

THE ROAD TO WORK

A JOB SEEKER'S GUIDE TO VOCATIONAL REHABILITATION SERVICES



Indiana

**VOCATIONAL
REHABILITATION**

Empowering People. Changing Lives.

THE ROAD TO WORK

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Purpose

“The Road To Work: A Job Seeker’s Guide to Vocational Rehabilitation Services” was developed to provide information to individuals with disabilities who have employment and training needs.

Vocational Rehabilitation Services is a state-federal partnership program first established in 1920. The purpose of VR is to assist eligible individuals with disabilities to achieve competitive integrated employment. A major focus of the VR program is to ensure that the individual is the driving force behind their rehabilitation program.

We believe all eligible individuals have the right to participate in making meaningful and informed choices leading to suitable employment. These choices include the employment outcome, specific services needed to achieve the outcome, the service provider(s) and the methods for obtaining services.

If you are eligible for VR and placed in an open priority category for services (see more information under Order of Selection on page 8), you will have an opportunity to work in partnership with a professional VR counselor until you are employed in a job that is right for you. Your counselor will provide you with information and referral services as well as counseling and guidance to help you with career planning. VR may also provide any assistive technology required for employment, after reasonable accommodations have been made by the employer. Your counselor will assist you in obtaining and coordinating the delivery of services to ensure that they are provided in the most efficient and cost-effective manner.

We welcome the opportunity to work with you.

Non-discrimination

The VR program does not discriminate on the basis of race, color, national origin, creed, age, gender, duration of residency or type of disability when determining an individual's eligibility for vocational rehabilitation services or providing necessary vocational rehabilitation services. In the event of a complaint, please contact the Title VI/ADA Coordinator via email at ada@fssa.in.gov.

Your application and eligibility to participate in the VR Program

To learn more about the VR program, you will meet with a VR counselor. At that meeting, you will be asked if you would like to complete an application. You and your counselor will also discuss what information is required to determine whether you are eligible for services.

Eligibility is based on the following federal requirements:

- You have a physical or mental impairment which creates a substantial impediment to employment resulting in a barrier to preparing for, securing, maintaining, advancing in or regaining employment consistent with your abilities and capabilities.
- You require vocational rehabilitation services to prepare for, secure, maintain or advance in employment.
- You will be presumed to be able to benefit from VR services unless there is a significant concern about your ability to participate in the VR program and successfully achieve an employment outcome. If this is the case, you will receive an opportunity to participate in trial work experience to determine if there is clear and convincing evidence that your disability is too significant for you to be able to participate in services and achieve an employment outcome.

If you have a disability for which you are receiving Social Security Disability Insurance benefits or Supplemental Security Income payments, you will be presumed eligible for vocational rehabilitation services if you intend to achieve an employment outcome. Your counselor can help you maximize the economic benefit of you returning to work.

In all instances, you have the right to an assessment of your eligibility and vocational rehabilitation needs. You may be asked to provide existing reports from employers, doctors, hospitals, schools, etc., to help evaluate your eligibility. If existing reports are not available or do not reflect your current condition, your counselor may ask you to undergo a combination of medical, psychological or vocational evaluations. All evaluations necessary to determine your eligibility will be provided to you at no cost.

It is important for you to participate in, and keep all scheduled evaluation appointments and any future appointments throughout your participation in VR. With your cooperation, your counselor will be able to assist you in making informed choices. It is your responsibility to follow through with all of the steps necessary for you to reach your employment outcome. Please notify your counselor regarding all information that is pertinent to your participation with the VR program, such as changes in SSDI or SSI benefits, address changes, changes to your courses during training, changes to your employment status, etc.

You will receive a written notification of your eligibility determination. The written notification will include appeal rights.

Confidentiality

It is necessary to collect information about you to determine your eligibility, provide you with appropriate services, and

follow your progress toward meeting your desired employment outcome. All information about you is confidential, including the fact that you have applied for VR.

You will be asked to give your consent for your counselor to obtain information about you and share information with others taking part in your rehabilitation program. You have the right to refuse your consent for the VR program to obtain or share any information. If your refusal makes it impossible to determine your eligibility or to continue toward an employment outcome, services cannot be continued.

Information about you will be kept in your case record. With some exceptions, you have the right to inspect and copy information in your case record. You also have the right to add your own comments to your case record. All requests to review, copy or add comments to your case record must be presented in writing to your VR counselor.

Generally, VR will only release information about you to those participating in your rehabilitation program. However, when requested, information about you may be released, as required by law, to:

- the federal government, for reporting and statistical purposes;
- a court of law, if the information is subpoenaed or demanded by a court order; or
- law enforcement officials, if you are involved in a crime.

