



MICHIGAN DEPARTMENT OF  
**LABOR & ECONOMIC  
OPPORTUNITY**

**MRS** PROMOTING  
ABILITIES  
Michigan Rehabilitation Services

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# Michigan Rehabilitation Services Manual

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Informational Memorandums (IM), Policy Directives (PD) and Technical Assistance Memorandums (TAM) that are issued by the MRS director are considered policy. These documents are not linked in this document however available upon request. Submit requests to [leo-mrs-policyunitsupportcenter@michigan.gov](mailto:leo-mrs-policyunitsupportcenter@michigan.gov)

## 1000: Introduction

### Policy

Michigan Rehabilitation Services (MRS) is designated as the State Vocational Rehabilitation (VR) Services General Program under Title IV of the Rehabilitation Act of 1973 as Amended in 2014 by the Workforce Innovation and Opportunity Act.

*Note: Individuals who are legally blind are referred to the Bureau of Services for Blind Persons (BSBP). The Bureau serves individuals, with or without non-visual disabilities, who are legally blind or have visual acuity of 20/100 or less with rapid deterioration. Such individuals must be referred to the Bureau. A referral can be made by calling the local Bureau of Services for Blind Persons Office.*

MRS is awarded a grant to operate a statewide comprehensive, coordinated, effective, efficient, and accountable vocational rehabilitation program.

The VR program is an integral part of a statewide workforce development system designed to assess, plan, develop, and provide vocational rehabilitation services for individuals with disabilities, consistent with their unique strengths, resources, priorities, concerns, abilities, capabilities, interests, and informed choice so that they may prepare for and engage in competitive integrated employment and achieve economic self-sufficiency.

The MRS Rehabilitation Services Manual (RSM) contains policies, procedures and information for the provision of vocational rehabilitation services for customers.

There are two categories of customers of Michigan Rehabilitation Service: Reportable and Participant.

Terms are defined in the individual Policy and Procedures manual item.

### Sections of the Policy

Each individual policy has five primary sections, Purpose, Definitions, Policy, Procedures and References. In addition to these sections MRS will maintain associated Forms, Standard Operating Procedures, and Bulletins.

*Note: Bulletins may be Informational Memorandums (IM), Policy Directives (PD) or Technical Assistance Memorandums (TAM) that are issued by the MRS director upon the issuance of a policy or informational directive. A bulletin issued by the MRS director becomes policy.*

## Information

**Customer:** All individuals served by MRS regardless of program involvement that may fall into either of these categories:

- *Participants:* Individuals with disabilities (youth or adult) who have an approved and signed Individualized Plan for Employment (IPE) and have begun services.
- *Reportable:* All individuals with disabilities who are in application, or eligible, status in the VR program including individuals with disabilities who are referred as in-school youth (ages 14-26) who may be provided Pre-Employment Transitions Services (Pre-ETS) Prior to an Application (PTA).

**Case Record:** Encompasses both electronic and hard copy files maintained by the agency which includes:

- The Accessible Web-based Activity and Reporting Environment (*Aware*) electronic file
- The Vocational Rehabilitation (VR) hard copy file
- The Pre-Employment Transition Services (PTA) hard copy file
- All secondary files maintained by internal program including, but not limited to:
  - Vocationally Handicapped Certification (P.A. 183)
  - Michigan Career and Technical Institute (MCTI)
  - Business Network Division (BND)

**Document:** Indicates a requirement to record specified information in an accurate, timely and factual manner in the case record, including written detail indicating a set of reasons or logical basis for a course of action based on verifiable sources of information

## 2000: Ethical Conduct

### **Purpose**

In accordance with state and federal regulations, this policy and procedure establishes guidelines for ethical conduct of Michigan Rehabilitation Services (MRS) staff.

### **Policy**

MRS counselors and managers demonstrate beliefs, attitudes, knowledge, and skills to provide competent service delivery to both individuals with disabilities and business customers. This includes working collaboratively with community partners, employers, institutions, and other service delivery providers.

MRS staff demonstrate adherence to ethical standards and rules of conduct in alignment with their professional competence, integrity, and objectivity consistent with their education, experience, expertise, and assigned position.

MRS staff are required to adhere to:

- State Ethics Act
- Michigan Civil Service Commission (MCSC) – Civil Service Rules (Rule 2-8),
- Michigan Department of Labor and Economic Opportunity Policy (LEO Policy LEO-OHR-002)

MRS counselors, consultants, and managers are additionally required to adhere to:

- Code of Professional Ethics for Rehabilitation Counselors as accepted by the Commission on Rehabilitation Counselor Certification (CRCC).

MRS managers ensure ethical standards and rules of conduct are vigorously enforced.

### **Procedures**

#### **Principles of Ethical Behavior**

MRS staff adhere to the following six ethical principles that form a basis for practitioner and organizational values, provide general directions for all actions, and collectively act as a guide to ethical conduct:

- **Autonomy:** To respect the rights of customers to be self-governing within their social and cultural framework.
- **Beneficence:** To do good to others; to promote the well-being of customers.
- **Fidelity:** To be faithful; to keep promises and honor the trust placed in rehabilitation counselors.



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- Justice: To be fair in the treatment of all customers; to provide appropriate services to all.
- Nonmaleficence: To do no harm to others.
- Veracity: To be honest.

### **Professional Competence**

MRS staff are required to conduct business in a professional and competent manner.

MRS staff have an ongoing responsibility to maintain professional competence through supervision, consultation, and continued education/training to fulfill their position requirements.

### **Applicable Ethical Standards and Rules of Conduct**

1. State Ethics Act: MRS staff adhere to the standards of conduct of a public officer or employee as outlined in the [State Ethics Act \(15.342\)](#).
2. Michigan Civil Service Commission – Civil Services Rules: MRS staff adhere to the ethical standards and conduct as outlined in [Rule 2-8](#) of the Michigan Civil Service Commission (MCSC) – Civil Services Rules.
3. Department of Labor and Economic Opportunity Ethical Standards, Conduct, and Disclosure of Interest Policy: MRS staff adhere to the Department of Labor and Economic Opportunity Policy ([LEO-OHR-002](#)) - Ethical Standards, Conduct, and Disclosure of Interest.
4. Commission on Rehabilitation Counselor Certification (CRCC) - Code of Professional Ethics for Rehabilitation Counselors: MRS counselors, consultants and managers have the additional responsibility of adhering to practitioner principles of ethical conduct outlined in the [Code of Professional Ethics for Rehabilitation Counselors](#) issued by the Commission on Rehabilitation Counselor Certification (CRCC).

### **Conflict of Interest**

MRS staff identify, submit in writing, and consult with their manager to address any appearance or actual conflict of interest.

MRS managers work with staff to resolve identified conflict of interests. If an identified conflict of interest is unable to be resolved, MRS managers consult with the MRS Division Manager and LEO Human Resources as appropriate.

Examples of conflicts of interest include but are not limited to:

- Engaging in outside business, or employment which may encroach upon their employment responsibilities.
- Engaging in private or business relationships/activities that could result in or may be

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perceived as a conflict of interest.

- Engaging in personal business with a vendor of MRS.
- Lending money to or borrowing money from a MRS customer.
- Accepting gifts from vendors, community partners or customers of MRS.
- Conflicting obligations resulting from required adherence to another discipline's code of ethics.

## 2025: Vocational Rehabilitation Counseling and Guidance Provided by MRS Counselor

### Purpose

In accordance with state and federal regulations, this policy and procedure establishes guidelines for delivery of Vocational Rehabilitation counseling and guidance services provided by Michigan Rehabilitation Services (MRS) counselors.

### Policy

MRS counselors provide Vocational Rehabilitation (VR) counseling and guidance beginning at application through case record closure.

MRS counselor-provided counseling and guidance is a required service in each Individualized Plan for Employment (IPE).

### Definitions

***MRS Vocational Rehabilitation Counseling and Guidance:*** MRS counselor-delivered counseling and guidance represents an individualized collaborative process to assist customers in exercising informed choice to address vocational, personal, and independent living objectives towards development and implementation of an IPE.

### Procedures

#### IPE Required Counseling and Guidance

*Aware* automatically generates a Planned Service template for MRS counselor-provided Counseling and Guidance in draft IPEs.

MRS counselor completes all required fields as follows:

- Start Date: Input the signature start date on the IPE.
- Estimated End Date: Input "Case Closure".
- My Chosen Provider: Input "Assigned MRS counselor".
- Estimated planned service costs: Input "\$0".
- Source of comparable benefits: Input "None".
- Other Comments: Indicate specific counseling and guidance activities the MRS counselor will provide to facilitate achievement of the identified services and overall employment goal.

### **Aware Actual Service Entry of VR Counseling and Guidance**

MRS staff document each occurrence of counseling and guidance provided as part of the application, eligibility, vocational needs assessment or an identified service in the IPE. Documentation of a counseling and guidance activity, as an *Aware Actual Service* entry, minimally includes:

- Date of the VR counseling and guidance activity: Input the date counseling and guidance took place.
- Mode of delivery: Indicate how counseling and guidance was delivered (e.g. in person, telephone, or through electronic communications).
- Individuals present: Indicate if other individuals or agency representatives were present during the counseling and guidance activity (e.g. parent, family).
- Objective: Detail the objective of the counseling and guidance activity.
- Summary: Detail what took place during the counseling and guidance activity. Include how the activity assisted in progressing the case specific to the identified needs of the customer, and any next steps/actions.

### **Examples**

- VR Counseling and Guidance Activity Examples
- Individualized counseling and guidance activities may include, but are not limited to:
- Increased understanding of disability and impediments to employment
- Obtainment and explanation of information necessary to make an informed choice
- Increased understanding regarding expectations of services
- Identification of strengths to achieve a vocational goal
- Identification and use of transferable skills
- Development of realistic action plans to address vocational objectives or to address identified issues/concerns
- Use of rehabilitation technology
- Increased understanding of work requirements, environment, and/or culture
- Identification and use of community resources and support services
- Addressing potential environmental barriers to employment such as transportation, child-care, or family concerns
- Development of self-advocacy skills
- Addressing employment concerns/barriers and on-the-job stressors
- Increased understanding and exploration of occupational and labor market information
- Increased understanding/use of community resources and support services

## 2050: Non-Discrimination

### **Purpose**

In accordance with state and federal regulations, this policy and procedure establishes guidelines for non-discrimination.

### **Policy**

Michigan Rehabilitation Services (MRS) complies with all federal and state non-discrimination laws in the administration of programs.

### **Procedures**

MRS staff are prohibited from engaging in behavior that brings reproach upon themselves, the Department of Labor and Economic Opportunity (LEO), MRS, or the State of Michigan.

### **Non-Discrimination Based on a Protected Status**

MRS staff are prohibited from discrimination as outlined in the following legislation:

- Section 188 of the Workforce Innovation and Opportunity Act (WIOA) which prohibits discrimination against all individuals on the basis of race, color, religion, sex, national origin, age, disability, political affiliation or belief, and against beneficiaries on the basis of either citizenship status as a lawfully admitted immigrant authorized to work in the United States or participation in any WIOA Title I financially assisted program or activity.
- Title VI of the Civil Rights Act of 1964, as amended, which prohibits discrimination on the basis of race, color, religion or national origin.
- Section 504 of the Rehabilitation Act of 1973, as amended, which prohibits discrimination against qualified individuals with disabilities.
- Americans with Disability Act of 1990, as amended, which prohibits discrimination against individuals with disabilities.
- The Age Discrimination Act of 1975, as amended, which prohibits discrimination on the basis of age.
- Title IX of the Education Amendments of 1972, as amended, which prohibits discrimination on the basis of sex under any education program or activity receiving federal financial assistance.

### **Non-Discrimination by Vendors/Contractors Including Accessibility**

MRS vendors and contractors are prohibited from discrimination based on customer protected status and are required to meet accessibility needs of those served.

MRS staff report to their MRS manager suspected discrimination or accessibility concerns.

**Non-Discrimination of VR Eligibility Determination**

MRS staff are prohibited from discrimination during the process of eligibility determination.

This includes but is not limited to:

- On the basis of or type of customer disability
- Age, sex, race, color, or national origin of the customer
- Type of expected employment outcome
- Source of referral for MRS
- Particular service needs
- Anticipated costs of required services
- Income level of an applicant or applicant's family
- Applicants' employment history or current employment status
- Applicants' educational status or current educational credential

## 2075: Case Record, Documentation Order, and Signature Requirements

### Purpose

In accordance with State and Federal regulations, this policy and procedure establishes the guidelines for the contents and organization of the MRS customer case record, including requirements for signatures.

### Policy

Electronic and hard copy case records are maintained for individuals served by Michigan Rehabilitation Services (MRS).

### Definitions

**Case Record:** Encompasses both electronic and hardcopy files maintained by the agency. This includes:

- *Aware* (electronic records management system) -- formally known as Accessible Web-based Activity and Reporting Environment (*AWARE*).
- Vocational Rehabilitation (VR) hardcopy file maintained in the home office of the customer.
- Pre-Employment Transition Services -- Prior to Application (PTA) hardcopy file maintained in the home office of the customer.
- Any other hardcopy or electronic record maintained by MRS including, but not limited to, Vocationally Handicapped Certification (P.A. 183), Michigan Career and Technical Institute (MCTI), and the Business Network Division (BND).
- Correspondence -- Any communication, generally consisting of written notes, letters or emails that pertain to the case record.

### Procedures

#### Signatures

Signatures obtained through fax or scanned transmission may be accepted as original unless otherwise specified in policy.

MRS staff review faxed or scanned documents to assure that they are complete and signed/dated as applicable to policy. All scanned or faxed documents must be legible and be preserved in the case record.

If under the age of 18 and/or an adult represented by a legal guardian, a parent or legal guardian signature is required prior to acceptance of an agency form or document.

### Required Case File Content

Both the VR case file and the PTA case file contain the following:

1. All non-electronic documents pertaining to authorizations.
2. All non-electronic documents required per policy.
3. All copies of documents that require signatures.

### Hard Copy Case Record Order

Upon VR case closure or discontinuation of Pre-Employment Transition Services (Pre-ETS), files are organized within each section chronologically starting with the most recent documents on top. As applicable, contents of each section will include the following documents:

#### Section 1. VR Case Closure or PTA Discontinuation of Pre-ETS

- MRS staff signed copy of case closure/discontinuation of services letters
- Case notes, correspondence and other documents not contained in *Aware* associated with case closure or discontinuation of services
- MRS staff signed copy of Annual Reviews of either Case Closed due to Severity of Disability, Case Closed in Extended Employment in Community Rehabilitation Program, or Case Closed with a Deviated Wage

#### Section 2. Referral, Application and Intake

- MRS staff and customer (parent/guardian if applicable) signed VR application or Pre-ETS referral/consent for services
- Case notes, correspondence and other documents not contained in *Aware* associated with referral, application and intake

#### Section 3. VR Eligibility Determination and Vocational Needs Assessment or PTA Needs Determination (Pre-ETS)

- Medical, psychological, school reports, and other diagnostic assessments
- Case notes, correspondence and other documents not contained in *Aware* associated with eligibility determination, vocational needs assessment or needs determination
- MRS staff signed copy of Notice of Plan Development Extension
- MRS staff signed copy of Notification of Eligibility and Plan Options

#### Section 4. VR IPE and IPE amendments or PTA Pre-ETS Service Agreement

- MRS staff and customer (parent/guardian if applicable) signed copy of IPE and/or Pre-ETS Services Agreement
- Reports acquired as a result of the IPE or Pre-ETS Services Agreement



## RSM 2075 Case Record Documentation Order and Signature Requirements

Revised 5/2020

- Case notes, correspondence and other documents not contained in *Aware* associated with IPE, IPE amendment or Pre-ETS Services Agreement
- MRS staff signed copy of Notice of Transfer to New Counselor
- MRS staff signed copy of Notice of Suspension or Termination of Services
- MRS staff signed copy of Notice of Annual Employment Plan Review

### Section 5. Release of Information

- Customer signed copies of all required Information Request -- Authorization to Release Personal Information forms
- Customer signed copies of all required Consent to Release Personal Information forms

### Section 6. Fiscal documents

- MRS staff signed copy of open authorizations for services (including bids and quotes as appropriate)
- MRS staff and vendor signed copies of paid authorizations (including applicable receipt/invoice/proof of purchase)
  - Note: Vendor signature on an authorization is not required if a separate vendor billing document is submitted.*
- Letters of Intent

*Aware* data pages are not required to be printed unless specifically cited per policy. Signature authority is noted in applicable policy.

### **Vocationally Handicapped Certification**

Vocationally Handicapped Certification, or P.A. 183 records are stored in a separate folder as outlined in RSM 8175 - Vocationally Handicapped Certification. The P.A. 183 form is placed at the front of the customer's hard copy case folder.

### **Record Management**

No case record material can be removed, altered, or destroyed. The Department of Technology, Management and Budget has instructions for record management and schedules that provide the only legal authority to destroy public records. [www.michigan.gov/recordsmanagement](http://www.michigan.gov/recordsmanagement).

## 2100: Confidentiality and Release of Information

### **Policy**

All personal information about applicants and eligible individuals, including photographs and lists of names, shall be kept confidential. It shall be released only with the informed, written consent of the individual or as needed to protect the applicant from physical harm to self or others; in response to law enforcement, fraud or abuse investigations; in response to a judicial order; when required by federal statute or regulation; for audit, research or evaluation purposes; or in a suspected case of abuse, neglect, exploitation or endangerment of applicant or eligible individuals. Information obtained from another agency or organization shall be released only by, or under the conditions established by the other agency/organization. Applicants, eligible individuals, and providers of information shall be advised of these confidentiality and release restrictions through appropriate means of communication. Medical, psychological and other information that may be potentially harmful to the individual shall not be directly released to the client but shall be released instead to a third party chosen by the individual which may include, among others, a qualified medical or mental health professional, advocate, family member or legal guardian. Information may be released to parents of applicants or eligible individuals who are minors, or legal guardians, under the same conditions as it may be released directly to clients. Release of information to another individual or organization shall contain a statement precluding its further release.

### **Procedures**

Case file records are not to be altered or deleted by individuals being served or non-MRS personnel who, in selected situations, may inspect, review and receive copies of personal records. If the individual or other party believes the case record to be inaccurate or misleading, the counselor may add documentation to the case record to acknowledge that person's position.

Personal records, including correspondence, shall not be stored on walk-up computer stations. When computers containing client records are sent to salvage, the hard drive shall be reformatted.

The State Office will notify district offices when case records can be destroyed, including the procedure that is to be followed in disposing of this material. The length of time closed case records must be kept varies depending on audit schedules.

By law, records from the following agencies may not be re-disclosed, even with the client's informed, written consent:

- Social Security Administration
- Veterans Administration

Records which contain information regarding an individual's addiction to drugs and/or alcohol, or information which identifies the individual as someone who has a severe communicable disease, such as AIDS or Hepatitis C, cannot be released without the specific informed written consent of the individual utilizing a release of information form which clearly advises the individuals that such records will be released.

### **Information**

A counselor engaged in job development, with the knowledge and consent of the individual, may disclose relevant information about the individual's ability to perform the job, such as work skills, educational background, capacity to learn new skills, etc. Information about an individual's disability is generally not released to employers except when job accommodation(s) or site modification will be needed, or a situation could be hazardous to the client or others and the individual gives informed, written consent to the release. (See Policy 2075 for more information)

The informed consent of the individual means that the individual knows the name of the third party to whom information is to be provided, the purpose or the need for providing the information, and the extent or nature of the information to be released. The individual's informed consent may be recorded in a letter or on Form RA-26, Consent to Release Personal Information. Information which has been subpoenaed must be released only if the subpoena is a direct judicial order. Counselors should contact Michigan Rehabilitation Services' Ombudsperson when a subpoena for records is received.

Michigan Rehabilitation Services may charge for costs related to the release of information unless the requesting person is on public assistance or is indigent. A charge should not be made for materials sent to a designated representative.

## 2125: Freedom of Information Act Requests

### Purpose

In accordance with state and federal regulations, this policy and procedure outlines Michigan Rehabilitation Services' (MRS) process for Freedom of Information Act (FOIA) requests.

### Policy

MRS is to ensure:

1. All persons, except those persons incarcerated in a state or local correctional facility, are entitled to full and complete information regarding the affairs of MRS and the official acts of those who represent them as public officials and public employees, consistent with the Freedom of Information Act.
2. FOIA requests are processed in accordance with Michigan's Freedom of Information Act, MCL 15.231 et seq.
3. Records exempt from disclosure by law are not re-released, including but not limited to:
  - Records protected by 34 Code of Federal Regulations [\(CFR\) 361.38](#)
  - Social Security Administration (SSA) records
  - Veterans Administration (VA) records

### Definitions

**Responsive Documents** – All records that fit within the scope of a request.

### Procedures

#### FOIA Inquiry

MRS staff direct the public to the [Michigan Department of Labor and Economic Opportunity FOIA](#) website when inquiries are made about how to submit a FOIA request.

#### FOIA Request – Receipt

MRS staff who receive a FOIA request forward it immediately to:

- Christina Rea, Employment and Training (E&T), [ReaC@michigan.gov](mailto:ReaC@michigan.gov)
- cc: Kammy Frayre, Michigan Rehabilitation Services FOIA liaison, [FrayreK1@michigan.gov](mailto:FrayreK1@michigan.gov)

- cc: Immediate manager

**FOIA Request – Processing**

1. The MRS FOIA liaison coordinates with MRS offices to gather responsive documents, excluding any records subject to confidentiality under federal or state law.
2. The MRS FOIA liaison sends the E&T FOIA Coordinator, where applicable:
  - Responsive documents
  - Denials with explanation (i.e. confidentiality law)

## 2150: Subpoenas and Legal Discovery Requests

### Purpose

In accordance with state and federal regulations, this policy and procedure outlines Michigan Rehabilitation Services' (MRS) process for subpoena and legal discovery requests.

### Policy

MRS processes subpoena and legal discovery requests in compliance with state and federal requirements.

Records exempt from disclosure by law are not re-released, including but not limited to:

- Records protected by 34 Code of Federal Regulations (CFR) 361.38
- Social Security Administration (SSA) records
- Veterans Administration (VA) records

### Definitions

**Responsive Documents** – All records that fit within the scope of the request.

**Subpoena** – A request to produce documents, a request to appear in court or other legal proceeding, or both.

### Procedures

#### Receipt of Subpoena or Legal Discovery Request

MRS staff immediately forward subpoenas or other legal discovery requests to:

- Kammy Frayre, MRS Subpoena Liaison, FrayreK1@michigan.gov
- cc: Site and District Manager or as appropriate the assigned Rehabilitation Consultant Manager, State Administrative Manager, or Departmental Manager
- cc: Applicable Division Director

Failure to appropriately process subpoenas or legal discovery requests could place MRS at risk or disadvantage in legal proceedings.

#### Processing of Subpoenas and Legal Discovery Requests

## RSM 2150 Subpoenas and Legal Discovery Requests

Revised 9/2021

1. MRS subpoena liaison verifies that an informed written consent to release information, signed by the customer, is included in the subpoena or legal discovery request.

If customer informed written consent to release information is not provided, MRS subpoena liaison coordinates to obtain a release. This may include forwarding the Attorney Letter (RA-27) and a MRS Consent to Release Personal Information form (RA-26) to the attorney or worker's compensation magistrates for completion.

2. The MRS subpoena liaison coordinates with MRS managers to fulfill the request by the due date indicated on the subpoena or legal discovery request.

MRS subpoena liaison may consult with the following to facilitate the request:

- Michigan Department of Labor and Economic Opportunity, Employment and Training
- Michigan Attorney General
- MRS Division Director
- Policy Unit

3. The District Manager or as appropriate the assigned Site Manager, Rehabilitation Consultant Manager, State Administrative Manager, or Departmental Manager, reviews the responsive documents gathered, signs and dates the affidavit (if applicable) and forwards to the MRS subpoena liaison.
4. The MRS subpoena liaison finalizes all responsive documents for release, excluding any records subject to confidentiality under federal or state law.
5. The MRS subpoena liaison sends the final response to:
  - The requestor
  - cc: LEO-FOIA@michigan.gov

### **Order to Appear Subpoena (Providing Testimony)**

MRS subpoena liaison, when in receipt of an Order to Appear Subpoena, immediately emails the subpoena to LEO-FOIA@michigan.gov if the department has not already received a copy. MRS staff subpoenaed to give testimony advises the judge, or presiding officer, of requirements concerning customer confidentiality before testifying or releasing information by reading the following statement:

“Michigan Rehabilitation Services is required by federal law to ensure that personal information about customers is kept strictly confidential. The court should refer to the Rehabilitation Act of 1973, 29 USC 701-742, and, in particular, to 34 CFR 361.38. Under those provisions, MRS may disclose such personal information only under certain specific circumstances. Pursuant to 34

## RSM 2150 Subpoenas and Legal Discovery Requests

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CFR 361.38(e)(4), for example, MRS may disclose personal information in response to judicial order.”

MRS staff complies with the judge or presiding officer orders to testify, not testify, or to provide case record information after the statement is delivered.



## 2175: Clients Appeals, Mediation and Hearings

### **Policy**

Applicants and eligible individuals or, if appropriate their representatives have the right to appeal decisions of Michigan Rehabilitation Services (MRS) personnel with which they are dissatisfied regarding the provision of services.

Appeals must be made within 30 days of the decision by requesting a hearing before an impartial hearing officer. Individuals who appeal also have the right to pursue mediation whenever a hearing is requested. The hearing shall be held within 60 days of receipt of the request unless both parties agree to extend the time.

Assessment, plan development, or IPE related services that have been initiated shall not be suspended, reduced, or terminated pending mediation or the hearing decision unless the applicant or eligible individual or their representative so requests or there is evidence that the services have been obtained through misrepresentation, fraud, collusion or criminal conduct on the part of the applicant, eligible individual, or their representative.

Nothing shall preclude the parties to such a dispute from informal negotiation and resolution prior to mediation and/or hearing if the informal process is not used to deny or delay the right of an applicant or eligible individual to a hearing or to deny any other right outlined in MRS policy.

When informal resolution of an appeal of a case closure occurs, the closure shall be rescinded and the case returned to the previous status unless other policies or exceptional circumstances require that a new case be opened.

### **Procedures**

1. Hearing request comes in to MRS Hearing Coordinator. The Hearings Coordinator acknowledges receipt of the hearing request, in writing, to the individual indicating the intent to pursue informal resolution and provide the opportunity for mediation or the right to proceed directly to a Hearing.
2. The request is forwarded to the Division Director, District Manager, Site Manager and Policy Unit for coordination.
  - a. The District Manager initiates contact with the applicant or eligible individual to determine if the issue under appeal can be resolved informally. If necessary, the

customer and District Manager may agree to request a specific extension of time to pursue informal resolution.

b. The Policy Unit will contact the District Manager to arrange for a consultation to discuss options towards resolution or to assist with the interpretation of the hearing request.

- Participants in the consultation are to consist of the Rehabilitation Counselor assigned to the case, Division Director, District Manager, Site Manager, and Policy. Additional attendees include the Agency Director and Attorney General representative as necessary.

3. The outcome of both the attempted resolution with the customer and initial coordination meeting with policy is reported to the Hearings Coordinator.

4. The Hearings Coordinator requests the assignment of a qualified impartial hearing officer and schedules the hearing unless notified by the District Manager that the issue has been resolved and this is confirmed by the individual.

a. If resolved a written summary of the resolution agreement must be sent to the individual by the District Manager with a copy to the Hearings Coordinator and to the individual's representative if the individual was represented.

5. If informal resolution is not reached with the district manager, the applicant or eligible individual has the right to pursue mediation or proceed with the hearing. The mediation process is voluntary, does not diminish the timeliness standard for hearings and must be conducted by qualified mediators.

Individuals appealing MRS determinations have the right to submit evidence or information and present witnesses to support their position at a mediation session or hearing and have the right to be represented at the mediation session or hearing by a person selected by the individual. The individual may be represented by a friend, relative, an attorney, or representative from the Client Assistance Program.

MRS is not responsible for any costs associated with the individual's representation at the mediation session or hearing or with any cost associated with the appearance of witnesses presented by the individual at the mediation session or hearing.

MRS shall insure that an interpreter, reader, transportation assistance or other reasonable accommodations are provided, if necessary and requested by the individual, for an individual to participate in mediation or the hearing process. The individual or the individual's representative can review or receive copies of pertinent case file information in preparation for mediation or a hearing, subject to MRS policy regarding release of confidential customer

information. Copies of relevant MRS policies can also be provided, if requested. These materials shall be provided at no cost to the individual or the individual's representative.

### **Mediation**

Upon receipt of a request for mediation the Hearings Coordinator assigns a qualified mediator and schedules the mediation in a timely manner and at a location convenient to the parties to the dispute. MRS bears the cost of the mediation process including any reasonable accommodations needed by the individual to participate in the mediation process. Although mediation is voluntary, District Managers and counselors are encouraged to participate in the process, when appropriate.

Discussions that occur during the mediation process are confidential and may not be used as evidence in any subsequent due process hearing or civil proceeding.

An agreement reached by the parties to the dispute in the mediation process is set forth in a written mediation agreement provided to the parties to the dispute, with a copy to the Hearings Coordinator. The written agreement may be in the form of an Individualized Plan for Employment (IPE), an IPE Amendment, or a set of agreements on how to move forward.

Either party may enter the written mediated agreement as evidence in a subsequent hearing or civil proceeding.

### **Hearing**

The hearing, if convened, is held before an impartial hearing officer who is not an employee of MRS. The impartial hearing officer renders a decision based on evidence and testimony presented at the hearing. A written transcript is generated by a court reporter.

The representative from the AG office will serve as MRS' legal representative in hearings.

The AG in coordination with the District Manager is responsible for selecting MRS witnesses including the individual's counselor and selecting or making copies of the written evidence (exhibits) needed to support MRS' decision. The individual or individual's representative is responsible for selecting claimant witnesses, paying for any costs related to the witness, and selecting and making copies of written evidence that will be provided in support of the individual's case. The individual has the right to examine all witnesses and/or materials or sources of information and evidence presented by MRS.

A "Notice of Hearing" is issued by the Hearings Coordinator to the individual and MRS representative at least two weeks prior to the hearing specifying the date, time, mutually agreed upon location, name of the impartial hearing officer and the issue(s) being appealed. An

outline of the hearing procedure and guide on how to prepare for the hearing is enclosed with the Notice of Hearing.

The impartial hearing officer may determine that an abandonment of the hearing has occurred and dismiss the case if either the individual or the individual's authorized representative fails to notify MRS that the individual will be unable to attend at the scheduled time, or does not appear at the hearing. MRS may exercise flexibility in adherence to time frames if the appellant's notification is a few days late for good cause.

The impartial hearing officer is to make his or her decision within fifteen (15) calendar days of receipt of the hearing transcript but no later than 30 calendar days from the date of the hearing. The decision must be based on the provisions of the approved State Plan; the Rehabilitation Act of 1973, as amended; federal regulations to the Rehabilitation Act and MRS policies that are consistent with federal requirements. A full written report of the findings and grounds for the decision is provided to the MRS director, individual, individual's representative if the individual was represented, and the MRS representative. The decision of the impartial hearing officer is final and the last administrative remedy available to the individual.

MRS action required as the result of a hearing decision shall be taken promptly. Either party involved in the hearing may bring a civil action in response to the hearing decision. If a party brings a civil action challenging the decision of the impartial hearing officer (IHO), the decision of the IHO must be implemented pending review by the court.

### **Information**

Examples of an appealed case returning to the pre-appeal status are:

- A case closed unsuccessfully from service status is returned to service status.
- A case closed unsuccessfully from eligible status is returned to eligible status.
- A case closed unsuccessfully from application status is returned to application status.
- Examples of exceptional circumstances that warrant opening a new case after informal resolution are:
- An appeal of the closure occurs after the official close of a fiscal year.

MRS service is considered "initiated" after it has been authorized and actually started, for the duration of said authorization.

Mediation is defined as a consensual process in which a neutral third person assists two or more parties to reach a voluntary agreement which resolves a dispute and/or provides options for the future. The mediator serves as a facilitator and helps the parties identify their individual needs and interests, clarify their differences and find common ground. The mediator, unlike the impartial hearing officer, does not direct or render decisions; but, rather, assists the parties in pursuing voluntary agreements.

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Revised 4/2017

At any point during mediation, either party or the mediator may elect to terminate the mediation process. In the event mediation is terminated, the individual may proceed to a Hearing or withdraw their Hearing request.

Administrative Rules:

Mich Admin R 395.84 Review; hearing; costs

Mich Admin R 395.85 Informal review

Mich Admin R 395.86 Continuation of services pending completion of hearing

Mich Admin R 395.87 Mediation

Mich Admin R 395.88 Hearing

## 2200: Client Assistance Program (CAP)

### Purpose

In accordance with state and federal regulations, this policy and procedure establishes guidelines for Michigan Rehabilitation Services (MRS) engagement with the Client Assistance Program (CAP).

### Policy

MRS informs customers of the availability of Disability Rights Michigan, Client Assistance Program (CAP) services and engages as necessary with CAP to address advocacy needs and resolve customer concerns.

### Definitions

**Client Assistance Program (CAP)** - A mandated program authorized under the Rehabilitation Act of 1973 and administered in Michigan under Disability Rights Michigan (DRM). The purpose of CAP is to:

- Advise and inform individuals regarding available services under the Rehabilitation Act of 1973 as amended, including activities carried out under sections 113 and 511.
- Assist and advocate for potential applicants and customers in their relationships with projects, programs, and community rehabilitation programs providing services under the Rehabilitation Act of 1973.
- Inform individuals with disabilities, especially individuals with disabilities who have traditionally been unserved or underserved by vocational rehabilitation programs, of the services and benefits available to them under the Rehabilitation Act of 1973 and under title I of the Americans with Disabilities Act of 1990.

### Procedures

#### Informing Customers of DRM/CAP

DRM/CAP is available to customers throughout the Vocational Rehabilitation process. Disability Rights Michigan has information regarding available services including CAP on their webpage.

MRS informs customers of the availability of DRM/CAP in the following instances:

- At application for services, the customer is provided: How to Appeal Decisions Made by

## RSM 2200 Client Assistance Program (CAP)

Revised 4/2021

MRS (MRS-PUB-305).

- At implementation of the Individualized Plan for Employment (IPE), information about CAP is contained in the customer's IPE.
- When an authorized service is reduced, suspended, or terminated, the customer is provided: How to Appeal Decisions Made by MRS (MRS-PUB-305).
- At case closure, information on CAP is provided in the customer's notification of case record closure.
- Additional information in the form of printable brochures is available on the Disability Rights Michigan webpage.

### **Confidentiality and Release of Information**

MRS staff obtain a release of information from the customer prior to initiating contact with Disability Rights Michigan/CAP or prior to responding to a CAP request. The release of information may be either:

- Customer signed Release of Client Information (ROI) provided by Disability Rights Michigan/CAP.
- MRS-26 Consent to Release Personal Information.

### **Case Record Documentation**

MRS counselors document counseling and guidance pertaining to CAP availability in Aware Actual Service Note.

### **Inquiry from CAP**

MRS counselors respond to CAP inquires in a prompt manner not to exceed three working days upon verification of a Release of Client Information (ROI). Responses may include arranging an appointment to discuss the case or providing an estimated amount of time required to fulfill a specific request for information.

CAP may request specific documents or a copy of the full case record. MRS staff are encouraged to consult with the CAP representative to clarify requests to ensure information MRS provides will meet the parameters of the request.

MRS staff release records in compliance with restrictions outlined in RSM-2100 Confidentiality and Release of Information.

### **Required Case Record Documentation**

MRS counselor documents:

1. Receipt of and all responses to an inquiry.
2. Attainment of consultation from MRS manager, as necessary.

## RSM 2200 Client Assistance Program (CAP)

Revised 4/2021

3. Delivery of requested case file information within parameters of the signed MRS-26 or customer signed ROI provided by CAP.
4. Assistance with coordinating meetings with the customer and CAP representative to the extent permitted by the customer.



## 2225: Informed Choice

### **Policy**

Applicants and eligible individuals shall be full and active participants in their vocational rehabilitation. They shall have the opportunity to obtain information about options and make informed choices throughout their rehabilitation program including evaluation and assessment services and providers; trial work experience services and providers; their specific employment goal; the rehabilitation services required to accomplish their rehabilitation program; procurement methods; and the service providers which will be used.

Information about potential services shall include cost, accessibility, duration of services, the qualifications of the providers, the types of services offered by those providers, the degree to which the services are provided in an integrated setting, and as available, information about user satisfaction.

Applicants and eligible individuals shall be informed through appropriate means of communication, about the availability and scope of informed choice, how it may be exercised, and of the availability of support services for clients with cognitive or other disabilities who require assistance in exercising informed choice.

### **Procedures**

Information provided by Michigan Rehabilitation Services (MRS) should be readily understood and in a format accessible to the individual. At a minimum it shall include the following:

- the individual's financial and other responsibilities related to his or her choices,
- MRS requirements regarding the use of comparable benefits and services,
- MRS policy regarding the purchase of goods and services at the least cost and policy regarding bids and quotations,
- service provider standards, and other state and federal requirements related to MRS' expenditure of funds.

Counselors shall describe MRS financial constraints in ways that are positive and encourage participation, as well as assist the individual in locating alternate resources where MRS cannot help.

### **Documentation of Informed Choice**

The case record shall document the individual's opportunity to make choices and the resulting service delivery decisions and actions throughout the case record.

## **Informed Choice Throughout the Rehabilitation Program**

The applicant and/or eligible individual shall have the opportunity to exercise informed choice through all the phases of the rehabilitation program, from assessment through closure.

### **Orientation and Intake**

The applicant shall be provided sufficient information to understand the purpose of the program, eligibility criteria, and the nature and scope of services, in order to decide whether or not to apply for services. Orientation should include an explanation of the opportunity to make informed choices at all points of the rehabilitation program, including the right to make informed decisions about rehabilitation planning, employment goal selection, rehabilitation services and service providers, as well as rights of appeal. Such information will be provided in a way that is readily understood by the individual.

### **Assessment of Eligibility and Rehabilitation Needs**

The applicant shall be involved in providing and securing existing assessment information to the maximum extent possible. The applicant should understand the purpose and need for any additional assessments that are to be completed. When the purchase of assessment services is indicated, the applicant will be offered the opportunity to select from among appropriate types of assessment services and service providers. Before purchasing additional assessments to determine rehabilitation needs, counselors and applicant should explore the use of self-assessment tools in facilitating self-awareness and development. Once assessment information has been obtained, the counselor and applicant should fully discuss findings and their relevance to an identification of the individual's strengths, concerns, abilities, capabilities, interests and barriers to employment and how these may affect vocational planning decisions. See Policy 2250 for further information.

### **Trial Work Experiences with Supports**

The applicant shall be a full partner with the counselor in choosing trial work experience options and providers as well as support services needed to complete the trial work experience (TWE). Individuals receiving TWE may require specific support services to facilitate making informed decisions. When TWE calls for medical treatment interventions to refute or confirm the ability to benefit from vocational rehabilitation services (such as addiction treatment), the individual should be provided an understanding of treatment options, and the consequences of not pursuing treatment.

### **Employment Goal Selection and IPE**

Should the eligible individual choose to use the services of the MRS counselor to facilitate IPE planning, the counselor shall assist the individual (or as appropriate the individual's

representative) to select a meaningful employment goal consistent with the individual's primary employment factors and informed choice. The counselor provides, or assists the individual in obtaining information about the current and projected labor market, the variety of occupations congruent with the individual's abilities, needs and preferences, and the various services and qualified providers available to the individual in achieving the employment outcome. Job matching programs such as Open Options can help individuals explore career or employment options. Counselors may also provide the individual with information about other local, state and federal resources to assist in defining and achieving an employment goal. This includes Social Security trial work options and work incentives, local Michigan Works! Programs, and Work First programs.

### Selection of IPE Services and Service Providers

In assisting the individual to obtain information about service providers, the following methods or sources of information may be used:

- state or locally developed lists of services and service providers
- consumer satisfaction surveys and reports about providers
- referrals to other consumers
- local consumer groups, or other advisory councils qualified to discuss the services or service providers; and relevant accreditation, certification, licensure or other information relating to the qualifications of various agencies or individual service providers under consideration.

Where such qualifications apply to a provider or a service, the provider shall meet MRS service provider standards as provided in Policy and Procedures 9050. The counselor's professional views about the qualifications, accessibility, and the relative advantages and disadvantages of using a service provider can be a valuable source of information for the individual.

### Case Closure

The individual shall be involved in the closure decision and be provided an opportunity to discuss case closure. Before a rehabilitated case closure can occur, both the individual and the counselor must agree that the employment is satisfactory, and the individual is performing well on the job.

### Informed Choice and Comparable Benefits

Policy requires that counselors and clients explore and use comparable benefits and services available to meet the individual's rehabilitation needs. These may include medical services available through Medicaid, Medicare or the Hill Burton Act; mental health and substance abuse services available through public community health programs; and remedial educational programs available through public schools.

The individual shall be informed of the requirement to pursue and use comparable benefits and

services when available. MRS may not pay for services to the extent that comparable services and benefits are available to meet the individual's rehabilitation needs.

### **MRS Financial Requirements and Informed Choice**

If an individual chooses a service or service provider whose cost is higher than another service or service provider that will equally meet the individual's rehabilitation need, the counselor is not required to pay the higher cost because it is the individual's choice. Part of the choice process is ensuring that individuals are informed about the advantages and disadvantages of each choice option. While individuals have a right to choose a higher cost service or service provider, one of the disadvantages of that choice may be that MRS payment will not exceed that of the lower cost service or service provider and that the individual will have to provide for the difference. This approach applies in a wide variety of situations, including:

- Training programs that lead to the same employment outcomes;
- College programs that lead to comparable job goals;
- In-state vs. out of state colleges;
- Public vs. private colleges;
- Training programs that require greater vs. lesser transportation and maintenance costs;
- Transportation services;
- Physical restoration services including hearing aids;
- Rehabilitation technology

### **Limitations of Choice**

Informed choice is not unrestricted choice. Counselors may not always be able to support an individual's choice.

- A choice should not be supported if the counselor has substantial evidence it will not lead to an employment outcome. If a goal is incompatible with the individual's abilities, capabilities and limitations and no accommodation, rehabilitation technology or other service can bridge the gap, the counselor can say no.
- If relevant labor market information indicates that the employment goal or services will not lead to a job outcome, the counselor should not approve the IPE.
- If the individual wants MRS to pay for a service, but the service is not required to achieve the employment outcome, the counselor cannot approve the service.
- Counselors cannot support choices that may be harmful to the individual or others. It is the counselor's responsibility to ensure that the individual understands the consequences of their decisions.

When the counselor cannot support the individual's choices, he or she should clearly and respectfully explain the reasons for non-support and consider alternatives with the individual. The individual should also be provided information about appeal rights and CAP under these circumstances.

## **Information**

### **Definitions, Process and Outcome**

Informed choice is the process by which individuals participating in the vocational rehabilitation program make decisions about their assessment services, vocational goals, the services, and service providers that are necessary to reach those goals, and how those services will be procured. This process starts with the individual's values, interests, characteristics, and proceeds to an evaluation of availability of resources and alternatives, including the labor market. Implementing informed choice requires that the counselor listens carefully, communicates clearly, and gathers and analyzes information without bias. The counselor works with the individual to make choices and to evaluate their impact. Finally the counselor supports the individual in setting goals, making plans and following through with decisions, with the aim of achieving meaningful employment.

### **Role of the Individual**

The individual, or the individual's representative, as appropriate, is the primary decision-maker. Factors to consider in assessing the individual's ability to make informed decisions include:

- skill in gathering information
- skill and experience in making independent decisions
- knowledge of community resources
- experience and skill in career planning
- knowledge of the labor market
- and knowledge of MRS services

Based on these and other factors, some individuals will need or want little additional information regarding decision-making support. Others will need or want only information and guidance regarding training options, restoration services, or employment opportunities. Many others, however, may want extensive career exploration and counseling to choose appropriate careers.

The primary role of the counselor in implementing informed choice is to ensure that the individual has sufficient information and knowledge of options, as well as the necessary supports to make meaningful choices. The counselor facilitates the individual's self-determination through careful listening, clarification of issues, exploration of options and their implementation, and when necessary, building the individual's capacity to make informed decisions.

### **Building Capacity to Make Informed Choice**

If an individual lacks skills, knowledge, or confidence in making informed choices, referral for

decision-making skill development, or involvement with a peer resource or other individuals knowledgeable about individual self-direction, may help ensure their meaningful participation in the choice process. Family members, significant others, advocacy organizations, rehabilitation assistants, mentors, and advisors may serve as decision making supports for the individual with his or her agreement. Individuals with substantial cognitive limitations may require additional supports and services in exercising informed choice. Techniques such as repetition and visual, auditory or written media may be used, including assistive technology. Such support services may be provided directly, arranged or purchased, consistent with MRS policy. The counselor can refer to the Rehabilitation Services Administration Technical Assistance Circular 98-01, Support Services for Individuals with Disabilities and Others Who Need Assistance in Implementing Informed Choice, available from the Casework Policy Section, for more information on this subject.

The Michigan Postsecondary Admissions and Financial Assistance Handbook is the comprehensive information resource about accredited or state licensed post-secondary education and training providers.

### **Procurement Methods and Informed Choice**

MRS has flexible purchasing options, including authorizations to qualified vendors of the individual's choice, direct payment to individuals when an authorization is not possible, emergency payment to meet true emergency needs, and third-party authorization when none of the other procurement methods is possible. In select cases, an eligible individual may receive direct pay to contract directly with a service provider, like a personal assistant or rehabilitation renaissance advisor. To the extent that the individual participates in the procurement of services, implementing choice may involve basic consumer skills, such as money management and negotiating in the marketplace.

## 2250: Rights and Responsibilities

### **Policy**

Applicants and eligible individuals shall be advised of their rights and responsibilities, including the availability of the Client Assistance Program (CAP), at the time they apply for services, when their Individualized Plan for Employment (IPE) is prepared, whenever assessment or IPE services are suspended, reduced, or terminated, and at the time of case closure.

### **Information**

Customer rights include:

- An evaluation of eligibility
- Notification of the eligibility decision and priority category
- Once eligible, they have a right to obtain written information about options available to them in preparing their IPE
- The opportunity to make informed choices about the employment goal, services, and service providers throughout their rehabilitation program
- An IPE
- An annual review of the IPE
- Notification of a delay or termination of services
- Review of Information in the case record
- Confidentiality and information about circumstances when records may be released,
- Ability to appeal Michigan Rehabilitation Services (MRS) actions concerning provision or denial of services
- Non-discrimination

Customer responsibilities include:

- Providing information needed to determine eligibility and develop an IPE
- Notification of change in address or telephone number
- Keeping scheduled appointments
- Participating financially in their rehabilitation program to the best of their ability
- Using other available funds and community services before MRS funds are used
- Performing satisfactorily in training or any other activity related to their program

## 2275: Citizenship, Residency, and Identity

### Policy

Michigan residents may be eligible for services provided by Michigan Rehabilitation Services (MRS). No duration of residency is required for individuals present in the state. MRS staff document residency, identity, and the ability to be legally employed prior to implementation of an Individualized Plan for Employment (IPE). Non-U.S. citizens with Employment Visas or Employment Authorization Cards are permitted to request MRS services.

*Note: The process of application and eligibility assessment is not delayed while establishing an applicant's presence in the state.*

*Note: To protect confidentiality MRS is not to maintain a copy of personal identification in the case record.*

### Procedures

#### Residency

Presence in the state of Michigan is established through case documentation and attestation by the applicant of their home address provided on either the:

- Application for Vocational and Employment Services (MRS-2910)
- Student & Parent/Guardian Referral/Consent for Pre-Employment Transition Services (MRS-2900)

MRS staff document an Aware Administrative Note confirming the review of one of the following if there is a question of residency:

- Valid Michigan Driver's License or State of Michigan ID
- Current rental agreement/mortgage statement
- Copy of recent utility bill
- Verification from current shelter

#### Proof of Identity

MRS verifies Social Security Number (SSN), legal name, and date of birth prior to IPE implementation.

MRS staff input the customer's SSN in Aware. The Aware system will automatically cross-reference the entered SSN with the Social Security Administration to verify the applicant's SSN, legal name and date of birth. Administrative notes that verify the information are automatically



generated in Aware.

*Note: If customer does not have an SSN, contact the Aware Support Desk for a temporary SSN while the applicant obtains a valid SSN.*

If a discrepancy is indicated:

- MRS staff document an Aware Administrative Note regarding request for the customer to provide a correct SSN.
- MRS staff may proceed with the eligibility or service delivery process during reconciliation of the SSN.
- MRS funds may not be expended during this time.
- If discrepancies are not resolved within 90 days, the case is closed in alignment with Rehabilitation Services Manual (RSM) 7000 – Vocational Rehabilitation Case Record Closure.

MRS staff document an Aware Administrative Note confirming proof of identity prior to implementation of the Individualized Plan for Employment (IPE).

When the automated Social Security Administration verification is unable to match and validate the customer's SSN, MRS staff verify the customer's SSN through a review of the customer's Social Security card and one of the following to verify name and date of birth:

- Driver's license/ID card
- School ID card (with photograph)
- Birth certificate
- Voter registration card
- U.S. Military card/draft record, or
- Military dependents ID card

MRS staff are not to retain copies of the above forms. A list of acceptable documents may be found at: <https://www.uscis.gov/i-9>.

*Note: If an individual believes that information generated by MRS staff in the case record is inaccurate or misleading, the individual may request that the information be amended.*

## **Citizenship**

Non-U.S. citizens who do not have an Employment Visa or Employment Authorization Card that legally permits employment in the United States are not eligible for services.

Non-U.S. citizen applicants, who may be legally able to work in the United States, should acquire guidance in applying for an SSN through <https://www.ssa.gov/pubs/EN-05-10096.pdf>.

## 2300: Order of Selection for Services

### **Policy**

At any time, Michigan Rehabilitation Services (MRS) resources do not permit all eligible individuals to be served, an order of selection for services shall be implemented giving first priority to individuals with the most significant disabilities. Second priority shall be given to individuals with significant disabilities and third priority to those with non-significant disabilities. If all eligible customers within a priority category cannot be served, they shall be served in the order in which they applied.

Eligible individuals who do not meet the order of selection for services priority criteria shall, at a minimum, be referred to other federal and state programs within the statewide workforce investment system, including the Michigan Works! program. Referrals are to be made to those programs best suited to address the specific employment needs of an individual with a disability. Each referred individual shall have a notice of referral to present to the agency carrying out the program, information identifying a specific point of contact within the agency carrying out the program and, information and advice regarding the most suitable services to assist the individual to prepare for, secure, retain, or regain employment.

An order of selection for services does not affect individuals who have begun to receive services under an approved Individualized Plan for Employment (IPE) or who are in need of post-employment services prior to the date a priority category or categories are closed. Eligible individuals in priority categories not able to be served are placed on a waiting list.

Individuals shall be informed in writing of their disability priority category assignment at the time they are notified of their eligibility determination. Any customer who does not agree with the disability priority category to which they are assigned may appeal this decision within 30 days. Customers may submit additional information in an effort to demonstrate assignment to a higher disability priority category.

### **Procedures**

The decision to provide services to fewer than all priority categories is reviewed periodically throughout the fiscal year. A full review of the need for an order of selection for services occurs as part of the annual planning process. The MRS Director is responsible for determining how many priority categories and how many eligible customers within each priority category shall receive services at any given time based on the resources available.

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The MRS Director will notify MRS staff and major statewide agencies and organizations of the priority categories it is expected MRS will be able to serve in the new fiscal year. Any changes in the priority categories to be served during the fiscal year will also be communicated in writing by the MRS director to MRS staff and pertinent others.

Within the *Aware* system, “significance of disability” and “order of selection for services” priority codes are combined in the “disability priority code” as follows: Most Significantly Disabled is Category 1; Significantly Disabled is Category 2 and Not Significantly Disabled is Category 3.

Applicants placed in trial work experience must be given a disability priority category assignment. At a minimum, individuals placed in trial work experience must be categorized as “significantly disabled”. The disability priority category assigned in trial work experience status might not be the disability priority category assigned at the time eligibility is determined.

