

Ohio Department of Developmental Disabilities (DODD) and Opportunities for Ohioans with Disabilities (OOD) Joint Guidance on Referrals for Vocational Rehabilitation Services

Purpose

Opportunities for Ohioans with Disabilities (OOD) and the Ohio Department of Developmental Disabilities (DODD) have developed the following joint guidance for both County Boards of Developmental Disabilities and Vocational Rehabilitation (VR) staff to facilitate the referral process for vocational rehabilitation services for individuals with developmental disabilities.

Included in this document, you will find background information, definitions and guidance on:

- how to utilize vocational rehabilitation & HCBS waiver funding streams for employment services
- when to refer an individual to OOD
- important information to include in the referral packet to OOD to expedite eligibility

This joint guidance will be updated as needed to comply with federal or state law.

Background Information and Definitions

Vocational Rehabilitation

Vocational Rehabilitation (VR) provides direct, personalized services to help individuals with disabilities obtain or retain jobs. Person-centered planning techniques are utilized to develop an Individualized Plan for Employment (IPE) that will lead to gainful, community employment.

Vocational Rehabilitation Application Process

Once an individual has expressed that competitive, integrated employment is their desired outcome; an application for services can be submitted by the individual interested in services or by family, friends, county board staff, education or mental health professionals, etc. Application information including the applicant's name, address, age, nature of disability, Social Security number, sex, and referral source will be needed at time of application.

Vocational Rehabilitation Referral Guidance

County boards are encouraged to provide documentation of the disability (FED form, OEDI, COEDI, Medicaid Level of Care, Social Security benefits letter, related medical and psychological reports, etc.) and information about the individual's functional limitations to expedite this process. During this time, SSAs can document that the employment service is not otherwise available to the person and Medicaid-funded (HCBS waiver) employment services (discovery or vocational assessment, for example) could be provided.

Vocational Rehabilitation Eligibility

Upon receipt of the application, VR staff will schedule an interview with the individual and others the individual has chosen to accompany them. In the interview, VR staff will gather information needed in order to determine eligibility.

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Eligibility for Vocational Rehabilitation services is based on four criteria:

1. Individual has a physical, cognitive and/or mental impairment;
2. The impairment results in a substantial impediment to employment;
3. The individual can benefit from VR services in terms of an employment outcome; and
4. The individual requires VR services to prepare for, secure, retain, or regain employment consistent with the individual's unique strengths, resources, priorities, concerns, abilities, capabilities, interests and informed choice

Competitive Integrated Employment Definition

Means work that is performed on a full-time or part-time basis (including self-employment):

- For which an individual:
 - is compensated at a rate that is at or above minimum wage but 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, and skills;
 - 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, experiences and skills;
 - is eligible for the level of benefits provided to other employees;
- That is at a location where the employee interacts with other persons who are not individuals with disabilities (not including supervisory personnel or individuals who are providing services to such employee) to the same extent that individuals who are individuals with disabilities and who are in comparable positions interact with other persons, and;
- That is appropriate, presents opportunities for advancement that are similar to those for other employees who are not individuals with disabilities who have similar positions.

Path to Community Employment

This guidance follows the four places on the Path to Community Employment as outlined in the [Employment First Rule \(5123:2-2-05\)](#), which considers an individual's unique strengths, interests, abilities, preferences, resources and desired outcomes as they relate to Community Employment. The four places on the Path to Community Employment are:

- **Place One:** The individual is already engaged in community employment and needs support for job stabilization, job improvement, or career advancement;
- **Place Two:** The individual expresses a desire to obtain community employment but is not currently employed and needs support to obtain employment or identify career options and employment opportunities;

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- **Place Three:** The individual is unsure about community employment and needs support to identify career options and employment opportunities and the economic impact for the individual of the decision to work; or
- **Place Four:** The individual does not express a desire to work and needs support to learn more about careers and employment opportunities and the economic impact for the individual of the decision not to work.

HCBS-funded employment services

According to the DODD [Career Planning Rule](#) (5123:2-9-13, D:2), [Vocational Habilitation Rule](#) (5123: 2-9-14, D:3), [Individual Employment Support Rule](#) (5123: 2-9-15, D:3), and [Group Employment Support Rule](#) (5123: 2-9-16, D:3); the service and support administrator shall ensure that documentation is maintained to demonstrate that the services provided as Career Planning or Individual Employment Supports to an individual enrolled in a waiver is not otherwise available as vocational rehabilitation services funded under section 110 of the Rehabilitation Act of 1973, 29 U.S.C. 730, or as special education or related services as those terms are defined in section 602 of the Individuals with Disabilities Education Improvement Act of 2004, 20 U.S.C. 1401.

- It is important to note that the county board is *not required* to obtain an ineligibility form from OOD before HCBS waiver-funded employment services can be provided. Documentation (e.g. case note) that the service is not otherwise available through VR should be maintained in the individual’s ISP.
- It should also be noted that this language *does not require* an individual to first be referred to OOD before HCBS waiver-funded employment services can be provided. See below for further guidance.

Place One: I have a job but would like a better one or to move up

Refer to VR?

Maybe

- As mentioned above, an individual must require vocational rehabilitation services to obtain or maintain employment. If an individual already has a job that is competitive and integrated, they **might** be eligible for OOD services. For example, if the person has a substantial impediment to employment and requires VR services to be able to work more hours than they are currently working, or to keep their job.
- For these types of situations, it would be helpful to contact your assigned VR liaison (if applicable) or local VR office to discuss whether or not a person should be referred based on his or her individual circumstances. Staff at the local office can help direct you to the right person.

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Place Two: *I want a job! I need help to find one.*

Refer to VR?

Yes

- If an individual desires competitive integrated employment and requires employment services in order to achieve that outcome, they can begin the application process at any time. The county board can assist the job seeker to apply for OOD services, where VR staff will schedule an intake interview, determine eligibility, provide any necessary assessments, develop a person-centered, Individualized Plan for Employment (IPE), authorize services, etc. to help that person achieve community employment.
- The liaison assigned to your area (if applicable) or staff at the local OOD office can assist you in determining which caseload (i.e. EF Partnership, OTSP, Contracts, RCD, BSVI, etc.) can best serve the individual based upon program or contract criteria, capacity and nature of the referral.
- The process for determining eligibility for OOD services should not take more than 60 days (OOD strives to make this determination within 30 days) depending on the availability of ready and existing documentation as mentioned above.
- In the event that an individual’s VR case has been recently closed without an employment outcome, Medicaid-funded (HCBS waiver) employment services can be accessed and the SSA can document that the individual’s case with VR has been recently closed. However, it is important to note that VR services can be explored again as requested by the individual at any time in the future.

Place Three: *I’m not sure about work. I need help to learn more.*

Place Four: *I don’t think I want to work, but I may not know enough about it*

Refer to VR?

Maybe

- An individual may be unsure about competitive integrated employment as a goal and may need discovery or other prevocational services in order to help inform their decision. Because the individual may not have made the decision of whether competitive integrated employment is their desired outcome, Medicaid-funded (HCBS waiver) employment services can be utilized to help the person make that choice.
- If the individual makes an informed decision that competitive integrated employment is their desired outcome, and they need employment services to achieve that goal, an application for OOD services can be completed at any time.
- VR staff can also be available to talk with individuals and their families about VR services either individually or as a group to help inform their decision about whether a referral to VR is a possible next step.