

FORM OF ORDER AND TRANSMITTAL BY AGENCY HAVING SINGLE HEAD

State of Washington

DEPARTMENT OF SERVICES FOR THE BLIND

(agency name)

Administrative Order No. 83-08

(1) I, PAUL DZIEDZIC, director of DEPARTMENT OF SERVICES FOR THE BLIND

do promulgate and adopt at 921 Lakeridge Drive, Room 202, Olympia, WA 98504 (place)

the annexed rules relating to:

WAC 67-25 Vocational Rehabilitation & Services for Blind Persons

WAC 67-20 Repealer

(2) ALTERNATIVE A. Use only for Adoption of Permanent Rules.

This action is taken pursuant to Notice No. 83-22-024 filed with the code reviser on 10/26/83. These rules shall take effect: [X] thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2). [] at a later date, such date being

(2) ALTERNATIVE B. Use only for Adoption of Emergency Rules.

I, find that an emergency exists and that this order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting the emergency is:

These rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

(3) Pursuant to the requirements of RCW 34.04.026 that "every agency shall incorporate the most specific, but in no case omit all, of the following language alternatives when adopting or amending rules" fill in statement (a), (b), or (c) as appropriate:

[] (a) This rule is promulgated pursuant to RCW and is intended to administratively implement that statute.

[] (b) This rule is promulgated pursuant to RCW which directs that the

(agency) has authority to implement the provisions of

(name of act or RCW citation)

[X] (c) This rule is promulgated under the general rule-making authority of the DEPARTMENT OF SERVICES FOR THE BLIND

(agency) as authorized in RCW Chapter 194, Laws of 1983, Section 18

(4) The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

(5) This order, after being first recorded in the order register of this agency, is herewith transmitted to the Code Reviser for filing pursuant to chapter 34.04 RCW and chapter 1-12 WAC.

STATE OF WASHINGTON

APPROVED AND ADOPTED December 14 19 83

DEC 15 1983

By Paul Dzedzic

Paul Dzedzic Director

Title

CODE REVISER'S OFFICE

WSR 84-01-042

Chapter 67-25 WAC

VOCATIONAL REHABILITATION AND SERVICES FOR BLIND PERSONS

WAC

67-25-005	Definitions.
67-25-010	Application for services.
67-25-015	Initial interview.
67-25-020	Preliminary diagnostic study.
67-25-025	Eligibility for services.
67-25-030	Eligibility for services--Criteria.
67-25-050	Certification for decision of eligibility or ineligibility.
67-25-055	Notice to applicant.
67-25-060	Criteria for the severely handicapped.
67-25-070	Extended evaluation.
67-25-075	Extended evaluation--Eligibility criteria.
67-25-077	Certification for extended evaluation to determine rehabilitation potential.
67-25-080	Extended evaluation--Program.
67-25-085	Extended evaluation--Services provided.
67-25-090	Extended evaluation--Services not provided.
67-25-095	Extended evaluation--Duration and scope of services.
67-25-100	Extended evaluation--Assessment.
67-25-105	Extended evaluation--Revision of program.
67-25-110	Extended evaluation--Termination.
67-25-120	Certification of termination of extended evaluation and notice.
67-25-180	Economic need.
67-25-185	Economic need--Financial statement required.
67-25-190	Economic need--Standards for determining.
67-25-200	Economic need--Notification of decision.
67-25-255	Thorough diagnostic study.
67-25-260	Vocational rehabilitation program--Individual written rehabilitation program.
67-25-270	Vocational rehabilitation program--Participation of client.
67-25-275	Vocational rehabilitation program--Annual review.
67-25-280	Vocational rehabilitation program--Termination.
67-25-281	Vocational rehabilitation program--Notification of rights.
67-25-300	Objective of vocational rehabilitation.
67-25-325	Services available from other agencies.
67-25-326	Services to civil employees of the United States.
67-25-350	Vocational rehabilitation services.
67-25-380	Vocational rehabilitation services--Counseling and guidance.
67-25-384	Vocational rehabilitation services--Physical and mental restoration services.
67-25-385	Vocational rehabilitation services--Physical and mental restoration.
67-25-388	Vocational rehabilitation services--Vocational and other training.
67-25-390	Vocational rehabilitation services--Training--College.
67-25-392	Vocational rehabilitation services provided--Training--Trade schools.
67-25-394	Vocational rehabilitation services provided--Training--Employment.
67-25-395	Vocational rehabilitation services--Training--College and trade school.
67-25-396	Vocational rehabilitation services--Training--Sheltered workshop.
67-25-400	Vocational rehabilitation services--Maintenance.
67-25-404	Vocational rehabilitation services--Transportation.

67-25-408 Vocational rehabilitation services--Services to family members.

67-25-412 Vocational rehabilitation services--Interpreter services for deaf persons.

67-25-416 Vocational rehabilitation services--Reader services.

67-25-420 Vocational rehabilitation services--Rehabilitation teaching services.

67-25-428 Vocational rehabilitation services--Orientation and mobility services.

67-25-432 Vocational rehabilitation services--Telecommunications.

67-25-440 Vocational rehabilitation services--Placement.

67-25-444 Vocational rehabilitation services--Post-employment services.

67-25-446 Vocational rehabilitation--Services to groups.

67-25-448 Vocational rehabilitation services--Occupational licenses, tools, equipment, initial stocks and supplies.

67-25-452 Vocational rehabilitation services provided--Other goods and services.

67-25-500 Purchase of services.

67-25-505 Purchase of services--Selection criteria--Schools.

67-25-510 Purchase of services--Selection criteria--Employment training facilities.

67-25-525 Termination of services for reason of ineligibility.

67-25-530 Termination of services for reasons other than ineligibility.

67-25-540 Completion of vocational rehabilitation program.

67-25-545 Notification of termination.

67-25-550 Confidential information--Disclosure.

67-25-560 Administrative review.

67-25-570 Fair hearing.

67-25-590 Client records.

NEW SECTION

WAC 67-25-005 DEFINITIONS. (1) "Accepted for services" shall mean that the department has determined that the applicant has been certified as eligible to receive vocational rehabilitation services.

(2) "Act" means the Rehabilitation Act of 1973 (29 U.S.C. chapter 16).