If the MRS Director determines that vocational rehabilitation services must be provided under an order of selection for services, an information and referral system will be implemented. This will ensure that eligible individuals with disabilities who do not meet order of selection for services priority categories will be referred to federal and state programs within the statewide workforce investment system including referral to the local Michigan Works! program for assistance with core, intensive and training services, or for other services as appropriate.

Individuals are assigned to the highest priority category for which they are eligible at the time eligibility is decided.

The MRS priority categories are as follows:

### **Most Significantly Disabled:**

- A) Individuals with a severe physical or mental impairment that seriously limits three or more of the seven functional capacities in terms of an employment outcome and
- B) Whose vocational rehabilitation can be expected to require three or more services over at least six months.

### **Significantly Disabled:**

- A) Individuals with a severe physical or mental impairment that seriously limits two of the seven functional capacities in terms of an employment outcome and
- B) Whose vocational rehabilitation can be expected to require three or more services over at least six months.

An eligible SSDI or SSI recipient is automatically considered to be, at least, an individual with a

significant disability. An SSDI or SSI recipient may be determined most significantly disabled with additional supporting documentation.

**Not Significantly Disabled:**

- A) Individuals with a physical or mental impairment that seriously limits one of the seven functional capacities in terms of an employment outcome and
- B) Whose vocational rehabilitation does not require multiple services over six months.

***The codes to be used for priority categories are as follows:***

1. Most Significantly Disabled
2. Significantly Disabled
3. Not Significantly Disabled

***Seven Functional Capacities***

- Mobility
- Communication
- Self-care
- Self-direction
- Interpersonal skills
- Work tolerance
- Work skills

For the purpose of determining the disability priority, serious limitations are defined as:

- the individual's impairment imposes limitations to the degree that the individual's functioning in the area is poor or below common expectations, or
- that the individual, due to the impairment, may require accommodations\* not typically made for other individuals for employability/work.

Determining the appropriate priority category for an eligible individual is based solely on identification of serious limitations in one or more of the seven functional capacity areas. Other factors may affect employability but should not be considered for purposes of defining the significance of an impairment. Such factors may include:

- geographic location,
- poor public transportation, or
- lack of training

Defining limitations in these functional capacity areas relies on the professional rehabilitation counselor's interpretation of the effect of the impairment on the individual as well as on medical or diagnostic/evaluative information.

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Planning for services to address serious limitations is consistent with the third component of eligibility that requires services to achieve an employment outcome (see RSM 3100 – Eligibility Criteria). The IPE shall therefore include treatment, supports or other interventions that address substantial barriers to employment by ameliorating, reducing or removing serious limitations in one or more of the functional capacity areas.

### **Information**

\*Accommodations are defined as special working conditions, rehabilitation technology, or substantial support and/or supervision.

Not included in the table is guidance issued by the Rehabilitation Services Administration (RSA) regarding eligibility and disability priority considerations for individuals with Borderline Intellectual Functioning and Specific Learning Disabilities.

## 2350: Transferring Cases

### **Purpose**

In accordance with state and federal regulations, this policy and procedure outlines the process for internal transfer of a case record between districts/offices or counselors.

### **Policy**

Michigan Rehabilitation Services (MRS) customer case records may be internally transferred to another district/office or counselor as the result of change of permanent residence, request from the customer, or for administrative purposes.

### **Procedures**

MRS customers do not have a right to select their MRS counselor or the office/district in which they will be served. Customers are assigned to a MRS counselor/office based on residence identified on the application for services.

MRS customers who obtain temporary residence to receive MRS services including but not limited to assessment, training or restoration services are not considered to be changing residence.

MRS manager approval is required prior to case transfers between offices or MRS counselors.

### **Request for Transfer of Case Record**

MRS counselor consults with immediate MRS manager for approval of case transfer and completes Aware Administrative Note summarizing:

- Request and rationale for transfer of case record
- Potential impact on current and planned services
- Potential actions necessary prior to case record transfer including but not limited to need for IPE amendments resulting from address change

MRS assigned counselor is responsible for continuation of services during approval or denial time-period.

MRS managers from both transferring and receiving offices review request for transfer of case record. Based on review, MRS assigned counselor may be required to complete additional case-record updates prior to case transfer. Examples may include:

- Resolving outstanding authorizations

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- Update of customer contact information
- Resolving outstanding Aware-Activity Due items

MRS transferring and receiving managers approve or deny transfer of case record. If unable to agree on case transfer, MRS managers consult with respective MRS division directors for resolution.

### **MRS Manager Approval of Request for Transfer of Case Record**

Upon MRS managers approval for transferring of case record:

1. Transferring counselor sends Aware 'Notice of Transfer to New Counselor' letter indicating newly assigned counselor.
2. MRS managers coordinate USPS-certified delivery or in-person exchange of the hard copy case file and electronic case transfer of the Aware record.
3. MRS newly assigned counselor consults with previous counselor as necessary to complete the transfer process.
4. MRS receiving manager is encouraged to request an internal review/audit of the case upon case transfer. Any associated findings on the case record will be applied to the original MRS counselor assigned to the case. Request for corrective actions will be assigned to the receiving MRS counselor.

MRS is prohibited from closing a case record and opening a new case to facilitate a transfer of case record.

### **MRS Manager Denial of Request for Transfer of Case Record**

MRS managers may deny a customer's request for a new counselor assignment or change of office.

MRS counselor informs the customer in writing of the agency decision to deny a customer requested transfer of case record to a new office or MRS counselor and includes the *How to Appeal Decisions Made by MRS* brochure.

MRS customer reserves the right to appeal denial of request for case transfer.

## 2375: Threats and Acts of Violence

### Policy

Michigan Rehabilitation Services (MRS) is committed to promoting and maintaining a safe workplace and service delivery environment for MRS staff and applicants or eligible individuals of MRS. Acts of violence will not be tolerated. In order to preserve a safe work environment for MRS staff, and a safe service delivery environment for individuals being served, MRS may deny, suspend, or terminate services to applicants or eligible individuals and/or close the case of individuals who threaten or commit acts of violence.

#### Procedures

The following definitions used in policy and procedures apply:

Act of violence means any intentional, reckless, or grossly negligent act that would reasonably be expected to cause physical injury or death to another person.

Threat of violence means any intentional communication or other act that threatens an act of violence and would cause a reasonable person to feel terrorized, threatened, or fear physical injury or death to oneself or another person. Any threat of violence, whether verbal, written, visual, or by gesture, is presumed to be an expression of intent to do harm to another person. Threat of violence as used in this definition includes harassment as defined in MCL 750.411i.

Workplace means an office or building owned or leased by the state in which employees are assigned or work. It includes any state-owned or leased common grounds or parking areas used by employees assigned to or working in the office or building.

Service delivery environment means any public or private site in which MRS staff customarily conduct, arrange or purchase vocational rehabilitation services.

Accommodations means the process of adjusting the physical, psychosocial, or cognitive requirements to enable an individual with a disability to perform required tasks or behaviors.

Harassment means conduct directed toward a victim that includes, but is not limited to, repeated or continuing unconsented contact that would cause a reasonable individual to suffer emotional distress and that actually causes the victim to suffer emotional distress. Harassment does not include constitutionally protected activity or conduct that serves a legitimate purpose.

1. Clear and imminent threat or act of violence: Any MRS staff who is subjected to a clear and imminent threat or act of violence, or is aware of a clear and imminent threat or act of violence directed at another person in the service delivery environment, shall:

- Immediately take appropriate measures to ensure their safety and the safety of others



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in the service delivery environment.

- Promptly report the threat or act to appropriate law enforcement personnel (local police, sheriff and/or State Police) and to their immediate supervisor or other available supervisory personnel.
- Comply with the requirements of the applicable Workplace Safety Plan mandated by the department.

2. Non-imminent threat or act of violence: MRS staff who are subjected to a non-imminent threat or act of violence, or are aware of a non-imminent threat or act of violence directed at another person in the service delivery environment, shall report the threat or act to their immediate supervisor, in accordance with the requirements of the applicable Workplace Safety Plan.

3. Actions required after a threat or act of violence has occurred: Subsequent to complying with the procedures above, MRS staff must determine whether services should be continued, denied, suspended, terminated and/or to proceed with case closure. Depending on the nature of the threat or act of violence, MRS staff shall consider providing individualized assessments, treatments, behavioral contracts and/or accommodations unless these measures would compromise MRS' commitment to promoting and maintaining a safe workplace and service delivery environment for staff, applicants, and eligible individuals.

a. Assessment. The counselor shall consider whether the act or threat of violence is related to the individual's disability(ies). If so, MRS staff shall assess whether treatment, a behavioral contract with the individual or reasonable accommodation will eliminate or mitigate the individual's threats or acts of violence. The following are examples of factors to be considered in such an assessment:

- Mental health diagnoses that contribute to the individual's behavior
- Treatment necessary to reduce threatening behaviors, such as individual or group therapy
- Amenability to treatment
- Ability to understand the consequences of one's behavior
- Ability to make informed choices regarding vocational rehabilitation
- Ability to comply with treatment requirements
- Assessment of the impact of threatening behavior on the customer's employability
- Consideration of a behavioral contract that will make future services contingent upon the individual's ability to eliminate or control his/her threatening or abusive behavior
- Whether behavior is opportunistic or predatory
- Whether the primary threat is to persons or property
- Potential target populations and triggers.

b. Accommodations. Reasonable accommodations shall be considered and

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provided, as appropriate, to enable applicants or eligible individuals to participate in a vocational rehabilitation program or in the client appeal process. Examples of such accommodations include:

- Requiring the presence of a second employee or proximity of security staff when the individual is physically present in a service location.
  - Requiring that contacts between the individual and MRS staff take place in a safe environment or location.
  - Limiting communication between the individual and MRS staff to particular methods, intervals, or times.
- c. Notification of other staff. MRS staff who are likely to have contact with the customer, must be notified of any behavioral contracts or safety accommodations established. Proposed behavioral contracts or accommodations shall be reviewed with the immediate supervisor.

4. Documentation Requirements: Any determination that an applicant or eligible individual has or is likely to subject employees or others in the service delivery environment to a threat or act of violence shall be documented in a case note or otherwise substantiated in writing (e.g. a diagnostic report or Workplace Safety Plan Incident Report). The case note or other written documentation must include an explanation of the basis for the determination.

When behavioral contracts, treatments or accommodations are deemed a necessary service, their nature and rationale shall be documented in the individual's case record. For individuals who have an Individualized Plan for Employment or a Trial Work Experience Plan, treatments, behavioral contracts and/or accommodations shall be recorded as part of such a plan or plan amendment, as appropriate. When the applicant or eligible individual refuses to agree to or participate in assessments, treatments, behavioral contracts or accommodations, such refusal shall also be documented.

5. Denial, suspension, or termination of services and/or case closure: MRS may deny, suspend, or terminate services provided to an individual who has subjected MRS staff or other persons in the service delivery environment to threats or acts of violence, or who refuses to participate in assessment, treatment, accommodations or behavioral contracts to reduce or eliminate threatening or violent behavior. MRS may also close the individual's case record. The case record shall document consideration or provision of assessments, treatments, behavioral contracts and/or accommodations to reduce or eliminate an individual's threatening or violent behavior.

6. Due process. All MRS policies and procedures regarding denial, suspension or termination of services, and/or case closure, including notification and the right to appeal, shall be followed.

### Information

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In order to promote and maintain a safe work environment, each MRS Office is required by the Department to develop a Workplace Safety Plan. This plan must be reviewed with staff and updated on an annual basis. MRS staff should be sufficiently familiar with their workplace safety plan to take prudent and timely actions in relation to their safety and that of others.

Policy and procedures in this manual item are not intended to alter or modify any provisions of MRS' or the Department's workplace safety requirements or State of Michigan Civil Service Rules. Staff have an obligation to know the requirements of department and Civil Service rules about workplace safety.

Staff may pursue a "personal protection order" from a circuit court in order to address concerns regarding individuals who commit threats or acts of violence. Prior to pursuing a personal protection order, the District Manager shall consult with the Attorney General's representative to MRS. The memorandum from the Department of Attorney General, "Restraining Orders Against Potentially Dangerous Clients" (2375a-JA Rev 10-2007) remains timely guidance on the matter.

Staff may file individual legal action against persons served by MRS who commit acts of, or threats of violence against them, as appropriate. When they do so in their capacity as MRS employees, they must notify the District Manager and Policy Manager and the MRS representative to the State's Attorney General.

Relevant due process manual items to consider include RSM Item 2175, Clients, Appeals, Mediation and Hearings; RSM 2225 - Informed Choice; RSM 5225 - Termination of Services; and RSM 7150 - Notice of Case Closure.

## 2400: Marijuana

### Purpose

The State of Michigan has legalized the acquisition, consumption and distribution of marijuana through the [Michigan Regulation and Taxation of Marihuana Act \(MRTMA\)](#). Federal law classifies marijuana as an illegal Schedule I drug and prohibits the acquisition, consumption, and sale under any circumstances.

Michigan Rehabilitation Services (MRS) is regulated by the Workforce Innovation and Opportunity Act (WIOA) and must adhere to federal law. This policy establishes program guidance associated with the legalization of marijuana in Michigan.

### Policy

MRS is prohibited from:

- Assisting a customer in the acquisition or consumption of marijuana in any form.
- Supporting services or employment goals associated with growing, selling, producing, handling, or distributing marijuana in any form.
- Supporting training programs in fields of study associated with the marijuana industry.
- Supporting employment including self-employment or small business ventures that require licensure to engage in growing, selling, producing, handling, or distributing marijuana in any form.

### Definitions

***Marijuana (also referenced as Marihuana):*** Consists of all parts of the plant of the genus cannabis, growing or not; the seeds of the plant; the resin extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant or its seeds or resin, including marijuana concentrate and marihuana-infused products.

This includes any form or product containing the primary active chemical tetrahydrocannabinol (THC). Forms include but are not limited to:

- Dried marijuana plant/flower
- Topicals
- Concentrates (e.g., hash, oils, wax, and shatter)
- Edibles in the form of food or drink

## Procedures

### Identified Use of Marijuana

MRS counselor writes an *Aware Actual Service - Vocational Rehabilitation Counseling & Guidance* note summarizing counseling and guidance regarding MRS service limitations if a customer indicates the use of marijuana. The summary should include, but is not limited to: A review of this MRS policy regarding the assistance MRS is prohibited from providing related to Marijuana.

A review of [Michigan law](#) which does not require an employer to permit or accommodate marijuana use in any workplace or on the employer's property.

### Eligibility Determination Considerations

Marijuana use alone is not necessarily indicative of a disability, a disability related barrier to employment, or an indicator of substance abuse.

A customer issued Michigan Medical Marijuana registry identification card or license from the Michigan Marijuana Regulatory Agency (MRA) should not be used to determine MRS eligibility. A determination of service is completed in accordance with *RSM 3125 - Eligibility Assessment* and *RSM 3200 - Determination of Eligibility and Priority Category*.

### Vocational Needs Assessment and Employment Goal Considerations

Employment Goal (including self-employment) - MRS counselors at application/intake and/or during the Vocational Needs Assessment (VNA) inform the customer of MRS' inability to support employment goals or services associated with ventures that require licensure to engage in growing, selling, producing, handling, or distributing marijuana in any form.

Employed at Intake - MRS counselor at application/intake informs the applicant of the inability to provide employment retention services if his or her current job position is associated with growing, selling, producing, handling, or distributing marijuana in any form.

MRS counselor completes an *Aware Actual Service - Vocational Rehabilitation Counseling & Guidance* note summarizing:

1. The continuation of the MRS case if the customer expresses an interest in the development of a new employment goal not associated with the marijuana industry.
2. The case closure, if the customer elects to remain with their current employer whose enterprise is associated with the marijuana industry.
3. The case closure, if the customer expresses a desire to continue to pursue a vocational goal related to the marijuana industry. Case closure must occur in alignment with *RSM*

**Case Closure Resulting from Employment in the Marijuana Industry**

MRS counselor proceeds with case closure if a customer acquires employment within the marijuana industry. The case record is closed as No Longer Interested in CIE After Eligibility Determination in alignment with *RSM 7000 - Vocational Rehabilitation Case Record Closure.*

## 3000: Vocational Rehabilitation Referral and Application Process

### Purpose

In accordance with state and federal regulations, this policy and procedure establishes guidelines for prompt and equitable processing of referrals and applications for Vocational Rehabilitation (VR) services.

### Policy

Michigan Rehabilitation Services (MRS) collects necessary information required to complete the referral and application process.

### Definitions

**MRS Application:** MRS Application for Vocational and Employment Services form (MRS-2910) or equivalent information provided in an alternate written format of the individual's choosing.

**Date of Application:** Date of MRS staff signature date on the completed MRS application.

### Procedures

#### Reasonable Accommodations

MRS provides individuals reasonable accommodations in alignment *RSM 6025 - Accommodations*, when necessary, to complete the referral and application process.

#### Outreach

MRS managers ensure that information about MRS and application forms are available throughout the state, including Michigan Works one-stop centers. MRS staff assist in outreach with potential referrals by responding to questions verbally, through agency brochures, or recommending the [MRS website](#).

#### Initiation of the 30-Day Referral Period

MRS staff obtain required referral information consisting of:

- Full name
- Contact information: address, phone number, and/or email

Referral information is obtained in-person, by phone or mail/email.

MRS staff input referral information into the *Aware* Referral Module. This establishes the date of referral and initiates the 30-day referral period to collect a completed MRS application.

### **Completion of the 30-Day Referral Period**

The referral period ends upon either:

#### **1. Receipt of a completed MRS application**

MRS staff, during the 30-day referral period, receive MRS application and review for completion consisting of:

- Required applicant signature/date.
- Parent of a minor or legal guardian signature/date if applicable.
- Application fields necessary to initiate assessment in determining eligibility for services.
- Availability of applicant to complete the assessment process.

MRS staff signature/date on the MRS application signifies completed review and establishes the date of application.

The MRS staff signature date is required to match the *Aware* application date which initiates the 60-day application period.

#### **2. Non-Receipt of an MRS Application**

MRS staff document effort to secure a completed MRS application including attempted contacts or appointments.

If unable to obtain a completed MRS application during the 30-day referral period, or the potential applicant indicates non-intent to submit an MRS application, the *Aware* referral is closed.

Once a referral is closed, if a potential applicant requests services again, a new referral is processed.

### **Social Security Numbers (SSN)**

Customers are not required to provide an SSN to process an MRS application.

MRS staff obtain and verify an SSN through *Aware* prior to implementation of an Individualized Plan for Employment (IPE).



## Requirements to Facilitate Voter Registration

The National Voter Registration Act of 1993 (NVRA) requires that MRS provide customers an opportunity to register to vote.

MRS staff complete an *Aware* Administrative Note entry indicating offer to assist with voter registration through either [online voter registration](#), or provision of the [Michigan voter registration form](#).

### 60-Day Application Period

MRS staff, complete the following during the 60-day application period:

#### 1. Customer Intake

MRS staff and customer gather information necessary to document *Aware* Application Status requirements.

Information may be collected virtually, in-person, or through the use of optional forms including: Intake for Vocational and Employment Services (MRS-2950) and Characteristics at Plan (MRS-2960).

#### 2. Facilitation of Informed Choice

MRS staff document an *Aware* Actual Service entry indicating summary of customer's understanding/ability to exercise informed choice, self-advocacy and self-determination needs. Informed choice is facilitated in alignment with *RSM 2225 Informed Choice*.

An *Aware* Actual Service entry is to minimally confirm provision and review of the following brochures:

- Your Rights and Responsibilities as a Client of MRS (MRS-PUB-310) and explanation of:
  - Employment purpose of MRS
  - Eligibility process and criteria
  - Available services including encouraged customer contribution and required use of comparable benefits
  - Responsibilities as a customer with MRS
- How to Appeal Decisions Made by MRS (MRS-PUB-305) and explanation of:
  - Ability and process to appeal decisions made by MRS
  - Availability of Client Assistance Program (CAP)
- How MRS Safeguards Your Personal Information (MRS-PUB-304) and explanation of:
  - MRS confidentiality requirements

### **Eligibility Determination**

MRS counselors facilitate eligibility determination in alignment with eligibility related policies including *RSM 3100 Eligibility Criteria*, *RSM 3125 Eligibility Assessment* and *RSM 3200 Determination of Eligibility and Priority Category*.

## 3075: Application of Agency Employees and Relatives

### **Policy**

Employees and members of their immediate family may apply for Michigan Rehabilitation Services (MRS) services.

### **Procedure**

At the time of application, or at the point an individual is identified as a member of an employee's immediate family, the applicant should be informed of the option to be served by another district. The applicant's choice should be honored. If the applicant elects to receive services locally, the district manager shall determine which staff will be assigned to the case.

To avoid conflict of interest issues, counselors and support staff shall not provide services to members of their immediate families.

Case files of employees and/or members of their immediate family shall be stored in a manner which ensures confidentiality.

The Americans with Disabilities Act prohibits MRS, as an employer, from co-mingling and/or utilizing client case record information of current or former employees during the hiring process or while employed by MRS. Employees who are (or were) clients may elect to release materials from their case record for purposes such as providing supporting documentation to an accommodation request.

### **Information**

Immediate family includes parents, spouse, siblings, and children. A more expansive definition of the term (e.g., in-laws, cousins, etc.) may be used if there might otherwise be a loss of privacy.

To ensure as much confidentiality as possible, Help Desk staff in the Central Office can be directed to suppress the name and Social Security number of the applicant in the *Aware* system.

## 3100: Eligibility Criteria

### **Policy**

Applicants shall be eligible for Michigan Rehabilitation Services (MRS) services if they have a physical or mental impairment that constitutes or results in a substantial impediment to employment and if they require MRS services to prepare for, secure, retain, advance in or regain employment consistent with their abilities and capabilities. Applicants who have been determined to have a disability under the SSDI (Title II) and/or SSI (Title XVI) program of the Social Security Act shall be considered to have a significant disability and presumed to be eligible for MRS services provided they intend to achieve an employment outcome consistent with their unique strengths, resources, priorities, concerns, abilities, capabilities, interests and informed choice. Once an individual has been informed of the employment nature of the program, the completion of an MRS application for services shall be considered as intent to achieve an employment outcome.

All applicants shall be presumed to be able to benefit in terms of an employment outcome from vocational rehabilitation services unless found to be ineligible for services due to the severity of the disability by clear and convincing evidence, including applicants who have been determined to have a disability under SSDI and SSI.

Eligibility requirements shall be applied without regard to the:

- On the basis of or type of customer disability
- Age, sex, race, color, or national origin of the customer
- Type of expected employment outcome
- Source of referral for MRS
- Particular service needs
- Anticipated costs of required services
- Income level of an applicant or applicant's family
- Applicants' employment history or current employment status
- Applicants' educational status or current educational credential

Applicants who are legally blind shall not be served by MRS but will be referred instead to the Bureau of Services for Blind Persons.

Applicants who have a third party legally responsible for the payment of their vocational rehabilitation costs shall be promptly referred to the MRS Business Network Division for services.

### **Procedures**

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1. At intake, the counselor shall ask applicants whether they are eligible for, or receiving SSI and/or SSDI benefits, or for any other third-party benefits. The counselor seeks verification, such as a copy of an SSA award letter or other SSA correspondence or a copy of the individual's Ticket to Work, and places it in the case record.
2. When an applicant states he or she is an SSI or SSDI beneficiary, but has no documentation of SSA status, the counselor shall promptly obtain an *Aware* Social Security Benefit Report to validate the individual's Social Security status.
3. The counselor shall make an eligibility determination for SSI or SSDI recipients, no later than 60 days from the date of application. The only exception to this federal requirement is when the case record is moved to Trial Work Experiences (TWE - Application T in *Aware*) within 60 days of the date of application. TWE are only done when the counselor has serious doubt about the individual's ability to benefit from MRS services to achieve an employment outcome (See *RSM 3175 - Trial Work Experience*, for further instructions).
4. Eligibility Determination Extension (Application-E in *Aware*) shall not be used for SSI or SSDI applicants. Eligibility determination shall not be delayed to secure diagnostic records for such applicants.
5. When insufficient diagnostic and assessment information is available prior to an eligibility decision, additional information needed to determine vocational rehabilitation needs shall be obtained after eligibility and prior to IPE development. The counselor uses available disability information obtained from the application process to determine the disability and uses the default disability priority rating of significantly disabled. The counselor updates the disability and the priority rating, as appropriate, when further information is obtained, per *RSM 3200 - Determination of Eligibility and Priority Category*.
6. In the event an SSI or SSDI applicant refuses to release information or refuses to participate in the vocational rehabilitation needs assessment, the counselor shall continue to presume eligibility by validating SSA status via the *Aware* benefit report and by completing an eligibility determination or, when ability to benefit is in doubt, TWE. If the individual continues to refuse to release records or participate in assessment, the case may be considered for closure.
7. When an individual indicates he or she is receiving third party benefits such as Worker's Compensation, Auto No Fault, or Long-Term Disability, the individual shall promptly be referred to the Business Network Division, using form RA-2947-Request for Services, to determine third party liability and appropriate case management. (See *RSM 8075 - Business Network Division* for referral

procedures.)

### **Information**

The qualification that an individual requires services to advance in employment provides additional eligibility criterion to ensure that individuals with disabilities obtain the services necessary so they can pursue and engage in high-demand jobs available in today's economy. All other eligibility criteria continue to apply to applicants seeking to advance in employment. Applicants who are eligible for SSI due to their disability and/or SSDI due to their disability are presumed to meet all criteria for eligibility, i.e.:

- Have a mental or physical impairment that creates a substantial impediment to employment and
- Require vocational rehabilitation services to achieve an employment outcome consistent with their abilities and capabilities, and
- Are able to benefit from MRS services, unless determined unable to benefit by clear and convincing evidence, consistent with *RSM 3175 - Trial Work Experience*.

It is not necessary to receive a cash benefit to be eligible for SSI or SSDI. Only SSI and SSDI applicants are accorded the presumption of eligibility.

## 3125: Eligibility Assessment

### Policy

Once an individual has completed an application for services, an assessment of eligibility and priority for service shall be conducted and an eligibility determination made within 60 days unless exceptional and unforeseen circumstances beyond the control of Michigan Rehabilitation Services (MRS) preclude a determination within 60 days and MRS and the individual agrees to a specific extension of time or trial work experiences with supports. To the maximum extent possible and appropriate, the assessment shall consist of a review of existing data, be conducted in integrated settings, and be consistent with the applicant's informed choice.

### Procedures

#### Eligibility Determination Extension

In the event an eligibility determination cannot be made within 60 days because of exceptional and unforeseen circumstances beyond the control of MRS and for which the individual agrees, an Eligibility Determination Extension shall be completed in *Aware* and the Notice of Extension of Eligibility letter in *Aware* shall be forwarded to the customer. The Notice of Extension of Eligibility letter shall specify the activities to be completed and the date in which the activities shall be completed before eligibility can be determined.

If, because of exceptional and unforeseen circumstances the Eligibility Determination Extension expires without determining Eligibility, manager consultation and written approval is required before a second Eligibility Determination Extension may be executed. If it is determined a second Eligibility Determination Extension is warranted, the Eligibility Determination Extension may be completed in *Aware*. The Notice of Extension of Eligibility letter in *Aware* shall be forwarded to the customer, documenting that the customer agreed to the extension. The Notice of Extension of Eligibility letter shall specify the activities to be completed and the date in which the activities shall be completed before eligibility can be determined.

#### Sources of Information

Sources of information that may be used to substantiate a physical or mental impairment and related limitations caused by the impairment include:

- Existing records from qualified facilities or practitioners familiar with diagnosing or treating the impairment(s) in question, especially practitioners or facilities that are currently treating the applicant. This would include records from qualified medical personnel, mental health or developmental disability programs, substance abuse

treatment clinics, and individually licensed practitioners operating within their legal scopes of practice.

- Special Education records, including an Individualized Education Plan (IEP) which identifies the impairment.
- Veteran's Administration disability benefits records that identify the disability.
- Counselor observation of a readily visible anatomical impairment such as amputation, deformity, or muscle wasting associated with paralysis.
- Verification of current eligibility for Social Security Disability Insurance (SSDI), Supplemental Security Income (SSI); and
- Verification of State Disability Insurance (SDA) that identifies the disability.

### **Medical or Other Evaluations**

Medical or other evaluations may be purchased or provided if other sources of documentation are not available, the nature of the disability is not stable, observable, or clearly defined, or information needed to determine the severity of the disability is not available.

The age of diagnostic information should be appropriate to the applicant's impairment(s) and the planned use of the information. Generally, more current information will be needed if the impairment is unstable, progressive, or the diagnosis is unclear.

The existence of a substantial impediment to employment (due to a mental or physical impairment) may be substantiated by any of the information sources noted above if the record in question addresses work or training limitations. The following information may also be used to substantiate the existence of substantial barriers to employment:

- Counselor observation of behavioral or functional limitations of an impairment.
- Written or verbal reports or descriptions of vocationally relevant limitations from the applicant, their representative, family members, school staff, employers and others familiar with the individual.

### **Behavioral or Functional Limitations**

The existence of behavioral or functional limitations alone is not sufficient to establish a substantial impediment to employment.

The counselor must determine that these limitations result in a substantial, material and significant barrier (given the individual's training, education and employment history) to the individual in terms of preparing for, securing or retaining employment consistent with their abilities and capabilities.

Licensed counselors and/or certified rehabilitation counselors may conduct appraisals and assessments directly as allowed by their scope of practice, and should document such findings in case notes apart from the documentation required for *Eligibility Determination* in *Aware*.



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If the applicant's informed, written consent is needed to secure information from another source, it may be obtained by a letter of authorization, the *Customer Information Request, Authorization to Release Personal Information form (RA-24)* or a document provided by the information source. It may be necessary to pay for the information provided.

Applicants who have been determined to have a disability under SSI and/or SSDI are presumed eligible for vocational rehabilitation services unless their ability to benefit from an employment outcome is in doubt. (See Policy and Procedures 3175 *Trial Work Experience*). Verification of eligibility for SSI and/or SSDI or a copy of an SSA issued "Ticket to Work" must be on file. No further eligibility assessment is necessary. However, existing assessments from SSA and additional assessments may be obtained for a determination of vocational rehabilitation needs.

An applicant eligible for SSI/SSDI can be entered into eligibility status and certified eligible for vocational rehabilitation services immediately upon verification of eligibility for SSI/SSDI by noting under all portions of the Certificate of Eligibility the individual's eligibility for SSI or SSDI (Title XVI and Title II)

Verification of disability for SSDI, SSI, SDA, Special Education, or Veterans Administration disability may include, for example:

- Copies of award notice or letters notifying the applicant of eligibility.
- A copy of an Individualized Educational Plan (IEP) indicating that the applicant has been determined eligible for Special Education.
- Written confirmation of receipt of Social Security Disability Insurance or Supplemental Security Income (on the basis of disability) from the local Social Security office or a Ticket to Work issued by SSA.

### **Evidence of Eligibility for Special Education**

Evidence of eligibility for Special Education presumes only that the applicant has a physical or mental impairment and a substantial impediment to employment. The counselor must still determine whether the individual requires vocational rehabilitation services to achieve an employment outcome consistent with ability and capability.

An appraisal of current health is not required for eligibility in addition to information documenting the disability, but should be provided, for example, if there is a question regarding the applicant's overall health status and how it may impact employability.

The assessment to determine rehabilitation needs should begin concurrently with the assessment to determine eligibility.

The RA-2908 may be used to provide the applicant with a schedule of any diagnostic assessments or other appointments that may be made.

**Information**

The following are definitions of terms used in the determination of eligibility:

*Ability to Benefit* - likely to achieve an employment outcome with the provision of vocational rehabilitation services.

*Disability* - a physical or mental impairment that results in a substantial impediment to employment and which is not temporary.

*Mental Impairment* – any mental or psychological disorder such as intellectual disability, organic brain syndrome, emotional or mental illness, and specific learning disorders.

*Physical Impairment* – any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems: neurological, musculoskeletal, special sense organs, respiratory (including speech organs), cardiovascular, reproductive, digestive, genitourinary, hemic and lymphatic, skin, and endocrine.

*Requires Services* - would not be able to achieve employment consistent with the individual's abilities and capabilities without vocational rehabilitation services.

*Substantial Impediment to Employment* - means that a physical or mental impairment (in light of attendant medical, psychological, vocational, educational, communication and other related factors) materially hinders an individual from preparing for, entering into, engaging in, or retaining employment consistent with the individual's abilities or capabilities. A substantial impediment to employment may be established if the impairment significantly limits one or more functional capacities of the individual in terms of an employment outcome.

## 3150: Individuals Employed at Intake

### Policy

Individuals with a disability who are employed may be eligible for Michigan Rehabilitation Services (MRS) services if, as a result of their disability:

- they require vocational rehabilitation services to advance in employment\*
- their employment endangers the health and safety of the individual or others
- the individual is at risk of losing their employment\*
- their employment is unsteady\* and needed services cannot be obtained from other agencies or resources

\*Definitions in the Information section below.

Individuals who have access to these resources, but choose not to use them, are generally not considered to require MRS services.

The individual must meet all eligibility criteria to be determined eligible for MRS services.

### Information

*Advancing in employment* for eligibility purposes may be considered when an individual meets all other eligibility criteria and requires MRS services to advance in current or new employment.

*At risk*: A person who is at risk is in danger of having his/her job terminated, due to disability related factors.

A job may be considered at risk if the disability results in substantial impediments to employment that will negatively affect the person's job retention. At risk also may apply to an individual who has confirmation that his/her job will be restructured in such a way that the individual will require vocational rehabilitation services to retrain for, or acquire, or advance to a new position.

When considering whether an individual requires job retention services, the counselor should seek objective verification, such as a statement from the current employer, a job analysis, or medical verification of a significant decline in functional capacity related to job function.

*Unsteady Employment* is work that is seasonal, intermittent, temporary, permanently part-time, or subjects the individual to a pattern of lay-offs or variations in the availability of work. The term "seasonal" is defined by the Department of Labor as employment of less than 5 months' duration, linked to seasonal or climatic conditions. "Temporary" is defined as employment for 180 days or less. "Part-time" is defined as permanently assigned to less than

## RSM 3150 - Individuals Employed at Intake

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30 hours of work per week.

For individuals requiring accommodations to maintain their employment, services may be requested of the Business Network Division staff, such as:

- On-the-job evaluation services or worksite evaluations provided by the Occupational Therapists
- Consultative ADA services for the employer provided by the Business Relations Consultants

See *RSM 6025 - Accommodations*, for more information.

## 3175: Trial Work Experience

### Purpose

In accordance with state and federal regulations, this policy establishes guidelines for development and implementation of a Trial Work Experience (TWE) plan.

### Policy

Michigan Rehabilitation Services (MRS) presumes an applicant for Vocational Rehabilitation (VR) services who meet MRS eligibility requirements can benefit from services that can lead to a Competitive Integrated Employment (CIE) outcome.

Michigan Rehabilitation Services (MRS) implements a TWE plan to explore abilities, capabilities, and capacity to perform in realistic work situations. A TWE is completed prior to determining that a customer is unable to benefit from services in terms of an CIE outcome based on the severity of disability or that the customer is ineligible for VR services.

### Definitions

**Authorization** – Michigan Rehabilitation Services-Vendor Authorization for Purchase (Ra-Z40-x) form provided to a vendor detailing requested service to be delivered.

**Clear and Convincing Evidence** – Clear and convincing evidence means there is a high degree of certainty before a conclusion can be made that a customer is incapable of benefiting from services in terms of a CIE outcome. The clear and convincing standard constitutes the highest standard used in our civil system of law and is applied on an individual case-by-case basis. The term ‘clear and convincing’ means unequivocal. For example, the use of one assessment such as an intelligence test would not constitute clear and convincing evidence. Clear and convincing evidence is achieved upon review of multiple sources of information including a battery of evaluations, assessments, and tests, including community-based assessments/situational assessments and supported employment assessments. Information is required to consistently indicate that there would be an inability to meet the customer’s needs to achieve a CIE outcome based on severity of disability.

The demonstration of ‘clear and convincing evidence’ is to include a functional assessment of skill development activities with the use of appropriate supports that accommodate the rehabilitation needs of the customer during the trial work experiences in real-life settings. Examples include but are not limited to, personal assistance services and assistive technology devices and services.

**Trial Work Experience Plan** – A written document that outlines services that will be delivered

to assess concerns regarding a customer's ability to benefit from services leading to a CIE outcome.

**Trial Work Experience Services** – Evaluation services structured to assess areas of concern that bring to question a customer's abilities, capabilities, and capacity to perform in a CIE setting. These are structured in community-based CIE settings to the maximum extent possible. Evaluation activities include analysis of ability to participate in supported employment or customized employment settings.

May be structured as a situational assessment if the evaluation includes wages for the customer.

May be structured as a Community Based Assessment (CBA) if the evaluation does not include wages for the customer.

### Procedures

#### Initiation of a TWE Plan

MRS counselors may initiate a TWE plan in any case status if there is a question of the customer's ability to benefit from services to the extent those services can lead to a CIE outcome.

#### Parameters of a TWE Plan

TWE plans are developed in consultation with the customer and any selected representatives. The TWE plan is signed by the MRS customer and counselor prior to implementation. One copy of the signed TWE plan is provided to the customer and one is maintained in the customer case record.

The following parameters exist for structuring a TWE plan:

1. Types of Assessments, Evaluations or Testing Services to Include in a TWE – MRS counselors authorize within the following authorization categories:

*RSM 6255 – Trial Work Experience Services.* Services are structured to evaluate disability related barriers to employment that question the ability to achieve a CIE outcome.

MRS counselor may also consider the need for supportive services and accommodation needs necessary to facilitate a TWE service. These may include but are not limited to Aware authorization categories:

- Disability Related Training and Support Services
- Maintenance in Support of Any Service
- Personal Assistant Services

2. Number of and Length of Time for each TWE Service – MRS counselor determines the

number and length of time for each TWE service necessary to evaluate a customer's ability to achieve a CIE outcome.

MRS does not prescribe a minimum/maximum number of services or the length of time for each individual service. Length of time and number of services is determined based on each customer's identified need. TWE services are required to be of a sufficient number, variety, and time to establish either:

- There is sufficient evidence to conclude that the customer can benefit from the provision of VR services in terms of a CIE outcome; or
- There is clear and convincing evidence that due to the severity of disability, the customer is incapable of benefitting from the provision of VR services in terms of a CIE outcome.

3. Length of time for Delivery of the TWE Plan – An initial TWE plan is not to exceed a period of 12 months. An exception to this may be approved by the MRS manager if there is documented need for a longer period of assessment.

#### **Exception – When a TWE Plan is Not Required**

MRS counselors may conclude that there is an inability to proceed with a TWE plan if there is medical/psychological information indicating inability to engage in employment or that proceeding with evaluation services is contraindicated with current medical or psychological treatment plans.

MRS counselors are required to obtain follow-up clarification from the provider to clearly establish the medical/psychological reason the customer may not explore abilities, capabilities, and capacity to perform in a CIE setting.

The Aware Follow-up Letter to Physician is used to request additional information. The letter describes general types of services, including job accommodations and trial work experience opportunities.

If the provider further indicates/clarifies the customer's inability to participate in VR services or does not respond after several phone and written attempts by the counselor to solicit clarifying information, the case may be closed in alignment with *RSM 7000 – Vocational Rehabilitation Case Record Closure*. The closure requires manager review and approval.

#### **Outcome of a TWE**

If the customer's ability to benefit in terms of a CIE outcome has been resolved through the completion of the TWE, the MRS counselor proceeds with appropriate VR programming.

## 3200: Determination of Eligibility and Priority Category

### **Policy**

Eligibility decisions shall be made by a Michigan Rehabilitation Services counselor, dated and documented on a Determination of Eligibility. Individuals shall be assigned to an order of selection for services priority category at the time of the eligibility decision. They shall be notified in writing of the eligibility decision. If an order of selection for services is in effect at the time of eligibility determination, individuals shall also be notified of their priority category, the priority categories currently being served, and their right to appeal their priority assignment. If MRS is not servicing all priority categories at the time of the eligibility decision, the eligible individual who cannot be served shall be referred to other federal and state programs within the statewide workforce investment system, including the Michigan Works! program.

If MRS is functioning under an order of selection for services at the time the customer is determined eligible, the case is placed on a waiting list if the customer is not in a priority category currently being serviced. Otherwise, the case is moved to eligible status for development of an IPE. Individuals may appeal their priority assignment because it is a counselor determination that may result in the denial of services.

The Notice of Eligibility and Plan Options in the *Aware* letters catalog should be used to notify clients of eligibility and plan options.



## 3225: Continuing Eligibility

### Policy

Eligibility shall be continually reassessed as part of routine counseling and guidance provided to the individual. Eligibility for ongoing services is contingent upon the individual continuing to meet all agency eligibility criteria.

### Procedures

Whenever one or more of the following occurs when assessing continuing eligibility, the case shall be closed:

1. When an individual, prior to the completion of an Individualized Plan for Employment (IPE), ceases to meet eligibility criteria identified in policy, the case shall be closed.
2. When an individual ceases to meet disability criteria after IPE services have begun, only short term and low cost or no cost job placement and/or job retention services may be provided or purchased to achieve an employment outcome. An authorized service in progress may be completed.
3. When an individual's impairment(s) are reduced through IPE services but continue to result in functional limitation(s) that substantially impede the individual's ability to prepare for, obtain or maintain suitable employment, required IPE services will continue as planned.
4. When an individual, including an SSI or SSDI beneficiary, expresses that he or she no longer intends to achieve an employment outcome after being determined eligible, the individual's eligibility ceases, and the case record shall be closed, as the individual no longer requires VR services to achieve employment.
5. When an individual is no longer able to benefit from further IPE planning or IPE services due to the severity of one or more disabilities, as demonstrated by clear and convincing evidence, the case record shall be closed.
6. If an individual has been found eligible and substantive questions emerge regarding the individual's ability to benefit from services, the individual must be afforded an opportunity to participate in Trial Work Experience (see *RSM 3175 - Trial Work Experience*, for requirements and procedures).

Substantive questions often arise from:

- the customer's inability to successfully complete one or more essential IPE services.
  - the accumulated evidence of repeated unsuccessful efforts to benefit from services in one or more prior IPEs; or,
  - evidence gained through the individual's involvement in an evaluative IPE as described above.
7. Individuals who continue to be beneficiaries of SSI and/or SSDI retain the presumption of eligibility as described in 3100, Eligibility Criteria, unless their disabilities are determined to be too significant to benefit from MRS services to achieve an employment outcome, as demonstrated by clear and convincing evidence gathered through Trial Work Experience.
  8. Individuals whose case is closed because they no longer meet eligibility criteria shall be notified that their case is closed due to a determination of ineligibility. (See *RSM 7025 - Case Closure Due to Severity of Disability* and *RSM 7050 - Case Closed After Eligibility* for additional information.)

### Information

The counselor re-assesses eligibility as part of routine guidance and counseling whenever the circumstances of the case change.

Occurrences leading to the cessation of disability include the removal of functional limitations or substantial impediments to employment through physical or mental restoration, or the elimination of an impairment altogether. Examples of such occurrences are surgery that removes functional limitation, or treatment that eliminates the substantial impediment to employment.

### Continuing or Residual Barriers in Chronic Physical, Mental and Substance Disorders

The functional limitations of many chronic physical, mental or substance disorders, depending upon their presentation and history in the individual, may be mitigated or reduced through treatment but may not be totally eliminated. The resulting residual effects may continue to present substantial barriers to preparing for, obtaining or retaining suitable employment. Treatments themselves may impose affective, cognitive or physical limitations that substantially impact employment. In applying continuing eligibility policy, counselors should take into account the individualized effects of chronic physical, mental and substance disorders and the possibility that substantial impediments to employment due to disability may continue to exist after the treatment of a disorder.

"Low-cost" services are services generally not exceeding \$1,000. "Short-term" services are

RSM 3225 - Continuing Eligibility

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services generally not lasting more than six-months, consistent with the requirements for an IPE amendment under *RSM 5150 Individualized Plan for Employment Amendment*.

## 3250: Ineligibility Determination

### **Policy**

Ineligibility shall be determined if an applicant does not meet all of the eligibility criteria identified in *RSM 3125 - Eligibility Assessment*. If it is determined, on the basis of clear and convincing evidence after trial work experiences that the customer cannot benefit from vocational rehabilitation services in terms of an employment outcome, ineligibility should be determined and the case closed.

### **Procedures**

Clear and convincing evidence means that there is a high degree of certainty that the client is incapable of benefiting from services in terms of an employment outcome. A review of existing information does not provide clear and convincing evidence. For example, the use of an intelligence test result alone would not constitute clear and convincing evidence. Clear and convincing evidence includes a description of assessments, including trial work experiences, from service providers who have concluded that they would be unable to meet the customer's employment needs due to the severity of the individual's disability. Ineligibility determinations are subject to the same timeliness criteria as eligibility determination. Applicants shall be notified of Michigan Rehabilitation Services' (MRS) determination in writing, including their rights to appeal.

## 3275: Vocational Needs Assessment

### Purpose

In accordance with state and federal regulations, this policy establishes guidelines for completion of the Vocational Needs Assessment (VNA).

### Policy

Michigan Rehabilitation Services (MRS) conducts a VNA to determine the employment goals, nature, and scope of rehabilitation services to be included in the Individualized Plan for Employment (IPE) and any subsequent amendments.

The VNA consists of a comprehensive analysis of the customer's unique strengths, resources, priorities, concerns, abilities, capabilities, and interests. The VNA also includes assessment to determine if there is a need for supported employment or customized employment programming.

MRS utilizes existing information to the greatest extent possible to complete a VNA. If authorized services are conducted, they are to take place in the most integrated setting possible consistent with the informed choice of the customer.

### Definitions

**Authorization** – Michigan Rehabilitation Services-Vendor Authorization for Purchase (Ra-Z40-x) form provided to a vendor detailing requested service to be delivered.

**Career Advancement** – The process by which employees use their skills, experience, and education to achieve new career goals and more challenging job opportunities.

**Integrated Setting** – A setting typically found in the community in which individuals with disabilities interact with non-disabled individuals (excluding non-disabled individuals who are providing support services), to the fullest extent possible.

**Labor Market Information** – Data about labor supply/demand, earnings, employment/unemployment statistics, job outlook, and demographics of a particular field of employment.

**Transferable Skills Analysis** – An analysis of existing skills to determine if they can be applied/transferable to other occupations that have physical, mental, and environmental demands consistent with a person's functional capacities.

**Vocational Need Assessment (VNA)** – A VNA represents comprehensive evaluations, tests, and assessments of a customer’s unique strengths, resources, priorities, concerns, abilities, capabilities, and interests, including the need for supported employment or customized employment services consistent with the informed choice of the customer. Information included in a VNA is required to be current and include information that originates from other programs and providers, collected from the customer and customer’s family, and include data from the assessment of eligibility and priority for services.

**Test** – Measures the level of skill or knowledge that has been reached (i.e. aptitude, achievement tests).

**Evaluation** – The process of making judgments based on criteria and evidence (i.e. Clinical diagnoses).

**Assessment** – The process of documenting knowledge, skills, attitudes and beliefs, usually in measurable terms (i.e. vocational needs assessment).

## Procedures

### Initiation of VNA

MRS counselors initiate the VNA in Aware Application status through the collection of existing information obtained through the application and intake process, from resources provided by the customer including treatment providers or other agencies the customer is affiliated with, and vocational rehabilitation counseling activities.

MRS counselors document information that supports the VNA in applicable Aware data/information pages and, when appropriate, complete Aware Actual Service entries summarizing the analysis of collected information. VNA information collected by MRS includes but is not limited to:

- Information collected from the MRS Application.
- Information collected from the MRS Eligibility including disability/medical diagnosis, prognosis, treatment modalities, medications, restrictions, functional limitations, abilities, and capabilities.

*Note: Forms to facilitate collection of information include MRS-4683 Physical Capacities Assessment and MRS-2738 Mental Health Report. This information may also be used to determine MRS Eligibility in alignment with RSM 3125 – Eligibility Assessment.*

- MRS counselor vocational rehabilitation counseling activities summarized in Aware - Actual Service entries.
- Information collected from other agencies with analysis of impact summarized in Aware - Actual Service entries.
- MRS staff administered vocational evaluations, testing and assessments, examples

## RSM 3275 - Vocational Needs Assessment

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include vocational aptitude, interests, personality, interpersonal skills, functional capacity evaluations, personal/social adjustment, and other industry-recognized assessment/evaluation tools used by MRS. With analysis of impact summarized in Aware - Actual Service entries.

Includes vocational evaluations facilitated by the Business Network Division (BND) and Michigan Career & Technical Institute (MCTI).

- Educational history, formal and informal.
- Vocational history including work characteristics, traits, and job duties.
- Career advancement considerations indicating vocational skills, ability, values, interests, and/or preferences summarized in Aware - Actual Service entries.
- Counselor's observations including the need for supported employment or customized employment with analysis summarized in Aware - Actual Service entries.
- Transferable Skills Analysis (TSA).

*Note: TSA alone cannot be used to limit the selection of an employment goal as they do not consider cultural and disability-related barriers to employment that may have influenced the selection of previous employment positions.*

- Obtainment of Labor Market Information (LMI).

*Note: LMI alone cannot be used to rule out an employment goal if it is otherwise consistent with the customer's unique strengths, resources, priorities, concerns, abilities, interests, capabilities, and the customer is willing to relocate to a job market where the particular job is available.*

### **Individualized Education Plan (IEP) and MRS Pre-employment Transition Services – Prior to Application (PRE-ETS)**

In the process of determining an IPE employment goal and services, MRS counselors are required to review and, when appropriate, incorporate:

- Goals and objectives identified in a current IEP and supported by the customer and educational institution.
- Results of Pre-ETS services.

### **Informed Choice**

To facilitate engagement in the Vocational Rehabilitation (VR) process including involvement in determining vocational evaluation services, MRS counselors assess customer's ability to exercise informed choice in alignment with *RSM 2225 – Informed Choice*.

### **Determination of Need for Authorized Services**

MRS counselors are prohibited from issuing authorizations to further evaluate, assess or conduct testing to complete a VNA prior to Aware Eligibility determination.

MRS counselors may authorize within the following authorization categories in alignment with *RSM 6010 – Assessment-Vocational Evaluation Services*.

- Driver Evaluations
- Evaluation for Rehabilitation Engineering
- Vocational Testing/Evaluations
- On-The-Job-Evaluations (OJE)
- Job Coaching During Evaluation
- Workshop/Work Sample Evaluation
- Job Shadowing Evaluations
- Evaluation - Customer Home, Training or Employment Site



## 3400: Measurable Skills Gains and Credential Attainment

### Purpose

In accordance with State and Federal regulations, this policy and procedure establishes guidelines for Measurable Skills Gains (MSG) and Credential Attainment (CA) verification.

### Policy

Michigan Rehabilitation Services (MRS) document customer achievement of MSG and CA associated with training identified in the Individualized Plan for Employment (IPE).

### Definitions

#### **Credential:**

- a) Secondary School Diploma - that is recognized by a State and included for accountability purposes under the Elementary and Secondary Education Act of 1965 (ESEA), as amended by Every Student Succeeds Act (ESSA).
- b) Postsecondary Degree/Certificate - recognition of an individual's attainment of measurable technical or industry/occupational skills necessary to obtain employment or advance within an industry/occupation. Examples include (but not limited to):
  - Associate, bachelor's, master's, or doctoral degree obtained from a postsecondary institution
  - General Certificates/Licensures, Registered Apprenticeship and Career and Technical Education certificates including Michigan Career & Technical Institute (MCTI), National Institute for Metalworking Skills, Inc., Machining Level I credential and Microsoft Certified IT Professional (MCITP))
  - Occupational Certification including Certified Rehabilitation Counselor (CRC), Certified Nurses Aid (CNA), American Service Excellence (ASE), and credential awarded by certification body
  - Occupational Licensure including Licensed Practical Nurse (LPN), Licensed Professional Counselor (LPC), Licensed Master Social Worker (LMSW)
  - Other recognized certificates of industry/occupational skills completion sufficient to qualify for entry-level or advancement in employment including specified Job Corp and Veterans training programs.

