




Title:	<b>Vocational Rehabilitation (VR) Informed Choice</b>
Procedure #:	<b>80-VR-07-01</b>
Policy Reference:	80-VR-07 VR Informed Choice
Legal Reference:	34 CFR 361.42, 361.43 (b), 361.45 (d)(2), and (f)(2) (i), 361.46 (a)(2)(ii), 361.47(a)(7), 361.52, 361.48; OAC 3304-2-55, 3304-2-51, 3304-2-54 and 3304-2-56
Effective Date:	June 17, 2019
Approved:	Kevin L. Miller, Executive Director 
Origin:	Bureau of Vocational Rehabilitation and Bureau of Services for the Visually Impaired
Supersedes:	80-VR-07-01 (1/23/17)
History:	80-VR-07-01 (09/02/14), VRP-0910 "Informed Choice" (04/06)
Review/Implementation	Begin Review – 11/02/20 Implement Revisions By – 05/03/21

**I. PURPOSE**

The purpose of this procedure is to provide direction for ensuring that individuals and if applicable, their parent or legal guardian are provided with the necessary information and opportunity to exercise informed choice throughout the vocational rehabilitation (VR) process in accordance with appropriate federal (e.g. Code of Federal Regulations [CFR]), 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 for more detailed instructions regarding the management of cases in AWARE.

**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 or manager shall enter "Approved with Conditions" and document the conditions/requirements in the "Comments" and change the activity status to "Completed."
    - iii. If denied and the supervisor or 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 a VR Staff or VR Contractor 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-certified) 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 the AWARE Participant Module, as a Case Note, with the category "Professional Disclosure Statement" and summary title "Signed".
4. If, at any time during the VR process, an individual or, if applicable, his/her parent or legal guardian wishes for someone other than his/her parent or legal guardian to take part in any step of the process or if additional records and/or assessments are needed (e.g. medical records), a "Consent and Release of Information" form (80-VR-01.G) must be completed and signed for each person or entity and placed into the AWARE case record.
  - a. If, at any time during the VR process, an individual or, if applicable, his/her parent or legal guardian wishes to withdrawal consent from any person or entity listed on his/her application or on a completed consent, a "Withdrawal of Consent" form (80-VR-01.H) must be completed, signed and placed in the AWARE case record.
5. Information shall be provided in a manner that ensures the individual and, if applicable, his/her parent or legal guardian is able to exercise informed choice in areas, including, but not limited to, employment outcome, VR services, and provider selection.

6. Informed choice does not guarantee that the individual's chosen employment outcome and/or the service(s) requested will be supported by VR Staff or VR Contractor.

#### B. Provision of Informed Choice

1. VR Staff or VR Contractor shall provide informed choice to individuals and, if applicable, his/her parent or legal guardian, throughout the VR process.
  - a. Information shall be provided to individuals and, if applicable, their parent or legal guardian to support their ability to exercise informed choice during:
    - i. assessments for eligibility;
    - ii. determination of VR services and providers/suppliers;
    - iii. selection of an employment outcome in a competitive integrated setting; and
    - iv. the development and implementation of an IPE and any subsequent amendments.
  - b. VR Staff or VR Contractor shall assist individuals and, if applicable, their parent or legal guardian, in gathering information to support his/her decision-making process. This information includes, but is not limited to:
    - i. labor market trends, including information found on Ohio Means Jobs ([www.ohiomeansjobs.com](http://www.ohiomeansjobs.com));
    - ii. effective and appropriate services; and
    - iii. service provider performance information (e.g. score card).

#### C. Documentation of Informed Choice

1. VR Staff or VR Contractor shall document informed choice in the AWARE case record throughout the VR process. At a minimum, documentation shall be provided in the stages described below .
  - a. Application and intake as required in "Application and Intake" (80-VR-01 and 80-VR-01-01).
  - b. Eligibility determination and order of selection as required in "Eligibility and Order of Selection" (80-VR-06) and subsequent procedures.
  - c. Provision of assessment services as required in "Vocational Rehabilitation (VR) Assessment Services" (80-VR-11-01).
  - d. Comprehensive Assessment (CA) process and the development and implementation of the IPE, including, if applicable, an IPE clone as required in "Vocational Rehabilitation Comprehensive Assessment" (80-VR-04-01) and "IPE" (80-VR-08 and 80-VR-08-01), when selecting:
    - i. services (including supported employment services), the service setting, the procurement of services, and service providers and/or suppliers; and