(3) "Applicant" shall mean an individual who has submitted to the department a letter or application requesting vocational rehabilitation services which:

(a) Has been signed by the individual, his/her parents or guardian or other representative; and

(b) Sets forth the name, address, age, sex, and nature of disability of the requesting individual and source of referral.

(4) "Blind or visually impaired" for purposes of this chapter is a physical disability defined as follows:

(a) Central visual acuity of 20/200 or less in the better eye with correcting lenses or a field defect in which the peripheral field has contracted to such an extent that the widest diameter of visual field subtends an angular distance of no greater than 20°; or

(b) Vision so defective as to prevent the performance of ordinary activities for which eyesight is essential; or

(c) An eye condition of a progressive nature which may lead to blindness.

(5) "Client" shall mean any handicapped individual:

(a) Who has applied for services from the department; and

(b) For whom services have not been denied or terminated by the department.

- (6) "Department of services for the blind" shall mean the legal authority in its entirety:
- (a) "Advisory council" shall mean the members appointed by the governor as the advisory body.
- (b) "Department" shall mean the agency which carries out the operations of the Washington department of services for the blind.
- (7) "Director," except when the context indicates otherwise, means the director of the department of services for the blind.
- (8) "Eligible" or "eligibility," when used in relation to an individual's qualification for vocational rehabilitation services, refers to a certification that:
- (a) The individual has blindness and may also have a physical or mental disability which for such individual constitutes or results in a substantial handicap to employment; and
- (b) Vocational rehabilitation services may reasonably be expected to benefit the individual in terms of employability.
- (9) "Employability" refers to a determination that the provision of vocational rehabilitation services is likely to enable an individual to enter or retain employment consistent with his/her capacities and abilities in the competitive labor market; the practice of a profession; self-employment; homemaking; farm or family work (including work for which payment is in kind rather than in cash); sheltered employment; homebound employment; or other gainful work.
- (10) "Evaluation of rehabilitation potential" means, as appropriate, in each case:
- (a) A preliminary diagnostic study to determine:
- (i) That an individual has blindness and may also have a physical or mental disability which for such individual constitutes or results in a substantial handicap to employment; and
- (ii) That vocational rehabilitation services may reasonably be expected to benefit the individual in terms of employability, and that the individual is eligible therefore for vocational rehabilitation services;
- (b) A thorough diagnostic study consisting of a comprehensive evaluation of pertinent factors, which bear on the individual's handicap to employment and rehabilitation potential, and an appraisal of the individual's work behavior and ability to develop work patterns suitable for successful job performance in order to determine which vocational rehabilitation services may be of benefit to the individual in terms of employability;
- (c) Any other goods or services provided for the purposes of ascertaining the nature of the handicap and whether it may reasonably be expected that the individual can benefit from vocational rehabilitation services in terms of employability;
- (d) The provision of vocational rehabilitation services to an individual for a total period of extended evaluation not in excess of eighteen months for the purpose of determining whether such individual is a handicapped individual for whom a vocational goal is feasible, including the initiation and continuing development of an individual written rehabilitation program, and a periodic assessment of the results of the provision of such services to ascertain whether an individual is an eligible individual for whom a vocational goal is feasible.
- (11) "Family member" or "member of the family" means:
- (a) Any relative by blood or marriage of a handicapped individual; and
- (b) Other individuals living in the same household with whom the handicapped individual has a close interpersonal relationship.
- (12) "Handicapped individual" means an individual:
- (a) Who has a physical or mental disability which for such individual constitutes or results in a substantial handicap to employment; and
- (b) Who is expected to benefit in terms of employability from the provision of vocational rehabilitation services, or for whom an extended evaluation of rehabilitation potential is necessary for the purpose of determining whether he might benefit in terms of employability from the provision of vocational rehabilitation services.

(13) "Medical consultant" shall mean a physician licensed pursuant to chapters 18.57 and 18.71 RCW employed by the department to provide consultation to rehabilitation counselors and rehabilitation teachers concerning the medical aspects of rehabilitation, usually reviewing and discussing medical problems of individual clients.

(14) "Ophthalmological consultant" shall mean a physician licensed pursuant to chapters 18.57 and 18.71 RCW specializing in diseases of the eye employed by the department to provide consultation to rehabilitation counselors and rehabilitation teachers regarding procedures and prognosis relating to eye conditions.

(15) "Physical and mental restoration services" means those services which are necessary to correct or substantially modify within a reasonable period of time a physical or mental condition which is stable or slowly progressive.

(16) "Physical or mental disability" means a physical or mental condition which materially limits, contributes to limiting or, if not corrected, will probably result in limiting an individual's activities or functioning. The term "physical disability" includes blindness and/or visual impairment.

(17) "Public safety officer" means a person serving the United States or a state or unit of general local government, with or without compensation, in any activity pertaining to:

(a) The enforcement of the criminal laws, including highway patrol, or the maintenance of civil peace by the national guard or the armed forces;

(b) A correctional program, facility, or institution where the activity is potentially dangerous because of contact with criminal suspects, defendants, prisoners, probationers, or parolees;

(c) A court having criminal or juvenile delinquent jurisdiction where the activity is potentially dangerous because of contact with criminal suspects, defendants, prisoners, probationers, or parolees;

(d) Firefighting, fire prevention, or emergency rescue missions.

(18) "Referral" is defined as any individual who applied or has been referred to a department office by letter, telephone, direct contact or by any other means for whom the minimum information has been furnished:

(a) Name and address;

(b) Disability;

(c) Age and sex;

(d) Date of referral; and

(e) Source of referral.

(19) "Rehabilitation facility" means a facility which is operated for the primary purpose of providing vocational rehabilitation services to handicapped individuals and which provides one or more of the following services for handicapped individuals:

(a) Vocational rehabilitation services which shall include under one management, medical, psychological, social, and vocational services;

(b) Testing, fitting, or training in the use of prosthetic and orthoptic devices;

(c) Prevocational conditioning or recreational therapy;

(d) Physical and occupational therapy;

(e) Speech and hearing therapy;

(f) Psychological and social services;

(g) Evaluation of rehabilitation potential;

(h) Personal and work adjustment;

(i) Orientation and mobility training and other adjustment services;

(j) Braille instruction;

(k) Evaluation or control of specific disabilities;

(l) Transitional or extended employment for those handicapped individuals who cannot be readily absorbed in the competitive labor market provided that all medical and related health services must be prescribed by, or under the formal supervision of, persons licensed to prescribe or supervise the provision of such services in the state.