**Measurable Skills Gains (MSG):** Skills progression towards a recognized credential. Depending on the type of education or training program, documented progress is one of the following:

- a) Educational Functioning Level (EFL) Gain -- A measurable improvement in educational

attainment indicated by a pre- and post-test. An example includes passing from a 9th grade reading level to a 10th grade reading level in accordance with the school's academic policies. Tests used for this may include the Test of Adult Basic Education (TABE) and Basic English Skills Test (BEST).

- b) Secondary Transcript/Report Card -- A transcript or report card, for each school year indicating program passing (according to the school's academic policies) in high school (HS), high school equivalency diploma (HSED), or general educational development (GED) program. The report card must not indicate the participant dropped out of school, was removed from the institution, or any other conditions that indicate removal on academic or conduct grounds.
- c) Postsecondary Transcript/Report Card -- A transcript or report card demonstrating the following based upon enrollment status:
  - Full Time Student -- completion of a minimum of 12 hours for one semester.
  - Part Time Student -- completion of a minimum of 12 credit hours over the course of two completed semesters during a 12-month period.
- d) Training Milestone -- A satisfactory or better progress towards skill advancement while participating in on-the-job training (OJT) or Registered Apprenticeship program. Documentation may include employer verification.
- e) Skills Progression -- Successful passage of an exam required for an occupation or progress in attaining trade-related benchmarks. Exam examples include the Certified Rehabilitation Counselor (CRC), National Counselor Exam (NCE), Commercial Driver's License (CDL), and welding certification. Documentation may include transcripts and certificates including electronic documents originating from the training entity.

**Achievement Date:** The date a credential attainment or measurable skills gain is indicated by the school or institution as achieved. The achievement date is the official date as indicated on the copy of the certificate/school record provided to MRS. If the achievement date is not indicated on the certificate/school record, a copy of the academic calendar, reflecting the latest date of required school activities in combination with the certificate/school record, may be used to denote the achievement date.

### Procedures

MRS counselors document MSG progress and/or CA attainment as follows:

1. Educational/vocational training achievements earned prior to IPE are documented on the 'Characteristics at Plan' page in *Aware*.

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2. Educational/vocational training programs supported by MRS are documented in the IPE as individual services if determined as a part of the Vocational Needs Assessment (VNA) necessary to achieve the identified employment goal.  
*Note: MRS staff, when identifying High School/GED as an IPE service, select "Achieving high school diploma or GED is a goal" from the secondary education field dropdown menu below the Employment Goal section on the Plan page in Aware.*
3. All educational/vocational training programs included in the IPE leading to a recognized credential are entered as a goal on the Aware Education page.  
*Note: Recognized educational/vocational training programs and potential certificates or industry/occupational skills completion are to be evaluated on a case by case basis for inclusion of MSG/CA reporting.*
4. Obtain copy of school/vocational training verification of MSG/CA achievement and enter MSG/CA as achieved on the Aware Education page, using the date on the documentation.

CA may be entered for up to one year after case closure.

*Example: (MSG) Obtain report card to verify successful completion of 11th grade and enter the MSG as leading toward CA of a high school diploma on the Aware Education page.*

*Example: (CA) Obtain a report card confirming completion of 12th grade and attainment of high school diploma. Enter both an MSG (completion of 12th grade) and a CA (high school diploma) on the Aware Education page.*

## References

The **Career-One-Stop** website can be used as a reference to determine possible credentials:  
<https://www.careeronestop.org/Toolkit/Training/find-certifications.aspx>

## MRS Federal Reporting

MRS reports Credential Attainment as a percentage of program reportable customers enrolled in an education or training program who attain a recognized postsecondary credential or a secondary school diploma, or its recognized equivalent, during participation in or within one year after exit from the program.

*Note: A participant who has attained a secondary school diploma or its recognized equivalent is included in the percentage of participants who have attained a secondary school diploma or its recognized equivalent only if the participant also is employed or is enrolled in an education or training program leading to a recognized postsecondary credential within one year after exit from the program.*

Measurable Skills Gains (MSG) are reported as the percentage of program reportable customers who, during a program year, are in an education or training program that leads to a recognized postsecondary credential or employment and who are achieving measurable skill gains.

## 5000: Development of the Individualized Plan for Employment

### Policy

At the completion of the eligibility determination and the assessment of vocational rehabilitation needs, eligible individuals or their representatives shall be provided, in writing and in appropriate modes of communication, information about their options available in developing the Individualized Plan for Employment (IPE).

### Procedures

Information about the options in developing the IPE shall include:

- the availability of assistance from the Michigan Rehabilitation Services (MRS) rehabilitation counselor in developing all or part of the IPE.
- the option of requesting assistance from a disability advocacy organization when developing the IPE.
- the availability of technical assistance in developing all or part of the IPE.
- the option of using other resources, including a qualified rehabilitation counselor not employed by MRS, in developing all or part of the IPE.
- the option of completing an IPE without MRS assistance on a form provided by MRS.
- a description of the rights and remedies available including the Client Assistance Program, and how to contact it.

For individuals who receive SSI/SSDI, the options in developing the IPE shall also include the availability of information on assistance and supports available to individuals desiring to enter the workforce, including benefit planning assistance.

This information shall also include, as appropriate:

- a description of the required components which must be included in the IPE.
- an explanation of MRS policies and guidelines associated with financial commitments related to an IPE.
- additional information required by the customer or MRS.

When the determination of eligibility and assessment of rehabilitation needs has been completed, eligible individuals shall be provided the MRS guide “Choosing Your Employment Plan” in a language or format appropriate to their communication needs. This guide meets policy requirements regarding the provision of written information about the individual’s options in developing their IPE. The case record shall be annotated to indicate that the individual has been provided this written information.

Eligible individuals have the opportunity to choose the extent to which they wish to use the

assistance of a qualified MRS rehabilitation counselor in developing part or all of their individualized plan for employment (IPE). They are to be informed of the availability of help or technical assistance in completing all or part of the IPE. Counselors may need to facilitate decision making by individuals regarding these decisions, depending on the individual's decision-making skills, or to utilize technical or other assistance in helping individuals to obtain information and make decisions about their IPE.

Some eligible individuals may only need help in completing the printed MRS IPE form (see *Aware* or RA-2915-S). Other individuals, with knowledge of MRS services, experience and skill in career planning, ability to work independently, knowledge of community resources, and ability in information gathering and decision making will need little or no assistance in completing an IPE.

Technical Assistance (assistance aimed at improving information gathering and decision-making skills needed in plan development) may be provided directly by other MRS staff, arranged, or provided by external sources. Examples of technical assistance are Rehabilitation Renaissance advisers, empowerment groups, and individualized decision-making assistance for persons with significant cognitive impairments. Technical assistance may be purchased by MRS only when the type of technical assistance required is not available directly through MRS staff or comparable community services or benefits. Technical assistance does not include vocational guidance and counseling, which is provided directly through MRS counselors. Counselors may work concurrently with technical advisers and eligible individuals in developing the IPE. Providers of technical assistance must meet provider standards as applicable.

Other plan development assistance may be provided through the use of interagency planning teams, person centered planning, peer groups, various consumer training activities, and other methods of helping individuals gather information and making informed choices. Such assistance may be purchased when not available through MRS staff or comparable community resources.

The IPE (and any IPE amendment) is signed by the eligible individual and approved and signed by a MRS rehabilitation counselor before taking effect. The Counselor's approval signifies that in the counselor's professional judgment:

- the IPE will achieve the individual's specific employment outcome.
- the job goal is consistent with the employment characteristics of the individual, and not contraindicated by health or safety reasons.
- the IPE services are essential to reach the individual's job goal.
- the IPE is complete (contains the federally mandated components identified in policy).
- and otherwise meets MRS policy and accountability requirements (e.g. use of comparable services and benefits and "least cost to MRS".)

When differences between an eligible individual (or their representative) and the counselor arise the counselor is to negotiate resolution of differences in the context of a counseling and

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partnership relationship, respectfully considering the eligible individual's continuing substantive role in making informed choices about his or her IPE, while at the same time adhering to MRS requirements.

If the situation cannot be resolved, the client may contact the Client Assistance Program at 1-800-288-5923 or the MRS Rights Representative at 1-800-605-6722.

## 5025: Employment Goal and Outcome

### Purpose

In accordance with state and federal regulations, this policy and procedure establishes guidelines for determination of an employment goal and outcome.

### Policy

The employment goal identified in the Individualized Plan for Employment (IPE) is structured to result in achievement of an employment outcome in Competitive Integrated Employment (CIE).

### Definitions

***Competitive Integrated Employment (CIE):*** Means employment that:

1. Is performed on a full-time or part-time basis (including self-employment).
2. Customer is compensated at a rate that:
  - Is not less than the higher of the rate specified in the Fair Labor Standards Act of 1938, or the State minimum wage law.
  - Is not less than the customary rate paid by the employer for the same or similar work performed by other employees who are not individuals with disabilities and who are similarly situated in similar occupations by the same employer and who have similar training, experience, and skills.
  - In the case of a customer who is self-employed, yields an income that is comparable to the income received by other individuals who are not individuals with disabilities and who are self-employed in similar occupations or on similar tasks and who have similar training, experience, and skills.
  - Is eligible for the level of benefits provided to other employees.
3. Is at a location that is typically found in the community.
4. The employee with a disability interacts for the purpose of performing the duties of the position with other employees within the particular work unit and the entire work site, and, as appropriate to the work performed, other persons (e.g., customers and vendors), who are not individuals with disabilities (not including supervisory personnel or individuals who are providing services to such employee) to the same extent that employees who are not individuals with disabilities and who are in comparable positions interact with these persons; and



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5. Presents, as appropriate, opportunities for advancement that are similar to those for other employees who are not individuals with disabilities and who have similar positions.

**Employment Goal:** Means, at a minimum, an occupational grouping found in the Dictionary of Occupational Titles, or as an occupational grouping identified in the U.S. Bureau of Labor Statistics, Occupational Employment Statistics (OES) codes used in *Aware* or as an occupational grouping in the Occupational Information Network (O-Net).

**Employment Outcome:** Means entering, advancing in or retaining full-time or, if appropriate, part-time competitive integrated employment; supported employment including customized employment; telecommuting; self-employment; business ownership or any other type of employment in an integrated work setting that is consistent with a customer's unique strengths, resources, priorities, concerns, abilities, capabilities, interests, and informed choice.

### Procedures

Michigan Rehabilitation Services (MRS) counselors identify the IPE employment goal based on the completed vocational needs assessment and customer informed choice.

Determining Employment Meets Criteria of CIE

MRS counselors are responsible for determining if the employment goal and outcome meet the defined criteria of CIE.

MRS counselors, when an employment position is in question, conduct a review of the position using the Competitive Integrated Employment Determination Form (MRS-66).

MRS manager approval is required prior to selection of an employment goal or employment outcome in positions within:

- A Community Rehabilitation Organization (CRO) or other organizations that provide services or specific employment for individuals with disabilities as one of its major functions
- Javits-Wagner-O'Day (JWOD) – Act/AbilityOne contracts
- Michigan Community Rehabilitation Organization Set-Aside contracts
- Any occupation funded or contracted specifically to serve individuals with disabilities

### MRS Counselor Documentation of CIE

MRS counselors are responsible for certifying that employment meets the defined criteria of CIE at:

1. IPE Development - MRS counselor signature on an IPE, or IPE plan amendment, certifies that the identified employment goal is expected to result in a CIE outcome.
2. Placement - MRS counselor entry of attained employment position on the *Aware*

Employment page certifies determination that the position meets the definition of CIE.

3. Case Record Closure - MRS counselor entry of attained employment position on the *Aware* Case Closure page certifies determination that the position meets the definition of CIE.

### **Entry-Level or Unskilled Employment Positions**

MRS counselors document, prior to support of an IPE employment goal or obtainment of an entry-level or unskilled employment position, that:

- Customer is only capable of performing entry-level or unskilled employment positions based on comprehensive needs assessment; or
- Customer, through counselor facilitated informed choice, selects an employment goal or outcome in an entry-level or unskilled employment position.

### **Career Advancement and/or Advanced Training**

MRS counselors document exploration of employment goals that involve preparing customers for high demand careers in today's 21st century economy. Advanced training in a field of science, technology, engineering, mathematics (including computer science), medicine, law, or business are to be considered along with other advanced training options identified through labor market analysis.

Career advancement and/or advanced training, may also be considered as a part of the IPE when documentation shows that the current employment is not consistent with the customer's vocational potential based on unique strengths, resources, priorities, concerns, abilities and capabilities.

### **Local Labor Market Information**

MRS staff document local labor market information to support the identified employment goal or outcome. Labor market information alone cannot be used to rule out a job goal.

Example: A customer may be willing to relocate to a job market where the particular job is available or may be entering e-commerce where the market is more open than limitations identified in the labor market information.

### **Student Considerations – Career Pathways**

MRS counselor documents if the customer is a student in high school who has not yet determined a specific employment goal.

A Career Pathway employment goal, as outlined in *RSM 6760-Student and Youth with Disabilities*, may be established until the student completes secondary education or identifies a

CIE goal.

**Estimated Cost of Employment Goal or Outcome**

MRS may not deny an employment goal or outcome based on estimated cost.

**Non-Competitive Integrated Employment Goal and Outcome**

MRS staff proceed with case closure in alignment with *RSM 7000 Vocational Rehabilitation Case Record Closure* if a customer elects to pursue an employment goal or outcome within a non-competitive integrated employment setting.

## 5050: Individualized Plan for Employment

### Policy

The Individualized Plan for Employment (IPE) shall be a written document prepared on a form approved by Michigan Rehabilitation Services (MRS). It shall be developed so that it affords the eligible individual meaningful opportunity to exercise informed choice in the selection of the employment goal, the specific vocational rehabilitation services required to achieve the employment goal, the entities that will provide services, and the methods of service provision. The IPE shall be signed by the individual or, as appropriate, the individual's representative and by a qualified MRS rehabilitation counselor. Planning and approval of the IPE shall be conducted within the framework of a counseling relationship. Counselor approval of an IPE verifies that the IPE is consistent with MRS policies and guidelines, is complete and is expected to lead to an employment outcome.

### Procedures

The IPE shall be designed to achieve the employment goal of the individual. It shall include the following:

- A specific employment goal in an integrated setting.
- The employment goal shall be consistent with the individual's strengths, resources, priorities, concerns, abilities, capabilities, interests and informed choice.
- Services necessary to achieve the employment goal. Planning for services to address serious limitations shall be consistent with the third component of eligibility that requires services to achieve an employment outcome (see *RSM 3100 – Eligibility Criteria*) The IPE shall, therefore, include treatment, supports or other interventions that address substantial barriers to employment by ameliorating, reducing or removing serious limitations in one or more of the functional capacity areas.
- These services shall be provided in integrated settings, to the maximum extent possible and appropriate. As needed, they shall include assistive technology devices; assistive technology services; personal assistance services and training in managing, supervising and directing personal assistance services.
  - An expected and timely beginning date for each service, and as appropriate, an ending date or event for the service.
  - Identification of the service providers and their responsibilities.
  - The extent of MRS participation and the participation of the individual in the cost of services.
- The IPE shall be completed promptly, but in no more than 90 days following eligibility certification, unless the counselor and eligible individual agree to the extension of that deadline to a specific date by which the individualized plan for employment must be completed.

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- In the event that more than 90 days are required, the Plan Development Extension (PDE) page in *Aware* shall be completed providing the reason for extension and activities or services planned to complete the IPE. The Plan Extension Date shall be agreed to by both counselor and eligible individual, and shall be a date that reflects the time needed to complete the activities identified in the PDE without imposing an unnecessary delay in the provision of services. While delaying the development of the IPE is permissible when circumstances warrant, doing so should be the exception to the rule rather than a common practice with customers. *Note: Completing the Plan Development Extension page places the case in Eligibility-E status.* When Plan Development Extension is warranted, it must be completed on or before the 90th day after Eligibility Determination. Completing the Plan Development Extension page extends the Activity Due to 14 days before the completion date selected on the Plan Development Extension page. Failure to complete the Plan Development Extension page in *Aware* by the 90th day will result in the need to complete a case note, and the inability to eliminate the Activity Due until IPE completion.
- Notice of Plan Development Extension letter in *Aware* shall be forwarded to the customer specifying the activities or services planned to complete the IPE and the date in which the activities or services shall be completed before the IPE can be developed.
- If, because of exceptional and unforeseen circumstances the Plan Development Extension expires without the development of an IPE, manager consultation and written approval is required before a second Plan Development Extension may be executed. If it is determined a second Plan Development Extension is warranted, the Plan Development Extension shall be completed in *Aware*. The Notice of Plan Development Extension letter in *Aware* shall be forwarded to the customer specifying the activities or services planned to complete the IPE and the date in which the activities or services shall be completed before the IPE can be developed.
- For students in the K-12 educational system who are eligible for MRS services, the IPE shall be developed and completed before the student leaves the school setting. An agreed upon delay in developing an IPE is not an option for eligible transition students if the delay in development extends beyond the student's exit from school.
- The only exception to this practice is when a student is referred to MRS too late in the final semester to allow for a timely determination of MRS eligibility prior to the student leaving the school setting. In this instance, the counselor shall apply timeliness standards for IPE development as noted in general 90-day requirement procedures.
- A Career Pathway, as identified by the Michigan Department of Education, Office of Career and Technical Education, may be used as an employment goal for transition students until the student completes secondary education. After the individual leaves the K-12 system the IPE shall be amended as soon as feasible to reflect a more specific employment goal to provide planned direction before additional training or placement activity proceeds. A Career Pathway shall not be used as an employment outcome at

closure.

- The Individualized Education Program (IEP), for students receiving special education services, shall be considered while developing the Individualized Plan for Employment (IPE). The student's IPE shall be coordinated with the goals, objectives, and services in the IEP. Coordination of the IPE with a student's Individualized Education Program is demonstrated by identifying the IEP services in the IPE or by attaching a copy of the IEP to the individual's IPE. As long as the student remains in school, a copy of the Individualized Plan for Employment may be provided to the educational entity.
- Whenever Supported Employment (SE) funds are used, the Supported Employment checkbox on the Plan page in *Aware* must be checked. SE funds shall be used only for individuals identified as Most Significantly Disabled.
- A copy of the IPE shall be provided promptly to the individual and, as appropriate, to the individual's representative. It shall be provided in the individual's native language or in an appropriate mode of communication for the individual.

For eligible transition students whose IPE is developed nearing school exit, the counselor must ensure that the IPE is entered into *Aware* prior to the date the student leaves the school setting. The IPE shall be recorded on a blank *Aware* Plan data page. If a blank *Aware* Plan data page is not used, form MRS-2915s may be used. No other forms are sanctioned by MRS. When an MRS-2915s is used to secure the individual's signature, an IPE must be replicated in *Aware* by recording the information on a blank *Aware* Plan data page.

The start date of the IPE is the date the counselor approves and signs the IPE. The start date shall be entered on the IPE in *Aware* no more than 7 days after the IPE has been signed by the counselor, the individual or the individual's representative.

### **Information**

The IPE is developed between MRS and the eligible individual. It is a statement of intent and is not legally binding. If a case is transferred between counselors, the IPE is to be honored by the receiving counselor unless the vocational goal, services or time frames are ambiguous or no longer appropriate.

The IPE letter in the *Aware* Letters catalog may be used as the cover letter to help the counselor obtain the individual's signature on the IPE.

## 5075: Supported Employment

### Policy

Supported Employment means competitive integrated employment, including customized employment, with extended services for individuals with the most significant disabilities, including youth with the most significant disabilities, consistent with their unique strengths, abilities, interests, and informed choice.

Individuals appropriate to receive Supported Employment services are those:

1. For whom competitive integrated employment has not occurred or for whom competitive integrated employment has been interrupted or intermittent as a result of a most significant disability.
2. Who, because of the nature and severity of their disabilities, need intensive Supported Employment services and extended services to maintain their employment.
  - The source of extended services or a description of the basis for concluding that there is a reasonable expectation that those sources will become available must be obtained prior to IPE.
3. Who may need a customized employment opportunity that matches the specific abilities of the individual with a most significant disability and meets the business needs of an employer. Flexible strategies may include customizing a job description, developing a set of job duties, work schedule or other negotiated items.
4. Who may need temporary placement in an integrated work setting in which an individual with a most significant disability is working on a short-term basis toward competitive integrated employment.

### Procedures

Referral and Eligibility Determination Considerations (see *RSM 3000 – VR Referral & Application Process* for more information)

1. Referrals for Supported Employment shall be generated through community partners such as local Community Mental Health Services Providers (CMHSP), school districts and other traditional referral sources, or shall be identified as Supported Employment candidates as a part of vocational services through MRS.
2. To be considered for Supported Employment services an eligible customer must meet

disability priority of most significantly disabled.

**Vocational Needs Assessment Considerations** (see *RSM 3275 - Vocational Needs Assessment*, for more information)

1. Rationale for Supported Employment is based on a comprehensive assessment of rehabilitation needs and an evaluation of rehabilitation, career and job needs. The rehabilitation counselor must document the rationale for Supported Employment services including but not limited to:
  - Information obtained during the vocational needs assessment shall be utilized to identify the rationale for Supported Employment services.
  - Referral information shall be utilized to assess vocational needs and identify the rationale for Supported Employment services.
  - A trial work experience may be provided to assess vocational needs and identify the rationale for Supported Employment services.
2. Use of customized employment services:
  - An assessment of vocational needs should consider the potential necessity for customized employment options when more intensive interventions are needed to identify, obtain, or maintain employment.
  - Supported self-employment is a customized employment strategy that may be used to assist individuals with the most significant disabilities in developing a business of their own. If an individual chooses supported self-employment as a type of employment service and the counselor agrees, the services would follow small business policy (*RSM 5200 - Self-Employment and Small Business*). The rehabilitation counselor would need to identify a reasonable expectation of the availability of extended services specific to a Supported Employment business job goal.

**Individualized Plan for Employment (IPE) Development Considerations** (see *RSM - 5050 Individualized Plan for Employment*, for more information)

Specific to Supported Employment, the IPE must contain:

1. All specified Supported Employment services to be provided by MRS.
2. The source of extended services or include a description of the basis for concluding that there is a reasonable expectation that those sources will become available.
  - The source of extended services or a description of the basis for concluding that there is a reasonable expectation that those sources will become available must be obtained prior to IPE.
3. Expected extended services needed, which shall be natural supports; employer supports; or other appropriate supports.



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4. Details for periodic monitoring to ensure that the individual is making satisfactory progress toward meeting the weekly work requirement established in the IPE prior to beginning extended services.
5. Coordination of services with other agencies; i.e., local school transition plan including Individualized Education Plan (IEP), or Community Mental Health Service Provider (CMHSP) including Person Centered Plan (PCP).
6. A Competitive Integrated Employment goal for the maximum number of hours possible based on the unique strengths, resources, priorities, concerns, abilities, capabilities, interests, and informed choice of individuals with the most significant disabilities; and
7. All Supported Employment IPEs must be consistent with *RSM 5050 - Individualized Plan for Employment*.

### **IPE Service Considerations** (see *RSM 6000 - Services*, for more information)

1. Use of Fund Sources
  - Non - Supported Employment fund sources including general, Interagency Cash Transfer Agreement (ICTA) and other specific fund sources shall be used by MRS to fund services provided prior to the establishment of employment; i.e., prior and during application, eligibility determination, vocational needs assessment/IPE planning services, and all services leading to employment.
  - Designated Supported Employment funds shall only be used to support and maintain an individual in employment (if there are no Supported Employment funds available then other funding sources may be utilized), from the start date of employment (this is the date of the start of employment and is not related to the stable-date) through the transfer to the extended services provider until case closure. These funds shall be directed to services such as:
    - a. The provision of job coaches or employment specialists who accompany the individual for intensive job skills training at the worksite and/or facilitate natural/employer supports at the worksite;
    - b. On-going services to reinforce or stabilize the placement; including, but not limited to regular contact with the individual, employer, family or guardian, and any other relevant professionals.
    - c. Extended services for youth with disabilities; and
    - d. Provision of any appropriate VR service during employment.
2. Supported Employment services provided by MRS are not to extend beyond 24 months from the begin date of the IPE, unless, under special circumstances, the individual and counselor agree to extend the time in order to achieve the rehabilitation objectives identified in the Supported Employment IPE.

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3. In limited circumstances, an additional 6 months may be added to a trial work experience in order to fully assess Supported Employment needs. (For more information on trial work experience, see *RSM 3175 - Trial Work Experience*.)
4. On-going support services shall be provided from the time of job placement until transition to extended services, and thereafter by one or more extended services provider. *See the Information Section for definition of on-going support services and extended services.*
5. At a minimum, on-going support services shall be assessed twice monthly to determine employment stability.
6. The scope of VR services for Supported Employment customers extends to all MRS services necessary to achieve the employment goal as identified in an approved IPE, provided the customer is in employed status.

**Extended Services** (these are supported employment services to maintain employment beyond the employment stability date)

Extended services are ongoing support services and other appropriate services, needed to support and maintain an individual with a most significant disability in Supported Employment, that are:

- Based on the needs of an eligible individual, as specified in an individualized plan for employment.
- Provided by, but are not limited to, other State agencies, private pay, community grants, private agencies, social security work incentives, natural supports, employer supports, or any other appropriate resource, to assist a customer in maintaining Supported Employment after transition of support has been made from MRS.

Exemption for Youth with disabilities:

- If there is not an available resource for the provision of extended services, MRS shall be the provider of extended services and utilize Supported Employment funds for eligible youth with disabilities for a period not to exceed four years, or at such time that a youth reaches age 25(see definition in the Information Section).
- For youth with disabilities who still require extended services after they can no longer receive them from MRS, another source of extended services shall be identified to ensure there will be no interruption of services.

### **Employment Considerations in Supported Employment**

1. Competitive Integrated Supported Employment is considered achieved when the:
  - a. Position is performed on a full-time or part-time basis.
  - b. Position compensates the individual at or above Michigan's minimum wage, but

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not less than the customary wage paid for similar work.

- c. Level of benefits offered is the same for similar work performed by individuals who are not disabled.
  - d. Level of interaction with others (customers, vendors and co-workers) is the same as non-disabled persons within that individual's entire worksite and work unit; and
  - e. Opportunities for advancement are similar to those for non-disabled individuals who have similar positions.
2. The customer is considered to have achieved stabilization when the counselor, with input from the job coach/employment specialist, employer and individual, confirms that the initial intensive services identified on the IPE have resulted in:
- a. The individual demonstrating acceptable job performance; and
  - b. A reasonable expectation that satisfactory job performance will be maintained with the individual based on ongoing support services being provided.
3. MRS Supported Employment services commence for a period not to exceed 24 months or until stability of employment is achieved, at which time the customer is transferred to the extended service provider as identified in the IPE. If there is justification for the period of service to exceed the recommended 24 months, to achieve stability in employment, an amended IPE shall be completed.

Documentation of the achievement of employment stabilization marks the readiness for transfer to extended services. Once the case is transferred to the extended service provider (or if retained as a VR case in the case of youth), the 90-day period of employment follow along is initiated.

Stabilization may be documented in several ways including but not limited to:

- Reports provided from job coaches/placement service providers,
- Employer follow up, and
- Counselor conducted follow along/observation.

### **Short-Term Employment**

Supported Employment is defined as competitive integrated employment. Development towards an employment outcome of Supported Employment may consist of temporary placement of employment in an integrated work setting in which an individual with a most significant disability is working on a short-term basis toward competitive integrated employment.

Short-term basis within Supported Employment is defined as:

- a. An individual with a most significant disability, whose Supported Employment in

an integrated setting does not satisfy the criteria of competitive integrated employment.

- b. The customer is considered to be working on a short-term basis toward competitive integrated employment so long as the individual can reasonably anticipate achieving competitive integrated employment-
  - i. Within six months of achieving a Supported Employment outcome; or,
  - ii. In limited circumstances, within a period not to exceed 12 months from the achievement of the Supported Employment outcome, if:
    - a longer period is necessary based on the needs of the individual, and
    - the individual has demonstrated progress toward competitive earnings based on information contained in the service record.
- c. The six-month short-term basis period, and the additional six months that may be available in limited circumstances, begins after an individual has completed up to 24 months of Supported Employment services (unless a longer period of time is necessary based upon the individual's needs). The six-month short-term period begins when the individual enters into an integrated, non-competitive position.

### **Extended Employment**

*Extended employment* means work in a non-integrated or sheltered setting for a public or private nonprofit agency or organization that provides compensation in accordance with the Fair Labor Standards Act. Extended employment programs have traditionally served as a safety net for individuals with most significant disabilities who cannot perform work in an integrated setting in the community or who choose to work only among their disabled peers.

An individual with a disability may pursue any form of employment he or she chooses. However, if the individual wishes to receive vocational rehabilitation services, he or she must intend to achieve an "employment outcome," in competitive integrated employment or Supported Employment. If the individual chooses to pursue work that does not satisfy the definition of competitive integrated employment, such as sheltered employment, the individual must seek services from another agency or provider.

Counselors are not to use VR or Supported Employment funds to establish extended employment options for customers. For individuals who were referred to and were accepted into Extended Employment options, their case is to be closed in *Aware* using the reason "Placed into Extended Employment". The MRS counselor shall:

- Conduct semi-annual reviews and reevaluate the status of MRS customer for two years after the individual's case is closed (and annually thereafter) to determine the interests, priorities, and needs of the individual with respect to competitive integrated employment or training for

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competitive integrated employment (see *RSM 7250 – Semi-Annual Review of Case Closed in Extended Employment* in Community Rehabilitation Program);

- Enable the individual or, if appropriate, the individual's representative to provide input into the review and reevaluation and document that input in the review process;
- Make maximum efforts, including identifying and providing vocational rehabilitation services, reasonable accommodations, and other necessary support services, to assist the individual in engaging in competitive integrated employment.

**Closure Considerations** (see *RSM 7000 – Vocational Rehabilitation Case Record Closure*, for more information)

1. A counselor shall pursue a Supported Employment rehabilitated case closure upon satisfactory completion of 90 days of stabilized extended services.
  - a. Prior to a rehabilitated closure of a Supported Employment case, the individual must have completed Supported Employment services, which shall be received for up to 24 months, or longer if the counselor and the individual have determined that such services are needed to support and maintain the individual in Supported Employment.
  - b. The individual has transitioned to an extended services provider or, for a Supported Employment youth case who does not qualify for extended services with another provider, MRS will continue as the extended services provider per the youth exception described above.
  - c. The individual has maintained employment and achieved stability in the work setting for a minimum of 90 days after transitioning to extended services; and
  - d. The employment shall be individualized and customized consistent with the strengths, abilities, interests, and informed choice of the individual.

\*The Information Section details specific scenarios for case closure.

2. The elements listed below must be in the "Justification for Closure" of *Aware* closure page:
  1. The employment placement is in a competitive integrated employment and the individual is employed on a full-time or part-time basis;
  2. The level of interaction with others (customers, vendors and co-workers) is the same as for non-disabled persons within the individual's entire worksite and the work unit; and
  3. The individual is compensated at or above the minimum wage, but not less than the customary wage; the individual's benefits are paid by the employer and are for the same or similar work performed by individuals who are not disabled.

3. A counselor shall pursue a non-rehabilitated case closure when, during the IPE case services or employment follow along period, the customer is not able to achieve stability of employment.

## Information

*Youth with a Disability* - Age 14 through 24.

*Customized employment* means competitive integrated employment, for an individual with a significant disability, that is:

- Based on an individualized determination of the unique strengths, needs, and interests of the individual with a significant disability.
- Designed to meet the specific abilities of the individual with a significant disability and the business needs of the employer; and
- Carried out through flexible strategies, such as job exploration by the individual; and working with an employer to facilitate placement, including:
  - Customizing a job description based on current employer needs or on previously unidentified and unmet employer needs.
  - Developing a set of job duties, a work schedule and job arrangement, and specifics of supervision (including performance evaluation and review) and determining a job location.
  - Using a professional representative chosen by the individual, or if elected self-representation, to work with an employer to facilitate placement; and
  - Providing services and supports at the job location.

*On-going support services* are:

- Needed to support and maintain an individual with a most significant disability, including a youth with a most significant disability, in Supported Employment;
- Identified on the IPE based on the individual's need.
- Includes an assessment of employment stability and provision of specific services or the coordination of services at or away from the worksite that are needed to maintain stability based on:
  - At a minimum, twice monthly monitoring at the worksite.
  - Off-site monitoring conducted twice monthly, due to specific circumstances or at the request of the individual.
- Consist of:
  - Any particularized assessment supplementary to the comprehensive assessment of rehabilitation needs.
  - The provision of skilled job trainers who accompany the individual for intensive job skill training at the work site.
  - Job development and training.
  - Social skills training.
  - Regular observation or supervision of the individual.
  - Follow-up services including regular contact with the employers, the individuals, the parents, family members, guardians, advocates or authorized representatives of the individuals, and other suitable professional and informed

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- advisors, in order to reinforce and stabilize the job placement;
- Facilitation of natural supports at the worksite.
- Any other service identified in the scope of vocational rehabilitation services for individuals.
- Any service similar to the foregoing services.

*Extended Services* - Ongoing support services and other appropriate services, needed to support and maintain an individual with a most significant disability in Supported Employment, that are:

- Provided singly or in combination and are organized and made available in such a way as to assist an eligible individual in maintaining Supported Employment;
- Based on a determination of the needs of an eligible individual, as specified in an individualized plan for employment; and
- Provided by a State agency, a nonprofit private organization, employer, or any other appropriate resource, after an individual has made the transition from support provided by MRS.

*Extended employment* means work in a non-integrated or sheltered setting for a public or private nonprofit agency or organization that provides compensation in accordance with the Fair Labor Standards Act.

*Supported Employment* is paid work in competitive integrated employment settings that offers ongoing support services for individuals with the most significant disabilities, including youth with the most significant disabilities. The employment outcome is attained by providing intensive service and is maintained through the provision of extended support services (follow-along) which is provided by another community agency (other than MRS), such as a Community Mental Health Service Provider (CMHSP). The level of employment participation shall be full- or part-time based on the needs of the individual. Job goals selected are consistent with the individual's strengths, interests, aptitudes, abilities, priorities and capabilities. The intent of this model is to make competitive integrated, community-based employment available to individuals who might otherwise be unable to achieve competitive integrated employment.

The potential to benefit from Supported Employment or customized employment should be specifically considered when assessing the employability of individuals with the most significant disabilities who have never worked before and need intensive support or have previously been unable to perform competitive integrated employment. MRS, by federal regulation, has an ongoing responsibility to search for extended service providers for eligible but unserved individuals in order to maximize the numbers of individuals receiving Supported Employment and customized employment services.

Job skills training and other training shall not be needed for all individuals in Supported Employment and customized employment. If needed, it should be furnished by the most

appropriate means for the individual, including training provided by skilled job coaches or employment specialists, or other qualified individuals including co-workers or through natural supports.

*Natural supports* means utilizing the natural work environment for support through social integration; i.e., connecting individuals with others in the work setting in ways that will be self-sustaining for the individual. The concept requires analyzing the social interactive systems within the work setting and culture and then, seeking, supporting and facilitating methods that would assist the individual in becoming a member of that culture. The goal is for the individual to belong socially and, as a result, receive assistance naturally in completing tasks and solving problems.

Provision of job coaching as a service does not automatically denote Supported Employment, unless other elements of Supported Employment noted above are also present specifically the need for extended support services.

When purchasing job coaching services, counselors should consider the individual's qualifications to provide this service; for example, does the individual have the requisite training and skills, is the individual covered by liability insurance through either a third party or if self-employed through personal insurance and does the provider have expertise to effectively work with specific disability populations such as individuals with autism.

### **Scenarios for Case Closure**

*Scenario #1:* For an individual with a most significant disability, including a youth with a most significant disability, who has achieved an employment outcome in Supported Employment in competitive integrated employment, the service record is closed at the time the individual:

1. Achieves the employment outcome.
2. Satisfies the requirements for case closure; and
3. Is not receiving extended services or any other vocational rehabilitation service provided by the VR agency with funds under title I or the Supported Employment program.

*Scenario #2:* For an individual with a most significant disability, including a youth with a most significant disability who is working toward competitive integrated employment on a short-term basis and is receiving extended services from funds other than those allotted under the Supported Employment program, the service record is closed when the individual:

1. Achieves competitive integrated employment within the short-term basis period established; and
2. Satisfies the requirements for case closure; and
3. Is no longer receiving vocational rehabilitation services provided by the VR agency.

If an individual does not achieve competitive integrated employment within the short-term basis period, the service record will be closed.



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*Scenario #3:* For a youth with a most significant disability who is receiving extended services provided by the VR agency from funds under the Supported Employment program or the VR program, the service record will be closed when the youth:

1. Achieves an employment outcome in Supported Employment in competitive integrated employment without entering the short-term basis period; and
2. Is no longer eligible to receive extended services provided by the VR agency with funds allotted under the Supported Employment program or the VR program because the individual:
  - No longer meets age requirements established in the definition of a youth with a disability; or
  - Has received extended services for a period of four years; or
  - Has transitioned to extended services provided with funds other than those allotted under the Supported Employment program or the VR program prior to meeting the age or time restrictions; and
3. Satisfies the requirements for case closure; and
4. Is no longer receiving any other vocational rehabilitation service from the VR agency provided with VR program funds.

*Scenario #4:* For a youth with a most significant disability who is working toward competitive integrated employment on a short-term basis, the service record will be closed when the individual:

1. Achieves competitive integrated employment within the short-term basis period; and
2. Is no longer eligible to receive extended services provided by the VR agency with funds allotted under the Supported Employment program or the VR program because;
  - The individual no longer meets age requirements established in the definition of a youth with a disability; or
  - Has received extended services for a period of four years; or
  - Has transitioned to extended services provided with funds other than those allotted under the VR or Supported Employment programs prior to meeting the age or time restrictions; and
3. Satisfies the requirements for case closure.

If a youth does not achieve competitive integrated employment within the short-term basis period, the service record will be closed.

## 5100: Comparable Benefits

### Purpose

In accordance with state and federal regulations, this policy establishes guidelines for use of comparable services and benefits.

### Policy

Available comparable services and benefits are accessed prior to using MRS agency funds towards purchase of Vocational Rehabilitation (VR) services.

### Definitions

**Comparable Services and Benefits** - A service or benefit contributed by another entity that is:

- Provided or paid for, in whole or in part, by other federal, state, or local public agencies, by a health insurance provider, or through employee benefits.
- Determined to be readily available.
- Equivalent to the services that the customer would otherwise receive from MRS.
- Excludes awards or scholarships based on merit.

**Readily Available** - Readily available means a comparable service and benefit is either approved through the provider or identified as accessible at the time of scheduled delivery of the service as identified in the Individualized Plan for Employment (IPE).

### Procedures

#### Exemption of Exploration of Comparable Service and Benefit

MRS counselors utilize readily available comparable services and benefits. However, further identification of comparable services and benefits is not required if exploration would interrupt or delay:

1. Progress towards achievement of the employment outcome as identified in the IPE.
2. Immediate job placement or retention of employment would be compromised.
3. The provision of VR services to a customer who is determined to be at extreme medical risk, based on medical evidence provided by an appropriate qualified medical professional.

The following Aware service categories (and associated sub-categories) are exempt from further exploration of comparable services/benefits if they are not readily available:

1. Assessment services:
  - Assessment- Diagnosis of Disability
  - Assessment- Vocational Evaluation
  - Customized Employment – Discovery
  - Trial Work Experience
2. Counseling and guidance services:
  - Vocational Rehabilitation Counseling & Guidance
  - Benefit Counseling
3. Job-related services:
  - Customized Employment – all categories
  - Job Coaching/Follow Up
  - Job Placement Assistance
  - Extended Services (inc. Youth)
4. Rehabilitation technology services:
  - Rehabilitation Technology

#### **MRS Services Determined the Responsibility of Another Entity**

MRS does not generally pay for services determined to be the responsibility of another entity within:

- Federal law (such as the Americans with Disabilities Act, section 504 of the Act, or section 188 of the Workforce Innovation and Opportunity Act)
- State law
- MRS policy, Interagency Agreements (IA) or Memorandum of Understanding (MOU)

MRS counselor may pay for a service that is determined the responsibility of another entity if the entity fails to provide/pay for a service identified as their responsibility. MRS counselor documents an *Aware Administrative Note* indicating MRS site manager consultation and approval to financially support the service.

#### **Documentation Requirements to Reflect Exploration of Comparable Services/Benefits**

MRS is required to explore availability of comparable benefits and services and identify available comparable benefits and services in the IPE.

MRS counselors complete *Aware Administrative Note* to document exploration of comparable services/benefits for each required service identified in the IPE. Documentation is to minimally include sources pursued and outcome.

#### **Documentation Requirements When Delivered through MRS Vendor Authorization for Purchase (RA-Z40)**

MRS staff, when issuing an authorization, document the availability, unavailability, or exemption of comparable services/benefits in the benefit section on the *Aware Authorization* page.

**Documentation Requirements When Delivered In-Full Through Comparable Benefit, by MRS Staff or in Combination of Both**

MRS staff, at time-of-service delivery, complete an *Aware Actual Service* entry in alignment with the appropriate category/sub-category of service.

- Each *Aware Actual Service Entry* is to minimally include:
- Comparable service/benefit or MRS staff who delivered the service
- Date(s) of service delivery, and
- Summary of service including reference of report in customer case record if provided.

**Documentation Requirements When a Comparable Service/Benefit is Unavailable at Service Delivery**

MRS counselors amend the IPE in alignment with Rehabilitation Service Manual (*RSM*) 5150 *Individualized Plan for Employment Amendment* if the identified comparable service/benefit is not available at the time of authorization.

## 5125: Financial Participation

### Purpose

In accordance with state and federal regulations, this policy establishes guidelines for Michigan Rehabilitation Services (MRS) customer financial participation in Vocational Rehabilitation (VR) services.

### Policy

MRS encourages customers to financially participate in the delivery of VR services to the extent they are able to, but may not establish, request, suggest, or require an arbitrary amount of customer financial participation for VR services that represent the least cost service that meets the vocational need of the customer.

If a MRS customer selects a service that is higher than the bureau rate-of-payment or the least cost service that meets the vocational need of the customer, the additional cost of the service is paid for by the customer.

### Procedures

#### Development of the Individualized Plan for Employment (IPE)-Determination of Financial Participation

During development of the IPE, the MRS counselor and customer identify available vendors that agree to the established rate of payment. If no vendors agree to the established rate of payment, adhere to *RSM 9025- Fee Schedule and Rate of Payment*. If a service does not have an established rate-of-payment, the vendor who can deliver the least cost service that meets the vocational need of the customer is identified.

The customer may select an alternate service provider whose cost is greater than the identified vendors. The customer's agreement to financial participation is required for the additional cost and documented in the IPE for each service. Financial participation consists of either:

- Encouraged financial participation for VR services that have an established rate of payment or represent the least cost service that meets the vocational need of the customer.
- Required customer financial participation resulting from the portion of the cost of service that exceeds the approved rate-of-payment or the portion of a service that exceeds the least cost service that meets the vocational need of the customer.

#### Prior to Authorization-Verification of Financial Participation

Prior to issuing an authorization for services, the MRS counselor obtains customer financial participation in the form of either:

- Payment to the State of Michigan for the IPE amount of financial participation.
- Written confirmation from the vendor of receipt of customer's financial participation.

Upon verification of customer financial participation, MRS counselor issues an authorization for the remaining balance.

### **Customer Inability to Financially Participate at Time of Authorization**

MRS counselor completes an *Aware Administrative Note* to document the inability of the customer to financially contribute at the time of authorization for a service.

If the service is in alignment with the rate-of-payment or represents the least cost service that meets the vocational need of the customer, MRS counselor proceeds with issuing the authorization. An IPE amendment is not required.

An IPE amendment (*MRS 5150 – Plan for Employment Amendment*) is required if the IPE identified vendor cost of service exceeded the approved rate-of-payment or was not identified as the least cost service that met the vocational need of the customer. The vendor that is able to deliver the service in alignment with the bureau's rate of payment or within the least cost service that meets the vocational need of the customer is added.

## 5150: Individualized Plan for Employment Amendment

### Policy

An Individualized Plan for Employment (IPE) amendment shall be developed when, as a result of the annual review or at any other time, the IPE needs to be revised. An IPE Amendment shall not take effect until agreed to and signed by the Michigan Rehabilitation Services (MRS) counselor and the individual or, as appropriate, the individual's representative. A copy of the amendment shall be provided to the individual and as appropriate, to the individual's representative.

### Procedures

An IPE amendment (new Plan in *Aware*) is required in any of the following circumstances:

1. Change in an IPE employment goal or outcome. An IPE Amendment is required when the Job Title described in the *Aware* Employment record is not within the same job group as the IPE employment goal(s) described in the IPE. When the Employment Goal(s) in the existing IPE and the Job title in the Employment record are within the same job group in *Aware*, they are considered to match, and an IPE amendment is not required. A job group is defined as an OES Job Title Category or as a "minor occupational group" in the Standard Occupational Classification (SOC) System.
2. Addition or removal of a substantial service. A service that costs MRS \$1000 or more meets the definition of a substantial service, regardless of how it is authorized. However, a service costing less than \$1000 may also be considered a substantial service based on the discretion of the counselor.
3. A substantial change in the service provider. A change in a service provider that results in an increase in service costs to MRS, a longer period of time to complete, or a significant change in outcome is considered substantial.
4. A substantial lengthening of time required to achieve an employment outcome. A substantial lengthening of time is defined as a lengthening of the IPE completion date by more than six months.
5. A substantial increase in total estimated service costs to MRS beyond those noted in the current IPE. A substantial increase is defined as an increase of more than \$2000 beyond the previous total estimated cost.

Changes to the IPE, as agreed to by the individual and counselor, shall be recorded in *Aware* or on MRS Form RA-2915s . Use of the RA-2915s must be supplemented by recording the IPE

Amendment in *Aware*.

**Information**

An IPE amendment may also be warranted when a substantial comparable benefit is added or removed, such as the addition or removal of mental health treatment services provided by another agency or organization.

Amending an IPE actually requires the counselor to create a new IPE in *Aware*. The counselor should refer to the *Aware* training manual for more information.



## 5175: Annual Review of the Individualized Plan for Employment

### **Policy**

Each IPE shall be reviewed annually by any qualified rehabilitation counselor to assess the individual's progress in achieving the employment goal. At this time the individual shall be provided an opportunity to review the program and jointly redevelop and agree to its terms.

### **Procedures**

The results of the annual review documenting the individual's progress shall be noted in the case record.

The Notice to Client Regarding Annual Program Review located in the *Aware* letters catalog, may be sent to offer clients an opportunity for a formal review of their IPE. If clients do not respond within 30 calendar days by scheduling an appointment, it can be assumed they are satisfied with their IPE as originally written. The counselor is responsible for completing the Plan Review documentation in *Aware*. *Aware* will alert counselors to client IPE annual review dates one month before they are due.

### **Information**

"Any qualified rehabilitation counselor" means a rehabilitation counselor who meets the requirements for national rehabilitation counselor certification (CRC). It is not required that this counselor be an employee of Michigan Rehabilitation Services (MRS). If a plan amendment is developed, it must be approved by the MRS counselor.

## 5200: Self-Employment and Small Business

### Policy

Self-employment, including small business, may be considered as a vocational option for eligible individuals if:

- it reflects the individual's informed choice.
- is consistent with the individual's strengths, resources, priorities, concerns, interests, abilities and capabilities, including appropriate accommodations.

### Procedures

Self-employment plans shall be supported, at least in part, by resources beyond MRS, and make appropriate use of available community benefits and resources.

All self-employment plans that involve starting a business venture shall have a viable Business Plan prior to the approval of the Individualized Plan for Employment.

Small business enterprises may be supported by Michigan Rehabilitation Services (MRS) as part of an IPE if they:

- comply with all relevant state, federal and local laws and regulations.
- are owned and operated by the individual being served by MRS.
- are organized as a "for profit", as appropriate.
- do not involve speculative activities (i.e., pyramid ventures).
- are designed to become a major source of income for the individual to the greatest extent practical.

A case closed successfully in any form of self-employment shall reflect income and other criteria described in the Business Plan or the IPE.

Because business enterprise plans require extensive development activities, the period of time required to develop an IPE will often exceed the standard 90-day time frame. Closure of business enterprise and other self-employment cases must be considered on an individual basis, consistent with the criteria for successful employment established in the IPE, and is likely to exceed the minimum 90 day follow-up period required for all successful closure.

### Information

Services in support of self-employment, including small business, may include technical assistance and other consultation services to conduct market analyses and develop business plans, as well as other services necessary, including but not limited to training, restoration, occupational licenses, association fees, tools, equipment, initial stocks and supplies, and assistive technology.

Self-employment is a broad category for various options. It may include self-employed tradesmen, professionals, contractual service or technical workers, as well as various forms of small or micro business enterprise. Generally, self-employment is defined as: "The consumer owns, manages and operates the planned endeavor for profit or fee and is not considered to be an employee of another person, business, or organization."

Business enterprise, as a type of self-employment, may be supported by MRS if it falls into one of the following sub-categories:

- Micro enterprise – a proprietorship that usually consists of only the owner, has difficulty securing loans from traditional lending sources, and generally requires a modest initial investment of funds.
- Small business – Independently owned and operated and not dominant in its field.
- Telecommuting: "commuting via electronic transmission from a geographically disperse location where an individual can work at home on a computer and transmit data and documents via telephone lines and is not employed by any other entity." (*Note: Telecommuting may also be other than self-employment.*)

Assistance with business enterprise development should include coordination of all possible resources including local and statewide partners/providers, businesses, institutions of higher education, family members, banks, and micro-enterprise lenders. Technical assistance for business planning and financial support may be purchased or acquired at no cost from local providers. Judgment must be exercised in using informed choice principles to enable consumers to select provider(s) who have demonstrated performance and best meet the needs of the individual consumer at the least expense to MRS. Contributions by the individual may include non-financial resources.

A primary role of the rehabilitation counselor is to assist the individual with a plan for business enterprise to obtain support and information for assessment, planning, and implementation of the business plan. This should include the identification and acquisition of resources to support the plan. Each district office has a small business champion who is responsible for providing current and more detailed guidance for small business development, especially identification of pertinent resources and service providers.

## 5225: Termination of Services

### **Policy**

Individuals shall be notified in writing 10 working days prior to the termination reduction or suspension of a Michigan Rehabilitation Services (MRS) authorized service. They shall have the right to appeal, including mediation of the termination, reduction or suspension and request that the service continue pending the outcome of the appeal. Services being provided in assessment, plan development or under an IPE shall continue during the appeal process unless the individual or the individual's representative requests termination of services, or MRS has evidence that the service has been obtained through misrepresentation, fraud, collusion, or criminal conduct on the part of the individual or individual's representative. The notification of appeal rights shall include the process for requesting mediation and includes the availability of the Client Assistance Program to assist with an appeal.

## 6000: Service Categories and General Documentation Requirements

### **Purpose**

In accordance with state and federal regulations, this policy and procedure lists types of services that Michigan Rehabilitation Services (MRS) may deliver, who may provide services and documentation requirements.

### **Policy**

MRS delivers services to determine program eligibility, establish vocational need and as identified in either the Individualized Plan for Employment (IPE) or the Pre-Employment Transition Services (Pre-ETS) Agreement.

Individualized services are delivered by MRS staff, coordinated through comparable benefits/service providers, and/or purchased from vendors.

