional License**

Occupational and professional licenses are provided to those individuals who require such license to enter into employment or self-employment as indicated on their IPE.

### **Examples**

Examples of occupational licenses are:

1. realtor license - purchased after the individual successfully completes a real estate training course and passes the required examinations in the state,
2. food service license - required by either local, county, or state government for the preparation and selling of food,
3. business license to operate a shop (e.g. TV repair, barber) in self-employment.

Examples of professional licenses are:

1. Law - a person must pass the New York State Bar exam before practicing law within the state,
2. Registered Nurse - a person must pass the nursing board exam before being qualified to work as a registered nurse,
3. Certified Public Accountant - a person must pass the certification exam administered by the State Education Department.

### ***Note***

Prior to developing an IPE with a vocational goal that will require special licensing it is important to first determine whether or not conditions do exist which would prohibit the individual from securing the necessary license.

## **Review Courses for Occupational Professional Licensing Exams**

Review courses for occupational or professional licensing exams can be provided when the course will enable the individual to review complex information necessary to pass the exam and enter into employment as indicated on their IPE. Review courses for occupational or professional licensing exams are frequently available through colleges or private vendors in a variety of occupational or professional areas such as law, nursing and electrical codes.

### **Rule**

CBVH will pay tuition, fees and necessary adjunct support service costs for review courses not to exceed a maximum of 3 occasions.

If an individual is unable to pass an occupational or professional licensing exam after three attempts, the counselor and consumer should discuss alternative employment options. The IPE may need to be changed to reflect a more readily attainable goal. Certain skills developed during training for the previous IPE goal may be transferable to an alternative occupation.

### **Economic Need**

The provision of occupational and professional licenses and review courses is contingent upon the individual's economic need status.

### **Comparable Benefits**

Prior to authorizing payment for an occupational or professional license and/or a review course, the counselor and individual should explore available comparable benefits.

### **Payment for Occupational & Professional Licenses and Review Courses**

Occupational and professional licenses and review courses will be purchased using a 335. Individuals can be reimbursed for the cost of occupational and professional licenses and review courses using a 1016.

## **8.13 OTHER GOODS AND SERVICES**

## **Introduction**

Other goods and services are those goods and services identified by the counselor and/or individual which can reasonably be expected to benefit the individual in terms of employability and are not described elsewhere in this chapter.

## **Examples**

The following are examples of other goods and services:

1. payment of rent on premises to be used for a business in which a consumer is to be established (See Section 10.02 - Self-Employment)
2. insurance premiums for business equipment, premises and liability (See Section 10.02 - Self-Employment)

## **Economic Need**

Other goods and services are provided contingent upon the individual's economic need status.

## **Comparable Benefits**

Prior to authorizing payment for other goods and services, the counselor and consumer should fully explore the availability of comparable benefits.

## **8.20 REHABILITATION TECHNOLOGY**

### **Introduction**

The Rehabilitation Act of 1973, as amended in 1998, places increased emphasis on rehabilitation technology as a means to assist individuals in achieving their vocational objectives. The following definitions are based on the 1998 amendments and the Technology-Related Assistance for Individuals with Disabilities Act of 1988 (29 U.S.C. 2202).

### **Policy**

CBVH provides rehabilitation technology services to assist consumers to:

1. participate in the rehabilitation process,
2. achieve and maintain suitable employment.

### **Definition: Rehabilitation Technology**

Rehabilitation technology refers to the systematic application of technologies, engineering, methodologies, or scientific principles to meet the needs of, and address the barriers confronted by, individuals with disabilities. These services may address needs in the areas of education, rehabilitation, employment, transportation, and independent living. The term includes:

1. assistive technology devices and services
2. rehabilitation engineering.

### **Definition: Assistive Technology**

Assistive technology means any service that directly assists an individual with a disability in the selection, acquisition, or use of an assistive technology device, including:

1. evaluation of the needs of an individual with a disability
2. purchasing, leasing or otherwise providing for the acquisition of assistive technology devices
3. selecting, designing, fitting, customizing, adapting, applying, maintaining, repairing, or replacing assistive technology devices
4. coordinating and using other therapies, interventions, or services with assistive technology devices.
5. training or technical assistance for an individual with a disability (or others, as appropriate, e.g. family members)
6. training or technical assistance for professionals, employers, or others as necessary to the achievement of an employment outcome by an individual with a disability.

### **Definition, Assistive Technology Devices**

Assistive technology devices refers to those aids, appliances and devices that assist

individuals who are blind to perform certain functions or activities. Devices may range from conventional assistive devices which are usually low-tech in nature, to high-tech which are microcomputer based.

### **Assistive Technology Evaluation**

To determine the appropriate low-tech or high-tech device(s) for use by a consumer, the counselor will arrange to have an evaluation conducted by an appropriate professional(s). Upon completion of the evaluation, the counselor will be provided with a recommendation for those assistive devices appropriate to his or her needs.

### **Rehabilitation Engineering**

Rehabilitation engineering means the systematic application of engineering sciences to design, develop, adapt, test, evaluate, apply, and distribute technological solutions to problems confronted by individuals with disabilities. Functional areas addressed through rehabilitation engineering may include mobility, communications, hearing, vision, and cognition, and activities associated with employment, independent living, education, and integration into the community.

## **8.21 ASSISTIVE TECHNOLOGY SERVICES**

### **Introduction, Assistive Technology Services**

CBVH provides assistive technology services through a network of Assistive Technology Centers and through private vendor High-Tech Consultants. All technology services are outcome-based and must be provided within the framework of the Assistive Technology Center Standards Manual.

### **Assistive Technology Centers**

Eleven Assistive Technology Centers (ATC's) have been established by CBVH across the state. The centers, and the counties covered by each, are listed on p. 8.21.16. Referrals to ATC's should be based on the individual's county of residence, the location of the individual's work or education site, travel proximity, or availability of technology staff.

### **High-Tech Consultants**

High-Tech consultants are persons with technical qualifications which allow them to meet many of the service needs addressed by the assistive technology centers. In this capacity, they may: conduct readiness evaluations, provide technical job coach development, provide on-site technical support, provide technical support for placement staff, conduct on-site evaluations, and perform on-site installations.

Whether employed directly by CBVH, or subcontracting with an Assistive Technology Center, consultants will be expected to use the same reporting format and perform to the same standards as the ATC's (see the ATC Standards Manual).

### **Rule, Use of High-Tech Consultants**

Counselors may not authorize High-tech consultants to conduct consumer assessments or provide consumer training (services provided by ATC's under the ATC contract) without prior approval from the District Manager.

### **High-Tech Consultant Qualifications**

All High-Tech consultants are expected to have a full range of hardware, software, and operating system skills and knowledge, as outlined in the ATC contract. In addition, the consultant must have verifiable skills in the requisite access modalities (braille, large print, speech) and assistive technologies specific to visual impairment.

### **Approval, High-Tech Consultants**

If a consultant's services are being purchased directly by CBVH, the consultant must be approved as a private vendor (see Chapter 15.00, Private Vendors). Consultants applying for approval must complete the CBVH High-Tech Consultant Application Form found in Chapter 15.00.

Prior to submitting an application packet, each consultant must:

1. Receive a copy of the ATC standards and agree to provide any ATC services according to these standards, including required report forms.
2. Receive a copy of Microcomputer Software Training and Strategic Technical Intervention standards, and agree to provide services according to these standards.

### **High-Tech Consultant Travel**

Travel expenses incurred by the consultant to meet with the counselor, consumer and/or staff at the job/education site to assess the site in which the equipment is to be

used, will be reimbursed according to the guidelines found in Chapter 15.00, Private Vendors.

### **ATC Contracted Services**

The following four services are provided on a contractual basis through the ATC's:

1. Consumer Assessment and Equipment Recommendation
2. Consumer Training
3. Training of CBVH Staff
4. ATC Staff proficiency.

Consumer Assessment and Equipment Recommendation, and Consumer Training are defined further in this chapter. For information on Training of CBVH Staff and ATC Staff Proficiency, refer to the ATC Contract and the ATC Standards Manual.

### **Fee-Based Services**

The following additional services may be authorized on a fee-for-service basis (from district office budgets) through ATC's or High-Tech Consultants serving as private vendors:

1. Readiness Evaluation
2. Technical Job coach Development
3. On-the Job Technical Support
4. Technical Support for Placement Staff
5. On-site Evaluation
6. On-site Installation

Rates for ATC's to provide this service are contained in the ATC contract. Rates to be paid to High-Tech consultants are contained in Chapter 15.00, Private Vendors.

### **Readiness Evaluation**

If current information is not available from existing resources, counselors must arrange a readiness evaluation to determine the potential, or readiness, of the CBVH consumer to benefit from Assistive Technology services, and to recommend remediation of deficits identified. In making a referral for a readiness evaluation, counselors should use the Readiness Evaluation Referral and Report (ATC-01AEL, ATC Standards Manual).

The evaluation must include:

1. Typing evaluation

2. Reading comprehension
3. Spelling ability
4. Note-taking abilities.

### **Personnel Standard, Readiness Evaluation**

In addition to ATC staff and High-Tech consultants, the readiness evaluation may be conducted by individuals who possess, at a minimum, a high school diploma and one year's experience working with individuals who are legally blind.

### **Duration, Readiness Evaluation**

A readiness evaluation should not exceed six (6) hours, without counselor authorization.

### **Readiness Evaluation Report**

The results of the Readiness Evaluation will be documented on the Readiness Evaluation Referral and Report (ATC-01AEL) which should be returned to the counselor within 10 working days of completion of the evaluation.

### **Counselor's Report, Readiness Evaluation**

When making a determination of readiness based on available current information, counselors should document their findings on the Readiness Evaluation Referral and Report form (ATC-01AEL) and forward it with each referral for assistive technology assessment or training. The determination should not be based on the consumer's self-report, but on the counselor's observation, or formal testing from a school, evaluation site, or rehabilitation agency.

### **Determining Readiness from Evaluation Results**

Readiness to participate in technology services may be indicated by the following levels:

1. Typing - 20 WPM
2. Reading comprehension - 8th Grade
3. Spelling - 8th Grade
4. Note-taking - sufficient to identify, organize and retrieve information

### **Preparing the Individual for Referral for Assistive Technology Services**

Prior to making a referral for assistive technology services, the counselor must:

1. Discuss with the individual consumer his or her need for accommodations for academic/vocational training or placement purposes
2. Determine whether the individual has the basic skills necessary to participate in assessment or training
3. Inform the individual about what to expect from the service, providing the consumer with the "Assistive Technology Services - Information for Consumers" handout (ATC-08EL, ATC Standards Manual), and
4. Discuss with the consumer the equipment procurement process and ownership policies.

### **Information to Gather Prior to Referral**

In order to determine the consumer's readiness for assistive technology services and provide adequate referral information to service providers, the counselor should obtain information about the consumer's:

1. Typing skills
2. Note-taking skills
3. Spelling skills
4. Reading level and ability
5. Travel skills
6. Daily Living skills
7. Work habits
8. Learning styles
9. Mode of accessing printed information
10. Familiarity, if any, with computers
11. Anticipated work or educational site
12. Special needs, if any

The first four skills areas above are typically covered through a Readiness Evaluation. Information about the other areas may be obtained from a variety of resources including the consumer, interviews with instructors or work supervisors, or training reports.