(20) "Rehabilitation teacher" (RT) shall refer to an employee of the department who has responsibility to determine eligibility, and to

develop and implement individual written rehabilitation programs leading to a vocational outcome of homemaker. The full range of vocational rehabilitation services may be provided or purchased as determined by the needs of the individual written rehabilitation program.

(21) "Substantial handicap to employment" means that a physical or mental disability (in light of attendant medical, psychological, vocational, educational, and other related factors) impedes an individual's occupational performance, by preventing his/her obtaining, retaining, or preparing for employment consistent with his/her capacities and abilities.

(22) "Vocational rehabilitation counselor" (VRC) shall refer to an employee of the department who has direct responsibility for providing, or supervising the provision of all vocational rehabilitation services to a client of the department.

(23) "Vocational rehabilitation services," shall mean any of the following:

(a) Any goods or services provided to a client that is likely to enable him/her to enter or retain employment consistent with his/her capacities and abilities in the competitive labor market.

(b) Any goods or services provided to a client for the purpose of extended evaluation to determine his/her rehabilitation potential.

(c) The establishment, construction, development, operation, and maintenance of workshops and rehabilitation facilities.

(d) The provision of any facilities and services which promise to contribute substantially to the rehabilitation of a group of individuals but which are not related directly to the rehabilitation program.

(24) "Workshop" means a rehabilitation facility, or that part of a rehabilitation facility, engaged in a production or service operation and which is operated for the primary purpose of providing gainful employment or professional services to the handicapped as an interim step in the rehabilitation process for those who cannot be readily absorbed in the competitive labor market or during such time as employment opportunities for them in the competitive labor market do not exist.

NEW SECTION

WAC 67-25-010 APPLICATION FOR SERVICES. (1) Any blind or visually impaired person may apply for vocational rehabilitation services, including persons who have previously applied for, have previously received, or have previously been denied such services.

(2) Any handicapped person seeking to obtain vocational rehabilitation services from the department shall submit a written application for services to the department.

(3) The written application for services shall be signed by the person requesting services or by his/her parent or guardian or other representative.

(4) The written application shall contain the following information:

(a) The applicant's name and address;

(b) The nature of the applicant's disability;

(c) The applicant's age and sex;

(d) The date of application;

(e) The name of the person or agency, if any, who has referred the applicant to the department.

(5) The department shall not provide vocational rehabilitation services to any person who has failed to submit a signed application in writing containing the above information.

NEW SECTION

WAC 67-25-015 INITIAL INTERVIEW. (1) An applicant for vocational rehabilitation services shall be interviewed personally by a vocational rehabilitation counselor or by a vocational rehabilitation teacher as soon as possible after application.

(2) At this initial interview the interviewer shall:

(a) Explain to the applicant the nature and operation of the vocational rehabilitation program as it relates to the applicant;

(b) Specifically inform the applicant of the right to appeal any decision made by the department with regard to his/her case through administrative appeal and fair hearing procedures; judicial review; review by the secretary of the federal office of education;

(c) Inform the applicant of his/her right of confidentiality of information possessed by the department; and

(d) Obtain any general information from the applicant which might be useful in determining his/her eligibility for vocational rehabilitation services.

NEW SECTION

WAC 67-25-020 PRELIMINARY DIAGNOSTIC STUDY. (1) A preliminary diagnostic study will be conducted to determine whether:

(a) The individual has a physical or mental disability which for such individual constitutes or results in a substantial handicap to employment; and

(b) Vocational rehabilitation services may reasonably be expected to benefit the individual in terms of employability, or whether an extended evaluation of rehabilitation potential is necessary to make such a determination.

(2) The preliminary diagnostic study will include such examinations and diagnostic studies as are necessary to determine eligibility:

(a) In all cases, will include an appraisal of the current general health status of the individual; and

(b) In all cases, will include an examination of the individual's eyes by an ophthalmologist, a physician skilled in the diseases of the eye or by a licensed optometrist.

(3) The department shall record in writing the results of each applicant's preliminary study.

NEW SECTION

WAC 67-25-025 ELIGIBILITY FOR SERVICES. (1) The department shall make an eligibility determination as to every applicant for vocational rehabilitation services. The determination of eligibility shall be made as soon as possible after application.

(2) The department shall base its eligibility determination on the results of the preliminary diagnostic study and extended evaluation, if any.

NEW SECTION

WAC 67-25-030 ELIGIBILITY FOR SERVICES--CRITERIA. (1) Eligibility shall be based only upon:

(a) The presence of a physical or mental disability which for the individual constitutes or results in a substantial handicap to employment; and

(b) A reasonable expectation that vocational rehabilitation services may benefit the individual in terms of employability.

(2) Persons found eligible shall have a primary disability of blindness or visual impairment. Persons for whom blindness or visual impairment is determined to be a secondary disability may be provided services at the discretion of the director or may be referred to other appropriate service providers or may be provided services through a coordinated plan with other service providers.

(3) Eligibility requirements will be provided by the department without regard to sex, race, age, creed, color, or national origin of the individual applying for service.

(4) No person or group of persons shall be found ineligible for services solely on the basis of type of disability.

(5) No person shall be found ineligible for services solely on the basis of age.

(6) No person shall be found ineligible for services based on residence requirement, durational or other.

NEW SECTION

WAC 67-25-050 CERTIFICATION FOR DECISION OF ELIGIBILITY OR INELIGIBILITY. (1) There will be a certification that the individual has met the basic eligibility requirements specified in eligibility criteria. The statement of eligibility will be dated and signed by the vocational rehabilitation counselor or rehabilitation teacher.

(2) Whenever it has been determined on the basis of clear evidence that an individual is ineligible for vocational rehabilitation services, there shall be a certification, dated and signed by the vocational rehabilitation counselor or rehabilitation teacher.

NEW SECTION

WAC 67-25-055 NOTICE TO APPLICANT. (1) The individual shall be notified in writing of the action taken on eligibility or ineligibility.

