

## **250.00 Order of Selection Policy**

(April 1, 2003)

See corresponding procedure: 250.00 Order of Selection Procedure

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### **Overview**

The Rehabilitation Act requires that if ACCES-VR can not serve all eligible individuals who apply for services, a process (Order of Selection) must be developed to establish the order in which individuals with disabilities will be provided services. The Order of Selection Policy is in effect but not put into operation unless Order of Selection is declared. This policy outlines the equitable means ACCES-VR has established to determine how eligible individuals will be selected to receive services if there is an Order of Selection in place. As mandated by law individuals with the most significant disability must be served first.

ACCES-VR will base the determination of who may receive services only on the significance of an individual's disability and by the date of application for ACCES-VR services.

Order of Selection in no way affects the eligibility process. Eligibility determination follows all existing policy and procedure.

### **Determining Significance of Disability**

When an individual has been determined eligible for ACCES-VR services he or she must also be assigned to a significance of disability category. ACCES-VR has three categories of significance of disability:

1. most significant;
2. significant; and
3. less significant.

The assessment for significance of disability category utilizes existing information available and may be amended at any time during the life of the case when additional information becomes available.

## **Order of Selection Categories Served**

Once an Order of Selection is declared a determination must be made, based on resources available, which new eligible applicants, if any, can be provided services. The determination can range from serving no new eligible individuals who apply for services to serving all new eligible applicants.

Individuals in the most significant disability category must be served first. Once all individuals in the most significant disability category can be served, ACCES-VR may add the category of individuals with significant disabilities. If enough resources are available, ACCES-VR may add the category of individuals with less significant disabilities.

The next category may not be opened unless ACCES-VR can serve all individuals in the prior category.

## **Waiting List**

Any eligible individual not being served due to Order of Selection will be placed on a waiting list. A separate statewide list will be maintained for each of the significance of disability categories. The order in which an individual is placed on the waiting list is based on the date of application. The waiting list is overseen from Central Office. As resources become available, individuals on the waiting list will be notified when services can be provided.

## **Referral**

For all individuals placed on a waiting list ACCES-VR will provide information and guidance regarding job related services. This may include referring individuals with disabilities to other appropriate Federal and State programs, including other components of the statewide workforce investment system. ACCES-VR staff must give individuals a specific point of contact within the agency to which the individual is being referred as well as information and advice regarding the most suitable services. The provider to whom a referral is made is to receive a letter of notice regarding a referral being made.

## **Due Process/Notification**

All eligible individuals must be notified of the priority categories used by ACCES-VR in an Order of Selection, what significance of disability category they have been assigned, and their right to appeal their category assignment.

## **Services**

All individuals in Plan Development or beyond at the time Order of Selection is implemented will continue to receive all required services according to current policies

and procedures regardless of the status of Order of Selection. This includes individuals who need post employment services to maintain or regain employment.

The IPE will be developed only if the individual is eligible to be served under the Order of Selection and the individual is ready for Plan Development. This includes "no cost" plans to ACCES-VR.

**Reference:**

Rehabilitation Act:

- Sec. 101. (a) Plan Requirements

Federal Regulations:

- §361.36 Ability to serve all eligible individuals; order of selection for services
- §361.37 Information and referral services

Policy:

- 105.00 Due Process
- 202.00 Eligibility for Services
- 204.00 Assessment
- 205.00 Significance of Disability
- 206.00 Individualized Plan for Employment
- 435.00 Post Employment