

### Introduction

This chapter describes the procedures involved when an individual is moving through the rehabilitation process from referral to closure; guidelines for transferring an individual from one VR counselor to another within and between offices; guidelines for interstate transfers and guidelines for reopening cases for individuals who have previously been involved with NYSCB. Statuses were created by the Rehabilitation Services Administration (RSA) to show in what stage of the rehabilitation process an individual is involved.

### VR Statuses

Status 00	Referral
Status 02	Application/Intake
Status 06	Trial Work
Status 08	Closed from Applicant Status
Status 10	Individualized Plan for Employment (IPE) Development
Status 18	Individualized Plan for Employment (IPE) Implementation
Status 20	Ready for Employment
Status 22	In Employment
Status 26	Closed Rehabilitated
Status 28	Closed, Other Reasons After Individualized Plan for Employment Initiated
Status 30	Closed, Other Reasons Before Individualized Plan for Employment Initiated
Status 32	Receiving Post-Employment Services
Status 34	Post-Employment Services Completed: Employment Maintained
Status 36	Post-Employment Services Discontinued - Case Reopened
Status 40	Post-Employment Services Discontinued - Other Reasons

### Status 00 - Referral

An individual enters Status 00 when they request VR services either through submittal of an application or other written document or through a verbal request for VR services. When an individual requests services via phone the VR counselor should enter the appropriate information into an Application form and have the individual sign the application at their initial meeting with the applicant.

Within four weeks of receiving the referral information, NYSCB will contact the individual to explain the programs and services available through NYSCB. If the individual is interested in participating in VR services, the senior counselor will open a VR Intake form and assign a VR counselor. If the individual is interested in another NYSCB

program the senior counselor will initiate the appropriate referral. If NYSCB is unable to reach the individual after several documented attempts, the case should be closed in Status 08.

### Status 02 – Application/Intake

During intake, the applicant must be available to complete the assessment process and provide information to enable the VR counselor to determine eligibility for VR services.

### When to Move Into Status 02

Individuals enter Status 02 when they have provided information to enable the VR counselor to assess whether they are eligible for VR services. During the intake process, the VR counselor should obtain as much information as possible to complete the VR Intake form. Signing the VR Intake form moves the individual into Status 02.

### When to Move Out of Status 02

An applicant leaves Status 02 when a determination has been made that

1. the applicant is eligible for VR services (Status 10) or
2. the applicant is ineligible for VR services (Status 08), or
3. trial work is needed to evaluate whether the applicant is eligible for VR services (Status 06).

### Reopening Cases Closed in Status 08, 28 or 30

When an individual who previously received services and whose case is now closed in Status 08, 28 or 30 applies for services the VR counselor will follow the application process in the same manner as they would for an individual applying for services for the first time.

An individual's circumstances and/or environment may have changed substantially since services ended; thus, every effort must be made to assess the individual's circumstances based on current information and arrive at an eligibility determination based on present rather than on previous information and circumstances.

Information regarding changes which have occurred in the individual's situation relevant to their VR needs and the achievement of an employment outcome should be documented in a case note.

### Reopening Services for Individuals Previously Closed in 26

If an individual previously closed in Status 26 contacts NYSCB requesting further services, the VR counselor should determine whether the individual should receive services through post-employment or if circumstances warrant opening a new case.

If services can be provided as post-employment services, follow the procedures outlined in this chapter and see Chapter 13.00, Post-Employment Services, for additional information; if services cannot be provided under post-employment, the individual can reapply for services and begin an assessment to determine eligibility.