- ii. an employment outcome and desired setting.
  - a) Provided below are specifics concerning an employment outcome and the desired setting.
    - 1) The employment outcome shall be consistent with the individual's strengths, resources, priorities, concerns, abilities, capabilities, and interests.
    - 2) VR Staff or VR Contractor may use various resources to assist individuals, and if applicable, their parent(s) or legal guardian(s), in exercising informed choice when selecting an employment outcome. These resources include, but are not limited to:
      - 2.1 informational interview;
      - 2.2 labor market information;
      - 2.3 job shadowing;
      - 2.4 community based assessment; and
      - 2.5 work incentives counseling (benefit analysis).
    - 3) VR Staff or VR Contractor, the individual, and, if applicable, his/her parent or legal guardian, shall discuss and document local labor market information which may yield the greatest opportunity for a successful employment outcome. This discussion shall include:
      - 3.1 exploration of jobs that are in demand within the state of Ohio; and
      - 3.2 information which may come from Ohio Labor Market Information, Ohio Means Jobs or other reputable sources.
        - 3.2.1 In areas where local labor market information is not readily available, local want ads or other materials may be utilized.
    - 4) If VR Staff or VR Contractor, using the AWARE case record data and his/her professional judgment, determines the individual's proposed employment outcome is unrealistic or inappropriate; they shall deny the employment outcome and inform the individual and/ if applicable, his/her parent or legal guardian, of their right to appeal (refer to "Vocational Rehabilitation Appeals" [80-VR-12]).
    - 5) VR Staff or VR Contractor shall also offer the individual, and if applicable his/her parent or legal guardian, the opportunity to explore an alternate employment outcome that is appropriate and acceptable to all parties.
  - e. Case closure by providing information regarding post-employment services, Client Assistance Program (CAP), and appeal rights as required in "Case Closure" (80-VR-02 and 80-VR-02-01).
- 2. Informed choice shall be documented in AWARE and shall include the following components:
  - a. options discussed;

- b. the individual's and, if applicable, his/her parent's or legal guardian's, input and response; and
- c. outcome of the discussion.

#### D. Identifying Services and Selection of Providers

1. To assist an individual, and if applicable, his/her parent or legal guardian, with making an informed choice when identifying services and potential providers/suppliers; VR Staff or VR Contractor shall ensure the following is provided:
  - a. a copy of the "Vocational Rehabilitation Selection of a Provider Information Sheet" (80-VR-07-01.A);
  - b. information about the Provider Management Portal and other approved VR service providers, when appropriate; and
  - c. information from Medical, Psychological, Dental (MPD) Supplier list, that meet the individual's needs, when appropriate.
2. VR Staff or VR Contractor shall assist the individual, and, if applicable, his/her parent or legal guardian (when requested) in identifying and exploring important factors (e.g. the provider's location, the types of disabilities served by the provider, the provider's placement successes, the types of placements made by the provider) when choosing a provider.
  - a. Information about these factors may come from:
    - i. Provider Search;
    - ii. Provider Scorecard;
    - iii. individual provider websites; and/or
    - iv. speaking directly to the provider.
  - a) VR Staff or VR Contractor should encourage the individual to directly contact potential providers when appropriate and may assist the individual with this contact by:
    - 1) reviewing the "Vocational Rehabilitation Selection of a Provider Information Sheet" (80-VR-07-01.A) with the individual and, if applicable, his/her parent or legal guardian; and
    - 2) assisting the individual and, if applicable, his/her parent or legal guardian, in developing questions to ask the provider.
  - b. Additional information obtained from these sources may include:
    - i. individuals' satisfaction with provider services (i.e. provider satisfaction surveys);
    - ii. qualifications of potential service providers;

- iii. types of services offered by the potential providers;
- iv. outcomes achieved by individuals working with service providers;
- v. cost (including the use of comparable benefits);
- vi. accessibility;
- vii. duration of potential services;
- viii. the degree to which services are provided in integrated settings;
- ix. the setting in which services will be provided; and
- x. the available methods used to procure services (i.e. OOD-provided, comparable benefits, individual contribution, or provider services).

#### E. Violation

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

### FORMS AND ATTACHMENTS

- 80-VR-07-01.A Selection of a Provider Informational Sheet

### RESOURCES

- Vocational Rehabilitation Definitions (80-VR-99.A)
- 80-VR-01 and 80-VR-01-01 Application and Intake
- 80-VR-11-01 Vocational Rehabilitation (VR) Assessment Services
- 80-VR-04-01 Vocational Rehabilitation Comprehensive Assessment
- 80-VR-08 and 80-VR-08-01 IPE
- 80-VR-12 Vocational Rehabilitation Appeals
- 80-VR-02 and 80-VR-02-01 Case Closure
- AWARE Manual

### 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.

For purposes of the Independent Living Services for Older Individuals Who are Blind (OIB) Program, the federal grant received from DOE in FFY 2018 paid 90% of the total costs incurred under the program. In FFY 2018, OOD received \$1,174,400 in federal grant funds. Funds appropriated by the State paid 10% or \$130,489 of the total costs incurred under the OIB program.

For purposes of the Independent Living (IL) Program, the federal grant received from HHS paid 90% of the total costs incurred in FFY 2018. In FFY 2018, OOD received funding of \$632,411. Funds appropriated by the State paid 10% or \$70,268 of the total costs incurred under the IL Program.

## **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 annual review as required in "Policy and Procedure Development, Review, Dissemination and Acknowledgement" (10-ADM-01).