### **Initial Referral Information**

After obtaining the above information, the counselor should prepare a referral packet which will include:

1. Completed CBVH Assistive Technology Referral (ATC-01BEL)

2. Most recent Confidential Health Assessment
3. Copy of the Readiness Evaluation Referral and Report (ATC-01AEL)
4. Most recent ophthalmology report, if available
5. Most recent low vision evaluation report, if applicable
6. Results of audiological exam, if applicable
7. Any reports of previous technology services
8. Appropriate authorization - OCFS-4226 for contracted services, DSS-335 for fee-based services

### **Low Vision Evaluations**

Whenever possible, a low vision evaluation should include a test for ability and ease of reading a monitor screen.

### **Audiological Evaluations**

An audiological evaluation should be obtained whenever the consumer has an apparent hearing loss and recent audiological information is not available.

### **Additional Packet Content**

A referral packet may also include any of the following information, as applicable:

1. Job or educational task analysis and productivity requirements
2. Reports of other assessments: vocational assessment, communication skills evaluations, etc.
3. Copy of completed DSS-1013's indicating the equipment being purchased.

### **Subsequent Referrals**

Once an initial referral has been made to an assistive technology provider, a subsequent referral to the same provider will consist of:

1. Assistive Technology Referral Sheet
2. Any other appropriate documentation not previously provided, and
3. OCFS-4226 or DSS-335

### **Referrals to Assistive Technology Centers**

Counselors should be aware that the ATC contracts do not allow an ATC to reject a referral made for Consumer Assessment or any of the fee-based services.

### **Consumer Assessment and Equipment Recommendation**

An assessment provides information about an individual's existing computer skills and knowledge, as well as the individual's ability to learn to use assistive technological devices. The information gathered is used by the counselor, ATC staff person, and individual to determine the next appropriate step in achieving the individual's vocational goal. Final recommendations on the assessment report will include: a recommendation for assistive equipment and a prediction of the likelihood that the individual will benefit from assistive technology training.

### **Duration**

The duration of a consumer assessment will be no more than twelve hours. The assessment is expected to be completed within one calendar week, unless special arrangements are required due to restrictions placed on the consumer by his/her health or employer.

### **Assessment Report**

A comprehensive assessment report package will be forwarded to the referring counselor within 10 working days of completion of the assessment. See ATC-02EL, Final ATC Consumer Assessment Report (ATC Services Standards Manual)

### **Equipment Recommendation**

Any recommendations for equipment will be reported on the Assistive Technology Center Equipment Recommendation, ATC-03EL (ATC Services Standards Manual).

### **Purchase of Recommended Equipment**

CBVH will purchase equipment upon completion of an assessment and counselor approval of the recommendation.

CBVH retains the right to:

1. Make substitutions similar in function which may be more cost-effective than the original recommendation
2. Delete specific items

3. Delay purchase of any/all items, or
4. Choose not to purchase any of the equipment.

Final authorization will be agreed upon between the CBVH counselor and the CBVH Technology Coordinator. The CBVH counselor is responsible for informing the consumer and the assistive technology provider of any modifications to the original recommendation. (See section 8.22 for further information on assistive technology devices.)

### **Consumer Training**

Training familiarizes an individual with the assistive equipment configuration specifically recommended for him or her, from routine maintenance and care, to features, functions, system operation, and configuration assembly/disassembly. At the end of training, an individual will be expected to demonstrate, to the levels required in the ATC Standards Manual, proficiency in the function and use of the recommended assistive equipment configuration and software.

### **Training Prerequisites**

Individuals referred for Consumer Training must have completed a Consumer Assessment. However, exceptions can be made for training in the use of privately purchased equipment, with the agreement of the ATC.

Training in the use of the assistive equipment configuration will not commence until the equipment arrives, is tested, and is set up in good working order, or there is an equipment configuration available which matches the consumer specific configuration closely enough that the consumer can be trained with an acceptable transference of technical skills.

### **Limitations, Forms of Software**

Training will be limited to a maximum of two forms of application software and one form of operating system software, but may be customized to fit the individual's needs within the time frame allowed. Additional training needs may be met through Strategic Technical Intervention or Microcomputer Software Training.

### **Advanced Software Training**

As requested, the ATC training process may include advanced training in a limited set of functions, features, or commands of an application software package which is mandated by the consumer's job/education duties, and not covered under the basic

training for that software. For example, a counselor could specify that training in the development of individual reports in DBASE is necessary.

This service option is NOT meant to address a comprehensive learning of all the advanced features the software has to offer. If more thorough advanced software training is needed, it must be acquired through Strategic Technical Intervention or Microcomputer Software Training.

### **Duration, Consumer Training**

Consumer training will normally last for approximately 80 hours, with extensions up to 120 hrs. total as approved by the CBVH counselor. Consumers are expected to participate in training full time, unless there are restrictions placed on them by their employer or their health. In such instances, special arrangements may be made.

In situations in which an individual is unable to complete the training within the 120 hr. maximum, the counselor will meet with the consumer to determine the next appropriate steps to best meet the consumer's vocational needs.

### **Training Reports**

A training report package will be submitted to the CBVH counselor within 10 working days of the completion of training. See ATC-04EL, Final ATC Consumer Training Report, ATC Services Standards Manual.

### **Shipment of Equipment Upon Completion of Training at a Center**

After an individual has completed training at an Assistive Technology Center, the center will prepare and ship the consumer's equipment to his/her job/education site or home, or the CBVH office and will insure the shipment for the proper amount. The center may also agree to store the equipment at its facility.

The center will notify the referring counselor of the cost of shipment and insurance. The counselor will reimburse the facility for those expenses.

### **On-site Evaluation**

An on-site evaluation establishes a technical profile of the job/education site in which the individual will perform, and results in recommendations for assistive equipment to enable the consumer to meet the requirements of the job/education site. It is advisable to obtain an on-site evaluation whenever the job or education site is known and the individual may need technological accommodations to perform required tasks. An on-

site evaluation must always occur before an on-site installation.

An On-site Evaluation should result in recommendations which encompass all ranges of technology, from none to simple to very sophisticated. The on-site evaluation report should also include a prediction of the likelihood of a successful installation of the equipment at the site, and identify a technical liaison.

Whenever possible, the CBVH counselor should be available at the site during the on-site evaluation.

### **Exception, On-site Evaluation**

An on-site evaluation is not needed if the consumer only requires word-processing and note-taking capability in a portable medium, or only needs to communicate via a simple modem hook-up.

### **Duration, On-site Evaluation**

An on-site evaluation should generally not exceed six (6) hours. Additional hours may be authorized at the counselor's discretion.

### **On-site Evaluation Report**

The ATC On-Site Evaluation Report, ATC-05EL, should be submitted within 10 working days of completion of the service. Resultant equipment recommendations should be submitted on the ATC-03EL, ATC Equipment Recommendation Form.

### **Technical Liaisons**

Whenever possible, an on-site technical liaison should be identified. An on-site technical liaison is an individual situated or employed at the job/education site who is willing to learn about and take responsibility for the consumer's equipment configuration. The liaison provides on-site support to the CBVH consumer, and can provide valuable information about the need to interface with existing technological environments and equipment specifications which can be provided by the site. This individual may be a member of the technological support staff of the organization or may be a co-worker.

### **On-Site Technical Support**

On-site technical support is designed to provide assistance at the job/education site to

train technical liaisons on the specific assistive platform within the consumer's work/educational environment, and the level of on-going support necessary to enable the consumer to perform his/her specific tasks.

### **Duration, On-Site Technical Support**

On-Site Technical Support should generally not exceed five hours. Additional hours may be authorized at the counselor's discretion.

### **On-site Equipment Installations**

On-site installation is intended to insure that the consumer's specific assistive equipment is installed in the job/education setting in a manner in which the configuration interacts effectively in the environment, enabling the consumer to effectively perform the tasks required. It may include actual installation, assistance installing the configuration, and technical assistance provided over the phone.

At the completion of this service, the equipment configuration must function as designed for a consecutive two week period. This is verified with the on-site technical liaison (if established) and the individual using the configuration. This service is purely technical and equipment specific, and does not pertain to an individual's ability to use the equipment appropriately.

### **Expectations of Consumers, Stand-alone Equipment**

On-site equipment installations are reserved for more complicated equipment set-ups. Consumers will be expected to be able to set up stand-alone equipment by themselves.

Exceptions may be made at the counselor's discretion.

### **Duration, On-site Installation**

On-site installation should generally not exceed ten hours. Additional hours may be authorized at the counselor's discretion.

### **Equipment Installation Report**

The Job/Education Site Equipment Installation report, ATC-06EL (ATC Services Standards Manual), must be submitted within one month of successful completion of the installation.

## **General Guidelines, High-Tech Equipment**

General guidelines for the acquisition of high-tech equipment (including software) have been established as follows:

1. Standard equipment configurations - CBVH will not purchase multiple configurations for use at multiple locations (unless justified by job or task requirements)
2. Equipment will only be upgraded when the original equipment is no longer appropriate for the intended tasks and the upgrade is necessary for continued functioning.
3. Computer access modes - a consumer will not be provided more than two modes of computer access (braille, large print or speech).
4. Color CCTV's - a color CCTV will only be provided to an individual where color is deemed necessary to the individual's job/education requirements.
5. Software - CBVH's responsibility is limited to the initial acquisition and installation of software. The counselor should document in the case record that the consumer understands that it is the consumer's responsibility to maintain and/or upgrade software if the employer is unwilling to do so.

## **Recommendation, CCTV**

A CCTV connected to a computer requires an assistive technology assessment; a stand-alone CCTV may be recommended by a low vision practitioner, rehabilitation teacher, or other qualified professional who is not an equipment vendor.

## **Service Termination**

The counselor may decide to terminate assistive technology services for a consumer for a variety of reasons, including:

1. the consumer has become unavailable for service (due to illness, relocation, etc.)
2. the consumer failed to meet his/her responsibilities (e.g. poor attendance)
3. the consumer is not benefitting from the service, and is not expected to benefit from its continuation.

## **Withdrawal of Assistive Technology Referral**

If the counselor has requested termination before services were initiated, the counselor

should withdraw the authorization and make appropriate entries in the automated log.

### **Procedure, Service Termination**

If the counselor decides to terminate services after services have been initiated, the counselor must:

1. Immediately notify the provider and request completion of the final service report. This should be completed by the provider within 10 days of receiving the request.
2. If the final service report is not received within 10 days of the request, the counselor should complete the final report form based on available information, noting "Objectives Not Met."
3. Arrange to have the final report information entered on the automated log.

### **Completion of Services**

Upon receipt of the final assistive technology service report, the counselor has 30 days to decide to accept or reject the report.

### **Technical Support for Placement Staff**

Recognizing that technology often plays a critical role in successful job development and placement, CBVH will authorize technical support to job placement specialists to assist them in understanding how assistive devices can enable ATC graduates to meet the demands of potential work environments.

### **Duration, Technical Support for Placement Staff**

Technical support for placement staff is limited to ten hours, unless District Manager approval is obtained.

### **Technical Job Coach Development**

Placement efforts can be further enhanced through the development of technical skills in job coaches. Upon referral from CBVH, a provider will train job coaches to provide them with specific skills in the application of assistive devices for the blind at job or educational sites. As the result of this training, job coach will have a working knowledge of the consumer's specific assistive equipment configuration and how it

interfaces with the job/education site equipment. The job coach will also have the skills to assist the consumer in the use of the equipment and software in that setting.

Once a job coach is trained, CBVH will contract directly with job coach (if approved as a private vendor) or with the coach's employer.

### **Duration, Technical Job Coach Development**

Technical job coach development should not be authorized for more than ten hours. Additional hours may be authorized at the discretion of the CBVH counselor.

### **Technical Job Coach Development Report**

The final Technical Job Coach Development Report (ATC-13EL) should be submitted within 10 working days of the completion of the service.