### The Intake Process

Intake is the process of gathering information about an applicant. The following procedures are to be completed by the VR counselor as part of the intake process:

1. Schedule a face-to-face intake interview with the applicant.
2. During the interview, review the informational materials in the NYSCB Intake Packet
3. Gather information about the applicant using the forms in the Intake Packet or enter information directly into CIS:
  - a. Application for Service, if not already completed
  - b. Demographic Information
  - c. VR Intake
  - d. *Release of Confidential Information* (complete at this time only if requesting information from a known source or referring an applicant for services and know the vendor that will be providing the service. Separate release forms are required for each request for information or referral). See Section 1.01, Confidentiality, for additional information
  - e. Education and Training Information
  - f. Work History
  - g. Confidential Health Assessment (Part 1 only; Part 2 is completed by a physician, if needed)
  - h. Economic Status Report (complete at this time if services contingent on economic need are planned)
  - i. IPE WIOA Documentation
  - j. IPE (only complete the IPE if you know the applicant is eligible for VR services and if you have enough information to develop an IPE)

Completion of a form includes obtaining all required signatures on the form. These forms require the applicant's signature: *Application for Service, Release of Confidential Information* and the *IPE*.

4. Ask the applicant if they want to register to vote and complete the necessary paperwork.
5. Complete applications for community resources as requested by the applicant.
6. Obtain information documenting legal blindness (See "Procedure for Documenting Legal Blindness" below).
7. If additional medical information is necessary to determine eligibility, send a copy of the *Confidential Health Assessment* to the physician for completion of Part II - Physician's Appraisal of Current General Health. If the physician must examine the individual, authorize the fee for a general medical examination. If the physician can complete the form based on information from a recent medical examination, authorize the \$10.00 fee for existing medical information. An existing general medical examination report is an acceptable substitute for Part II of the *Confidential Health Assessment*.
8. If information was gathered using paper forms, enter the information into the corresponding forms in CIS.
9. Date the VR Intake form to move the case to Status 02.

#### Time Frame for Making an Eligibility Determination

VR counselors must make a determination of eligibility or ineligibility within 60 days of receipt of an application for services.

This period can only be extended for a specific period of time due to exceptional and unforeseen circumstances beyond the control of NYSCB when the applicant agrees to the extension or if trial work is needed to determine eligibility.

If an extension is needed and agreed to by the applicant, complete the Extension of Eligibility form in CIS.

#### Procedure for Documenting Legal Blindness

To verify and document legal blindness, the VR counselor will do the following:

1. Review the Medical Eye Report, the Request for Information/Report of Legal Blindness (OCFS 4599) or equivalent report by an ophthalmologist or optometrist. An optometrist's report may be acceptable for eligibility determination if it provides the VR counselor with adequate information to make determinations regarding the eligibility criteria.

If the individual has not had an eye exam and is therefore unable to provide the Medical Eye Report, Request for Information/Report of Legal Blindness form or equivalent report from an ophthalmologist or optometrist, NYSCB can pay for an exam using the VR Diagnostic Authorization in Status 02.

For new applicants, an eye exam which has been conducted within two years prior to the date of its use is considered current for the purposes of determining eligibility.

2. Determine if the description of visual acuity and/or visual fields provided by the ophthalmologist or optometrist meets the definition of legal blindness.

If the medical report is incomplete or contains unclear, complex or conflicting information, the VR counselor can contact the ophthalmologist or optometrist for clarification.

3. Document the outcome of the review in a case note clearly stating whether the applicant is legally blind.

If the applicant has a registry number that can be verified, that registry number can serve as establishing that the applicant is legally blind. Other existing verifiable information from a school or the Social Security Administration (SSA) can also be used to document legal blindness.

#### Procedure for Obtaining Additional Medical Information

Once legal blindness is established, the VR counselor may supplement information obtained in the Confidential Health Assessment (Part I) and ophthalmological or optometric reports by following this procedure:

1. Obtain Part II of the Confidential Health Assessment from the applicant's primary physician.
2. Obtain recent medical information from sources identified during the initial interview (e.g., doctors, hospitals, clinics and referring agencies).

3. Obtain any specialist examinations and assessments the VR counselor feels are necessary to determine eligibility. See Chapter 3.00, Assessments and Evaluations During the VR Process, for additional information.
4. Obtain required psychiatric/psychological examination if applicant is developmentally disabled or has a mental or emotional disability. See Chapter 3.00, Assessments and Evaluations During the VR Process, for additional information.
5. Obtain required audiometric examination in cases of known or suspected hearing loss. See Chapter 3.00, Assessments and Evaluations During the VR Process, for additional information.

