



POL-09-01

TO: All Vocational Rehabilitation Staff

FROM: Rebecca Cort

DATE: January 30, 2009

SUBJECT: Clarification on the Definition of an Application and When an Individual is Placed in Status 02 and Revised Eligibility Policy 202.00

VESID is committed to providing applicants and eligible individuals with information and support services necessary to exercise informed choice during the rehabilitation process, including the application process for vocational rehabilitation services. Federal regulations require VESID to establish and implement standards for prompt and equitable handling of referrals, including making good faith efforts to inform individuals of the application requirements. VESID's 200.00 Referral and Applying for Services Policy and its corresponding procedures (200.00P) are consistent with these regulations. These procedures enable VESID to meet the regulatory requirements in practice.

District Offices, in implementing these policies and procedures, must be cautious that the application process (Status 02) is not delayed while gathering all information necessary for determining eligibility. VESID must not require individuals to submit all of the necessary medical information required to make an eligibility decision prior to accepting an application into Status 02.

An individual is considered an applicant (Status 02) after completing an application and providing VESID with available information necessary to initiate the assessment process to determine eligibility, as long as the person is available to participate in the assessment process. VESID can initiate the assessment as soon as we know what information is needed to determine eligibility and how to obtain it.

The procedures do allow VESID to request any information that may be readily available from the individual when submitting an application. Available information that can be promptly obtained, usually directly from the applicant or a referral source, starts the assessment process for eligibility. For application purposes, available information is simply what is just enough to initiate the assessment process:

- The signed application;
- A signed release of information allowing us to gather any additional information necessary to determine eligibility; and

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- Information, usually provided by the applicant or referral source, about the stated disability and, if known by the individual or referral source, who to contact for any additional diagnostic information that may be needed.

It is not necessary to have medical reports verifying disability before accepting an application into Status 02. The [application procedures](#) (200.00P) establish clear standards and contingencies.

The available information that is necessary to initiate an assessment to determine eligibility should not be confused with having sufficient information to decide that the person meets or does not meet the requirements for eligibility. For the purpose of eligibility, sufficient information is the minimum necessary to make an eligibility decision.

The Eligibility Policy has been revised to ensure that it accurately reflects this policy. In the “Timeliness of Eligibility Determination” section of the policy, the second sentence, “*Once sufficient information has been obtained, a determination of eligibility must be made within 60 calendar days after the individual has applied for services, unless there are exceptional circumstances or a trial work experience or extended evaluation is necessary*” has been changed. The phrase “Once sufficient information has been obtained,” has been deleted. The new sentence states:

A determination of eligibility must be made within 60 calendar days after the individual has applied for services, unless there are exceptional circumstances or a trial work experience or extended evaluation is necessary.

Consistent with current policy, when eligibility cannot be determined within 60 days for exceptional and unforeseen circumstances beyond VESID's control, VESID staff must reach an agreement with the applicant to extend the 60 day time limit. The applicant will be informed of:

- The reasons for the delay and the steps necessary to reach an eligibility determination; and
- When it is expected that eligibility will be determined.

This extension is documented in the record of services in accordance with the procedures.

Action Required

Please print the attached policy, add it to your Policy Handbook and save it in an electronic file for future reference:

202.00 Eligibility for Services Policy April 2009

Remove and discard and/or delete:

202.00 Eligibility for Services Policy June 2002

The revised policy will be posted on the VESID internet website shortly under [VR Policies](#). Please note that this is now the source for finding current VR Policies and Procedures. This policy is effective April 1, 2009. Each District Office must review its operational procedures to ensure that applicants are well informed of the application process and that individuals are

accepted into Status 02 promptly and equitably. This review should include communicating the standards for referral and application to any contractual vendors who are handling entry services. A series of brief training sessions will be scheduled with each of the District Offices to review this policy change and discuss the implementation challenges. These sessions will be scheduled for February and March 2009. At the conclusion of the training, each District Office will submit a description of their district office application process to Debora Brown-Johnson for review.

References

Federal Regulations:

Processing Referrals and Applications 34 CFR 341.41

OMB Circular A-133 March 2008 Update, CFDR 84.126

VESID Policies and Procedures:

105.00 Due Process

200.00 and 200.00P Referral and Applying for Services Policy and Procedure

202.00 and 202.00P Eligibility for Services Policy and Procedure