### **Microcomputer Software Training**

An ancillary service, microcomputer software instruction is provided to CBVH consumers who have successfully completed assessment and training at a CBVH approved Adaptive Technology Center or at another CBVH approved training source. This training is for the purpose of providing software specific instruction to individuals who require a thorough working knowledge of a particular software package for employment or educational purposes. It may be provided on an individual or group basis.

Consumers receiving this service should already be trained on their assistive equipment configuration, know how to use their computer, perform basic maintenance and assemble/disassemble their equipment. For further information on this service, see the Comprehensive Services contract.

### **Strategic Technical Intervention**

Strategic technical intervention provides supplementary job/education site technical support services. Types of technical service covered include, but are not limited to:

1. New software installation
2. Highly specialized and computer specific job task training
3. Technical trouble-shooting
4. On-site consumer training.

Consumers receiving this service should already be trained on their assistive equipment

configuration and know how to use their computer. For further information on this service, see the Comprehensive Services contract.

### **Duration , Strategic Technical Intervention**

Strategic technical intervention is normally limited to 20 hours. Additional hours may be authorized at the discretion of the CBVH counselor.

### **Rehabilitation Engineering Services**

While most rehabilitation technology needs can be met through CBVH Adaptive Technology Centers or approved high-tech consultants, it may be necessary at times to seek the assistance of a rehabilitation engineer skilled in adaptations needed for cognitive or physical impairments. Local VESID district offices can provide information on rehabilitation engineers they have used. Counselors may purchase rehabilitation engineering services from VESID approved vendors at the rate approved by VESID for this service.

### **Comparable Benefits**

Whenever possible, comparable benefits should be used.

### **Assistive Technology Centers and Counties Covered by Each**

1. Center for Therapeutic Applications of Technology (SUNY Buffalo):  
Allegany, Cattaraugus, Chautauqua, Erie, Genesee, Niagara, Orleans, Wyoming
2. Association for the Blind and Visually Impaired of Greater Rochester - Goodwill:  
Chemung, Livingston, Monroe, Ontario, Schuyler, Seneca, Steuben, Wayne, Yates
3. Aurora of Central New York, Inc.:  
Broome, Cayuga, Cortland, Jefferson, Onondaga, Oswego, Tioga, Tompkins
4. Central Association for the Blind and Visually Impaired:  
Chenango, Delaware, Fulton, Herkimer, Lewis, Madison, Montgomery, Oneida, Otsego, St. Lawrence
5. Northeastern Association of the Blind at Albany, Inc.:  
Albany, Clinton, Columbia, Essex, Franklin, Greene, Hamilton, Rensselaer, Saratoga, Schenectady, Schoharie, Warren, Washington

6. Lighthouse International (Westchester Lighthouse):  
Dutchess, Orange, Putnam, Rockland, Sullivan, Ulster, Westchester
7. Lighthouse International (New York Lighthouse Vision Rehabilitation Services):  
Bronx, Brooklyn, Manhattan, Staten Island
8. Lighthouse International (Queens Lighthouse):  
Nassau, Suffolk, Queens
9. Helen Keller Services for the Blind (Metropolitan NYC):  
Bronx, Brooklyn, Manhattan, Staten Island
10. Helen Keller Services for the Blind (Long Island):  
Nassau, Suffolk, Queens
11. Jewish Guild for the Blind:  
Bronx, Brooklyn, Manhattan, Staten Island

## **8.22 ASSISTIVE TECHNOLOGY DEVICES**

### **When to Provide Assistive Devices**

Assistive devices may only be provided in Status 10 or above, and only after an evaluation and recommendation from an appropriate professional.

Although it is unusual to provide assistive devices in Status 10, it is recognized that devices may sometimes be needed to conduct an assessment for the purpose of developing an IPE.

### **Economic Need**

Assistive devices provided to support diagnostic services, including extended evaluation are not based on the consumer's economic need status.

Assistive devices provided in conjunction with rehabilitation teaching and orientation and mobility services are not based on the consumer's economic need status.

The provision of all other assistive devices is based on the consumer's economic need status.

### **Conventional Assistive Equipment**

An evaluation or training report indicating the need for equipment can serve as the recommendation for conventional assistive equipment. Conventional assistive equipment refers to those aids, appliances and devices that assist individuals who are blind to perform certain functions or activities, but which are not micro-computer based, and are not considered specialized equipment or physical restoration devices. Examples of conventional assistive equipment include:

1. braille writer
2. white cane
3. lock-lid sauce pan
4. slate and stylus
5. talking clock
6. tape recorder

**Note**

Low vision aids and hearing aids are not considered assistive equipment. They are considered physical restoration devices.

**High-Tech Equipment**

Due to the cost and complexity of high-tech equipment, it is necessary to follow special procedures for the purchase of any micro-computer related equipment which is purchased as part of an assistive equipment configuration. Computers, printers, modems, monitors, network interface cards, sound cards, application software programs, operating system software, and other generic types of computer hardware and software fall into this category as well as the following specialized assistive technologies:

1. computerized braille displays which convert screen text to braille
2. portable computerized braille note-takers
3. screen enlarging software or hardware
4. speech synthesis software or hardware
5. closed circuit television (CCTV)
6. screen reading software packages
7. one-handed keyboards or specialized input devices

**Braille Note-takers**

A portable computerized braille note-taker may be purchased upon the recommendation of a rehabilitation teacher. It is not necessary to obtain a consumer assessment at an ATC in order to purchase such a device.

## **Rule, Homemakers**

High-tech equipment will not be purchased for consumers with the goal of homemaker.

## **Case Documentation**

Using information from the evaluation, the counselor must document the following in the record of services:

1. why the consumer needs the equipment to participate in the rehabilitation process and obtain employment consistent with his or her IPE goal, and
2. that the equipment is being purchased after an evaluation and recommendation from an appropriate professional.

## **Procedure High-Tech Equipment**

Counselors should follow the procedure on pages 8.22.06 - 8.22.07 to request approval to purchase high-tech equipment.

## **Purchasing Equipment**

Purchase requests for conventional assistive equipment will be sent directly to the Office of Children and Families (OCFS) Purchasing Unit. Conventional assistive equipment under \$750 can be purchased directly from a provider using the 335 process.

All requests to purchase microcomputer-based, specialized assistive equipment and/or microcomputer software must be sent to central office to the attention of the technology coordinator.

## **Ownership of Equipment - Policy**

All equipment provided to consumers by CBVH remains the property of CBVH until successful case closure. Consumers are responsible for the proper care and use of equipment provided to them.

## **Ownership of Equipment - Notifying Consumers**

Consumers will be advised that CBVH maintains ownership of equipment until successful case closure by a statement on the "Consumer Rights and Responsibilities" handout.

Consumers will be advised that ownership of equipment is transferred to them at successful case closure by a statement on all case closure amendments and letters.

### **Maintenance and Insurance**

Maintenance and insurance of equipment will be paid as follows:

CBVH is responsible for maintenance and insurance of its own equipment.

If the equipment is owned by the consumer:

1. CBVH will not be responsible for maintenance and insurance
2. the consumer's employer should be encouraged to pay for maintenance and insurance.

### **Maintenance Agreements**

When equipment used by a consumer belongs to CBVH, the counselor should consider purchasing a one year maintenance agreement at the end of the warranty period. A maintenance agreement is especially recommended for braille printers.

### **Insurance**

Equipment which is owned by CBVH can be insured through a consumer's homeowner's or renter's policy or through a training site or employee's insurance policy.

### **Loaning Equipment**

Equipment which is stocked in the district offices or CBVH central office may be loaned to consumers when needed for evaluation, training or placement. Loaned equipment must be returned to CBVH.

### **Documentation**

When loaning equipment, the counselor will:

1. have the consumer complete an Equipment Record form (pages 8.22.08 8.22.09)
2. document the loan in the case record.

## **Replacing Equipment**

Equipment which is used by a consumer (prior to transfer of ownership) will be replaced if lost or damaged through theft, fire, flood, vandalism or other acts or occurrences beyond the control of the consumer when:

1. an insurance report or police affidavit, if available, is submitted to the counselor documenting the loss, and
2. after a review of the documentation and other circumstances surrounding the loss, the counselor and senior counselor determine that the loss has occurred under circumstances permitting replacement of the equipment.

If the equipment is covered by an insurance policy, CBVH will only cover the amount of the individual's deductible.

Once ownership is transferred to a consumer, the risk of loss or damage rests upon the consumer.

## **Rule**

Equipment which is owned by CBVH cannot be sold.

## **Leasing**

The decision to lease equipment will be made on a case by case basis, by the District Manager.

## **Equipment for Groups of Individuals**

Equipment may be provided to an agency, college or other organization when the equipment is for use by at least two CBVH consumers. Individuals who are not CBVH consumers may also make use of the equipment, provided that the CBVH consumers are afforded the amount of time needed to use the equipment.

Prior to providing this equipment, CBVH staff should encourage the organization to provide accommodations to individuals with disabilities as part of its responsibilities under the Americans with Disabilities Act and Section 504 of the Rehabilitation Act.

Equipment provided for groups of individuals is owned by CBVH. CBVH will pay the cost of maintenance on the equipment. However, the agency, college or organization holding the equipment is required to have the equipment insured.

## **Equipment Inventory**

Each district office will maintain an inventory of stock equipment. Information to be included in the inventory is:

1. equipment on hand
2. disposition of equipment
3. equipment added to stock

Copies of the inventory should be sent quarterly to the Technology Coordinator at Central Office.

## **Equipment Record**

The Equipment Record (pages 8.22.08 - 8.22.09) records the provision and disposition of equipment on a case-by-case basis. It must be completed each time equipment is:

1. loaned to a consumer
2. replaced

In addition, the section labeled disposition should be completed when equipment is returned to CBVH.

## **Procedure for Purchase of High-tech Equipment**

Follow this procedure to request approval to purchase high-tech equipment:

1. Complete the DSS-1013 form with the exception of the following sections:
  - a. TO: (VENDOR)
  - b. Item No., Description, Quantity, Unit, Price, and Amount
  - c. District Manager approval.
2. Prepare a cover memo to the C.O. technology coordinator authorizing purchase of equipment. The memo should note the appropriate consumer account code to be entered on the DSS-1013.
3. Forward the cover memo, along with the following, to the technology coordinator:
  - a. partially completed DSS-1013 and
  - b. for microcomputer based equipment, copies of the:
    1. Assistive Technology Referral Sheet
    2. Equipment Recommendation

3. Specific installation notes or instructions
  4. Job/education site evaluation report (if applicable)
  5. Assistive Technology Assessment Report
- c. for specialized equipment, a copy of the evaluator's report.
4. The technology coordinator will:
  - a. review the material,
  - b. discuss the report with the provider and, if necessary, the counselor,
  - c. determine the appropriateness of the request, and if necessary make changes and advise the counselor of the changes
  - d. assign a purchase request #
  - e. sign off on the DSS-1013 and forward it to OCFS Purchasing,
  - f. return a copy of the completed DSS-1013, with a buck slip indicating any changes made, to the district office.
5. The district office will then:
  - a. enter the DSS-1013 information into the automated log
  - b. file the DSS-1013 in the consumer's record of service, and
  - c. file the DSS-1013 in the authorization file in authorization # order.
6. If the equipment is shipped to an ATC, the center will confirm that the order is complete and notify the CBVH C.O. calculations clerk, who will in turn notify accounts payable to release payment to the vendor. Vendors do not get paid until receipt of equipment is acknowledged.
7. If the equipment is shipped to the consumer at a location other than an ATC, the consumer should be instructed to confirm the order is complete and notify the counselor. The counselor will notify the CBVH C.O. calculations clerk.