### Comparable Benefits

The availability of comparable benefits must be determined by the VR counselor when the applicant is in Status 02. Assessment services in Status 02 are provided without consideration of comparable benefits. However, Medicaid benefits and other comparable benefits known to be available must be used in accordance with policies and procedures regarding the use of comparable benefits. See Chapter 11.00, Comparable Services and Benefits, for additional information.

### Status 06 – Trial Work

An applicant enters Status 06 when the VR counselor is unable to determine whether an applicant is able to benefit from VR services due to the severity of their disability and trial work is needed to make that determination. See Section 4.02, Trial Work, for additional information.

### When to Move Into Status 06

An applicant enters Status 06 when:

1. the applicant has a physical or mental disability (for NYSCB this must include legal blindness) which constitutes or results in a substantial impediment to employment, and
2. the VR counselor is unable to determine whether the applicant will benefit from VR services and achieve an employment outcome due to the severity of their disability.

### When to Move Out of Status 06

An applicant leaves Status 06 when it is determined that

1. the applicant can benefit from VR services and achieve an employment outcome (Status 10), or
2. there is clear and convincing evidence after participating in trial work that the applicant cannot benefit from VR services and achieve an employment outcome (Status 08).
3. the applicant is no longer available to continue to pursue VR services (e.g., death, moved to another state) (Status 08)

### Procedure for Status 06

Follow this procedure for Status 06:

1. Document the reason for trial work in a case note.
2. Complete the Trial Work Plan that identifies the situational assessments that will be provided and the questions to be answered to enable the VR counselor to make a determination of eligibility.
3. Provide a copy of the Trial Work plan to the applicant in their preferred format.
4. Arrange for situational assessments in accordance with the Trial Work plan
5. Provide any allowable support services needed during the situational assessments.
6. Follow-up on the applicant's progress during the situational assessments to determine whether the applicant is eligible for VR services.
7. If the applicant is eligible, proceed to Status 10.
8. If the applicant is not eligible, open the Determination of Eligibility Worksheet, enter the Trial Work end date, enter "N" in the Eligible for VR Services field, enter the date and the reason for closure. The closure will take place when the VR counselor's supervisor enters a date in the Supervisory Approval Date field.

### Economic Need

All services provided in Status 06 are assessments and are provided without consideration of the applicant's economic need status. See Chapter 5.00, Determination of Economic Need, for additional information.

### Use of Comparable Benefits

Assessment services in Status 06 are provided without consideration of comparable benefits. However, Medicaid benefits and other comparable benefits known to be available must be used in accordance with policies and procedures for regarding the use of comparable benefits. See Chapter 11.00, Comparable Services and Benefits, for additional information.

### Status 08 – Closure from Referral, Applicant or Trial Work

Status 08 is a closure status used when closing an individual's case from Referral status (Status 00), Applicant status (Status 02) or Trial Work (Status 06).

### When to Move Into Status 08

An individual should enter Status 08 if

1. they do not meet one or both criteria for eligibility, or
2. they will not be participating in VR services for other reasons (e.g., not interested in receiving services, unable to locate)

### Procedures for Status 02-08 or Status 06-08

1. When the VR counselor has been unable to contact the individual, they will
  - a. keep the individual's case open for 60 days,
  - b. document efforts to contact the individual in the case record,
  - c. send a closure letter to the individual, in the individual's preferred format, if known. (See "Notification of Case Closure" below for information to include in the closure letter.)

The VR counselor can also attempt to contact the applicant's representative, if appropriate, to encourage participation.

2. When the individual declines services, do the following:
  - a. Document the reason in the case record.
  - b. Send a closure letter to the individual, in their preferred format if known, (See “Notification of Case Closure” below for information to be included in the closure letter).
  - c. When appropriate, and with the individual's consent, inform the referral source of the closure and indicate other appropriate services you feel may meet the individual's needs.
  