(2) He/she shall be informed of the department's procedure for administrative review, fair hearings, and judicial review if he/she is dissatisfied with the department's decision.

(3) If the applicant was determined to be ineligible for vocational rehabilitation services, the certification shall clearly specify how he/she failed to meet the criteria of eligibility.

(4) If the applicant was determined to be eligible for vocational rehabilitation services, the notice shall clearly specify the date of certification of eligibility.

(5) Decisions of ineligibility will be reviewed at least annually. The individual will be given a full opportunity to participate in the review and reconsideration of eligibility.

NEW SECTION

WAC 67-25-060 CRITERIA FOR THE SEVERELY HANDICAPPED. A severely handicapped individual is a handicapped individual:

(1) Who has a severe physical or mental disability which seriously limits his/her functional capacities (mobility, communication, self-care, self-direction, work tolerance or work skills) in terms of employability; and

(2) Whose vocational rehabilitation can be expected to require multiple vocational rehabilitation services over an extended period of time; and

(3) Who has one or more physical or mental disabilities resulting from amputation, arthritis, blindness, cancer, cerebral palsy, cystic fibrosis, deafness, heart disease, hemiplegia, hemophilia, respiratory or pulmonary dysfunction, mental retardation, mental illness, multiple sclerosis, muscular dystrophy, musculo-skeletal disorder, neurological disorders (including stroke and epilepsy), paraplegia, quadriplegia, and other spinal cord conditions, sickle cell anemia and end-stage renal disease, or other disability or combination of disabilities determined on the basis of an evaluation of rehabilitation potential to cause comparable substantial functional limitation.

NEW SECTION

WAC 67-25-070 EXTENDED EVALUATION. Extended evaluation is the process by which diagnostic and other vocational rehabilitation services are provided to an applicant for the limited purpose of facilitating the determination of his/her rehabilitation potential and eligibility. Extended evaluation is provided only when a determination of eligibility has not and can not be made within the usual eligibility determination procedure.

NEW SECTION

WAC 67-25-075 EXTENDED EVALUATION--ELIGIBILITY CRITERIA. Furnishing of vocational rehabilitation services under an extended evaluation to determine rehabilitation potential shall be based only upon:

(1) The presence of a physical or mental disability which for the individual constitutes or results in a substantial handicap to employment (physical disability includes a primary disability of blindness or visual impairment); and

(2) An inability to make a determination that vocational rehabilitation services might benefit the individual in terms of employability unless there is an extended evaluation to determine rehabilitation potential.

NEW SECTION

WAC 67-25-077 CERTIFICATION FOR EXTENDED EVALUATION TO DETERMINE REHABILITATION POTENTIAL. Prior to, and as a basis for providing an extended evaluation to determine rehabilitation potential, there will be a certification that the individual has met the eligibility requirements. The certified statement will be dated and signed by the vocational rehabilitation counselor or rehabilitation teacher.

NEW SECTION

WAC 67-25-080 EXTENDED EVALUATION--PROGRAM. (1) After certification for extended evaluation to determine rehabilitation potential, an individualized written rehabilitation program shall be developed jointly by the vocational rehabilitation counselor or rehabilitation teacher and the handicapped individual or, as appropriate, parent, guardian or other representative.

(2) A copy of the written program and any amendments thereto shall be provided to the handicapped individual or, as appropriate, parent, guardian or other representative.

(3) The program shall include the basis on which a determination of eligibility has been made that an extended evaluation of rehabilitation potential is necessary.

(4) The program shall specify the nature of the vocational rehabilitation services necessary to determine the client rehabilitation potential and shall specify the arrangements which shall be made to provide for and/or otherwise secure such necessary services.

(5) The projected rate for the initiation of each vocational rehabilitation service, the anticipated duration of each such service, and the time within which the objectives and goals for each individual might be achieved.

(6) The terms and conditions for the provision of vocational rehabilitation services including:

(a) Responsibilities of the handicapped individual in implementing the individualized written rehabilitation program;

(b) The extent of client participation in the cost of services based on the financial need of the client; and

(c) The extent to which the individual is eligible for similar benefits under any other program.

(7) An assurance that the handicapped individual has been informed of his/her rights and the means by which he/she may express and seek remedy for his/her dissatisfactions, including the opportunity for an administrative review of the department's action and fair hearings; and the opportunity for judicial review.

NEW SECTION

WAC 67-25-085 EXTENDED EVALUATION--SERVICES PROVIDED. The following vocational rehabilitation services will be available to individuals:

(1) Evaluation, including diagnostic and related services;

(2) Counseling and guidance;

(3) Physical and mental restoration services;

(4) Training, including personal and vocational adjustment, books, tools, and other training materials;

(5) Maintenance;

(6) Transportation;

(7) Services to members of a handicapped individual's family when such services are necessary to the adjustment of rehabilitation of the handicapped individual;

(8) Reader services for the blind;

(9) Interpreter services for the deaf;

(10) Telecommunications, sensory and other technological aids and devices; and

(11) Other goods and services including rehabilitation teaching and orientation and mobility which are necessary to determine the client's rehabilitation potential.

NEW SECTION

WAC 67-25-090 EXTENDED EVALUATION--SERVICES NOT PROVIDED. The following goods and services cannot be provided until decisions have been reached as to a client's specific employment objectives and, therefore, shall not be provided under an extended evaluation plan:

- (1) Placement;
- (2) Occupational tools and equipment or initial stocks and supplies;
- (3) Business enterprises;
- (4) Occupational licenses.

NEW SECTION

WAC 67-25-095 EXTENDED EVALUATION--DURATION AND SCOPE OF SERVICES. (1) Vocational rehabilitation services necessary for the determination of rehabilitation potential, including those provided within a thorough diagnostic study, may be provided to a handicapped individual for a total period not in excess of eighteen months.

- (2) Other conditions:
 - (a) The extended evaluation period shall begin with the date of the certification for extended evaluation to determine rehabilitation potential. Only one period not in excess of eighteen months shall be permitted during the period that the case is open. If a case has been closed as a result of determination that the handicapped individual's needs have changed, such a case may be reopened and a subsequent evaluation of rehabilitation potential may be carried out, provided that the conditions in "basic conditions of extended evaluation to determine rehabilitation" are met.
 - (b) Vocational rehabilitation services authorized after the expiration of the extended evaluation period will be provided only if the certification of eligibility required has been executed by the vocational rehabilitation counselor or rehabilitation teacher.

