**Department of Rehabilitation Services**

**Summary of 2024 Administrative Rule Amendments**

**Chapter 1. Administrative Operations**

**Subchapter 3. Administrative Components of the Department**

612:10-1-3-10. Final Authority [AMENDED] = revised under (1) Director’s signature, adding that the sole source contracts can be delegated and approved by the COS, COO or CFO. Updated the contract dollar amounts for Division Administrators, CDS Administrator, Field Coordinators, Superintendents. Contract amount revised and job title changed from “Program Managers” to “Deputy Administrators” under the Disability Determination Services (DDS) section (9).

**Chapter 10. Vocational Rehabilitation and Services for the Blind and Visually Impaired**

The majority of revisions this rule cycle consist with updating rules to be consistent with contract terminology and federal regulations.

**Subchapter 1. General Provisions**

612:10-1-2. Definitions [AMENDED] – revised and added new definitions to this rule as follows:

“Designated State Unit or State Unit (DSU)” added new definition to define the state unit responsible for the administration of the vocational rehabilitation program.

“Employment and Retention” revised definition to include agency counselor must justify in a case narrative how Employment and Retention is the appropriate placement opposed to Supported Employment.

“Highly challenged” revised definition to includes criteria for the individual to meet two (2) or more categories (A-K) to be considered highly challenged.

“Job Coach/Employment Training Specialist” rule title changed to “Employment Consultant (EC)”. Rule describes consultant role providing intervention techniques to assist the individual learn job tasks to employer’s specifications and interpersonal skills. Job coaching includes related assessment, job development, advocacy, travel training and additional services needed to maintain the employment.

“Ongoing support services” revised definition defining supported employment in (A-E).

“Post-employment services” revised definition to include regulatory definition of services in (A-C) and defining short-term services.

“Situational Assessment” added new definition to determine the best match between individual, type of job, and work environment.

“Stabilization” Added new definition to establish time period when EC support is reduced to the long-term maintenance level where the individual retains employment, client and employer are satisfied with the individual’s job performance.

“Supported employment” (SE) revised definition adding alphabetic numbering to rule, adding section (i) and (ii) under newly numbered (A) to include guidance for competitive integrated employment not historically conducted or interrupted as a result of a significant disability. New section (B) contains supported employment in an integrated setting not satisfying the criteria of competitive integrated employment and considered working on a short-term basis and can reasonably achieve integrated employment either within six months of achieving supported employment outcome or in limited circumstances within 12 months from achievement of the supported employment outcome.

“Team Meeting” added new definition to conduct meetings between the individual, guardian, EC, DRS Counselor, and other team members chosen by the individual and /or guardian. The individual or designee will lead the meeting.

Corrected “Job Coach” definition – removed “Employment Training Specialist” from the title and removed antiquated language.

**SUBCHAPTER 3. CLIENT PARTICIPATION IN COST OF SERVICES**

612:10-3-3. Participation of individuals in cost of services based on financial need [AMENDED] – Corrected typo “on” to “one” under section (c), last sentence. Under section (d) (9) added additional services (i.e. (Retention (ER), Job Placement (JP)) a client can receive that are not based on financial needs and do not require a determination of financial need status.

**SUBCHAPTER 7. VOCATIONAL REHABILITATION AND SERVICES FOR THE BLIND AND VISUALLY IMPAIRED**

**PART 1. SCOPE OF VOCATIONAL REHABILITATION AND SERVICES FOR THE BLIND AND VISUALLY IMPAIRED**

612:10-7-1. Overview of Vocational Rehabilitation and Services for the Blind and Visually Impaired [AMENDED] – Language added under (b) (4) “supplemental employment services” and “support services for employment” for job-related services. Revised language under section (16) to include an employment consultant for individuals that need ongoing support services. Revised language under section (17) to include an employment consultant and/or job coach for employment and retention services for individuals that require short term support.

**PART 3. CASE PROCESSING REQUIREMENTS**

612:10-7-20. Case recording [AMENDED] – Added new section on procedures for altering records or documentation.

612”10-7-25.1. Ability to serve all eligible individuals; order of selection for services [AMENDED] Clarify language under (e) (C), rephrase Priority Group 3 based on RSA recommendation.

**PART 5. CASE STATUS AND CLASSIFICATION SYSTEM**

612:10-7-50.1. Assessment for determining rehabilitation needs [AMENDED] language revised under (d) (B) to change “severe” to “significant”. Section (b) (2) removes language related to “Assessment and Career Planning” milestone. Language added to authorize career exploration and/or assessment from the Supplemental Employment Services (SES) contract to conduct activities and/or situational assessments.

612:10-7-55. Job Ready [AMENDED] – Under section (a) (1) added “Job Placement, Supplemental Employment Services, JOBS” language related to Employment Services Provider.

612:10-7-56. Employment [AMENDED] – Under section (b) removed “Rehabilitation” replacing with “Employment”. Section (c) language revised removing “Job Placement” milestone language.

612:10-7-58. Closed Rehabilitated [AMENDED] – Language amended changing “severe” to “significant”. Removed timeframe (i.e. 90 days after placement, or a minimum of 4 weeks) for successful rehabilitation when client maintains employment.

**PART 9. Actions requiring supervisor’s approval**

612:10-7-87. Actions requiring supervisor’s approval [AMENDED] – Language amended under (a) (6) decreasing the supervisory approval dollar amount from $10,000 to $5,000 for Small Business plans.

