




Title:	Vocational Rehabilitation Case Closure
Procedure #:	80-VR-02-01
Policy Reference:	80-VR-02
Legal Reference:	34 CFR 361.5, 361.37, 361.41, 361.42, 361.43, 361.44, 361.47, 361.48, 361.55, 361.56, OAC 3304-2—56, 3304-2-59, 3304-2-61
Effective Date:	February 18, 2019
Approved:	Kevin L. Miller, Executive Director 
Origin:	Bureau of Vocational Rehabilitation and Bureau of Services for the Visually Impaired
Supersedes:	80-VR-02-01 (05/08/17)
History:	80-VR-02-01 (04/07/14), VRP-0300 (04/03/07) and VRP-0300 (versions prior to 4/03/07) and any other guidance issued for case closure
Review/Implementation	Begin Review – 05/01/19 Implement Revisions By – 11/04/2019

I. PURPOSE

The purpose of this procedure is to provide direction for closing a vocational rehabilitation case in accordance with Section 102 of the Workforce Innovation and Opportunities Act and appropriate federal (i.e. Code of Federal Regulations [CFR]) and state law (i.e. Ohio Revised Code [ORC], Ohio Administrative Code [OAC]), Governor directives and executive orders, other governing agency (e.g. DAS, OBM) policy or guidance, and/or Executive Director expectations.

Refer to the AWARE Manual as there may be additional step-by-step direction related to this procedure.

II. APPLICABILITY

This procedure applies to VR Staff and VR Contractors.

III. DEFINITIONS

Refer to “Vocational Rehabilitation Definitions” (80-VR-99.A).

IV. PROCEDURES

A. General

1. OOD shall provide information to individuals and if applicable, their parent or legal guardian, throughout the Vocational Rehabilitation (VR) process as required by law (e.g. rights and duties). This information shall be provided, in writing, and when appropriate, in the individual’s native language or through an appropriate mode of communication.

2. AWARE shall be updated with pertinent conversations, recommendations, justifications, approvals and/or other actions taken in relation to this procedure.
 - a. If supervisory or management approval is required during the VR process, VR Staff or VR Contractor shall, via a "Custom Activity Due" in AWARE, request approval which shall include a written justification.
 - b. The supervisor or manager shall consider the VR Staff or VR Contractors' justification and document his/her approval or denial within the "Activity Due" as detailed below.
 - i. If approval is based on the written justification, the supervisor/manager shall enter "Approved" in the "Comments" and change the activity status to "Completed."
 - ii. If approval is based on the written justification but additional conditions/requirements need to be addressed before VR Staff or VR Contractor can take action on the approval; the supervisor/manager shall enter "Approved with Conditions" and document the conditions/requirements in the "Comments" and change the activity status to "Completed".
 - iii. If denied, the supervisor/- manager does not agree with the justification, he/she shall enter the words "Request Denied," and document the reason(s) for denial in the "Comments" and change the activity status to "Completed."
 3. If any VR Staff or VR Contractors are a Certified Rehabilitation Counselor (CRC-certified) and will be directly involved with an individual's case, he/she shall complete the "Professional Disclosure Statement" (80-VR-01.E).
 - a. VR Staff or VR Contractors who are not a Certified Rehabilitation Counselor (CRC) are exempt from this requirement.
 - b. Once completed, the "Professional Disclosure Statement" shall be reviewed and signed by the individual and, if applicable, his/her parent or legal guardian, and the CRC-certified VR Staff or VR Contractor.
 - i. Once signed, the statement shall be scanned into an AWARE Case Note with the category "Professional Disclosure Statement" and summary title "Signed."
 4. Transition Services (80-VR-11-12) shall be followed for additional guidance and direction regarding case closure for students with a disability enrolled in a secondary educational institution.
 5. The decision to close a case is a non-delegable function that can only be performed by Qualified Rehabilitation Personnel (QRP) and shall be completed in a timely manner.
- B. Case Closure with Employment Outcome
1. VR Staff or VR Contractor shall only close the case of an individual with an employment outcome when the requirements listed below have been met.