NEW SECTION

WAC 67-25-100 EXTENDED EVALUATION--ASSESSMENT. A thorough assessment of the individual's progress will be made as frequently as necessary, but at least once in every ninety-day period during the period in which services are being provided under an extended evaluation of rehabilitation potential, including periodic reports from the institution, facility, or person providing the services, to determine the results of the provision of such services and to determine whether such individual may be determined to be eligible or ineligible.

NEW SECTION

WAC 67-25-105 EXTENDED EVALUATION--REVISION OF PROGRAM. A program of extended evaluation may be revised at any time and shall be revised as necessary if the needs of the client have changed or problems have arisen which have interrupted the provision of extended evaluation services.

NEW SECTION

WAC 67-25-110 EXTENDED EVALUATION--TERMINATION. (1) At any time prior to the expiration of an eighteen-month extended evaluation period, the extended evaluation for the determination of rehabilitation potential shall be terminated when:

(a) The individual is found eligible for vocational rehabilitation services since there is a reasonable assurance that he/she can be expected to benefit in terms of employability from vocational rehabilitation services; or

(b) The individual is found ineligible for any additional vocational rehabilitation services since it has been determined on the basis of clear evidence that he/she cannot be expected to benefit in terms of employability from vocational rehabilitation services.

(2) In such cases the procedures outlined in WAC 67-25-280 must be followed.

NEW SECTION

WAC 67-25-120 CERTIFICATION OF TERMINATION OF EXTENDED EVALUATION AND NOTICE. The certification of termination of extended evaluation and notice is applicable when the following is considered:

(1) Certification of eligibility for regular case services. Prior to, or simultaneously with acceptance of a handicapped individual for vocational rehabilitation services, there will be a certification that the individual has met the requirements specified. The certified statement will be dated and signed by the vocational rehabilitation counselor or rehabilitation teacher.

(2) Certification of ineligibility. When it has been determined beyond any reasonable doubt that an individual is ineligible for vocational rehabilitation services, there shall be a certification, dated and signed by the vocational rehabilitation counselor or rehabilitation teacher. Such certification of ineligibility will be made only after full participation with the individual or, as appropriate, his/her parent, guardian or other representative, or after affording a clear opportunity for such consultation.

NEW SECTION

WAC 67-25-180 ECONOMIC NEED. (1) The department shall provide the following services regardless of the economic need of the client receiving the services. However, when available, client insurance may be utilized to help defray the costs of services:

(a) Diagnostic and related services;

(b) Counseling;

(c) Training;

(d) Placement.

(2) The following vocational rehabilitation services shall be provided by the department only if the client receiving the services is eligible for such services on the basis of economic need:

(a) Transportation, except where provided in connection with diagnostic services;

(b) Placement tools, equipment, and initial stocks and supplies;

(c) Occupational licenses;

(d) Maintenance, except where provided in connection with diagnostic services;

(e) Other goods and services necessary for the client rehabilitation, including post-employment services necessary for the client's rehabilitation.

NEW SECTION

WAC 67-25-185 ECONOMIC NEED--FINANCIAL STATEMENT REQUIRED. An applicant accepted for vocational rehabilitation services or accepted for extended evaluation to determine rehabilitation potential shall be required to furnish the department with:

- (1) Such information in detail regarding his/her financial assets, income, debts, obligations, and expenses as may be necessary to enable the department to make a determination of his/her economic need;
- (2) A disclosure of insurance coverage which may apply to vocational rehabilitation services;
- (3) A signed statement indicating whether he/she is in need of financial assistance from the department to participate in those vocational rehabilitation services which are conditioned upon economic need.

NEW SECTION

WAC 67-25-190 ECONOMIC NEED--STANDARDS FOR DETERMINING. (1) A client shall be eligible on the basis of economic need to receive vocational rehabilitation services or extended evaluation services from the department when the total of his/her obligations, debts, and expenses is equal to or exceeds the total of his/her income and nonexempt assets or resources. When the value of his/her income and nonexempt assets is greater than the value of his/her obligations, debts, and expenses, the excess of the former over the latter shall be made available by the client for the payment of the cost of those services which are conditioned upon economic need.

(2) Determination of a client's economic need involves an evaluation of the income, assets, debts, obligations, and expenses of his/her entire family unit, including his/her dependents or, if the client is an unemancipated minor, his/her parents.

(3) The following shall be considered income for the purpose of determining the economic need of a client:

(a) Wages paid to the client and to any dependent family members living in the home. For purposes of this section wages shall be equal to gross wages less deductions for income taxes, social security, taxes, retirement deductions, and other involuntary deductions;

(b) Contributions from relatives or others, in cash or in kind, on a regular and predictable basis;

(c) Net profit from roomers or boarders;

(d) Net profit from property rentals;

(e) Net profit from farm products;

(f) Net profit from business enterprises;

(g) Scholarship or fellowship funds;

(h) Income from public or private welfare agencies;

(i) Any other income received on a regular and predictable basis, including but not limited to alimony, dividends from stocks, annuity payment, unemployment compensation, insurance, pensions, etc.