One of the ways VR will communicate with you is by email. These emails may contain private information about VR services. To protect your privacy, VR uses an encrypted email process to ensure that email is secure and cannot be read by others. We will provide you with information on how to open encrypted emails. This will require an extra step every time you open an encrypted email.

Individualized Plan for Employment

If you are notified that you are eligible for Vocational Rehabilitation Services, your counselor will help you understand your options for developing an Individualized Plan for Employment and exercising informed choice.

The IPE is designed to achieve your planned employment outcome, which is consistent with your unique strengths, resources, priorities, concerns, abilities, capabilities and interests. Your IPE will specify the services that you will receive, who will provide them, who will pay for the service, and relevant time frames. Your responsibilities and the responsibilities of your VR counselor and other agencies helping you to reach your employment outcome will also be identified.

You and your counselor will sign the IPE after agreeing to the services necessary to accomplish your employment outcome. You will be provided a copy of the IPE, and any subsequent amendments, in an understandable format for your records.

Your IPE will be reviewed at least once annually by you and your counselor to discuss your progress and to determine if changes are necessary. At any time, if you have concerns about your rehabilitation program or would like to make changes to your services, you must discuss them with your counselor to determine if an amendment to your IPE is necessary. Any changes to your IPE will be documented in an amended IPE and signed by you and your VR counselor.

Services

VR will provide services that are vocationally relevant and necessary for you to achieve your employment outcome. Services will be provided pursuant to state and federal regulations.

The availability of program funds, school or training pro-

gram availability, and other factors may delay or affect your services. Your counselor will inform you when such delays or changes occur.

Who will pay for Vocational Rehabilitation Services?

VR will provide services, equipment and other assistance necessary for you to achieve your employment outcome. VR provides services at the lowest cost to meet your vocational needs. VR cannot pay for any services you received prior to your participation in the program or prior to approval and authorization by VR.

You may be expected to contribute toward the cost of some services and may be asked to provide your VR counselor with documentation in order to determine whether there are other sources of assistance available.

Federal law prevents VR from funding services if there are other state, federal, local public agencies, health insurance or employee benefits available to meet your needs. These are called comparable services and benefits and must be used before VR funds are used to pay for services. Your counselor may ask you to apply to other programs, such as Medicaid or federal financial aid for education, to pay the cost of a service. If you fail to apply to other programs when asked, VR may not be able to pay for the services. VR will not require financial participation if you are receiving Social Security Disability Insurance benefits or Supplemental Security Income payments.

VR may provide assistance with post-secondary education to achieve an employment outcome. You will be required to apply for federal and state financial aid, when applicable, in order for VR to determine how much assistance can be provided. Additional information regarding post-secondary training is up-

dated annually and published on the Vocational Rehabilitation website. There may be an individual or family contribution for post-secondary education, using information reported on the Free Application for Federal Student Aid.

Your VR counselor will notify you of any financial responsibilities prior to the delivery of any services.

Case Closure

Your case will be closed in the following instances:

- When you reach your employment outcome;
- If you are determined ineligible;
- At your request;
- If you become ineligible for further services;
- If your counselor is unable to contact you after multiple documented attempts; or
- If you fail to cooperate.

You have the right to reapply to the VR program at a future date.

Order of Selection

If a state vocational rehabilitation program does not have enough resources to serve all eligible participants, federal law requires the agency to implement an Order of Selection procedure. Your counselor will inform you if VR is operating under OOS at the time you apply for services.

An OOS procedure assigns each eligible participant to a priority category based on the limitations in functional capacities and need for services due to the severity of the disability. Under an OOS procedure, participants with the most significant disabilities must be served prior to persons with less significant disabilities. Each VR participant is assigned to a priority cate-

gory based on the information VR has about the participant's disability and impediment to employment.

Priority categories are served based on the availability of resources. Depending on the resources available, VR may serve all priority categories, only one or two priority categories or no priority categories. If you are found eligible for VR services, but do not meet the requirements for the priority category being served at that time, you will be placed on a deferred services list. If VR can serve some of the participants in a priority category but not all, VR will serve as many participants as possible from the deferred services list according to the date of application.

Every VR consumer has the right:

- To know if the VR agency is operating under an OOS procedure, which priority categories there are under its procedure, the priority category to which they have been assigned, and whether that priority category is being served.
- To be notified when they have been assigned to a deferred services list.
- If placed on a deferred services list, to receive regular notifications of their priority category assignment, which priority categories are currently being served, and whether they can then receive services.
- To request a re-evaluation of their priority category assignment, if new information or a change in their disability makes it likely that a review might place them in a higher priority category.
- To request mediation or an impartial due process hearing regarding their priority category assignment, if they believe their category assignment is in error.
- To request that they be removed from the deferred services list and have their case record closed.