- a. The individual has achieved the employment outcome as documented in his/her Individualized Plan for Employment (IPE) and it is consistent with the individual's strengths, resources, priorities, concerns, abilities, capabilities, interests, and informed choice.
- b. Employment has been verified.
 - i. VR Staff or VR Contractor shall verify the individual's employment by obtaining one (1) or more of the documents described below and attaching it to an AWARE Case Note using the category of "Employment Verification"
 - a) The individual's most recent pay stub.
 - b) A Community Rehabilitation Provider (CRP) retention report.
 - c) The "Job Development-Employment Verification" form, completed per the requirements in the VR Fee Schedule.
 - 1) If there is no job developer involved, VR Staff or VR Contractor may complete this form after employment is verified via the individual's pay stub or discussion with the individual and/or employer.
 - 1.1 VR Staff or VR Contractor shall sign/date the form on the "Provider Staff" line.
 - 1.2 If VR Staff or VR Contractor verify employment information, the individual's signature is not required on the form.
- c. Employment is consistent with the definition of competitive integrated employment.
 - i. Employment is performed on a full-time or part-time basis, in line with the employee's ability and stated preferences.
 - ii. As verified by VR Staff or VR Contractor during job placement, employment is compensated:
 - a) at or above minimum wage;
 - b) at the same rate that the employer pays other workers who do not have disabilities for the same or similar work; and
 - c) at the same rate that the employer pays other workers who are similarly situated in similar occupations by the same employer and have similar training and skills.
 - iii. The individual is eligible for the same level of benefits provided to other employees who do not have disabilities but perform the same or similar work.
 - iv. Employment is in a setting typically found in the community (i.e. competitive labor market).

- v. Employment offers the same level of interaction with other employees or persons without disabilities to the same extent that employees without disabilities interact with these persons. This interaction:
 - a) must be for the purpose of performing work duties;
 - b) must be within the individual's particular work unit;
 - c) does not include supervisory personnel or provider staff; and
 - d) cannot solely apply to the interaction that occurs when individuals with disabilities are hired by a CRP to work under a service contract with persons working in or visiting the work location who are not employees of the CRP without disabilities in similar positions.
 - vi. Employment offers the same opportunities for advancement as employees without disabilities in the same or similar positions.
- d. Services provided on the IPE must have contributed to the achievement of the individual's employment outcome.
- i. VR Staff or VR Contractor shall ensure that all services provided throughout the course of the case that contributed toward the employment outcome are listed on the Closure page in AWARE.
 - a) If services listed on the Closure page in AWARE do not match the current IPE, VR Staff or VR Contractor shall complete an amendment (herein referred to as "clone") to the IPE to reflect substantive changes.
 - 1) An individual's case shall not be closed "rehabilitated" until the clone is completed and signed and dated by all parties (refer to "Individualized Plan for Employment" [80-VR-08 and 80-VR-08-01]).
 - 2) Substantive changes include the items listed below.
 - 2.1 Changes to an employment outcome when the change is related to the first two digits of the Standard Occupational Classification (SOC) code differentiating it from the current employment outcome SOC.
 - 2.2 Changes to vocational rehabilitation services as defined in OAC 3304-2-59 including the removal of services that were not provided.
 - 2.3 Changes to service providers.
 - 2.4 Changes to financial responsibility of OOD or the individual (or his/her parent or legal guardian).
 - 2.5 Changes to the need for supported employment.

- e. The individual has maintained stable employment for no less than 90 days ensure the stability of the employment outcome and the individual no longer needs vocational rehabilitation services.
- f. The individual and VR Staff or VR Contractor agree that:
 - i. the employment is consistent with the employment outcome on the IPE and placement plan; and
 - ii. the individual is performing the essential functions of the job independently (or with minimal supports)
- g. The individual is informed of the availability of post-employment services.