### **Procedures**

MRS service policies in this section of the manual are based on the following approved categories:

1. Assessment for determining eligibility and priority for services.
2. Determination of vocational rehabilitation need.
3. Vocational rehabilitation counseling and guidance, including information and support services to assist a customer exercising informed choice.
4. Referral to secure needed services from other agencies, including other components of the statewide workforce development system.
5. Physical and mental restoration services.
6. Vocational and other training services, including personal and vocational adjustment training, advanced training in, but not limited to, a field of science, technology, engineering, mathematics (including computer science), medicine, law, or business; books, tools, and other training materials.
7. Maintenance, for additional costs, in excess of normal costs, incurred while participating in an assessment for determining eligibility and vocational rehabilitation needs or while receiving services under an IPE or Pre-ETS Agreement.
8. Transportation in connection with the provision of any vocational rehabilitation service.
9. Vocational rehabilitation services to family members of an applicant or eligible customer if necessary, to enable the customer to achieve an employment outcome.
10. Interpreter services, including sign language and oral interpreter services.

11. Job-related services, including job search and placement assistance, job retention services, follow-up services, and follow-along services.
12. Supported employment services.
13. Personal assistance services.
14. Occupational licenses, tools, equipment, and initial supplies.
15. Rehabilitation technology services, including vehicular modification, telecommunications, sensory, and other technological aids/devices.
16. Transition services for students and youth with disabilities, that facilitate the transition from school to postsecondary life, such as achievement of an employment outcome in competitive integrated employment, or Pre-ETS for students.
17. Technical assistance and/or consultation services to conduct market analyses, develop business plans, and otherwise provide resources to customers who are pursuing self-employment, telecommuting, or establishing a small business operation as an employment outcome.
18. Customized employment services.
19. Other goods and services determined necessary for a customer to achieve an employment outcome.

### **Aware Case Status for Service Delivery**

MRS staff deliver services in alignment with the following *Aware* case status and in accordance with associated Rehabilitation Services Manual (RSM) policies:

#### *Prior to Application (PTA) status:*

- Services identified in a Pre-ETS Agreement

#### *VR - Application status:*

- Services to determine eligibility
- Services to complete a Trial Work Experience (TWE)
- Services identified in a Pre-ETS Agreement

#### *VR - Eligible status:*

- Services to assess vocational rehabilitation need
- Services to complete a TWE
- Services to aid customer in development of an IPE
- Services identified in a Pre-ETS Agreement

#### *VR - Service or Employed status:*

- Services identified in the IPE
- Services to complete a TWE
- Services to reassess vocational rehabilitation need

### **Service Delivery Documentation Requirements**

MRS staff use the *Aware* – Actual Service page to document services provided by MRS staff, comparable benefits, or administrative activities.

1. Actual Service entries consists of either:
  - Services provided directly by MRS staff, summarizing the activity for each occurrence.
  - Services identified in the IPE and provided by a comparable benefit provider at no cost to MRS, summarizing either the completion of the service or an update and expected continuation. A summary and expected continuation must be entered minimally once per quarter.
  
2. Administrative Notes consist of all documentation other than an actual service as indicated above.

*Note: Documentation guidelines for Actual Service are provided in MRS 6000a Data Dictionary-Actual Service.*

### **Amending Actual Service**

*Aware* actual service entries may not be amended once entered. MRS staff report to their manager if an entry is made in error. MRS manager is to contact *Aware* support desk for possible corrective actions.

## 6010: Assessment – Vocational Evaluation Services

### Purpose

In accordance with state and federal regulations, this policy establishes procedures for authorizing vocational evaluation services.

### Policy

Michigan Rehabilitation Services (MRS) authorizes for assessment services to facilitate completion of the Vocational Needs Assessment (VNA) to determine support of an employment goal and services identified in an Individualized Plan for Employment (IPE) or amendment.

### Definitions

**Authorization** – Michigan Rehabilitation Services-Vendor Authorization for Purchase (Ra-Z40-x) form provided to a vendor detailing requested service to be delivered.

**Driver Evaluation** – Assessment of physical function, vision, perception, attention, motor function, and reaction time, in addition to actual driving performance tests specific to a customer’s disability and barrier to employment.

**Evaluation for Rehabilitation Engineering** – Evaluation of need for individualized development, adaptation, testing, and application of a technical device utilized by the customer as an accommodation for barriers to employment including but not limited to, mobility, communication, vision, cognition, corrective postural positioning, independent living, workplace modification, and augmentative communication.

**Vocational Testing/Evaluation** – Services structured to evaluate and identify a customer’s vocational strengths, aptitudes, abilities, capabilities, interests, and academic skill levels. This activity helps to identify a potential employment goal. Vocational testing may include interviews with the customer to gain insight into education and employment history, identification of transferable skills, standardized test batteries, various vocational and interest inventories, simulated work samples, and an analysis of the local labor market. The outcome of the service is to identify vocational skills, work characteristics, interests, personal values, skills, and abilities/capabilities to potentially support an employment goal that the customer and the MRS counselor will discuss as part of the vocational counseling process.

*Note: Vocational Testing/Evaluation services do not include diagnosis of a disability or identification of barriers to employment when assessed by a licensed practitioner (e.g. Psychologist or Psychiatrist). Diagnostic assessments performed by licensed practitioners may*



*contain components of vocational evaluation, testing, and assessments that the clinician uses to support a diagnosis of a disability or barriers to employment. Aware service category – Assessment-Diagnosis of Disability is used for determining diagnosis of a disability.*

**Job Coaching During Evaluation** – Additional intervention to facilitate completion of an evaluation through support of a customer at the evaluation site.

**Workshop/Work Sample Evaluation** – Structured evaluation in a controlled setting such as a Community Rehabilitation Organization (CRO) that provides a hands-on measure to determine ability to compete with entry-level workers in the marketplace as well as physical and/or mental ability to engage in work activities.

**Job Shadowing** – Evaluations arranged with a Competitive Integrated Employment (CIE) employer for the customer to follow and closely observe an employee performing their functions in a job classification.

**On-The-Job-Evaluation (OJE)** – Community-based evaluation completed in a CIE setting to assess customer capabilities, or potential to acquire skills, knowledge, or experience in employment activities towards support of a potential IPE employment goal. The employer has no commitment to hire.

May be structured as a situational assessment if the evaluation includes wages for the customer.

May be structured as a Community Based Assessment (CBA) if the evaluation does not include wages for the customer.

**Evaluation** – Customer Home, Training or Employment Site – Assessment of need for equipment and/or modifications to meet the vocational need of the customer with respect to accommodation of the customer’s home, training site or employment site.

**Test** – Measures the level of skill or knowledge that has been reached (i.e. aptitude, achievement tests).

**Evaluation** – The process of making judgments based on criteria and evidence (i.e. Clinical diagnoses).

**Assessment** – The process of documenting knowledge, skills, attitudes and beliefs, usually in measurable terms (i.e. vocational needs assessment).

## Procedures

### Aware Case Status Requirements

MRS counselors are permitted to authorize for vocational testing, evaluation, and/or assessment services after eligibility determination in Aware Eligibility status. Additional vocational testing, evaluation, and/or assessment services may be authorized for in Aware Service or Employed status if determined necessary to evaluate continued support of an IPE or potential need for an IPE Amendment.

*Note: Vocational testing, evaluation, and/or assessment services delivered in Aware Service or Employed status are not required to be identified in an IPE.*

### **Rehabilitation Service Manual (RSM) Considerations**

MRS counselor adheres to RSM policies that include but are not limited to:

- *RSM 2100 – Confidentiality and Release of Information*, towards referral for vocational evaluation services.
- *RSM 2225 – Informed Choice*, towards selection of vendors.
- *RSM 3275 – Vocational Needs Assessment*, for guidance prior to authorization of vocational evaluations.
- *RSM 5050 – Individualized Plan for Employment*, for guidance of evaluation to support an IPE employment goal and services.
- *RSM Section 9*, for guidance on authorization/billing of services.

### **Documentation Prior to Service Delivery**

MRS counselors document rationale for delivery of a vocational test, evaluation, and/or assessment services in either an Aware Administrative Note, or in the documentation section of the Aware Authorization page. Documentation is to minimally include:

- Rationale for tests, evaluations, and/or assessments to be administered.
- Customer informed choice in selection of service and vendor.
- Justification if not using a community-based location to conduct a test, evaluation, and/or assessment (e.g., physical, or mental impairments presents a safety concern, there is a need for increased supervision, the required evaluation is not available in a community-based setting).

### **Vendor Qualifications**

MRS counselors obtain services from vendors including Community Rehabilitation Organizations (CRO) or appropriately experienced individual practitioners.

Vendors are required to have the appropriate licensure or credential based on the associated requirements of the administered vocational test, evaluation, and/or assessment.

MRS counselors consult with MRS manager if there is a question of credential/licensure or parameter of a vendor service.

### **MRS Authorization for Driver Evaluation**

MRS counselors use Aware category *Assessment-Vocational Evaluation* sub-category *Driver*

*Evaluation* when necessary to evaluate disability-related barriers to driving a modified vehicle in alignment with *RSM 6825 – Vehicle Modification*.

MRS counselors evaluate potential vendors to determine the least cost service that meets the vocational need of the customer (*RSM 9025 – Fee Schedule & Rate of Payment*).

*Note: MRS does not typically support general driver education services. MRS counselors refer customers to the Michigan Driver Programs Division Frequently Asked Questions and the Secretary of State information page if there are accommodation needs or disability-related concerns regarding attending general drivers training. If there are unmet disability-related accommodation needs for a customer to attend a general driver education program and it is in alignment with a proposed IPE employment goal, documentation of MRS manager approval is required prior to authorization.*

### **MRS Authorization for Evaluation for Rehabilitation Engineering**

MRS counselors utilize Business Network Division (BND) evaluation services to determine potential rehabilitation engineering needs. BND will recommend potential vendors if unable to fully address evaluation needs.

MRS counselors use Aware category *Assessment-Vocational Evaluation* sub-category *Evaluation for Rehabilitation Engineering* to authorize for assessment of accommodation needs in the form of technical devices to assist in performing a function in alignment with an IPE employment goal. Services are authorized for in alignment with *RSM 3275 – Vocational Needs Assessment*.

MRS counselor evaluates potential vendors to determine the least cost service that meets the vocational need of the customer (*RSM 9025 – Fee Schedule & Rate of Payment*).

### **MRS Authorization for Vocational Testing/Evaluation**

MRS counselors use the Aware category *Assessment-Vocational Evaluation* sub-category *Vocational Testing/Evaluation* when there is need for additional vocational testing, evaluation, or assessment in alignment with *RSM 3275 – Vocational Needs Assessment*.

The MRS Fee Schedule rate is \$70.03 per hour/unit.

MRS counselor indicates in the authorization and referral for services the specific evaluations, tests, and assessments to be provided, reporting requirements, and number of hours/units issued to complete the assessment.

MRS counselors may refer to a college/university for a vocational evaluation through either audit or payment of a single class in the subject of a customer's chosen major. This strategy may be used to assess a customer's ability to succeed in post-secondary training. MRS manager documented approval is required prior to utilization of this evaluation, indicating that it represents the appropriate methodology for evaluation of the customer and that the selected

course is appropriate. MRS manager adheres to *RSM 9025 – Fee Schedule and Rate of Payment* to request an exemption to the fee schedule.

### **MRS Authorization for On-The-Job-Evaluation (OJE)**

An OJE is structured to assist in evaluation of a customer and is not associated with placement services.

MRS counselors use Aware category *Assessment-Vocational Evaluation* sub-category *On-The-Job-Evaluation* to arrange for an OJE in alignment with *RSM 3275 – Vocational Needs Assessment*.

OJE's are restricted to community-based CIE setting. For evaluations that take place in a non-community-based setting, reference *Workshop/Work Sample Evaluations*.

MRS counselor completes form *MRS 6010a On-The-Job Evaluation Agreement*, to arrange for OJE services.

The MRS Fee Schedule rate is \$49.21 per hour/unit.

MRS counselor authority limit is not to exceed a total of 45 hours/units for a single OJE. This includes a total of 5 hours/units provided to the vendor to establish the OJE. It is recommended that a first authorization is issued for development of the OJE, and a second or amended authorization is issued upon MRS counselor approval of the form *MRS 6010a On The-Job-Evaluation Agreement*.

MRS manager approval is required for additional hours/units or for subsequent OJE's.

The employer may require wages for the period that the customer is performing the same job duties as other employees. This is determined on a case-by-case basis. MRS manager approval is required for wages and payroll expenses paid to the Employer of Record (EOR).

Authorizations are issued using the Aware category Maintenance in Support of Any Service.

### **MRS Authorization for Job Coaching During Evaluation**

MRS counselors use Aware category *Assessment-Vocational Evaluation* sub-category *Job Coaching During Evaluation* when additional job coaching is determined necessary to conduct an evaluation, test, or assessment in alignment with *RSM 3275 – Vocational Needs Assessment*. Job coaching during an evaluation is rare. The vendor will typically provide a vocational evaluator to conduct the evaluation. If, based on disability or barrier to employment considerations, there is a need for additional assistance in the form of job coaching hours to support a customer during an evaluation, documented MRS manager approval is required.

The MRS Fee Schedule rate of \$38.05 per hour/unit.

### **MRS Authorization for Workshop/Work Sample Evaluation**

MRS counselors use Aware category *Assessment-Vocational Evaluation* sub-category *Workshop/Work Sample Evaluation* when authorizing for a workshop/work sample evaluation

in alignment with *RSM 3275 – Vocational Needs Assessment*.

MRS manager approval is documented prior to use of a workshop/work sample evaluation. MRS manager approval is based on verification that there is an inability to complete the indicated evaluation in a community-based setting.

MRS counselor evaluates potential vendors to determine the least cost service that meets the vocational need of the customer (*RSM 9025 – Fee Schedule & Rate of Payment*). Vendors are required to incorporate all expenses including wages into the proposed fee for the service.

### **MRS Authorization for Job Shadowing**

MRS counselors, prior to authorization for vendor delivered services, utilize internal resources for structuring of an OJE.

MRS counselors use Aware category Assessment-Vocational Evaluation sub-category Job Shadowing when issuing an authorization for job shadowing in alignment with *RSM 3275 – Vocational Needs Assessment*.

The MRS Fee Schedule rate is \$70.03 per hour/unit.

MRS counselor authority limit is 10 hours/units, this includes 2 hours/units provided for structuring of the job shadowing experience. The number of hours/units to authorize is based on the projected number of job shadowing experiences and time at each location. MRS manager documented approval is required for additional job shadowing services beyond 10 hours/units.

### **MRS Authorization for Evaluation – Customer Home, Training or Employment Site**

MRS counselors utilize Business Network Division (BND) evaluation services to determine potential rehabilitation engineering needs. BND will recommend potential vendors if unable to fully address evaluation needs.

MRS counselors use Aware category Assessment-Vocational Evaluation sub-category Customer Home, Training or Employment Site when evaluation of the home, training or employment site is needed in alignment with *RSM 3275 – Vocational Needs Assessment*.

MRS counselor evaluates potential vendors to determine the least cost service that meets the vocational need of the customer (*RSM 9025 – Fee Schedule & Rate of Payment*).

## 6015: Benefit Counseling Services

### **Purpose**

In accordance with state and federal regulations, this policy establishes procedures for benefit counseling services when provided for customers receiving benefits through the Social Security Administration (SSA).

### **Policy**

Michigan Rehabilitation Services (MRS) authorizes for benefit counseling services to facilitate customer informed choice regarding the potential impact of employment on benefits received through SSA.

### **Definitions**

**Authorization** - Michigan Rehabilitation Services-Vendor Authorization for Purchase (Ra-Z40-x) form provided to a vendor detailing requested service to be delivered.

**Benefits Planning Query (BPQY)** - Statement issued by the Social Security Administration (SSA) that contains detailed information about the status of a beneficiary's disability cash benefits, scheduled medical reviews, health insurance, work history, and indicates availability/access to work incentives.

**Benefit Counseling Services** – Represents services focused on explaining how employment will affect Social Security Administration (SSA) benefits including: SSI, SSDI, and associated healthcare benefits including Medicare and Medicaid.

Services also include provision of information regarding SSA work incentives to assist in planning for the transition to work without jeopardizing benefits and the importance of reporting wages to avoid benefit overpayments.

May also be referred to as Benefit Planning Services.

**Work Incentives** – Refers to SSA programs that allow for individuals with disabilities to work and continue to receive monthly payments and retain Medicare or Medicaid eligibility. A description of work incentives is available at:

<https://www.ssa.gov/disabilityresearch/workincentives.htm>.

Work Incentives Planning and Assistance (WIPA) – SSA funded program designed to enable beneficiaries with disabilities to receive benefit counseling services to assist in a successful transition to employment.

### **Procedures**

### **Aware Case Status Requirements**

MRS counselors may authorize for benefit counseling services as necessary in all case statuses.

### **Identification of Need for Benefit Counseling Services**

MRS counselors, prior to authorization for services, assess customer's current knowledge of individual benefits, associated work incentives, and the potential impact of employment.

MRS counselors document customer knowledge and need for benefit counseling services as Aware Actual Service entries indicating:

- Customer awareness of impact of employment on benefits
- Areas of benefit planning that require further exploration

### **Promotion of Self-Advocacy**

MRS counselors facilitate self-advocacy regarding benefit planning by informing customers of the ability to inquire directly with federal and state programs regarding the impact of employment on benefits. As an example of self-advocacy, customers who receive SSA benefits can request a copy of their BPQY by contacting their local SSA office or calling 1-800-772-1213.

### **Use of Comparable Benefit/Services**

MRS counselors are required to explore available comparable benefit/services prior to use of MRS funds (RSM 5100 – Comparable Benefits and Services).

MRS counselors inform customers who receive SSI/SSDI benefits that they may qualify for free WIPA services and refer customers to the WIPA Project Coordinator if there is availability to be served and interest in benefit counseling services.

The WIPA Project Coordinator will assign the customer to a local Community Work Incentives Coordinator (CWIC), who will initiate services including assisting the customer in understanding and planning for the impact employment may have on benefits through development of a Work Incentives Plan. Examples of topics covered include:

- SSI/SSDI cash benefits
- Medicare/Medicaid
- Other health or disability insurance
- Unemployment Insurance benefits
- Veteran benefits
- Housing subsidies
- Food assistance programs

MRS counselors may proceed with exploration of an authorized benefit counseling service if there is a need for benefit counseling services beyond what was provided by WIPA, other available comparable benefit providers, or if the customer was unable to access free/available resources.

The Aware Authorization is required to indicate the identified areas of benefit counseling services that remain unmet.

### **Vendor Qualifications**

Vendors who provide benefit counseling services are required to retain either CWIC Community Partner Initial Training and Certification (<https://vcu-tdc.org/training/initial/initial.cfm>) or Work Incentives Planning and Utilization for Benefit Practitioners (YTI Online).

MRS counselors consult with their MRS manager if there is a question regarding qualification of a vendor.

### **MRS Authorization for Benefit Counseling Services**

MRS counselors use Aware category Benefit Counseling Services to authorize for additional benefit counseling services. A General Referral Form (MRS-1) is completed to articulate necessary services.

The MRS Fee Schedule rate is \$83.43 per hour/unit.

MRS counselor authority limit is not to exceed a total of 10 hours/units for benefit counseling services. MRS manager approval is required for additional hours/units or for subsequent benefit counseling services.



## 6020: Customized Employment

### Purpose

In accordance with state and federal regulations, this policy establishes procedures for customized employment services.

### Policy

Michigan Rehabilitation Services (MRS) provides customized employment services in the form of discovery, job development/ placement, and consultative employment training/support services when identified as necessary towards achievement of Competitive Integrated Employment (CIE).

### Definition

**Authorization** - *Michigan Rehabilitation Service-Vendor Authorization for Purchase (Ra-Z40-x)* form provided to a vendor detailing requested service(s) to be delivered.

**Customized Employment Services** are individualized job placement or self-employment services provided when traditional job placement methods are unlikely to be successful. Services involve working with an employer to develop a job description that meets the abilities of the customer and position requirements of the employer.

**Customized Employment - Discovery** is a qualitative analysis that includes interview, observation and engagement with the customer to identify abilities. Required elements of discovery include:

- Comprehensive, descriptive, optimistic, non-evaluative, and non-comparative documentation that provides sufficient information to assist the customer to plan for customized employment.
- Identification of strengths, needs, interests, and demographic information to assist employment staff to understand details about the customer, family, living situation, and location in the community.
- Evaluation of life experiences including past employment, education, life activities, and skills that will have an impact on employment.
- Preparative activities focused on development of a plan for customize employment.

**Customized Employment - Job Development & Placement Services** are delivered based on results from customized employment discovery and minimally include:

- Customer, employer, and job developer engagement in development of CIE settings for employment.

- Negotiation with potential employers regarding development of specified job duties for an existing position or a new position description based on the unique features of the customer that will benefit the employer.

**Customized Employment - Consultative Employment Training and Support Services** are delivered when a customer enters a customized employment position and there is a need to facilitate development of employer/coworker ability to train, work with and foster successful employment. This includes:

- Development of employer/employee support strategies.
- Facilitation of employer/employee training on work assignment/tasks.
- Employer/employee development of management and self-management strategies.
- Fostering workplace social interactions.
- Employer/employee learning of non-work time management including break/lunch periods.
- Employer/employee acquisition of accommodations.

### Procedures

#### Aware Case Status Requirements

*Customized Employment Discovery* is delivered in:

- *Aware Eligibility* status as part of the Vocational Needs Assessment (VNA)
- *Aware Service* and *Employed* status when identified in an Individualized Plan for Employment (IPE)

*Customized Employment Job Development/Placement* is delivered in:

- *Aware Service* and *Employed* status when identified in an IPE

*Customized Employment Consultative Employment Training and Support Service* is delivered in:

- *Aware Service* and *Employed* status when identified in an IPE

#### Determination of Need for Customized Employment Services

MRS counselor complete *Aware - Actual Service* entries in the form of *Rehabilitation Counseling and Guidance* to document need for customized employment services.

Entries are to summarize collected information that demonstrate the need for customized employment services. This minimally includes customer determination of:

- Previously 'unemployable' and inability to enter or sustain CIE.
- Inability of traditional job development models to meet the needs of the customer to successfully achieve CIE.
- Need for more intensive level of pre-employment intervention and exploration of customized employment services.

## Rehabilitation Service Manual (RSM) Considerations

MRS counselor adheres to RSM policies that include but are not limited to:

- *RSM 2100 - Confidentiality and Release of Information* when communicating and releasing MRS customer information to vendors and/or comparable benefit/service providers.
- *RSM 3275 - Vocational Needs Assessment* when providing customized employment discovery services during the vocational needs assessment.
- *RSM 5050 - Individualized Plan for Employment* when providing customized employment services as an IPE service.
- *RSM 5075 - Supported Employment* when providing customized employment services as part of an approved Supported Employment IPE.
- *RSM 5200 - Self-Employment and Small Business* when providing customized employment services as part of an approved Self-Employment IPE.

## Vendor Qualifications

Vendor staff who deliver customized employment services are required to be credentialed/approved prior to service delivery.

MRS counselor, prior to authorization, contacts MRS – Innovation Unit to obtain verification of vendor credentials. The returned email confirming verification of vendor credentials is copied to an *Aware-Administrative Note*.

## Customized Employment Services – Delivered by a Comparable Service/Benefit Provider

If customized employment services are delivered through a comparable service/benefit, MRS counselor completes an *Aware – Actual Service* entries to document delivery of services in alignment with *RSM 5100 - Comparable Service/Benefit*.

## MRS Authorization for Customized Employment Discovery

MRS manager approval in the form of an *Aware Administrative Note* is required prior to proceeding with customized employment discovery services.

Upon approval MRS counselor completes:

- Authorization at approved Fee Schedule rate of \$68.82 hour/unit for 40 hours for a duration of 12 weeks.
- *MRS Referral for Customized Employment – Discovery (MRS-6020a)*.

If customized employment discovery services are not completed within forty (40) hour/units, the MRS counselor obtains a report from the vendor that summarizes the outcome of placement efforts. Prior to the authorized hours/units being exhausted, this report is obtained

by the counselor.

MRS counselor completes an *Aware Administrative Note* indicating either a rationale for additional customized employment discovery services, or recommendation for alternative actions.

If the MRS counselor agrees that more hours for customized employment discovery are warranted, the request is forwarded to the MRS manager for the approval of additional hours/units.

MRS manager may approve up to fifteen (15) additional hours/units per request. MRS manager completes *Aware Administrative Note* to document review of rationale and approval of additional hours/units.

### **MRS Authorization for Customized Employment Job Development/Placement**

MRS manager approval in the form of an *Aware Administrative Note* is required prior to proceeding with customized employment job development/placement services.

Upon approval MRS counselor completes:

- Authorization at approved Fee Schedule rate of \$68.82 hour/unit for 80 hours for a duration of 13 weeks (issued by MRS manager).
- *MRS Referral for Customized Employment - Job Development/Placement (MRS-6020b)*.

If customized employment job development/placement services are not completed within seventy (70) hour/units, the MRS counselor obtains a report from the vendor that summarizes the outcome of efforts. Prior to the authorized hours/units being exhausted, this report is obtained by the counselor.

MRS counselor completes an *Aware Administrative Note* indicating either a rationale for additional customized employment job development/placement services or recommendation for alternative actions.

If the MRS counselor agrees that more hours for customized employment job development/placement services are warranted, the request is forwarded to the MRS manager for the approval of additional hours/units.

MRS manager may approve up to fifteen (15) additional hours/units per request. MRS manager completes *Aware Administrative Note* to document review of rationale and approval of additional hours/units.

### **MRS Authorization for Customized Employment Consultative Employment Training and Support Services**

## RSM 6020 – Customized Employment

Revised 2/2022

MRS manager approval in the form of an *Aware Administrative Note* is required prior to proceeding with customized employment consultative employment training and support services.

Upon approval MRS counselor completes:

- Authorization at approved Fee Schedule rate of \$68.82 hour/unit for 80 hours for a duration of 24 weeks (issued by MRS manager)
- *MRS Referral for Customized Employment - Consultative Employment Training and Support (MRS-6020c)*

If customized employment consultative employment training and support services are not completed within seventy (70) hour/units, the MRS counselor obtains a report from the vendor which summarizes the outcome of efforts. Prior to the authorized hours/units being exhausted, this report is obtained by the counselor.

MRS counselor completes an *Aware Administrative Note* indicating either a rationale for additional customized employment consultative employment training and support services or recommendation for alternative actions.

If the MRS counselor agrees that more hours for customized employment consultative employment training and support services are warranted, the request is forwarded to the MRS manager for the approval of additional hours/units.

MRS manager may approve up to fifteen (15) additional hours/units per request. MRS manager completes *Aware Administrative Note* to document review of rationale and approval of additional hours/units.

### **Responsibilities Prior to Payment of Authorization**

MRS counselor approves payment of authorizations in alignment with reporting requirements in alignment with *RSM-9200 Billing - Payment for Services*.

## 6030: Disability Related Training and Support Services (Including Tutoring Services)

### Purpose

In accordance with state and federal regulations, this policy establishes procedures for disability related training and support services.

### Policy

Michigan Rehabilitation Services (MRS) provides disability related training and support services when identified in an Individualized Plan for Employment (IPE), to support achievement of an employment goal. Disability related training and support services include training in adaptive aids/equipment, driver training, work/personal adjustment, and tutoring.

### Definitions

**Authorization** - Michigan Rehabilitation Services-Vendor Authorization for Purchase (Ra-Z40-x) form provided to a vendor detailing requested service to be delivered.

**Disability Related Training and Support Services** – MRS Aware category designated for training and support services structured to promote use of disability related adaptive aids, equipment, controls, and tools for employment purposes.

**Training Adaptive Aid/Equipment** - Instruction for use of disability related adaptive aids, equipment, tools, devices, appliances, or other items which enable a customer to improve their ability to perform a vocational/employment related task. Examples may include but are not limited to orientation and mobility, rehabilitation teaching, training in the use of low vision aids, speech reading, sign language, and cognitive training/retraining services.

This service definition does not include training in the form of driver training and associated use of vehicle modifications, work adjustment training, or tutoring services.

**Training - Driver** – Training/instruction in operating a vehicle that includes specialized training in the use of disability related vehicle modifications for new driver or those driving with new/unfamiliar vehicle modifications.

**Training – Work or Personal Adjustment (WAT)** – An individualized and time-limited process that utilizes a realistic work setting and tasks to develop or reestablish work/personal habits, behaviors, personal/social skills, functional capacities, and to increase stamina for a customer who is entering or returning to the workforce. Components may include but are not limited to attendance, punctuality, appropriate dress/grooming, following directions, learning/performing different work tasks, staying on task, relationships with co-workers and supervisors, quantity

and quality of work, job tolerance/stamina, adhering to work rules/safety procedures, reporting problems to supervisors, interaction with the public, transportation arrangements, and work-related communication.

**Tutoring** – Time-limited academic support, provided by individuals with a high degree of knowledge or defined expertise in a particular subject or set of subjects.

## Procedures

### Aware Case Status Requirements

Disability related training and support services may be delivered when identified in an Individualized Plan for Employment (IPE) in Aware Service or Employed case statuses.

### Vendor Qualifications

MRS counselors obtain services from vendors who are appropriately licensed for the service provided.

*Training Adaptive Aid/Equipment* – Vendors are required to retain certification to train in the use of the adaptive aid/equipment in question. Examples may include an Assistive Technology Professional (ATP), which is a national certification from the Rehabilitation Engineering and Assistive Technology Society of North America, or appropriately credentialed Occupational Therapists, Physical Therapists, Rehabilitation Nurses, or other rehabilitation associated practitioners with required specialized certification in the training of adaptive aids/equipment.

*Training – Driver* – Vendors are required to be licensed by the Michigan Department of State – Licensing Unit. In addition, the Department of Education has established requirements for teenage (under age 18) driver programs and instructors.

Vendors are required to be qualified driver evaluators when providing driver training in the capacity of adaptive vehicles. This may include one of the following:

- Certificate of Recognition in Automobile Modification from the Association of Driver Education for the Disabled (ADED)
- Registered Occupational Therapist with credentials to perform driver training
- Teaching degree with Driver Education Certification and have access to consultation with a registered occupational therapist

*Training – Work or Personal Adjustment (WAT)* – Vendors who conduct work adjustment services are to have expertise in delivery of work or personal adjustment services. MRS does not require a specific credential or license to provide this service

*Tutoring Level I* – Minimum requirement of the vendor is an undergraduate student who is majoring in the academic area of requested tutoring or who has completed an Associates for

Applied Science (AAS) from a technical school.

Level I tutors are typically used with customers/students who require tutoring services to complete courses in the first two years of undergraduate programs (typically associated with level 100-200 courses) or remedial coursework.

*Tutoring Level II* – Minimum requirements include a vendor who is a current graduate student majoring in the academic area in which they are tutoring and who does not have a teaching certificate.

Level II tutors are typically used with customers/students who require tutoring services to complete undergraduate courses during the junior or senior year of an undergraduate program (typically associated with 300-400 level courses) or higher.

*Tutoring Level III* - Minimum requirement of the vendor is an individual with a teaching certificate in the academic area (Math, English, Science, etc.) in which they are tutoring or individuals who have current Michigan special education teaching endorsement associated with the customers category of disability and tutoring needs.

Level III tutors are typically used with customers/students who require disability related tutoring services to complete courses at the undergraduate program level.

*Tutoring Level IV* - Minimum requirement are individuals with a master's degree in the academic areas in which they are tutoring or individuals who have current Michigan special education teaching endorsement associated with the customers category of disability and tutoring needs.

Level IV tutors are typically used with customers/students who require disability related tutoring services to complete courses at the graduate level.

### **Disability Related Training and Support Services Provided In-Full Through Comparable Benefit, by MRS Staff or in Combination of Both**

MRS counselors document Aware – Actual Service entries under the Aware category of Disability Related Training and Support Services when delivered through a comparable service/benefit provider and/or by MRS staff in alignment with RSM 5100 - Comparable Service/Benefit.

### **MRS Authorization for Training in Adaptive Aid/Equipment**

MRS counselors use Aware category Disability Related Training and Support Services sub-category Training in Adaptive Aid/Equipment when authorizing for instruction in use of adaptive aid/equipment.



MRS counselor evaluates potential vendors to determine the least cost service that meets the vocational need of the customer (RSM 9025 – Fee Schedule & Rate of Payment).

#### **MRS Authorization for Training – Driver**

MRS counselors use Aware category Disability Related Training and Support Services sub-category Training – Driver when authorizing for approved driver training.

MRS counselor evaluates potential vendors to determine the least cost service that meets the vocational need of the customer (RSM 9025 – Fee Schedule & Rate of Payment).

#### **MRS Authorization for Training-Work or Personal Adjustment**

To facilitate development of an employment site to conduct the Training - Work or Personal Adjustment, MRS counselors evaluate potential vendors to determine the least cost service that meets the vocational need of the customer (*RSM 9025 – Fee Schedule & Rate of Payment*).

MRS counselors and/or authorized vendor, use the Training-Work or Personal Adjustment Agreement (MRS-6030a) to structure the work or personal adjustment training.

The MRS counselor may authorize for use of a job coach to facilitate training needs in alignment with *RSM 6080 - Job Coaching*.

MRS counselors use Aware category Disability Related Training and Support Services sub-category Training-Work or Personal Adjustment when authorizing for work adjustment training services.

MRS counselor authority limit is not to exceed a total of 120 hours/units for training-work or personal adjustment services based on customer identified need. MRS manager approval is required for subsequent training-work or personal adjustment services.

#### **MRS Authorization for Tutoring**

MRS counselors identify and document the rationale for selection of the level of tutor based on both disability and academic needs of the customer. If there is no availability of a tutor at the level required by the customer, a higher-level tutor may be selected.

MRS counselors consult with MRS manager if there is a question of credential/licensure or level of tutoring needs.

MRS counselor complete the MRS General Referral Form (MRS-1) and complete an authorization based on:

- IPE identified parameters for tutoring
- MRS Fee Schedule rate of:

Tutoring Level I	\$20.58 hr/unit
Tutoring Level II	\$27.40 hr/unit
Tutoring Level III	\$34.26 hr/unit
Tutoring Level IV	\$47.98 hr/unit

MRS counselor obtains verification from vendor of credential requirements matching the selected level of tutoring based on the needs of the customer.

MRS counselor authorization authority permits a maximum of one hundred (100) hours/units per academic year without additional manager approval.

### **Request for Additional Hours/Units of Tutoring**

If tutoring is not completed within one hundred (100) hour/units for the designated academic year, the MRS counselor obtains a report from the vendor which summarizes the outcome of efforts thus far and request for addition units necessary to complete tutoring. The counselor, in turn, completes an Aware Administrative Note indicating:

- Rationale for additional tutoring, or recommendation for alternative actions.

If the MRS counselor agrees that more hours are required, the request is forwarded to the MRS manager for the approval of additional hours/units.

MRS manager completes Aware Administrative Note to document review of rationale and approval of additional hours/units.

MRS counselor completes an IPE amendment if additional services exceed parameters established in the current IPE, or if alternative action is recommended (*RSM 5150 – Individualized Plan for Employment Amendment*).

## 6050: Acupuncture and Alternative Therapies

### Information

Acupuncture, and other forms of "alternative" treatment may represent an appropriate physical restoration service to reduce or eliminate functional limitations and impediments to employment.

Acupuncture, acupressure, aroma therapy, chiropractic, herbal remedies, homeopathy, and hypnosis are the most popular of the alternative treatment approaches for a variety of physical and mental conditions.

The appropriateness of purchasing alternative therapies lies with the counselor's assessment of the potential for improving employability. Medical or psychological consultation and/or a second qualified opinion may assist the counselor in considering the merits of requests to provide alternative therapies.

Acupuncture is the practice of inserting very thin sterile needles into specific parts of the body to stimulate circulation, healing, improved immune functioning, or relief of pain. Acupuncture is also used in the treatment of behavioral conditions such as substance abuse, overeating, and nicotine addiction. Acupuncture needles may or may not be electrically stimulated or manually manipulated after insertion, depending on the practitioner or the condition being treated.

In Michigan, acupuncture is defined as the practice of medicine and may be performed only by physicians or acupuncturists who are supervised by a physician. Because of the potential for serious reactions to acupuncture treatment, it is safest for acupuncture to be performed by physicians or in medical settings.

Purchase of acupuncture services may be appropriate when recommended by a physician or other qualified individual to eliminate or substantially reduce functional impediments to employment, especially if traditional treatment methods have failed. It is best to provide acupuncture treatment only after the client has been evaluated and a treatment plan has been formulated. It would not be appropriate generally to purchase acupuncture services when treatment is elective or when requested because it is not provided by the client's health insurance provider.

## 6075: Assistive Listening Devices

### **Policy**

Assistive listening devices may be purchased when required to achieve an IPE employment goal. Assistive Listening Devices shall be recommended by an audiologist or other vendor experienced with assistive listening equipment.

### **Procedures**

If a permanent installation is required, it is federally required that assistive listening devices be installed only in buildings owned by the client. If the equipment is portable and used solely for the benefit of the client, the device is considered personal equipment and may be purchased for the client.

### **Information**

Assistive listening devices use specialized microphones, transmitters, and receivers to amplify speech and reduce background noise in group settings such as theaters, lecture halls, and meeting rooms. Most assistive listening devices can be used without a hearing aid or connected to hearing aids that have a tele-coil. They will not benefit individuals who have no functional hearing.

Four primary types of assistive listening devices are currently on the market:

- Personal amplified systems which are used for one-on-one conversations and TV listening.
- Induction loop transmitters which often use an existing sound system and transmit sound to a loop worn around the user's neck.
- FM transmitters which use radio waves to transmit from the speaker to one or more listeners; and
- Infrared transmitters which transmit sounds by invisible light beams from the speaker to the listener.

The induction loop and infrared devices require installation. These systems can be installed permanently or can be set up and taken down after each use.

## 6080: Job Coaching Services

### **Purpose**

In accordance with state and federal regulations, this policy establishes procedures for the authorization of a job coach.

### **Policy**

Michigan Rehabilitation Services (MRS) authorizes for job coaching services in support of maintaining an employment position when identified as a necessary service in the Individualized Plan for Employment (IPE).

MRS may also utilize job coaching services when identified as a necessary component of an evaluation or training agreement.

### **Definitions**

**Authorization** - Michigan Rehabilitation Services-Vendor Authorization for Purchase (Ra-Z40-x) form provided to a vendor detailing requested service to be delivered.

**Job Coaching** – Services consisting of structured intervention to assist a customer when learning to perform job tasks to the employer's specification and/or to learn necessary interpersonal skills for the position. Services include on-site assistance with disability related accommodations and identification of natural supports.

**Natural Supports** – Represent personal associations and relationships in the workplace that enhance the quality and security of the position. Examples of natural supports include supervisors and coworkers who are able to provide guidance for a new employee, offer suggestions, clarify roles/expectations and assist with additional training needs.

### **Procedures**

#### **Employer Responsibility for Supervision and Training**

MRS is not responsible for replacement of employer held responsibilities for supervision and training of a new or existing employee.

#### **Scope of Job Coaching Services**

Job coaching services are limited to assisting the customer and employer in addressing accommodation needs and adjustment to employment based on identified disability related

barriers to employment. General training of job duties remains the responsibility of the employer.

When job coaching is a component of an evaluation or training agreement, services are limited to what is determined necessary to achieve the stated evaluation or training objectives.

### **Aware Case Status Requirements**

MRS counselors may provide job coaching services in Aware Service and Employed status when associated with maintaining employment as an identified service in the IPE.

MRS counselors may also incorporate job coaching services in other Aware case statuses when associated with an approved evaluation or training agreement.

### **Vendor Qualifications**

MRS counselors seek services from accredited rehabilitation organizations, practitioners with knowledge and experience in providing job coaching services, and/or appropriate licensed agencies.

MRS counselors consult with MRS manager if there is a question regarding use of a vendor.

### **MRS Authorization for Job Coaching Services**

MRS counselors use Aware category Job Coaching to authorize for job coaching services. There are two sub-categories to select from:

- Sub-Category: Job Coaching – Supported Employment  
Restricted for use with customers who have job coaching services identified in an approved Supported Employment IPE.
- Sub-Category: Job Coaching – Non-Supported Employment  
Used for all job coaching authorizations that do not involve customers receiving supported employment programming.

The MRS Fee Schedule rate is \$38.05 per hour/unit for both sub-categories of service.

MRS counselor utilizes the Request for Job Coaching Services (MRS-6080a) form for referral of services.

MRS counselor authority limit is not to exceed a total of 50 hours/units for each identified service that requires job coaching. If there is an identified need for a greater number of job coaching hours, MRS manager approval is required.

## 6085: Job Placement Assistance

### Purpose

In accordance with state and federal regulations, this policy establishes procedures for job placement assistance.

### Policy

Michigan Rehabilitation Services (MRS) provides job placement assistance, when identified in an Individualized Plan for Employment (IPE), to support achievement of an employment goal.

### Definitions

**Authorization** - Michigan Rehabilitation Services-Vendor Authorization for Purchase (Ra-Z40-x) form provided to a vendor detailing requested service to be delivered.

**Job Placement Assistance** – Services structured to assist a MRS customer in entering and achieving Competitive Integrated Employment (CIE). Services may be delivered by MRS staff, comparable benefit provider, or authorization for services by an approved MRS vendor. There are two Aware sub-categories associated with job placement assistance, Placement Services and Placement Follow-Up.

**Placement Services** – A component of Job Placement Assistance. These services include job search assistance to secure CIE, completion of applications, inquiry into positions, and consultation with employers to facilitate employment opportunities.

**Placement Follow Up** – A component of Job Placement Assistance. Includes meetings/contact with the customer and/or employer to evaluate progress towards maintaining employment and to identify any potential barriers to sustaining employment.

### Procedures

#### Aware Case Status Requirements

Job placement assistance services are authorized and delivered as an IPE service in Service or Employed case statuses in Aware.

#### Rehabilitation Service Manual (RSM) Considerations

MRS counselor adheres to RSM policies that include but are not limited to:

- *RSM 2100 - Confidentiality and Release of Information* when communicating and releasing MRS customer information to employers, vendors, and/or comparable benefit/service providers.

## RSM 6085 – Job Placement Assistance

Revised 2/2022

- *RSM 5050 - Individualized Plan for Employment* to ensure service is in alignment with parameters identified in the IPE.
- *RSM 8175 – Vocationally Handicapped Certification* if Vocational Handicapped Certification is utilized for placement.

### **Vendor Qualifications**

MRS counselors seek services from accredited rehabilitation organizations, practitioners with knowledge and experience in providing placement services, and/or appropriate licensed agencies. However, MRS does not require specific licensure, accreditation, or certification to deliver job placement services.

### **Job Placement Assistance Provided In-Full Through Comparable Benefit, by MRS Staff or in Combination of Both**

MRS counselor documents *Aware – Actual Service* entries under the appropriate sub-category of Job Placement Assistance when delivered through a comparable service/benefit provider and/or by MRS staff in alignment with *RSM 5100 - Comparable Service/Benefit*.

### **MRS Authorization for Placement Services**

MRS counselor completes an authorization and MRS Referral for Placement Services (MRS-6085a) based on:

- IPE identified parameters for placement services
- MRS Fee Schedule rate of \$63.40 hour/unit

MRS counselor authorization authority permits a maximum of (thirty) 30 hours/units without additional manager approval.

### **Request for Additional Hours/Units of Placement Services**

If placement services are not completed within thirty (30) hour/units, the MRS counselor obtains a report from the vendor that summarizes the outcome of placement efforts. Prior to the authorized hours/units being exhausted, this report is obtained by the counselor. The counselor, in turn, completes an *Aware Administrative Note* indicating rationale for additional placement services, or recommendation for alternative actions.

If the MRS counselor agrees that more hours for placement are warranted, the request is forwarded to the MRS manager for the approval of additional hours/units.

MRS manager may approve up to fifteen (15) additional hours/units per request. MRS manager completes *Aware Administrative Note* to document review of rationale and approval of additional hours/units.



MRS counselor completes an IPE amendment if additional placement services exceed parameters established in the current IPE, or alternative action/programming is recommended (*RSM 5150 – Individualized Plan for Employment Amendment*).

### **MRS Authorization for Placement Follow-Up Service**

MRS counselor completes an authorization and MRS Referral for Placement Services (MRS-6085a) based on:

- IPE identified parameters for Placement Follow-Up Service
- MRS Fee Schedule rate of \$47.01 per hour/unit

Note: It is recommended that authorizations are issued for either six (6), eight (8) or twelve (12) hour/units of services based on need and may be authorized/billed in fifteen (15) minute increments.

MRS counselor authorization authority permits a maximum of twelve (12) hours/units without additional manager approval.

### **Request for Additional Hours/Units of Placement Follow-Up Services**

If Placement Follow-Up services are not completed within twelve (12) hour/units, the MRS counselor obtains a report from the vendor that summarizes the outcome of placement follow-up efforts. Prior to the authorized hours/units being exhausted, the report is obtained by the counselor. The counselor, in turn, completes an *Aware Administrative Note* indicating rationale for additional placement follow-up services, or recommendation for alternative actions.

If the MRS counselor agrees that more hours for placement follow-up services are warranted, the request is forwarded to the MRS manager for the approval of additional hours/units.

MRS manager may approve up to six (6) additional hours/units per request. MRS manager completes *Aware Administrative Note* to document review of rationale and approval of additional hours/units.

MRS counselor completes an IPE amendment if additional placement follow-up services exceed parameters established in the current IPE, or alternative action/programming is recommended (*RSM 5150 – Individualized Plan for Employment*).

### **MRS Counselor Responsibilities Prior to Payment of Authorization**

MRS counselor approves payment of authorizations in alignment with *RSM 9200 Billing - Payment for Services*.

## 6095: Personal Assistant Services

### Purpose

In accordance with state and federal regulations, this policy establishes procedures for the provision of personal assistant services.

### Policy

Michigan Rehabilitation Services (MRS) authorizes for personal assistant services when necessary for a customer to participate in Vocational Rehabilitation (VR) services.

### Definitions

**Authorization** - Michigan Rehabilitation Services-Vendor Authorization for Purchase (Ra-Z40-x) form provided to a vendor detailing requested service to be delivered.

**Personal Assistant Services (PAS)** – Is comprised of a range of services provided by an agency or by one or more persons, that are designed to assist a customer to perform daily living activities on or off the job that would typically perform without assistance if the customer did not have a disability.

PAS are provided when necessary to participate in a vocational rehabilitation service and may include training in managing, supervising, and directing personal assistance services. Examples of PAS include assistance with removing and putting on clothing, eating, using the restroom, and pushing a wheelchair or assistance with getting into or out of a vehicle at the worksite. These examples are non-exhaustive and serve to identify self-care type activities for which a PAS provider may be used.

PAS does not include, performing medical procedures (e.g., administering shots) or medical monitoring (e.g., monitoring blood pressure). PAS providers are not to help with a customer's specific job functions.

An individual delivering PAS may be referred to as a Direct Care Worker, Aid, or Care Attendant.

**Corporate Entity** – An agency, organization or employer who have two or more individual providers. Corporate entities typically have healthcare, personnel taxes, retirement, workers compensation, paid time off and other benefits as an expense.

**Independent Operator** – An independent operator is a single employee that is not affiliated with an agency, organization or employer.

**Employer of Record (EOR)** – A third-party organization that takes responsibility for wages and associated expenses on behalf of another company.

## Procedures

### Aware Case Status Requirements

MRS counselors may provide PAS in all Aware case statuses when necessary to support participation in a VR service.

When delivered in Aware-Service case status, PAS services are required to be identified in the Individualized Plan for Employment (IPE).

### Identification of Need for Personal Assistant Services

When PAS is a need, the MRS counselor completes an Aware Actual Service entry indicating the customer's:

- Past use and knowledge of PAS resources including ability to self-advocate, manage, supervise, and direct services
- Preferences of providers
- Identification of comparable benefits that have been accessed previously or are available
- Assistive devices and alternative methods used by the customer to perform tasks without use of a personal assistant.
- Specific personal assistant needs including the type of services needed, the expected number of hours, and the location where PAS services will be required.

If the MRS customer is not able to provide a complete accounting of personal assistant needs, MRS counselor obtains an assessment of PAS needs. PAS assessment services are authorized in alignment with *RSM 6010 Assessment Vocational Evaluation Services* in the category of Evaluation – Customer Home, Training or Employment Site.

### Customer Self-Advocacy and Informed Choice

MRS counselors may assist customers in obtaining a greater understanding and ability to self-advocate for PAS. Resources may include:

- Independent Living Research Utilization (ILRU) customer/consumer guides to structuring PAS
- Office of Disability Employment Policy - U.S. Department of Labor “Making the Move to Managing Your Own Personal Assistance Services – A Toolkit for Youth with Disabilities Transitioning to Adulthood”

### **Identification of Available Comparable Benefit/Services**

MRS counselors are required to explore available comparable benefit/services prior to authorizing for PAS (RSM 5100 – Comparable Benefits and Services).

Examples of potential PAS resources include:

- Insurance programs including Medicaid and Medicare
- Social Security Administration
- Michigan Department of Health and Human Services (MDHHS)
- Center For Independent Living (CIL)
- Area on Aging Association of Michigan
- Local home health agencies
- Existing family support
- Office of Disability Employment Policy when working with federal employees

### **Selection of a PAS Provider**

The MRS counselor may assist in identifying a PAS provider. However, due to the individualized nature of the services that the PAS attendant provides the MRS customer is responsible for deciding if the PAS provider is qualified to meet attendant needs.

The MRS customer assumes all responsibility for selection, hiring, directing, and instructing the provider of specific needs.

The MRS counselor is responsible for informing the customer to report if services are meeting their need and there are any difficulties associated with organization or administering of services.

### **Planning for Long Term PAS Needs**

The IPE is required to account for the transfer of payment for PAS to the customer upon completion of VR services.

### **Vendor Qualifications**

MRS does not require a specific credential to serve as a PAS provider/direct care worker. All agencies or self-employed individuals who provide PAS are required to register as a vendor with the State of Michigan prior to authorization of services and retain professional liability insurance specific to PAS.

MRS does not engage as an Employer-of-Record (EOR) for a customer's personal assistant provider. An agency or self-employed individual works for the MRS customer, who directs all employment activities.

**MRS Authorization for Personal Assistance Services**

MRS counselors use Aware category Personal Assistant Services and select the appropriate sub-category if either PAS Delivered by a Corporate Entity or PAS Delivered by an Independent Operator.

MRS counselor complete a General Referral (MRS-1) form to arrange for PAS services. The MRS Fee Schedule rate is \$32.69 per hour/unit for PAS delivered by a corporate entity and \$24.63 per hour/unit when delivered by an independent operator.

PAS services are to be sufficient in length to support completion of the service. MRS counselor authorization limit is 100 hours/units for each identified VR service that requires a PAS. If there is a need for additional hours, MRS manager approval is required.

## 6100: Cochlear Implants

### Procedures

To meet state and federal regulations and professional standards for the provision of cochlear implants, there should be a medical statement that, based on an examination, there is no medical contraindication to implantation or training; a prescription by an otologist or otolaryngologist; a second opinion, by an otologist or otolaryngologist (from a different setting or clinic) confirming the prescription; and a statement from an audiologist indicating that the client cannot achieve functional hearing from a hearing aid or other means of amplification and supporting the use of the implant.

### Information

A cochlear implant consists of components which are surgically implanted in the inner ear (the electrode array) and in the mastoid bone behind the ear (the receiver/stimulator), and worn externally (a speech processor and a microphone/transmitter).

In general, individuals who have lost their hearing after acquiring normal speech and language (post-lingual loss) are the most successful candidates for cochlear implantation. Individuals who have been completely deaf for a short period of time tend to adjust better to the implant than those who have experienced a long-term loss.

The Food and Drug Administration list the following criteria for patient selection:

- A profound sensorineural loss bilaterally.
- Post-lingual deafness.
- Psychologically and motivationally suitable for the surgery and training.
- Radiographic evidence that there is no contraindication to placement of the electrodes in the cochlea or to the placement of the receiver/stimulator in the mastoid.
- Little or no benefit from hearing aids.
- No contraindication, based on medical examination, to surgery or training; and
- A positive response to electrical stimulation of the oval window (promontory).
- When considering a cochlear implant, adults should be counseled as to the lengthy adjustment period required.

Following surgery, performed under general anesthesia, there is a period of post-operative testing and adjustment, followed by 10-22 weeks of training. Post-surgical training is an essential element in the effective use of a cochlear implant since the individual must be trained to interpret the sounds produced by the device. Thereafter, most programs provide regularly scheduled rechecks.