**PART 14. COMMUNITY PROVIDER EMPLOYMENT SERVICES [NEW]**

612:10-7-134. Competitive integrated employment [NEW] – New rule added defining competitive integrated employment for individuals receiving employment services.

612:10-7-135. Supplemental Employment Services (SES) [NEW] – New rule added.

612:10-7-136. Job Placement Services [NEW] – New rule added.

612:10-7-137. JOBS Services [NEW] – New rule added.

612:10-7-138. Support Services for Employment (SSE) [NEW]

**PART 15. TRAINING**

612:10-7-164. Personal and work adjustment training [AMENDED] – Language revision under section (b) changing the amount of time a high school student can participate in personal and work adjustment training from “18” to “24” months.

**PART 17. SUPPORTED EMPLOYMENT SERVICES**

612:10-7-179. Overview of Supported Employment Services [AMENDED] – Added new sections (A) providing job site support to learn tasks, gain work adjustment skills, and stabilize employment, (B) provides long-term support to retain employment.

612:10-7-180. Eligibility for the Supported Employment ~~Program~~ Services [AMENDED] – Renamed rule changing “Program” to “Services”. Eliminating the word “severe” replacing with “significant”. Adding new section (4) (A) (B) (C), instructs the counselor not to find an individual ineligible for supported employment when a resource for providing extended services cannot be identified. The counselor accepts the individual as eligible for VR services, plans services as appropriate and will seek out or help in developing the needed extended services resource.

612:10-7-182. Competitive integrated employment for ~~supported~~ Supported ~~employment~~ Employment [AMENDED] – Revised rule title adding “integrated”. Eliminating “vendor” replacing with “contractor”. Language clarifies that wages are not paid by the contractor, unless the contractor is the employer of record, and the wage meets the ONET median hourly wage.

612:10-7-183. Ongoing support services [AMENDED] – Revised language to change “time of placement” to “first day of employment” regarding the sponsored support services that are provided.

612:10-7-184. Extended services [AMENDED] – Revised language eliminating “supported” and replacing with “successful”.

612:10-7-185. Provision of supported employment services [AMENDED] – Revised section (b) language for clarification. Under section (c) revoking (1) and (2) and renumbering. Section (2) becomes new section for Post-employment services following an individual’s transition to extend services.

**PART 18. EMPLOYMENT AND RETENTION SERVICES**

612:10-7-186. Overview of Employment and Retention Services [AMENDED] – Updated language to current terminology.

612:10-7-187. Eligibility for Employment and Retention Services [AMENDED] – Revised language revoking “client” replacing with “individual”.

612:10-7-188. Provision of employment and retention services [AMENDED] – Revised language revoking “vendor” replacing with “contractor”. Clarifying language.

612: 10-7-189. Competitive integrated employment for Employment and Retention [AMENDED] – Revised language revoking “persons” replacing with “individuals”. Defined Employment and Retention services as employment performed on a full-time or part-time basis in an integrated setting.

**PART 21. PURCHASE OF EQUIPMENT, OCCUPATIONAL LICENSES AND CERTIFICATIONS**

612:10-7-221. Housing Modification [AMENDED] – Added new section (c) (1) and (2) for AT Specialist completing the initial home evaluation and the timeframe for report completion.

**PART 23. SELF-EMPLOYMENT PROGRAMS AND OTHER SERVICES**

61210-7-230. Self-employment programs [AMENDED] – Revised removing “BEP” language. Revoked duplicate sections (b) - (p).

612:10-7-232. Placement [AMENDED] Revised section (b) updating language for qualified contractors.

**Part 25. Transition from School to Work Program**

612:10-7-240. Overview of transition from school to work services [AMENDED] – Revised language to include “supplemental employment services under section (a) relating to eligible transition services.

**SUBCHAPTER 13. SPECIAL SERVICES FOR THE DEAF AND HARD OF HEARING**

**PART 3. CERTIFICATION OF INTERPRETERS**

612:10-13-16. Evaluation [AMENDED] – Language revision to (a) provides age requirement to take the written examination. Eligibility to take the skill-based interpreter performance evaluation is at least 30 credit hours from an accredited college or university, with a cumulative GPA of 2.0 or higher. Increase the 2-year certification term to three years before certification expires.

612:10-13-18. Fees [AMENDED] –Revision removing “written/performance” language and changing to “written test and interpreter skill-based performance.

612:10-13-19. Refunds [AMENDED] – Performance evaluation fees can be cancelled if request is submitted in writing at least two weeks prior to the scheduled date, previously four weeks. The performance evaluation can be rescheduled with notification of three weeks prior, previously two weeks. Additional rescheduling requests will only be granted if documentation is provided, and the reason is due to an uncontrolled situation.

612:10-13-20. Certification maintenance [AMENDED] – Language clean-up, removing “QAST” language. Added interpreter acknowledgment for the written test and changing 90 day expiration application to 183 calendar cays (6 months). Increased CEU requirement from 1 to 2 CEU’s with .5 in ethics.

612:10-13-24. Interpreter certification program advisory committee [AMENDED] – revised (a) defining the role of the advisory committee which is to serve and make recommendations providing key information, experiences, suggestions for the betterment of the interpreter certification performance and overall testing system. Section (b) updates language to include the advisory committee members shall be selected according to qualifications and must have either ICRC level V/V or recognized interpreter certification and must be bilingual in ASL and English. Added new sections (d) – (e).