## **8.30 TRAINING - OVERVIEW**

### **Introduction**

Training is provided in accordance with an approved IPE in order for an individual to prepare for achievement of their employment outcome. The type of training provided is determined based on the needs of the individual and the type of preparation required by the selected vocational goal.

### **Length of Training**

The duration of training is determined based upon the requirements of the selected vocational goal, the needs of the individual and CBVH policy regarding the specific training source.

### **Types of Training**

There are nine types of training, each described in this chapter:

1. vocational, technical, business school training
2. college training
3. other academic training
4. rehabilitation teaching
5. orientation and mobility training
6. work experience training
7. on-the-job training
8. job coaching
9. training in community rehabilitation programs

### **Comparable Benefits**

Where appropriate, maximum utilization should be made of available comparable benefits. Prior to the provision of college training, all comparable benefits must be explored and utilized.

### **Economic Need**

Some training services are provided without regard to the consumer's economic need status. Others are contingent upon economic need. Refer to the specific training section to determine whether or not that training is contingent upon economic need.

## **8.31 VOCATIONAL, TECHNICAL, BUSINESS SCHOOL TRAINING**

### **Background**

Vocational, Technical and Business Schools are private, profit or nonprofit schools that offer training in a variety of occupations. The programs typically award a certification for successful completion of the training.

### **Selecting a School**

When considering the most appropriate school, the counselor and consumer must address, as a minimum, the following areas:

1. The appropriateness of the school. Will the training provided prepare the consumer for the employment she/he seeks?
2. Is the school approved by the New York State Education Department or the Veteran's Administration?
3. Is the school willing and able to accommodate any disability-related needs the consumer may have?
4. Can the consumer meet the school's selection criteria?

### **Correspondence Courses**

Correspondence training programs or courses offered by the schools may be utilized by CBVH consumers after consideration of the consumer's needs and the ability of the school to prepare the consumer to achieve the selected employment outcome.

### **Part-Time Training**

Where available, a part-time program may be utilized if the presence of another disability(ies) inhibits the consumer's ability to participate in full-time training.

### **Out-of-State Programs**

Vocational, technical and business school training may be sponsored in out-of-state schools.

When consumers are sponsored at out-of-state schools, they should be advised of resources in the area such as the local VR agency. Counselors should maintain responsibility for service coordination but may also inform the equivalent state agency that the individual is present in their state.

Students who attend a program outside of New York State will receive sponsorship at the same level of financial support as they would if they attended a program within New York State.

In addition, to these factors, the factors listed under "Selecting A School" must be considered when choosing an out-of-state school.

### **Rates for Training**

CBVH will pay 80% of the total cost of tuition and fees (after TAP and PELL have been deducted).

### **Economic Need**

Sponsorship for training in vocational, technical or business schools is contingent upon the consumer's economic need status.

### **Comparable Benefits**

Many schools provide student financial aid. Consumers are required to apply for PELL grants where applicable and explore other comparable benefits which may be available to them.

## **8.32 COLLEGE TRAINING**

### **Background**

When a consumer is interested in any form of training, it is necessary for the counselor to explain eligibility, ongoing eligibility and the development of the Individualized Plan for Employment (IPE). The two criteria for eligibility are:

1. The individual has a disability, defined as any individual who has a physical or mental impairment (which must include legal blindness) that results in a substantial impediment to employment; and who can benefit in terms of an employment outcome from vocational rehabilitation services, and
2. The individual requires vocational rehabilitation services (in this case, college training) to prepare for, enter, secure, retain or regain employment.

In vocational rehabilitation, college is considered a form of vocational training and should only be authorized when it is clear that it is necessary to achieve the consumer's vocational goal (occupation). Before college can be discussed, the counselor and consumer must first mutually agree on an occupation that the consumer will pursue and then develop an IPE. The consumer should understand that the appropriateness of the vocational goal and college training will continue to be evaluated during the annual reviews of his/her IPE.

College level professional training can present a special challenge to counselors because of the differing views held by consumers and, in some cases, their parents. For some individuals, CBVH is viewed as a special scholarship program available to anyone who is blind and meets entry level academic qualifications. Others may not fully understand the purpose of vocational rehabilitation and the role of college training in the rehabilitation process.

If it appears that the consumer is unable to do college level work it will be necessary to discuss a more appropriate goal. In this case, another type of training will be planned.

When an occupation is identified and agreed upon, the services needed to achieve the goal should be listed on the IPE and eventually authorized. This process forms the core of vocational rehabilitation and requires a relationship between the counselor and consumer that is built upon mutual respect, understanding and cooperation.

The dialogue concerning college training may appear difficult at times; however, counselors are encouraged to explain the vocational rehabilitation process and hopefully assure mutual understanding. Lacking agreement, consumers must be notified in writing and provided a rationale for any decision to deny services. At this time consumers should be notified of their rights under the appeals process and be given information about the Client Assistance Program (CAP).

### **Expectations for Students in College**

Developing skills in a real work environment is critical for young adults and for older adults who have not had on-the-job experience. Work experiences along with education and training help to build resumes that enable individuals to successfully compete for jobs. CBVH expects that all consumers who attend college will participate in work experiences or internships during summer breaks and if possible during the school year. Preferably, some or all of the work experience will be related to the students job goal.

### **What is College Training**

College is academic training provided at the post-secondary level. It includes undergraduate and graduate courses at an accredited university, college, junior college or extension program and tutorial training, correspondence and home study.

### **Accreditation**

CBVH will use only those colleges, universities and other degree granting institutions, including correspondence or home study programs, accredited by a regional accrediting body recognized by the U.S. Department of Education or approved by the New York State Board of Regents. Exceptions may be made where accreditation is pending or conditional and the course of study is sufficiently unique to justify use.

CBVH reserves the right to review and disapprove the use of a college or university program that is not accredited.

### **Cutoff Dates for College Sponsorship**

Applicants and consumers who are interested in pursuing college training should notify their CBVH counselor by May 1st for the Fall semester and September 1st for the Spring semester. These cutoff dates have been established to allow adequate time to determine whether or not the applicant or consumer meets the criteria for college sponsorship. Exception to these cutoff dates may be made by the senior counselor upon request by the CBVH counselor.

### **Length of Training**

CBVH expects consumers to complete their undergraduate and graduate programs within the customary attendance period (e.g., Bachelor's - 4 years, Associate's - 2 years). We do, however, recognize that individual circumstances may sometimes interfere with a consumer's ability to do this. In recognition of this fact, CBVH may provide financial sponsorship for up to one semester in addition to each year of coursework required by the educational institution for the consumer to complete his/her academic program.

Attendance beyond the customary period includes part-time and full-time study.

The customary attendance period can only be exceeded with documentation of the reasons for the extension and senior counselor approval. The reason for exceeding the customary attendance period should be entered in the "Specific Understandings ..." section of the IPE.

Examples of situations which may warrant exceeding the customary attendance period are:

1. equipment needed by the consumer to participate in college courses was not received on time or in proper working order
2. the consumer or his/her family member developed a medical problem which interfered with the consumer's ability to attend college
3. the consumer has received approval to attend college part-time

### **Graduate School Sponsorship**

CBVH sponsors training beyond the baccalaureate level only in instances where entry into the selected professional field of work requires completion of graduate or professional school training as documented on the IPE.

### **Graduate School IPE**

Graduate school training can only be indicated on an IPE after the successful completion of two full years of college study.

When the counselor and consumer mutually agree on a vocational goal which includes graduate school, the counselor should complete the IPE as follows:

1. state the vocational goal
2. enter in the Understandings section a statement regarding the fact that the IPE will be amended to include graduate school after the successful completion of two full years of college study.

The amended IPE must be developed in accordance with the procedures in Chapter 6.00-IPE and prior to implementation must be signed by the district manager.

### **Part-Time Sponsorship**

Part-time college training is defined as less than 12 credit hours of training per semester. Part-time study may be sponsored at any time during college training with counselor approval.

In approving part-time sponsorship, the counselor should ensure that the consumer understands that part-time study may impact on his/her ability to complete college within the length of training allowed under CBVH policy. If necessary, consumers who participate in part-time study should be encouraged to take courses during summer session, mini-semester and intersession in order to complete their studies within the limits on length of training established by CBVH.

### **College Training: Out-of-State/Foreign Country**

College training may be sponsored in out-of-state schools.

When consumers are sponsored at out-of-state schools, they should be advised of resources in the area such as the local VR agency. Counselors should maintain responsibility for service coordination but may also inform the equivalent state agency that the individual is present in their state.

Students who attend college outside of New York State will receive sponsorship at the same level of financial support as they would if they attended a college within New York State.

College training in foreign countries is not sponsored by CBVH. However an individual matriculated in an American university may participate in a semester/year abroad if required by his/her program.

**Note**

Expenses for tuition, transportation, and room and board are limited to the level paid while the student is in the school in which he/she is matriculated. Excess expenses incurred during foreign study will be the responsibility of the student.

**Correspondence and Home Study**

College training through correspondence and home study and programs may be sponsored when the counselor deems the program to be the most appropriate training program for the consumer. The decision will be based upon the fact that:

1. the training program is not available through other sources, OR
2. it is not feasible to utilize other available resources, AND
3. the training program will adequately prepare the consumer to achieve his/her vocational goal.

This decision must be documented in a case contact.

**Summer, Mini-Semester or Intersession Sponsorship**

Summer session, mini-semester, and/or training during intersession is only provided:

1. to advance the date of completion of a program
2. to enable a consumer to complete his/her college program within the limits on length of training established by CBVH
3. to enable a consumer to take required or sequential courses which would not be available at any other time
4. as necessary, when a consumer's disability restricts the number of credits to be taken per semester or trimester
5. to enable a consumer to complete a previously failed course within the time restrictions of this policy

## **Selecting A College**

When selecting the most appropriate school the consumer and counselor must address, as a minimum, the following questions:

1. The appropriateness of the school. Will the education and training provided prepare the consumer for his/her vocational goal?
2. Does the school meet established standards for accreditation set forth in this chapter?
3. Is the school willing and able to accommodate any disability-related needs the consumer may have?
4. Does the consumer meet the school's selection criteria?

## **Remediation**

Some individuals may require remediation training in order to effectively participate in a college program. Efforts should be made to obtain remediation training prior to entrance into a college program. When a student is receiving remediation while taking courses for credit at a college, the semester will count toward the maximum length of college training.

## **Trial Semester**

Clients can receive CVBH sponsorship for up to one semester of part-time or full-time as a trial semester. A trial semester will not count toward the maximum length of training allowed under CBVH policy. College policy rates will be applied during trial semesters. Trial semesters are considered to be college training and are contingent upon economic need.

## **Criteria to be Considered in Determining College Sponsorship**

The responsibility for determining the appropriateness of college sponsorship rests with the CBVH counselor with supervisory approval. To arrive at a decision, the counselor will consider, at a minimum, the following criteria:

1. Acceptance by an accredited college or university (including junior college, community college, etc.).
2. When acceptance is by an institution operating with an open admission policy,

the individual must meet the following criteria:

- a. maintenance of a C academic average in high school (only applicable to students who have graduated within the last five years), or
- b. be deemed qualified by the CBVH counselor. This determination shall include consideration of the student's scoring on college aptitude tests and any other pertinent information available to the counselor. This determination requires senior counselor input and approval which shall be documented in the case file.