Clients should be provided with information and/or counseling to assure realistic expectations regarding risks and outcomes of implantation.

## 6125: Counseling and Guidance

### **Policy**

Counseling and Guidance may be provided either as a primary or as a support service to achieve an IPE objective. Counseling may also be provided to support personal, social or vocational adjustment by providing it directly, arranging for it or purchasing the service.

### **Information**

#### **Provided by Michigan Rehabilitation Services (MRS) Personnel**

Counseling and Guidance are considered essential rehabilitation services leading to employment provided directly by the counselor throughout the course of vocational rehabilitation. (See *RSM 2025 Rehabilitation and Counseling* for a description of professional counseling services provided by qualified MRS counselors)

#### **Purchased from other Providers**

When counseling or psychotherapy services outside the scope of practice or skill level of the counselor are required, they may be arranged or purchased from qualified service providers for a limited period of time. The following are guidelines in selecting qualified providers.

#### **Professional Counselors, Psychologists, Marriage and Family Counselor**

Who are selected to provide counseling, psychotherapy, or personal and work adjustment counseling are required to be licensed by the State of Michigan. Certified Social Workers must be registered by the state. Limited license practitioners may be utilized. Psychotherapy, counseling and therapy are generic terms and may be provided by any of the professionals identified in this paragraph.

#### **Mental Health Counselors or Work Adjustment Specialists**

Who are part of a nationally accredited mental health or rehabilitation facility, or who are individually certified meet provider standards.

#### **Substance Abuse Treatment**

Providers or counselors who work in a substance abuse agency licensed by the Department of Licensing & Regulatory Affairs, Health Facilities Division, are covered by the agency's license, or they may be individually licensed as providers by the Department of Licensing & Regulatory Affairs, Professional Licensing Division. Psychologists and physicians may provide substance

abuse treatment without certification by The Health Facilities Division. Professional Counselors and/or Social Workers may provide substance abuse counseling as part of their practice as long as they do not call themselves substance abuse treatment specialists or providers. The Department of Licensing & Regulatory Affairs, Professional Licensing Division can be contacted at 517-241-1970 for information on licensed CSAS providers.

### **Debt Management Counseling**

Firms must be licensed by the Department of Insurance and Financial Regulations; however individual debt management counselors who do not handle customer's funds need not be licensed. The Department of Insurance and Financial Regulations can be contacted at 877-999-6442 or by going to <http://www.michigan.gov/difs/> for more information.

### **Peer Counselors** (as distinguished from other peer support personnel)

Meet provider standards when they work for a recognized Center for Independent Living, a nationally accredited rehabilitation or mental health organization, a nationally or locally recognized disability organization (e.g., United Cerebral Palsy, Epilepsy Center of Michigan), or are individually licensed as counselors.



## 6150: Dental Treatment

### **Policy**

Dental restoration services may be authorized only for dental impairments which create a substantial impediment to employment, for which no other community benefits or services are available, and which are required to obtain or maintain an IPE employment goal.

### **Procedures**

Dental restoration shall be prescribed by a licensed dentist.

Written price quotations shall be obtained.

### **Information**

Dental impairments which create a substantial impediment to employment generally fall into two categories:

1. Those where disease or injury of the teeth and gums create chronic pain and a threat to the individual's health so that steady employment is precluded, and
2. Those dental conditions which are primarily structural and cause problems of speech which interfere with job performance.

## 6200: Equipment and Tools

### **Policy**

Equipment and tools may be purchased to achieve an Individualized Plan for Employment (IPE) employment outcome.

### **Procedures**

The availability of comparable benefits shall be explored and documented in determining the need to purchase equipment or tools.

When needed for training or employment, counselors shall evaluate the responsibility of the employer or training institution to provide the equipment or tools requested (see *RSM 6025 Accommodations*). If routinely provided to other trainees or employees, the responsibility for provision of equipment or tools rests with the training institution or employer unless exempted by procedures described in *RSM 5100 Comparable Benefits*.

### **Information**

Equipment and occupational tools are defined as tangible property of a more or less permanent nature. Examples include tools, equipment required for employment, machinery, computers, telecommunication devices, hand controls, mobility devices, etc.

Individuals seeking to return equipment purchased by Michigan Rehabilitation Services (MRS) are to be advised to donate the equipment to the charitable organization of their choosing to avoid any potential MRS liability for the proper tracking, storage or disposition of equipment recovered.

MRS will pursue legal action if a customer is suspected of securing equipment from MRS under false pretenses.

## 6205: Training – On-the-Job

### Purpose

In accordance with state and federal regulations, this policy establishes procedures for the authorization of training wages when identified in an On-The-Job Training (OJT) agreement.

### Policy

MRS develops an On-The-Job Training (OJT) agreement when it is necessary to facilitate the customer's stability employment in a Competitive Integrated Employment (CIE) position.

### Definitions

**Authorization** – Michigan Rehabilitation Services-Vendor Authorization for Purchase (Ra-Z40-x) form provided to a vendor detailing requested service to be delivered.

**Employer of Record (EOR)** – A third-party organization that takes responsibility for wages and associated expenses on behalf of another company.

**Job Coaching** – Services consisting of structured intervention to assist a customer when learning to perform job tasks to the employer's specification and/or to learn necessary interpersonal skills for the position. Services include on-site assistance with disability related accommodations, identification of natural supports and ensuring achievement of stability of employment.

**On-The-Job-Training (OJT) Agreement** – Written agreement between a customer, employer, rehabilitation service provider, and MRS to provide supplemental training wages to an employer when it is determined that there is a need for greater assistance or time to learn required job skills above and beyond what is typically provided by the employer when starting a new employee. The OJT agreement may include authorizing for a job coach to assist in providing training to a new employee in a CIE setting.

### Procedures

#### Aware Case Status Requirements

MRS counselors are permitted to develop and enter into an OJT agreement in Aware Service or Employed status. OJT agreements are required to be identified as necessary and outlined in an Individualized Plan for Employment (IPE) or IPE Amendment in alignment with *RSM 5150-Individualized Plan for Employment Amendment*.

*Note: OJT agreements are required to be individualized in nature and are not permitted to be*

*structured as a group service.*

*Note: Employers are required to have hired the MRS customer prior to the start of the OJT agreement.*

### **Parameters of OJT Agreements**

The OJT agreement serves to identify specific parameters of service delivery and responsible parties. This includes:

1. Parameters for the OJT Date -The agreement establishes the period of time that training wages will be provided.
2. Measurable Outcomes of the OJT – The agreement is to specify learning objectives, how they will be evaluated, and what will indicate successful attainment of the skills necessary to perform the designated position.
3. Who Will Provide Training – The agreement is to specify who will be responsible for training. Training may be provided by the employer or include use of job coaching services to assist with disability related accommodation and learning needs of the customer in alignment with RSM 6080 – Job Coaching Services.
4. Hiring or Retention of Employment – The agreement specifies that the employer agrees to hire the customer at the start of the OJT and retain the customer in employment if all measurable outcomes are achieved.
5. Training Wages – The agreement establishes that MRS will provide training wages in one of the following two methods.

#### Method 1:

When the employer agrees to hire the customer and become a vendor, the following method is used to structure training wages:

- Training wages are negotiated with the employer on a case-by-case basis not to exceed the hourly wage of the position.
- Training period may not exceed 240 hours.
- Authorization for agreed to wages for the duration of the training period are issued to the employer.

#### Method 2:

When the employer agrees to hire the customer and does not want to become a vendor, an Employer of Record (EOR) is used. The following method is used to structure training wages:

- Training wages are negotiated with the employer on a case-by-case basis not to exceed the hourly wage of the position.
- EOR expenses are negotiated with the EOR.
- Training period may not exceed 240 hours.
- Authorization for agreed to wages and EOR expenses for the duration of the training period are issued to the designated EOR.

MRS manager approval is required if it is determined and agreed to by all parties that there is a need to lengthen the period of an OJT. A new OJT agreement is required to account for additional time.

### **Vendor Qualifications**

MRS customer training is typically facilitated by the employer. The OJT agreement serves to compensate the employer for additional time to facilitate the customers meeting the employers' expectations for the position.

An EOR is required to be a vendor who has the capacity to provide wages meeting the need of the OJT.

### **MRS Completion of OJT Agreement and Authorization for Training Wages**

MRS counselor completes form *MRS 6206a On-The-Job Training Agreement*, to arrange the OJT with the employer and EOR, if necessary.

MRS counselors use Aware category Training – On-the-Job-Training to authorize for training wages based on the OJT agreement.

### **MRS Authorization for associated Job Coaching Services**

The MRS counselor may authorize for use of a job coach to facilitate disability related accommodations and learning needs of the customer in alignment with *RSM 6080 - Job Coaching*.

## 6220: Training – Adult Secondary Education

### Purpose

In accordance with state and federal regulations, this policy establishes procedures for the authorization of adult training in secondary education including literacy and remedial training.

### Policy

Michigan Rehabilitation Services (MRS) authorizes for training services in adult secondary, literacy and remedial education services when necessary to achieve Competitive Integrated Employment (CIE).

### Definitions

**Authorization** - Michigan Rehabilitation Services-Vendor Authorization for Purchase (Ra-Z40-x) form provided to a vendor detailing requested service to be delivered.

**Training – Adult Secondary Education (Adult Literacy or Remedial Training)** – Training provided to remediate basic academic skills that are needed to function in a CIE position. The following adult literacy, remedial training, and high school diploma/equivalency programs are available:

- Adult Basic Education (ABE) - Instruction for reading, language, writing and math skills below the 9th grade level for adults with or without a high school credential.
- Adult Secondary Education (ASE) - Instruction for reading, language, writing, and math skills above the 8th grade level for adults with or without a high school credential.
- English as a Second Language (ESL) - Instruction in reading, speaking, writing, and understanding the English language.
- Family Literacy - Activities with specific child and parent components that help family members to better support their children’s learning needs and improve the family’s economic prospects.
- Integrated Education and Training (IET) - Academic instruction, workforce preparation activities, and workforce training delivered together for the purpose of educational and career advancement.
- Integrated English Language and Civics Education (IELCE) - This program helps individuals learn or improve English language skills and civics education in combination with integrated education and training.
- Workplace Literacy - Adult education services provided at or customized for a specific workplace.
- High School Completion (HSC)- Instruction in language arts, math, social studies, science, and writing, to earn an adult high school diploma.
- High School Equivalency (HSE) - Instruction in language arts, math, social studies, science, and writing, to enable successful completion of a high school equivalency test, such as the GED.

**Corporate Entity** – An agency, organization or employer who have two or more individual providers. Corporate entities typically have healthcare, personnel taxes, retirement, workers compensation, paid time off and other benefits as an expense.

**Independent Operator** – An independent operator is a single employee that is not affiliated with an agency, organization or employer.

### **Procedures**

#### **Aware Case Status Requirements**

MRS counselors can authorize for *Aware Training – Adult Sec Ed (Adult Literacy or Remedial Training)* services when identified in an Individualized Plan for Employment (IPE) in Aware Service and/or Employed status.

#### **Exploration of Comparable Services and Benefits**

MRS counselors explore availability of comparable services and benefits in alignment with the *Rehabilitation Services Manual (RSM) 5100 - Comparable Benefits and Services* and *RSM 3275 – Vocational Needs Assessment*.

There are multiple comparable services and benefits associated with adult secondary education including but not limited to:

- Michigan Works One-Stop Service System as outlined in the Workforce Innovation and Opportunity Act (WIOA)
- Michigan’s Talent Investment Agency free program administered by Graduation Alliance for Michigan residents age 23 and older
- Community colleges
- Local community grant programs as approved through the Michigan Department of Education

MRS counselors are encouraged to access the Michigan Department of Labor and Economic Opportunity Adult Education Service Locator to identify Adult Education programs and high school equivalency testing centers located throughout Michigan.

#### **Vendor Qualifications**

MRS vendors who are corporate entities are required to be licensed as a vocational school with the Department of Education.

Michigan law and the Department of Education, require that all educators regardless if a part of a corporate entity or of an independent operator, complete an approved preparation program (e.g., math education, elementary education, English education) in order to become a certified

teacher in Michigan.

### **MRS Authorization for Training in Adult Secondary Education Services**

MRS counselors are not permitted to authorize for adult secondary, remedial and literacy training unless documented that local resources are unavailable or unable to meet the educational needs of the customer.

MRS counselors use Aware category *Training – Adult Sec Ed (Adult Literacy or Remedial Training)* to authorize for training in secondary, remedial or literacy services. There are two sub-categories to select from:

- *Adult Literacy or Remedial Training Provided by Corporate Entity* at \$66.11 per hour/unit.
- *Adult Literacy or Remedial Training Provided by Independent Operator* at \$49.28 per hour/unit.

MRS counselor utilizes MRS General Referral From (MRS-1) for referral of services and include an authorization for services.

MRS counselor authority limit is not to exceed a total of 100 hours/units. If there is an identified need for a greater number of hours/units, MRS manager approval is required.



## 6225: Hearing Aid Policy

### Purpose

In accordance with State and Federal regulations, this policy establishes guidelines for the provision of hearing aid(s).

### Policy

Hearing aid(s) may be authorized when part of an Individualized Plan for Employment (IPE) or when needed for completion of a Trial Work Experience (TWE).

### Procedures

#### 1. Determination of Vocational Need for Hearing Aid(s)

Michigan Rehabilitation Services (MRS) staff, consistent with the *RSM 3275 - Vocational Needs Assessment*, document the customer's need for hearing aid(s).

The Workplace Assessment for Individuals with Hearing Loss, *MRS-67A Workplace Assessment for Hearing Loss*, form and/or the McCarthy-Alpiner Scale, *MRS-60A*, may be used to assist in documentation of this step.

#### 2. Required Evaluations

MRS staff document receipt of medical concurrence and audiology exam 6 months prior to authorization for a hearing aid.

*Medical Concurrence* is an examination by an Ear, Nose, and Throat (ENT) or medical physician (in alignment with RSM 9050 - Service Provider Standards) indicating the hearing loss is not due to a temporary, or correctable physical condition and there are no contraindicators to hearing aid candidacy. Medical concurrence is waived if customer already utilizes hearing aid(s).

*Note: A correctable physical condition for hearing loss may be determined by an ENT. Examples may include wax blockage, infection, surgical procedures or other recommendations by the ENT.*

The form Physician Recommendation for Hearing Aid(s), *MRS-61A*, may be used to document this step.

*Audiology Exam* is an examination provided directly or approved by a certified audiologist that identifies the level of hearing loss and recommended accommodation. The vendor who

performs the audiology exam may also provide a bid for the recommended hearing aid(s). The Audiology Referral Form - MRS-62, may be used to document this step.

### **3. Pricing and Competitive Bid Requirements**

MRS contribution to the purchase of hearing aid(s) is limited to meeting the vocational rehabilitation need of the customer at least cost to the bureau.

Bids may be obtained from hearing aid providers registered under the Department of Licensing and Regulatory Affairs (LARA).

MRS staff follow *RSM 9300-Competitive Bids and Price Quotations* to obtain three competitive price quotations for hearing aid(s) that cost \$3000 and above.

Whether monaural or binaural aid(s) are recommended, the total cost of the hearing aid service represents the purchase of the hearing aid(s) and any additional fees necessary for the vendor to complete delivery including but not limited to receiving/initial fitting of the hearing aid(s), adjustments and final conformity check.

*Example:*

*Customer A requires binaural hearing aids that cost \$2,500 each. The vendor charges \$100 for a fitting and conformity check. This would be a \$5,100 service and requires two additional competitive bids.*

*Customer B requires a monaural hearing aid that costs \$2,500 and also charges \$100 for a fitting and conformity check. This would be a \$2,600 service and not require additional competitive bids.*

The form Competitive Price Quotation on Hearing Instruments -MRS-63 may be used to document price comparisons.

MRS is not permitted to purchase additional warranty or maintenance programs beyond a provided manufacture warranty.

MRS is federally prohibited from providing hearing aids that are classified as unproven/experimental treatment.

### **4. Exploration of Financial Participation**

MRS staff document the exploration of customer financial participation in alignment with *RSM-5125 Financial Participation*.

The customer reserves the right to:

- Purchase additional warranty or maintenance coverage beyond the provided manufacture warranty.
- Select more expensive hearing aid(s). Customer is responsible for paying the difference in cost from the amount of the bureau approved hearing aid(s).

## **5. Exploration of Comparable Benefits**

MRS staff document the exploration of comparable benefits in alignment with *RSM 5100 Comparable Benefits* including customer insurance.

## **6. Authorization Process for Hearing Aid(s)**

MRS staff authorize for hearing aid(s) in alignment with Section IX Fiscal Process of the RSM policy.

## **7. Conformity Check and Follow Along**

MRS staff obtain the following verification of hearing aid(s) conformity and follow along:

- MRS staff, prior to payment of the hearing aid authorization, obtain Audiologist Conformity Evaluation - MRS-68 to verify that that hearing aid(s) are functioning appropriately.
- MRS staff document follow along for 90 days upon receipt of the hearing aids. Documentation is to conclude that the hearing aid(s) are effective in mitigation and/or removal of the hearing loss. The form Hearing Aid 90-Day Follow Up - (MRS-69) is required to document the follow up.

If the counselor is not able to conclude that the hearing aid(s) meet the vocational need of the customer, the audiologist is consulted for additional recommendations.

MRS staff, during the conformity evaluation and follow along, document need and evaluation of appropriateness for alternative sound amplification devices beyond the purchase of hearing aid(s).

*Example: Captioned phones, CART services, workstation adjustments, hearing aid sound amplification devices, etc. may be beneficial based on an individual's work environment and hearing needs. For additional accommodation considerations reference RSM 6025 Accommodations.*

## 6230: Training – Job Readiness & Soft Skills Development

### **Purpose**

In accordance with state and federal regulations, this policy establishes procedures for training in Job Readiness and Soft Skills Development.

### **Policy**

Michigan Rehabilitation Services (MRS) provides training in Job Readiness and Soft Skills Development when identified in an Individualized Plan for Employment (IPE), to support achievement of an employment goal.

### **Definitions**

**Authorization** – Michigan Rehabilitation Services-Vendor Authorization for Purchase (Ra-Z40-x) form provided to a vendor detailing requested service to be delivered.

**Training in Job Readiness and Soft Skills Development** – Training structured to address characteristics and behaviors that are critical in presenting to an employer one’s ability to perform and meet employment expectations. Classroom activities include guidance and development of personality traits, personal habits, and behaviors appropriate and necessary in the workplace.

Elements of job readiness and soft skills development training may include the use of technology in the job search and employment, completing applications, development of a resume, and improving interviewing skills.

Job readiness and soft skills development training may also focus on the development of communication skills to foster teamwork, problem solving skills, decision making skills, conflict resolution, professionalism, and other communication traits necessary to be successful in the workplace.

### **Procedures**

#### **Aware Case Status Requirements**

Training in Job Readiness and Soft Skills Development is delivered when identified as a needed service in an IPE in Aware Service or Employed case statuses.

#### **Vendor Qualifications**

MRS counselors seek services from accredited rehabilitation organizations, educational facilities and practitioners with knowledge and experience in the area of job readiness and soft-skill development. MRS does not require specific licensure, accreditation, or certification to deliver

the service.

### **Training in Job Readiness/Soft Skills Development Provided In-Full Through Comparable Benefit, by MRS Staff or in Combination of Both**

MRS counselors document Aware – Actual Service entries under the Aware category of *Training – Job Readiness/Soft Skills Development* when delivered through a comparable service/benefit provider and/or by MRS staff in alignment with *RSM 5100 - Comparable Service/Benefit*.

### **MRS Authorization for Training in Job Readiness/Soft Skills Development**

MRS counselors complete the *General Referral Form (MRS -1)* and completes an authorization based on:

- IPE identified parameters for training in job readiness and soft skills development.
- MRS counselors complete individual authorizations for up to a maximum of twenty-five (25) hours/units without additional manager approval.

At the time of referral, the MRS counselor confirms with the vendor if the service will be delivered in an individual or group format and authorizes accordingly.

MRS Fee Schedule per hour/unit rate of:

1. When the service is intended to be delivered to a single customer.  
Individual Rate \$58.25 hr/unit
2. When the service is intended to be delivered to more than one customer in a classroom format.  
Group Rate \$30.90 hr/unit

*Note for MRS Managers: Use of an Aware Group authorization is prohibited for Job Readiness/Soft Skills Development.*

### **Amendment of Authorizations in Alignment with Final Billing**

During the course of service delivery, a customer that was referred at the group rate may be served individually if other customers do not show or complete the service. If this occurs, the vendor may submit a final invoice indicating the number of hours/units delivered in either individual or group setting.

*Example: MRS authorization was for 20 hr/units at the group rate. Final invoice provided by the vendor indicates the customer was served for 15 hours in a group and 5 hours individually.*

MRS counselors are permitted to amend an authorization to reflect the final invoice provided

## RSM 6230 – Training – Job Readiness & Soft Skills Development

Revised 7/2022

by the vendor. This is in exception to RSM 9000 – Authorization for Services and will not constitute a retroactive authorization.

**Request for Additional Hours/Units of Training in Job Readiness/Soft Skills Development**  
If training in job readiness/soft skills development is not completed within twenty-five (25) hour/units, the MRS counselor obtains a Monthly Progress Report from the vendor which summarizes the outcome of job readiness/soft skills development efforts thus far.

If additional training in job readiness/soft skills development is agreed to, the MRS counselor completes an Aware Administrative Note indicating support and forwards the request to the MRS manager for approval. MRS manager completes an Aware Administrative Note to document review of rationale and approval of additional hours/units.

MRS counselor completes an IPE amendment if additional services exceed parameters established in the current IPE, or if alternative action/programming is recommended (*RSM 5150 – Individualized Plan for Employment Amendment*).

## 6250: Experimental or Unproven Treatment

### **Procedures**

Experimental treatment may be provided under limited circumstances to achieve an IPE employment goal. Michigan Rehabilitation Services (MRS) is federally prohibited from providing unproven treatment.

Experimental treatment may be provided if it meets the following criteria:

- It is conducted in a medical facility or university center with recognized protocols and adequate follow-up.
- It is the only treatment option available to the client which may reduce a substantial vocational impediment(s) to employment.
- The counselor has advised the client to discuss related risks and benefits with the physician.

### **Information**

Unproven treatment is that which has never been tested or has been tested and shown to be fallacious (i.e., the drug Laetrile) or ineffective.

Experimental treatment is typically described as treatment for which efficacy has not yet been proven and is still under research with experimental protocols. Experimental treatment is rarely covered by Medicaid or Medicare. Patients are usually advised by their treating practitioners when a procedure is considered experimental. Classification of treatment modalities change over time; therefore, treatment classified as experimental today may be classified as standard in the future. The referring practitioner, district a medical consultant, or other related specialist should be consulted to determine whether a recommended treatment is experimental.

The requirement that experimental treatment be provided by medical facilities or university centers with recognized protocols is a quality control measure. Generally such facilities are recognized as having appropriate research controls and follow-up. Commercial health insurance companies may pay for experimental treatment conducted in these settings.

## 6255: Trial Work Experience Services

### Purpose

In accordance with state and federal regulations, this policy establishes procedures for use of Trial Work Experience (TWE) services.

### Policy

Michigan Rehabilitation Services (MRS) authorizes for TWE services when identified in a Trial Work Experience plan.

TWE services are structured to address if there are questions that emerge as a result of the severity of an applicant/customer's disability and if there is a question regarding potential ability to benefit from Vocational Rehabilitation (VR) services to the extent that those services can lead to a Competitive Integrated Employment (CIE) outcome.

### Definitions

**Authorization** - Michigan Rehabilitation Services-Vendor Authorization for Purchase (Ra-Z40-x) form provided to a vendor detailing requested service to be delivered.

**Trial Work Experience Plan** - A written document that outlines services that will be delivered to assess concerns regarding a customer's ability to benefit from services leading to a CIE outcome.

**Trial Work Experience Services** - Evaluation services structured to assess areas of concern that bring to question a customer's abilities, capabilities, and capacity to perform in a CIE setting. That are structured in community-based CIE settings to the maximum extent possible. Evaluation activities include analysis of ability to participate in supported employment or customized employment settings.

May be structured as a situational assessment if the evaluation includes wages for the customer.

May be structured as a Community Based Assessment (CBA) if the evaluation does not include wages for the customer.

### Procedures

#### Aware Case Status Requirements

MRS counselors are limited to use of TWE services in a Trial Work Experience Plan as outlined in RSM 3175 - Trial Work Experience Plan.



### **Rehabilitation Service Manual (RSM) Considerations**

MRS counselors adhere to RSM policies that include but not limited to:

- *RSM 2100 - Confidentiality and Release of Information*, towards referral for vocational evaluation services.
- *RSM 2225 - Informed Choice*, towards selection of vendors.
- *RSM 3175 - Trial Work Experience Plan*, for structuring TWE plan.
- *RSM Section 9*, for guidance on authorization/billing of services.

### **Vendor Qualifications**

MRS counselors utilize vendors who can arrange and provide evaluation services in community-based CIE settings to the maximum extent possible.

MRS does not require a specific license or credential to provide a trial work experience. Vendors are selected based on experience in working with individuals with disabilities who have relationships with employers to facilitate evaluation opportunities.

MRS counselors consult with MRS manager if there is a question regarding use of a vendor for TWE services or parameter of a vendor service.

### **MRS Authorization for Trial Work Experience (TWE)**

MRS counselors use Aware category Trial Work Experience to authorize for TWE services provided in community-based CIE settings.

MRS counselors complete form MRS 6255a Trial Work Experience, to arrange for TWE services.

The MRS Fee Schedule rate is \$49.21 per hour/unit.

MRS counselor authority limit is not to exceed a total of 80 hours/units for up to three individual TWE services based on customer identified needs. This includes a total of 5 hours/units provided to the vendor to structure each TWE service. MRS manager approval is required for additional hours/units or for subsequent TWE's.

The employer may require wages for the period that the customer is performing the same job duties as other employees. This is determined on a case-by-case basis. MRS manager approval is required for wages and payroll expenses paid to the Employer of Record (EOR). Authorizations are issued using the Aware category Maintenance in Support of Any Service.

### **MRS Authorization for Job Coaching During Evaluation**

MRS counselors use Aware category Assessment-Vocational Evaluation sub-category Job Coaching During Evaluation when additional job coaching is determined necessary to conduct a

TWE.

Job coaching during a TWE is rare. The vendor will typically provide a vocational evaluator to conduct the TWE. If, based on disability or barrier to employment considerations, there is a need for additional assistance in the form of job coaching hours to support a customer, MRS manager approval is required.

The MRS Fee Schedule rate of \$38.05 per hour/unit.

**MRS Authorization for Workshop/Work Sample Evaluation**

TWE services are structured in community-based CIE settings to the maximum extent possible. MRS counselors use Aware category Assessment-Vocational Evaluation sub-category

Workshop/Work Sample Evaluation when authorizing for a workshop/work sample evaluation. MRS manager approval is required if it is determined that a community-based CIE setting is not available or does not meet the evaluation needs of the customer.

MRS counselor evaluates potential vendors to determine the least cost service that meets the vocational need of the customer (*RSM 9025 - Fee Schedule & Rate of Payment*). Vendors are required to incorporate all expenses including wages into the proposed fee for the service.

## 6275: Home Modifications

### **Policy**

Home modifications may be authorized or arranged as part of an IPE to enable an eligible individual to train for, obtain or maintain an employment outcome.

### **Procedures**

An evaluation and prescription, or written recommendation, by an occupational or physical therapist, physiatrist, licensed building contractor, or rehabilitation engineer shall be obtained before authorizing for home modifications.

A quotation shall include a statement of the length of time required to complete the modifications and a statement that the vendor will be responsible for assuring conformity to all applicable building codes and zoning ordinances.

It is federally required that the home be owned by the client or the client's family, for structural changes to be made.

Home modifications shall not be purchased when the primary purpose is independent living or self-care.

### **Information**

When considering home modifications, a comprehensive assessment of vocational, mobility, endurance, and other related issues will contribute to functional, cost-effective planning. For example, a change from a manual to an electric wheelchair may necessitate wider door openings and more room for turning space.

State and federal accessibility standards do not apply to single-family (State of Michigan's R-4 category) or duplex (State of Michigan's R-3 category) residential units. However, the Barrier Free Design provisions of the State Construction Code and the Americans with Disabilities Act Accessibility Guidelines may provide helpful guidelines for ramps, doorways, grab bars, etc.

## 6285: Vocational Rehabilitation Counseling and Guidance

### **Purpose**

In accordance with state and federal regulations, this policy establishes procedures for authorization for Vocational Rehabilitation Counseling and Guidance (VRC&G) services.

### **Policy**

MRS rehabilitation counselors provide VRC&G services for customers of MRS in all applicable programs. The MRS Executive Director, may issue a Policy Directive (PD) if it is determined that MRS does not have the capacity to provide vocational rehabilitation counseling and guidance services for all customers.

### **Definition**

**Authorization** - Michigan Rehabilitation Services-Vendor Authorization for Purchase (Ra-Z40-x) form provided to a vendor detailing requested service to be delivered.

**Rehabilitation Counseling and Guidance** - a systematic process that assists persons with physical, mental, developmental, cognitive, and emotional disabilities to achieve their personal, career, and independent living goals in the most integrated setting possible through the application of a counseling process.

Counseling involves communication, goal setting, and beneficial growth or change through self-advocacy, psychological, vocational, social, and behavioral interventions.

### **Procedures**

#### **Vendor Qualifications to Provide Vocational Rehabilitation Counseling and Guidance Services**

Vendors who deliver VRC&G services are required to retain current State of Michigan licensure as a Licensed Professional Counselor (LPC).

#### **Aware Case Status Requirements**

Upon MRS executive director issuance of a PD indicating a need for authorized VRC&G services, authorizations may be issued to work with customers who are in the Aware Eligibility and Service case statuses.

Authorized providers of VRC&G are limited to the role of counseling services. MRS counselors are responsible for approving Individualized Plans for Employment, authorizations for services

and Aware case status changes.

### **Identification of District/Office Need for Vocational Rehabilitation Counseling and Guidance Services**

The MRS division directors, along with the district manager are responsible analyzing the need for authorized VRC&G at the individual district/office level. The district/office need for VRC&G will be based on staffing and caseload needs based on parameters that will be identified in the PD.

### **MRS Manager Authorization for Vocational Rehabilitation Counseling and Guidance Services**

MRS manager, based on MRS division director approval, use Aware category Vocational Counseling and Guidance Services and the Aware sub-category Counseling and Guidance to authorize for services.

MRS Manager completes an MRS General Referral (MRS-1) form to arrange for services. The MRS Fee Schedule rate is \$65.78 per hour/unit.

## 6286: Peer Guidance and Mentoring Services

### **Purpose**

In accordance with state and federal regulations, this policy establishes procedures for authorization for peer guidance and mentoring services.

### **Policy**

MRS rehabilitation counselors arrange for peer guidance and mentoring services when not available to be provided by MRS staff or a comparable service or benefit.

### **Definition**

**Authorization** - Michigan Rehabilitation Services-Vendor Authorization for Purchase (Ra-Z40-x) form provided to a vendor detailing requested service to be delivered.

**Peer Guidance and Mentoring** - Peer guidance represents the process of individuals who have similar disabilities and experiences offering emotional support, shared knowledge, skills, experiences and practical assistance to customers seeking support and guidance. The relationship may include connection with resources, opportunities and providing a community of support.

A mentoring relationship is similar to peer guidance with the exception that mentoring relationships are primarily one-way helping relationships.

### **Procedures**

#### **Identification of Need for Peer Guidance and Mentoring Services**

MRS counselors, during initial Aware Application Eligibility status, and as a part of the Vocational Needs Assessment (VNA), assess peer guidance and mentoring services that may benefit the MRS customer. Aware Actual Service entries are the primary source for documentation of need for services.

Prior to vendor authorized services, MRS counselors' access comparable services and benefits in alignment with *RSM 5100 – Comparable Services and Benefits*.

#### **Aware Case Status Requirements**

MRS counselors may authorize for peer guidance and mentoring services when identified as necessary in Aware Service case statuses and when outlined in an Individualized Plan for Employment (IPE).

**Vendor Qualifications to Provide Peer Guidance and Mentoring Services**

MRS counselors seek services from accredited rehabilitation organizations, practitioners with training in peer support and knowledge and experience in delivering or facilitating peer guidance and mentoring services. However, MRS does not require specific licensure, accreditation, or certification to deliver or facilitate peer guidance and mentoring services.

MRS counselors consult with MRS manager if there is a question regarding use of a vendor.

**MRS Authorization for Peer Guidance and Mentoring Services**

MRS counselors use Aware category Vocational Counseling and Guidance Services and the Aware sub-category Peer Guidance – Mentoring to authorize for services.

MRS counselor evaluates potential vendors to determine the least cost service that meets the vocational need of the customer (*RSM 9025 – Fee Schedule & Rate of Payment*).

MRS counselor completes an *MRS General Referral (MRS-1)* form to arrange for services.

## 6290: Post-Employment Services

### **Purpose**

In accordance with state and federal regulations this policy provides guidance for delivery of post-employment services.

### **Policy**

Michigan Rehabilitation Services (MRS) ensures stability of employment through delivery of Vocational Rehabilitation (VR) post-employment services.

### **Definition**

Post-Employment Services means services provided after the achievement of an employment outcome and prior to VR case record closure that are determined necessary to achieve stability of employment. Services are limited in scope/duration and focused on maintaining, regaining, or advancement of employment, consistent with the customer's unique strengths, resources, priorities, concerns, abilities, capabilities, interests, and informed choice.

Stability of Employment means no further vocational rehabilitation services are required to ensure continuation of employment.

### **Procedures**

#### **IPE Post-Employment Services**

MRS counselors include post-employment services in the Individualized Plan for Employment (IPE) necessary to achieve stability of employment in alignment with *Rehabilitation Services Manual (RSM) 5050 - Individualized Plan for Employment*.

Examples of when post-employment services may include but are not limited to:

- Job coaching and/or training services to facilitate meeting employer expectations, learning position requirements or if employment is jeopardized because of conflicts with supervisors or co-workers
- Counseling and referral services for mental health or other services to assist in maintaining employment
- Assistive technology services required to maintain employment
- Placement services to potentially retain, regain or advance in employment

#### **Achievement of Employment**



Upon customer entry into Aware Employment status, MRS counselor confirms:

- Employment meets the expectations of the customer
- Employment is in alignment with the IPE employment goal
- IPE identified post-employment services are adequate to ensure achievement of stability of the employment
- 

If IPE services are adequate to ensure achievement of stability of employment, MRS counselor proceeds with service delivery.

If IPE services are determined insufficient to achieve stability of employment, the MRS counselor assesses the need for an IPE amendment in alignment with *RSM 5150 - Amendment of an Individualized Plan for Employment*.

### **VR Stability of Employment**

MRS counselor delivers approved IPE services necessary to achieve or maintain stability of employment.

Upon confirmation of employment for no less than 90 consecutive days and that stability of employment has been achieved, MRS counselor proceeds with case record closure in adherence with RSM 7000 – Vocational Rehabilitation Case Record Closure.

## 6300: Independent Living Services

### **Policy**

Independent living services may be provided when necessary to achieve a vocational rehabilitation goal.

### **Information**

Independent living services include, for example:

- Case assessment
- Home evaluation/consultation
- Transportation
- Interpreter services for the deaf
- Language interpreter services/translation
- Independent living skills instructions (individual or group)
- Peer consultation
- Personal care attendance screening and referral
- Personal care attendant service
- Structure/site modification
- 

Centers for Independent Living are one source of providing these services.

A listing of web sites for Michigan's Center for Independent Living facilities is available on the Disability Resources link at the Michigan Rehabilitation Services' (MRS) public web site at [www.michigan.gov/mrs](http://www.michigan.gov/mrs).

## 6325: Interpreter Services

### **Policy**

Michigan Rehabilitation Services (MRS) shall provide interpreter services for individuals who are deaf, hard of hearing, or who do not speak or understand English and require this service to participate throughout the rehabilitation process, except when it is the legal responsibility of another entity.

Provision of interpreter services for people who are deaf or hard of hearing shall be effective in meeting customer needs in accordance with the provisions outlined in the Deaf Persons' Interpreters Act.

The goal of effective communication is to ensure that communication with people with disabilities is equally effective as communication with people without disabilities.

### **Procedures**

From initial contact throughout the rehabilitation process the counselor shall engage the individual in determining his or her preferred mode of communication apprising them of their right to have a qualified interpreter present at meetings. The key to determining effective communication is to consider the nature, length, complexity and context of the communication along with individual's preferred mode of communication. This should be an interactive process between the individual and the counselor.

MRS staff with sign language skills communicating with customers does not constitute provision of a qualified interpreter service. Counselors may choose to arrange for a qualified interpreter in providing counseling or vocational information. Conversely, an individual at any time during the counseling relationship and throughout the rehabilitation process may request to have a qualified interpreter provided. This request shall be honored.

Should a qualified interpreter be needed, MRS shall make a reasonable and timely effort to secure an interpreter which includes checking the availability of interpreters who work for other agencies or freelance. All requests for an interpreter and subsequent efforts to provide one shall be documented. Counselors shall allow at least 10 to 14 days to arrange for interpreter services.

When arranging for an interpreter, the referral source shall be provided with information regarding the nature of the assignment, date, time, address, and the communication mode preferred by the individual (sign language, oral, tactile). Because of the mental and physical fatigue brought on by the continuous interpreting process, it may be necessary to provide two

or more interpreters and/or recess periods for assignments extending more than 2 hours. Since the background, education, language levels, and communication methods of customers who rely on manual communication or oral interpretation vary, the interpreter shall be carefully matched to the individual's communication mode. Agencies that provide interpreter services in a region generally strive to match the interpreter with the known communication method of the customer. While some individuals who rely on manual communication or oral interpreting may be able to communicate by writing or lip reading for short periods of time and in low stress situations, interpreters shall be provided for more formal or demanding situations such as for vocational counseling, throughout a training program, during the initial training on the job, etc., unless the individual requests that an interpreter not be provided.

A professional interpreter will ensure a more impartial, professional and confidential interpretation. A customer may choose to have a family member, close friend or associate present, but this person should not substitute for a qualified interpreter. The Counselor has a responsibility to ensure that MRS is provided accurate information from the customer's perspective and that MRS information is conveyed accurately. A qualified interpreter should be utilized for this purpose.

If a qualified interpreter cannot be obtained within a reasonable time frame, a waiver, as specified by the Department of Civil Rights, must be completed by the agency and the customer and retained in the case file.

If MRS makes every effort to hire a qualified interpreter and is unable to do so, this should be clearly documented in the case file. If the customer is offered a less qualified interpreter or some other accommodation, and they agree to this variance from law, a Partial Waiver should be completed and retained in the case file. A Partial Waiver is available by linking to Department of Civil Rights website:

[http://www.michigan.gov/documents/mdcr/Limited\\_Waiver-Final-3-31-16\\_519673\\_7.pdf](http://www.michigan.gov/documents/mdcr/Limited_Waiver-Final-3-31-16_519673_7.pdf)

If a customer waives the right to a qualified interpreter after being offered an interpreter by MRS, a Full Waiver should be completed. A Full Waiver is available by linking to Department of Civil Rights website: [http://www.michigan.gov/documents/mdcr/FullWaiver-Final-3-31-16-519606\\_7.pdf](http://www.michigan.gov/documents/mdcr/FullWaiver-Final-3-31-16-519606_7.pdf)

### **Foreign Language Interpreters**

If a language interpreter is needed for a non-English speaking individual, care shall be taken to find an interpreter appropriately matched to the individual's needs, since the dialect, education and language level of the individual can vary.

The International Institute 313-871-8600 may be able to assist in locating an appropriate foreign language interpreter. The Arab Community Center for Economic and Social Services (ACCESS) can help identify interpreters for individuals who speak Arabic languages 313-842-

7010 and 313-945-8380.

## Information

### Qualified Interpreter

The Michigan law and rules define the minimum qualifications an interpreter must have to be considered qualified in a particular setting. The Division on Deaf, DeafBlind and Hard of Hearing (DODDBHH) maintains an online interpreter directory on their website at <http://www.michigan.gov/doddbhh> (Found in the “For Interpreters” section). The interpreter will hold a credentialing card issued through the DODDBHH. For most MRS purposes, a Standard Level 2 is the minimum credential required. An additional endorsement is required for legal, medical and mental health settings.

### Waivers & Variances

The Division on Deaf, DeafBlind and Hard of Hearing may be contacted for additional guidance related to any exceptions in providing a qualified interpreter.

The link, <http://www.michigan.gov/mdcr/0,4613,7-138-28545---,00.html> provides answers to frequently asked questions in the area of Exceptions, Waivers and Variances.

### Settings in which a Standard Level 2 Interpreter is Required

Standard level 2 involves moderately complex situations with medium-high risk. Qualified interpreters may interpret when topics relate to government, employment, or finance.

Examples include:

- All Level 1 settings
- IEP (Individualized Education Program) Meetings
- Meetings
- Interviews
- Job Training
- Employment Grievances/Discipline
- Staff Meetings
- Political Events
- Finance
- Government Meetings
- Public Personalities
- Plays, Concerts, TV News
- Tax Assessment Meetings/Appeals
- Applications for State/Federal Services

- Video Remote Interpreting (VRI) as appropriate to this level
- Addiction Treatment
- DeafBlind (in appropriate settings)

### **Definitions of an Interpreter from the Deaf Persons' Interpreter Act**

*Intermediary interpreter or deaf interpreter* means any person, including any deaf or deaf-blind person, who is able to assist in providing an accurate interpretation between spoken English and sign language or between variants of sign language by acting as an intermediary between a deaf or deaf-blind person and a qualified interpreter.

*Qualified interpreter* means a person who is certified through the national registry of interpreters for the deaf or certified through the state by the division.

*Qualified oral interpreter* means a qualified interpreter who is able to convey information through facial and lip movement.

*Qualified sign language interpreter* means a qualified interpreter who uses sign language to convey information.

### **Additional Information**

Michigan Department of Civil Rights, Division on Deaf and Hard of Hearing Qualified Interpreter – General Rules: [http://www.michigan.gov/documents/mdcr/2007-047\\_General\\_Interpreter\\_Rules\\_5-16\\_submitted\\_FINAL\\_528688\\_7.pdf](http://www.michigan.gov/documents/mdcr/2007-047_General_Interpreter_Rules_5-16_submitted_FINAL_528688_7.pdf)

## 6350: Maintenance

### **Policy**

Maintenance services may be provided only for additional costs, over and above normal living expenses, which individuals incur because of their participation in assessment or IPE services.

### **Procedures**

The amount reimbursed to state employees for traveling on Michigan Rehabilitation Services (MRS) business, as published in the Standardized Travel Regulations or its annual update, is used as the basis for determining maximum maintenance amounts. The per diem rate is used, if computed on a whole-day basis.

After clients begin employment, maintenance may be provided only until clients receive their first full pay check.

Mortgage payments represent purchase of property and, therefore, are federally prohibited from being authorized.

Counselors shall ensure that the provision of maintenance services does not jeopardize assistance the client may be receiving from other sources, such as Supplemental Security Income (SSI) or other welfare benefits.

### **Information**

The following are examples from Federal Regulations of expenses that would meet the definition of maintenance. The examples are purely illustrative, do not address all possible circumstances, and are not intended to substitute for individual counselor judgment. The cost of a uniform or other suitable clothing that is required for job placement or job seeking activities.

The cost of short-term shelter that is required in order for an individual to participate in vocational training at a site that is not within commuting distance of the individual's home. The initial one-time costs, such as a security deposit or charges for the initiation of utilities, that are required in order for an individual to relocate for a job placement.

## 6375: Native American Healers

### **Policy**

Native American Healers may legally be used for a client who is a member of a recognized tribal group for services such as the treatment of substance abuse, mental illness, chronic pain, and chronic physical illness.

### **Procedures**

Native healers are identified through tribal councils or through health or rehabilitation professionals who are Native American and involved in the client's rehabilitation program. Use of a Native American healer may be part of a comprehensive plan that makes provisions for ongoing treatment and follow-up. Native American healers are used as an adjunct to, not in lieu of, recommended medical treatment. If monetary payment to the Native American healer is not appropriate, a direct payment may be authorized to the client for the purchase of goods traditionally presented to the healer as a part of the healing ceremony (e.g., blankets, food).

### **Information**

The following Michigan tribal groups are federally recognized - Bay Mills Indian Community of the Sault Ste. Marie Band of Chippewa Indians, Bay Mills Reservation, Michigan; Chippewa Indians of Michigan, Saginaw Chippewa Indian Tribe of Michigan, Isabella Reservation, and Sault Ste. Marie Tribe of Chippewa Indians of Michigan; Grand Traverse Band of Ottawa and Chippewa Indians of Michigan; Hannahville Potawatomi Community of Michigan; Keweenaw Bay Indian Community of Michigan, and Lac Vieux Desert Band of Lake Superior.

Tribal councils and individual Native Americans will express widely divergent views on the use of Native American healers, ranging from endorsement of healers and other traditional ceremonies, to those who have embraced alternative religious values and ceremonies. It is important to provide the range of rehabilitation services in the context of a knowledge and appreciation of the client's cultural values. An understanding of the client's values and cultural views will be an important first step. Use of tribal council members and Native American-operated social service programs will often be helpful.



## 6400: Other Goods and Services

### **Policy**

Other goods and services may be authorized or arranged when required to achieve an IPE employment outcome.

### **Information**

Examples of “other goods and services” include:

- Payment of union dues, medical insurance, initiation fees, or the cost of a bond, when necessary for the client to obtain employment.
- Legal services necessary to achieve an IPE objective except that fines, debts and/or bail expenses should not be authorized.
- Warning devices for the deaf.
- Clothing appropriate for interviewing with potential employers at job fairs, business advisory groups, etc.
- Training in self-care, self-care services and equipment when needed for a client to achieve an IPE employment outcome.

## 6475: Prostheses and Orthoses

### **Policy**

Prostheses and/or orthoses may be arranged for or purchased as part of a Trial Work Experience Plan or IPE leading to employment.

### **Procedures**

A prescription by an orthopedic specialist or physiatrist shall be obtained for new wearers; the treating physician may prescribe prostheses or orthoses for previous wearers.

Comparable benefits such as Medicaid, Medicare or private insurance shall be thoroughly explored and (if available) used before authorizing for prostheses or orthoses.

Persons who have successfully worn a prosthesis or orthosis and require replacement or repair may not need a current orthopedic or physiatry examination unless problems have been experienced or the condition is not stable.

A current evaluation by an internist or treating physician to determine that there have been no exacerbations of the physical condition is important for individuals with amputation resulting from diabetes.

New prosthetic wearers shall be referred to medical rehabilitation centers or amputee clinics when practical in order to benefit from the availability of the most recent technology and multi-disciplinary teams. If the client has a satisfactory relationship with a prosthetist, that relationship should be maintained whenever possible.

### **Information**

New wearers may require several visits for adjustment of the appliance. There is generally no charge for routine adjustments during the first few months. If there are significant physical changes which require major alterations, a charge may be made. Upper extremity amputees will require considerable training in the use of their prosthesis which is usually provided by occupational therapists. Training in the use of a lower-extremity prosthesis is sometimes called gait training and is usually provided by physical therapists.

## 6500: Relocation Expenses

### **Policy**

The cost to permanently relocate clients may be authorized or arranged when required to achieve an IPE employment outcome.

### **Procedures**

Prior to assisting an individual in relocation for employment, local options for employment must be reasonably exhausted. Relocation expenses are limited to the cost of moving and insuring household goods, and transportation and subsistence expenses required as part of the move.

Three estimates are required for out-of-state moves, since these are not regulated. Within city limits, small local moving companies are not regulated and rates may be competitive. Three estimates shall, therefore, be obtained for local moves.

In addition to the basic charge for moving, there are additional charges which may be added for such items as stairs, long walkways, moving large items such as a piano, packing and packaging, disconnecting appliances, and removing draperies. These possible extra charges should be considered when planning the move. The time of the move should be carefully planned. Additional charges can be levied for moves during peak periods and on weekends. Some saving may be experienced by moving between the 3rd and 25th day of each month.

Michigan Rehabilitation Services (MRS) shall not support moves outside the continental United States.

### **Information**

The transportation of household goods within Michigan is regulated by the Michigan Public Service Commission. The Commission publishes a tariff which contains the rates, charges, rules and regulations which apply to all carriers.

Counselors shall be aware that various types of insurance coverage are available through the movers. The coverage ranges from full-value replacement (more costly) to depreciation only.

## 6525: Services to Family Members

### **Policy**

Services to family members may be arranged or authorized when essential to the achievement of an employment outcome of the client.

### **Procedures**

Comparable community benefits and services must be explored and used, as applicable, before services to family members may be purchased.

### **Information**

Family member includes any relative by blood or marriage. It also includes individuals living within the same household, where close interpersonal relationships between the individual(s) and the client characterize a family unit.

## 6550: Task Analysis

### **Policy**

Task analysis services may be provided, purchased or arranged.

### **Procedures**

Task analysis services shall be purchased from occupational or physical therapists, job coaches, rehabilitation engineers, or other rehabilitation professionals trained in the process. When task analysis services are purchased or arranged, the counselor shall ensure that the individual completing the task analysis has been provided with information on the client's capabilities and limitations and any description of the activities or job to be analyzed. The counselor, client, and vendor shall ensure that the task analysis and accommodation process has been described to the employer, teacher, or others who will be involved; and that any health or safety requirements imposed by the site (e.g., requirements of a union contract) have been identified.

### **Information**

Task analysis is a systematic method of identifying and evaluating job or task requirements and comparing these to human capabilities. The process can be applied in home, training, and work settings. Cognitive and affective, as well as physical requirements can be evaluated. The task analysis process may vary in complexity from a gross assessment based on a written job description to a detailed time and motion study. A more detailed task analysis may be necessary if the client is severely disabled or the task is complex.

Counselor participation in an initial site visit is an important pre-requisite to being able to evaluate the completed task analysis, and coordinate and implement task analysis results. Medical records, specialty examinations and information contained on the [Physical Capacities Assessment](#) form may not be adequate for comparison with a completed task analysis. More specific information is often needed to determine whether the client has capacities congruent with task demands. A work capacity evaluation, using simulated or real work, may be necessary. Michigan Rehabilitation Services' (MRS) task analysis forms may be used to report the findings of the task analysis.

## 6575: Teletype (TTY) Devices for the Deaf and Hard of Hearing

### **Policy**

Teletype (TTY) devices may be purchased or arranged when necessary to achieve an IPE employment outcome.

### **Procedures**

The counselor shall plan carefully with the client to determine the features that will be needed before providing this service. Consider whether the TTY can be repaired locally or must be shipped back to the company for repair. A device that can be repaired locally may be less expensive over time.

Clients who could benefit by the system shall be provided with information about the Michigan Relay Center at 800-649-3777. The Michigan Relay Center can also be reached by dialing 711 or through the Internet. Individuals who have TTY's can make or receive calls from parties who do not have TTY's by calling a relay operator at the center. Calls placed through the center, whether local, zone, or long distance, are billed as though the party had been dialed directly.

### **Information**

A variety of options are available for people who are deaf or hard of hearing, including large print TTY's in-line amplifiers, amplified phones, and computer modems. For information on current telephone and TTY technology, the Job Accommodation Network may be contacted at 800-526-7234 (V/TTY). A listing of companies, products, and prices can be obtained from the Department of Civil Rights, Division of Deaf, DeafBlind and Hard of Hearing at 877-499-6232 or 517-334-8000.

