

Introduction

The Economic Need Policy considers the financial need of the participant and their household to determine the extent of their participation in the cost of VR services.

General Policy

Economic need status will be determined for all participants based on the adjusted gross income of the participant's household as reported to the Internal Revenue Service. This should be discussed with applicants during intake.

When to Determine Economic Need

The determination of economic need may be completed at any point but must be completed when it is determined that the IPE will include items which are contingent upon economic need. Services contingent on meeting economic need are listed on in Section 5.01, Services Contingent on Economic Need.

Updating Economic Need

Economic need status will be reviewed and updated

1. annually if a service contingent on economic need continues to be provided, and
2. when there is a change in the participant's circumstances which would affect economic need status.

Exception to Updating Economic Need

An individual who met the criteria for economic need at the time of application who obtains employment during participation in VR services will not have that new income considered when updating economic need while receiving services prior to case closure.

Applicants for Post-Employment Services are not included in this exception. A new determination of economic need status must be made when providing Post-Employment Services (See Chapter 13.00, Post-Employment Services.)

Participants Who Are Exempt from Economic Need Consideration

NYSCB will provide services to individuals who receive Supplemental Security Income (SSI) or Social Security Disability Insurance (SSDI) without consideration of their financial resources. Copies of benefits statements must be provided to NYSCB to verify benefits status.

In addition, individuals over age 66 who receive SSI for aged because it converted from SSI disability are exempt from economic need consideration. This exemption does not apply to individuals receiving SSI-Aged who become legally blind after age 66. Economic need status must be determined for those individuals.

How Economic Need is Determined

Economic need is determined by the VR counselor by comparing the adjusted gross income of the participant's household as reported on the most recent federal tax return with the economic need allowance level appropriate for that participant.

The economic need allowance level is based upon the number of wage earners in the participant's household and household size.

Allowable Income Deductions

Four income adjustments will be applied, as appropriate, to the adjusted gross income. These income adjustments are:

1. non-reimbursed medical and dental expenses,
2. court ordered obligations other than alimony,
3. post-secondary educational expenses of other family members or loans being repaid by the participant for their own post-secondary educational expenses (up to the maximum reimbursement which NYSCB allows for college students), and
4. unusual one-time expenses incurred during the period for which the available resources are calculated that are not within the discretion of the participant or their family such as flood/fire damage not covered by insurance, loss due to theft, necessary replacement of a well. These expenses must be approved by the district manager prior to including them in the economic need calculations.

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Economic Need Allowance

The economic need schedule is as follows:

For one wage earner:

- if the household size is one, the allowance is \$43,000.
- if the household size is two, the allowance is \$57,000.
- if the household size is three, the allowance is \$70,000.
- if the household size is four, the allowance is \$82,000

For two or more wage earners:

- if the household size is two, the allowance is \$65,640.
- if the household size is three, the allowance is \$78,640.
- if the household size is four, the allowance is \$90,640

In households with more than four members, add \$8,640 to the allowance for each additional member.

Participant's Household

1. Wage Earners: The following individuals, when residing with the participant, are considered members of the participant's household when determining household wage earners:
 - a. participant
 - b. participant's spouse
 - c. participant's parents, stepparents or legal guardians

Resources from non-supporting divorced parents or spouses who have abandoned and are not contributing to the household are not considered in the economic need calculations.

2. Household Size: Household size is determined by the number of individuals listed on the federal tax form or the income calculation form for all wage earners.

Refusal to Provide Information

If the participant refuses to provide the information necessary to determine economic need, no service contingent on economic need can be authorized. If the participant

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cannot obtain the information from another member of the household the VR counselor and senior counselor should attempt to persuade the household member to release the information. If the household member still refuses to provide the information, no service requiring economic need determination may be authorized.

Confidentiality of Information

NYSCB will observe confidentiality of all financial information obtained from the participant and household members.

Collection of Financial Information

The participant and their household members should be the primary source of information regarding resources. The VR counselor must ask the participant to produce evidence of the resource information (e.g., copies of tax returns, benefits statements, wage statements, etc.) and these must be scanned into the case record. If the participant claims to be independent from family resources, they should be asked to demonstrate emancipation or their means of self-support.

Economic Status Report

The Economic Status Report in CIS is used to calculate and document a participant's financial information to determine their economic need status. See Section 5.03, Instructions for Completing the Economic Status Report.

Income Calculation Form

The Income Calculation Form is a financial data collection form. It should be completed by each wage earner who has not filed a federal tax return. Information from the Income Calculation Form should then be entered on the Economic Status Report to determine whether the participant meets economic need.

Payment for Services Contingent Upon Economic Need

Individuals whose adjusted gross household income falls below their allowance level meet economic need and can obtain services that are contingent upon economic need without having to participate in the cost of those services as long as they continue to meet economic need.

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Individuals whose adjusted gross household income equals or exceeds their allowable level do not meet economic need and will not receive services contingent upon economic need unless they provide for the costs of such services.

Comparable Benefits

Where appropriate, comparable benefits must be explored prior to using VR funds for individuals who meet economic need. See Chapter 11.00, Comparable Service and Benefits, for additional information.

Services that Do and Do Not Require Consideration of Economic Need

There are specific services which are contingent upon economic need. There are also specific services which are not contingent upon economic need. For a complete listing of the services, see Section 5.01, Services Contingent on Economic Need, and Section 5.02, Services Provided Without Regard to Economic Need.