In addition, all students must meet the following criteria:

1. Certification by a mobility instructor of sufficient independence in mobility to travel to, from and about a setting similar to the proposed college environment. Written certification of a formal schedule of mobility instruction to meet this requirement prior to the first college semester will be acceptable at the time of consideration for college sponsorship.
2. Certification by a rehabilitation teacher of sufficient independence in activities of daily living to care for one's daily needs on and off campus. Written verification of a formal schedule of rehabilitation teaching to meet this requirement prior to the first college semester will be acceptable at the time of consideration for college sponsorship.
3. Certification by a communications specialist of sufficient independence in communication skills to cope effectively with the heavy and varied workload of a college student. Written verification of a formal schedule of communications instruction to meet this requirement prior to the first college semester will be acceptable at the time of consideration for college sponsorship.

### **Pre-College Programs**

College students are encouraged to participate in one of the pre-college programs available in the State. The content of these programs vary from program to program but generally provide students with an opportunity to learn about the college environment, develop self-advocacy skills and learn about their rights and responsibilities as a student with a disability.

### **Sustaining Criteria for College Sponsorship**

In order to continue to qualify for CBVH sponsorship, the consumer must:

1. maintain adequate performance (as defined in this section),
2. continue to pursue an approved vocational goal within the context of the mutually

- developed IPE, and
3. be willing to participate in a minimum of two face-to-face progress reviews per academic year with a CBVH counselor

### **Adequate Academic Performance**

A consumer will be deemed to have maintained adequate academic performance only if, after the first two semesters of attendance, she/he maintains a minimum cumulative grade index equivalent of C or 2.0. A consumer will be expected to maintain the minimum cumulative grade index each semester thereafter.

If the cumulative index falls below this level, support will continue for one semester while the consumer attempts to raise his/her grade point average. During this time, the consumer must be notified that he/she is on probationary status and the counselor and consumer should:

1. address issues which may have affected the consumer's performance, and
2. reassess the appropriateness of the vocational goal and/or college as a means of obtaining that goal.

If the consumer is unable to raise his/her grade point average after one semester with CBVH sponsorship the counselor and the consumer should:

1. reassess the appropriateness of the vocational goal and/or college as a means for achieving that goal, and
2. develop an alternative IPE (See Chapter 6.00)

If the consumer is not interested in pursuing an alternative goal, the counselor must consider whether or not the consumer continues to be eligible for services.

CBVH will not provide any services except counseling, guidance and assessments while an alternative IPE is being developed.

### **Courseload Changes**

Students may not drop credits or significantly change their curriculum without the prior approval of the CBVH counselor. Curriculum changes may significantly alter the IPE and may make it invalid. This could result in an interruption or loss of CBVH sponsorship.

If dropping a course reduces the number of credits to less than 12 credits for a semester, that semester is considered to be part-time training.

### **Comparable Benefits**

Before CBVH funds can be used for college training, a full consideration of comparable benefits available to a consumer must be made by the CBVH counselor. The consumer must also cooperate, to the maximum extent feasible, with the CBVH counselor in exploring and applying for alternate funding.

The consumer must submit written verification of yearly application for alternate funding. Funding sources should include but not be limited to:

1. PELL Grant
2. Tuition Assistance Program (TAP)
3. Supplemental Educational Opportunity Grant (SEOG)

For each application for alternate funding, the consumer must submit the following information to the CBVH counselor:

1. a copy of the award notice including the amount of the award and the starting date, OR
2. a copy of disallowance or denial of any award applied for.

**Note**

Notice of receipt of application will suffice until the award/disallowance notice is received. A statement signed by the consumer may be considered sufficient if the consumer has received no other documentation.

**Rule**

All comparable benefits available to consumers must be applied to the costs of college training prior to authorizing CBVH funds.

**Exception To Comparable Benefits Rule**

Monetary awards or scholarships to consumers based on merit from civic, professional or social organizations are not considered as grants or comparable benefits as long as no restrictions are placed by the organization on the use of the money. Even if the award is designated for general educational purposes, it is not considered a comparable benefit.

If the money is specifically earmarked for tuition or particular college expenses, it is then considered an available resource and comparable benefit that may replace or reduce the CBVH contribution to college expenses.

**Guidelines for Application of Comparable Benefits**

TAP should be applied to tuition.

The PELL Grant may be applied first towards the actual cost of room and board or tuition, whichever is to the greater financial benefit of the student. The balance of the grant should be applied towards:

1. college fees
2. books
3. equipment
4. transportation
5. maintenance and/or
6. other college expenses

### **Comparable Benefits: Defaulted Student Loan**

Under Title IV of the Higher Education Act, in order to receive a grant, loan or work assistance, a student must not owe a refund on grants previously received or be in default on any student loan. The limitation applies to provision of financial assistance for post-secondary education by vocational rehabilitation agencies to consumers who have been refused grant awards because they defaulted on student loans.

Since we require that students make every attempt to secure comparable benefits, a consumer who has defaulted on a student loan should proceed to clear his/her default status prior to applying for financial assistance.

### **Determination of Default Status**

In most instances, a counselor will be able to determine whether a student is in default status from the grant award notice.

If a student has been denied a grant, then the award notice will indicate whether the denial was based upon default status.

If a student has not yet received award notification, then the counselor may base his/her determination upon a statement, signed by the student that he/she is not in default status.

### **Clearing Defaulted Loan Status**

For the Perkins Loan program, an individual is no longer in default if:

1. all past-due amounts have been repaid, cancelled, or deferred;
2. the individual's loan has been discharged in bankruptcy; or
3. the individual has entered into a new repayment agreement for the loan.

For the Guaranteed Student Loan program, an individual may no longer be in default status if:

1. the holder of the loan certifies for the purpose of reinstating Title IV eligibility that the borrower has made satisfactory arrangements to repay the defaulted loan; or
2. the loan is discharged in bankruptcy.

### **Implications for CBVH Sponsorship**

Prior to obtaining CBVH sponsorship for college training, individuals who are in default of a loan must arrange to clear their defaulted status. An individual who chooses not to repay a loan although financially able to do so is not eligible to receive CBVH sponsorship for college training. In this instance the individual is not availing themselves of a comparable benefit or service that is available.

### **Inability to Repay**

In some instances, a true hardship situation may arise where an individual has limited or no financial resources available and cannot work out a satisfactory repayment agreement with the lender, despite responsible repayment efforts. In such instances, it may be concluded that the individual has made maximum efforts to secure grant assistance and that comparable benefits and services are not available. The VR counselor should determine the appropriateness of VR assistance on an individual basis after careful examination of all the circumstances involving an individual's default status and financial situation.

### **College Related Services: Contingent Upon Economic Need**

The college related services listed below are contingent upon economic need. Some of the services are also subject to maximum expenditure allowances as indicated in this section.

1. tuition in accordance with the rates on pages 8.32.13 - 8.32.14.
2. required college fee's including but not limited to:
  - a. application fees (limited to three applications)
  - b. aptitude test fees
  - c. student activity fees
  - d. college fees
  - e. laboratory fees
  - f. library fees
  - g. health insurance fees (unless the consumer has other medical coverage which would apply while s/he is in college)
  - h. graduation fees

3. room and board in accordance with the rates and guidelines on pages 8.32.15 - 8.32.17 and 8.32.20 - 8.32.22
4. security deposits in accordance with the guidelines in Section 8.03 - Maintenance
5. books and supplies in accordance with the guidelines and rates on page 8.32.18
6. equipment in accordance with Section 8.20 - Rehabilitation Technology
7. transportation in accordance with the guidelines and rates on pages 8.32.17, 8.32.20 - 8.32.22 and Section 8.04 - Transportation

### **College Related Services: Not Contingent Upon Economic Need**

The college related services listed below are not contingent upon economic need.

1. Reader services for individuals not eligible for the State Education Department Reader's Aid Program or as a supplement to such funds (See Section 8.09 - Reader Services)
2. tutoring assistance
3. personal assistance services (See Section 8.11 - Personal Assistance Services)

### **Tuition Expenses: Academic Year**

For students who meet economic need, CBVH will pay actual tuition costs (after the application of all comparable benefits) up to the rates established by the State University of New York (SUNY).

### **Examples, Payment of Tuition**

The following examples illustrate application of CBVH tuition allowance.

Example 1: An undergraduate's tuition costs for an in-state private school are \$3,500/year. She receives an \$800 TAP award. CBVH will pay the remaining tuition up to the undergraduate tuition rate established by SUNY.

Example 2: A regular graduate student's tuition costs are \$15,400/year. He receives a \$400 TAP award. CBVH will pay the remaining tuition up to the graduate tuition rate established by SUNY.

### **Tuition Expenses: Part-time Study, Summer Session, Mini-Semester**

For students who meet economic need, CBVH will pay actual tuition cost, up to the credit hour rate established by SUNY. The maximum tuition rates for part-time, summer session, mini-semester and/or intersession will be applied on a pro-rata basis.

Undergraduates - for students taking fewer credits than the equivalent of a full-time semester (e.g., less than 12 credits) CBVH will pay actual tuition costs up to the credit hour rate established by SUNY.

Graduates - for students taking fewer credits than the equivalent of a full-time semester (e.g., less than 12 credits) CBVH will pay actual tuition costs up to the credit hour rate established by SUNY.

Tuition during summer-session, mini-semester and/or intersession will be in addition to the maximum per academic year. Tuition for part-time study is included in the maximum per academic year. In no instances shall total support per session or semester exceed half the maximum rate for an academic year.

### **Residential Statuses**

COMMUTING STUDENT - an individual who resides at his or her normal residence while attending a college program.

RESIDENTIAL STUDENT - an individual residing in a college dormitory while attending a college program.

OFF-CAMPUS STUDENT - an individual who must live away from home in order to attend a college program and who is living in an apartment or other residence off campus.

### **Rule**

CBVH will not pay room and board expenses for commuting students. Room and board expenses are only allowable to pay additional costs incurred while participating in rehabilitation.

### **Room and Board Expenses: Academic Year**

CBVH will pay room and board expenses to students who meet economic need in accordance with the following rules and guidelines.

Residential and Off-Campus Students: CBVH will pay room and board and day-to-day transportation costs needed to attend college up to a maximum of \$4,500 per academic year.

Additional funds for day-to-day transportation can be provided if needed and the student demonstrates that the payment from CBVH, and from PELL and SSI, for those that receive those benefits, does not cover the cost of their room, board and transportation.

### **Room and Board Expenses: Part-Time Study, Summer Session, Mini-Semester, Intersession**

CBVH will pay room and board expenses to consumers who meet economic need in accordance with the following rules and guidelines.

Residential and Off-Campus Students: The maximum rates for room and board for consumers attending college for summer session, mini-semester, and intersessions will be applied on a pro-rata basis. CBVH will pay room and board expenses up to a maximum of \$150 per week.

Example: A consumer who attends a college during a 6-week intersession can receive a maximum of \$900 for room and board expenses.

Room and board during summer session, mini-semester and intersession will be in addition to the maximum per academic year. Room and board for part-time study is included in the maximum per year.

In no instance shall total support per session or semester exceed half the maximum rate for an academic year.

### **Determining When an individual is Considered to be a Commuting Student**

The following guidelines are to be used to determine when a student should be considered to be a commuting student.

If the student lives within a 20 mile radius or within one and one half hours of travel time each way from the school and adequate transportation is available, then they should be considered to be a commuting student.

Students who meet the criteria listed above are not eligible to receive room and board payment if they choose to live away from home. Students who live more than one and one half hours of travel time each way from the school or beyond the 20 mile radius can choose to live at home. These students will also be considered to be commuting students.

### **Exception, Commuting Students**

In some instances, even though a student lives within commuting distance of a school and adequate transportation is available, the student's home environment may seriously interfere with their ability to participate in college training. In such situations, if the counselor believes that it is in the student's best interest to reside on campus, the counselor can request that an exception be made. Exceptions may only be made on an individual basis with senior counselor approval and appropriate documentation in the record of services.

