# Vocational Rehabilitation Services Manual B-300: Determining Eligibility

Revised October 1, 2020

## Introduction

Determining eligibility for vocational rehabilitation services is a cornerstone of the VR process. Only the VR counselor may determine if an individual with a disability is eligible.

The VR counselor makes the determination of eligibility by reviewing information that is provided by:

* the customer;
* the customer's family;
* physicians who have examined or treated the customer; and
* other professionals or agencies that have knowledge of the customer.

Eligibility requirements are applied without regard to the customer’s:

* Age,
* Sex,
* Race,
* Color,
* National origin,
* Type of expected employment outcome,
* Source of referral for VR services,
* Particular service needs or anticipated cost of services,
* Income level,
* Employment history or current employment status, and
* Educational status or current educational credential.

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## B-308: Assessments

To the maximum extent possible, the VR counselor must:

* use existing records;
* rely on information from the individual's experiences in an integrated employment setting or in other integrated community settings; and
* consider the validity or correctness of the information based upon the source and the VR counselor's knowledge of the customer.

Only when existing records are unavailable or insufficient, the VR counselor can authorize the purchase of additional diagnostics to address basic eligibility questions. The VR counselor must document the justification for all assessments in a case note in RHW. For more information see B-304-1: Establishing the Presence of an Impairment.

An eligibility determination should not be delayed pending the receipt of the VR3110, Surgery and Treatment Recommendations, VR3109 Eye Surgery and Treatment Recommendations, or VR3101, Consultant Review if existing records are available.

If worksite assessments are necessary to determine whether a customer is eligible for VR services, they must be:

* conducted in the most integrated setting possible; and
* consistent with the customer's needs and informed choice.

The VR counselor may authorize the purchase of eye glasses or hand controls (for vehicles) if these supports are required for the customer to participate in required assessments to determine eligibility for VR services. VR Supervisor approval is required before authorizing the purchase of any other assistive technology devices and or services while the customer is in application status. For more information, see [C-204: Vehicle Modification Services](https://twc.texas.gov/vr-services-manual/vrsm-c-200#c204); [C-703-13: Eyeglasses and Contact Lenses](https://twc.texas.gov/vr-services-manual/vrsm-c-700#c703-13); and [D-200: Purchasing Goods and Services](https://twc.texas.gov/vr-services-manual/vrsm-d-200).

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## B-309: Establishing the Level of Significance

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### B-309-4: Designating the Level of Significance in RHW

The level of significance is designated at the time of eligibility on the "Disabilities" page in RHW. It must be entered prior to selecting "yes" or "no" for eligibility in RHW. This ensures that the snapshot of data that is taken at the time that eligibility is determined in RHW, which is reported to Rehabilitation Services Administration (RSA), includes the designated level of significance.

To determine the level of significance of the case, the VR counselor

1. decides on the significance of the disability per the criteria for significance as defined above and supports the designation with information from
   * the customer; and
   * a review of available records and reports.
2. determines that the customer meets all criteria for the selected level of significance and selects the corresponding response in the drop-down menu in RHW;
3. selects one or more capacities in the Limited Functional Capacities page in RHW if "significant" or "most significant " was selected;
4. ensures that the case file reflects evidence of the serious limitations in the limited functional capacity categories selected;
5. documents the rationale for the level of significance selected
   * in a standalone RHW case note;
   * as part of a case note for eligibility; or
   * by completing and filing in the paper file [VR1390, Checklist for Determining Significance of Disability](http://intra.twc.state.tx.us/intranet/gl/html/vocational_rehab_forms.html) (When using the VR1390, a RHW case note must also be entered that states that the form was completed and is in the paper file.)
6. indicates, when completing the IPE with the customer, the need for an extended time (six months or more) to deliver more substantial services beyond the date that the IPE is signed;
7. includes in the IPE any needed interventions for each functional capacity area identified as seriously limited;
8. changes the designation of level of significance of the case if he or she determines that the effect of the disability does not require the extent of services originally planned, or if it is determined that the designation was made in error; and
9. gets VR Supervisor approval if a case is changed to not significant if it was previously designated as significant or most significant. Otherwise, the designated level of significance remains throughout the life of the case, even though the customer's functional capacities may improve over the course of the case.

### B-309-5: Table of Functional Capacities and Examples

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## B-311: Other Eligibility Considerations

The VR counselor must determine eligibility for VR services without regard to sex, age, race, religion, color, national origin, the type of employment outcome expected, the type of disability, the source of the referral, the services needed, income level, employment history, current employment status, education status, current educational credential, or the anticipated cost of the services required by a customer. The VR counselor cannot base a decision of ineligibility solely on the type of disability.

### B-311-1: Residency Requirement

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