

Agenda

SRC POLICY AND PROCEDURES COMMITTEE

Thursday, March 5, 2020

10:00 AM – 12:00 PM

Waterbury Vocational Rehabilitation

Room Ash

HC 2 South 280 State Drive, Waterbury, VT 05671

10:00 am – 10:02 am	Introductions (Sherrie Brunelle, Chair)
10:02 am – 10:05 am	Approval of Agenda (Sherrie Brunelle)
10:05 am – 10:10 am	Open for Public Comment (Sherrie Brunelle)
10:10 am – 10:20 am	Vote: Chair (Sherrie Brunelle)
10:20 am – 10:25 am	Approval of Minutes (Chair) Minutes from November 7, 2019
10:25 am – 10:50 am	Review of Priorities for Policy Review (Chair)
10:50 am – 11:20 am	Chapter 312: Transportation (Group) Review existing chapter and provide input
11:20 am - 11:50am	Chapter 303: Maintenance (Group) Review existing chapter and provide input
11:50 am – 12:00 pm	Other Business (Chair) 1) Grant Updates 2) Agenda Setting – May 7, 2020 3) Other
12:00 pm	Adjournment (Chair)

*VR Policy & Procedures Manual Chapters can be found at
<https://vocrehab.vermont.gov/about-us/policy-and-procedure-manual>

Policy and Procedures Committee Meeting

Thursday November 7, 2019 from 10:00 a.m. to 12:00 p.m.

Waterbury State Office Complex

Cherry C Conference Room, HC 2 South, 280 State Drive, Waterbury, VT 05671

Meeting called by:

Sherrie Brunelle, Chair, called the meeting to order at 10:03 a.m.

Members Present:

- 1) Sherrie Brunelle
- 2) Marlana Hughes

Members Absent:

- 1) Courtney Blasius (was listening via Skype – app was muted as a result Courtney was unable to participate)

SRC Liaison:

James Smith

SRC Coordinator:

Debra Kobus

Interpreters:

None

Speakers or Presenters:

- 1)Rocko Gieselman

Guests:

- 1) Kristen Carpentier (via Skype)

1) Introductions (Sherrie Brunelle)

Discussion:

Those in attendance went around the table and introduced themselves.

Conclusions:

Thanks to everyone!

Action Items, Person Responsible, Deadline:

None.

2) Approval of Agenda (Sherrie Brunelle)

Discussion:

Sherrie asked for any proposed additions or changes to the agenda. There were none. Marlena moved to accept the agenda and it was seconded. No further discussion. All approved. Vote unanimous 2-0-0.

Conclusions:

Motion passes: today's agenda modified accepted.

Action Items, Person Responsible, Deadline:

None.

3) Open for Public Comment (Sherrie Brunelle)

Discussion:

Kristen Carpentier (via Skype) was present from the public.

Conclusions:

Welcome Kristen!

Action Items, Person Responsible, Deadline:

None

4) Approval of Minutes for May 2, 2019 (Sherrie Brunelle)

Discussion:

Sherrie asked for any proposed changes or amendments to the May 2, 2019 minutes. Sherrie offered some corrections on pages 4 and 5. Marlena moved to approve the minutes as amended and it was seconded. No discussion. All approved. Vote unanimous 2-0-0.

Conclusions:

May 2, 2019 minutes were approved as amended.

Action Items, Person Responsible, Deadline:

Upload approved minutes to SRC website. **Debra Kobus**, November 12, 2019.

5) Gender Identity Presentation (Rocko Gieselman)

Discussion:

1) Rocko Gieselman presented to the committee suggestions for improving the current policy on Gender Identity. In 2007 Gov Douglas made an overarching change to the policy by adding

gender expression rather than just gender identity. It allows folks who are exploring their gender identify . This is my only suggestion. I had sent out Best Practices related to funding, however, in the State of Vermont their Non-Discrimination Policy is very good.

James asked if Rocko could provide an example of how VR Counselors should navigate gender identity. Rocko said that it is important for the counselor to establish what the consumer's experience is, what they are comfortable with, and to ask what they are looking for in a work culture. VR counselors should find out If a consumer would still be interested in working in a more conservative work culture where they would have to mold themselves somewhat in order to succeed. The Pride Center in Burlington may be able to provide information about employers that are more welcoming.

Marlena suggested sending a survey to employers asking if they would be comfortable in hiring individuals exploring their gender identity. Sherrie suggested that instead of focusing on one segment of society, but to add other minorities as well.

James doesn't think that the VR Policies encompasses Gender Identity. James asked if this is a training or policy issue. Rocko said it could be a bit of both for example gender expression is missing. For the most part, people have a handle on the sexuality piece. Training on how to assess for an appropriate workplace culture where everyone is welcoming including counseling, such as, determining what questions should be asked and what questions should not be asked.

Sherrie said that we should look at our current policies and make this adjustment. Sherrie likes the idea of providing support for counselors on how to approach this issue with consumers and employers.

Rocko said it is also very generational and each generation has different needs. Rocko did find a problem with a VR form and James asked if Rocko could email him and Alice Porter where Rocko found the problem. James said that VR has a new training coordinator coming on board next week and perhaps we could have a discussion with this person related to gender expression training and come up with a strategy.

James asked if VR does enough. Rocko said basically yes but it is sometimes inconsistent. There is nothing alarming and is

consistent with other State employers. There is room to grow, such as, a guide to email signatures such as putting your pronouns in your email signature. It is more of a fluency issue and making it a normal part of doing business. Practice and support from management and ongoing peer support is key. This is a culture shift that takes time.

Bringing this issue to VR's expanded management meeting should be considered. Rocko traveling to VR's different offices may also be very helpful to have this discussion on a more peer to peer level. At a minimum, let's have a discussion with the new training coordinator.

Conclusions:

See above.

Action Items, Person Responsible, Deadline:

- 1) Send James and Alice name of form that needs to be updated, **Rocko Gieselman**, asap.
- 2) Arrange meeting with new VR Training Coordinator and Rocko, **James Smith**, asap.

6) Appendix A: Spending Guidelines (James Smith)

Discussion:

James presented the findings from the recent Spending Guideline Survey https://src.vermont.gov/sites/src/files/doc_library/VR-Spending-Guideline-Survey-with-comments.pdf. VR periodically performs a survey of counselors and regional managers asking if VR's spending guideline needs updating.