## 6625: Training - College and Vocational

### Policy

1. College or vocational training may be provided as an Individualized Plan for Employment (IPE) related service when an eligible individual requires new knowledge and skills to achieve an employment goal consistent with the individual's abilities, capabilities, and informed choice.
2. Eligible individuals shall make maximum effort to secure grant assistance in whole or in part from other sources to pay for post-secondary training. Counselors shall inform individuals considering post-secondary education that they must make timely annual application for post-secondary financial aid.
3. Michigan Rehabilitation Services (MRS) shall not provide financial assistance for any item covered in the cost of attendance if the individual (or individual's family as applicable) fails to apply for or refuses to accept federal, state, institutional and other grants; need based scholarships; or tuition waivers for which they may be eligible.
4. Financial support for college or vocational training shall be consistent with MRS' policy of purchasing the service that meets the individual's vocational rehabilitation needs at least cost to MRS.
5. MRS shall impose an economic needs test for the student's cost of attendance (COA) of training at a post-secondary educational institution. The economic needs test utilized shall be the federally established needs test using the Free Application for Federal Student Aid (FAFSA) or its equivalent, as required by the post-secondary institution, to determine student eligibility for state and federal financial aid.
6. MRS shall not replace the expected family contribution, as determined by the post-secondary institution, using the federal Student Aid Report, in contributing toward the individual's cost of attendance at a post-secondary institution.
7. Individuals who are eligible for Social Security benefits under Title II (SSDI) and Title XVI (SSI) of the Social Security Act shall be exempted from financial need test requirements consistent with Federal regulations.
8. MRS assistance with the cost of attendance, combined with other financial resources, shall not exceed the individual's unmet financial need based on the cost of attending the least costly training institution that meets the individual's vocational rehabilitation need.
9. Maximum financial support that may be provided by MRS toward the cost of college or

vocational training during the academic year shall be \$3500 and \$1200 for the summer semester. An exception to the maximum may be considered only when other forms of student aid are ruled out due to disability related factors but not to exceed the rate of program that is least costly to MRS while meeting the individual's vocational rehabilitation need.

10. MRS customers attending Michigan Career and Technical Institute (MCTI) are exempt from needs testing for the cost of attendance.

### **Procedures**

1. **Accredited Institutions.** MRS financial support for college, vocational business or technical training shall be limited to participation in nationally or regionally accredited, or state licensed institutions. The counselor shall have reasonable assurance that a diploma, certificate or degree received from a training program is readily accepted by employers in the field of the individual's employment goal before approving an IPE that includes such post-secondary training.
2. **Ability to benefit.** The individual's ability to benefit from post-secondary training in terms of an employment outcome shall be determined as part of the individual's vocational rehabilitation needs assessment. MRS shall not support attendance in a post-secondary program for which the individual does not meet the published entrance requirements.
3. **Developmental Academic or Remedial Study.** MRS may provide financial support for one semester of non-credit developmental or remedial study. MRS may not pay for developmental or remedial study if available at no cost through post-secondary institutions or other public resources.
4. **Academic Progress.** Continued MRS financial participation in post-secondary training services is contingent on the individual meeting evaluation criteria noted in the IPE. This includes a) maintaining a "C" Average, (2.0 on a 4.0 point scale) or higher as required by the school or specific program the individual is attending, or a comparable passing grade, and, b) the submission of the individual's grade reports to the counselor upon completion of each semester or term.
5. **Full Time Enrollment.** The expectation is that students will attend training on a full time basis, as defined by the institution. Exceptions to full time study may be made based on documented medical or family care circumstances. Because most state and federal financial aid programs are based on a minimum of half time enrollment, MRS will generally not support training at a less than half-time enrollment status.
6. **Duration of Training Support.** MRS financial support for post-secondary training is usually



limited to one year beyond the normal period for full time matriculation identified by the institution. An extension beyond that period may be granted by the counselor due to an individual's disability or special circumstances, and requires an IPE amendment. MRS financial support generally shall not exceed 64 credit hours for an Associate of Arts degree, or 128 credit hours for a bachelor's degree.

7. Payment for Electives. The counselor should be familiar with the student's curriculum or have a copy of curriculum requirements in the case record. MRS shall not pay for electives beyond those needed to complete an individual's curriculum. When there is a question as to whether a class is required to complete a curriculum that is needed to achieve the IPE outcome, the counselor may require written verification from the post-secondary institution.
8. Licensed Occupations. The counselor shall discuss occupational licensing barriers, such as a criminal record, with the individual as part of IPE planning, and when possible assist the individual in overcoming such barriers. The counselor shall not support training in a field that requires licensing unless there is reasonable assurance that licensing can be secured.
9. Graduate, professional, or second-degree training. Such training may be authorized or arranged if the individual cannot achieve employment consistent with the individual's abilities and capabilities without such training, and transferable job skills are not available due to substantial limitations imposed by a disability for which reasonable accommodation is not possible.
10. Summer School. Summer school support is limited to circumstances in which the student is unable to work due to disability, has SSA disability status or requires a particular class that is only offered in the summer or is needed for timely program completion.
11. Transferability of Classes. Counselors of students who elect to attend community college during the freshman and sophomore year should pay special attention to the transferability of classes to four-year institutions to avoid needless duplication of classes.
12. Orientation and Vestibule Programs. A financial needs analysis is not required to cover the cost of short-term programs, summer orientation or vestibule programs, which are required but do not provide academic credit and do not qualify for financial aid.
13. Student Loans. Student loans may be encouraged as a part of the student's contribution to their own training. However, students may not be compelled to take student loans for the student's unmet need at the rate of the least costly post-secondary program up to MRS' maximum contribution, whichever is less.
14. Workers' Disability Compensation settlements. MRS shall not replace insurance benefits received, in whole or in part, as a settlement of liability for vocational rehabilitation

services, in contributing toward the cost of attendance at a post-secondary institution. This means that such targeted settlement dollars must be used before MRS dollars are used, unless it can be demonstrated that such settlement dollars are no longer available.

15. Late Applications. The counselor may not authorize for any COA before the results of the application for financial aid are known. The counselor may approve an authorization for the first term to allow the individual's enrollment if the case record documents that the individual applied for aid no later than 60 days prior to the beginning date of the school term and if an IPE that includes college training has been completed. The counselor must subsequently adjust the total amount authorized for the academic year so it does not result in an over-award or exceed the maximum MRS allowable contribution. Adjustments may be made to the current term authorization or authorizations for subsequent terms as appropriate.
16. Financial Support Basis. The extent of MRS' financial support for training, whether in-state or out-of -state, public or private, shall be conditioned on MRS' least-cost purchasing requirements, per [Policy 9025](#) in combination with the college financial aid needs analysis. This means that, if a training program is available that meets the individual's vocational rehabilitation needs at a lesser cost to MRS than the program selected by the individual, MRS' support shall not exceed the less costly training program to MRS after application of the financial needs test.

In general, for the first two years of college through an associates degree or equivalent, MRS' post-secondary financial support will be based on financial support needed for attendance at a Michigan community college near to the student's home. For the Junior year and beyond, support for additional training will be based on the cost of attendance at the nearest public college or university program in Michigan, after a consideration of the financial needs test to such cost of attendance.

MRS support of unmet financial need shall not exceed \$3500 per academic year and \$1200 for the summer semester, except for SSI or SSDI beneficiaries or as noted in the Procedure on Loan Replacement. This amount is to be divided equally among the number of terms or semesters comprising the academic year.

17. Coordination of Financial Aid. Financial aid available through the school, student/family contribution, and MRS assistance shall be coordinated as follows:
  - a. A Statement of [Financial Needs, Resources and Authorization \(RA-6627\)](#) shall be sent to the financial aid office of the schools the individual will be considering, including the least costly alternative when possible, to obtain reports of the student's EFC, the financial aid awarded, and any remaining financial need.
  - b. The expected student/family contribution (EFC) and financial grant aid must be

used as the primary sources to meet the student's COA.

- c. If financial aid and student/family contributions are inadequate to meet the individual's COA at the least costly educational program that meets the individual's vocational rehabilitation need, and the individual cannot attend school without additional assistance, MRS may assist with the remaining unmet financial need up to \$3500, or up to \$1200 for the summer semester. This unmet need figure is the maximum of MRS' support, but not to exceed \$3500 and/or \$1200 for the summer semester, regardless of the educational institution selected. Counselors should consider special institutional financial aid awards provided by the student's preferred school, which may result in the lower unmet need for the student and make it the least costly training alternative to MRS.
  - d. The counselor may assist with all or part of the remaining unmet need up to \$3500 per academic year for college or university training, \$3500 per academic year for private vocational school training and up to \$1200 for the summer semester or term, or up to \$391 per month for vocational schools which operate on a monthly basis. See Procedure 19 for exceptions to the maximum for disability related reasons.
  - e. Assistance to individuals who begin school after the first term or semester shall be pro-rated. Individuals attending one-third, one half, or two-thirds, of the academic year shall be provided a pro rated percent of the maximum academic year assistance. (Example: A student attends only one half of the academic year. The maximum MRS contribution is  $\frac{1}{2}$  of \$3500.00= \$1750, or  $\frac{1}{2}$  of unmet need, whichever is less.)
  - f. Individuals who meet the criteria for MRS support of summer programs (as defined by the educational institution) must apply for financial aid for the summer term 60 days in advance of the term. They may be provided up to \$1200 for full time attendance during the summer session if there is any unmet need, prorated at a proportional amount for part time attendance. (Example: if 10 credit hours constitutes a full time summer school load, and the student takes 4 credit hours, the maximum amount of MRS support would be \$480 or less depending on unmet need).
18. Substitution of student loan and work-study awards. In addition to assistance with unmet financial need up to \$3500, MRS funds may be substituted for the following financial aid awards if the case record documents that:

A. College Work-Study:

- the individual cannot work while attending school full-time due to limitations

imposed by his/her disability, or the time required for medical treatment;

- student jobs are not available as verified by an appropriate school official;
- the individual is receiving SSI or SSDI benefits (work would jeopardize benefits or would be counted toward the trial work period for SSDI recipients);
- childcare responsibilities or the need to travel long distances to school leave the individual inadequate time to attend school full-time and also work.

If the counselor intends to replace work study for any of the reasons noted above, the counselor should check the appropriate box on Form RA-6627.

- B. Loans: The individual will have exceptionally high personal attendant or medical expenses due to disability after graduation which will make loan repayment difficult. Under these circumstances loan substitution may be made up to \$2500 per year or up to the amount required to attend the least cost comparable program in the state, whichever is less. If the counselor intends to substitute for a loan for the above reason, the counselor should check the appropriate box in Part II of the RA-6627.

19. Ineligibility for financial aid under the Higher Education Act. MRS may not authorize for training support for individuals who are ineligible to receive or apply for post-secondary federal financial aid. Reasons for ineligibility for federal financial aid include: a) the individual owes a grant refund and has no documentation of having made satisfactory arrangements for repayment; b) the individual is in default of a federal or state student loan, and has no documentation of having made good faith repayment arrangements from the lender or school, or of no longer being in default status; c) the individual is convicted of a state and federal offense involving possession or sale of illegal drugs, and has not re-established eligibility as required by federal financial aid regulations (34 CFR 668.40); d) or the individual has not registered for the selective service system. Such individuals are considered to not have made a maximum effort to secure post-secondary federal or state grants or tuition waivers, and may not receive training funds from MRS. Counselors should assist such individuals, as appropriate, to help them regain financial aid eligibility.

20. Disability Related Expenses. Personal disability-related services may be authorized or arranged without regard for financial need. Such services include personal assistance services needed for classroom attendance, individually prescribed equipment like hearing aids, and non-routine medical expenses.

Personal disability-related services do not include classroom and learning accommodations, auxiliary aids and services that are the responsibility of the post-secondary institution.

21. Notification of MRS Assistance. Individuals and the post-secondary institution shall be

notified in writing of the type and amount of assistance MRS will provide for institutional budget expenses, or that MRS will not be assisting with such expenses and the reason. The RA-5, "Notice of MRS Post-secondary Training Assistance", may be used for this purpose.

22. **Out-of-State or Private Facilities.** Out-of-state or in-state private training facilities may be used, but financial aid may not exceed that which would be required for the least cost public in-state facility, unless there is compelling evidence that the out-of-state facility is the only option that meets the individual's vocational rehabilitation need. If financial aid staff of out-of-state training facilities are not able or willing to complete Form RA-6627, they must be asked to prepare a letter stating:
  - a. The applicable academic-related costs (tuition, fees, books, room and board, etc.) for the individual,
  - b. Expected family contribution,
  - c. Amount of Pell grant and other financial aid awards, and
  - d. Balance of financial need, if any.
  
23. **Training Outside of the United States.** Training at an institution outside of the United States will not be funded unless it is part of an approved course of study for an in-state institution. If the home educational institution requires out-of-country instruction as part of the individual's program, MRS may support it at the same rate as if the program were provided at the student's home educational institution.
  
24. **Gallaudet University and Rochester Institute of Technology (RIT)/National Technical Institute for the Deaf (NTID).** MRS support may be provided to these out-of-state facilities if required to meet the unique VR needs of certain deaf or hard of hearing students.

To determine MRS assistance for individuals attending RIT/NTID the RA-6627 shall be sent to the financial aid office, as described in Procedure 19. To determine MRS assistance for individuals attending Gallaudet College:

- a. The Gallaudet student will be required to complete two applications every year in order to determine eligibility for federal and institutional aid programs: (a) the FAFSA and (b) the Institutional Financial Aid Application (IFAA). After financial aid has received both FAFSA and IFAA, a determination of eligibility for grants and scholarships will be made.
  
- b. MRS counselor contact information must be provided on the IFAA. The student's eligibility for grants and scholarships will be sent via e-mail.
  
- c. FAFSA and IFAA forms must be completed by the Gallaudet student:
  - No later than July 1st, if enrolling in Fall semester
  - No later than January 16th, if enrolling in Spring semester

- d. The counselor must advise the individual not to apply for student loans until after it has been determined whether s/he qualifies for institutional aid programs from the school.

25. Processing Payment. Payment may be made for courses dropped by an individual for a good cause. The school should be paid in accordance with its published policy.

The case record shall document the action to be taken by the individual to make up the dropped course. If the individual fails to follow through with the agreed upon action, the counselor may, if providing tuition assistance:

- reduce financial participation for the following term in the amount of the non-refundable balance for the dropped class(es), or
- refuse to pay for the dropped class if the individual takes it again at a later date.

26. Refunds. When MRS funds are not needed by an educational institution due to subsequent replacement by college grants, need based scholarships, or dropped classes, the counselor shall notify the institution that these funds are to be returned to MRS, not to the individual or to offset the student's loan balance. If MRS funds are reimbursed to the individual or credited to a loan balance, an equal amount will be counted against the student's financial support from MRS for the following semester.

## Information

### Definitions

*The Cost of Attendance:* The total amount it will cost a student to go to school in a year. This may include tuition and fees; on campus room and board, required books, supplies, materials, tools and equipment; transportation; loan fees and some miscellaneous expenses. Four-year schools will generally include all items in student budgets; two-year and vocational schools may not. Most schools also have different budgets for differing individual situations. Budgets are revised yearly. The amount of the student budget and the items covered are reported by financial aid officers on Form RA-6627.

*Note: MRS may only assist with costs to the student that represent added costs of the vocational rehabilitation program. When student budgets include costs that are not "added costs of training," such as housing for students who commute, the counselor should subtract that amount from the institution's COA. Items included in institutional budgets are sometimes described as "direct educational costs". Items that are not included in the institutional budget may be authorized or arranged according to the*

*policies and procedures stated in appropriate Rehabilitation Services Manual (RSM) Items.*

*Independent Students* are those students who:

- are at least 24 years old by January 1 of the award year.
- are Veterans, regardless of age.
- are orphans or wards of the court.
- have legal dependents that receive more than half of their support from the student.
- are married; or
- are enrolled in a master's or doctoral program.

Students may also be considered self-supporting if they are determined to be so by financial aid administrators exercising professional judgment on the basis of unusual circumstances not covered by any of the statutory criteria.

*Expected Family Contribution (EFC)* is the portion families will be expected to contribute toward the expenses of a student if the financial need analysis indicates that they are able. The amount of the family contribution expected will be based on current income and assets according to congressional methodology. Dependent students may also be expected to contribute based on their income and assets, including expected savings from summer earnings.

For the independent student, the amount of contribution expected is based on the student's (and spouse, if any) taxed and untaxed income and assets, including expected savings from summer earnings.

*Student Financial Need* is the figure that represents the difference between the COA and the expected student/parent contribution. School financial aid is packaged against this figure.

*Remaining Unmet Need* is the figure that represents the difference between the student's financial need and all resources provided by the school.

*Academic Year*, as defined by the U.S. Department of Education, is: the equivalent of 2 semesters, 2 trimesters, or 3 quarters (terms) at an institution which uses credit hours; 900 clock hours at an institution which uses clock hours; or 18 months for a correspondence program.

*"Meets the individual's vocational rehabilitation need"* means, in terms of a post-secondary training program or institution, that the program has a curriculum that leads to, or is consistent with the student's employment goal, and is accessible to the student under Sec. 504 of the Rehabilitation Act and the Americans with Disabilities Act.

*"Disability related factors"* (as relates to receipt of financial aid above MRS maximums) means

that the individual will have exceptionally high personal attendant or medical expenses due to disability after graduation which will make loan repayment difficult, or that work study and other work to support college expenses is precluded due to disability or social security disability status.

### **Post-Secondary Financial Aid and Public Assistance**

#### *Educational Income-All Department of Health and Human Services (DHHS)*

*Programs.* \* Educational income such as grants, loans, work-study, scholarships, assistantships and fellowships for education is excluded as income and as an asset by DHHS. (Note: Temporary Assistance to Needy Families (TANF) recipients are required to be employed to remain eligible for their TANF benefit. Only 12 months of training is available at this time as a qualifying work activity.)

*Rehabilitation Services Payments-All Programs.* \* Payments from Michigan Rehabilitation Services are excluded. They are reimbursements.

*SSDI and SSI Benefits.* Grants, regardless of the amount, have no affect on SSDI. Grant funds, which exceed tuition, fees and books, are considered unearned income for SSI recipients, so SSI benefits are reduced by that amount. Loans do not affect SSDI or SSI benefits. College work-study awards are considered employment, so they may affect both SSDI and SSI benefits. To determine how college work-study is treated in each situation, the student should contact the local Social Security Office.

*Plan to Achieve Self-Support (PASS).* Food Assistance Program (FAP) only: Income being diverted to a PASS is excluded as income and as an asset.

#### All other Programs

PASS set aside is considered earnings or unearned income.

\* All Programs includes: Family Independence Program (FIP); State Disability Assistance (SDA); Child Development and Care (CDC); Food Assistance Program (FAP); Medical Assistance (MA) also known as Medicaid (i.e., Medicaid for individuals receiving FIP or Supplemental Security Income, Adult Medical Program (AMP), Transitional Medical Assistance Plus (TMA-Plus))

### **Financial Aid Process**

#### *Federal Student Aid*

Federal student aid is financial help for students enrolled in eligible programs at participating schools to cover school expenses, including tuition and fees, room and board, books and supplies, and transportation. A "school" could be a two-year or four-year public or private educational institution, a career school, or a trade school. Most federal aid is need-based. The



three most common types of aid are grants, loans, and work-study.

*Grants:* Grants are financial aid that does not have to be repaid. Generally, grants are for undergraduate students, and the grant amount is based on need, cost of attendance, and enrollment status. Federal Pell Grants range from approximately \$577 to \$5,700. Federal Supplemental Educational Opportunity Grants (FSEOG) range from \$100 to \$4,000.

*Loans:* Loans are borrowed money that must be repaid with interest. Both undergraduate and graduate students may borrow money. Parents may also borrow to pay education expenses for dependent undergraduate students. Maximum loan amounts depend on the student's year in school.

*Federal Stafford Loans* are made to students, and *Federal PLUS Loans* are made to parents through two loan programs.

*William D. Ford Federal Direct Loan (Direct Loan) Program:* eligible students and parents borrow directly from the federal government at participating schools. Direct Loans include Direct Stafford Loans, Direct PLUS Loans, and Direct Consolidation Loans.

*Federal Family Education Loan (FFEL) Program:* private lenders provide federally guaranteed funds. FFELs include FFEL Stafford Loans, FFEL PLUS Loans, and FFEL Consolidation Loans.

*Federal Perkins Loans* are offered by participating schools to provide low-interest loans to students that demonstrate the most need.

*Work Study:* Work Study enables students to earn money for education expenses while enrolled in school.

Not all schools participate in all of the Federal Student Aid (FSA) programs. Students should ask the school's financial aid administrator which programs are available.

### **Who gets federal student aid?**

Some of the requirements to receive aid from the U.S. Department of Education's FSA programs are that students must:

- Be studying to earn the first graduate degree.
- Be a citizen of the United States or an eligible non-citizen with a valid Social Security Number.
- Not have a criminal record including drug related offenses.
- Must have graduated from the high school level, completed a GED, or completed a home school program approved by the State of Michigan.
- Academic progress must satisfy the norms of the school.

- A male in the age range of 18 to 25, must be registered with the Selective Service.
- Pell Grant eligibility will not be granted if an individual has ever defaulted on any federal grant or received a Pell Grant in the past or any other full scholarship for the current course.

### **How do students apply for federal student aid?**

The first step is to complete the Free Application for Federal Student Aid (FAFSA). The FAFSA lists deadlines for federal and state aid. Schools and states may have different deadlines for aid. Students may apply online at [www.fafsa.ed.gov](http://www.fafsa.ed.gov). If Internet access is not available, students can get a paper FAFSA from a high school guidance office, a college financial aid office, a local public library, or the Federal Student Aid Information Center at 1-800-4-FED-AID (1-800-433-3243). Review the Student Aid Report (SAR). One to four weeks after students submit their FAFSA, they will be sent a SAR, either by an e-mailed link or on paper. The SAR confirms the information reported on the FAFSA and will tell the student their Expected Family Contribution (EFC). The financial aid administrator will use the EFC to determine the amount of federal student aid for which the student may qualify.

The student should contact the school(s) he/she might attend and talk with the financial aid administrator(s). They will review the SAR and prepare a letter outlining the amount of aid (from all sources) that their school will offer.

The U.S. Department of Education web site at [www.studentaid.ed.gov](http://www.studentaid.ed.gov) contains additional detailed information on Federal Financial Aid.

### **State of Michigan Student Aid**

*Scholarships:* A scholarship is money for college, and it does not have to be paid back. Scholarships are usually based on "merit", meaning they are given because of a student's particular skill or ability. For some of the state programs, financial need is also a factor in determining award eligibility. The Michigan Competitive Scholarship is based on both financial need and merit and is available for use at Michigan public and private post-secondary colleges.

*Work Study:* Work-study programs give students a source of money for college; however, the student has to work to earn the money. Most often work-study jobs allow students to work on their college or university campus. The Michigan Work-Study Undergraduate and Graduate Programs provide work opportunities to help needy students pay educational expenses.

*Loans:* Money can be borrowed to pay for college expenses and there are low-interest loans available for students and parents. Funds borrowed must be paid back. The MI-LOAN Program assists with the financing of a post-secondary education. Two loan programs include the Creditworthy Loan Program and the Credit Ready Loan Program.

*Grants:* Grants do not have to be repaid and are referred to as "gift" aid. Generally, grants are given to students based on their financial situation and need for the funds. The Michigan Educational Opportunity Grant is available for needy undergraduate students who enroll on at least a half-time basis at a Michigan public community college or university. The Michigan Tuition Grant is based on financial need for use at independent, non-profit degree-granting colleges and universities in Michigan. Awards are restricted to tuition and fees. Application for the Michigan Tuition Grant is made by filing the Free Application for Federal Student Aid (FAFSA).

*Rewards and Incentives:* Sometimes students can receive money for college by staying in school, getting good grades, or for good performance on certain types of tests. These programs reward students for good performance or staying in school. These include the Michigan Merit Award and the Tuition Incentive Program. The Michigan Merit Award is a merit-based program to reward student achievement as measured by the Michigan Educational Assessment Program (MEAP) tests. The Tuition Incentive Program is a high school completion program that offers to pay for the first two years of college and beyond for identified students who graduate from high school or complete their GED before age 20.

Additional information regarding State of Michigan student aid may be found at the following web site: <http://www.michigan.gov/mistudentaid>.

## **MISCELLANEOUS**

All schools in Michigan must be licensed to operate. Licensure of schools may be determined by contacting LARA - Post-Secondary Education at 517-373-6551. To determine the licensure of out-of-state schools, counselors should contact the central administrative office of the state vocational rehabilitation agency of that state.

High school students should consult their high school for assistance in completing financial aid applications.

Form RA-4640, Monthly Training Progress Report, may be used to obtain progress reports from vocational schools that do not provide transcripts.

Transportation allowances computed by financial aid offices are based on "averages." Financial aid offices should be contacted if actual costs exceed the estimates so adjustments may be made.

## 6760: Students and Youth with Disabilities

### Policy

Michigan Rehabilitation Services (MRS) may provide vocational rehabilitation services to eligible Students with a Disability and Youth with a Disability pursuant to an Individualized Plan for Employment (IPE) or in connection with the development of an IPE. An IPE shall be completed promptly for a Student with a Disability consistent with IPE requirements, but not later than the date of exit from the K-12 education system.

MRS may not purchase services that are the funding responsibility of Education under the Individuals with Disabilities Education Act (IDEA) and are not mandated as part of a Free and Appropriate Public Education (FAPE).

The definition of Student with a Disability and Youth with a Disability is as follows:

#### *Student with a Disability:*

- Age 14-26 at application and
- Enrolled in the K-12 education system including traditional public schools, intermediate school districts, private schools, charter schools (public school academies), alternative schools, schools for individuals with disabilities such as the Michigan School for the Deaf, 504 students, home-schooled students and students in education programs in correctional facilities.

#### *Youth with a Disability:*

- Age 14-24 at application and
- Not enrolled in the K-12 education system including traditional public schools, intermediate school districts, private schools, charter schools (public school academies), alternative schools, schools for individuals with disabilities such as the Michigan School for the Deaf, 504 students, home-schooled students and students in education programs in correctional facilities.

Counselors must identify youth at application as either a Student with a Disability or Youth with a Disability on the RA-2910 -- Application for Vocational and Employment Services and in *Aware* on the Intake page.

The Student with a Disability and Youth with a Disability definitions honor the intent of the

Rehabilitation Act, which emphasizes transitioning from school to adult life. At the same time, it recognizes that Students with a Disability and Youth with a Disability have similarities and differences regarding service needs. Students with Disabilities are engaged in the K-12 education system and benefit from services and supports mandated by IDEA. Youth with a Disability have developmental needs related to their age, but they no longer view themselves as a Student with a Disability, nor are they benefiting from the connection with a K-12 education system.

Making the distinction between these two populations allows MRS to ensure that both groups have access to and receive the services most appropriate for their group.

### **Procedures**

The following are minimum casework standards for MRS service delivery to transition youth and young adults with disabilities.

#### **Student with a Disability**

##### **1. Referral, Application and Eligibility Assessment**

A Student with a Disability referred by a school for vocational rehabilitation services or who otherwise provides referral information to MRS are to be provided an orientation within 30 days of referral (see *RSM 3000 – VR Referral & Application Process*). Examples of K-12 education referrals include traditional public schools, intermediate school districts, private schools, charter schools (public school academies), alternative schools, schools for individuals with disabilities such as the Michigan School for the Deaf, 504 students, home-schooled students and students in education programs in correctional facilities.

Students and parents who attend an MRS group informational session are not considered referrals until they meet the requirements for referral noted in MRS referral policy (see *RSM 3000 – VR Referral & Application Process*).

Once the application process has been initiated, an eligibility and vocational needs assessment shall commence promptly, consistent with MRS policies. Minor students' parent or guardian must be involved at application and shall sign the application for services, unless refusal to sign occurs and is documented (see *RSM 3000 – VR Referral & Application Process*).

Documentation from a school, such as an Individualized Education Program (IEP), that certifies a student's disability and current eligibility for special education services, is sufficient to document that the student has a disability (physical or mental impairment that constitutes a substantial impediment to employment), but is not sufficient to presume eligibility for MRS services. To determine eligibility for services, the counselor must determine whether the student requires specific vocational rehabilitation services to achieve an employment outcome

consistent with the student's strengths, resources, priorities, concerns, abilities and capabilities, taking into account the individual's interests and informed choice.

Eligibility must be determined in a timely manner (see *RSM 3200 – Determination of Eligibility and Priority Category*).

Individuals who are entitled to SSI based on their disability (not the disability of a parent) are presumed to be eligible and, at a minimum, meet the federal criteria for "significantly disabled."

Extended assessment may be appropriate for any individual, including SSI recipients, when ability to benefit, due to the significance of disability, is in serious question. Extended assessments should be conducted in integrated settings to the maximum extent possible.

## 2. Assessment Documentation

The counselor must seek maximum available information from the school to determine eligibility and the student's vocational needs. Schools are required to conduct a comprehensive evaluation to determine a student's disability. Every three years thereafter, schools conduct a reevaluation using existing data to determine a student's continued eligibility for special education. If necessary, a new evaluation must be conducted.

In addition, a transition assessment is conducted yearly as part of the IEP process. When such assessments are not timely or sufficient for MRS purposes, the counselor may purchase assessments as needed to determine eligibility, disability priority, vocational needs, and for vocational planning. While a copy of a current IEP is sufficient to establish that a student has a disability, it rarely provides enough information for an assessment of a student's vocational rehabilitation needs. Additional school documentation should be secured when available even if this occurs after the initial referral.

Examples of the types of documentation that can be obtained from the school include: Education Development Plan (EDP), Present Level of Academic Achievement and Functional Performance (PLAAFP), Transition Assessments, and the Summary of Performance.

## 3. IPE Development

The Transition provisions in the Rehabilitation Act, in addition to requiring that an eligible student have an IPE in place prior to K-12 exit, now also require that MRS provide Pre-Employment Transition Services (Pre-ETS) prior to the eligible student's exit from the K-12 system.

Pre-ETS are defined as:

- Job exploration counseling.
- Work-based learning experiences, which may include in-school or after school opportunities, or experience outside the traditional school setting (including internships), that is provided in an integrated environment to the maximum extent possible.
- Counseling on opportunities for enrollment in comprehensive transition or postsecondary educational programs at institutions of higher education.
- Workplace readiness training to develop social skills and independent living; and
- Instruction in self-advocacy, which may include peer mentoring.

Pre-ETS were enacted to ensure that Students with Disabilities have comprehensive career development opportunities and work experiences while transitioning from school to postsecondary life.

MRS is mandated to reserve not less than 15% of annual allotted funds for the provision of Pre-ETS. The provision of these services must be documented for each eligible Student with a Disability served by MRS. Pre-ETS services may be purchased, provided or coordinated. Civil service staff time spent in the provision and coordination of Pre-ETS must be documented on a Pre-ETS Tracking form.

Pre-ETS are provided in Extended Assessment; as part of the Comprehensive Needs Assessment toward the development of an IPE; or as part of service delivery in an IPE.

Referrals of Students with Disabilities need to occur early enough to facilitate the provision of Pre-ETS and meaningful IPE development prior to school exit. In unforeseen circumstances when this does not occur and eligibility is not determined prior to K-12 exit, the counselor shall apply the 90-day standard for IPE development consistent with general procedural requirements (see *RSM Item 5050 – Individualized Plan for Employment*).

Parents and/or guardians of minor students must be a part of IPE planning including job goal selections and must sign the IPE.

Students (and/or their legal guardians) must be provided the opportunity to exercise informed choice in the selection of the vocational goal, services and service providers that are part of the IPE (see *RSM 2225 – Informed Choice*).

#### 4. Employment Goal

The Individualized Education Program (IEP), for students receiving special education services, shall be considered while developing the IPE. Aligning the IPE with the IEP is ideal but can only be accomplished if the postsecondary employment goal in the IEP is consistent with the student's strengths, resources, priorities, concerns, abilities, and capabilities, taking into account the individual's interests and informed choice.

For an eligible Student with a Disability in the K-12 education system who has not yet determined a specific employment goal, a Career Pathway, as identified by the Michigan Department of Education, Office of Career and Technical Education, may be used as an employment goal until the student completes the K-12 secondary education.

Use of a Career Pathway job goal still requires the counselor to provide the scope of Pre-ETS in the Comprehensive Needs Assessment and the IPE prior to K-12 exit. After the individual exits K-12, the IPE shall be amended as soon as feasible to reflect a more specific employment goal before additional training or placement activity proceeds. A Career Pathway shall not be used as an employment outcome at closure.

#### 5. Services

Vocational rehabilitation services may be arranged, purchased, or provided to implement an IPE including the provision of Pre-ETS.

#### 6. Closure

A Student with a Disability may not be closed as successfully rehabilitated with a Career Pathway job goal. The case must be closed with a specific job goal identified in the IPE or IPE amendment. Case closure requirements identified in case closure policies and procedures apply.

### **Youth with Disabilities**

Requirements for serving Youth with Disabilities; i.e. processing an application, determining eligibility, providing a comprehensive vocational needs assessment and IPE development are consistent with general MRS policy and procedural requirements.

Specific considerations:

#### 1. Application and Eligibility Assessment



- Minor's parent(s) or guardian(s) must be involved at application and shall sign the application for services, unless refusal to sign occurs and is documented.
- Youth with a Disability who are entitled to SSI based on their disability (not the disability of a parent) are presumed to be eligible and, at a minimum, meet the federal criteria for "significantly disabled."
- Extended assessment may be appropriate for any individual, including SSI recipients, when ability to benefit, due to the significance of disability, is in question.

## 2. Assessment Documentation

Although the Youth with a Disability is not enrolled in school at the time of MRS application, the counselor must seek maximum available information from all available sources, including any past school attendance, to determine eligibility and the individual's vocational needs.

## 3. IPE Development

Parents and/or guardians of minor Youth with a Disability must be a part of IPE planning and sign the IPE.

Youth with a Disability (and/or their legal guardians) must be provided the opportunity to exercise informed choice in the selection of the vocational goal, services and service providers that are part of the IPE, consistent with the provisions of MRS' informed choice policy.

Counselors may consider encouraging Youth with a Disability that do not possess a high school diploma/GED to explore options for how they may be able to earn their diploma/GED. Possible options include adult education, Michigan Virtual High School, alternative schools, high school completion programs in college settings, etc. Another option is to counsel Youth with a Disability to pursue a Michigan Career Readiness Certificate which is one way to validate an individual's job skills to potential employers.

Information

Transition-related services are defined by the Rehabilitation Act as "a coordinated set of activities for a student, designed within an outcome-oriented process, that promotes movement from school to post school activities, including post-secondary education, vocational training, competitive integrated employment (including supported employment), continuing and adult education, adult services, independent living, or community participation."

IDEA requires that educational entities begin transition services for students with disabilities no later than age 16. MRS may become involved as early as 14, if appropriate, to provide vocational rehabilitation services or in a consultative role, to be a part of transition planning in connection with a school's IEP or Transition Plan.

## 6775: Transportation Services, Miscellaneous

### Policy

Transportation services may be authorized or arranged only in support of a vocational rehabilitation service required as part of an IPE or for assessment.

### Procedures

Transportation services may include, for example, bus fare, driver's license fees, vehicle license plates, mileage allowances, and taxi service in support of another service. Public transportation shall be used when it is available and meets a client's rehabilitation needs.

A multi-ride pass or single-ride tickets or tokens can be provided. Disbursement of tickets or tokens should be recorded on the district office bus ticket log in order to provide a record for state accounting purposes.

The following guidance may be used in determining amounts to be authorized for transportation:

- Clients driving their own vehicle should be reimbursed for their actual costs, but no more than 75 percent of the rate for state employees driving their own vehicle in lieu of an available state car.
- Attendants and escorts driving their own vehicle should not be reimbursed in excess of the rate state employees received for driving their own vehicle in lieu of an available state car.
- Reimbursement should be based on the number of miles to be traveled per trip and the number of trips to be covered.

### Information

Parking permits and special license plates are available to persons with disabilities through Secretary of State offices. There is no charge for the parking permit, and special plates cost the same as regular license plates. A physician must certify the client's handicap before permits or licenses will be issued unless the individual is visibly disabled.

The following are examples from the Federal Regulations of expenses that would meet the definition of transportation in support of another service.

- Travel and related expenses for a personal care attendant or aide if the services of that person are necessary enable the applicant or client to travel to participate in any

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vocational rehabilitation service.

- Short-term travel-related expenses, such as food and shelter, incurred by an applicant participating in evaluation or assessment services that necessitate travel.
- Relocation expenses incurred by a client in connection with a job placement that is a significant distance from the client's current residence.

## 6800: Vehicle Insurance

### **Policy**

Vehicle insurance may be provided as part of a transportation service under an IPE.

### **Procedures**

The period of insurance coverage purchased shall not exceed the duration of the IPE service that transportation services are in support of.

In general, \$500.00 deductibles are used when Michigan Rehabilitation Services (MRS) purchases coverage.

The counselor shall consider the proportion of vehicle insurance that is required to support the individual's IPE in considering the extent of the Michigan Rehabilitation Services' (MRS) contribution to the purchase of insurance.

To comply with state accounting requirements, three comparative rates for new policies or policy renewals shall be obtained. Use of the Vehicle Insurance Worksheet, RA-4659 is encouraged to assure comparable quotations. This is not required if the current policy was purchased on the basis of comparative rates in the past six months. A receipt or copy of the Certificate of Insurance shall be obtained for the case record.

### **Information**

The Uniform Trade Practices Act of 1976 prohibits an insurance company from refusing coverage or charging a higher rate to handicapped persons unless it can show a relationship between the handicap and risk of loss. Clients may contact the Department of Insurance & Financial Services, P.O. Box 30220, Lansing, MI 48909, phone toll free 877-999-6442 for further information or assistance.

## 6825: Vehicle Modification

### **Policy**

Vehicle modification may be arranged or purchased to meet an IPE employment outcome.

### **Procedures**

Following the procedures outlined below when modifying vehicles will ensure that state, federal and professional standards have been met.

At the time vehicle modifications are initially considered, the client and counselor shall review the Fit Factors Job Aid. The Job Aid describes issues which shall be considered when purchasing and modifying a vehicle, including the length of time needed for modifications, the interface between the vehicle and the client's mobility device or other specialized equipment, warranties, parking, security, insurance, and the cost of maintenance and operation. If possible, clients considering van modifications should contact other individuals who drive modified vans to discuss the problems and realities of modifying and maintaining such a vehicle.

On-going communication among all involved parties (client, counselor, evaluator, and vendor) is a key element in successful vehicle modification. In many instances, a pre-quotation conference involving the counselor, client, vendor, and evaluator is indicated. Such a conference (by telephone or in person), occurring before the authorization is written, resolves questions about the prescription and specific equipment to be used.

Clients must have a valid driver's license, if they will be the driver. A copy shall be retained for the case record. Clients who are unable to take the road test until all modifications are completed need a temporary instruction or temporary operator's permit and a plan, developed with the driver evaluator, to obtain a driver's license. A copy of the temporary license, and the final driver's license shall be retained in the case record.

### **Evaluation and Training**

A driver evaluation and prescription, completed by a qualified driver evaluator, shall be obtained except when purchasing or arranging the transfer of existing equipment or the provision of replacement equipment which involves comparable equipment, a comparable vehicle, and no changes in the client's functional capacities. The counselor shall be certain that the evaluator is qualified at the van level, if van modifications are planned.

Individuals are considered to be qualified driver evaluators in the area of adaptive vans if they:

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- Hold a Certificate of Recognition in Automobile Modification from the Association of Driver Education for the Disabled (ADED), or
- Are a registered occupational therapist, or
- Hold a secondary teaching degree with Driver Education Certification; and
- Have access to consultation with a registered occupational therapist.

All individuals and organizations which provide driver evaluation and training are required to be licensed by the Michigan Department of State - Licensing Division 517-241-6829. In addition, the Department of Education has established requirements for teenage (under age 18) driver programs and instructors 517-373-0763.

If the driver evaluator is not a registered Occupational Therapist, a functional capacities evaluation for the client may be indicated. Similarly, such an evaluation may be indicated in determining whether there has been a change in functional capacities.

The individual's purchase of a vehicle should be deferred until after driver evaluation and initial training; the client's need for modifications will, to some extent, dictate the type of vehicle that will be purchased.

Arrangements shall be made for the client to complete both a driver evaluation and driver training before a prescription is written if the client is a new driver, will be driving a vehicle with unfamiliar modifications, or has not driven recently. The driver evaluator may determine that the training can be waived.

If additional driver training is needed after the modifications are prescribed, the training shall be arranged with an individual licensed to provide driver training and able to provide the training in the clients' modified van. Consultation with the driver evaluator will be required to make this determination.

Additional training, after modification of the vehicle, may be necessary if there is a delay between the initial training and completion of the modifications.

If the client will be a passenger, the counselor shall ensure that the person driving the client is a licensed driver and trained in the use of equipment used to modify the van.

### **Purchasing Modifications**

A used vehicle with a warranty and/or used equipment may provide the client with a savings in the initial purchase cost and insurance costs. However, these savings shall be weighed against the longer-term costs of maintenance and replacement.

If the client receives SSDI or SSI, the cost of purchasing and modifying a vehicle may be approved in a Plan To Achieve Self-Support (PASS) or as an Impairment Related Work Expense. The client and counselor should consult with the local Social Security office. If equipment is

purchased without a prescription, state accounting rules require multiple bids.

The vehicle title shall be in the client's name. Including the make, year, and vehicle identification number on the authorization will ensure that the correct vehicle is obtained.

The prescription shall be reviewed with the client as well as the anticipated time frame for the modifications and the client's financial obligations, responsibilities, and commitment to participate in the conformance check.

In consultation with the driver evaluator, the counselor may determine that an engineering evaluation of the vehicle modification is indicated to ensure that any systems added or structural changes made were done in a manner which is safe. The engineering evaluation can be completed concurrently with the conformance check.

The counselor shall purchase vehicle modification services only from vendors who have agreed to conform to the National Mobility Equipment Dealer's Association (NMEDA) guidelines. Additional information can be obtained at the NMEDA website at: <https://nmeda.com/>. For equipment that has been tested by the Veteran's Administration (VA), only the VA approved equipment should be used.

Reviewing the vendor's final bid or price quotation with the evaluator will help ensure consistency with the prescription.

If clients have unresolved complaints about service from a Michigan vendor after the authorization has been paid, they shall be directed to contact the Bureau of Automotive Regulation at 800-292-4204.

A conformance check shall be purchased or arranged for all van modifications before delivery to the client. This is best planned for at the time the authorization for the modifications is written, with the following message added to the authorization: "Payment is subject to successful completion of a conformance check." In scheduling the conformance check, priority should be given to scheduling a time when the client can be present. A written report or statement from the vendor regarding the conformance check should be obtained. Payment for modifications shall not be processed until the conformance check and any corrections have been completed. It may be necessary to authorize to the vendor to drive the van to the evaluator or pay the evaluator to travel to the vendor, as necessary.

### **Information**

In Michigan, Mary Free Bed Hospital, Rehabilitation Institute of Detroit, Disabled Driver's Services (University of Michigan Hospital), A & A Driving School (Providence Hospital), and CDE Incorporated (Bay Medical Center) meet these criteria. Munson Hospital in Traverse City contracts with the Disabled Driver's Services for van evaluation, prescription, and training

services.

The following offer rebate programs when an individual requires adaptive equipment to use a new vehicle.

The Chrysler Corporation 800-255-9877 or visit the website at

[http://www.chrysler.com/en/incentives/bonus\\_incentives](http://www.chrysler.com/en/incentives/bonus_incentives)

Ford Motor Company 800-952-2248 or 800-833-0312 for people with hearing disabilities,

General Motors Corporation 800-323-9935, TTY 800-833-9935, or visit the website at

<http://www.gmmobility.com>

Currently, the Veteran's Administration (VA) tests in the following categories: hand controls, van lifts, low effort steering systems, and special driving systems.



## 6850: Vehicle Purchase

### Policy

Assistance with the purchase of a vehicle may be authorized or arranged:

- only in support of an Individualized Plan for Employment (IPE) service of training or employment;
- only when vehicle purchase has been determined to be the least cost service that will meet the individual's rehabilitation need after thorough exploration and exhaustion of alternate transportation options, including the availability of public transportation; and
- only with the documented approval of the Site or District Manager prior to IPE completion.

Sales tax must be paid either by MRS or the customer whenever MRS funds are expended toward vehicle purchase.

### Procedures

The results of researching transportation options prior to considering or requesting vehicle purchase must be comprehensively documented in a case note or IPE counseling summary. Exploration of public transportation options including commuter bus service and curb to curb service must be investigated and documented before considering other transportation alternatives.

If public transportation is not available or will not meet the individual's rehabilitation need, consideration of other options as delineated in *RSM 6775 -Transportation Services - Miscellaneous*, must be explored. Transportation possibilities may include authorization for mileage to an individual to drive their own vehicle; taxi service; bus fare, mileage authorized to another person to transport the individual, the cost of carpooling or in some instances short-term rental or leasing of a vehicle.

Assistance with the down payment of a vehicle may be adequate if the individual will have the funds to make subsequent payments.

A used vehicle in good condition is a less costly purchase than a new vehicle and will generally meet an individual's rehabilitation needs. There are instances, however, when a new vehicle must be purchased to meet the individual's need for adaptive equipment or specialized modifications not otherwise available on an existing used vehicle. A van shall be purchased only if it is the least costly vehicle which will meet the individual's functional rehabilitation and transportation needs.

Used vehicles are required to have a 90-day dealer warranty or pass an evaluation by a registered garage. The evaluation shall not be done by the dealer from whom the vehicle is

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purchased. The Vehicle Inspection Report Form RA-4657 or its equivalent shall be used to obtain the evaluation. Individuals are expected to trade in their old vehicle or use the proceeds from its sale, if it is marketable, toward the purchase of another vehicle or other service needs in their IPE.

The vehicle title shall be in the customer's name. A copy of the vehicle registration or vehicle title shall be retained in the case record.

At the time of vehicle purchase, the counselor and customer will determine who will cover the cost of sales tax. The practice of exploring and encouraging customer financial participation toward the cost of services is consistent with *RSM 5125 - Financial Participation*. Covering the sales tax, if agreed to by the customer might be a logical contribution as it is paid at the time the title is obtained.

If the customer will be the driver, there shall be assurance the customer has a valid driver's license before purchase of a vehicle. If a customer is unable to drive, a vehicle may be purchased if there is assurance of a driver with a valid license available to transport the customer. A copy of the driver's license of the customer or the individual who will be the driver for the customer shall be retained in the case record.

To comply with state accounting requirements, three bids must be obtained when purchasing new vehicles. This requirement is waived when the Michigan Rehabilitation Services (MRS) contribution is a flat down payment amount. When purchasing a used vehicle, the counselor shall ensure that the price is reasonable. Generally, the purchase price of a used vehicle shall not exceed by more than \$100 the "average retail price" listed in the current month's National Automobile Dealers Association's Used Car Guide ("Blue Book").

The customer is responsible for routine maintenance of vehicles after the MRS purchase and shall be advised of their responsibility. If MRS authorizes for the full purchase price of a vehicle, there must be case record documentation of the arrangements for ensuring that the vehicle is adequately protected by insurance to protect MRS' investment.

The customer and counselor shall discuss the probable impact on benefits the customer is receiving from another agency or program prior to vehicle purchase to minimize the impact of the vehicle purchase. For example, for public assistance recipients, if the equity value of the vehicle exceeds Department of Health and Human Services program limits, the customer (and the family unit) will be ineligible for benefits. The equity value is the sale price of the vehicle less the amount owed on the vehicle.

### **Information**

Vehicle Purchase is defined as any financial assistance towards the leasing, renting, or purchasing of a vehicle including a down payment, a monthly payment or any variation of assistance towards that of a vehicle purchase.

## 6875: Vehicle Repair

### Policy

Repairs may be authorized for a vehicle owned by the client, a vehicle owned by a family member if the client will be driving it to support a rehabilitation service or a vehicle owned by a family member who will be responsible for transporting the client in carrying out an IPE service and this is the only means of transportation available.

### Procedures

A written repair estimate shall be obtained from a repair center registered with the Bureau of Automotive Regulation. A second estimate shall be obtained when estimated repairs are \$500.00 or more. A second estimate is not required if the vehicle is inoperable.

The counselor shall determine that the vehicle's condition or value justifies the cost of repairs before they are authorized. The information used to make the determination may include the following -- a statement from the mechanic or repair center which provided the estimate(s), or a vehicle inspection from a licensed mechanic or repair center or evidence that the repair costs do not exceed the average retail value of the vehicle.

Repairs shall be authorized only from licensed mechanics or repair facilities registered with the Bureau of Automotive Regulation.

In determining if, or the extent to which, recommended repairs shall be approved to ensure the safety and reliability of the vehicle, consider:

- The cost of current and anticipated repairs,
- The age, condition, and value of the vehicle,
- Other available means of transportation, and
- The length of time it will take the client to complete the IPE objective(s) for which the vehicle is required

Prior to authorizing vehicle repairs, the counselor shall verify that the client has a current driver's license, and the vehicle has valid license plates and adequate insurance coverage. It may be necessary to assist the client with these costs.

Proof of vehicle ownership shall be requested if ownership of the vehicle to be repaired is questionable.

### Information

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Vehicles in excellent or good condition may warrant repair even if their market value is low. The older the vehicle, however, the more caution is indicated before approving repairs. When IPE activities will be of long duration, it may be more economical to replace rather than repeatedly repair an older or poorly maintained vehicle. The counselor may wish to observe the general condition of a vehicle or obtain an additional estimate before authorizing repairs if in doubt about the vehicle's worthiness for repair.

Vehicle inspections are recommended for older vehicles, when repairs are expected to be costly, or when the vehicle's general condition is questionable. In these instances, a complete vehicle inspection may be appropriate. Vehicles in generally good condition or in need of only minor repair may benefit from a partial inspection to assess the immediate problem and safety related items such as brakes, steering, and the exhaust system. The National Automobile Dealers Association Used Car Guide or an equivalent publication can be used to estimate the market value of used vehicles. Financial institutions, used car dealers, and classified newspaper advertisements can be used to estimate the value of vehicles not listed in used car guides.

## 6900: Wheelchair/Powered Mobility Devices

### Policy

Wheelchairs and powered mobility devices may be purchased or arranged as part of a trial work experience plan or IPE.

### Procedures

Comparable benefits such as Medicaid or Medicare shall be explored and used if available.

Wheelchairs and powered mobility devices are high technology, high-cost items and shall be prescribed only after an analysis of the client's home and work sites, and transportation needs. This sequence helps ensure prescription of a device that will be functional in all these settings.

For new users of wheelchairs or powered mobility devices, or for changes in equipment for current users, a prescription shall be obtained from the treating physician, an orthopedic specialist, or a physiatrist. If the physician does not specify the seat height, width, length, and angle; footrest height; and -- for wheelchairs only -- the hand rim diameter; these measurements shall be obtained in writing from a physical or occupational therapist, orthotist, or rehabilitation engineer. The client's needs, activities and preferences shall be reported to the prescriber to ensure an appropriate prescription.

An independent evaluation may be needed to determine which device will best match the prescription and fit the client's needs. Such an evaluation cannot be considered independent if it is provided by the source that sells the prescribed equipment.

A re-check of equipment shall be arranged for new users by the professional or clinic who developed the prescription, to assure conformity to the prescription prior to approving the vendor's billing for the equipment.

### Information

Advances in technology are most notable in the following areas:

- Adaptive Equipment – Chairs are now available with "on-board" computers that in turn operate other computers, environmental control units, or computer-assisted speech units. In addition to sip and puff controls for acceleration, braking, and turning, controls can be operated through head sticks, eye blink, and muscle twitch.
- Customized Seating – Seating should be fitted to the needs and physical contours of the

## RSM 6900 - Wheelchair/Powered Mobility Devices

Revised 1/1996

individual to reduce fatigue, improve upper extremity function, and reduce spasticity.

- Integrated Driving Systems – These are chairs designed to work with a specific package of modifications for driving. If such a system will be considered, the driving evaluator should be consulted before the chair is purchased.
- Power Chairs – A wide range of options for power chairs are available, including chairs with removable batteries, electric recline systems, and on-board computers. There is also a range of carts or powered mobility devices, which are suitable for uneven terrain.
- Ultra-Light Chairs – Chairs that are ultra-light weight may increase mobility by reducing exertional demands, as they are easier to push and load into a car or van.