### **Room and Board Expense Waiver**

The maximum limits for room and board may be waived if room and board is provided in lieu of more expensive, special transportation for students who are eligible for special transportation. This waiver may be obtained only if:

1. the student is eligible for special transportation.
2. the student has medical documentation to substantiate the fact that public transportation cannot be used due to the severity of his/her disability.
3. the counselor has determined that the student can function adequately while living on campus.
4. it has been demonstrated that the cost of living on campus is equal to, or less than, providing special transportation. The costs of living on campus must include dormitory fees, attendant services, special campus transportation, necessary room modifications, adaptive devices and any other costs incurred by the student. These costs must be detailed in writing by the counselor and compared to the estimated potential cost of special transportation for the same period of time.

### **Waiver Rule**

Documentation to support the waiver must be prepared prior to the approval of the IPE. This documentation must be filed in the record of services.

### **Transportation and Maintenance**

For consumers who meet economic need, CBVH will pay the actual cost of public transportation for travel to school at the beginning of the semester or trimester and travel from school to home at the end of the semester or trimester. Exceptions will only be granted for emergency travel due to the death or serious illness of a member of the consumer's immediate family.

Counselors should note that:

1. transportation services may not be authorized for holiday travel.
2. maintenance can be authorized during school holidays if the consumer has remained at the school during holidays

See pages 8.32.20-8.32.22 for specific guidelines on authorizing maintenance and transportation.

### **Equipment**

For consumers who meet economic need criteria, CBVH will purchase all equipment necessary for the consumers to participate in their college program in accordance with CBVH policy. The record of services must document the need for all equipment purchased.

### **Books and Supplies Expenses**

CBVH will purchase books and supplies for consumers who meet economic need criteria in accordance with the following rates and guidelines.

Books: CBVH will purchase required reading books and supplies for consumers to participate in their college program. The need for the books purchased must be documented in the record of services.

Supplies: CBVH may authorize up to \$200 per academic year for supplies necessary for the consumer to participate in his/her college program. The need for supplies purchased must be documented in a case contact. Examples of supplies are:

1. cost of audiotapes
2. cost of xeroxing
3. braille paper

CBVH recognizes that the cap on supplies may be insufficient for certain college courses (e.g., photography, commercial art). When the cap is insufficient, additional funds may be provided with documentation of the need for additional supplies from the school or instructor and senior counselor approval.

### **Supplies Expenses: Part-Time Study, Summer Session, Mini-Semester, Intersession**

The allowance for supplies for consumers attending college for part-time study, summer session, mini-semester, and intersession will be applied on a prorata basis.

For consumers taking fewer credits than the equivalent of a full-time semester (e.g., less than 12 credits) CBVH will pay the actual cost of supplies up to a maximum of \$14.00 per credit.

Example: A consumer who attends a three credit course during intersession can receive a maximum of \$42.00 for supplies.

Supplies purchased during summer session, mini-semester and intersession will be in addition to the maximum per academic year. Supplies purchased for part-time study are included in the maximum per year. In no instance shall total support per session or semester for supplies exceed half the maximum rate for an academic year.

### **The CBVH Counselor's Responsibilities**

The CBVH counselor should:

1. encourage the consumer to seek his/her own admission to college
2. offer guidance to the consumer in selecting a particular college to obtain the education necessary to reach his/her vocational goal
3. ensure that the consumer has necessary information on recording and transcribing books and other coursework
4. assess the consumer's job readiness before the end of the third year of college
5. ensure that consumer is aware of his/her responsibilities listed below.

### **The CBVH Consumer's Responsibilities**

The CBVH consumer attending college has responsibility to:

1. maintain adequate academic performance (as defined in the policy)
2. provide copies of course grades
3. report any problems affecting his/her performance to the CBVH counselor
4. report any anticipated changes in program to the CBVH counselor
5. submit the college's billing statement to the CBVH counselor if CBVH is paying for college training

6. participate in a minimum of two face-to-face progress review meetings per academic year with the CBVH counselor
7. cooperate to the maximum extent feasible with the CBVH counselor in exploring and applying for comparable benefits
8. submit written verification of yearly application for comparable benefits funding to the CBVH counselor

### **Authorizing Maintenance and Transportation**

#### General Guidelines:

1. Each counselor should obtain a copy of the official school calendar for each student:
  - a. The inclusive semester dates, including travel time, should be entered in the appropriate columns on the DSS-1016.
  - b. Dates of school holidays during which the consumer travels home, or the school is closed should be entered under the heading SCHOOL HOLIDAYS to be typed in the bottom portion of the body of the DSS-1016.
  - c. The counselor should figure the number of days in the semester, less those holidays during which the consumer travels home or the school is closed and use this number as the basis for further calculation of the actual days of attendance. (Expressed in weeks.)
2. The counselor should also note in the bottom portion of the voucher (not the status code section) the student's status from one of the three categories below:
  - a. **COMMUTING STUDENT** - an individual who resides at his or her normal residence while attending a college program.
  - b. **RESIDENTIAL STUDENT** - an individual residing in a college dormitory while attending a college program.
  - c. **OFF-CAMPUS STUDENT** - an individual who must live away from home in order to attend a college program and who is living in an apartment or other residence off campus.
3. Counselors should require consumers to forward any receipts for maintenance, transportation and supplies. Receipts should be attached to the corresponding DSS-1016.

These guidelines should be applied in keeping with established CBVH policy regarding use of comparable benefits, maximum expenditures, etc.

#### Specific Guidelines:

##### Commuting Students:

Since it is understood that students must not only attend classes, but also use the library, meet with instructors and access laboratories or other special facilities, counselors may assume that the student usually attends the college program five days per week. The number of days of class attendance per week should not be shown on the DSS-1016.

Transportation services will be authorized to commuting students as follows:

1. Transportation -
  - a. actual cost of one roundtrip per day between the student's home and the college program, five days per week, less holidays during which the school is closed.

##### Residential Students:

For students residing in a dormitory on campus, the counselor will authorize maintenance and transportation as follows:

1. Room and Board -
  - a. rate per semester for dormitory and standard meal plan (up to the established maximums) to be paid via a DSS-335.

If the student is not purchasing a meal plan but is being provided a meal allowance, the counselor should use a DSS-1016 and base payment on a seven day week (less school holidays during which the consumer travels home).

2. Transportation -
  - a. actual cost or common carrier rate one way between the student's home and the college at the beginning and end of the semester or trimester.
  - b. actual cost or common carrier rate for travel home due to the death or serious illness of a member of the consumer's immediate family.

##### Off-Campus Students:

CBVH will pay a maximum of \$2,250 per semester and \$4,500 per academic year for

room, board and transportation for students residing off-campus. Additional funds for day-to-day transportation can be provided if needed and the student demonstrates that the payment from CBVH, and from PELL and SSI, for those that receive those benefits, does not cover the cost of their room, board and transportation.

## **8.33 OTHER ACADEMIC TRAINING**

### **Introduction**

Other academic training is training on a secondary educational level or lower. Other academic training is provided to improve a consumer's academic functioning and provide the consumer with specific vocational skills in accordance with an approved IPE.

### **Other Academic Training Services**

Other academic training includes but is not limited to:

1. Adult Basic Education courses
2. English as a Second Language
3. high school equivalency programs
4. tutorial services
5. vocational training in specific occupations provided by the Board of Cooperative Educational Systems (BOCES), such as: computer programming; clerical work; cosmetology and auto mechanics.

### **BOCES Programs**

Individuals up to age 21, may be eligible to participate in BOCES programs offered by the local school board. These programs are available without cost to CBVH. Some BOCES programs offer adult education courses in the evening at a cost to the individual.

### **Reports**

The CBVH counselor should obtain periodic written reports on the consumer's progress in training. The reports should contain, as a minimum, the following elements:

1. the period of time covered
2. services or coursework provided

3. summary of progress
4. comments or concerns
5. recommendations

### **Economic Need**

Academic training services are provided without regard to a consumer's economic need status.

### **Comparable Benefits**

Many training services in this category are provided by school systems at no cost. Other comparable benefits must be considered and utilized when appropriate.

## **8.34 REHABILITATION TEACHING**

### **Introduction**

Rehabilitation teaching is a comprehensive service that involves the provision of training to assist the individual in achieving his/her maximum level of functioning in the areas of: manual dexterity; communication; orientation to home or work environment; home management; personal management and use of low vision aids and other adaptive devices. These services are customarily provided in the individual's home, at a private agency serving individuals who are blind, in a school setting or other community setting.

### **Scope of Services**

Communication training may include braille and or large print or other preferred communication mode; the ability to use the telephone, including number retrieval; skills in such functions as note-taking, message retrieval, record keeping, typing, labeling, and organizing information; and the ability to use communication devices, including but not limited to typewriter, keyboard, tape recorder, calculator, personal message recorder, or electronic notetaking devices.

Home management will include training in meal planning and preparation, use of appliances and utensils, food storage and organization, and home cleaning, organization and safety.

Personal management includes training in personal grooming, clothing selection and care, child care, medication management and the use and care of non-optical and

prescribed optical devices.

Financial Management includes training in the use of appropriate financial institutions, personal budgeting and money management.

### **Determining the Scope of Rehabilitation Teaching Services**

The scope of rehabilitation teaching services provided is determined based upon an evaluation of the individual's needs relative to their vocational goal. The counselor will be provided a written report of the evaluation findings including recommendations. The counselor will discuss the evaluation findings and recommendations with the consumer and determine the services to be provided to meet the consumer's objective(s).

### **Who Provides Rehabilitation Teaching Services**

Rehabilitation teaching services are provided by professional rehabilitation teachers and, respectively, who meet the qualifications established by CBVH. They may be provided through a private agency, by a CBVH rehabilitation teacher or by a private vendor.

### **Priority of Service Provider**

The following order of selection is to be used when choosing a service provider teacher:

1. private agency personnel, when available
2. CBVH rehabilitation teacher
3. independent rehabilitation teacher who is approved by CBVH as a private vendor. Private vendors are to be used when priorities 1 and 2 are not available.

### **Economic Need**

The provision of rehabilitation teaching services is not contingent upon an individual's economic need status.

### **Comparable Benefits**

Where available, adequate and timely, comparable benefits are to be accessed in the provision of rehabilitation teaching services.

## **8.35 ORIENTATION AND MOBILITY TRAINING**

### **Orientation and Mobility Services**

Orientation and Mobility (O&M) is the teaching of concepts, skills and techniques necessary for a person who is blind to travel safely, efficiently and confidently through any environment and under all environmental conditions and situations.

Orientation and mobility services may include: basic orientation concepts of body awareness and geometric shapes; use of reference systems to increase safety, independence and confidence; a primary travel system using residual vision, sighted guide, long cane, prescribed low vision aids or a combination of the above. Where appropriate, the system may integrate the use of a guide dog and electronic vision enhancement systems; effective indoor travel techniques, including self-protective techniques, trailing and room or building familiarization; safe and effective negotiation of outdoor areas including street crossings at various traffic controlled intersections and the use of public transportation.

### **Determining the Scope of Orientation and Mobility Services**

The scope of orientation and mobility services provided is determined based upon an evaluation of the individual's needs relative to their vocational goal. The counselor will be provided a written report of the evaluation findings including recommendations. The counselor will discuss the evaluation findings and recommendations with the consumer to determine what, if any, services are to be provided to meet the consumer's goal.

### **Who Provides and Orientation and Mobility Training**

Orientation and mobility training is provided by professional orientation and mobility instructors who meet the qualifications established by CBVH. They may be provided through a private agency, by a CBVH orientation and mobility instructor, as appropriate or by a private vendor.