Marlena asked if someone comes to VR thinking they have a disability but doesn't have any evidence, will VR pay for this assessment? James said that if a medical procedure is needed in order for a consumer to obtain employment, this may be an eligible expense.

Kristen was glad to see that tutoring was one of the areas that others agreed was too low. When looking at the medical piece, some seemed out of scope and would like revisiting some of this and coming up with something more general like having one budget/category. Sherrie agreed that this may be helpful in blending the services in order to provide what a consumer needs. Sherrie was surprised that most VR counselors agreed that the current spending guideline was appropriately placed.

Kristen said that she would like us to take a look at unpaid work tryouts as other partners of VR are able to offer minimum wage. Many consumers take a job because they are under crisis instead of preparing for a better position because the training stipend is so low. James said that VR is going to reach out to the Department of Labor attorney about increasing a stipend, etc., as we have to be very careful about labor laws. The stipend is an offset of expenses and not considered a wage. Unfortunately, VR does not have an internal capacity of paying a wage as we then become the employer and adds a huge liability potential. Paying for a tutor is a separate item and we can certainly increase this.

Sherrie asked how this fits into the State Plan. James said we can take advantage of the Department of Labor (DOL) programs including their apprenticeship program and will follow up. The management team will review this as a group and come back with suggestions that the P & P Committee can react to. Sherrie would like suggestions about what items could be combined. Marlena said that in her experience, having these items separate is very valuable to consumers. Sherrie said there should be a discussion about how best to handle this.

Conclusions:

See above.

Action Items, Person Responsible, Deadline:

- 1) Bring remarks about Spending Guideline Survey to the Management Team, **James Smith**, asap.

7) Chapter 308: Self Employment (James Smith and Group)

Discussion:

James sent out for everyone's review a first draft of the Self Employment Chapter. This first draft is also available online: https://src.vermont.gov/sites/src/files/doc_library/Outline-of-Self-Employment-Chapter-308.pdf.

The work group on this chapter consisted of Sherrie Brunelle, Hib Doe, Liz Harrington, and Suzanne Leavitt. In this chapter DVR distinguishes between supplemental self-employment and self-sustaining self-employment.

The following definitions were established:

- WIOA definition of a self-employment outcome
- Vermont definition of self-employment intended to provide supplemental income
 - Must meet WIOA definition
 - Business is not expected to result in SGA level earnings
- Vermont definition of self-employment intended to provide self-supporting income
 - Must meet WIOA definition
 - Business must result in SGA level earnings or greater
 - Business must be registered with Secretary of State's Office
- Vermont definition of activities that generate earnings but cannot be considered employment
 - Activities that are highly infrequent (less than 12 revenue generating activities per year)
 - Activities that are highly seasonal (less than 12 weeks per year)
 - Activities result in net revenue of less than \$2,500 per year

If the potential goal is self-sustaining self-employment then the following assessments must be completed:

- Entrepreneurial Self-Assessment
- Pre-Screening for Business Assessment

It is also recommended that the counselor and consumer consider the following assessment activities prior to the development of the IPE:

- An informational interview with a small business owner
- Exploration of potential financing availability
- A market research analysis
- If the individual is and SSI/SSDI beneficiary a consultation with a benefits counselor

Sherrie is bothered by self-employment being the goal and thinks that a decision-making body needs to determine if the proposed self-employment business is not viable and they have to give the consumer a notice of this determination and why. James said that Diane is going to designate a committee for this purpose.

Process for Supplemental Self Employment IPE

Because a supplemental SE plan entails less risk to the consumer the IPE development process and service provision is no different than a non-SE case.

- VR process follows standard process for IPE development
- The IPE must include development of a business plan
- The IPE must include benefits counseling for SSI/SSDI beneficiaries
- DVR does not require matching funds from the DVR consumer. However, if the plan is not viable without other sources of funding the counselor can make accessing such funding a contingent on receiving VR funds
- The spending guideline is \$1,000 with the standard exceptions with supervisory approval
- DVR funds are not a grant, the IPE must identify the specific goods or services to be purchased with DVR funds.

The major change is around self-sustaining employment.

Process for Self-Sustaining Self Employment IPE: As noted, the DVR process for supporting self-sustaining employment is more rigorous because of the risks for the consumer. In all cases, the IPE will have at least one amendment. The process will be as follows:

Initial IPE:

The intent of the initial IPE will be to establish the conditions for successful completion of the self-employment plan. Required elements must include:

- The employment goal must include an earnings goal that exceeds SGA
- The development of a comprehensive business plan including:
 - o A market analysis
 - o A staffing plan
 - o A timeline including significant benchmarks
 - o An estimate of the capital needed
 - o Necessary insurance coverage
 - o State and federal requirements for proposed business (e.g. licensure,
- The identification of existing and potential sources of start-up capital and financing for the business.

In addition to the above the plan may include activities that develop the consumers skills (such as small business training) or identify other supports the consumer may need to run a successful business (such as assistive technology, financial software and business consulting). Spending guidelines for initial IPE: The counselor may authorize up to \$1,000 to support the above activities.

Kristen likes the IPE being fleshed out. She would like more detail related to a consumer that starts out with self-employment as a hobby but wants to expand it. We don't want it to be too rigid.

James said that he will send this back to the work group and hopefully after that it will be ready to come back to this committee for further review.

Conclusions:

See above.

Action Items, Person Responsible, Deadline:

- 1) Bring comments about the first draft to the work group, **James Smith**, asap.

8) Chapter 311: Training and Post-Secondary Education (James Smith and Group)

Discussion:

- 1) James realized that making a minor change in this chapter and going through a public meeting made no sense as there were other updates needed. James recommended not editing one section, going to public comment, and then doing it all over again. Currently, staff can always use an exception related to the current policies. James advises moving this chapter to the forefront. We need to discuss progressive employment, etc., and should reflect this in the policy. Marlena moved to approve James recommendation to wait on updating the chapter until the whole chapter can be looked at. All approved. Vote 2-0-0.

Conclusions:

See above.

Action Items, Person Responsible, Deadline:

None.

9) Other Business (Sherrie Brunelle)

Discussion:

1) Agenda Setting for January 2, 2020.

- Appendix A: Spending Guideline
- Chapter 303 Maintenance (contingent agenda item based on the readiness of other chapter updates)
- Chapter 311 Post-Secondary Education and Training
- Chapter 312 Transportation

Conclusions:

See above.