3. When the individual has been determined ineligible for VR services due to not meeting the criteria for eligibility (Status 02-08) or, if after trial work it has been determined that the individual is unable to achieve an employment outcome due to the severity of their disability (Status 06-08), then do the following:
  - a. Discuss the proposed determination with the senior counselor.
  - b. If the senior counselor concurs with the proposed determination, consult with the individual or their representative before making a final determination.
  - c. If a final determination of ineligibility is made, send a closure letter to the individual in their preferred format. (See “Notification of Case Closure” below for information to be included in the closure letter.)
  - d. If the ineligibility decision is due to the individual choosing not to pursue or not being able to pursue an employment outcome, refer the individual to other workforce system programs that can address their training or employment needs or to other federal, state and local programs that may be able to meet their needs.
  - e. If the ineligibility determination is based on a finding that the individual is unable to achieve an employment outcome, schedule a review of the determination to be held within twelve months of the ineligibility decision. The review must be held annually thereafter if requested by the individual or their representative. The review does not need to be conducted if the individual refuses the review, is no longer present in the state, is unable to be located or has a rapidly progressive or terminal medical condition.
  - f. For closure from Status 02, open a case note, enter “VR – Status Change” in the description field and select Status 08.

- g. For closure from Status 06, complete the appropriate sections of the Eligibility Determination Worksheet.
- h. Prepare a case note that gives the reason for the decision and enter any additional, relevant documentation into the case record.

### Notification of Case Closure

When closing an individual's case in Status 08, send a letter to the individual (or their parent or guardian, if applicable) in their preferred format, if known, or to their representative as appropriate. The letter should include

- a. the reasons for the closure,
- b. information about the appeals process and how to request an appeal, and
- c. information about the Client Assistance Program (CAP) and how to contact CAP.

### Closure Letters for Individuals Moving to IL or ALP Program

Closure letters should not be sent to individuals who have applied for VR services who will instead be receiving services through the ALP or Independent Living Program.

### Status 10 – Individualized Plan for Employment (IPE)

While an individual is in Status 10, the VR counselor and individual work together to develop the Individualized Plan for Employment (IPE). See Chapter 6.00, Individualized Plan for Employment (IPE), for information on developing an IPE.

### When to Move Into Status 10

An individual enters Status 10 after a determination of eligibility for VR services is made.

### When to Move Out of Status 10

An individual leaves Status 10 when

- 1. an IPE has been approved (Status 18), or
- 2. their case is being closed (Status 30).

Time Frame for Developing an IPE

1. An IPE will be developed with every individual who is eligible for services as soon as possible but no later than 90 days after they have been determined eligible for VR services. If it is not possible to complete the IPE within 90 days of determining eligibility, that date can be extended if the individual agrees. A new date must be identified, and the extension must be documented on the Extension of IPE Implementation Agreement in CIS.
2. IPEs must also be developed for students who are eligible for services, within 90 days after they have been determined eligible for VR services. However, if the student will be leaving the school setting before the 90-day timeframe, the IPE must be developed by the time the student leaves the school setting.

Procedure for Entering Status 10

Follow this procedure for entering Status 10:

1. Complete a VR Eligibility Determination Worksheet. Include narrative information in the appropriate fields describing the individual's disability, the documentation used to substantiate the disability and how the functional limitations resulting from the disability cause a substantial impediment to employment. Additional information related to eligibility should be entered into a case note at the bottom of the Eligibility form.
2. If the individual receives SSI or SSDI, enter a Y and "today's date" in the "Presumed Eligible for Services" field. If the individual does not receive SSI or SSDI, enter a Y and "today's date" in the "Eligible for Services" field.
3. If assessment information is complete, the VR counselor and the individual jointly prepare the Individualized Plan for Employment (IPE). See Chapter 6.00, Individualized Plan for Employment (IPE). Proceed to Step 5.
4. If assessment information is not complete and the individual will need to participate in assessments to develop the IPE, open and complete the VR Needs Determination form. Include a case note explaining why the IPE cannot be developed at this time and the plans for gathering information needed to develop an IPE. Assessments needed to assist in the development of the IPE can be purchased while the individual is in Status 10.
5. When the VR counselor and the individual have enough information to determine a vocational goal, complete the IPE.