### **Priority of Service Provider**

The following order of selection is to be used when choosing a service provider teacher:

1. private agency personnel, when available
2. CBVH orientation and mobility instructor
3. independent orientation and mobility instructor who is approved by CBVH as a private vendor. Private vendors are to be used when priorities 1 and 2 are not available.

## **Economic Need**

The provision of orientation and mobility training is not contingent upon an individual's economic need status.

## **Comparable Benefits**

Where available, adequate and timely, comparable benefits are to be accessed in the provision of orientation and mobility training.

## **8.36 WORK EXPERIENCE TRAINING**

### **Introduction**

Work experience is training provided by an employer (including not-for-profit employers such as community rehabilitation programs and independent living centers) to a CBVH consumer who is not currently employed and has not been promised a job by the employer. A work-study program is a type of work experience which can be developed for high-school or college students. Work-study program enable high-school and college students to gain work experience prior to completion of college training.

### **Purpose of a Work Experience**

The purpose of a work experience is to provide:

1. the consumer with an understanding of the work environment and job responsibilities
2. the consumer with specific work skills and experience
3. information on how the consumer performs in the work setting.

Work experience differs from on-the job training (OJT) in that it is not intended as specific training in a particular position and does not require a commitment by the employer to hire the consumer at the end of the training program. Generally, a work experience is a time-limited experience that contributes to the consumer's overall career development and aspirations.

### **Examples of Work Experiences**

Examples of work experiences are:

1. an employer who trains a high school student during summer break to be a receptionist/typist;
2. an established vending stand operator who provides a brief exposure to employment in the Business Enterprise Program;
3. an employer who trains a recent college graduate as a market researcher performing market analysis.

### **Selecting a Work Experience Site**

When selecting a work experience site, the counselor, employer and consumer should consider the consumer's skills, interests and any functional limitations that may have an impact on the training, the need for any disability related accommodations and any safety factors in the particular work environment. In addition, the training should be job specific and meaningful, with a clear description of job duties and training objectives.

### **Duration**

There are no durational limitations for work experiences that do not requiring payment by CBVH. However, the counselor and consumer should closely monitor the work experience to ensure that it is contributing to the achievement of the vocational goal.

Work experiences for which CBVH provides payment must not exceed a total of 1040 hours.

### **CBVH Financial Support for Work Experiences**

Work experiences may be supported by CBVH through the authorization of:

1. adjustment training to a community rehabilitation program;
2. job coaching services in support of a work experience (See Section 8.38 for further information);
3. reimbursement to the employer for training expenses (wages);
4. a training stipend to the consumer to cover work related expenses (e.g. maintenance/transportation) when a consumer is not paid wages by the employer.

## **Wage Reimbursement**

Whenever possible, efforts should be made to provide a paid work experience where wages are paid by the employer or through a comparable benefit such as workforce development funding sources. If these options are not available, the counselor may arrange to reimburse an employer for wages paid to a consumer during a work experience.

Wage reimbursement can be arranged directly with an employer or through a community rehabilitation program that is providing work experience services to CBVH consumers. CBVH counselors must not authorize wages to be paid directly to consumers during work experience training.

## **Work Experience and Job Coaching**

Wage reimbursement and job coaching services may be authorized simultaneously in situations where the counselor has determined that job coaching services are necessary for the individual to benefit from the work experience. The counselor must clearly distinguish between the training role of the employer and the training role of the job coach. The job coach should be used to support the employer and consumer during the work experience but must not serve as a substitute for the training and supervision responsibilities of the employer. For example, the employer may provide a consumer with regular training sessions during initial weeks on the job. The job coach can assist the employer with an understanding of adaptive equipment or reasonable accommodations needed by the individual.

## **Work Experience Agreements**

When wage reimbursement is authorized by CBVH, the following information must be documented in a case note:

1. a clear description of the consumer's job duties and a plan for training the consumer.
2. agreement from the employer to allow the CBVH counselor to monitor the work experience and receive to send periodic written progress reports for inclusion in the consumer's record of services).
3. the employer will place the consumer on their payroll and pay the consumer at the current hourly rate received by other employees in the same job. The employer will assure that the consumer will be covered under Workers' Compensation, Social Security and Unemployment Insurance;

4. the employer will assure that all Federal and State standards for wage hours and safety are met.

### **Progress Reports**

For all work experiences, the employer must agree in advance to prepare interim and final reports on the consumer's progress during the work experience. A schedule for interim progress reports will be jointly developed by the counselor with the employer. The report should contain the following information: the dates of training; tasks performed; performance observations; problem areas (if any); and, recommendations or conclusions.

### **Impact on Social Security Benefits**

Earnings from OJT typically have an impact on a consumer's Social Security Disability (SSDI) or Supplemental Security Income (SSI). Earnings from an OJT will count toward a trial work period and toward a determination by SSA of whether the individual is earning at the substantial gainful activity (SGA) level. Consumer must be advised to inform Social Security that the monies received during OJT include a subsidy (percentage contributed by CBVH) and that portion is not considered earnings from productive activity.

Each determination made by SSA is made on an individual case basis. Counselors should assist consumers in determining the impact of the OJT on their benefits through contact with the Social Security Administration (web address [www.SSA.gov](http://www.SSA.gov)) or through benefits advisement services provided by Independent Living Centers.

## **8.37 ON-THE-JOB TRAINING**

### **Introduction**

On-the-Job Training (OJT) is specific training provided in an actual work setting by an employer, related to the particular job for which the consumer is hired. It includes a commitment by the employer to retain the consumer as an employee, after successful completion of training, if the consumer is meeting the essential performance standards of the job.

### **Who Can Provide OJT**

An employer who is willing and able to train a CBVH consumer for a specific job, and

hire the consumer for that same job, may provide an OJT. The OJT model works particularly well with small and medium size employers who provide services (e.g. child care, customer service, food service). In these types of businesses, negotiations can usually take place with the owner-manager who has the authority to make a decision on the proposed candidate and on the terms of the agreement.

### **How are OJTs Developed**

An OJT may work well with consumers who learn best by doing, have positive worker traits, and have clear interests and transferable skills. The OJT can be developed through a variety of strategies, including cold calling prospective employers who hire in the consumer's desired area of employment. Marketing the consumer is the key to developing the OJT, particularly for someone who wants "hands-on" rather than vocational school or college training. The consumer should work closely with the counselor during this development and play an active role in identifying potential employment sites.

### **Determining the Length of Training**

Once it has been determined that there is a viable job offer and that the consumer is an appropriate candidate for OJT, the counselor, employer and consumer should discuss the length of time required for training. The following factors should be considered when determining the length of training:

1. the time required to train other employees engaged in the same occupation
2. the complexity or uniqueness of the job duties
3. the skill level and experience of the individual

Ask the employer how many hours he/she feels it would take to train the consumer and who will be the primary trainer.

### **Durational Limits on Training**

OJT is generally limited to a maximum of six months. Programs beyond this period may be developed with district manager approval when specialized, complex or unique training requires more training time.

### **Training Fee Contribution**

As an incentive to provide OJT, the employer is partially reimbursed by CBVH for training expenses. Typically, CBVH reimburses the employer at the wage rate of the trainee for a portion of the time spent on the job. As an alternative to this method,

CBVH may provide partial reimbursement based on the wage of the employee who will be doing the hands-on training. As necessary, customary wages for certain positions may be verified through the New York State Department of Labor.

The Commission's contribution to the training fee must be made in accordance with the following guidelines:

1. the level and percentage of the training fee is to be carefully negotiated by the counselor with the employer and is intended to help offset loss of production time of the trainer(s);
2. the counselor should encourage the employer to contribute an increasing portion of the training costs thereby demonstrating his/her commitment to retaining the trainee;
3. the contribution made by CBVH can vary among OJT situations, but should be reduced over time as the trainee becomes more proficient in the skills required to achieve a competitive level of performance; the contribution made by CBVH should not exceed 50% of the training costs as computed over the duration of the training period.
4. specific performance criteria to measure progress should be outlined for each phase of the estimated training hours that will be purchased through the OJT;

### **The OJT Agreement**

The CBVH counselor must prepare a written statement of the terms of the OJT. This should include the:

1. start date, title, salary and hours;
2. an assurance by the employer that the consumer will be covered under Workers' Compensation, Social Security, Unemployment Insurance, Minimum Wage Law, IRS Withholding and any other usual employee benefits;
3. duration of training and the schedule for the CBVH and employer contributions to the training costs; and,
4. the reporting requirements for progress and payment.

The employer must acknowledge the terms of the OJT in writing and indicate his/her commitment to retain the individual after the training period. This acknowledgement will serve as an agreement.

### **Example of an OJT Agreement**

Example: An OJT Agreement is negotiated with an employer to train an individual to

work as a mechanic. The individual, prior to losing his sight was an automotive repairperson. The employer agreed to hire the individual at a salary of \$200.00/week for a twelve week training period. The counselor and employer negotiated to share the individual's training costs in accordance with the following schedule:

1st 4 weeks: Employee Share - \$50/week (25%)  
CBVH Share - \$150/week (75%) = \$600.00

2nd 4 weeks: Employee Share - \$100/week (50%)  
CBVH Share - \$100/week (50%) = \$400.00

3rd 4 weeks: Employee Share - \$150/week (75%)  
CBVH Share - \$50/week (25%) = \$ 200.00

CBVH COST FOR OJT = \$1,200.00

**Note**

Authorization of CBVH's share of the training fee is made on the DSS-335. Payment is to be made directly to the employer.

**Follow-up**

The counselor is responsible for maintaining close contact with the consumer and employer during the OJT program to provide assistance to enable the consumer to successfully complete the OJT program.

**Impact on Social Security Benefits**

Earnings from OJT typically have an impact on a consumer's Social Security Disability (SSDI) or Supplemental Security Income (SSI). Earnings from an OJT will count toward a trial work period and toward a determination by SSA of whether the individual is earning at the substantial gainful activity (SGA) level. Consumer must be advised to inform Social Security that the monies received during OJT include a subsidy (percentage contributed by CBVH) and that portion is not considered earnings from productive activity.

Each determination made by SSA is made on an individual case basis. Counselors should assist consumers in determining the impact of the OJT on their benefits through contact with the Social Security Administration (web address [www.SSA.gov](http://www.SSA.gov)) or through benefits advisement services provided by Independent Living Centers.

**Movement to Status 22**

The consumer's case should be moved into Status 22 at the end of the established training period if all criteria for Status 22 met (See Chapter 2.00 - VR Process).

## **8.38 JOB COACHING**

### **Definition: Job Coaching**

Job coaching refers to the training of an employee by an approved specialist, who uses structured intervention techniques to help the employee learn to perform job tasks to the employer's specifications and to learn the interpersonal skills necessary to be accepted as a worker at the job site and in related community contacts. In addition to job-site training, job coaching includes related assessment, job development, counseling, advocacy, travel training and other services needed to maintain the employment.

### **Benefits of Job Coaching**

Through job coaching, a qualified individual (job coach) works directly with an individual with a disability in a training or placement site to help him/her learn the specific requirements of the job; learn work-related activities and requirements such as time and attendance rules; and learn appropriate work-related (including social) behaviors when dealing with supervisors and co-workers.

By placing a consumer directly in a job with the hands-on assistance of a job coach, areas of vocational and personal strength and weakness become apparent early in the process and are based on actual, not projected or simulated experience; the consumer is able to receive immediate feedback, assistance, and follow-up from the support person; and an employer is able to take on and observe the progress of the consumer without a full commitment of personnel resources in the beginning of the process.

### **Rule**

A family member (as defined on page 8.09.01) may not be used as a job coach.

