

3325.0140 INFORMATION REQUIRED TO DETERMINE ELIGIBILITY AND PRIORITY FOR SERVICES.

Subpart 1. **Purpose.** SSB shall conduct an assessment to determine whether an applicant is eligible for services under the vocational rehabilitation program and the applicant's priority for services.

Subp. 2. **Scope.** Each eligibility and priority for services determination must be based on the information specified in items A and B.

A. A written report that documents the results of a medical eye or optometric examination of the applicant and is signed by a physician or optometrist. The report contains sufficient information for eligibility purposes if it enables the applicant's vocational rehabilitation counselor who reviews the report to determine whether the applicant has a visual impairment as of the date of application.

B. To the extent necessary, information regarding the applicant's employment history, educational background, and medical and other information needed to determine whether:

(1) the applicant's visual impairment constitutes or results in a substantial impediment to employment; and

(2) the applicant requires vocational rehabilitation services under part 3325.0180 to prepare for, secure, retain, or regain employment consistent with the applicant's unique strengths, resources, priorities, concerns, abilities, capabilities, interests, and informed choice.

Subp. 3. **Notice of eligibility.** After a vocational rehabilitation counselor has determined that an applicant is eligible for rehabilitation services, the vocational rehabilitation counselor shall inform the applicant in writing of the eligibility determination. The notice must be mailed by SSB within ten working days after a determination is made and shall inform the applicant that individuals who receive services must intend to achieve an employment outcome.

Subp. 3a. **Procedures for ineligibility determination.** If a vocational rehabilitation counselor determines that an applicant is ineligible for vocational rehabilitation services, the vocational rehabilitation counselor must:

A. make the determination only after providing an opportunity for full consultation with the applicant, or as appropriate, the applicant's representative;

B. inform the applicant in writing within ten working days after a determination is made, supplemented as necessary by other appropriate modes of communication consistent with the informed choice of the applicant, of the ineligibility determination, including the

reasons for the determination, the requirements under this part, and right of appeal under part 3325.0478;

C. provide a description of services available from and information on how to contact the client assistance program;

D. refer the applicant to other training or employment-related programs that are part of the one-stop service delivery system under the Workforce Investment Act of 1998, as amended, under United States Code, title 20, section 9701, et seq.;

E. provide information and referral to other organizations or programs from which the applicant might benefit, including independent living services; and

F. if requested by the applicant, or as appropriate the applicant's representative, review the ineligibility decision within 12 months and annually thereafter if the eligibility decision is based on a finding that the applicant is incapable of achieving an employment outcome.

Subp. 4. [Repealed, 36 SR 33]

Subp. 5. [Repealed, 36 SR 33]

Subp. 6. [Repealed, 36 SR 33]

Subp. 7. [Repealed, 36 SR 33]

Statutory Authority: *MS s 248.07*

History: *11 SR 1784; 36 SR 33*

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