

Chapter III - IPE/Employment Plan

Section 1: Process of Development of the IPE/Employment Plan

Guidance

IPE (Individualized Plan for employment)/Employment Plan development can be the most important time in the vocational rehabilitation process. It can be a time when major life decisions are made by the consumer and can be a time when counselors are called upon to employ a great deal of clinical and technical expertise.

At this juncture, BRS and the consumer must examine the following questions:

- Do the consumer and BRS have ample information to make an *informed choice** regarding the employment goal and services needed to achieve that goal? Has the consumer had the opportunity to bring any additional parties of his/her choosing into the Plan development process? If not, how can the consumer get the information s/he needs, and what additional information, if any, does BRS need in order to assist the consumer and determine whether it can approve the Plan?
- Has the consumer fully explored the impact of future earnings on any forms of public benefits he or she receives? Is the consumer fully aware of the available incentives and benefits for working persons with disabilities? (See Appendix H.)
- What is the consumer's employment goal, and to what degree is it consistent with the consumer's unique:

Strengths	Resources
Concerns	Priorities
Abilities	Capabilities
Interests	<i>Informed choice*</i>
- Have we fully explored transferable skills and prior experiences as part of the assessment of the consumer's strengths, abilities, concerns, interests, resources, priorities, and capabilities?
- What services does the consumer need in order to reach the employment goal? Do both the consumer and BRS understand that only those services that are needed to gain or maintain the agreed-upon vocational goal can be included in the Plan?
- Have the consumer and BRS fully explored *comparable benefits and services*?*

- Have we addressed the primary employment issues or barriers, in order to maximize the likelihood that the Plan will result in successful employment? Are there other issues that, if left unaddressed, will seriously reduce the likelihood of employment success in the chosen goal?
- Has BRS collaborated with other appropriate agencies and organizations, in order to ensure a coordinated plan and to maximize the availability of *comparable services and benefits**?
- In situations where the Bureau determines that it cannot support a goal or service, has the reason been clearly and effectively communicated to the consumer or his/her *representative**? Have we informed the consumer what would need to be addressed in order for BRS to agree to a Plan?

BRS approval of any IPE/Employment Plan is a two-step process. We must first determine if we can agree to support the goal. Is it a reasonable goal in light of the factors listed above? We then must then determine whether we agree that all of the proposed services are necessary for the achievement of that goal. When we sign an IPE/Employment Plan we are agreeing that the vocational goal has our support and that the services are necessary to achieve the goal, and the Plan is otherwise consistent with BRS rules.

Legal Requirements

A. Assessment for Determining Rehabilitation Needs

1. Individuals who are certified as eligible and within the priorities being served under the order of selection will be provided an assessment for determining rehabilitation needs. The purpose of this assessment is to determine,
 - a. the *employment outcome** and the objectives, nature and scope of services to be included in the Employment Plan;
 - b. the individual's unique strengths, resources, priorities, concerns, abilities, capabilities, career interests and *informed choice**.
2. To the extent possible, this assessment will consist of existing data that are current as of the date of plan development, including:
 - a. information available from other programs and providers, particularly education officials and the Social Security Administration;
 - b. information provided by the individual and his/her family; and
 - c. information obtained under the assessment for determining eligibility.
3. If additional data are necessary to determine the *employment outcome** and nature and scope of services to be included in the IPE/Employment Plan, BRS must conduct a comprehensive assessment of the unique strengths, resources, priorities, concerns, abilities, and capabilities, including the need for *supported employment services**, for the

individual. This assessment must be in the most *integrated setting** possible, consistent with the individual's *informed choice**. It may include, to the degree needed, an appraisal of the consumer's personality, interest, interpersonal skills, intelligence and related functional abilities, educational achievements, work experience, vocational aptitudes, personal and social adjustment, emotional adjustment, employment opportunities and other pertinent data helpful in determining the consumer's ability to perform in a work environment.

B. Process of Development of the Plan

1. The IPE/Employment Plan must be developed in a timely manner for individuals served under the agency's order of selection. BRS must set standards for the prompt development of plans. The IPE/Employment Plan will be initiated after certification of eligibility.

As a standard, the IPE/Employment Plan should be developed within 90 days of determining that the individual is eligible and meets the agency's order of selection criteria. There may be circumstances where the period needed is significantly shorter or longer, depending on the nature of the individual's situation. Although staff should make every effort to develop plans in a timely manner, it is most important that Plans be developed with care, rather than in haste.