Action Items, Person Responsible, Deadline:

1) Present proposed agenda, **SRC Coordinator**, 12/12/19.

10) Adjournment (Sherrie Brunelle)

Discussion:

Sherrie asked if there was a motion to adjourn. Marlena moved to adjourn, and it was seconded. No further discussion. All approved. Vote unanimous 2-0-0.

Conclusions:

Motion to adjourn approved at 12:02 p.m.

Action Items, Person Responsible, Deadline:

- Draft minutes uploaded to SRC website, **Debra Kobus**, 11/12/19.
- Draft minutes emailed to Committee members, **Debra Kobus**, 11/12/19.
- Minutes approved, **Committee**, 1/2/2020.
- Approved minutes uploaded to website, **SRC Coordinator**, 1/7/2020.

Parking Lot/Items Forward:

1) Draft Policy on Careers Initiative - Post-Secondary Training and Education after planning meetings are completed related to WIOA's new requirements.

This should include discussion about:

- The RSA policy directive speaks to what happens when one defaults on a loan so when we get to the Post-Secondary Education Chapter we will need to talk about that piece and make sure it is clearly reflected in our policy;
- We also need to flesh out VR's policy on what VR will pay for related college expenses including College Steps. James Smith, due date to be determined.

2) A listing of when each policy in the VR P & P Manual located on the VR website was last updated by the committee was provided so the committee could begin systematically reviewing policies and procedures again from start to finish. The committee determined the following review schedule:

March 2019:

- Consumer Rights and Responsibilities Handout (final draft) Moved from March to MAY.
- Update on request that all the VocRehab documents be reviewed for readability and accessibility Moved from March to Parking Lot.
- Chapter 204: Case closure (first draft in March and final draft by May) done.
- Chapter 209: Public comment results and finalize done.
- Chapter 311: Training & Post-secondary next (first draft for minor change length of training in March; remainder fall with workgroup in summer) postponed rescheduled to May.
- Chapter 312: Transportation (draft March) postponed in March and moved to September.

May 2019:

- Gender Identity Presentation with Rocko Gieselman. Possibly postpone to September 2019- Amanda to follow up with Rocko.
- Review Revised Draft of New Consumer Rights and Responsibilities Handout. Moved from March to MAY.
- Chapter 204: Case Closure (final draft May)
- Chapter 209: Added from March meeting.
- Chapter 308: Self-employment next (first draft in May) Postpone to September 2019.
- Chapter 311: Training & Post-secondary next (first draft for minor change length of training in March; remainder fall with workgroup in summer) postponed from March and rescheduled to May.
- Chapter 312: Transportation next (first draft May) Postponed and moved to September.
- Appendix A: Spending Guidelines (Amanda to summarize Survey Monkey in May on Spending Guidelines. Note that spending guidelines are incorporated into each chapter and must also be revised too).

Summer 2019 (July & August):

- Chapter 308: Self Employment workgroup
- Chapter 311: Training & Post-Secondary Education workgroup

September 2019:

- Gender Identity Presentation with Rocko Gieselman (postponed from May).
- Chapter 303: Maintenance (fall agenda – look at Survey Monkey first, postponed from May)
 - Chapter 308: Self Employment (report out from workgroup)
 - Chapter 311: Training & Post-Secondary Education (report out from workgroup)
- Chapter 312: Transportation (draft March) postponed in March and moved to September

3) Update on request that all the Voc Rehab documents be reviewed for readability and accessibility. Moved from March to Parking Lot, Amanda Kohle and others, date to be determined.

2019 Priorities from 10/4/2018 Retreat.

- 1) **Chapter 308, Self-employment** – have already set up three or four skype meetings with Hib Doe and others related to his experience on self-employment.
- 2) **Chapter 312, Transportation** – creating some clear and consistent process for making decisions using VR funds. Working with Ross MacDonald of VTrans in this endeavor.
- 3) **Careers Initiative** - Discussion of the Policy and Procedures that need to be implemented.

2020 Priorities from 10/3/2019 Retreat.

- 1) **Chapter 313, Audiology Services and Hearing Aids.** The Hearing Aids Chapter will be reviewed again as a result of Maria Burt's recent discussion with an audiologist who wants specifics about eligibility. The State's Hearing Aid Contract will be changing as well so all these pieces should be brought together.
- 2) **Chapter 308, Self-Employment Chapter** needs updating.
- 3) **Chapter 312, Transportation** (car repairs, funding for traveling, lack of Car Coach).

POLICIES & PROCEDURES CHAPTER REVIEW SCHEDULE

December 19, 2019

Last Revised 2009

Chapter 201	Referral & Application Process (12/09)
Chapter 301	Health Services (12/09)
Chapter 303	Maintenance (2/09)
Chapter 304	Occupational Tools, Licenses, Equipment, Stock & Supplies (12/09)
Chapter 306	Rehabilitation Technology Services (12/09)
Chapter 308	Self-Employment (12/09)
Chapter 309	Services to Family Members (12/09)
Chapter 312	Transportation (12/09)
Appendix A	Spending Guidelines (08/09)

Last Revised 2011

Chapter 314	Services to Groups (10/11)
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Last Revised 2013

Chapter 101	Confidentiality (1/13)
Chapter 103	Comparable Services and Benefits (1/13)

Last Revised 2015

Chapter 104	Division for the Blind & Visually Impaired (10/15)
Chapter 107	Ticket to Work (10/15)

Chapter 207	Authorization & Approval Expenditures (10/15)
Chapter 208	Expenditures in Status (10/15)
Chapter 301	Counseling & Guidance (3/15)
Chapter 305	Personal Services (3/15)
Chapter 311	Training & Post-Secondary Education (3/15)

Last Revised 2016

Chapter 106	Order of Selection (7/16)
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Last Revised 2017

Chapter 105	Appeals Process (7/17)
Chapter 202	Eligibility (7/17)
Chapter 203	Individualized Plan for Employment (7/17)
Chapter 206	Placement (7/17)
Chapter 310	Supported Employment (7/17)

Last Revised 2018

Chapter 102	Informed Choice (10/18)
Chapter 307	Pre-Employment Transition Services (1/18)
Chapter 205	Post-Employment Services (10/18)
Chapter 313	Audiology Services and Hearing Aids (10/18)
Chapter 209	Casework Practices (not on website) (12/18)