Some non-folding chairs are significantly lighter than folding models; those with quick release axles may permit independent loading by individuals with significant upper extremity limitations.

A variety of specialized wheelchairs and carts are available; including standing chairs and carts that operate in rough terrain. The Job Accommodation Network (1-800-526-7234) or [askjan.org](http://askjan.org) is one source of information on special function chairs. Contact the Michigan Assistive Technology Loan Fund at [www.michiganloanfunds.org](http://www.michiganloanfunds.org) for information about assistance with the purchase of assistive technology.

## 7000: Vocational Rehabilitation Case Record Closure

### Purpose

In accordance with state and federal regulations, this policy outlines processes for case record closure from the Vocational Rehabilitation (VR) program.

### Policy

Michigan Rehabilitation Services (MRS) VR case record is closed when the customer:  
Achieves Competitive Integrated Employment (CIE)  
Does not achieve CIE  
Determined ineligible for services

### Procedures

#### Final Billing of Authorizations

MRS staff are required to final bill or cancel all authorizations prior to case record closure in accordance with Section 9 of the Rehabilitation Services Manual (RSM).  
Case Record Closure Categories and Documentation Requirements  
MRS counselors select from the following 18 program case record closure categories and ensure all listed documentation requirements are met prior to case record closure:

#### 1. Competitive Integrated Employment (CIE)

Aware Administrative Note summarizing a minimum of 90 days of employment, achievement of stability of employment, and verification of retention of employment consisting of one of the following:

- Most recent pay stub/electronic deposit statement
- Employer written verification of employment/wages
- Electronic employment verification including Unemployment Insurance (UI) wage match, federal employment records, or military employment records
- For customers who are self-employed, or commission based, accounting worksheets including deposit statements that verify earnings

*Exception: If the counselor is unable to document verification from the above sources, MRS site manager approval is required to verify employment through either:*

- *Written employment/wage verification from job developer/vendor*
- *An MRS counselor Aware Actual Service – Job Placement Assistance note indicating follow-up with customer and verbal verification by the customer of employment/wages*

**2. No Impairment/Impediment to Employment**

Enter an Aware Administrative Note summarizing the medical/psychological documentation that confirms the applicant was determined to have no disabling condition, no impediment to employment, or did not require VR services to prepare for, secure, retain, advance in, or regain CIE.

**3. No Longer Interested in Receiving Services Prior to Eligibility**

Enter an Aware Administrative Note summarizing that prior to the eligibility determination, the customer no longer wants to pursue CIE.

**4. No Longer Interested in CIE After Eligibility Determination**

Enter an Aware Administrative Note summarizing that subsequent to the eligibility determination, the customer no longer wants to pursue CIE.

**5. Disability Prevents Continuation of Services After Eligibility Determination**

Enter an Aware Administrative Note after eligibility determination summarizing how medical/psychological documentation does not support the customer pursuing CIE.

**6. Disability Too Severe/Unable to Benefit After Trial Work Experience(s) (TWE)**

Enter Aware Administrative Note summarizing Trial Work Experience(s) that conclude the customer is too severe/unable to benefit from services in alignment with *RSM 3175 - Trial Work Experience*.

**7. Unable to Participate in a TWE Prior to Eligibility Determination**

Enter Aware Administrative Note summarizing how medical/psychological information indicates customer's inability to participate in a TWE prior to eligibility determination.

**8. Health/Medical**

Enter Aware Administrative Note summarizing customer is hospitalized or receiving medical treatment that is expected to last longer than 90 days and precludes the pursuit of CIE or continued participation in the VR program. Documentation may consist of medical records, self-report, or a statement from family/other agency contact.

**9. Death**



Enter Aware Administrative Note summarizing customer is deceased. The source of this information may include, but is not limited to, notification from the family, other agency contacts, or verification from internet search of obituaries.

**10. Reserve Forces – Called to Active Duty**

Enter Aware Administrative Note summarizing customer is a member of a branch of the United States military or reserve forces called to active duty for at least 90 days. The source information may include but is not limited to notification from customer/family or copy of military orders.

**11. Entered Correctional Institution**

Enter Aware Administrative Note summarizing customer entered a correctional institution (e.g., prison, jail, reformatory, prison farm, detention center) or other institution designed for confinement or rehabilitation of criminal offenders. The source of information may include internet searches such as the Michigan-Offender Tracking Information System (OTIS), report from family or another agency.

**12. Transferred to Another Agency or Working with Another Employment Network**

Enter Aware Administrative Note summarizing that the customer will be receiving services from an employment network (Supplemental Security Income (SSI)/Social Security Disability Insurance (SSDI) Ticket to Work program) or Bureau of Services for Blind Persons.

**13. Unable to Contact**

Enter Aware Administrative Note summarizing unsuccessful efforts to locate customer. Examples may include attempted contact through emergency contact number/address, email, phone number the customer provided or contact with other agencies if a release of information was provided.

**14. Failure to Participate**

Enter Aware Administrative Note summarizing customer's failure to keep appointments, participate in assessment, engage in counseling, or other MRS counselor services identified as necessary to develop or achieve the IPE employment goal.

**15. Non-CIE Outcome After Extended Employment**

Enter Aware Administrative Note summarizing customer received IPE services and was placed in a non-integrated or sheltered setting and did not subsequently achieve CIE.

### **16. Extended Services Unavailable (Supported Employment)**

Enter Aware Administrative Note summarizing customer received IPE services, but requires long-term extended services (e.g. Supported Employment) for which no long-term source of funding is available.

### **17. Supported Employment Earning Sub-Minimum Wage**

Enter Aware Administrative Note summarizing customer achieved supported employment in integrated employment but did not earn a competitive wage after exhausting the short-term basis period in alignment with policy MRS 5075-Supported Employment.

### **18. Continued Employment at Sub-Minimum Wage**

Enter Aware Administrative Note summarizing at the time of referral, the customer was employed at a sub-minimum rate of pay, applied for VR services and then a determination was made that the customer did not want to pursue CIE.

### **Notification of VR Case Record Closure**

MRS staff provides customer with a written notice of case record closure based on the reason(s) selected within the categories listed above. Notifications are to include:

- Effective date of case record closure
- Narrative description of the reason for case record closure
- Right to appeal case record closure decision
- Availability of the Client Assistance Program (CAP)

*Exception: Case record closure notification is not required when the reason is either #9 Death or #13 Unable to Contact listed within the Categories of Case Record Closure and Documentation Requirements section of this policy.*

### **Referral Services at Case Record Closure**

Referrals to other federal and state programs may include Center for Independent Living Centers or other Workforce Innovation and Opportunity Act (WIOA) partners.

If a referral is necessary, MRS counselor enter an Aware Administrative note explaining the need to refer the customer to another program.

## 7225: Annual Review of Case Closure due to Severity of Disability

### Policy

Individuals whose cases were closed ineligible due to the severity of their disability and based on a finding that the individual was incapable of benefiting from Michigan Rehabilitation Services (MRS) services in terms of an employment outcome shall be provided an opportunity for a review of that determination one year after case closure to assess whether their condition may have changed and they may now be capable of benefiting from services. A review shall not be conducted when the individual has refused it, is no longer present in the state, whereabouts are unknown, or when the individual's medical condition is rapidly progressive or terminal.

### Procedures

The *Aware* Caseload Browse, Activity Due feature notifies districts of former clients whose cases were closed ineligible one year previously because their disability was too severe. The printout shall be reviewed against the closed case file to identify those individuals who do not require an annual review. For example, an annual review may not be required if:

- The review process was explained to the client at case closure, the client did not desire the review, and this fact was summarized in the closure letter.
- The individual is no longer in the state or cannot be located; or
- The individual's medical condition is rapidly progressive or terminal.

The Annual Review Case Closed Too Severe letter located in the Letters Catalog of *Aware* shall be used to notify all individuals identified in *Aware* of the opportunity for an annual review of their case closure. If an individual responds and indicates an interest in having a review of present circumstances, it shall be determined whether the individual's condition has changed so that MRS services would now be beneficial. If it appears the individual can now benefit from MRS services and is interested in reapplying, a new application shall be processed.

If the review indicates that the individual is not able to benefit further from MRS services, the individual shall be notified in writing of the decision and the rationale for it. The letter shall also advise the individual that subsequent reviews shall be self-initiated.

The outcome of the annual review shall be recorded in *Aware*.

## 7250: Semi-Annual Review of Case Closed in Extended Employment in Community Rehabilitation Program

### Policy

A review shall be conducted semi-annually for the first two years and each year thereafter, if requested by the individual or their representative, after a case has been closed on the basis of extended employment (sheltered employment) in a community rehabilitation program. The purpose of this review is to determine whether the individual may be ready to benefit from services leading to competitive integrated employment.

### Procedures

This review or re-evaluation shall include information from the individual or, in an appropriate case, the individual's representative to determine the interests, priorities, and needs of the individual for employment in, or training for, competitive integrated employment.

This review shall include signed acknowledgement by the individual, or as appropriate, their representative, that the review or re-evaluation has been conducted, and that maximum efforts in the identification and provision of Michigan Rehabilitation Services (MRS) services, reasonable accommodations and other necessary support services have been provided in an effort to engage the individual in competitive integrated employment.

The *Aware* Caseload Browse, Activity due feature notifies districts of individuals whose cases were closed in Extended Employment six months previously. The printout shall be reviewed against the closed case file to identify those individuals who do not require a semi-annual review. For example, a semi-annual review may not be required if:

- The review process was explained to the individual at case closure, the individual did not desire the review, and this fact was summarized in the closure letter.
- The individual is no longer in the state or cannot be located; or
- The individual's medical condition is rapidly progressive or terminal.

The Semi-Annual Review Case Closed in Extended Employment from the Letters Catalog in *Aware* shall be used to notify all other individuals on the listing of the opportunity for a semi-annual review of their case closure. If an individual responds and indicates an interest in having a review of present circumstances, it shall be determined whether the individual's condition has changed so that MRS services would now be beneficial. If it appears the individual can now benefit from MRS services and is interested in reapplying, a new application should be processed.

RSM 7250 - Semi-Annual Review of Case Closed in Extended Employment in Community  
Rehabilitation Program

Revised 7/2017

If the review indicates that the individual is not able to benefit further from MRS services, the individual shall be notified in writing of the decision and the rationale for it. After four semi-annual reviews have been completed, the letter shall also advise the individual that subsequent reviews should be self-initiated.

The outcome of the semi-annual review shall be recorded in *Aware* in the Follow-up Browse page.

**Information**

Extended Employment means work in a non-integrated or sheltered setting for a public or private nonprofit agency or organization that provides compensation in accordance with the Fair Labor Standards Act. Extended Employment does not satisfy the definition of competitive integrated employment and, therefore, is not considered a “successful” employment outcome under the Rehabilitation Act.

## 7275: Annual Review of Case Closed with a Deviated Wage

### Policy

An annual review shall be conducted yearly for the first two years and each year thereafter if requested by the individual or their representative after a case has been closed with a deviated wage; that is an hourly wage less than minimum wage. The purpose of this review is to determine whether the individual may be ready to benefit from services leading to competitive employment in an integrated setting.

### Procedures

This review or re-evaluation shall include information from the individual or, in an appropriate case, the individual's representative to determine the interests, priorities, and needs of the individual for employment in, or training for, competitive employment in an integrated setting in the labor market.

This review shall include signed acknowledgement by the individual, or as appropriate, their representative, that the review or re-evaluation has been conducted, and that maximum efforts in the identification and provision of Michigan Rehabilitation Services (MRS) services, reasonable accommodations and other necessary support services have been provided in an effort to engage the individual in competitive employment.

The *Aware* Caseload Browse, Activity due feature notifies districts of individuals whose cases were closed with a deviated wage one year previously. The printout shall be reviewed against the closed case file to identify those individuals who do not require an annual review. For example, an annual review may not be required if:

- The review process was explained to the individual at case closure, the individual did not desire the review, and this fact was summarized in the closure letter.
- The individual is no longer in the state or cannot be located; or
- The individual's medical condition is rapidly progressive or terminal.

The letter, Annual Review Case Closed Deviated Wage, from the Letters Catalog in *Aware* shall be used to notify all other individuals on the listing of the opportunity for an annual review of their case closure. If an individual responds and indicates an interest in having a review of present circumstances, it shall be determined whether the individual's condition has changed so that MRS services would now be beneficial. If it appears the individual can now benefit from MRS services and is interested in reapplying, a new application should be processed. If the review indicates that the individual is not able to benefit further from MRS services, the individual shall be notified in writing of the decision and the rationale for it. The letter shall also

RSM 7275 - Annual Review of Case Closed with a Deviated Wage

Revised 3/2007

advise the individual that subsequent reviews should be self-initiated.

The outcome of the annual review shall be recorded in *Aware* in the Follow-up Browse page.

## 8000: Federal Civil Service Placement Options

### Procedures

The federal government has a special “Schedule A” appointing authority for persons with intellectual disabilities, severe physical disabilities, or psychiatric disabilities. Eligibility for appointment under this authority requires completion of a “proof of disability”. The proof of disability may be obtained from:

- Licensed vocational rehabilitation specialists (state or private)
- Licensed medical professionals (e.g. a physician or other medical professional certified by a State, the District of Columbia, or a U.S. territory, to practice medicine)
- Any federal agency, state agency, agency of the District of Columbia or a U.S. territory, who issues or provides disability benefits.

### Proof of Disability

In order to be hired under a Schedule A appointing authority, an individual must provide proof that he or she is an individual with intellectual disabilities, severe physical disabilities, or psychiatric disabilities. The proof of disability may be provided by appropriate documentation such as records, statements, or other appropriate information. The proof of disability must be provided to the hiring agency before an individual can be hired.

### Information

Federal agencies hire individuals two ways, competitively and non-competitively (i.e., Schedule A). Persons with disabilities may apply for jobs either competitively or non-competitively. Individuals who are selected for employment must meet the requirements for the position and be able to perform the essential job duties with or without reasonable accommodations.

Most federal agencies have a Selective Placement Program Coordinator (SPPC), Special Emphasis Manager (SEM), or an equivalent position that assists the agency to recruit, hire, and accommodate persons with disabilities. Information regarding the role of the SPPC-SEM, as well as information regarding additional programs for persons with disabilities, can be found at the following web sites:

- <http://www.opm.gov/disability>
- <http://www.usajobs.gov>

Counselors are encouraged to visit these sites to obtain additional information regarding federal employment and programs for persons with disabilities.



RSM 8000 - Federal Civil Service Placement Options

Revised 4/2013

Bureau counselors may complete a proof of disability for individuals who are not customers of MRS.

## 8025: Business Owned by a Person with a Disability

### Policy

PA-112 requires that three percent of discretionary state procurement contracts be awarded to "businesses owned by a person with a disability".

### Procedures

A "business owned by a person with a disability" is defined as:

"a business of which more than 50% of the voting shares or interest in the business is owned, controlled, and operated by persons with a disability; with respect to which more than 50% of the net profit or loss attributable to the business accrues to shareholders with a disability; and in which more than 50% of the employees are residents of this state."

Individuals who, within the past five years, meet any of the following criteria are automatically considered to have a significant disability for purposes of PA-112: (1) eligible for services from Michigan Rehabilitation Services (MRS), (2) eligible for services from the Commission for the Blind, (3) determined to have a 30% or greater disability rating by the Veterans Administration, or (4) received SSI or SSDI benefits.

There are three steps to the process of bidding on State contracts as a "business owned by a person with a disability":

1. Verification that the individual has a current significant disability
2. Certification as a "business owned by a person with a disability" by the Michigan Department of Civil Rights using form CR507 (forms available through the Civil Rights Commission 313-456-3823)
3. Completion of a Vendor Application with the Michigan Department of Management and Budget which may be completed at any time during the process (forms available through the offices of the Department of Management and Budget, 517-373-4111)

The Department of Civil Rights will accept a copy of an award letter or a check as verification of a person with a disability who have received SSI or SSDI during the past five years. All other individuals, and MRS clients served within the past five years, may have their disability verified by MRS. Clients of the Bureau of Services for Blind Persons, or the Veterans Administration within the past five years should be referred to those agencies for verification of disability.

## 8050: Michigan Career and Technical Institute (MCTI)

### Policy

MCTI may be used as appropriate for vocational assessment and as an employment training resource for MRS applicants, eligible individuals, and others who qualify.

### Procedures

The Michigan Career and Technical Institute (MCTI) is a residential public post-secondary vocational training facility which also provides comprehensive and individualized rehabilitation services. MCTI is accredited by CARF and the North Central Association. It is operated by Michigan Rehabilitation Services and may accept participants for enrollment referred by Michigan Rehabilitation Services (MRS) counselors, individuals with disabilities referred by other agencies and organizations, and individuals who are not disabled. Students must be 18 years of age or older at the date of enrollment.

In considering whether MCTI is a suitable training institution for a customer, the MRS Home Counselor is strongly encouraged to review the MCTI Student Handbook with the customer to ensure that the individual has enough information about MCTI to make an informed decision about seeking enrollment in its programs. Copies of the student handbook can be obtained by calling the MCTI reception desk at 1-269-664-4461 or accessed on-line at [www.michigan.gov/mcti](http://www.michigan.gov/mcti).

General Entrance Requirements:

It is expected that individuals referred to MCTI are able to self-manage in a way that will enable them to succeed. The following are suggested criteria:

- The individual is able to benefit from participation in MCTI's pre-vocational and vocational programs.
- The individual wants to take an active role in their rehabilitation and vocational program.
- The individual verbalizes motivation and willingness to learn.
- The individual can stay on task which will enable them to complete the program within specified time frames.
- The individual's disabilities appear to be stabilized.
- The individual verbalizes desire to obtain employment upon training completion.
- The individual seems to understand acceptable behavior including the ability to get along with peers, follow rules and accept supervision.
- The individual will be able to live independently in the MCTI dormitory environment.

- The individual does not have a history of harming self or others.
- The individual has the potential to exercise good judgment related to balancing academic, social and leisure activities.

MCTI provides vocational training programs in the following fields:

Automotive Technology	Graphic Communications
Cabinetmaking/Millwork	Ground Maintenance and Landscaping
Certified Nursing Assistant	Machine Technology
Culinary Arts	Office Automation
Custodial	Pharmacy
Customer Service	Retail Marketing
Electronics	Weatherization

An updated listing of programs may be found at the following web site: [www.michigan.gov/mcti](http://www.michigan.gov/mcti).

### **Career Readiness Center**

MCTI provides evaluation and remediation services to give students the necessary supports to successfully complete their program. The Career Readiness Center is comprised of four departments: Career Assessment Services, the Reading Clinic, Step-Up, and the Education Center. It should be noted that Home Counselors can make a direct referral into any one of the programs within our Career Readiness Center. MCTI provides the following Career Readiness Programs:

#### *Career Assessment Services (CAS)*

The purpose of CAS is to determine a student's aptitudes and abilities via vocational evaluation, standardized testing, and situational work assessments. Vocational counseling is provided to identify values, strengths, and vocational direction. In collaboration with the student, a recommendation is made to pursue occupational training at MCTI, on the job training, or further education. CAS students also participate in structured classes covering Self-Management, Disability Awareness, Learning Strategies, Number Sense and Leisure Services. The CAS program lasts up to five weeks. Where applicable, the CAS staff will develop an individualized educational plan for further academic intervention and beneficial accommodations. Upon completion of the CAS program, a detailed vocational evaluation report will be provided with suggested next steps for the customer's Individualized Plan for Employment.

#### *Reading Clinic*

The MCTI Reading Clinic offers both full and part time programs to help students strengthen

their literacy skills. The full-time program provides a 10-week intensive remedial program for students with reading, writing, and/or spelling difficulties. Students work in small groups for three hours per day and in a large group and on computers for an additional two hours per day in an interactive and balanced program designed to strengthen the full range of literacy skills through direct skills instruction and authentic project-based learning. Students who complete the full-time program may enroll in one of MCTI's training programs or pursue other educational options or seek employment.

The part time program offers classes in spelling, reading comprehension, writing, and study skills. Students may participate in part time courses while attending other CRC programs or trade training.

### *Step-Up*

Step Up is a 5- to 10-week pre-vocational skill development program. The goal of the Step-Up program is to prepare students with skills and strategies necessary to successfully participate and compete in vocational training opportunities at the post-secondary level. Students are encouraged to realistically assess their career decisions in relation to ability, needs, and expectations – and make adjustments if necessary. Course offerings are tailored to student needs and focus on improving basic math and literacy skills, study skills, computer literacy, communication, and other employability skills. Most students have a personal goal of improving their academic and workplace behaviors to the level needed to succeed in a particular MCTI vocational-trade training program.

Participants are referred from the Career Assessment Services program or are recommended following a personal interview on campus and/or a file review by an evaluative panel of MCTI staff.

### The Education Center

The Education Center is a MCTI/Delton Kellogg Schools partnership that offers students the opportunity to strengthen and improve their academic performance while enrolled in trade training. Students can also work on obtaining a high school diploma or GED through the program.

## **MCTI Support Services**

### *Counseling*

Each student is assigned a Program Manager/Rehabilitation Counselor to provide on site support and assist in determining what additional services are needed while the student is on campus. The student's progress is discussed during team meetings and on an individual basis throughout the student's enrollment. The Program Manager is the primary liaison with the MRS home counselor.

### *Leisure Services*

When not in class, MCTI students can participate in a wide variety of activities including boating, canoeing, fishing, swimming, golf, tennis, softball, biking, and hiking. MCTI also has an Olympic size swimming pool, a weight room, a bowling alley and an archery range. Basketball, volleyball, card tournaments, leatherwork, ceramics, and photography are available. Off campus activities are planned each week and vary from shopping and movie excursions to bike trips, local festivals, sporting events, and concerts.

### *Residential Services*

Students at MCTI reside in dormitories, sharing suites with assigned roommates. Residential staff is on duty 24 hours a day to assist students. Housing for students with families is available on property adjacent to the campus.

There are four terms in the school year running from September through July. The campus is closed between each term, during Christmas Holiday and during Spring Break. Students are not allowed to remain on campus and are expected to have some place to go during this time. Family Housing students can remain through breaks if enrolled for the next term. The Home Counselor should discuss plans and options prior to admission. The terms are as follows:

- Fall Term: September to mid-November
- Winter Term: End of November to mid-February. (During this term there is Christmas vacation as well as some three-day weekends for state holidays.)
- Spring Term: Mid-February through the end of April. (There is one week of spring break during this term.)
- Summer Term: First of May through approximately mid-July.

During the summer term break in July of each year all personal items must be removed from resident rooms. Items left in the resident rooms during this time will be discarded. There is local off-campus storage available. MCTI cannot assume responsibility for personal belongings left in the resident rooms. Students are also urged to take personal items with them during term breaks; however staff will not discard items left in rooms during the school year. Items left in resident rooms during term breaks, holidays, and vacations are the sole responsibility of the student. All personal property must be removed at the end of the school year (July).

### *Health Services*

While on campus, students have access to registered nurses, a nurse practitioner, an occupational therapist, social workers, and substance abuse counselors. A local physician is also available for student appointments. Other referrals can be made to community providers as necessary, i.e., dentist, dietician, optometrist, etc.

### **MCTI Admissions/Referral Process**

The MCTI Admissions Office requires the following documentation and activities when an individual is referred to MCTI by MRS district office staff:

- *Aware* – Guest Access in the form of “Update Full” is given to the Admissions staff at the time of referral.
- A Service Authorization is entered in the *Aware* system.
- A referral memo is sent to the Admissions Office which includes the following general information:
  - Name of the participant, counselor, and district office.
  - Reason for referral, vocational objective, and rationale (not required if the individual is being referred to CAS).
  - A list of specific questions to be answered for individuals being referred to CAS. (See the Career Assessment Questionnaire form in E-Learn.)
  - A description of accommodation services and equipment the participant may need while at MCTI.
  - A Financial Plan Sheet (RA-29Z), which is available in E-Learn.
- Documentation of disability and related limitations:
  - A copy of medical, psychological, and/or other diagnostic assessment that is recent enough to reflect the current status of the individual’s primary and any secondary disabilities, and includes the diagnosis, a description of functional limitations due to the disability(ies), and identification of any needed medication or treatment the individual requires and will continue to need while at MCTI. A recent Physical Capacities Assessment (RA-4683) or a Mental Health Report (RA-2738) is preferred. (Available in E-Learn. See *RSM 3125 - Eligibility Assessment.*)
- Information necessary to determine ability to benefit from MCTI programs and vocational aptitude:
  - A WAIS or WISC score within 3 years of the referral date. (*Note: Referrals with a Full Scale IQ score between 70 and 75 may be asked to participate in a pre-admissions interview with MCTI staff.*)
  - The results of aptitude testing that include measures of spatial relationships and mechanical aptitudes or a recent vocational test battery, as well as information regarding vocational interests, and math and reading achievement (WRAT, Woodcock-Johnson, WIAT, Work Keys Applied Match and Reading for Information).
  - The results of a recent criminal background check. While a conviction does not, by itself, exclude individuals from MCTI programs in general, it may affect acceptance into specific occupational or housing programs.

- Medical documentation including the following
  - TB skin test within twelve months of enrollment. (Required)
  - A report of the individual's general health status no more than 12 months old. (Required) (General Medical form (RA-21) available in E-Learn. See *RSM 3125 - Eligibility Assessment*.)
  - Immunization records. (Recommended) Questions can be directed to the MCTI Health Services Office (269-664-9207).
  - Documentation of a Hepatitis B series, including the dates given, for students in the Custodial program. (Recommended)

The MCTI Admissions Office will notify the referring counselor of the admissions decision regarding the referral within four weeks of receipt of referral. Applicants do have the right to appeal any admission decision by following MRS policy. The referring counselor will be notified of a projected enrollment date via e-mail. Most projected dates are met and often participants are invited earlier, but projected dates are not guaranteed.

Acceptance into the Career Assessment Service or Career Readiness Center programs does not necessarily guarantee a student will be accepted into trade training.

### **Enrollment Schedule**

Each term is 10 weeks long. Enrollment into most MCTI training programs occurs four times a year: September, November, February, and May. Enrollment in Career Assessment Services and the Step-Up program occurs every five weeks (between September and June).

### **Enrollment Process**

Each program at Michigan Career and Technical Institute has its own enrollment process.

If the student has never been to MCTI, Admissions places the student's name on the program enrollment list as soon as MCTI receives and assesses the referral and supporting documentation and determines that the student has the ability to benefit from MCTI programs.

If the student is completing a Career Readiness Center program and is being assigned to a vocational trade program, Admissions will place the student's name on the vocational trade enrollment list as soon as the student has met the requirements for admissions to that program.

The actual enrollment date is dependent upon the capacity of the program, the number of returning students to that program, and the number of students on the enrollment list. The date also depends on whether or not the student is entering the program on a trial basis, as these students typically need more direction and one-on-one instruction.



Training trials are set up for students who do not quite meet the vocational trade program requirements but have other factors that indicate the student has the potential to succeed in that program. Career Assessment Services, Reading Clinic and Step-Up staff determine whether or not the student should enroll in a vocational trade program on a trial basis.

### **Financial Aid**

Federal Student Financial Aid is a comparable benefit and service which students must apply for and, if eligible, accept as the first dollar toward their training costs at MCTI if they are enrolled in a MCTI eligible program. The balance of direct educational costs is authorized from MRS funds assigned to MCTI. The MCTI Financial Aid Office will send the Free Application for Federal Student Aid (FAFSA) to the student. Future FAFSA applications must be completed on the Web at <http://www.fafsa.ed.gov> by the student and, if needed, the student's parents. MCTI's school code is 026184. The MCTI Financial Aid Office will have a computer available for students and their family to use for the purpose of completing the FAFSA application. The financial aid staff will assist the student and family in completing the form, as needed. The MRS counselor should ensure that the student provides any documentation needed by the Financial Aid Office such as copies of income taxes, child support, etc. that are needed to file a completed FAFSA application.

Students who are not MRS customers are responsible for their own costs while at MCTI, which may be met in total or in part by a third party or Federal Student Financial Aid.

### **Visiting MCTI**

MCTI conducts a visitation day once a month from September through July for prospective students and their families. Pre-registration is required and initiated by contacting the MCTI receptionist at 1-877-901-7360. The MRS Counselor can arrange an overnight stay at the Comfort Inn in Plainwell (269-685-9891). Many current and former MCTI students recommend visiting the facility to assist the individual in determining whether MCTI will be an appropriate training site for them.

### **Illicit Drug and Alcohol Policy**

MCTI has a "zero tolerance" policy for possession of alcohol or illicit drugs on campus and violation of this policy will result in a suspension from school. Students with a primary disability or diagnosis of substance abuse must sign a contract indicating 1) they understand the policy, 2) they will remain free of alcohol and non-prescription drugs, and 3) they agree to be tested on a random basis for the presence of alcohol and drugs during the course of their program with MCTI. This policy is reviewed with students during orientations. Students who violate the contract will be placed on a medical leave with stipulations for return including treatment and sobriety.

If there is sufficient evidence that any student is under the influence of drugs or alcohol while at MCTI (including students who do not have a known substance abuse disability) the student will be tested (breathalyzer or urine testing). If the test results are not immediately available, the student may be suspended from class until negative results are obtained. Positive test results may result in suspension or termination of the student's program at MCTI. Students who refuse testing will be considered to have tested positive and be suspended from their program.

### **Maintenance and Transportation**

If the student will need assistance with incidental and/or transportation expenses, the home counselor should process a direct payment authorization ensuring that the first scheduled check will reach the student during the first week of school (or at the time agreed upon by the home counselor and student if other than during the first week).

### **Service Coordination between MCTI and Referring Counselors**

Coordination of services between referring counselors and MCTI program managers is essential for good customer service and to avoid audit exceptions.

Referring counselors and/or students are responsible for any transportation, personal accommodation equipment (e.g., glasses, hearing aids, assistive listening devices, splints, specialized tools), or other personal and incidental expenses individuals may incur while at MCTI. Off-campus expenses are usually the responsibility of the student, unless otherwise specified in the IPE. Consideration should be given to having the individual get an eye exam and glasses (or, in some instances, safety glasses) if recommended, before arriving on campus. Poor visual acuity can significantly impact a student's successful participation in assessment and training activities.

MCTI suggests that prior to enrolling students have a State of Michigan picture ID or a driver's license. Students must also have a Social Security card, as these types of identification are needed before the student can obtain employment. Students should also have made the necessary arrangements with the local DHS office, if they are eligible for DHS subsistence or health care benefits. Once on campus, it is very difficult to coordinate any type of DHS medical care without having this done in advance or the student having to miss class time for appointments back in the home community.

While the student is attending MCTI (or is in an interrupted status), the referring counselor and MCTI counselor are both responsible for informing each other of the individual's progress at home and at school by providing copies of student records and case file entries via *Aware*. MCTI staff will be placing case entries on student progress in the Service Notes section of the *Aware* Service Module.

All *Aware* case status changes are the responsibility of the referring counselor. An IPE that

includes MCTI training should include an estimated budget of \$1,500 for MCTI Support Services such as therapeutic services and tutoring that may be required and for which MCTI must authorize to external service providers. MCTI program managers must promptly notify the referring counselor of any change in training or employment goal and authorizations for substantial services beyond those identified in an individual's IPE to avoid federal or state audit issues. The referring counselor will be informed within three days of training interruptions. When the individual can resume training, the referring counselor will need to arrange for reinstatement with the Admissions office.

No written, informed consent is required to exchange information between MCTI staff and the referring counselor regarding an MRS applicant or eligible individual since they are both part of Michigan Rehabilitation Services.

### **Job Placement**

Job placement is the shared responsibility of the home counselor and MCTI staff for students graduating from MCTI. MCTI staff will help with placement activities and suggest employer contacts and/or job openings. When an unemployed student graduates from MCTI, the placement activities return to the home counselor. Placement services available at MCTI include:

- |                                    |                            |
|------------------------------------|----------------------------|
| Resume Preparation                 | Employability Assessment   |
| Cover Letters                      | Interviewing Skills        |
| Transportation to Interviews       | Job Seeking Skills Classes |
| Acquisition and Retention Services |                            |

The Business Advisory Group for each trade area at the school provides an opportunity for students to interact with employers in an informal setting, which may be helpful in the job placement process.

### **Information**

#### **Family Housing**

MCTI offers Student Family Housing, adjacent to the campus of the Michigan Career and Technical Institute. Owned and operated by the Pine Lake Fund, a non-profit 501(c)(3) organization, the housing complex accommodates single and married parents with children enrolled in training at MCTI. The attached day care center can accommodate children (12 months and older) while the parent is in training.

To be considered for family housing, the student must:

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- Be a single or married parent, or married couple
- Be accepted into a MCTI training program meeting all program requirements
- Have a disability that is stabilized
- Be a low-income DHS recipient or low income DHS eligible for housing and day care assistance, or non-low income MRS eligible individual or private pay student
- Have physical examinations and required immunizations for all children
- Complete a MCTI Student Family Housing admissions packet including discharge plan and background check

The student is expected to:

- Maintain current status as MCTI student
- Be responsible for all transportation needs
- Supervise and parent children when not in daycare or school
- Accept the project housing agreement and agree to follow all housing policies

Delinquent housing daycare charges will terminate the housing agreement.

The cost is as follows:

The MCTI Family Housing program accepts day care reimbursement from DHS for eligible students. Housing cost is \$310/month for two bedroom units and \$360/month for three bedroom units. These rates include utilities and local phone. For students who do not meet low-income guidelines, housing costs are \$450/month for two bedroom units and \$550/month for three bedroom units and day care costs are \$3.00/hr/child. These rates are subject to change. Contact MCTI to obtain current rates.

The housing units are furnished with a couch, chair, end tables, lamps, twin beds, dressers, and all appliances. Students will need to bring dishes, pots and pans, kitchen utensils, bedding for twin beds, towels, cleaning products, personal products, and clothing for them and their children. The units have a unit air conditioner and ceiling fans in the bedrooms and in the living room.

### **Pine Lake Experience**

The Pine Lake Experience is a summer program designed for high school students interested in career exploration. The Pine Lake Experience offers a variety of recreational and educational opportunities including swimming, boating, archery, crafts, campfires, fishing, and bowling. An overnight tent camping experience will also be offered. Recommended ages for campers is between the ages of 16 (sixteen) and 19 (nineteen).

The Pine Lake Experience is available to students with physical, emotional, or learning disabilities, however this experience may not be appropriate for every student with a

disability. Two sessions of the Pine Lake Experience will be offered during the summer (usually the last two weeks of July). Please contact the school regarding cost information at 1-269-664-9260. All meals and activities are included in the cost. Scholarship and sponsorship information is available.

### **Transportation to and from MCTI and Bus/Train Station**

MCTI will provide transportation to and from the bus and train station in Kalamazoo. This run leaves every Friday afternoon (or the last school day of the week) at approximately 2:45 p.m. and 5:00 p.m. Pick up for students is at approximately 7:30 and 9:30 p.m. on Sunday nights at the bus and train station.

If a student calls for a ride at an unscheduled time, they will be charged for the ride.

When a school term ends at 3:30 p.m. on a particular day, students don't have to be out of the dorm until noon on the next day. Transportation to the bus station will be after 3:30 p.m. on the last day of class and the next morning. Transportation to the bus station will not be done at hours other than these simply for the convenience of a student.

## 8075: MRS Business Network Division

### **Policy**

Applicants who have a third party legally responsible for the payment of their vocational rehabilitation costs, such as Workers' Disability Compensation, or No-Fault Auto Insurance shall be referred to, screened and, if approved, served by Michigan Rehabilitation Services' (MRS) Business Network Unit (BNU). Applicants who receive Long Term Disability (LTD) benefits shall be referred to the BNU for a determination of the existence of third-party responsibility for vocational rehabilitation costs. An individual may have simultaneous cases with the General Program and DM Program if the third party is not responsible for all rehabilitation services required, or there is a second, non-compensable disability that creates additional rehabilitation needs.

### **Procedures**

#### **At Intake**

At intake, MRS staff shall ascertain whether a third party has legal responsibility for vocational rehabilitation by using the Insurance Benefit Recipient Screening Questionnaire (Form RA-2948) or by asking the individual whether s/he is receiving Workers' Disability Compensation, Auto No-Fault (wage loss and/or medical insurance), or LTD benefits. If it is determined that there is potential third party liability, the individual shall be referred to the BNU within three days for determination of the existence of third party responsibility and for case management if third party reimbursement exists. If the BNU determines there is no third party liability, LTD or otherwise, the case is returned to the General Program for eligibility assessment and MRS services.

#### **After A Case is Opened**

If a case has been opened in the General Program and it is subsequently determined that a third party may be responsible for a customer's rehabilitation, the case shall be referred to the BNU for screening and primary case management, if approved for third party reimbursement. The case will remain open in the General Program until the BNU has determined approval for third party reimbursement. The individual shall be provided an opportunity to maintain an open case in both the General Program and BNU after consultation with the BNU and general counselor. When there are other rehabilitation services required that are not the responsibility of the third party, dual cases shall be maintained. The individual will be notified in writing if a case is closed in either program.

#### **Cases Served by Private Vocational Rehabilitation Providers**

The BNU is prohibited from opening cases being served by private rehabilitation providers. When such cases are referred to a district office, they shall be provided an eligibility assessment to determine eligibility for the General Program. Vocational rehabilitation services that are not the responsibility of the third party insurer shall be provided. Consultation with the BNU is strongly encouraged, especially as relates to LTD cases, to ensure that comparable benefits from a responsible third party are fully utilized.

### **Referrals to the BNU**

Referrals to the BNU shall be made using a Consultation Referral form (Form RA-2947). These forms can be found in the Rehabilitation Services Manual or in E-Learn.

### **Settled Cases**

An individual whose Workers' Disability Compensation, Auto No-Fault or LTD case has been settled shall be served by the General Program.

### **Third Party Terminated Cases**

If a third-party customer terminates payment for a customer still in need of vocational rehabilitation services or refuses to pay for needed services, the BNU may close its case and/or refer the individual to the General Program for services. The receiving counselor in the General Program shall honor an IPE developed by the BNU, unless the vocational goal and/or services depends exclusively on third party support, or it is agreed by the parties to amend the IPE.

### **Cases Served By Both Programs**

In the event an individual is served by both programs, each case is processed in accordance with the procedures of the respective program. The counselor and BNU specialist shall coordinate development of services to assure consistency in planning and service delivery.

### **Cases in Litigation**

For cases in litigation, consultation with the BNU specialist shall be initiated to clarify issues of third-party liability. The customer's attorney and insurer shall be notified by lien letter, after obtaining written and informed consent from the customer that MRS is providing vocational rehabilitation services and, in the event that third party liability is established, MRS will request reimbursement for authorized services. The Lien Letter should be sent prior to or concurrently with IPE completion, when possible.

### **Billing Costs to Litigated Cases**

Cost services are tracked in *Aware*. If or when a third party is determined liable for rehabilitation costs or when requested by an attorney or insurer, the counselor shall provide a

letter and/or report identifying types of services provided, vendor name, dates, and cost of services to the third party to recover costs.

### **Information**

Prior to opening a case, counselors in both the General Program and BNU should check the database of each other's program to determine whether a case record already exists and requires service coordination or referral. General Program counselors may contact BNU Specialist, Donna Whitcomb at 269-254-5993.

The BNU of MRS is an application of the federal requirement that MRS and the individual seek out and use comparable services and benefits under other programs when they are available.

The BNU of MRS is authorized under Public Act 315 of Michigan to recover the costs of vocational rehabilitation from third parties where legal responsibility exists for such services under the State's Workers' Disability Compensation law and Auto No-Fault law, and where applicable, under LTD. Third party liability under LTD is applicable when an employer has purchased a disability insurance policy that includes vocational rehabilitation or return to work services. The BNU is uniquely qualified to determine the existence of third party liability for vocational rehabilitation, and to recover costs from third parties. The BNU applies the same eligibility criteria to applicants as the General Program. It provides services and outcomes consistent with the requirements of the Rehabilitation Act and the liable third party. The BNU applies the same principles and practices of rehabilitation counseling as the General Program.



## 8100: Ticket to Work/Social Security Reimbursement

### Policy

The Ticket to Work program is available to individuals who are eligible for Social Security Disability Insurance (SSDI) or Supplemental Security Income (SSI) based on disability. Please refer to RSM 3100 - Eligibility Criteria for policy regarding presumption of eligibility and Eligibility Determination requirements.

When a Michigan Rehabilitation Services (MRS) customer is eligible for a Ticket under the Ticket to Work program, vocational rehabilitation services will be provided based on the customer's agreement to place the Ticket with MRS at the time the Individualized Plan for Employment (IPE) is signed. If the Ticket has already been assigned to a provider other than MRS, the counselor will be notified, and the customer must decide whether to remain with the Employment Network (EN) to whom they have assigned their Ticket or place their Ticket with MRS.

*Note: there are exceptions in those instances where the Ticket is held by another state VR agency; please contact the Policy Unit for assistance.*

If a customer receives social security benefits after the development of an IPE, the plan must be amended to show that the customer has made an informed choice and agrees that the ticket will be placed with MRS.

All applicants shall receive an orientation explaining choices under the Ticket program including information regarding resources for benefits counseling and SSA work incentives.

The Social Security Consent for Release of Information (SSA-3288) must be signed, and a copy retained in the case record of SSA recipients, giving SSA permission to communicate with MRS.

### Procedures

The MRS counselor shall obtain verification of Social Security status for applicants eligible for SSI and/or SSDI benefits based on disability. This information shall be retained in the MRS case record. (*RSM Item 2075 - Case Record, Documentation and Order*)

Examples of acceptable verification:

- A copy of the SSA award notice;
- A letter from SSA notifying the applicant of eligibility;
- SSA query or other written confirmation of receipt of SSDI or SSI from the local Social

Security office; or

- Ticket award notice – this is an actual Ticket or verification from Maximus that the individual is eligible for a Ticket.

### **Orientation Procedures**

All SSA case records shall contain documentation that the following information was provided during orientation.

- Customers may participate in the ticket program by working with MRS or an EN as the provider of VR services.
- The customer's signature on an IPE signifies that customer agrees to work with MRS as the provider of choice.
- If MRS is notified by Maximus that a Ticket is currently assigned or in use with another provider and this occurs after the MRS counselor and customer have approved an IPE, the customer must decide to remain with the current provider or work with MRS. A Ticket may not be simultaneously assigned to MRS and an EN.

### **Ticket Procedures for MRS Staff**

If IPE services have been initiated and MRS subsequently is informed that the Ticket has been assigned elsewhere, the MRS counselor must:

1. Notify their manager that a customer on their caseload has assigned their Ticket to an EN.
2. Immediately stop all services and cancel all outstanding authorizations.
3. Notify the customer that services have been stopped using the "Stop Authorization" letter in *Aware*.
4. Explain to the customer that a Ticket cannot be simultaneously assigned to MRS and an EN.
5. Based on the customer's decision to remain with MRS or to work with the EN, document the customer's decision in the case record. (a) If the customer chooses to work with the EN, the case must be closed. (*RSM 7000 – Vocational Rehabilitation Case Record Closure*) 411.40 CFR (b) If the customer chooses to work with MRS, the customer must send written notice to Maximus requesting ticket removal.

### **Ticket Procedures for Customers**

When a Ticket has been assigned to an Employment Network (EN), either the EN or the customer must send written notice to Maximus requesting removal of their ticket before MRS can provide services (by fax or mail: Maximus TTW at 703-893-4149, or Maximus TTWP, PO Box

1433, Alexandria, VA 22313).

## Resources

As MRS works with individuals eligible for SSI and/or SSDI based on disability, it is important to make use of the employment supports and options available to them in pursuing an employment outcome. Counselors and managers should encourage applicants and customers to use Community Work Incentive coordinators and Work Incentive Liaisons to learn about work incentives and benefits planning. Information and training for counselors is available at E-Learn and Maximus, Inc., and for customers at Choose Work.

## Information

The “purpose of Social Security’s Ticket to Work program is to expand the universe of providers. . .” Any entity contracting with SSA under the program “assumes responsibility for the coordination and delivery of employment services, vocational rehabilitation services, or other support services to beneficiaries assigning tickets to it.” Code of Federal Regulations 411

The Ticket to Work and Work Incentives Improvement Act (TWWIIA) of 1999, is a program offered by the Social Security Administration for persons receiving SSDI, SSI or concurrent benefits based on disability. Its purpose is to increase the financial independence and self-sufficiency of SSI recipients and Social Security Disability beneficiaries through an expanded choice of providers for the provision of employment services, vocational rehabilitation services, or other support services.

Amended in 2008, the program offers a new service delivery model, Partnership Plus. Under this model, both a State VR agency and/or another service provider known as an Employment Network, may sequentially serve the same beneficiary and receive reimbursement from SSA, provided SSA payment criteria are met, as a ticket can only be designated to one service provider at a time. Beneficiaries achieving yearly progress goals, as established by SSA, will be exempt from a Continuing Disability Review per federal requirements.

## Service Providers of the Ticket Program

A State Vocational Rehabilitation Agency can participate in the Ticket to Work program in one of two ways: Cost reimbursement or as an Employment Network (EN). MRS has chosen the cost reimbursement option. A State Vocational Rehabilitation (VR) Agency is the only program authorized by law and automatically approved to provide services to beneficiaries without becoming an EN.

Employment Networks (ENs) contract with SSA to provide services with beneficiaries. The payment system is different, as ENs are reimbursed by either the Outcome Payment System or the Outcome-Milestone payment system.

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As a current participant under the Cost Reimbursement Payment System, MRS receives notification of ticket status through a secure electronic data exchange with Maximus.

View the document Social Security's Vocational Rehabilitation Reimbursement Program for information regarding the Cost Reimbursement method.

## 8125: State Civil Service Placement

### Procedures

There are special procedures available for persons with disabilities to access employment with the Michigan Department of Civil Service if they are not able to compete through the standard examination process. These consist of:

- The 12-Month Trial Appointment Program. The 12-Month Trial Process for Persons with Disabilities can be found at: [http://www.michigan.gov/documents/CS630\\_14467\\_7.pdf](http://www.michigan.gov/documents/CS630_14467_7.pdf). The Application for Persons with Disabilities and Request for Reasonable Accommodation in the Written Examination Process, Revised 5/2011, can be found at: [http://www.michigan.gov/documents/CS-944\\_HandicapDesignApp\\_14472\\_7.pdf](http://www.michigan.gov/documents/CS-944_HandicapDesignApp_14472_7.pdf). Contact person: Vivian Tansel 517-373-3062
- The Return to Work of Injured Employees Programs\*

\*The Return to Work Program is administered by the Office of State Employer, Employee Health Management. Additional information is contained in the Michigan Department of Civil Service Advisory (MDCS) Bulletin No. 3.12-1 located at the MDCS website at [http://www.michigan.gov/mdcs/0,1607,7-147-6877\\_8152\\_9795-243085--,00.html](http://www.michigan.gov/mdcs/0,1607,7-147-6877_8152_9795-243085--,00.html) or call 517-241-9090.

The 12-month trial appointment process through the Michigan Department of Civil Service allows individuals with disabilities in applicant pools, under certain conditions, without participating in the appraisal process administered by the department for classification. This process is designed for persons, whose disabilities prevent them from competing, even when reasonable accommodations are provided, with other candidates in a standard written, electronic, or other appraisal process.

Applicants for the 12-month Trial Appointment must be referred and certified by Michigan Rehabilitation Services, Michigan Commission for the Blind, or VA. Individuals submitting applications directly to the Dept of Civil Service, or individuals referred by other rehabilitation agencies, are referred to authorized certifying agencies, who can certify them for the process after verification of the necessary supporting documentation.

The applicant must be self-designated as a person with a disability, as defined by applicable state and federal laws, by completing the Civil Service Form CS-944, Application for Persons with Disabilities and Request for Reasonable Accommodation in the Appraisal Process.

Applications are reviewed to determine if reasonable accommodation can assist the applicant in the written, electronic, or other appraisal process.

Applicants certified for the process must possess the required education and experience for the requested classifications listed on the Classified Civil Service Application (CS-102) and Application for Twelve-month Trial Appointment Program for Persons with Disabilities (CS-630) forms.

Applicants must be able to perform the essential functions of the classification for which they are certified, with or without reasonable accommodations. Requests for reasonable accommodations on the job may be necessary and provided by the employer.

Applicants approved for this process are included in applicant pools in accordance with the time period established by the Department of Civil Service.

Once an applicant is appointed from the applicant pool, the 12-month probation period will serve in lieu of the written, electronic, or other appraisal process to evaluate candidates for positions in state service. Upon satisfactory completion of the probation period, permanent status may be granted. The same probationary rating methods and time periods are observed as in regular appointments. Persons with a disability who receive less than satisfactory ratings are subject to the same conditions as other employees, including separation from employment.

Appraisal methods that consist of an assessment of an applicant's education and experience are exempted from this process.

To enable successful job performance, whenever possible, sponsoring rehabilitation agencies may provide supportive services to persons with disabilities appointed under this process and to employing departments and agencies.

Michigan Rehabilitation Services (MRS) must submit Form CS-944, Application for Persons with Disabilities and Request for Reasonable Accommodation in the Written, Electronic, and Other Appraisal Process; Form CS-630, Application for Twelve-month Trial Appointment Program for Persons with Disabilities; and the Examination Application Form.

The forms must include the classification and appraisal method, identification of the disability and the rationale for the certification, and signature of the counselor. When completing the forms, it is very important to include a description of how the disability places the applicant at a competitive disadvantage in the written testing situation. Where possible, describe specific functional loss; e.g., actual visual acuity; decibels of hearing loss; type of functional loss of specific limbs, etc. Submission of medical documentation is not necessary.

The Michigan Department of Civil Service will review the application to determine if the

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applicant is eligible for the program.

If the applicant is eligible for the program, the Michigan Department of Civil Service will include the applicant in applicant pools for which they are qualified, send notification letter to the applicant, and send a copy of the approved Form CS-630 application to the authorized certifying MRS counselor.

If the applicant is not eligible for the program, the Michigan Department of Civil Service will indicate rejection and the rationale for the rejection of the CS-630 application and send a copy of the disapproved CS-630 application to the authorized certifying MRS counselor.

Questions regarding this regulation should be directed to the Department of Civil Service, P.O. Box 30002, 400 South Pine Street, Lansing, Michigan 48909, 517-373-3048 or 800-788-1766, or [MDCS-BHRS@Michigan.gov](mailto:MDCS-BHRS@Michigan.gov).

## 8175: Vocationally Handicapped Certification

### Policy

Individuals may be certified by Michigan Rehabilitation Services (MRS) for Vocationally Handicapped Certification if they meet the following criteria:

- Have a medically certifiable heart, back, epilepsy, or diabetes disability;
- Are unemployed at the time the Worker's Certificate is issued;
- Have no pending job offer; and
- Are able to establish that they have been rejected for employment because of the disability.

### Procedures

#### Medical Records to Determine Eligibility

Although there are no specific recency requirements for medical records used to determine eligibility for Vocationally Handicapped Worker Certification, rehabilitation counselors shall determine whether available medical records are adequate to assess the applicant's current condition. Some conditions improve over time; for example, medical records which are several years old may not be adequate to diagnose a current back condition when the applicant's previous diagnosis was acute back sprain, from which s/he has recovered and become asymptomatic. Eligibility may not be based on history of a condition which no longer exists.

Based on federal regulations, medical evaluations may not be purchased for individuals who request only Vocationally Handicapped Worker Certification. It is not necessary to open a case for these individuals. Instead, a file folder, labeled "Vocationally Handicapped Only," shall be established for each P.A.183 applicant. Certification records for individuals who are not clients are stored and shipped in accordance with the Case Storage and Shipping Instructions outlined in this document.

#### Documenting Impairment is a "Substantial Obstacle to Employment"

Applicants for P.A. 183 certification must provide documentation they have been turned down for employment because of their disability, in order to demonstrate their impairment is a "substantial obstacle to employment," as required by P.A. 183. Individuals who already have an offer of hire will not be certified as they are not considered to have a substantial obstacle to employment. Employer rejection may not be assumed for an individual who has not been in the labor market. An individual cannot be certified until there has actually been a denial of employment for disability related reasons.



Individuals who are eligible for extended assessment or for vocational rehabilitation services and have not had a job offer are not required to provide documentation of employer rejection.