6. Obtain the individual's signature on the approved IPE and attach the scanned copy of the signature page to the IPE.
7. Provide the individual with a copy of the completed and approved IPE in their preferred format.

### Status 18 – Individualized Plan for Employment (IPE)

During Status 18 the approved IPE is implemented, and services needed to prepare for employment are provided.

#### When to Move Into Status 18

An individual enters Status 18 when the IPE is signed, and services are initiated.

#### When to Move Out of Status 18

An individual leaves Status 18 when

1. services have been completed and the individual is ready for employment (Status 20) or the individual is employed (Status 22),
2. services have been interrupted due to a medical or other issue (Status 24), or
3. services are terminated, and the individual's case is being closed (Status 28).

If implementation of the IPE is interrupted, the case can remain in Status 18 if the interruption is expected to be short. If the interruption is expected to be long, the case should move to Status 24 until services can resume.

#### Procedure for Leaving Status 18

1. When moving an individual's case from Status 18 to Status 20 enter a case note in the case record, select "VR – Status Change" in the description field and complete the appropriate sections of the case note including describing the individual's progress and readiness for employment.
2. When moving a case from Status 18 to Status 22, complete the Placement Information form.
3. When moving a case from Status 18 to Status 28, complete the Unsuccessful VR Closure Information form.

### Status 20 – Ready for Employment

Status 20 is used to denote that a participant is no longer in need of services to obtain employment.

### When to Move Into Status 20

A participant enters Status 20 when they have completed preparation for employment, including job seeking skills training, resume preparation, and any other services needed to assist with finding a job and is ready to accept a job but has not yet obtained employment or when a participant has secured employment but has not yet begun working.

### When to Move Out of Status 20

A participant leaves Status 20 when

1. employment begins (Status 22),
2. there is an interruption in the participant's ability to seek employment (Status 24),  
or
3. the participant is no longer able to pursue employment and their case is closed (Status 28).

### Procedure

Follow this procedure for entering Status 20:

1. Enter a case note in the case record, select "VR – Status Change" in the description field and complete the appropriate sections of the case note including describing the participant's progress and readiness for employment.
2. Proceed with job search activities.

### Status 22 – In Employment

Status 22 is used when a participant begins employment in a job associated with their IPE goal. Follow-up with the participant and the employer (as appropriate) takes place while the participant is in Status 22 to address any issues that may arise as a new employee. Follow-up must take place for a minimum of 90 days prior to closing the individual's case in Status 26.

### When to Move Into Status 22

A participant enters Status 22 when they have started a job and all planned VR services have been completed. In some situations, certain services such purchasing assistive technology may continue to be provided during Status 22.

### When to Move Out of Status 22

An individual leaves Status 22 when

1. they are satisfactorily and continuously employed for at least 90 days and meet the criteria for closure (Status 26),
2. closure as not rehabilitated is indicated due to a change in the participant's circumstances (Status 28), or
3. the employment is not maintained, and additional training is required (Status 18); or the participant begins a new job search (Status 20).

### Procedure

Follow this procedure for entering Status 22:

1. Complete the Placement Information Form.
2. Follow-up with the participant and the employer if appropriate to determine
  - a. if the participant is meeting the performance standards of the job;
  - b. the employee's satisfaction with the placement and, if appropriate, the employer's (or supervisor's) satisfaction with the employee; and
  - c. any issue(s) which may have arisen and the possible need for post-employment services.

### Status 26 – Closed Rehabilitated

Status 26 represents the participants achievement of competitive integrated employment in accordance with their IPE.

### Basic Criteria

An individual is determined to have achieved competitive integrated employment if the following four conditions are met:

1. The services provided under the individual's IPE have contributed to the achievement of the employment.
2. The employment is consistent with the participant's strengths, resources, priorities, concerns, abilities, capabilities, interests and informed choice.
3. The participant has maintained the employment for at least 90 days.
4. The participant, the employer and the VR counselor consider the employment to be satisfactory and agree that the participant is performing well on the job.

### When to Enter Status 26

A participant enters Status 26 when the criteria listed above have been met.

