

3325.0165 DEVELOPMENT OF INDIVIDUALIZED PLAN FOR EMPLOYMENT (IPE).

Subpart 1. **Purpose.** SSB must conduct an assessment for determining vocational rehabilitation needs, if appropriate, for each eligible individual or, if SSB is operating under an order of selection as provided in part 3325.0135, for each eligible individual to whom SSB is able to provide services. The purpose of this comprehensive assessment is to determine the employment outcome and the nature and scope of vocational rehabilitation services to be included in the IPE. The IPE must:

A. be designed to achieve the specific employment outcome that is selected by the individual that is consistent with the individual's unique strengths, resources, priorities, concerns, abilities, capabilities, interests, and informed choice; and

B. to the maximum extent appropriate, result in employment in an integrated setting.

Subp. 2. **Introductory information.** SSB must provide the introductory information in items A and B to each eligible individual or, as appropriate, the individual's representative, in writing and, if appropriate, in the native language or mode of communication of the individual or the individual's representative.

A. SSB must provide information on the available options for developing the IPE and amendments thereto, including the option that an eligible individual or, as appropriate, the individual's representative may develop all or part of the IPE:

(1) without assistance from SSB or other entity; or

(2) with assistance from:

(a) a qualified vocational rehabilitation counselor employed by SSB;

(b) a qualified vocational rehabilitation counselor who is not employed by SSB; or

(c) resources other than those in items A and B.

B. SSB must provide additional information to assist the eligible individual or, as appropriate, the individual's representative in developing the IPE and amendments, including:

(1) information describing the full range of components that must be included in an IPE;

(2) as appropriate to each eligible individual:

(a) an explanation of agency guidelines and criteria for determining an eligible individual's financial commitments under an IPE;

(b) information on the availability of assistance in completing SSB forms required as part of the IPE; and

(c) additional information that the eligible individual requests or SSB determines to be necessary to the development of the IPE;

(3) a description of the rights and remedies available to the individual, including, if appropriate, recourse to the processes described in part 3325.0478; and

(4) a description of services available from and information on how to contact the client assistance program.

Subp. 3. **Mandatory procedures.** SSB must ensure that:

A. the IPE is a written document prepared on forms provided by SSB;

B. the IPE is developed and implemented in a manner that gives eligible individuals the opportunity to exercise informed choice, consistent with part 3325.0110, subpart 29a, in selecting:

(1) the employment outcome, including the employment setting;

(2) the specific vocational rehabilitation services needed to achieve the employment outcome, including the settings in which services will be provided;

(3) the entity or entities that will provide the vocational rehabilitation services; and

(4) the methods available for procuring the services;

C. the IPE is:

(1) agreed to and signed by the eligible individual or, as appropriate, the individual's representative; and

(2) approved and signed by a qualified vocational rehabilitation counselor employed by SSB;

D. a copy of the IPE and a copy of any amendments to the employment plan are provided to the eligible individual or, as appropriate, the individual's representative, in writing and, if appropriate, in the native language or mode of communication of the individual or, as appropriate, the individual's representative;

E. the IPE is reviewed at least annually by a vocational rehabilitation counselor and the eligible individual or, as appropriate, the individual's representative to assess the eligible individual's progress in achieving the identified employment outcome;

F. the IPE is amended, as necessary, by the individual or, as appropriate, the individual's representative, in collaboration with a qualified vocational rehabilitation counselor employed or not employed by SSB, if there are substantive changes in the

employment outcome, the vocational rehabilitation services to be provided, or the providers of the vocational rehabilitation services;

G. amendments to the IPE do not take effect until agreed to and signed by the eligible individual or, as appropriate, the individual's representative and by a qualified vocational rehabilitation counselor employed by SSB;

H. if SSB intends to institute a suspension, reduction, or termination of vocational rehabilitation services contained in an eligible individual's IPE because the eligible individual did not meet agreed-upon obligations contained in the IPE, or because the eligible individual has experienced life-changing events preventing the eligible individual from meeting agreed-upon obligations in the IPE, SSB must:

(1) send notice to the eligible individual by certified mail of the proposed suspension, reduction, or termination at least ten working days prior to the effective date of the proposed suspension, reduction, or termination, unless circumstances beyond SSB's control make the time requirement impractical;

(2) provide in the notice the basis for and effective date of the proposed suspension, reduction, or termination;

(3) provide in the notice a summary of the eligible individual's appeal rights under part 3325.0478;

(4) provide in the notice a description of and information on the client assistance program;

I. if SSB intends to close an individual's record of service in addition to the termination of vocational rehabilitation services, SSB must only follow the process outlined in part 3325.0190, subpart 4; and

J. an IPE for a student with a disability receiving special education services is developed:

(1) in consideration of the student's special education program; and

(2) in accordance with the plans, policies, procedures, and terms of the interagency agreement required under Code of Federal Regulations, title 34, section 361.22.

Subp. 4. **Standard for prompt development of IPE.** IPE's shall be completed within 90 days following the determination of eligibility unless there are exceptional and unforeseen circumstances beyond the control of SSB, and SSB and the eligible individual or, as appropriate, the individual's representative, agree to a specific extension of time. For transition students the IPE must be completed within 90 days following the determination of eligibility, or by the time the eligible individual leaves the school setting, whichever is earlier.

Subp. 5. Data for preparing IPE.

A. To the extent possible, the employment outcome and the nature and scope of vocational rehabilitation services to be included in the individual's IPE must be determined based on the data used for the assessment of eligibility and priority for services.

B. If additional data are necessary to determine the employment outcome and the nature and scope of services to be included in the IPE of an eligible individual, SSB must conduct a comprehensive assessment of the unique strengths, resources, priorities, concerns, abilities, capabilities, interests, and informed choice, including the need for supported employment services, of the eligible individual, in the most integrated setting possible, consistent with the informed choice of the individual in accordance with Code of Federal Regulations, title 34, section 361.5(b)(6)(ii).

C. In preparing the comprehensive assessment, SSB must use, to the maximum extent possible and appropriate and in accordance with confidentiality requirements, existing information that is current as of the date of the development of the IPE, including:

- (1) information available from other programs and providers, particularly information used by education officials and the Social Security Administration;
- (2) information provided by the individual and the individual's family; and
- (3) information obtained under the assessment for determining the individual's eligibility and vocational rehabilitation needs.

D. The alternative techniques of blindness of all eligible individuals must be assessed, and any deficits identified addressed in the IPE.

Statutory Authority: *MS s 248.07*

History: *36 SR 33; 39 SR 513*

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