### **Job Coaching as a Support Service**

While job coaching is often associated with supported employment, it can be provided as a vocational rehabilitation service to individuals who do not have a goal of supported employment, e.g. for an individual who requires some coaching for a particular job but does not require coaching throughout their entire work life. For individuals who do require job coaching for their entire worklife should be considered

for supported employment services.

When a counselor can document specific services that the job coach will render that will be different from those by the training provider, job coaching may also be provided in conjunction with:

1. on-the-job training (OJT)
2. work experience/transitional employment
3. paid work study

Job coaching in support of OJT, paid work study, or work experience/transitional employment may not continue beyond a total of 3 months without approval of the district manager.

### **Job Coaching During On-the-Job Training**

In order to justify the provision of job coaching in support of On-the-Job Training (OJT), a clear distinction must be made between:

1. training the employer will provide (usually specific job skill training normally provided to any new employee) and
2. the activities of the job coach such as:
  - a. advocacy
  - b. task analysis
  - c. developing necessary job accommodations
  - d. teaching appropriate work behaviors and interpersonal skills, or
  - e. reinforcing travel training

When job coaching is provided in support of OJT, this factor should be considered in negotiating employer contribution. It is anticipated that provision of job coaching services will result in a shorter period of OJT or a greater employer contribution early in the training period.

### **Rule**

Job coaching may not be provided in conjunction with a vocational assessment or vocational training purchased through a community rehabilitation program.

### **Job Coaching During Transitional Employment**

Transitional employment refers to the provision of job coaching services to an individual

where there exists the strong likelihood that the individual can achieve independent functioning on a job, within the time-frame allowed by CBVH's guidelines for job coach services. While CBVH provides job coaching services, the employer is responsible for employee wages and benefits.

The goal of transitional employment is to shift the support the consumer needs from the job coach to regular on-site supervisory staff. Long term follow-along support of indefinite duration is not anticipated for these individuals.

### **Job Coach Rate**

Job coach services should be authorized to community rehabilitation programs in accordance with the following rates and guidelines:

A job coach provided by a CBVH approved community rehabilitation program will be paid:

1. \$15/hour to work with an individual who is blind
2. \$20/hour to work with an individual who is deaf and blind and unable to understand most speech

A job coach approved as a private vendor will be paid:

1. \$14/hour to work with an individual who is blind
2. \$19/hour to work with an individual who is deaf and blind and unable to understand most speech.

A job coach provided by a VESID approved facility will be paid according to VESID established rates.

### **Approved Providers**

An updated list of approved agencies and vendors can be obtained from local VESID, OMRDD and OMH offices.

### **Duration of Job Coaching Services**

Within the guidelines, a counselor may authorize as many hours of job coaching, over the life of the case, as required to meet the consumer's training needs. A maximum of 345 hours total can be used for job development, situational assessment and on-site training. However, job coaching in support of OJT, paid work study, or work experience/transitional employment may not continue beyond a total of 3 months without approval of the district manager.

### **Exception, Students**

When it is determined that a student would benefit from job coaching in support of a school work study program, intensive on-site training may be provided up to a maximum of 150 hours. These hours will not be applied to the 345 hour maximum over the life of the case.

### **Waiver, Durational Limit**

If documented as necessary, durational limits may be exceeded under the following guidelines:

1. up to 100 additional hours may be authorized with district manager approval;
2. the regional coordinator must approve any authorizations above 100 additional hours;
3. in either instance, Central Office should be provided with a copy of the waiver.

### **Rule**

When a job coach is used for more than one individual, the job coach cannot bill for more hours than the actual number of hours worked. Counselors should identify other individuals in the work group and coordinate with their counselors to ensure that the coach is only paid for the total number of hours he or she works.

Each consumer's voucher should be billed proportionately to the number of hours of individual job coaching directly received by the consumer. If this cannot be determined, billing should be based upon the average number of hours provided to each consumer (e.g. a consumer in a work crew of six persons can be expected to receive 1/6 of the total hours of coaching provided to the crew).

### **Authorizations**

Authorizations for job coaching should be issued directly to the community rehabilitation program using its community rehabilitation program code. Community rehabilitation program rates may vary depending upon which job coach is used. If known, the name of the job coach should be entered on the authorization.

When using private vendors, authorizations are issued directly to the individual job coach.

## **CBVH Counselor Responsibility**

It is the CBVH counselor's responsibility to:

1. determine where a job coach may be effective in providing training or in helping an individual to achieve competitive employment.
2. review each situation to obtain details of the employment opportunity and determine the appropriateness of the job and the use of the job coach.

Consideration should include:

- a. type of work
  - b. location
  - c. hours
  - d. potential intensity of support needed
  - e. employer's willingness to have a job coach on-site
  - f. consumer's willingness to have a job coach
  - g. employer's willingness to accept increased supervisory role as the job coach fades and
  - h. the potential the experience offers for direct placement or transferable skills
3. determine if a job coach is available
  4. meet with the job coach to review the situation, and to establish times for the counselor and coach to:
    - a. meet with the consumer
    - b. visit the job site and
    - c. talk to an employer representative
  5. monitor the consumer's progress through scheduled reports from the job coach and regular contact with the job coach, the consumer and the employer.

## **Job Coach Activities**

The job coach is responsible for the following activities:

1. Job Development
  - a. contacts employers in the geographic area
  - b. develops a job that is compatible with the consumer's interests and

- abilities
- c. determines the employer's receptivity to the presence of a job coach at the work site
- d. conducts task analysis and job analysis

## 2. Situational Assessment

- a. conducts assessments in a community-based rather than facility-based setting
- b. assesses the consumer's ability to function in both the work environment and community of residence,

## 3. Intensive On-Site Training

When a compatible job match is made between the employer and the consumer, the job coach performs several activities before the consumer actually starts at the job site:

- a. learns about specific job requirements and duties by spending as much time as necessary at the job site
- b. prepares detailed job and task analyses, for the counselor, to serve as the basis for developing training strategies

Once the consumer begins the job, the job coach:

- c. uses structured training techniques for teaching:
  - 1. job performance skills such as sequence, quality and quantity
  - 2. job related skills such as grooming, socializing with co-workers, accepting supervision or managing one's paycheck
- d. ensures success of the placement by providing advocacy:
  - 1. at the work site
  - 2. in the consumer's residence or community, and
  - 3. with external provider agencies (such as the Social Security Administration or Department of Social Services)
- e. assists in travel training by reinforcing travel skills as taught by an O&M instructor
- f. continually evaluates and monitors the consumer's performance and progress
- g. begins fading as the consumer becomes more proficient and requires less job coach intervention

## **Monitoring, Reporting**

The CBVH counselor is responsible for monitoring the provision and adequacy of the job coaching services. To accomplish this, the counselor should have direct contact with the consumer, job coach and employer.

To assist in the monitoring activity, the job coach is required to submit a report to the counselor (see recommended report format on p. 8.38.09, VESID approved report can also be used). The report should include the following information:

### 1. **Job Development**

- a. a summary of employer contacts - noted by visit, phone or letter
- b. reaction and comments of employers contacted
- c. for the specific job developed for a consumer - a full description of employer name, location, type of business, specific job description, hours, wages and whether the site is accessible by public transportation.
- d. initial recommendations of job coach (e.g. need for travel training, length of job coaching services), if available

### 2. **Situational Assessment**

- a. consumer's potential to benefit from job coaching
- b. type and duration of training needed
- c. suggestions for vocational goals
- d. anticipated level of intervention needed
- e. need for on-going support services to maintain employment
- f. job and task analyses, if known at this point

### 3. **Intensive On-Site Training**

- a. task analysis if not already received
- b. narrative report which outlines:
  1. dates and hours of service
  2. instruction provided
  3. summary of consumer progress, including identification of any problem areas
  4. recommendation for ongoing instruction, including an estimate of anticipated degree of continued intervention and hours of service required.

## **Post Employment Services**

Job coaching services as described above may be conducted on a time-limited basis (up to 50 hours) under Post Employment Services.

### **Comparable Benefits**

Where appropriate, maximum use should be made of available comparable benefits for the provision of job coaching.

## **8.39 TRAINING IN COMMUNITY REHABILITATION PROGRAMS**

### **Introduction**

Community rehabilitation programs provide a wide array of services for individuals with disabilities. CBVH purchases services from both private agencies serving the blind, and from generic agencies.

### **Agencies Serving the Blind**

A private agency for the blind is an agency which states in its Articles of Incorporation that one of its organizational purposes is to provide rehabilitation services to people who are blind.

### **Generic Agency**

The term generic agency is used to define a community rehabilitation program that provides rehabilitation services to individuals with a variety of disabilities. Services are generally not specifically designed for individuals who are blind, however, Individuals who are blind may benefit from and may choose to receive services from a generic agency.

### **Establishing Rates and/or Fees**

Rates and/or fees for services purchased from community rehabilitation programs are established by:

1. CBVH for private agencies serving the blind
2. NYS Office of Vocational and Educational Services for Individuals with

## Disabilities (VESID) for generic agencies

### **Approval of Community Rehabilitation Programs for CBVH Use**

CBVH Central Office has responsibility for approving the use of both private agencies for the blind and generic agencies. In order to serve CBVH consumers, a community rehabilitation program must meet the requirements for approval set forth below. In addition, CBVH will utilize only those private agencies for the blind which have signed contracts with the NYS Office of Children and Family Services and generic agencies having letters of agreement with CBVH.

### **Requirements for Approval of Agencies Serving the Blind**

To be considered for approval, a private agency for the blind must submit the following information to the CBVH Central Office.

1. a copy of the Articles of Incorporation indicating that they are an agency serving people who are blind
2. a description of the services provided and the duration (in weeks) of each service as applicable
3. a resume of each person providing services that would be available to CBVH consumers
4. a listing of any special requirements or selection criteria for each service to be utilized

### **Requirements for Approval of Generic Agencies**

To be considered for approval, a generic agency must submit the following information to the local district manager:

1. a copy of a letter or other documentation indicating that the agency is an approved rehabilitation agency is used by the NYS Office of Vocational and Educational Services for Individuals with Disabilities (VESID)
2. a description of each service available to CBVH consumers and the duration (in weeks) of each service
3. a listing of any special requirements or selection criteria for each service to be utilized.

In addition, the district manager must prepare a statement indicating the agency's willingness and ability to use assessment tools and training methods appropriate for people who are blind.

### **Contracts with Private Agencies for the Blind**

CBVH has entered into outcome based contracts with the private agencies for the blind in New York State. The Comprehensive Services Contract has the following components:

1. Outreach to Unserved and Underserved Individuals
2. Adaptive Living Program
  - a. Assessments for individuals not seeking employment
  - b. Services to older individuals who do not have a vocational goal
  - c. Services to older individuals who have a vocational goal of homemaker
3. CORE integrated services for individuals seeking employment in the areas of safe travel, personal care, communications and social adjustment
4. Employment Skills and Placement
  - a. Vocational Assessment
  - b. Academic Instruction
  - c. Vocational Skills Training
  - d. Placement

The Comprehensive Services Contract Manual contains the requirements and guidelines for services provided through these contracts.

### **Agreements with Generic Agencies**

CBVH has entered into agreements with most generic agencies in New York State based upon each agency's ability to meet the established requirements for approval. In order to use agencies not on the List of Approved Generic Agencies the district manager must request approval using the guidelines in this chapter.

### **Payment for Community Rehabilitation Programs Services**

Contract services purchased from private agencies for the blind are authorized using the OCFS-4226. Additional and ancillary services provided by private agencies for the blind and all services from generic agencies are purchased using the DSS-335.