### Definitions of Employment Outcome and Competitive Integrated Employment

Federal VR regulations define an employment outcome as: entering, advancing in, or retaining full-time or, if appropriate, part-time competitive integrated employment (including customized employment, self-employment, telecommuting, or business ownership), or supported employment that is consistent with an individual's unique strengths, resources, priorities, concerns, abilities, capabilities, interests, and informed choice.

Federal VR regulations define competitive integrated employment as work that

- a. is performed on a full-time or part-time basis (including self-employment) and for which an individual is compensated at a rate that
  - is not less than the rate required under the applicable state or local minimum wage law for the place of employment;
  - 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; and
  - in the case of an individual 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; and
  - is eligible for the level of benefits provided to other employees.

- b. is at a location that is
  - typically found in the community, and
  - where 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
- c. 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.

### Procedure

Follow this procedure for entering Status 26:

1. Document that the participant has achieved an employment outcome consistent with their IPE and that they have maintained satisfactory employment for at least 90 days and no longer needs VR services.
2. Document any need for post-employment services and that the participant has been notified of the availability of post-employment services.
3. Document that prior to case closure, the reason for the decision, the appeals process and the availability of assistance from the Client Assistance Program (CAP) was discussed with the participant.
4. Complete the VR Successful Information form. Dating the form will trigger an email to the VR counselor's supervisor notifying them of the need to review and approve the closure.
5. Send the VR Successful Closure letter along with the participant's rights to the participant in their preferred format. This letter automatically launches in CIS when the closure is approved. VR counselors can edit the letter as needed. Where appropriate, notice should be provided to the participant's parent, guardian or other representative.
6. For individuals who are in the Business Enterprise Program, notify the business services supervisor of the case closure.

### Status 28 – Closed, Other Reasons After IPE Initiated

A participant's case is closed in Status 28 if they have been determined eligible for services, have an approved IPE, have received at least one service identified on the IPE and for some reason is unable to achieve competitive integrated employment or is no longer eligible to receive VR services.

Movement into Status 28 can occur only from Statuses 18, 20 or 22.

### Status 30 – Closed, Other Reasons Before IPE Initiated

An individual closed in Status 30 has been determined eligible for VR services but is unable to achieve the vocational goal and has not received any planned VR services.

Movement into Status 30 can occur only from Status 10.

### Procedure for Statuses 28 or 30

1. When the VR counselor has been unable to contact the participant, they will
  - a. keep the participant's case open for 60 days,
  - b. document efforts to contact the participant in the case record, and
  - c. if case closure is appropriate, send the VR Unsuccessful Closure letter and Rights Regarding Case Closure and Information Regarding Appealing NYSCB Decisions to the participant in their preferred format or to their representative, if appropriate.

The VR counselor can also attempt to contact the participant's representative, if appropriate, to encourage participation.

2. When the participant declines further services do the following:
  - a. Document the reason in the case record.
  - b. Send the VR Unsuccessful Closure letter and Rights Regarding Case Closure and Information Regarding Appealing NYSCB Decisions to the participant in their preferred format or to their representative, if appropriate.
  - c. Provide information about services that may meet the participant's needs when appropriate.

3. If it has been determined that the participant no longer meets the criteria for eligibility, do the following:
  - a. Discuss the proposed determination with the senior counselor.
  - b. If the senior counselor concurs with the proposed determination, consult with the participant or their representative before making a final determination.
  - c. If a final determination of ineligibility is made, send the VR Unsuccessful Closure letter and Rights Regarding Case Closure and Information Regarding Appealing NYSCB Decisions to the participant in their preferred format or to their representative, if appropriate.
  - d. If the ineligibility decision is due to the participant choosing not to continue to pursue or no longer being able to pursue an employment outcome, refer the participant to other workforce system programs that can address their training or employment needs or to other federal, state and local programs that may be able to meet their needs.
  - e. If the ineligibility determination is based on a finding that the participant is unable to achieve an employment outcome, schedule a review of the determination to be held within 12 months of the ineligibility decision. The review must be held annually thereafter if requested by the participant or their representative. The review does not need to be conducted if the participant refuses the review, is no longer present in the state, is unable to be located or has a rapidly progressive or terminal medical condition.
4. Prepare a case note that describes the reason for the closure decision. Enter the status change and additional relevant documentation into the case record.
5. Provide the participant or, as appropriate, their representative, with information regarding other services which may meet their needs.