SERVICES CONTINGENT ON ECONOMIC NEED

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The services listed below, if provided, will only be provided to persons who meet economic need. Available comparable benefits must be used prior to using VR funds.

1. Medical restoration and other medical services.

Medical and hospitalization services will be provided only when not covered by Medicaid, Medicare or other public or private medical or hospitalization plans. The deductible portions of Medicare or private insurance coverage may be authorized. Medicaid allowances are considered payment in full and cannot be supplemented.

- a. Medical Services - medical care for acute conditions arising during the course of vocational rehabilitation that can be corrected or substantially improved within 30 days.

Physical restoration services may be provided if directly related to the success or completion of the IPE. Services may include the following:

1. Physician's services
2. Surgery and treatment
3. Hospitalization
4. Prosthetic/Orthotic appliances (including hearing aids)
Exception: Hearing aids are not contingent upon economic need for individuals who meet the NYSCB definition of deaf-blind on the VR Intake form/VR Eligibility Determination Worksheet
5. Nursing or convalescent home care
6. Dental care
7. Psychiatric/psychotherapeutic services (non-assessment)

2. Equipment - including equipment recommended by rehabilitation engineering or technology evaluations (Assistive equipment provided in conjunction with vision rehabilitation therapy and orientation and mobility services is exempt.)
3. Tuition and related fees at colleges and universities
4. Books and supplies
5. Maintenance - (except in support of services which are not contingent upon economic need and assessment services)
 - a. During training programs, including college training
 - b. As a support service when providing medical care for an acute condition arising during the course of VR services, not to exceed 30 days

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- c. In connection with placement, until the participant receives their first paycheck
 - d. For participants in self-employment, not to exceed 60 days from the time the participant begins employment
6. Transportation - (except in support of services which are not contingent upon economic need; assessment services, or to attend an administrative review, mediation or administrative hearing)
7. Self-Employment Services (except when these services are provided as part of setting up a participant in the BEP program)
 - a. Purchase of initial stock
 - b. Business-related tools and equipment
 - c. Shelter as defined in Section 12.04, Self-Employment: Initial business license(s)
 - e. Installation and a maximum of three months maintenance of business phone
 - f. Utilities (a maximum of three months)
 - g. Business related insurance (a maximum of one year) such as fire, theft, burglary, and liability
 - h. Rent (a maximum of three months)
 - i. Advertising
 - j. Office supplies (not including office equipment)
 - k. Legal services - legal costs associated with establishing a business enterprise (i.e. closing costs for property transactions, transfer costs, loan closings)
 - l. Accounting services - costs associated with establishing an accounting system and maintenance for a three-month period
8. Other goods and services
9. Services to family members
10. Home modifications

SERVICES PROVIDED WITHOUT REGARD TO ECONOMIC NEED

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The services listed below may be provided by NYSCB without considering a person's financial resources. Available comparable benefits must be used prior to using VR funds.

1. Assessment for Determining Eligibility and VR Service Needs
 - a. assessments
 - b. medical examinations
 - c. psychological and psychiatric evaluations
 - d. initial low vision evaluations and low vision follow-ups
 - e. rehabilitation engineering evaluations and consultations
 - f. transportation and/or maintenance when provided in conjunction with an evaluation or other assessment service
 - g. services required for participation in trial work
2. Personal assistance services
3. Vocational counseling, guidance and referral services
4. Social casework services
5. Placement services
6. Training at approved community rehabilitation programs, work study training, on-the-job training, orientation and mobility and vision rehabilitation therapy training
7. Interpreter's services
8. Tutorial services
9. Reader services
10. Transportation services in support of other services which are not contingent upon economic need; assessment services and to attend an administrative review, mediation or administrative hearing.
11. Maintenance services in support of other services which are not contingent upon economic need and assessment services.
12. Low vision aids
13. Adaptive Equipment provided in conjunction with vision rehabilitation therapy and orientation and mobility services.

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14. Audiological aids for individuals who meet the NYSCB definition of deaf-blind on the VR Intake form/VR Eligibility Determination Worksheet.

INSTRUCTIONS FOR COMPLETING THE ECONOMIC STATUS REPORT

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Instructions for Completing the Economic Status Report in CIS

Use the following procedures for completing the Economic Status Report:

If the participant refuses to provide financial information, do the following:

1. Check the "Refusal to Provide Financial Information" box.
2. Date the form (complete the VR counselor and participant signature fields).
3. Provide a copy of the completed form to the participant.

If the participant is an SSI or SSDI recipient do the following:

1. Check the SSI/SSDI Disclaimer box.
2. Date the form (complete the VR counselor and participant signature fields).
3. Attach supporting documentation to the form (verification of receipt of SSI or SSDI).
4. Provide a copy of the completed form to the participant.

If the participant provides a completed tax return to enable you to determine their economic need status, do the following:

1. Enter the adjusted gross income for all members of the participant's household into the appropriate fields.
2. If the participant is a minor and you are entering information from a parent/step-parent or guardian's tax return, select the appropriate person from the pick list in field 1C.
3. Enter the participant's household size, in 1D.
4. Enter any applicable income exclusions, in fields 3A-3D.
5. Verify that the form correctly designates the participant as either meeting economic need or not meeting economic need.
6. Date the form (complete the VR counselor and participant signature fields).
7. Attach supporting documentation (tax return documents) to the form.
8. Provide a copy of the completed form to the participant.

If federal tax returns have not been filed for any household member, complete an Income Calculation form for that individual prior to completing the Economic Status Report form.

