

## **Section 2 – Assessment for Determining Eligibility & Order of Selection Priority**

### **Guidance**

To the greatest extent possible, eligibility determinations and assigning of order of selection priority should be based on existing information. Additional evaluations prior to eligibility should be limited to only that which is necessary to make these determinations.

### **Legal Requirements**

- A. In order to determine if an individual is eligible for vocational rehabilitation services and to assign the individual's priority under an Order of Selection, an assessment for determining eligibility and priority for services must be completed.

Note distinction between ineligibility determinations and case closures in applicant status from applicant status for reasons other than ineligibility (Sections 4 and 5 of this chapter). In the latter situation, an assessment for determining eligibility need not be completed.

- B. The assessment for determining eligibility and priority for services must be conducted in the most integrated setting possible, consistent with the individual's needs and *informed choice*\*.
- C. The assessment shall consist of:
1. To the maximum extent possible, a review and assessment of existing data, including counselor observations, education records, information provided by the individual or his/her family, information used by the Social Security Administration and determinations made by officials of other agencies; and
  2. An assessment of additional data necessary to determine whether an individual is eligible, in those cases where existing data do not describe the current functioning of the individual or are unavailable, insufficient or inappropriate to make an eligibility determination. This data would be obtained by the provision of additional evaluations.

The evaluations used to provide the additional information should be limited to only what is needed to determine whether the individual meets the basic eligibility criteria. When such services are needed, some examples include medical, psychological, vocational or rehabilitation technology evaluations.

#### **D. Trial Work Experiences**

1. In cases where BRS believes that the individual is ineligible because s/he cannot benefit from rehabilitation services in terms of an employment outcome, the assessment for determining eligibility must include an assessment of the individual in real work situations with appropriate supports, except in those limited circumstances where the individual cannot take advantage of these trial work experiences (see paragraph E, below).
2. The assessments must be of sufficient variety and over a sufficient period of time to make the determination of whether or not the individual can benefit from BRS services. These trial work experiences must be in the most *integrated setting\** possible, consistent with the *informed choice\** and rehabilitation needs of the individual. Trial work experiences include *supported employment\**, on-the-job training, and other experiences using realistic work settings.
3. BRS must provide appropriate supports, including *assistive technology devices\** and *services\** and *personal assistance services\**, to accommodate the rehabilitation needs of the consumer during these trial work experiences.
4. There must be a written plan to assess the individual's abilities, capabilities and capacity to perform in trial work situations.

#### **E. Extended Evaluation**

1. Under limited circumstances where the individual cannot take advantage of trial work experiences or if options for trial work have been exhausted before BRS can determine whether or not the individual can benefit from services, BRS must conduct an extended evaluation to make this determination.
2. During the extended evaluation period, BRS must develop a written plan for providing services necessary to make its determination. The services may include only those needed to determine eligibility. These must be provided in the most *integrated setting\** possible, consistent with the *informed choice\** of the individual. The extended evaluation would be terminated when the eligibility determination can be made.