### Status 32 – Post-Employment Services

Status 32 is used when a participant who has successfully achieved an employment outcome needs post-employment services to retain, regain or advance in employment. Post-employment services should not entail a complex and comprehensive rehabilitation effort (e.g., a new employment goal or a substantial rehabilitation needs which would necessitate reopening the individual's case.)

Post-employment services can be used to enable an individual to advance in employment when the employment is no longer consistent with the individual's strengths, resources, priorities, concerns, abilities, capabilities and interests, if the above criteria are met.

See Chapter 13.00, Post-Employment Services, for additional guidance.

### When to Move Into Status 32

A participant enters Status 32 when the following criteria have been met:

1. The participant has achieved an employment outcome
2. Post-employment services are necessary for to retain, regain or advance in employment, consistent with the participant's strengths, resources, priorities, concerns, abilities, capabilities and interests and,
3. The services to address the participant's rehabilitation needs are limited in scope and duration

### When to Move Out of Status 32

A participant leaves Status 32 when

1. the rehabilitation objectives established during PES have been achieved and the participant has retained, regained or advanced in employment (Status 34);
2. the scope and duration of services to address the rehabilitation needs are such that a new rehabilitation effort should be considered starting with a redetermination of eligibility given current circumstances (Status 36); or
3. the condition or situation becomes such that PES cannot enable the participant to retain, regain or advance in employment (Status 40).

### Procedure

Follow this procedure for cases in Status 32:

1. Move the participant's case into Status 32 using a case note (must enter VR - Status Change in the description field).

## THE VOCATIONAL REHABILITATION PROCESS

2.00.20

2. Open the most recent IPE in the participant's case record, change the plan type to "Post-Employment Services" and select the objectives and services you want to retain.
3. When a service contingent on economic need is planned, complete a new Economic Status Report.
4. Enter a case note that explains the reasons for post-employment services, the status change and any additional relevant information into the case record.
5. Provide a copy of the updated IPE to the participant in their preferred format.

### Status 34 – PES Completed – Employment Maintained

A case is closed in Status 34 when the post-employment services provided under an IPE have resulted in the participant retaining, regaining or advancing in employment.

#### When to Move Into Status 34

A participant should enter Status 34 when

1. services which were identified in the IPE for PES were completed, and
2. the participant retains, regains or advances in employment.

### Status 36 – PES Discontinued - Case Reopened

A case is closed in Status 36 when the planned post-employment services were not successful, and the participant's case was reopened.

#### When to Move Into Status 36

A participant enters Status 36 when

1. the planned post-employment services were not sufficient to enable the participant to retain, regain or advance in employment, and
2. a determination is made that a comprehensive rehabilitation effort unrelated to the original IPE may be indicated (reopen in Status 02).

### Status 40 - PES Discontinued - Other Reasons

A participant's case is closed in Status 40 when the planned post-employment services are not successful and are discontinued due to other reasons (e.g., death; unavailable due to movement out of state; services are not feasible or no longer desired).

### Procedure

Follow this procedure for cases in Statuses 34, 36, and 40:

1. Enter the reasons for the closure in a case note.
2. Move the participant's case into the appropriate closure status using a case note (must enter VR - Status Change in the description field).
3. Send a closure letter to the participant in their preferred format, or to their representative, as appropriate. The letter should include reasons for closure, the outcome of the post-employment services, information regarding the right to appeal, the availability of CAP and notification of the availability of additional post-employment services, if needed (Status 34 closures only).
4. Where appropriate, initiate action to reopen the individual's case in Status 02 (Status 36 closures only).
5. Where appropriate, provide the individual or, as appropriate, the individual's representative, with information regarding other services which may meet his/her needs.