Last Revised 2019

Chapter 204	Case Closure (6/19)
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Chapter 312: Transportation

Vermont Division of Vocational Rehabilitation
Policy and Procedures Manual

Revision Date: December 2009

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Section 1: Definitions

- A) **"Adequate insurance"** means liability, collision (if cost effective), fire, and theft coverage for a vehicle and, if applicable, its adaptive devices.
- B) **"Basic vehicle"** means a motorized conveyance which is to be used on a public highway; the term does not include adaptations necessitated by the disability.
- C) **"Job-ready"** means that most objectives of a consumer's Individualized Plan for Employment (IPE) have been completed, and competitive employment at or above the substantial gainful activity level as defined by the Social Security Administration is expected to begin within a year.
- D) **"Transportation Services"** means travel and related expenses that are necessary to enable an applicant or eligible individual to participate in a vocational rehabilitation service. Transportation services may include, but are not limited to, public transportation costs, travel reimbursement, vehicle rental and lease, vehicle purchase, vehicle repair and maintenance, relocation, and other costs such as insurance and registration. Note: Division of Vocational Rehabilitation (DVR) funds may not be used to pay fines imposed on a consumer by the legal system, nor can DVR funds be used to pay for other legally imposed sanctions or requirements such as participation in CRASH.

Section 2: General Policy

- A) Transportation services in support of other vocational rehabilitation (VR) services, such as training, health services, and placement, may be provided when comparable services and benefits and customer resources are not available, or must be supplemented. The least expensive method will always be chosen unless contraindicated by the disability or time constraints. The Division, with the input of the State Rehabilitation Council, shall establish and maintain reasonable spending guidelines for transportation services.
- B) The Division Director or designee may grant exceptions to spending guidelines or limits in this Chapter if all of the following apply:
 - 1) Comparable services and benefits have been exhausted;
 - 2) The consumer's resources have been used to the maximum extent possible given the consumer's anticipated income and expenditures;
 - 3) A monthly payment schedule for the unmet need would be unrealistic in view of costs related to the disability and projected earning capacity; and
 - 4) The cost of making the exception remains reasonable, i.e., delivering the service by exception and enabling the consumer to continue or enter a vocation will be less costly to the public than not delivering it.
- C) A transportation service must be in support of an activity directly related to the vocational rehabilitation process. The supportive relationship must appear in the record of services.

Guidance: – Relationship between service and VR process.

For example, taxi fare to a hospital for a specialty examination may be provided, but taxi fare to a hospital to visit a sick friend cannot be provided.

End Guidance.**Section 3: Specific Transportation Services****A) Public Transportation**

- 1) Only customary fares shall be paid.

Guidance: – Public transportation payment options.

The counselor may:

- *Authorize the vendor to bill the Division;*
- *Give the consumer a check with which to purchase tickets for specific purposes related to the rehabilitation process;*
- *Make other comparable arrangements as fit the needs of the situation.*

End Guidance.**B) Travel Reimbursement**

- 1) Reimbursement rates cannot exceed the rate paid to state employees.

Guidance: – Travel reimbursement rates.

If the consumer uses their own vehicle, reimbursement may be provided on a per mile basis, on a cost-of-fuel basis, or on a fee-for-trip basis, as negotiated by the VR counselor and acceptable to the consumer. (If the consumer must use an adapted van, a higher rate set by the Department of Human Resources is allowed to be reimbursed to a state employee.)

If a consumer is transported by a third party, reimbursement arrangements may be negotiated with the third party in the same manner as above. The third party may also be paid for their time; the State's minimum wage is suggested as a minimum rate for a driver.

End guidance.**C) Vehicle Rental and Lease**

- 1) Vehicles may be rented to meet short-term needs if cost-effective.
- 2) Time-limited lease payments may be made by the Division if cost-effective.
- 3) Other alternatives (e.g., hiring a third party to transport) should be explored prior to renting or leasing a vehicle.

- 4) Justification of the decision to rent or lease as well as the choice of vendor must be in the consumer's record of services.

D) Vehicle Purchase

- 1) In general, the Division will participate in the purchase of a vehicle only if:
 - a) It is clearly documented in the record of services to be the most cost-effective alternative, including relocation, of completing the objective;
 - b) The consumer is job-ready;
 - c) A review of the consumer's living expenses and income or projected income shows that personal funds are or will be substantial enough to meet operating and maintenance costs of the vehicle, including adequate insurance coverage;
 - d) The VR counselor should record, either in the case notes or on the IPE, that ongoing maintenance costs have been reviewed with the consumer and the counselor is satisfied that the consumer can meet those obligations.

Guidance: – Documentation of ability to maintain vehicle.

As an alternative, the VR counselor and the consumer can complete the worksheet (Attachment A) at the end of this Chapter and include it, by reference, in the case notes.

End Guidance.

- e) The vehicle, if used,
 - (1) Has been examined by a mechanic certified in "Automotive Service Excellence" mutually chosen by the consumer and the VR counselor; and
 - (2) Has been found suitable to safely and reliably meet the vocational rehabilitation needs of the consumer; or
 - (3) Any repairs, tires, etc., necessary to make the vehicle safe, reliable, and suitable to meet the vocational rehabilitation needs of the consumer have been identified and their costs estimated.

Guidance: – Used adapted vans.

If the vehicle is a used adapted van, it is important to get a review from the previous owner, Ride Away, or mechanic who serviced the vehicle. It is important that the viability of accessibility equipment be evaluated as well as the basic condition of the vehicle. Typically, retrofitting is needed to make the vehicle accessible to the consumer and what this would add to the overall cost should be determined. It is recommended that the VR counselor seek the assistance of the Department Business Enterprise Consultant if purchase of a used, previously adapted van is being considered.

End Guidance.

- f) If the consumer is to operate the vehicle, they must have a valid driver's license, or have a learner's permit and, by acquiring a vehicle, must either be enabled to get a license or to enter into driver on-the-road training within a reasonable time

- after acquiring it. Medical or other reports, as appropriate, must indicate that the consumer has the aptitudes to drive. If the VR counselor has reason to believe the consumer may be legally prohibited from driving, the counselor can seek verification of the consumer's current status from the Department of Motor Vehicles.
- 2) The Division will not participate in the purchase of a vehicle more than once every five (5) years for the same consumer. Miles driven will also be taken into consideration on van replacement requests. Replacements will be approved only when the current van has at least 100,000 miles on it, or is damaged beyond repair, or has a combination of high mileage and high estimated repair costs that make it not cost effective to repair. The Division will not participate in the repair or replacement of a vehicle which must be repaired or replaced because it was not adequately insured.