C. Case Closure without Employment Outcome

1. VR Staff or VR Contractor may close a case without an employment outcome due to a decision that was not made by OOD (e.g. individual was no longer interested in services, individual unavailable to participate in services) or based on an OOD decision (e.g. an individual is determined ineligible for VR services).
 - a. A case shall not be closed prior to the eligibility determination unless the individual:
 - i. declines to participate in, or is unavailable to complete an assessment for determining eligibility and priority for services; and
 - ii. at least two (2) attempts to contact the individual and, if applicable, his/her parent or legal guardian have been made.
2. When closing a case without an employment outcome under one of the closure codes below, VR Staff or VR Contractor shall follow Section D., unless otherwise noted. The "Case Closure Codes Listing" (80-VR-02.A) provides additional details for these codes.
 - a. Closure codes pertaining to a non-OOD decision are described below.
 - i. Institutionalized (Not Prison or Jail)
 - a) An individual who is unavailable for participation in VR services because they have been placed in or committed to the care of a specialized institution for 24 hours a day (e.g. hospital, nursing home).
 - ii. Incarceration
 - a) An individual is in a correctional institution and not able to participate in VR Services (e.g. prison, jail, reformatory, work farm, detention center).
 - iii. Health/Medical

- a) An individual whose health or medical condition and/or treatment prevents entry into competitive integrated employment or the participation in VR services for a period of time exceeding 90 calendar days.

iv. Death of Individual

- a) When closure is due to the death of the individual, VR Staff or VR Contractor shall proceed to Section D. of this procedure.

v. Reserve Forces Called to Active Duty

- a) An individual who is a member of the National Guard or other reserve military unit of the armed forces and is called to active duty for at least 90 days.

vi. Transferred to Another Agency

- a) An individual who needs services that are more appropriately attained elsewhere.
 - 1) VR Staff or VR Contractor shall follow direction in “Information and Referral” (80-VR-11-07).

vii. Disengaged

- a) The individual cannot be located or contacted. This means that the individual has relocated (within the state or out of state) without a forwarding address or the individual has not responded to repeated attempts to contact the individual by mail, telephone, text or email.
 - 1) After a reasonable number of attempts have been made to contact the individual, as determined by taking into consideration his/her life circumstances and disability-related issues, VR Staff or VR Contractor shall proceed as outlined below.
 - 1.1 Complete and send the “1st Attempt No Contact Letter – 10 Day” (80-VR-02-01.B) requesting that contact be made within ten (10) business days.
 - 1.1.1 Example: The 10 business day count begins the day after the date of the letter (e.g. letter date = Mon, 3/6/17 so contact must be made by close of business Mon, 3/20/17]).
 - 1.2 If contact is not made within these ten (10) business days, a “2nd Attempt No Contact Letter – 5 Day” (80-VR-02-01.C) shall be sent the day after the ten (10) day contact period ends (i.e. Tues 3/21/17) stating the individual has five (5) business days to contact OOD or his/her case shall be closed.

1.2.1 Example: The five (5) business day count begins the day after the date of the letter (i.e. letter date = Tues, 3/21/17 so contact must be made by close of business Tues, 3/28/17).

1.3 If the individual does not respond to this attempt to contact, VR Staff or VR Contractor shall proceed to section E. to close the case.

1.4 Returned letter envelopes shall be scanned into an AWARE Case Note to document efforts to contact the individual. Once a letter has been returned, no further contact is necessary.

1.4.1 If the "1st Attempt No Contact Letter" is returned within 10 days, the "2nd Attempt No Contact Letter" would not be required.

viii. Transportation not available

a) An individual cannot accept or maintain employment because transportation is not feasible or not available.