Your Right to Appeal

You have the right to request mediation or an impartial due process hearing if you disagree with any written appealable decision made or action taken concerning the VR services you receive.

Examples of appealable and non-appealable actions include:

Appealable actions	Non-appealable actions
<ul style="list-style-type: none">• Eligibility or ineligibility determinations• Case closure• The priority category assigned under order of selection• Any modification, suspension or termination of a specific service• Denial of a requested service	<ul style="list-style-type: none">• Actions made by a service provider• Request for information needed to make a decision or evaluate the need for a requested service• Appointment schedule letter

You should discuss any questions or concerns about your rehabilitation program with your counselor before you consider an appeal; however, you may request mediation or an impartial due process hearing without prior discussion with your VR counselor or the area supervisor.

All appeal requests must be made in writing or you may complete and return the Request for Administrative Hearing form included with all written appealable actions. You should include a copy of the notification letter that you are appealing with your appeal request.

The written appeal request must be submitted within 20 calendar days from the date of the written decision or action that you disagree with.

The written request for an appeal must include:

- The name, mailing address, email address and telephone number of the applicant or participant (and the participant's representative, if one is designated).
- A concise statement about the determination made by the VR staff for which mediation and hearing is being requested.
- Whether the applicant or participant requests informal supervisory review.
- Whether the applicant or participant agrees to mediation.
- Any accommodations necessary to participate in the mediation or impartial due process hearing.
- The applicant or participant's signature.

If you have indicated that you wish to pursue mediation prior to your hearing and the area supervisor agrees to mediation, a mediator will be assigned to your case. You have the right to be represented at the mediation session by a person of your choice. During the mediation process you or your representative may submit evidence and information to support your position.

All discussions that occur during your mediation session are confidential. If agreement is reached during mediation, the mediator will prepare a written mediation agreement that is signed by you and VR. If an agreement is not reached through mediation, the mediator will notify the hearing officer, who will then proceed with your scheduled hearing.

You will receive written notification from the impartial hearing officer regarding the time, date, and location of the hearing. You may choose to be represented by legal counsel or any other person. VR will not pay for legal counsel for you during the appeal process. You and your representative may submit evidence or information to support your position, and may examine evidence, information, and witnesses presented by VR and its representatives.

The impartial hearing officer will issue a written decision within 30 calendar days after the administrative hearing. The decision will be sent to both parties.

If either party is dissatisfied with the decision, either party may request an administrative review from the director of the Division of Disability and Rehabilitative Services. All requests for review must be received by the director within 20 calendar days of the impartial hearing officer's decision.

During the director's review of the hearing decision, both parties will have the opportunity to submit additional evidence and information. The director will send final a written decision to both parties within 30 days of receiving a request for administrative review.

If either party is dissatisfied with the director's decision, a civil action may be filed in an appropriate state or federal court. Services may be continued pending review by the court.

Client Assistance Program

The Client Assistance Program is administered by Indiana Disability Rights. CAP is available to you if you are seeking or receiving vocational rehabilitation services and you have questions or concerns about VR. CAP operates independently of VR. CAP services are free and are available to you no matter where you live in Indiana.

CAP can assist you with the following:

- Describe what services are available through the VR program;
- Explain how to get vocational rehabilitation services and how the VR process works;
- Inform you of your rights and responsibilities within the VR program;
- Listen to any concerns or questions you have about your participation in the VR program;
- Investigate your questions or concerns and work with you and your counselor to come to an agreement; and
- Assist you in appealing VR decisions if agreement cannot be reached in other ways.

Your VR counselor can assist you in contacting CAP or you may reach them at:

Client Assistance Program

4755 Kingsway Drive, Suite 100

Indianapolis, IN 46205

www.in.gov/idr

Email: info@IndianaDisabilityRights.org

317-722-5555 or 800-622-4845 (both numbers are TTY/TDD equipped)

Blind & Visually Impaired Services

Blind and Visually Impaired Services provides services to eligible Hoosiers who are blind or visually impaired. BVIS manages three programs: The Randolph-Sheppard Business Enterprise Program, the Older Independent Blind Program and the Confidential Report of Blindness. More information about these programs is outlined below. For additional information, please email BVIS@fssa.in.gov or call 877-241-8144.

Randolph-Sheppard Business Enterprise Program

The Randolph-Sheppard Business Enterprise Program provides entrepreneurial opportunities for legally blind participants of VR. These blind entrepreneurs manage a wide variety of food service operations, including cafeterias, coffee shops, vending locations, and highway area vending sites. Through this program, individuals receive training and opportunities to become productive, tax-paying citizens and independent licensed managers. For additional information, please call the BVIS program manager at 800-545-7763.