Guidance: – DVR contribution to vehicle purchases.

If all the above criteria are met, up to \$3,000 may be provided toward the purchase of a vehicle (including estimated costs of 1) d) above, if applicable). If the consumer's disability mandates that the vehicle be an adapted van, the Division may provide up to \$15,000 of cost of the basic new van for the first van purchased and up to \$12,000 for any subsequent vans. The remaining cost of the van is the responsibility of the consumer or other source(s); those funds may be applied toward either the basic vehicle or to its adaptations, whichever is most advantageous to the consumer due to work incentives such as impairment-related work expenses available to certain Social Security beneficiaries.

- *The VR counselor may make an exception to the job-ready criterion in 1) b) if the other criteria for vehicle purchase are met. In such a circumstance, up to \$2,000 may be provided toward a car; if the disability mandates the use of an adapted van, up to \$3,000 may be provided.*
- *If the vehicle is a used one, the local Regional Vocational Technical Center (if able to respond in a timely fashion) may be an option for the examination of being "safe and reliable"; instructors are certified in "Automotive Services Excellence".*
- *It is suggested that Division funding be used as a down payment (or partial payment) on a vehicle rather than as full purchase price.*

End Guidance.

E) Maintenance and Repairs

- 1) Maintenance and repairs to a vehicle and/or its adaptations may be provided to accomplish vocational rehabilitation objectives. The consumer and the VR counselor mutually may choose a mechanic to help ensure that the proposed service will result in safe and reliable use of the vehicle and that the vehicle's value justifies the repairs. Repairs shall not exceed \$1,000 for the life of the case.

- 2) In general, if the Division participated in the purchase of a vehicle, it will not fund its maintenance and repairs.

F) Driver Evaluations for Vans, Van Purchases and Van Modifications

All of the policy and guidance provisions in Section 3 D) apply to van purchases plus the following requirements:

1) Business Enterprise Specialist and VR Van Modification Specialist:

- a) Since a great deal of coordination and expensive transactions are involved in acquisition of an adapted van, the Department's Business Enterprise Specialist (BES) must be involved and should be contacted as soon as it is known a van purchase is imminent. The BES will advise, assist, and guide those involved through all the necessary steps, and will know of vendors, protocols, etc. In most cases the VR counselor of record will be the VR Van Modification Specialist. The counselor will be a specialist VR counselor who will handle most cases involving a van purchase and modification. The only exception may be if the consumer has a well-established relationship with another counselor. In such cases the counselor and VR Van Modification Specialist will co-manage the case.

2) Driver Evaluations:

- a) If a van is needed, the consumer must participate in a driver evaluation conducted by a qualified person or facility. A qualified person or facility must be accredited through the state licensing for driving schools, and the state occupational therapy licensing board, and be a certified driving rehabilitation specialist through the Association for Driving Rehabilitation Specialists (ADED). The consumer and VR counselor will work together to make an informed choice regarding the selection of a driver evaluator that will take into account the cost of travel to a qualified person or facility (or the cost of the evaluator traveling to the consumer). The least expensive choice for evaluator will generally be chosen unless the VR counselor and consumer agree there are compelling reasons to do otherwise.
- b) The purpose of a driver evaluation for all drivers is to:
 - (1) Assess if the driver has the appropriate vision, physical and cognitive skills for driving, based on medical history.
 - (2) Evaluate if the consumer's non-driving equipment (such as wheelchair) needs to be updated or altered to be compatible with a van.
 - (3) Determine what equipment, from chassis to primary and secondary controls, are needed.
- c) In addition, the purpose of the driver evaluation for experienced drivers is to:
 - (1) Help identify what the consumer likes or does not like about their current vehicle and what new options may be available to make driving safer and more comfortable. (Technology changes and equipment that the driver previously used may no longer be available or better equipment options may be available.)
 - (2) Assess any medical changes including age-related changes that would suggest a need for vehicle adaptation changes. These changes, even small

- ones, can have consequences that can negatively impact the consumer's safety and health as well as the van costs if they are overlooked.
- d) Prior to starting the driver evaluation process the VR counselor will provide the consumer an overview of the driver evaluation process (Attachment B). The counselor and evaluator should review this with the consumer so they know what to expect from the process.

Guidance: – Consumer's needs, preferences and expertise.

Consumers with many years of experience driving with adapted equipment are experts regarding their own needs, preferences and driving skills. It is very important to recognize and acknowledge that experience and expertise throughout the process. If a consumer feels that their driving competence is being evaluated or that modifications are being imposed on them, they are much less likely to fully participate or buy into the process. Therefore, it is important that the VR counselor and evaluator work in partnership with the consumer to identify a vehicle and modifications that best meet the consumer's needs and preferences, and that will ensure the consumer has the equipment and modifications necessary to help them be a safe driver. If a consumer does not see the benefit in using a particular adaptive device, it is likely they will not use it in the longer term and may be a less safe driver.

End Guidance.

3) The Van Purchase, Modification and Training Plan:

- a) Based on the evaluation, the VR counselor, evaluator and consumer will develop a Van Purchase, Modification and Training Plan using the template in Attachment C. The purpose of the plan is to identify:
- (i) The type of vehicle to be purchased;
 - (ii) The planned modifications;
 - (iii) The training requirements;
 - (iv) Items that may need to be re-evaluated, changed or adjusted after the initial modifications have been installed;
 - (v) The anticipated costs that will be DVR's responsibility;
 - (vi) The anticipated costs that will be the consumer's responsibility.
- b) The consumer, VR counselor and the evaluator will each sign the Van Purchase, Modification and Training Plan before the vehicle is purchased and any modifications are initiated.
- c) The consumer's choices and preferences should always inform the process of selecting which modifications and features should be included in the van. However, when there is a conflict between the consumer's choices and the potential safety of the consumer driver and others, safety concerns must take precedence. DVR will only support a van purchase and modification if all the identified safety concerns are resolved. The following are examples of areas where safety considerations must be met:
- (i) **Steering:** The consumer must be able to control the steering wheel at all times and be able to turn the vehicle to avoid unexpected obstacles.