1) Prior to using this code, VR Staff or VR Contractor should explore alternative options for transportation and document in an AWARE Case Note.

ix. Extended Employment

a) The individual has chosen to enter or remain in a non-integrated and/or non-competitive employment setting with a public or non-profit organization (e.g. sheltered workshop, enclave or other).

x. Extended Employment and Subminimum Wage

a) The individual has chosen to work at an entity who holds special wage certificates, commonly known as 14 (c) certificates, under the Fair Labor Standards Act (FLSA) and is choosing to work for sub-minimum wage.

xi. Extended Services Not Available

a) The individual has received VR services under an IPE, but requires long-term support services for which no long-term source of funding is available to support and maintain an individual with a most significant disability (MSD), including a youth with a MSD, in supported employment .

xii. No longer interested in receiving services or future services

a) The individual chooses not to participate or continue in their VR program.

- b. Closure codes pertaining to a decision made by OOD during eligibility determination (i.e. when the individual is in application status) are described below. Refer to “Eligibility and Order of Selection” (80-VR-06) and “Eligibility” (80-VR-06-01).
 - i. Ineligible - Disability Too Severe/Unable to Benefit from Services.
 - a) The individual is not able to benefit from VR services due to the severity of the disability and subsequent functional limitations.
 - 1) VR Staff or VR Contractor shall notify the individual and if applicable, his/her parent or legal guardian, in writing, of the individual’s right to request an annual review of the ineligibility decision.
 - 1.1 VR Staff or VR Contractor should include the following language in the text box following the closure reason on the “Closed Without and Employment Outcome” letter (80-VR-02-01.E), “You may request a review of your ineligibility determination within 12 months and annually thereafter by contacting your local OOD office.”
 - 1.1.1 This notification is not required in cases where the individual is no longer present in the State, the individual cannot be located, or the individual’s medical condition is considered rapidly progressive or terminal.
 - ii. Ineligible - No Disabling Condition
 - a) The individual is not eligible for services because they do not have a physical or mental impairment.
 - iii. Ineligible - No Impediment to Employment
 - a) The individual is not eligible for VR services because their physical or mental impairment does not constitute a substantial barrier to employment.
 - iv. Ineligible - Does Not Require VR Services
 - a) The individual is not eligible for VR services because they do not require VR services to prepare for, enter into, engage in, retain or advance in competitive integrated employment that is consistent with their strengths, resources, priorities, concerns, abilities, capabilities and informed choice.
 - 1) If the individual indicates that they do not want to pursue competitive integrated employment, they should be closed as no longer interested in receiving services or further services.
- c. Closure codes pertaining to a decision made by OOD to discontinue VR services post eligibility determination are described below.

- i. Ineligible – Post Eligibility Decision – a determination, after eligibility determination but prior to the development of an IPE (i.e. pre-plan), that at least one (1) of the eligibility criterion has not been met and therefore the eligibility decision needs to be revised.

- ii. Unable to Make Progress – unable or unwilling to make progress towards development of the IPE or the achievement of the employment outcome.
 - a) The individual's actions, or non-actions, make it impossible to begin or continue in the VR program (e.g. individual choosing vocational goals contraindicated for their functional limitations, repeated failures to keep appointments for assessment, counseling, or other services, not able to meet goals despite all efforts).
 - 1) When possible, VR Staff or VR Contractor shall review the previously signed "Participant Acknowledgement" (80-VR-01.C) with the individual and counsel him/her regarding their inaction and the impact of their behavior on employability.
 - 2) VR Staff or VR Contractor shall consult with the individual, if available and appropriate, to determine impediments that resulted in their inaction, as well as explore and identify resolutions.
 - 3) During the consultation, VR Staff or VR Contractor shall work with the individual to identify impediment(s) and then, recommended resolution(s) for increased cooperation shall be provided to the individual.
 - 4) After the consultation, VR Staff or VR Contractor shall follow up, in writing, with the individual summarizing their discussion including, but not limited to:
 - 4.1 the nature of the inaction;
 - 4.2 the agreed upon resolutions; and
 - 4.3 continued failure to take action shall result in case closure.
 - 4.3.1 Continued failure is demonstrated in more than two (2) failed attempts to begin or resume a delivery of service.
 - 5) If after the above, the individual fails to make progress, the VR Staff or VR Contractor shall conclude that the individual is unable to move forward in the VR process towards an employment outcome and proceed to section D.