### Introduction

Participants should be reassigned to a different VR counselor or district office when a transfer is in the best interest of the participant. The transfer will be done with the informed choice of the participant, and in accordance with the following policy and procedure. Generally, participants are served by a District Office, and subsequently a particular VR counselor, based upon the participant's address and the assignment of that city or county to a specific district office.

### When to Transfer a Participant's Case

A case should be transferred to a different VR counselor when the VR counselor currently working with the participant permanently leaves NYSCB.

Case transfer can be considered when the current VR counselor is on leave for an extended period of time or when the participant requests a transfer.

An interoffice transfer should occur when a transfer is in the best interest of the participant as determined by a review by the senior counselors or district managers involved and with the informed choice of the participant.

### VR Counselor Responsibilities

The VR counselor originally responsible for services to the participant is responsible for assuring that the case record and all authorizations are up-to-date.

### Senior Counselor or District Manager Responsibilities

The senior counselor is responsible for making the decision to transfer a participant's case and for

1. reviewing the case record,
2. updating the demographic form in CIS, and
3. notifying the receiving senior counselor or district manager of the transfer.

### Receiving Staff Responsibilities

The receiving staff should review the case record and request any additional needed information from the transferring office prior to assigning to a new VR counselor.

When to Transfer a Case Out of State

When a participant indicates they are moving to another state and wants to apply to the VR agency in their new state, the VR counselor should determine whether a full transfer or shared case is appropriate. The VR counselor should review the existing IPE to determine what services NYSCB can provide while the participant develops an IPE with the receiving agency. In situations where NYSCB services are almost complete and the participant expects to obtain employment in a short amount of time, maintaining an open case with NYSCB may be appropriate. If the participant is transferring early in their VR process, closing the case once a new IPE is developed in the new state may be advisable.

Transfer Procedures

The VR counselor should follow these procedures when transferring a participant's case record:

1. Shortly before the participant is scheduled to move and after receiving a completed Release of Confidential Information, contact the VR agency office nearest to the participant's new residence to jointly plan for the provision of services.
2. Provide the participant with contact information for the VR agency office and recommend that the participant contact the office as soon as possible.
3. Provide the VR agency of the state in which the participant is moving to with copies of information identified in the Release of Confidential Information form. Documents must be sent by receipted mail (e.g., FedEx, UPS, USPS)
4. If NYSCB will continue to provide some services to the participant, coordinate the provision of those services with the other state VR agency.

Note: Under certain circumstances, participants can have open cases in more than one state however, NYSCB cannot duplicate services provided by the other state VR agency and any services provided by NYSCB must be on the NYSCB IPE and be provided in accordance with NYSCB policy, procedures and rates.

5. If NYSCB will not be providing services, close the participant's case when
  - a. you have confirmed that the information from the participant's case record was received by the state agency to which the participant was referred,

- b. the participant is receiving services in the new state of residence, and
- c. NYSCB involvement is no longer needed.

Closure can also occur when the participant does not contact the VR agency in their new state of residence after reasonable effort on the part of the VR counselor to encourage the participant to make contact.

### RSA 911 Reporting Requirements

When a participant is receiving services from two state VR agencies, both agencies are responsible for including the participant in their RSA 911 reports. If the participant's case is closed, both agencies should report the case closure.

### Receiving a Transfer from Another State Agency

When another state agency initiates the transfer of an individual to NYSCB, the VR counselor or senior counselor should work with the originating agency to facilitate a smooth transition for the individual.

### Requesting Records

For all individuals transferring from another state VR agency, the VR counselor should contact the originating agency to obtain relevant information from the individual's case record.

### Eligibility and Providing Services for Individuals Transferring from Another State VR Agency

Individuals transferring from another state VR agency must meet NYSCB eligibility criteria. If the VR counselor agrees that the individual's existing IPE is feasible, services can be provided to facilitate completion of that IPE in accordance with NYSCB policies and procedures.

If the individual is employed at the time of transfer, the VR counselor should work with the originating agency to provide post-employment services. If that is not feasible, the VR counselor should determine whether the individual is eligible to receive services and open a new case.