- (ii) Acceleration and braking: The consumer must be able to demonstrate controlled pressure for acceleration and braking for different driving circumstances.
 - (iii) Secondary controls: The consumer must be able to operate secondary controls (turn signals, horn, high/low beams, defroster, windshield wiper/washer, and emergency brake) when the vehicle is in motion.
 - (iv) Securing the wheelchair and driver: The wheelchair must be secured to the vehicle when the consumer is driving and they must demonstrate torso stability when hard braking and turning. The consumer must be able to independently access a secure seatbelt.
 - (v) Scanning: The consumer must be able to safely scan intersections for other vehicles and be able to observe obstacles when backing up.
- d) The above list is not all-inclusive. The consumer, VR counselor and evaluator may identify other safety considerations that must be taken into account in the process. As noted, DVR will only support a van purchase and modification if all the identified safety considerations are met and the consumer, DVR and the driver rehabilitation specialist are satisfied the vehicle, as modified, is safe to drive.

4) Final Check Out and Consumer Contribution:

- a) The driver rehabilitation specialist and the VR counselor will account for all the equipment that is installed by the vehicle modifier and ensure that the consumer's van has been adjusted properly for them before they take possession of the vehicle. It may be necessary for the driver rehabilitation specialist to provide additional training and evaluation of the newly installed equipment and check to ensure it is safe and works effectively.
- b) Only after the VR counselor and the consumer are satisfied that the van modifications are complete and the consumer can operate the vehicle safely, DVR and the consumer will pay the vendor their respective contribution to the cost.

5) Adjustments after Final Check Out:

- a) Typically, it will take a few weeks for the consumer to get used to a new van and modifications and identify items that may need to be adjusted or any additional modifications that may be necessary to make. DVR will pay for additional adjustments to the van modifications that are identified within 90 days of the final check out. Any additional modifications or adjustments identified after that point will be the responsibility of the consumer.

G) Vehicle Modifications, Accessibility & Driver Adaptations (sedan or van)

- 1) Vehicle modifications, accessibility and driver adaptations are rehabilitation technology services that are provided to address any barriers resulting from a disability. Accessibility adaptations for a van, such as a wheelchair lift and raised roof, may be provided if the criteria in Section 3 D) 1) of this Chapter are met. If all criteria except job-readiness (Section 3 D) 1) b)) are met, not more than a total of \$1,500 will be provided toward all modifications, accessibility, and driver adaptations. The same policy applies to a vehicle that is not a van. For example, a

rooftop wheelchair carrier may be provided for a sedan, fully funded by the Division, if all parts of Section 3 are met. If the job-ready criterion is not met, not more than \$1,000 shall be provided.

- 2) If the consumer is to operate the vehicle, the adaptations must enable them to safely enter, be secured, and exit the vehicle without the assistance of another person.
- 3) Such adaptations will be funded by the Division, in full or in part, no more frequently than once every five (5) years for the same consumer.

H) Relocation

- 1) Costs to relocate a consumer, rather than buy a vehicle, shall be provided if more cost-effective than providing other transportation services.

I) Other Transportation Services

- 1) Registration fees and vehicular insurance costs may be provided for up to twelve months. The VR counselor may make exception to this duration guideline if the cost of making the exception is reasonable, i.e., continuing the service by exception and enabling the consumer to continue or enter a job will be less costly to the public than not delivering the service. Justification for the exception must be in the record of services.

Attachment A: Worksheet

Determining Funds Available to Support a Vehicle

Income:	Monthly/Current:	Anticipated changes (+/-) within next 6 months:
Your Wages:	_____	_____
Public Benefits:	_____	_____
Other Household Income Available to You:	_____	_____
Total:	_____	_____

Expenditures:	Monthly/Current:	Anticipated changes (+/-) within next 6 months:
Rent or Mortgage, Heat & Lights:	_____	_____
TV & Phone:	_____	_____
Food:	_____	_____
Loans or Credit Cards:	_____	_____
Child Support or Alimony:	_____	_____
Home, Life, Auto Insurance:	_____	_____
Clothing:	_____	_____
Health Related:	_____	_____
Other Housing Related:	_____	_____
Other Regular Expenditures:	_____	_____
Total:	_____	_____

Amount Income Exceeds Expenditures: _____

Known/Anticipated Vehicle Expenses:

Monthly loan payment:	_____	
Auto Insurance, monthly average:	_____	
Estimated Gas Cost, monthly:	_____	(miles per month divided by estimated miles per gallon multiplied by price per gallon)
Maintenance (oil changes, tires, etc.):	_____	(estimate at least \$25 per month)
Other:	_____	
Total:	_____	

Income does/does not (circle) exceed expenditures and estimated vehicle expenses and is/is not (circle) sufficient to support maintaining a vehicle.

Counselor's Signature
(Place copy of signed form in case record)

Date

Attachment B: Van User Information Sheets

Driver Rehabilitation Services for a Modified Vehicle What to Expect from the Process for First Time Van Users

Congratulations on starting the process to becoming a driver. Driver Rehabilitation Services are designed to identify the appropriate driving equipment to best meet your needs and provide training for you on the use of that equipment. The following sequence of steps takes place from your first appointment at Driver Rehabilitation to when you receive your van.