Older Independent Blind Program

The Indiana Older Independent Blind Program expands independent living services for people who are age 55 and older and have a severe visual impairment. Through a grant from the U.S. Department of Education's Independent Living Services for Older Individuals Who Are Blind program, the Bureau of Rehabilitation Services and Blind and Visually Impaired Services partner with statewide community programs to administer a wide array of services for older individuals who are blind or visually impaired. Services may include, but are not limited to: assistance in correcting or modifying visual disabilities, providing optical vision aids, in-home training, orientation and mobility training, Braille instruction, adaptive and assistive skills training, information and referral, peer counseling and other appropriate services designed to assist the individual with daily living activities.

For a list of OIB community programs by county of coverage and additional information, please visit the program web page at www.in.gov/fssa/ddrs/rehabilitation-employment/blind-and-visually-impaired/older-independent-blind-program/ or contact the Older Independent Blind Program director at 877-241-8144.

Deaf & Hard of Hearing Services

Deaf & Hard of Hearing Services, provides assistance to identify and find resources to meet the needs of deaf and hard of hearing individuals and their families, throughout the state of Indiana.

DHHS services include:

- Interpreter Service Program for state agencies
- Statewide case management services for individuals who are Deaf or Hard of Hearing and need assistance in improving their independence. All service providers are fluent in American Sign Language
- The Indiana Interpreter Certification Program
- Community education to employers and professionals
- Advocacy services for individuals who are deaf or hard of hearing
- Information and referral
- Hearing aid information
- Remote CART loaner equipment for VR consumers

Additional information can be obtained by contacting:

Deaf and Hard of Hearing Services

402 W. Washington St., Room W353, MS 23

Indianapolis, IN 46204

Email: DHHSHelp@fssa.IN.gov

DHHS VP 317-542-3325

www.in.gov/fssa/ddrs/rehabilitation-employment/deaf-and-hard-of-hearing/

Independent Living Services

The Indiana Independent Living Services Program encompasses two partnerships. The first one is with the Centers for Independent Living and the second partnership is with the Indiana Statewide Independent Living Council. Independent Living philosophy emphasizes consumer control, the idea that people with disabilities are the best experts on their own needs, having crucial and valuable perspective to contribute, and deserving of equal opportunity to decide how to live, work, and take part in their communities, particularly in reference to services that powerfully affect their day-to-day lives and access to independence. CILs are consumer-controlled, cross-disability, nonresidential, private, nonprofit agencies that are designed and operated within local communities by individuals with disabilities. Each center is unique, offering many services, but operate under the same primary services.

CIL core services include:

- Peer counseling;
- Information and referral;
- Individual and systems advocacy;
- Independent living skills training;
- Services that facilitate transition from nursing homes and other institutions to the community, provide assistance to those at risk of entering institutions, and facilitate transition of youth to postsecondary life.

To learn more and locate a CIL for your county, visit the Independent Living Services Program Web page at www.in.gov/fssa/ddrs/rehabilitation-employment/independent-living-services-program-centers-and-statewide-council/. You can also contact INSILC at 844-4INSILC or visit www.insilc.org.

Stevens Amendment

Indiana Vocational Rehabilitation Services are funded, in part, with Federal funds awarded by the U.S. Department of Education (ED) under the Vocational Rehabilitation (VR) and Supported Employment Services programs. For purposes of the VR program, including Pre-Employment Transition Services (Pre-ETS), the Federal VR grant paid 78.7% of the total costs of the program, and state paid 21.3%. In Federal fiscal year (FFY) 2023, the VR agency received \$62,992,169 in Federal VR funds, and funds appropriated by the State are 21.3% of the total costs, \$17,048,706. Of these federal funds, \$9,448,825 was set aside and utilized for Pre-Employment Transition Services (Pre-ETS). For purposes of the Supported Employment (SE) program, the DOE SE federal grant funds 90% of the costs for the Supported Employment program for Youth with a Most Significant Disability and 100% of the costs for the Supported Employment program for individuals with a Most Significant Disability who are not youth. In FFY 2023, Indiana VR received \$173,934 in Federal SE for Youth and the State appropriated funds are 10% of the remaining total costs, or \$19,326 of the total costs. In FFY 2023, Indiana VR received \$173,934 in regular SE grant funds. (Updated Aug. 16, 2023.)



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Visit vrs.in.gov for more information about Vocational Rehabilitation.



State of Indiana

Family and Social Services Administration

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