2. Services will be provided in accordance with the provisions of the Employment Plan.
3. The IPE/Employment Plan may be developed by the consumer or in conjunction with the Bureau and, as appropriate, the consumer's parent, guardian or other *representative**.
4. The consumer, and as appropriate his/her *representative**, must be provided with the following information in writing and in an *appropriate mode of communication** concerning the IPE/Employment Plan:
 - a. Options for developing and IPE/Employment Plan. This includes the option that the consumer or his/her *representative** may develop all or part of the Plan with or without assistance from BRS or other entities;
 - b. A description of what must be included in the IPE/Employment Plan;
 - c. Additional information that is requested by the individual or BRS determines to be necessary for the development of the IPE/Employment Plan;
 - d. A description of the individual's appeal rights;
 - e. A description of the Client Assistance Program (CAP) and information on how to contact that program.
5. The IPE/Employment Plan must be developed and implemented in a manner that affords the consumer an opportunity to exercise *informed choice** in selecting an *employment outcome**, the specific *vocational rehabilitation services**, the provider(s) of those services, and the methods used to procure the services.

6. The Plan must be designed to achieve the specific employment outcome that is selected by the consumer consistent with his/her unique strengths, resources, priorities, concerns, abilities, capabilities, interests and *informed choice**. To the maximum extent appropriate, the Plan must result in employment in an *integrated setting**.
7. The Plan must be jointly reviewed by the consumer and the appropriate Bureau representative.

C. IPE/Employment Plan Approval

1. Before a Plan takes effect, it must be approved and signed by the consumer and appropriate representative(s) of the Bureau.
 2. Reasons for which the Bureau may deny approval of an IPE/Employment Plan (in whole or in part) may include but not be limited to a determination by the Bureau that:
 - a. The *employment outcome** is inconsistent with the individual's unique strengths, resources, priorities, concerns, abilities, capabilities, interests or *informed choice**;
 - b. The nature, scope or duration of one or more of the services within the Plan are not necessary to achieve the *employment outcome** or otherwise not appropriate to the consumer's needs; or
 - c. The Plan is otherwise inconsistent with the law or State Plan.
- D. The consumer must cooperate in applying for or otherwise securing *comparable services and benefits**, benefits available as a legal right under state or federal law, or other resources that may be necessary to achieve the *employment outcome**. A Plan may be denied or terminated where a consumer fails to cooperate in securing such benefits. BRS may provide a service under an IPE/Employment Plan only after it is determined that the service is not available through *comparable services and benefits**.
- E. Consumers have the responsibility of being actively involved in treatment or other interventions which the Bureau determines necessary in order for the individual to achieve an *employment outcome**. In cases where the consumer fails to comply with such treatment or intervention, the services in the Plan may be denied or discontinued.

The intent of this provision is not to deny individuals access to services, but rather to ensure the individual's success, particularly when it is relatively clear that the individual is not likely to succeed in achieving his/her vocational goal without some type of treatment or other intervention.

- F. The consumer, and as appropriate his/her parent, guardian or *representative**, must be provided with a copy of the Plan and any amendments. They must be advised of any procedures and requirements affecting the development and review of the Plan.
- G. The IPE/Employment Plan must be reviewed as often as necessary, but at least once every twelve months. Consumers, and as appropriate their representatives, must be given an opportunity to review the Plan and, if necessary, jointly redevelop and agree to its terms.

H. The IPE/Employment Plan must be amended, as necessary, by the individual (or as appropriate his/her *representative**), in collaboration with BRS or, if determined appropriate by the consumer, another qualified vocational rehabilitation counselor, if there are substantive changes in the *employment outcome**, *vocational rehabilitation services** to be provided, or the service providers. Amendments to the Plan do not take effect until agreed to and signed by the consumer (or, if appropriate, his/her *representative**) and BRS.

I. Modification or Discontinuation of an IPE/Employment Plan

An IPE/Employment Plan may be modified or discontinued in whole or in part under the following conditions:

1. by mutual agreement between BRS and the consumer;
2. a determination by BRS that:
 - a. the consumer is no longer eligible;
 - b. the consumer has failed to comply with the terms of the Plan;
 - c. the *employment outcome** is no longer appropriate;
 - d. the duration, nature or scope of services in the Plan is no longer appropriate; or
 - e. services have been obtained through misrepresentation, fraud, collusion, or criminal conduct on the part of the consumer or his/her *representative**; or
3. budgetary shortfall or other circumstances beyond BRS's control which necessitate a discontinuation or modification of the Plan.