(4) The following types of property shall be considered exempt assets and may not be considered in determining the client's economic need:

(a) The home occupied by the client or his/her family, including any contiguous real property. A house trailer is an exempt asset when it is being regularly occupied by the client or his/her family as the principle place of residence or when it will be so occupied in the predictable future;

(b) Household furniture, clothing, life insurance, and other personal effects;

(c) An automobile when one or more of the following conditions is met:

(i) The client and his/her family have only one automobile, or

- (ii) All automobiles used by the family are for the purpose of transportation to work or school, or
 - (iii) The automobile has been furnished in whole or in part to the client or to one of his/her dependents by the veteran's administration, or
 - (iv) The automobile is essential to the client's vocational rehabilitation objective;
 - (d) Vocational equipment and machinery owned by the client is a exempt asset if it is being used to provide part or all of the living expenses of the client and his/her dependents or if it may be so used after completion of the vocational rehabilitation plan;
 - (e) Livestock is an exempt asset to the extent that it produces income or otherwise helps the client to meet normal living requirements.
- (5) All types of tangible and intangible property, including but not limited to real property, personal property, stocks, bonds, savings accounts, and checking accounts, which are not exempt under subsection (4) of this section shall constitute the client's nonexempt assets and shall be considered in determining the client's economic need. The value of a nonexempt asset shall be equal to its fair market value less any unpaid encumbrances of record. Any transfer of nonexempt property within six months of application for benefits under this chapter shall be presumed to have been made for the purpose of affecting eligibility of the client, and the value thereof shall nonetheless be included in determining such eligibility.
- (6) The following obligations, debts, and expenses shall be deducted from the client's income and nonexempt assets in determining the client's economic need:
- (a) The client's actual shelter and living expenses;
 - (b) Shelter and living expenses for the client's dependents;
 - (c) Payments which the client is required to make under court order;
 - (d) Outstanding taxes on earnings or personal or real property;
 - (e) Insurance premium payments;
 - (f) Contractual payments on real or personal property if such obligations were incurred prior to the client's application for vocational rehabilitation services.

NEW SECTION

WAC 67-25-200 ECONOMIC NEED--NOTIFICATION OF DECISION. When it is determined that the client shall be required to contribute financially to his/her rehabilitation, the department shall explain when, how, and for what services his/her funds will be used.

NEW SECTION

WAC 67-25-255 THOROUGH DIAGNOSTIC STUDY. (1) There will be a thorough diagnostic study which will determine the nature and scope of services needed by the individual, and which will consist of a comprehensive evaluation of pertinent medical, psychological, vocational, educational, and other related factors which bear on the individual's handicap to employment and rehabilitation needs.

(2) The thorough diagnostic study will be sufficient in each case to determine the vocational rehabilitation services which are needed to attain vocational goals of the handicapped individual, and that the findings of such study will be recorded in the individualized written rehabilitation program.

(3) The thorough evaluation shall include, to the extent necessary, an appraisal of the following factors:

- (a) Intelligence level;
- (b) Educational achievements;
- (c) Work experience;
- (d) Ability to function in the community;
- (e) Personal, vocational and social adjustment;
- (f) Employment opportunities;
- (g) Patterns of work behavior;
- (h) Ability to acquire occupational skills;
- (i) Capacity for successful job performance which may include trial job situations (simulated or real) to assess capabilities to perform adequately in a work environment.

(4) The thorough evaluation shall include specialty medical examinations as required below whenever the individual is known to have the following conditions:

- (a) Blindness or visual impairment - ophthalmological or optometric evaluation;
- (b) Hearing impairment or deafness - otological and audiological evaluation;
- (c) Mental retardation - psychological evaluation;
- (d) Mental illness - psychological evaluation.

NEW SECTION

WAC 67-25-260 VOCATIONAL REHABILITATION PROGRAM--INDIVIDUAL WRITTEN REHABILITATION PROGRAM. The individualized written rehabilitation program shall place primary emphasis on the determination and achievement of a vocational goal, and as appropriate, shall include, but shall not necessarily be limited to statements concerning the following:

- (1) The basis on which the determination of eligibility has been made;
- (2) The long-range employment goals established with the individual and the intermediate rehabilitation objectives related to the attainment of such goals;
- (3) The determination of the specific vocational rehabilitation services to be provided in order to achieve established employment goals and the terms and conditions for the provision of such services;
- (4) The projected rate for the initiation of each vocational rehabilitation service, the anticipated duration of each such service and the time within which the objectives and goals for each individual might be achieved;
- (5) The terms and conditions for the provision of vocational rehabilitation services including responsibilities of the handicapped individual in implementing the individualized written rehabilitation program:
 - (a) Extent of client participation in the cost of services based on the financial need of the client; and
 - (b) Extent to which the individual is eligible for similar benefits under any other programs.
- (6) An assurance that the handicapped individual has been informed of his/her rights and the means by which he/she may express and seek remedy for his/her dissatisfactions, including the opportunity for an administrative review of action or fair hearings; judicial review; and review of the director's decision by the secretary of the federal office of education;
- (7) The basis on which the individual has been determined to be rehabilitated; and
- (8) Any plans for the provision of post-employment services after a suitable employment objective has been achieved and the basis on which such plans are developed.

(9) A copy of the written program, and any amendments thereto shall be provided to the handicapped individual, or, as appropriate, his/her parents, guardian or other representative.

NEW SECTION

WAC 67-25-270 VOCATIONAL REHABILITATION PROGRAM--PARTICIPATION OF CLIENT. The individualized written rehabilitation program shall be developed jointly by the vocational rehabilitation counselor or rehabilitation teacher and the handicapped individual or, as appropriate, his/her parent, guardian or other representative, and a copy of the written program, and any amendments thereto, shall be provided to the handicapped individual or, as appropriate, his/her parent, guardian or other representative.

NEW SECTION

WAC 67-25-275 VOCATIONAL REHABILITATION PROGRAM--ANNUAL REVIEW. The individualized written program shall be reviewed as often as necessary but at least on an annual basis at which time each handicapped individual, or, as appropriate, his/her parent, guardian or other representative will be afforded an opportunity to review such program and, if necessary, jointly redevelop its terms.

NEW SECTION

WAC 67-25-280 VOCATIONAL REHABILITATION PROGRAM--TERMINATION. When the services are terminated under a written program on the basis of a determination that a vocational goal cannot be achieved and the client is then no longer eligible, the following conditions and procedures will be made and carried out:

(1) Such decision shall be made only with full participation of such individuals or as appropriate, his/her parent, guardian, or other representative.

(2) The views of the individual or his/her representative concerning the decision shall be recorded in the individualized written program.

(3) The rationale for such decision must be thoroughly documented and included as a part or amendment to the written rehabilitation program.

(4) The client will be informed that his/her case will be reviewed within twelve months, offering the individual clear opportunity for full consultation and reconsideration of such decision of ineligibility. Subsequent reviews may be made only upon his/her request.

(5) If through physical restoration an individual's vision is restored so as to allow that individual to perform ordinary activities, further services will be limited to those included at the time in the client's individual written rehabilitation program.