3. Consultation Prior to Case Closure

- a. Once VR Staff or VR Contractor has determined a case should be closed without an employment outcome, he/she shall attempt to contact the individual to provide the opportunity for consultation.
- b. VR Staff or VR Contractor shall provide the individual and, if applicable, his/her parent or legal guardian, with the opportunity for consultation when the individual is considered ineligible.
- c. The offer of a consultation and the actual consultation, if desired by the individual, shall occur prior to case closure and documented in AWARE.
 - i. Whether the offer of the consultation was ignored, declined, or accepted; VR Staff or VR Contractor shall include documentation of the offer on the closure letter and on the Closure page in AWARE.
 - a) If the consultation is ignored or declined, the following shall be documented in the case closure letter and on the Closure page in AWARE:
 - 1) date the consultation was offered; and
 - 2) indication that the individual ignored or declined offer of consultation.
 - b) If the consultation occurs, the following shall be documented on the case closure letter and on the Closure page in AWARE:
 - 1) date of the consultation;
 - 2) the applicant or eligible individual's input into the consultation discussion; and
 - 3) the outcome of the consultation.

D. Case Closure Responsibilities

1. VR Staff or VR Contractor shall ensure that all required data (e.g. personal data, education level, and employment status) is updated and entered into AWARE.
2. VR Staff or VR Contractor should contact all applicable providers to inform them that the case has been closed to prevent further services being provided and billed.
3. VR Staff and VR Contractors shall verify/update an individual's contact information prior to case closure.
 - a. Every attempt shall be made to ensure an individual's contact information includes an email address if the individual has one.
 - i. If available, the email address shall be added to the Personal Information Page in AWARE.

4. VR Staff shall proceed as detailed below and VR Contractors shall proceed to 5.
 - a. It is preferred that, prior to closing a case in AWARE, VR Staff:
 - i. enter all outstanding invoices for payment;
 - ii. cancel authorizations; and
 - iii. review/release payments (refer to "Submission, Review, and Payment of Case Services Invoices" [40-FIN-02-02]).
 - b. VR Staff shall close the case in AWARE by:
 - i. completing the "Closure" page in AWARE, including the justification for closure, and the individual's input, if applicable; and
 - ii. entering the closure date to finalize the closure.
 - c. Proceed to Section E. Post-Closure Responsibilities.
5. VR Contractor Process
 - a. VR Contractors shall:
 - i. enter all outstanding invoices for payment;
 - ii. review/release payments;
 - iii. upon final payment(s), cancel authorizations;
 - iv. complete the "Closure" page in AWARE, including justification for closure, and individual's input, if applicable, leaving the closure date blank; and
 - v. create a case closure "Activity Due" in AWARE and assign it to the Contracts Liaison Task List.
 - b. OOD Liaison Counselor (i.e. QRP) shall:
 - i. review the case to ensure closure is appropriate;
 - ii. if approved, enter the closure date on the "Closure" page in AWARE (note: the closure date shall match the review date and indicates approval of the case closure); and mark the "Activity Due" as completed in AWARE.
 - iii. if not approved, the OOD Liaison Counselor should identify the items to be corrected within the task comments section beginning with the verbiage "Action Needed", and, complete the task.

- a) The VR Contractor shall correct the identified items and re-task to the Contracts Liaison Task List and proceed to D.3.b to continue the closure process.