### **On-the-Job Training or On-the-Job Evaluation**

A Vocationally Handicapped Worker's Certification should be completed prior to placing an individual in on the job training or on the job evaluation. If the worker certification is not completed prior to the initiation of evaluation or training, a community rehabilitation program or employer would not meet eligibility requirements and, therefore, would not qualify for employer certification.

### **Vocationally Handicapped Worker's Certificate (RA-4476A) Procedure**

The Vocationally Handicapped Worker's Certificate also known as a Wallet Card (RA-4476A) may not be issued after employment has begun. Only counselors and managers may sign certificates. Other staff may gather data, complete case recording and conduct follow-up.

To document eligibility, the counselor must:

1. Obtain medical information to confirm the individual's disability.
2. Complete Part I of the Application for Vocationally Handicapped Certification Form (RA-70).
3. Obtain the Applicant's signature or, as applicable, the signature of the legal guardian or parent and date of signature. The Applicant's signature affirms that he/she is unemployed and allows Michigan Rehabilitation Services (MRS) to forward records from his/her closed case record to the Vocationally Handicapped Provision of the Second Injury Fund for storage at the time the case record is scheduled to be destroyed. These records will be used to document a disability was certified, if a claim is filed at a later date.
4. Obtain the employer's signature, position and date of signature in Part II as confirmation the Applicant was not hired due to inability to perform the job because of the disability checked in Part I.
5. Submit the RA-70 with the case record to the designated District Certificate Authorizer; i.e., either the counselor or the manager.

Part III.A. of the Application for Vocationally Handicapped Certification (RA-70) should be completed by the Authorizer on the same date that Part I is completed. If it is completed later, the counselor must obtain an updated, written verification of unemployment from the Applicant. The Authorizer must review the case record to ensure eligibility before completing and signing Part III.A.

After Parts I-III of Form RA-70 have been completed, a Vocationally Handicapped Worker's Certificate (RA-4476A) may be issued to the Applicant. The Certificate must be completed and signed by the Authorizer before it is issued to the certified individual.

The Vocationally Handicapped Worker's Certificate expires two years after the issuance date. It must be renewed to continue certification. If a new certificate is requested, the same procedures must be followed as for original certificate, including completion of an RA-70.

Once you have completed the Vocationally Handicapped Worker's Certificate, log the activity using the RA-76 – Vocationally Handicapped Certificate Log.

### **Vocationally Handicapped Employer's Certificate (RA-4476) Procedures**

Any individual, firm, facility, or organization who is potentially liable for a claim under the Michigan Workers' Disability Compensation Act can request an employer certification.

Employers not potentially liable under the Michigan Worker's Disability Compensation Act are not eligible for certification. For example, federal government employers are covered by federal laws; interstate railroads are covered by the Federal Employers Liability Act; seamen on navigable waters are covered by the Merchant Marine Act of 1920; and people loading and unloading vessels are covered by the Longshoremen's and Harbor Workers' Compensation Act. Only those employers found eligible under Michigan's jurisdiction are afforded the protection of Chapter 9.

Only counselors and managers (Authorizers) may sign Vocationally Handicapped Employer's Certificates (RA-4476). Other staff may gather data and complete case recording and follow-up.

*Note: Individuals who are eligible for vocational rehabilitation services or Extended Assessment and have not had a job offer are not required to provide documentation of employer rejection. Therefore, Part II of RA-70 would not need to be completed for those individuals.*

1. The issuing counselor must complete Part I and II of the Employer's Certificate Form (RA-4476). The date must be the same on the RA-70, Part III.B. and Part II.

*Note: Three copies of the RA-4476 should be sent to the employer. Two of the copies should be stamped "Copy".*

2. The Authorizer must review the certification documents to ensure their accuracy and completeness before signing and dating Part II of the Vocationally Handicapped Employer's Certificate (RA-4476).

3. Issuance of the Employer's Certificate must be recorded on the RA-76 – Vocationally

Handicapped Certificate Log.

4. The counselor must ensure delivery of the RA-4476 to the employer as indicated in PART III.B. of the RA-70. It may be necessary to follow up with the employer to ensure timely return of the completed RA-4476 form. One certified follow-up letter is required to notify an employer to return the certificate within 60 days of hire and the consequences of not doing so; Form RA-4478 may be used. Follow-up attempts must be documented in the case record or Vocationally Handicapped Fund file and on the RA-70, Part III.B.

5. Once the completed certificate has been received, the counselor must review it for accuracy and completeness. The date it was received and judged accurate and complete must be recorded on the bottom of the RA-4476 using a date stamp.

6. The employer must be notified in writing that the certificate has been received unless it was returned by certified mail. Written notification to the employer must be recorded in Part III.B. of the RA-70.

7. Make two copies of the employer certificate stamped "copy". The District Office retains one copy in the master file, one copy must also be sent to the Second Injury Fund, Vocationally Handicapped Provision, 7150 Harris Drive, P.O. Box 30182, Lansing, Michigan 48909. (If you are using pre-printed, 3-part forms ordered from the DMB Materials and Management Warehouse, the white copy goes to the employer, the canary copy goes to the Second Injury Fund Vocationally Handicapped Provision and the pink copy is placed in the master file.)

**Vocationally Handicapped Certificate Log - RA-76**

The Vocationally Handicapped Certificate Logs must be kept permanently by each district office, which provides the district office the ability to communicate the date of transfer of an inactive file to the Second Injury Fund. Additionally, once a year when requested, the Vocationally Handicapped Certificate Log will be forwarded to Central Office for tabulation of Vocationally Handicapped Employer and Worker Certificate numbers.

**Case Storage and Shipping Instructions**

A separate manila file folder must be set up for each "Vocationally Handicapped Only" non-customer and customer record. (A non-customer record is a case that is not opened in *Aware*.) When a case is opened in *Aware*, the manila file folder is maintained with the regular case record until the case is closed in *Aware*. Then, the folder for the Vocationally Handicapped Provision (VHP) is pulled from the regular case record and stored with the other VHP folders. Folders are necessary to ensure ease of handling and prevent loss of materials during the time the VHP cases must be stored by the Vocationally Handicapped Provision (VHP files are retained for 30 years after the file becomes inactive).

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Revised 6/2010

The tab of the folder must be prepared as follows:

LAST NAME, FIRST NAME DOB: 00-00-0000

SS # 0000-----APPLICATION FOR HANDICAPPED CERTIFICATION

Minimally, the folder must contain:

- The (RA-70), "Application for Vocationally Handicapped Certification".
- Applicant's complete address
- Applicant's birthdate
- Applicant's Social Security Number (last 4 digits only)
- Medical evidence used to certify the disability(ies).

If Applicable:

- The district copy of the RA-4476, "Vocationally Handicapped Employer's Certificate".
- A copy of the letter acknowledging receipt of the RA-4476 from the employer, or a certified mail receipt.
- Other relevant correspondence and documents.

### **Voided Vocationally Handicapped Worker's Certificate or Employer's Certificate**

If a Vocationally Handicapped Worker's Certificate or Employer's Certificate is voided at any point in the process, the guidelines in the Case Storage and Shipping Instructions section apply.

### **Transferring VHP Files to the Second Injury Fund**

Vocationally Handicapped Provision files are retained in the district office for three years following the fiscal year in which final action was taken. In February through April, all customer VHP records eligible for transfer are boxed and shipped to:

Assistant Administrator  
Michigan Department of Licensing and Regulatory Affairs  
Second Injury Fund, Vocationally Handicapped Provision  
7150 Harris Drive, P.O. Box 30182  
Lansing, Michigan 48909

Districts can order record retention boxes from the current state-contracted office products vendor. VHP records must be boxed in alphabetical order. Each box must contain an alphabetized list of the records enclosed in that box. (*Note: If you don't have enough files to fill a record retention box, you may use a large envelope.*) A copy of the list must be kept in your office as well. The list should identify the date you are sending the files, your district office and

then each client's last name (in alphabetical order), first name, last 4 digits of social security number and date of birth.

VHP records should be mailed to the Michigan Department of Licensing and Regulatory Affairs, Second Injury Fund, Vocationally Handicapped Provision by interdepartmental mail or certified mail.

### **Retrieval of VHP Records**

When it is necessary to retrieve a VHP file from the Fund, a written request must be sent to the assistant administrator at the Second Injury Fund at the address above or an e-mail can be sent to [funds@michigan.gov](mailto:funds@michigan.gov) requesting the VHP file. The assistant administrator will need the name, date of birth, last 4 digits of social security number, date of transfer to the fund, and your office name and address for forwarding of the file. The entire file will be sent to your office and must be returned to the Fund within 5 working days using certified mail. Files may be the basis for legal proceedings; it is essential all materials are returned.

### **Information**

Vocationally Handicapped Certification (also known as PA 183 since 1972) limits an employer's liability for Workers' Compensation payments to 52 weeks per injury for any employee appropriately certified as having a heart, back, epileptic, or diabetic disability prior to hire. The Second Injury Fund pays all costs associated with the vocational rehabilitation of certified employees, from the date of injury. This legislation does not limit an employee's entitlement to benefits but limits the number of weeks the employer is responsible for workers' compensation benefits, and eliminates the employer's responsibility for the cost of vocational rehabilitation under Section 319. If the employee is in need of vocational rehabilitation services and/or is entitled to compensation coverage beyond the number of weeks for which the employer is liable, the benefits are provided from the Vocationally Handicapped Provision of the Second Injury Fund established by the State Legislature. The Fund is maintained through an annual assessment against all insurance companies that write workers' compensation policies in the State of Michigan, and all employers who self-insure their workers' compensation liability in Michigan.

MRS is designated in the legislation as the certifying agency for the Vocationally Handicapped Worker Program.

There are two types of certificates in the Vocationally Handicapped certification process.

- A Vocationally Handicapped Worker's Certificate, RA-4476A, issued to the individual is a wallet size card that certifies the applicant met certification criteria. It may be used to inform an employer of potential coverage once Employer Certification is completed.
- A Vocationally Handicapped Employer's Certificate, RA-4476, issued to the employer, is

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Revised 6/2010

necessary to complete the certification process. This completed document initiates employer coverage by the Vocationally Handicapped Provisions of the Second Injury Fund.

Vocationally Handicapped Certification is authorized under Section 915 of Chapter 9 of the Workers' Disability Compensation Act.

## 8200: Wage Deviation

### Policy

Individuals shall be placed in suitable jobs at prevailing wages as allowed by their capability and consistent with their Individualized Plan for Employment (IPE); however, wages below the legal minimum may be appropriate if they are commensurate with the individual's production rate and conform to governmental wage and hour regulations. The employer must obtain wage deviation certification.

### Procedures

The Federal Government issues special sub-minimum wage certificates and the State of Michigan issues wage deviation certificates. Federal and State procedures are outlined below.

#### Federal Certification

Federal certification is required for establishments to pay sub-minimum wages to workers covered by the Fair Labor Standards Act (FLSA) of 1938, as amended and who have a disability for the work to be performed.

Federal certificates are issued to establishments, which pay sub minimum wages rather than issued to individual workers, and are valid for either a 12 or 24 month period on an annually renewable basis. Employers apply for certificates by submitting Forms WH-226 "Application for Authority to Employ Workers with Disabilities at Special Minimum Wages" and WH-226A "Supplemental Data Sheet for Application for Authority to Employ Workers with Disabilities at Special Minimum Wages" to the Wage and Hour Division of the United States Department of Labor at the following address:

U.S. Department of Labor  
Wage and Hour Division  
230 South Dearborn St. Room 530  
Chicago, Illinois 60604-1757  
Telephone: 312-596-7195

Web Address for Informational Guides and Fact Sheets:

<http://www.dol.gov/general/topic/wages/subminimumwage#doltopics>

Approval of an application takes approximately 30-45 days. Employers applying for the first time or who have not submitted a timely renewal application must pay wages consistent with the state minimum wage, the federal minimum wage or, if there is a government contract, the

## RSM 8200 - Wage Deviation

Revised 3/2007

Service Contract Act (SCA) wage determination rate (whichever is the higher applicable rate) for any work performed until the certificate is issued. Certificates are valid for either a 12 or 24 month period from the approval date. As a courtesy, the U.S.D.O.L. Wage and Hour Division sends renewal applications to employers approximately 60 days prior to the expiration of certificates. Certificate holders are responsible for submitting renewal applications in a timely manner, and failure to receive a renewal application from the Wage and Hour Division is not a valid reason for failure to submit the application. Unless employers renew their certificate or obtain an extension, sub-minimum wages may not be paid beyond the expiration date.

Counselors may assist employers in completing applications for certification. Assistance can include the gathering of prevailing wage rate information in the local area, or assessing employee productivity.

On the form WH-226, a state agency or the U.S. Veterans Administration may authorize Temporary authority for the vocational rehabilitation programs they administer. This temporary authority for an employer to pay sub-minimum wages will exist for 90 days and cannot be extended or renewed by the issuing agency. This may assist counselors in arranging on-the-job evaluation or training programs, schoolwork experiences, and transitional or temporary employment for individuals who perform at non-competitive rates. Employers must apply for a regular certificate if they agree to hire an individual permanently. Applications should be submitted as soon as the decision to hire has been made rather than after the Temporary Certificate has expired, if one has been authorized.

### **State of Michigan Certification**

A Michigan Individual Wage Deviation Certification is required before an employer may pay a sub-minimum wage to a worker covered by the Michigan Minimum Wage Law of 1964. The state law applies to establishments with gross annual receipts under \$500,000.00 unless engaged in interstate commerce, and must employ at least two individuals sixteen (16) years or older.

Michigan wage deviation certificates are issued for individual workers rather than for all employees of the certified establishment, and are renewed annually. An employer requests certification for a specified employee and wage rate on an "Application for Individual Wage Deviation Certification". The application is signed by both the employer and employee, and mailed to:

Michigan Department of Licensing and Regulatory Affairs (LARA)  
Wage & Hour Division  
PO Box 30476  
Lansing, MI 48909-7976  
Telephone: 517-322-1825



Web Address for Informational Guides and Fact Sheets:

[http://www.michigan.gov/lara/0,4601,7-154-11407\\_59886---,00.html](http://www.michigan.gov/lara/0,4601,7-154-11407_59886---,00.html)

Applications for deviated wage certification are forwarded to the Michigan Rehabilitation Services (MRS) Policy unit, along with a "Wage Deviation Appraisal Report" by the LARA Wage and Hour Division. The "Wage Deviation Appraisal Report" form is forwarded to the local MRS district office to be completed by a counselor within two weeks. The counselor may open a case file to purchase diagnostic services if needed to appraise the work capacity of a non client.

Prior to completing the "Wage Deviation Appraisal Report", the counselor is required to conduct an on site appraisal of the worker's productivity, and determine the resulting commensurate wage rate. The counselor then recommends whether the employer's proposed wage rate should be approved, modified, or denied. The signed "Wage Deviation Appraisal Report" is forwarded to the MRS Policy Unit for review and returned to the LARA Wage and Hour Division. The Wage & Hour Division determines approval of a wage deviation application. Information

A "commensurate" wage is that which reflects the productivity of the worker with a disability proportionate to both the productivity and prevailing wages of non-disabled workers performing similar work. If, for example, a housekeeper with a disability cleans only half as many rooms per shift as non-disabled housekeepers who receive \$9.00 per hour, the commensurate wage would be 50% of the prevailing wage, or \$4.50 per hour.

Both federal and state certifications require the employer to document worker productivity and prevailing wages for the types of work being performed at sub-minimum rates. Employers must also periodically adjust deviated wages to reflect changes in performance, or in the wages being paid to local non-disabled workers performing similar work. If such adjustments result in a wage that meets or exceeds the minimum wage, certification is no longer necessary.

Establishments may use the prevailing wages paid to their own non-disabled employees when computing a commensurate wage rate. Employers who hire disabled workers only, must use a prevailing wage, which is representative of the local economy. In either case, the sources from which prevailing wage information is obtained must be documented.

## 8225: Workers Disability Compensation

### Policy

Applicants for services with Michigan Rehabilitation Services (MRS) who are receiving Workers' Compensation benefits should be referred to MRS' Disability Management Program. A case shall also be referred to the Disability Management Program if an insurance carrier elects to pay for rehabilitation costs during litigation.

### Procedures

Individuals with Workers' Compensation claims may be served in MRS' General Program if:

- The claim is in litigation,
- The claim has been redeemed, or
- They are receiving Workers' Compensation, but it has been determined by the Disability Management Program that they require rehabilitation services that are not the responsibility of the insurance carrier or self-insured employer.

Form RA-140, Workers' Disability Compensation Case Information Report is required to be sent to the Bureau of Worker's Disability Compensation when a case is opened in the General Program, if the case is in litigation or the case will be served concurrently in the Disability Management Program.

The client's written permission should be obtained to exchange any information, other than the RA-140, with the Bureau of Workers' Disability Compensation.  
Information

Under the Michigan's Workers' Compensation Act, injured workers are entitled to weekly benefits and medical and vocational services if the employer is legally responsible for the injury.

For consultation and assistance, the Vocational Rehabilitation Division, Bureau of Workers' Disability Compensation can be contacted at:

Department of Licensing and Regulatory Affairs  
Workers' Disability Compensation Bureau  
P.O. Box 30016  
Lansing, MI 4890  
888-396-5041

Staff of MRS Disability Management Program can also be consulted.

## RSM – Workers Disability Compensation

Revised 1/2000

A litigated case is one that is involved in some type of legal proceeding. If a dispute occurs, the claimant (client) or the carrier may petition for a hearing before a magistrate. This dispute might revolve around the injury itself, the payment of weekly benefits, the provision of vocational rehabilitation services, or other issues.

Carriers cannot be required to provide vocational rehabilitation in those cases where they have filed for a hearing to determine their responsibility to provide Workers' Compensation benefits.

Neither is a carrier obligated to provide vocational rehabilitation in those cases where an order to pay Workers' Compensation is appealed and awaiting a decision.

Counselors can call the Vocational Rehabilitation Division of the Bureau of Worker's Disability Compensation to determine the status of an individual's claim.

Individuals whose cases are redeemed receive a complete and final cash settlement. The carrier is not responsible for further costs. The client and counselor should determine the client's ability to contribute to rehabilitation costs from the settlement.

Under the Workers' Disability Compensation Act (Section 418.319) employers and insurance carriers are responsible only for services needed to address the work-related injury. They are not responsible for services needed to address other disabilities or for services to family members. They may not be responsible for training programs of more than 52 weeks.

## 9000: Authorization for Services

### Purpose

In accordance with state and federal regulations, this policy establishes guidelines for the authorization of Michigan Rehabilitation Services (MRS) purchased services.

### Policy

MRS authorizes for the delivery of services when services are not provided in full by MRS staff or a comparable benefit/service.

### Definitions

**Authorization** - Michigan Rehabilitation Services-Vendor Authorization for Purchase (Ra-Z40-x) form is provided to a vendor to detail requested goods to be obtained or service(s) to be delivered.

**Aware 4-Step Authorization Process** – Aware procedure to draft authorization, issue authorization, draft payment, and release payment.

**Retroactive Authorizations** - An authorization issued after a service has been initiated or completed.

**Direct Authorization** - A single payment for goods or service issued directly to an MRS customer.

**Recurring Authorization** - Multiple payments, generated from a single authorization, issued over a designated period of time directly to an MRS customer.

### Procedures

#### Fiscal Accountability

MRS staff draft and issue authorizations in alignment with the Aware 4-Step Authorization Process and corresponding policies and procedures in the Rehabilitation Services Manual (RSM).

MRS staff are assigned financial permissions to authorize services based on Aware Security Guidelines. MRS staff are not permitted to exceed or circumvent their assigned financial permissions.

*Example: MRS staff are prohibited from issuing multiple authorizations to avoid financial limits or policy restrictions.*

Failure to comply with Aware internal controls or policies contained within the RSM will result in Aware authorization access being restricted. Prior to authorization privileges being reinstated, the staff member will need to successfully complete fiscal training.

### **Use of MRS Vendors**

MRS staff utilize MRS vendors to purchase required services.

If a vendor is unable to be identified for the purposes of providing a service, the counselor enters an Aware – Administrative Note. This note describes the effort made to explore other vendors to deliver the services and, if appropriate, the counselor’s inability to locate a vendor. This Administrative Note is provided to the MRS manager for consultation and guidance.

### **MRS Signature When Issuing an Authorization**

When MRS staff sign an authorization, they are verifying that the authorization for services is in alignment with relevant policies and procedures contained in the RSM, the Aware 4 – Step Authorization Process was appropriately followed, and the authorization coding requirements are accurate.

### **Drafting and Issuing Individual Authorizations (Vendor)**

The following information is necessary to generate a vendor an authorization:

- Begin/end date of each itemized service
- Fund Source
- Vendor (including address)
- Service category/sub-category and description of goods and/or service(s) to be provided
- Cost including units/hours per service
- MRS staff signature

MRS counselor provides the MRS signed authorization to the vendor and retains a copy of the signed authorization in the customer’s case record.

### **Amendment of an Individual Authorization (Vendor)**

MRS staff may amend an authorization during the same fiscal year as the original authorization. Documentation in either the Aware – Administrative Note or in the Aware authorization page is required to indicate the rationale for the amendment. The following information is amendable:

- End date - when more time is necessary to complete a service.
- Unit/hours - decrease or increase of units/hours when amended prior to service delivery and in alignment with service parameters.
- Addition or removal of a service - services may be added or removed prior to the service starting.

- Fund source – may be changed when it's determined another budget/funding source is more appropriate for the delivery of the service.

To avoid a retroactive authorization when changing unit/hours or adding a service, the amended authorization is required to be issued prior to delivery of the amended portion of the service.

When an amended authorization is issued, the vendor is provided the MRS signed amended authorization and a copy is retained in the customer's case record.

### **Drafting and Issuing Group Authorizations (Vendor)**

Group authorizations are limited to the following Aware service categories:

- Customized Employment – Discovery
- Customized Employment - Job Development/Placement
- Job Placement Assistance
- Pre-Employment Transition Services
- Public Transportation
- Private Transportation

MRS counselors consult with their MRS manager prior to issuing a group authorization.

MRS manager reviews the request for a group authorization and, if appropriate, assumes responsibility for the group authorization. A MRS signed copy is provided to the vendor, and a copy is retained in a separate folder within the district office for audit purposes.

### **Amendment of a Group Authorization (Vendor)**

MRS manager may remove a customer from a group authorization. A customer may only be added to an existing group authorization if one was first removed.

MRS manager may cancel a group authorization. If canceled, then each customer record is to reflect the reason for the cancellation.

### **Drafting and Issuing a Direct/Recurring Authorization**

If unable to identify a vendor to deliver a service, MRS counselors complete an Aware – Administrative Note detailing their efforts to secure a vendor. Then and only then, should a request to the MRS manager for a direct or recurring authorization to the customer be made.

Direct and recurring authorizations are only issued by an MRS management and within these constraints:

- MRS site managers are permitted to issue amounts up to \$1,000

## RSM 9000 – Authorization for Services

Revised 4/2022

- MRS district managers are permitted to issue amounts up to \$3,000
- MRS division directors may issue amounts over \$3,000

MRS managers ensure that direct/recurring authorizations are aligned with the appropriate Aware service categories.

The following information is necessary to generate a direct/recurring authorization:

- Begin date of authorization
- Fund Source
- Address of MRS customer, MRS office, or Michigan Career and Technical Institute (MCTI) if customer is located at MCTI
- Service category/sub-category and description of goods and/or service(s) to be purchased
- Frequency of payments for recurring authorizations
- MRS staff signature

The MRS counselor is required to send to the customer receiving a direct or recurring payment a Notice of Payment to Participant letter generated by Aware. This letter is required to be generated at the time of authorization and sent prior to the customer receiving the first direct or recurring payment.

MRS counselor retains the issued/signed direct/recurring authorization in the MRS customer's case record.

### **Letter of Intent**

MRS Bureau Director may issue a policy directive to managers granting the use of a Letter of Intent when there is an inability to issue authorizations for services.

MRS managers are responsible for issuing a Letter of Intent to vendors on an interim basis and as appropriate. When authorization access has been restored, managers and counselors should follow the normal process for issuing authorizations to vendors.

### **Retroactive Authorizations**

Retroactive authorizations are prohibited and result in an audit exception.

When retroactive authorizations are issued, the MRS manager will notify the Division Director. Division Director will determine if there is a need to contact the Aware Help Desk and remove the authorization access of the offending staff member and require fiscal training, or if other corrective actions are warranted. If subsequent retroactive authorizations are issued by any staff person, the MRS manager will follow the normal corrective action. If the manager fails to address retroactive authorizations as outlined above, the manager will also face corrective action.

To rectify a retroactive authorization and ensure that services are provided to meet the needs of the customer, an MRS division director is required to issue the authorization as a corrective measure.

## 9025: Fee Schedule and Rate of Payment

### Purpose

In accordance with state and federal regulations, this policy establishes guidelines for Michigan Rehabilitation Services (MRS) rate of payment for Vocational Rehabilitation (VR) services.

### Policy

MRS authorizes for services necessary to determine eligibility, establish need for services, and to develop and implement an Individualized Plan for Employment (IPE) or PTA Service Agreement.

MRS maintains a Fee Schedule for select VR services. VR services not listed within the Fee Schedule are authorized based on the least cost service that meets the vocational need of the customer.

MRS is prohibited from supporting:

- Reimbursement for service delivery initiated or completed prior to MRS authorization.
- Establishment of arbitrary limits on the nature, scope, and timeframe for delivery of VR services.
- Cost of a service that exceeds the least cost service that meets the vocational need of the customer.
- Out-of-state services beyond the cost of an equivalent in-state service.
- Services beyond the defined scope of the MRS Rehabilitation Services Manual (RSM).
- Vendor expenses incurred as a cost of conducting business.

### Definition

**Fee Schedule** - MRS document that contains a complete list of established rates of payment used to authorize and pay for specified services.

**Rate of Payment** - Agency approved monetary fee by unit/hour established to pay for a specified service.

**Vendor Expenses** - Costs of conducting business not directly associated with delivery of the requested service. These include but are not limited to:

- Employee training and supervision activities
- Employee equipment
- ADA compliance
- Administrative activities including general staff meetings



- Meetings established for referral or review of services
- No-shows or missed appointment fees
- Report writing
- Travel time

### **Procedures**

#### **Identification of Rate of Payment for a Service**

MRS counselor references the Fee Schedule and/or individual service policies in RSM Section 6 to identify if there is rate of payment for the service to be delivered.

#### **Determining Rate of Payment for a Service Not Identified in the Fee Schedule**

If a rate of payment is not identified in the Fee Schedule, the MRS counselor evaluates potential vendors to determine the least cost service that meets the vocational need of the customer. An Aware Administrative Note minimally documents:

- Resources used to identify available vendors
- List of available vendors including service and cost (excluding vendor expenses)
- Selection of vendor who will provide the least cost service that meets the vocational need of the customer

#### **Exception To Fee Schedule**

If a customer's barrier to employment results in a need for a specialized service or service delivery mechanism not in alignment within the parameters of established RSM service policies and associated Fee Schedule, the MRS counselor may pursue an exception.

MRS counselor documents request for Fee Schedule exception in an Aware Administrative Note and forwards the request to their manager. A request for exception includes:

- Summary of customer need, based on disability and barriers to employment, not met by the corresponding RSM service policy
- List of available vendors who confirm an inability to meet the vocational need of the customer in alignment with the Fee Schedule
- Identification (if known) of alternate programming options able to meet the specific vocational need of the customer and cost of service

MRS manager reviews request and documents in an Aware Administrative Note a confirmation of service providers inability to meet the customers need based on the Fee Schedule and submits collected information to MRS division director for review.

MRS division director determines whether to approve or deny the exception. Decision is forwarded to MRS manager and MRS-PED unit mailbox.

## RSM 9025 – Fee Schedule and Rate of Payment

Revised 2/2022

MRS manager, if approved, submits request to Aware Support Desk for temporary override protocol and follows the Aware 4-step authorization process for vendor authorizations based on an exception to the Fee Schedule.

MRS-PED unit maintains a list of all decisions for data tracking purposes.

## 9075: Independent Contractors

### **Policy**

Independent Contractors are persons who are employed and paid directly by the applicant or the eligible individual for whom they provide a service. Such arrangements may be needed for legal or tax reasons and/or to advance self-direction for individuals with the most significant disabilities. Examples are life skills coach, personal care attendant, job coach, mentor, and advisor.

### **Procedures**

These providers and services have arisen due to the intensive nature and scope of services which may be necessary for persons with the most significant disabilities to take their place in the competitive work environment. Such services generally do not have a national or state credentialing standard. If no provider standards exist for these service providers, they shall meet minimum education and training requirements for their practice. Training for such services is often offered by community service organizations, such as United Cerebral Palsy and community mental health providers or may be available through a university or community college. Any assistants whom the independent contractor hires shall be qualified to perform the duties assigned.

The independent contractor assumes all fiscal obligations and must maintain liability insurance. When the individual and counselor decide on a service and provider requiring independent contracting, the individual and the independent contractor are to agree on services to be provided and payment for the service. The counselor may assist in reaching an agreement with the independent contractor, if called upon by the eligible individual. If Michigan Rehabilitation Services (MRS) assists in making payment to the individual to support the services of an independent contractor, a copy of a signed purchase agreement must be in the case record. If the service is being provided as part of the employment goal, the service must be included in the IPE.

Each service shall be separately documented with a Purchase of Service Agreement, RA-4589 for a specific service, over a specified period of time at a pre-determined cost. The counselor shall maintain a copy of any such Agreement in the individual's service record

#### **Information**

Independent contractors, by definition, are not employed by, or under contract to an accredited rehabilitation facility or other private or public entity which assumes liability for its employees and/or persons under contract. They perform work or provide a service for which there is no national or state approved or recognized standard, and the services they provide do not fall within the scope of practice of other occupations for which a service or national standard exists.

## 9200: Billing - Payment for Services

### Purpose

In accordance with state and federal regulations, this policy and procedure establish guidelines for billing and payment for Vocational Rehabilitation (VR) services.

### Policy

Michigan Rehabilitation Services (MRS), prior to payment of an authorization, verify goods or service were delivered and met all obligations outlined in the authorization and referral for services.

### Definition

**Authorization** – Michigan Rehabilitation Services-Vendor Authorization for Purchase (Ra-Z40-x) form provided to a vendor to detail requested goods to be obtained or service to be delivered.

**Aware 4-Step Authorization Process** – Aware procedure to draft authorization, issue authorization, draft payment, and release payment.

**Invoice** – The Michigan Rehabilitation Services-Vendor Authorization for Purchase (Ra-Z40-x) form or vendor-generated form that details the service or goods that was delivered in alignment with the MRS authorization, including the date(s) of service, billing amount, and if partial or final billed.

**Receipt** – A written or printed statement from a place of business that confirms a specific service or good(s) was delivered, cost, and date of service in alignment with the MRS authorization.

**Report** – A written document that summarizes service delivery in alignment with the MRS authorization.

### Procedures

#### Payment of Vendor Purchased Goods or Service

MRS counselor, manager, or director prior to signature on an authorization, verifies:

- Vendor section of authorization is completed including checked Partial Billing/Final Billing box
- MRS customer signature is on the authorization if indicated as required to verify receipt of service or good(s)

- Obtainment of all required vendor reports, invoices, and/or receipts that reflect delivery of service or good(s)
- Dates of service are in alignment with the authorization

MRS staff signature for approval of payment indicates verification of delivery of service or good(s) and obtainment of required report(s), invoice(s), and/or receipt(s).

### **Payment of Direct/Recurring Purchased Goods or Service**

Payment of a direct/recurring authorization is completed when the authorization is issued. The payment is provided to the MRS customer for the indicated service or good(s).

MRS counselor is required to obtain verification of purchased service or good(s) within 60 days of issuing the authorization. If receipt is not obtained within 60 days, MRS counselor documents an Aware Administrative Note indicating rationale for an extension and new expected due date to obtain the receipt.

*Note: Verification of receipt of service for direct/recurring authorization is required prior to authorization of additional direct/recurring services. MRS manager may approve an exception to avoid a delay in service(s).*

### **Payment of Group Purchased Service or Good(s)**

Prior to approving payment of a group authorization, MRS manager:

- Confirms invoice/receipt reflects completion of the specified service or good(s) authorized for everyone listed in the group authorization
- Maintains a unique report for each customer listed on the group authorization within the customer file

MRS manager maintains two office files for audit purposes. One file contains all approved/active group authorizations. The second file retains completed group authorizations/invoices.

### **Michigan Sales or Use Tax**

The State of Michigan tax-exempt number is printed on the authorization.

MRS is exempt from paying Michigan Sales or Use Tax in alignment with MCL 205.93a.

*Exception: When MRS financially supports a customer's purchase of a vehicle, the sales tax must be paid either by MRS or the customer.*

### **Missing/Incomplete/Inaccurate Invoice, Receipt, or Report**

An Aware Administrative Note is required if an invoice, receipt, or report is missing, incomplete, or inaccurate. Documentation includes attempts to obtain an invoice, receipt, or report of service or good(s), examples of include but are not limited to:

- Follow up with vendor or customer to obtain invoice, receipt, or report
- Request the customer obtain a copy of a receipt from service provider

If after review of vendor submitted documentation, it is determined that the service or good(s) provided does not meet expectations as outlined in the authorization/referral for services, the MRS counselor has the authority to reject the invoice, receipt, or report and request corrective actions necessary prior to payment.

If unable to obtain verification of an invoice, receipt, or report, MRS manager is notified to assist with resolving the issue. MRS manager may consult with the vendor to resolve the issue or approve the use of an Alternate Receipt of VR Goods or Services form (RA-2920) if the missing invoice, receipt, or report of service or good(s) resulted from a direct payment to the customer.

If resolution of an incomplete, inaccurate, or missing invoice, receipt, or report is unable to be reconciled, vendor is notified in writing that payment is withheld, and the issue is forwarded to the MRS division manager for consultation regarding future use of the vendor.

### **Canceling Authorization**

MRS counselor completes an Aware Administrative Note and provides rationale if there is a need to terminate an authorization.

## 9300: Competitive Bids and Price Quotations

### Procedures

#### Competitive Bid/Quotation

Three identical written, competitive bids are required for the purchase of all goods and services that cost \$3,000 up to \$150,000.

All specially constructed, or prescriptive devices, requires three price quotations.

*Note: MRS staff provide vendors with copies of prescriptions and/or specifications when requesting price quotations.*

*Note: Goods/services over \$150,000 require a sealed bid process and are arranged through the Division Director.*

MRS staff maintain documentation of all competitive bids/price quotations and associated materials.

#### Request for Competitive Bid/Quotation

The MRS-4587, Request for Bid/Quotation, is the preferred form to be used to request a bid or quotation. However, the vendor may provide the bid in their preferred format, including copies of current published lists or catalogs in place of bids.

When obtaining competitive bid/quotations, it is required that:

- Vendors are provided with identical written specifications.
- Warranties are to be included if stated in the specifications.

*Note: A competitive bid/quotation is not required if it is documented that there are not three vendors who can provide the item(s) as specified. MRS staff document the effort to obtain three bids.*

*Note: A competitive bid/quotation is not required for services delivered under a MRS contracted agreement. MRS staff document compliance with contract specifications.*

## RSM 9300 - Competitive Bids and Price Quotations

Revised 2/2019

### **Information**

*Competitive Bid:* A competitive bid is a vendor's written offer to provide an item at a stated price according to specifications.

*Price Quotation:* A price quotation is a vendor's statement of the current price of an item. Price quotations may be based on general descriptions of items and are not typically legally binding.



## 9325: Approval Authority

### **Policy**

Michigan Rehabilitation Services (MRS) staff may not exceed their maximum delegated financial approval authority in authorizing for goods or services.

### **Procedures**

The district manager is responsible for delegating approval authority for authorizations to counselors on an individual basis, within the maximum limits set by *Aware* staff security guidelines. Maximum delegated authority is documented through the “*Aware* Access Request” forms submitted to and maintained at MRS Central Office.

Staff Security Guidelines for *Aware* may be referenced on the MRS shared “S” drive. Exception may be requested via an “*Aware* Staff Access Request” form and must be approved by authorized MRS personnel.

The use of separate authorizations to purchase the same goods or services in order to avoid approval authority limits is prohibited.

## 9350: Services to Groups of Clients

### **Policy**

Services to groups of clients (SGC) may be authorized for services that will substantially contribute to vocational rehabilitation outcomes, but are not directly related to individual client rehabilitation programs.

### **Procedures**

A group of clients is defined as two or more. Individuals who are not Michigan Rehabilitation Services (MRS) clients may also benefit from the services, but the primary beneficiaries shall be clients. Services that may be authorized for groups of clients are the same as that which may be provided to individual clients, as well as those specifically designated in the Rehabilitation Act of 1973, as amended, for groups of individuals with disabilities.

The SGC authorization is to be issued when rehabilitation needs cannot be addressed in any other way. This process does not replace the community rehabilitation organization construction and establishment grants, nor innovation and expansion grants. Neither does it replace requirements for the use of comparable benefits and services before MRS funds are used.

Services may not be provided for groups of clients that are the legal responsibility of other parties under the Americans with Disabilities Act.

An authorization for a service for a group of clients may be for a one-time occurrence, or for a time-limited service but not for continuing activities such as salary and wages or utilities.

Funds for services to groups of clients are assigned solely to the district manager. The manager is responsible for all decisions relative to purchasing services for groups of clients, the authorization process and for maintaining adequate records to support case service expenditures.

If another agency or organization is involved in the purchase of a service for a group of clients by MRS, there must be a written agreement which:

- Describes the service(s) to be provided and how they will help achieve employment outcomes for clients.
- Estimates the number of clients to be served and the percentage this represents of the total number to be served.
- Estimates the cost to be incurred; and

## RSM 9350 - Services to Groups of Clients

Revised 3/1997

- Prescribes the methods for disposal of equipment purchased by MRS, or describes the financial adjustment when equipment is to be jointly purchased, in the event the service ceases to be available to clients. Principles which govern the disposal of equipment purchased under this authority are the same as those governing the disposal of equipment by public or nonprofit agencies or organizations under the community rehabilitation organization establishment grant authority.

A file must be maintained for each purchase of a service for a group of clients that contains all fiscal documents, agreements and related correspondence and reports for audit purposes. Files should be organized by fiscal year.

## 9375: Bulk Authorizations

### **Policy**

Bulk authorizations may only be used to purchase bus tickets/tokens/passes, orientation services, orientation interpreter services, MCTI Caps and Gowns and MCTI Drug Screenings.

### **Procedures**

- Procedures for authorization to vendor identified in *RSM 9000 - Authorization for Services*.
- A record of individuals who receive services under bulk authorizations and the quantity received shall be kept in the district to provide an audit trail.
- Special Supported Employment funds may not be used as a budget source.
- Total amount of the authorization may not exceed \$10,000.
- The Site Manager or District Manager shall sign the "Authorized Signature" field and the "Payment Approved By" field of the Authorization and Billing document. The signature also verifies the accuracy of the authorization.

## 12000: Pre-ETS Outreach and Referral

### Purpose

In accordance with State and Federal regulations, this policy and procedure establishes the guidelines for referral, outreach and student verification for Pre-Employment Transition Services (Pre-ETS) delivered for students served either in the Vocational Rehabilitation (VR) or Prior to Application (PTA) program.

Students are to be provided Pre-ETS when potentially eligible as part of Prior to Application (PTA) program, or when students have applied for or been determined eligible for the Vocational Rehabilitation (VR) program.

### Policy

Michigan Rehabilitation Services (MRS) will engage in outreach to students, parents/guardians, schools and community partners to obtain referrals. Processing a referral consists of verification of the student's current educational status, disability status, consent for services and determination of PTA or Vocational Rehabilitation (VR) case type. The referral period is 30 days from the documented date of referral.

### Definitions

***Student with a Disability:*** An individual who meets the following criteria:

1. Is not younger than 14 years of age and not more than 25 years of age as of September 1 of the school year of enrollment and who has not graduated or exited a recognized education program.

*Note: A student who turns 26 years old after September 1 of the school year is a "student with a disability" for the duration of the recognized school year.*

Example: If a student turns 26 after the start of the school year such as on December 14th or February 2nd of the school year, they would continue to be eligible for services until the end of that school year.

Example: If a student turns 26 prior to the start of the school year (prior to September 1st) such as August 18th, they would not be considered a student with a disability at the start of the school year and would not qualify for Pre-ETS from that point forward.

2. Has a disability defined as either:

- Eligible for, and receiving, special education or related services under Part B of the Individuals with Disabilities Education Act (IDEA)
- An individual with a disability as defined by section 504 of the Rehabilitation Act of

1973, indicating a determination of:

- Having a physical or mental impairment that substantially limits one or more major life activities
- Having a record of such an impairment
- Being regarded as having such an impairment

3. Has documentation confirming enrollment in secondary, post-secondary or other recognized education program.

*Referral Period:* 30 days from the referral date

*Referral Date:* Date MRS receives information that informs MRS of a potential Pre-ETS candidate. This may be submitted in person, by phone, or email and is to include:

- Full name
- Current telephone number, email address, or emergency contact number
- Address

*Complete Pre-ETS Referral:* Within the referral period, the date all necessary documentation is received to establish a PTA or VR case type. In a PTA case, documentation includes a completed Student and Parental/Guardian Referral/Consent for Pre-Employment Transition Services (MRS-2900), verification of student enrollment and disability status prior to delivery of Pre-ETS. In a VR case, documentation includes a completed Application for Vocational and Employment Services (MRS-2910), verification of student enrollment and disability status prior to delivery of Pre-ETS.

*PTA Case type:* A Student with a Disability (SWD) receiving Pre-ETS services who has not applied for or been determined eligible for VR services.

*VR Case Type (Pre-ETS):* A SWD with an open VR case who can receive Pre-ETS.

## **Procedures**

### **Outreach**

MRS staff develop and maintain cooperative working relationships with state and local secondary education programs (including alternative school programs), post-secondary education programs, state operated programs, and workforce development partners to align services. This is achieved through local agreements and individual community partnerships.

### **Processing a Referral**

MRS staff document in the *Aware* Referral Module:

- Full name

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- Current telephone number, email address, or emergency contact number
- Address

This establishes the referral date in *Aware* and initiates the referral period.

*Note: MRS staff document potential barriers to completing the referral/intake process and coordinate accommodations, if needed.*

### **Informational Brochures**

MRS staff document the review and provision of informational brochures including:

- Pre-ETS service brochures (MRS-Pub-350 and MRS-Pub-351)
- Client Assistance Program (CAP)
- How to Appeal Decisions Made by MRS (MRS-Pub-305)

### **Verification Requirements**

MRS staff verify (1) consent for programming, (2) student status and (3) disability status, for VR/PTA case types during the referral period and prior to delivery of Pre-ETS.

#### **1. Consent for Programming**

- PTA case - Student and Parental/Guardian Referral/Consent for Pre-Employment Transition Services (MRS-2900)
- VR case -- Application for Vocational and Employment Services (MRS-2910)

#### **2. Student status as of the referral date for both PTA and VR case type**

- School Verification of Student with a Disability; Pre-Employment Transition Services (MRS-2905); or
- Active Individualized Educational Plan (IEP); or
- Active 504 Plan; or
- Post-secondary enrollment verification

#### **3. Disability Status for both PTA and VR case type, using one of the following:**

- Individualized Education Plan (IEP)
- 504 Plan
- School documentation confirming disability status
- Documentation from other sources confirming disability (Examples: medical records/reports or SSA beneficiary information)

MRS staff initial and date the Student and Parental/Guardian Referral/Consent for Pre-Employment Transition Services (MRS-2900) and document receipt of current enrollment and disability verification.

MRS staff are not permitted to contact schools regarding specific students until a release of information is in place.

### **Establishment of Case Type**

MRS staff proceed with completing the referral process by establishing a case type or closing the referral.

#### *PTA Case Type*

Upon verification of school status, disability and student/parent/guardian consent for programming, the case moves from the Referral module to the Participant module in *Aware*.

MRS staff input information in the Participant module which automatically closes the *Aware* Referral module.

#### *VR Case Type (Pre-ETS)*

If MRS staff document a need for individualized VR services beyond the scope of Pre-ETS, the referral is to be processed as a VR case type.

### **Closure of Referral due to Non-Receipt or Incomplete Referral Information**

MRS staff close the referral within the *Aware* Referral Module when required information is not collected during the referral period.

*Note: A referral is not to be reopened once closed in the Aware Referral Module. If a new request for service is made, it becomes a new referral.*



## 12025: Pre-ETS Establishment of Need and Development of Service Agreement

### **Purpose**

In accordance with State and Federal regulations, this policy and procedure identifies the guidelines for establishing need and development of service agreement for Pre-Employment Transition Services (Pre-ETS). This policy pertains to Pre-ETS delivered for students served either in the Vocational Rehabilitation (VR) or Prior to Application (PTA) program.

### **Policy**

Michigan Rehabilitation Services (MRS) is mandated to reserve 15% of its annual federal allotment for the provision of Pre-ETS.

MRS counselors are responsible for establishing need for Pre-ETS and the delivery of services based on a Service Agreement in a PTA case type or Individualized Plan for Employment (IPE) in a VR case type.

### *Statewide Availability*

Pre-ETS must be available Statewide to all students with disabilities in need of such services.

### *Reasonable Accommodations*

MRS may assist with reasonable accommodations when other resources are unavailable.

### **Definitions**

#### *Pre-ETS Student with a Disability (SWD):*

An individual who meets the following criteria:

1. Is not younger than 14 years of age and not more than 25 years of age as of September 1 of the school year of enrollment and who has not graduated or exited a recognized education program.

*Note: A student who turns 26 years old after September 1 of the school year is a "student with a disability" for the duration of the recognized school year.*

2. Has a disability defined as either:

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- Eligible for, and receiving, special education or related services under Part B of the Individuals with Disabilities Education Act (IDEA)
- An individual with a disability as defined by section 504 of the Rehabilitation Act of 1973, indicating a determination of:
  - Having a physical or mental impairment that substantially limits one or more major life activities
  - Having a record of such an impairment
  - Being regarded as having such an impairment

3. Has documentation confirming enrollment in secondary, post-secondary or other recognized education program.

*PTA Case Type:*

A SWD receiving Pre-ETS services who has not applied for or been determined eligible for VR services.

*VR Case Type (Pre-ETS):*

A SWD with an open VR case who is able to receive Pre-ETS services.

*Pre-ETS Services:*

Pre-ETS are delivered in coordination with the student's school services and include:

- MRS staff delivered services
- MRS authorized services

*Pre-ETS Coordinated Service Delivery:*

MRS documents coordination of service delivery with the Local Education Agency (LEA) and/or Intermediate School Districts (ISD), including but not limited to state and local agreements.

### **Procedures**

In addition to the Pre-ETS policies and procedures, MRS staff follow all associated agency policies connected with the delivery of services. This includes all General Policies (Section II), Policy 5100, all Service Policies (Section VI) that are in alignment with permissible Pre-ETS service delivery, and all Fiscal Policies (Section IX).

### **Establishment of Need**

MRS staff establish need for Pre-ETS prior to service delivery for PTA and VR case types.

MRS staff document need based on any of the following resources:

- School records/consultations and/or student/family input
- District/State agreements verifying need for services
- District/student mapping
- Other available resources

All identified services must be in alignment with federally required categories consisting of:

1. Instruction in self-advocacy including in person-centered planning, peer mentoring, and peer mentoring from individuals with disabilities working in competitive integrated employment.
2. Work-based learning experiences, which may include in-school or after school opportunities, or experience outside the traditional school setting (including internships), that is provided in an integrated environment to the maximum extent possible
3. Job exploration counseling
4. Counseling on opportunities for enrollment in comprehensive transition or post-secondary educational programs at institutions of higher education
5. Workplace readiness training to develop social skills and independent living.

### **Nonuse of Assessment**

Interest inventories are permissible as a means to explore potential Pre-ETS. However, MRS staff are not permitted to authorize for the assessment of disabilities towards the establishment of a PTA case type or as a part of service delivery.

Note: A student receiving Pre-ETS as a part of a VR case type may have assessment of disability as a part of the VR process using VR funds.

### **Identification of Services**

MRS staff document the determination of services necessary to meet the identified needs of the student and coordinate potential service delivery.

*Note: MRS policy manual Section IX - Fiscal policies are applicable for all services delivered.*

### **Reasonable Accommodations**

MRS staff document need for accommodations necessary for the SWD to actively participate in Pre-ETS.

Allowable accommodation services for Pre-ETS include accessible informational materials, qualified interpreters, readers and auxiliary aids.

*Note: MRS staff provide the SWD referral information for the VR program if the SWD requires accommodations beyond the examples listed.*

### **Financial Contribution**

A SWD is not required to financially participate in Pre-ETS.

### **Memorandum of Understanding**

MRS has a Memorandum of Understanding (MOU) with the Michigan Department of Education with respect to delivery of the Pre-ETS.

MRS may not approve services that would reduce an Intermediate School District (ISD) or Local Education Agency's (LEA) obligation under the Individuals with Disabilities Education Act (IDEA) or the obligation for Free and Appropriate Public Education (FAPE) as referenced in Section 504 of the Rehabilitation Act of 1973 and IDEA.

MRS staff coordinate services with ISD and LEA partners accordingly.

### **Development of Pre-ETS Service Agreement**

MRS rehabilitation counselors complete a Pre-ETS Service Agreement (MRS-2930) after establishment of need for services, reasonable accommodations and identification of services.

A Pre-ETS Service Agreement is required for a SWD under:

- PTA Case Type
- VR Case Type - Application status in *Aware*
- VR Case Type - Eligibility status in *Aware*

Exception: Customers in VR Case Type – Service, Service X, and Employed status do not require a Pre-ETS Service Agreement (MRS-2930). All planned Pre-ETS are to be identified in the IPE along with the VR related services.

The Pre-ETS Service Agreement (MRS-2930) or IPE documents:

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- All services and/or reasonable accommodations to be delivered
- Service providers, including coordinated services delivered by MRS staff or authorized to a vendor
- Estimated dates of service delivery
- Consent for services
- Counselor approval of services in alignment with Pre-ETS categories and consistent with MRS policies/guidelines

*Note: MRS staff obtain a release of information for all identified vendors prior to service delivery.*

MRS staff may only provide Pre-ETS if those services are identified within either a Pre-ETS Service Agreement or IPE as follows:

- Pre-ETS Service Agreement in a PTA case type
- Pre-ETS Service Agreement in a VR case type, if in Application or Eligibility status
- IPE in a VR case type, in Service status

A new Pre-ETS Service Agreement (MRS-2930) or IPE may be initiated if additional need for Pre-ETS is identified.

### **Service Delivery**

MRS staff document delivery of all services in alignment with MRS policy manual Section IX - Fiscal.

MRS staff document if services are expected to continue when there is a break in service delivery.

## 12050: Pre-ETS Discontinuation of Services

### Purpose

In accordance with State and Federal Regulations, this policy and procedure establishes the guidelines for discontinuation of service delivery for Pre-Employment Transition Services (Pre-ETS). This policy pertains to Pre-ETS delivered for students served either in the Vocational Rehabilitation (VR) or Prior to Application (PTA) program.

### Policy

Pre-ETS are discontinued if any of the following are true:

- The Pre-ETS Service Agreement (MRS-2930) is fulfilled and no further services are needed.
- The student applies for VR services (Pre-ETS may be provided in the VR case).
- The service needs are beyond Pre-ETS scope of services.
- The services have not been provided over six months and no further services are needed.
- The student chooses not to participate.
- The student is no longer available for services.
- The student no longer qualifies as a student with a disability.

*Note: In a VR case type, when Pre-ETS are discontinued the case remains open based on need for VR services.*

### Procedures

MRS staff proceed with discontinuation of Pre-ETS as follows:

- Document rationale for case closure (PTA) or discontinuation of Pre-ETS (VR)
- Pay or cancel all open Pre-ETS authorizations
- If applying for VR services, link PTA case type with VR case type (make request to *Aware* help desk)
- Notify student in writing of discontinuation of Pre-ETS, case closure, and rights to appeal (PTA)