(6) Consultation or annual review would not be scheduled if:

(a) There is a recorded statement by the individual indicating that he/she does not want to have further consideration;

(b) Individual is uncooperative and shows lack of interest;

(c) Individual is no longer in the state;

(d) Individual's whereabouts are unknown;

(e) Individual's medical condition is rapidly progressive or terminal;

(f) There are other compelling reasons that would make an annual review impractical.

NEW SECTION

WAC 67-25-281 VOCATIONAL REHABILITATION PROGRAM--NOTIFICATION OF RIGHTS. Upon termination the individual will be informed of his/her rights and the means by which he/she may express and seek remedy for his/her dissatisfactions, including the opportunity for an administrative review of the department's action; fair hearings; and judicial review.

NEW SECTION

WAC 67-25-300 OBJECTIVE OF VOCATIONAL REHABILITATION. The objective of vocational rehabilitation services is to enable an individual to enter or retain employment consistent with his/her capacities and abilities in the competitive labor market, the practice of a profession, self-employment, homemaking, farm or family work (including work for which payment is in kind rather than in cash); sheltered employment; homebound employment; or other gainful work. Vocational rehabilitation services will be limited to those necessary to fit the client for his/her vocational objective not only for the moment, but have suitable continuing employment in varying economic conditions. However, if a handicapped individual wishes to change occupations or to progress beyond industry accepted norms for competent entry level employment, the department has no obligation to provide further assistance.

NEW SECTION

WAC 67-25-325 SERVICES AVAILABLE FROM OTHER AGENCIES. The department's funds shall not be expended to purchase services for which a client is eligible from another agency which has primary responsibility for providing the needed service. In all cases, full consideration will be given to any similar benefits available to a handicapped individual on any other program.

NEW SECTION

WAC 67-25-326 SERVICES TO CIVIL EMPLOYEES OF THE UNITED STATES. The department will make vocational rehabilitation services available to civil employees of the United States Government who are disabled in the line of duty under the same conditions applied to other handicapped individuals.

NEW SECTION

WAC 67-25-350 VOCATIONAL REHABILITATION SERVICES. Each client accepted for services may be provided such rehabilitation services found by the diagnostic study to be necessary for the realization of his/her rehabilitation objective including but not limited to:

- (1) Evaluation of rehabilitation potential;
- (2) Counseling and guidance;
- (3) Physical and mental restoration services;
- (4) Vocational and other training services, including personal and vocational adjustment, books, tools, and other training materials;
- (5) Maintenance;
- (6) Transportation;
- (7) Services to members of a handicapped individual's family when such services are necessary to the adjustment of rehabilitation of the handicapped individual;
- (8) Reader services, note taking, rehabilitation teaching services, and orientation and mobility services for the blind;
- (9) Interpreter services for the deaf and note-taking services for the blind;
- (10) Telecommunications, sensory, and other technological aids and devices;
- (11) Recruitment and training services to provide new employment opportunities and other appropriate public service employment;
- (12) Placement in suitable employment;
- (13) Post-employment services, necessary to assist handicapped individuals to maintain suitable employment;
- (14) Occupational licenses, tools, equipment, initial stocks (including livestock), and supplies; and
- (15) Other goods and services which can reasonable be expected to benefit a handicapped individual in terms of employability.

NEW SECTION

WAC 67-25-380 VOCATIONAL REHABILITATION SERVICES--COUNSELING AND GUIDANCE. Counseling and guidance is a necessary and key function of the vocational rehabilitation counselors and rehabilitation teachers in facilitating the development of the individual being served.

- (1) Counseling and guidance services will be provided by the department as necessary to:
 - (a) Assist the individual to understand his/her capacities, aptitudes and interests.
 - (b) Assist the individual to understand his/her limitations and the health problems, personal problems and social problems which may be encountered during the course of and after completion of the rehabilitation process.
 - (c) Assist the client to select a suitable and realistic vocational goal.
 - (d) Assist the individual to understand the services available to him/her from the department and other community resources and to understand how such resources can best be obtained and utilized in his/her rehabilitation process.
 - (e) Assist the individual to adjust to situations encountered during the rehabilitation process. This may include but not be limited to control of anxieties concerning physical restoration, development of appropriate study and work habits, improvements in physical appearance, management of finances, preparation for job interviews and tests, and the establishment and maintenance of effective interpersonal relationships.
 - (f) Family members, relatives and friends of the individual to aid and assist in the rehabilitation process.
 - (g) Prospective employers to determine whether the individual has chosen a feasible and appropriate vocational goal.

(2) Counseling and guidance is an ongoing process and will continue, as necessary, throughout all stages of the client's rehabilitation process regardless of the type of services needed, locations of service providers, and length of time needed to complete the rehabilitation.

(3) Counseling and guidance will continue even though the client may be a student in the department's rehabilitation center.

(4) Counseling and guidance will be provided without regard to economic need.

NEW SECTION

WAC 67-25-384 VOCATIONAL REHABILITATION SERVICES--PHYSICAL AND MENTAL RESTORATION SERVICES. (1) Physical and mental restoration services will be provided to or arranged for a client under an individualized written rehabilitation program when, in the judgment of the vocational rehabilitation counselor and/or rehabilitation teacher, in consultation with the medical consultant, it can be determined that:

(a) The clinical status of the client is stable or slowly progressive, as evidenced in the diagnostic study; and

(b) Such services may be expected to eliminate or substantially reduce the handicapping condition in terms of employability within a reasonable period of time; or

(c) When such services will maintain or improve functional capabilities consistent with a client's vocational rehabilitation.

(2) Diagnostic and treatment services for clients with any diseases of the eye will be provided by or under the direction of a qualified ophthalmologist to assure that there is no eye disease or other eye condition which needs consideration.

(3) Authorized physical and mental restoration services may be provided by physicians, dentists, and other health-related professionals who are licensed in the state.

(4) The client has the option, when receiving physical and mental restoration services, to choose the physician or other health-related professional and the appropriate facilities from among those licensed in the state. These service providers and the facilities must be willing to accept reimbursement in accordance with the Washington state department of social and health services schedule of maximum allowances and program descriptions.