- 1) **Initial Contact:** Prior to your first meeting you will be contacted by the driver rehabilitation program. The person who contacts you will ask you for general information about your date of birth and contact information. They will also ask you for the name of your physician and they will contact your doctor for a prescription for an Occupational Therapy assessment for driving.
- 2) **Initial Meeting:** At your first meeting you will meet with the driver rehabilitation specialist (DRS). This person is an Occupational Therapist, who is a certified driving rehabilitation specialist and a driving school instructor. In that first meeting (typically referred to as the clinical visit) you and the DRS will discuss your medical history. The DRS will discuss with you what your vehicle needs are and take measurement of your physical strength. The DRS may also conduct additional testing of cognition and vision, if it is a possible complication of your condition. The DRS will also look at your wheelchair to see if it is meeting your present needs and how your chair will work with different vehicles and driving equipment. If your driving equipment needs cannot be met with the training equipment available in Vermont then the DRS may advise you to go to another driver rehabilitation program that has the equipment that you need. The DRS can work with these other programs in a collaborative effort so that you do not have to go through a lot of additional assessments.
- 3) **On-Road:** The next visit will be the first on-road session. You will drive a modified van equipped with the driving equipment that was identified in the clinical visit. The vehicle is equipped with an instructor's brake and is insured as a driver's education vehicle. The purpose of this session and subsequent sessions is to continue to find out more about your driving equipment needs and preferences as well as train you on the use of the equipment. It is important you provide feedback to the DRS about how comfortable you feel with the equipment and how easy it is to use. The DRS uses the training sessions to identify the most appropriate equipment for you. You should be a very active participant in this process. The number of sessions will depend on how complicated the driving equipment is, how much experience you have as a driver and your level of comfort.
- 4) **Prescription Meeting:** When the training is complete, the DRS will develop a prescription for the equipment. Once all parties have had time to review the prescription, the Division of Vocational Rehabilitation (DVR) will hold a meeting with you, your VR counselor, and DRS to discuss each item on the prescription. This is your opportunity to provide any suggestions or feedback. It is important to understand that DVR will only support a van purchase and modifications if you, DVR

and the DRS are satisfied the prescription will allow you to drive the vehicle safely. Once everyone is in agreement, DVR will ask you to sign off on a van purchase, modification and training plan.

- 5) **Vehicle Fitting:** Once the van is built to the point where the placement of equipment needs to be determined; you and the DRS will meet at the vendor shop. The location can be in Vermont or out of state depending on the technology demands for building your vehicle. This session is referred to as a vehicle fitting. The purpose is to make sure that the equipment is installed in the proper position and location for your needs. This includes the position of your chair if you are driving from your chair. This is typically accomplished in one session, but on occasion requires two sessions.
- 6) **Vehicle Check-Out:** The vehicle check-out session is similar to the vehicle fitting session in that you and the DRS will meet at the vendor shop. This time you will drive your modified van to ensure that all adjustments to the equipment are appropriate for you. Further adjustments of the equipment may take place with the help of the technicians. Once you and the DRS are satisfied with the installation you will be able to take your van home as long as all other areas such as insurance and payment are satisfied. This will complete your driver rehabilitation services unless there are additional adjustments that are required once you have had a chance to drive the van for a period of time.

Driver Rehabilitation Services for a Modified Vehicle What to Expect from the Process for Experienced Van Users

The purpose of Driver Rehabilitation Services is two-fold. First, it is intended to assess the equipment you currently use and determine with you if there are new options that may work better for you. Second, the Driver Rehabilitation Services assess any changes in your overall health or physical condition that may require additional or different equipment to help you drive. If you have driven for some time, you will have a good idea about your preferences and what equipment may work best for you. There may also be some aspects to your current equipment that you would like to change or improve. The ultimate goal is to help get you into a vehicle that works best for you.

The following sequence of steps takes place from your first appointment at Driver Rehabilitation to when you receive your van.

- 1) **Initial Contact:** Prior to your first meeting you will be contacted by the driver rehabilitation program. The person who contacts you will ask you for general information about your date of birth and contact information. They will also ask you for the name of your physician and they will contact your doctor for a prescription for an Occupational Therapy assessment for driving.
- 2) **Initial Meeting:** At your first meeting you will meet with the driver rehabilitation specialist (DRS). This person is an Occupational Therapist, who is a certified driving rehabilitation specialist and a driving school instructor. In that first meeting (typically referred to as the clinical visit), you and the DRS will discuss your medical history. The DRS will discuss with you what your vehicle needs are and take measurement of your physical strength. The DRS may also conduct additional testing of cognition and vision, if it is a possible complication of your condition. DRS will also consult with you about your wheelchair to see if it is meeting your present needs and how your chair will work with different vehicles and driving equipment. You should discuss with the DRS what you like and dislike about your current van and driving equipment.
- 3) **On-Road:** The on-road session will take place on the same day as the initial meeting. The DRS will ride with you in your van and assess everything from accessing the van, driving the van and exiting the van. You and the DRS should discuss any step in the process that you find difficult or cumbersome. It is important you provide feedback to the DRS about how comfortable you feel with the equipment and how easy or difficult it is to use. You should be a very active participant in this process. Equipment changes and technology evolves so that, even if you like some equipment, it may need to be changed because it may no longer be available. The DRS will talk to you and your vocational rehabilitation (VR) counselor about all the options that are available for replacing that equipment. During the drive you will be asked to do routine driving maneuvers you would do on a typical day. The DRS will be looking for safety issues that could suggest an equipment change is needed. Those safety issues include:

- a) **Steering:** Maintaining control of the steering wheel at all times and being able to turn the wheel to avoid an unexpected obstacle.
 - b) **Acceleration and braking:** Being able to demonstrate controlled pressure for acceleration and braking for different driving circumstances.
 - c) **Secondary controls:** The consumer must be able to operate secondary controls (turn signals, horn, high and low beams, defroster, windshield wiper and washer, and emergency brake) when the vehicle is in motion.
 - d) **Securing wheelchair and driver:** Wheelchairs need to be secured to the vehicle when the driver is driving from the wheelchair or when it is unoccupied. The driver needs to demonstrate torso stability with hard braking and turning. The driver must be able to independently access a secured seatbelt. The seatbelt needs to be positioned on the torso across the sternum and pelvis.
 - e) **Searching:** A driver must be able to safely scan intersections for other vehicles and be able to observe obstacles when backing up.
- 4) **Assessment and Training:** The next step is assessment of equipment needs if changes are recommended to primary controls (steering, braking and acceleration). In some cases, other equipment that does not involve primary controls may also need to be assessed in a training vehicle. Once the changes have been identified, or if no changes are made to the equipment that require further assessment, then the DRS will write a vehicle prescription. The vehicle prescription will include the van chassis and all driving aids and equipment.
 - 5) **Prescription Meeting:** When the on-road assessment and any training is complete, the DRS will develop a prescription for the equipment. Once all parties have had time to review the prescription, the Division of Vocational Rehabilitation (DVR) will hold a meeting with you, your VR counselor and the DRS to discuss each item on the prescription. This is your opportunity to provide any suggestions or feedback. It is important to understand that DVR will only support a van purchase and modification if you, DVR and the DRS are satisfied the prescription will allow you to drive the vehicle safely. Once everyone is in agreement, DVR will ask you to sign off on a van purchase, modification and training plan.
 - 6) **Vehicle Fitting:** Once the van is built to the point where the placement of equipment needs to be determined, you and the DRS will meet at the vendor shop. The location can be in Vermont or out of state depending on the technology demands for building your vehicle. This session is referred to as a vehicle fitting. The purpose is to make sure that the equipment is installed in the proper position and location for your needs. This includes the position of your chair if you are driving from your wheelchair. This is typically accomplished in one session, but on occasion requires two sessions.
 - 7) **Vehicle Check-Out:** The vehicle check-out session is similar to the vehicle fitting session in that you and DRS will meet at the vendor shop. This time you will drive your modified van to ensure that all adjustments to the equipment are right for you.