E. Post-Closure Responsibilities

1. Once the case is closed, VR Staff or VR Contractor shall proceed as detailed below.
 - a. Complete and send the appropriate closure letter with the appeal rights included, as detailed below, to notify the individual that his/her case has been closed.
 - i. “Closed with an Employment Outcome” (80-VR-02-01.D) – this letter shall be used when an individual has completed VR services and the requirements for closure, as outlined in Section B. have been met.
 - ii. “Closed without an Employment Outcome” (80-VR-02-01.E) – this letter shall be used when a case is closed without having met the requirements of an employment outcome as outlined in Section B.
 - a) If the case is closed without an employment outcome, the closure letter shall include referrals to local resources and recommendations (e.g. substance abuse treatment, volunteer activities) that the individual should engage in prior to re-application for VR services (refer to “VR Information and Referral [80-VR-11-07]).
 - b) If the case is closed without an employment outcome, due to the death of the individual, the “Closed without an Employment Outcome” letter (80-VR-02-01.E) should be generated in AWARE. It is not, however, to be sent to the individual.
 - iii. An “Extended Employment Closure Fact Sheet” (80-VR-02-01.F) shall be attached to the letter (refer to 80-VR-02-02 upon issuance) when either of the following closure closes are used:
 - a) Extended Employment; or
 - b) Extended Employment and Sub-minimum Wage
 - b. Ensure that all outstanding invoices have been processed for payment, all authorizations have been cancelled (i.e. closed) after entry of a final payment(s) and all payments have been released (refer to “Accounts Payable [40-FIN-02] and “Submission, Review, and Payment of Case Services Invoices” [40-FIN-02-02].

F. Violation

An employee who violates this procedure may be subject to discipline up to and including removal.

FORMS AND ATTACHMENTS

- ~~80-VR-02-01.A Employment Verification Form No longer used as of xx-xx-xx~~
- 80-VR-02-01.B 1st Attempt No Contact Letter– 10 Day

- 80-VR-02-01.C 2nd Attempt No Contact Letter – 5 Day
- 80-VR-02-01.D Closed with an Employment Outcome
- 80-VR-02-01.E Closed Without an Employment Outcome
- 80-VR-02-01.F Extended Employment Fact Sheet (will be re-issued with 80-VR-02-02 “Extended Employment” [procedure] when issued.

RESOURCES

- OOD AWARE Manual
- 80-VR-99.A Vocational Rehabilitation Definitions
- 80-VR-11-12 Transition Services
- 80-VR-11-14 Job Related Services
- 80-VR-08 and 80-VR-08-01 Individualized Plan for Employment (IPE)
- 80-VR-11-07 Information and Referral
- 80-VR-02-02 Extended Employment
- 80-VR-02-02.A Extended Employment Closure Fact Sheet
- 80-VR-06 Eligibility and Order of Selection
- 80-VR-06-01 Eligibility
- 40-FIN-02 Accounts Payable
- 40-FIN-02-02 Submission, Review and Payment of Case Services

FUNDING

Programs provided by the Opportunities for Ohioans with Disabilities are funded, in whole or in part, with federal grants awarded by the U.S. Department of Education (DOE) or the U.S. Department of Health and Human Services (HHS).

For purposes of the Vocational Rehabilitation (VR) Program, including Pre-Employment Transition Services (Pre-ETS), OOD received 78.7% of its funding through the DOE VR grant. In Federal fiscal year (FFY) 2018, OOD received \$100,336,097 in federal funds. Funds appropriated by the State covered 21.3 % of the total costs, or \$27,155,767. Of these federal funds, \$15,050,415 is set aside for Pre-ETS.

For purposes of the Supported Employment Program, the DOE VR grant funded 100% of the costs for the Supported Employment for Youth with a Disability Program. In FFY 2018, OOD received \$303,725. The grant also funded 95% of the Supported Employment Program (non-Youth). In FFY 2018, OOD received \$303,725 and the State appropriated funds paid the remaining 5% or \$33,747 of the total costs

REVIEW

It is the responsibility of the Deputy Director, or designee, to review this procedure, on or before, the date listed in the header and if applicable, make any necessary revisions. The Deputy Director, or designee, shall document the review as required in “Policy and Procedure Development, Review, Dissemination and Acknowledgement” (10-ADM-01).