An inventory will ensure all adaptive aids and devices are checked and accounted for. Once you and the DRS are satisfied with the installation you will be able to take your van home as long as all other areas such as insurance and payment are satisfied. This will complete your driver rehabilitation services unless there are additional adjustments that are required once you have had a chance to drive the van for a period of time.

Attachment C: Van Purchase, Modifications and Training Plan

The following is an agreement between _____
and the Vermont Division of Vocational Rehabilitation (DVR) for the purchase and
modification of a van as part of an Individualized Plan for Employment.

Vehicle to be purchased and price (estimated): _____

DVR contribution: _____

Consumer contribution (estimated): _____

Vehicle modifications to be installed:

Required training for consumer:

Items that may need to be re-evaluated, changed or adjusted after the initial modifications
have been installed:

Signed by

Consumer: _____

Date: _____

DVR Counselor: _____

Date: _____

Driver Evaluation Specialist: _____

Date: _____

Chapter 303: Maintenance

Vermont Division of Vocational Rehabilitation
Policy and Procedures Manual

Revision Date: December 2009

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Section I. Definitions

- A. **“Extreme medical risk”** means a probability of substantially increasing functional impairment or death if medical services, including mental health services, are not provided expeditiously.
- B. **"Maintenance"** means monetary support provided to an eligible individual or an individual receiving extended evaluation services for those expenses such as food, shelter, and clothing that are in excess of the normal living expenses of the individual and that are necessitated by the individual's participation in a program of vocational rehabilitation services.

Section II. General Policy

- A. Prior to providing maintenance services, the Division shall determine whether comparable services and benefits exist under any other program and whether those services and benefits are available to the person. Such determination, however, shall not be required:
 - 1. If it would delay the provision of such services to any person at extreme medical risk;
or
 - 2. An immediate job placement would be lost due to a delay in the provision of such comparable benefits.
- B. The Division, with the input of the State Rehabilitation Council, shall establish and maintain reasonable spending guidelines and standards for exception to them which shall be reviewed at least annually. The Division Director may adjust them accordingly.

Section III. Spending Guidelines

- A. **Comparable Services and Benefits.** Comparable services and benefits, such as Food Stamps and General Assistance, must always be used as applicable although prudence may be exercised. (For example, if waiting to see if a person is eligible for "Section 8 Housing" in a new community may postpone accepting a job offer, a month's rent and a rent deposit may be provided.)

Please note that public benefits such as Social Security Disability Insurance, Supplemental Security Income, and Temporary Aid to Needy Families exist to assure that funds for food and shelter are available for certain people who need them; provision of maintenance via VR funds is not intended to duplicate the intent of public benefits and is only for costs in excess of the normal expenses of the person that are necessitated by the person's participation in a program of vocational rehabilitation services. The case record must show how the provision of maintenance is related to the person's participation in his/her program of vocational rehabilitation services.

B. Room, Meals, and Housing Expenses.

1. If a school or facility does not offer a room and/or meals arrangement, reasonable room and meals costs may be provided consistent with costs in the locality.
2. Housing deposits, such as one-time costs of utilities and rent, may be provided. A month's rent (or mortgage payment, if applicable) may also be provided. Provision of housing expenses must be limited to situations in which the person must relocate or would otherwise be precluded from participating in an IPE or taking a job.

Guidance – Housing costs.

A deposit should not exceed \$750.

Rent (or mortgage) also should not exceed \$750.

Note on deposits: *So that a deposit may be refunded to the Division rather than to the person at the end of a specific time period or event, the counselor must have a written agreement with the person that the money be returned to the Division.*

End Guidance.

3. Short-term room and/or meal costs (normally reserved for travel necessitating overnights in a motel) may be provided. Room rates must be reasonable.

Guidance – Room and/or meal costs.

Cost of a motel room should not exceed \$100/night for one person or \$125/night for two persons.

End Guidance.

4. Meal costs should not exceed the State of Vermont meal allowance for employees unless there are extenuating circumstances.

C. Clothing. A person in a rehabilitation program may require clothing suitable for participating in the program. Clothing needs should be assessed and may be provided when:

1. The person is at a facility which requires special clothing or uniforms either by dress code or by weather;
2. Special safety clothing (such as steel-toed work boots) is needed to begin a job and is not provided by the employer;
3. The person is ready for employment and needs clothing for job interviews or to begin a job.

Guidance – Clothing costs.

The cost should not exceed \$300 for all clothing needs. The person shall be encouraged to comparison-shop to get the best price for the clothing items

which will meet his/her vocational needs. Clothing should be comparable in quality to that worn by co-workers.

End Guidance.

- D. **Provision of Other Subsistence Needs.** The Division may furnish an allowance of up to \$50/week for personal items or as an incentive for participating in an activity such as an unpaid job tryout.
- E. **Standards for Exceptions to Spending Guidelines.** Exceptions to the spending guidelines established by the Division for this policy may be made if justified in the record of service in accordance with the following criteria:
1. Rooms/meals if:
 - a) The person's disability mandates a special housing consideration or special diet; and
 - b) No other less expensive and reasonable alternatives exist in the locality.
 2. Clothing if:
 - a) Out-of-ordinary clothing is required by the disability or physical size; or
 - b) Out-of-ordinary clothing is required by the employer or program (e.g., tuxedo which the rest of the waiters in a restaurant are also required to wear); and
 - c) The person does not already possess a basic wardrobe suitable to complete the vocational rehabilitation objective.
 3. Other spending and duration guidelines in this policy if:
 - a) Vocational rehabilitation objectives could not otherwise be accomplished; and
 - b) The person's own resources have been used to the maximum extent possible.