(5) For clients in extended evaluation, restorative services may be provided to stabilize or halt progression of a chronic illness for purposes of determining eligibility.

NEW SECTION

WAC 67-25-385 VOCATIONAL REHABILITATION SERVICES--PHYSICAL AND MENTAL RESTORATION. (1) Physical and mental restoration shall include all medical and related services including the following:

(a) Medical treatment including but not limited to therapeutic programs under medical supervision, necessary laboratory work, and necessary medication;

(b) Surgical treatment; surgery for cardiac or gynecological conditions shall be provided only if approved by the medical consultant;

(c) Psychiatric treatment only when the diagnostic study clearly indicates a favorable prognosis for relatively short-term therapy. A program of psychiatric treatment which will extend beyond twelve months must have the prior approval of the medical consultant;

(d) Dental treatment only when it will significantly increase employability or remove an established vocational handicap, or in

emergency situations involving pain, acute infections, or injury. Examples of disabling dental conditions for which restorative services may be authorized include widespread ulceration of teeth, destruction of tooth structures, decay which seriously affects the individual's ability to eat, badly malformed or positioned teeth, or rejection of the individual from employment on the basis of his appearance. Restorative dental services will not be provided when the restoration will not directly affect employability;

(e) Nursing services;

(f) Hospital (either inpatient or outpatient care) and clinic services;

(g) Convalescent, nursing, or rest home care only when there is an expectation of a normal period of convalescence after which other appropriate services leading to the rehabilitation of the client may be initiated or resumed. Such care shall not be provided by the commission as a long-term process for conditions not expected to improve;

(h) Drugs and supplies;

(i) Prosthetic, orthoptic or other assistive devices essential to obtaining or retaining employment;

(j) Eyeglasses;

(k) Podiatry;

(l) Physical therapy; physical therapy shall consist of the employment of the physically beneficial properties of light, heat, cold, water, electricity, massage, manipulation, exercise, and mechanical devices as treatment of disease or injury;

(m) Occupational therapy; occupational therapy shall include all manual skills and recreational activities which provide specific active exercise for physical disabilities and shall include psychologic rehabilitation techniques;

(n) Medical or medically-related social work services;

(o) Medically directed speech or hearing therapy.

(2) Physical and mental restoration will be provided on an exception basis after exhausting all other resources.

(a) Clients needing physical restoration who appear to be eligible will be referred to the prevention of blindness program;

(b) Medical emergencies to prevent eminent loss of sight or prevent severe service interruption will be provided with the approval of the supervisor.

NEW SECTION

WAC 67-25-388 VOCATIONAL REHABILITATION SERVICES--VOCATIONAL AND OTHER TRAINING. (1) The department may provide, within budget constraints, any organized form of instruction which provides the knowledges and skills that are essential for performing the tasks involved in an occupation. Such knowledges and skills may be acquired through training in an institution, on the job, by correspondence, by tutors or through a combination of these methods. Training may be given for any occupation, except as provided in subsection (5) of this section.

(2) The department will operate and maintain an orientation and training center for prevocational training for those clients for whom such training in the training center is determined to be appropriate.

(3) Training or training services in institutions of higher education (universities, colleges, community/junior colleges, vocational schools, technical institutes, or hospital schools of nursing) shall not be paid for with rehabilitation funds unless maximum efforts have been made by the department on the client's behalf to secure grant assistance in whole or in part from other sources to pay for such training or training services. A client must demonstrate application for, and denial of, other grants and scholarships.

(4) The department may provide, assist in providing, or cause to be provided books, tools and other training materials agreed upon in joint planning of the individualized written rehabilitation program

between the counselor and the client. The amount of assistance provided on a quarterly or semester basis for students carrying a full academic load will be established by the director of the department, provided that exceptions can be made on a case-by-case basis. Students attending less than full time will have amount reduced proportionately.

(5) The Washington state constitution forbids the use of public funds to assist an individual in the pursuit of a career or degree in theology or related areas.

(6) Clients may attend private institutions or out-of-state institutions of higher learning in pursuit of a vocational goal; however, the financial assistance available to any such individual is limited by that amount charged at the University of Washington or the actual cost, whichever is less.

(7) The department may provide, assist in providing, or cause to be provided financial assistance to clients in pursuit of post-graduate degrees when such degree is clearly necessary to achieve employment in a given field. However, financial assistance will not be provided to clients pursuing graduate programs only to enhance their employability or to achieve upward mobility.

(8) Training will be provided to the extent that it meets the criteria established by the client and the department in the client's individualized written rehabilitation program and meets the standards of the occupation the client intends to enter.

NEW SECTION

WAC 67-25-390 VOCATIONAL REHABILITATION SERVICES--TRAINING--COLLEGE. (1) College training may be provided when

(a) The nature of the client's disability is such as to require college training to place him/her on a reasonably competitive basis in a suitable occupation.

(b) The client's previous school record or other indications of achievement demonstrate an ability to successfully carry on and benefit from college training.

(c) Evaluation of the client's motivation, study habits, personality and character traits, or other relevant factors, indicates that it would be appropriate to provide him/her with college training even though he/she has otherwise failed to meet minimal intellectual or academic achievement standards.

(2) A client provided with college training services shall be required to meet established scholastic standards. If his/her grades fall below the standards required in the field of his/her choice, it may be necessary to select a new objective for college training through joint planning between the client and the vocational rehabilitation counselor or to modify or cancel that portion of the rehabilitation plan which involves college training. If college training is cancelled, the vocational rehabilitation counselor shall then counsel with the client about a vocational objective which does not require college training.

(3) No training or training services in institutions of higher education (universities, colleges, community/junior colleges) shall be paid for with funds under this part unless maximum efforts have been made to secure grant assistance in whole or in part from other sources to pay for such training or training services.

NEW SECTION

WAC 67-25-392 VOCATIONAL REHABILITATION SERVICES PROVIDED--TRAINING--TRADE SCHOOLS. Training may be provided in business, trade and vocational schools. Business, trade and vocational training facilities shall include but not be limited to beauty schools, barber colleges, business schools where secretarial, accounting, and other office work skills are taught, schools for the training of license practical nurses, and trade schools teaching such skills as welding, draftsmanship, electrical engineering, radio repair, etc. Such facilities may be either publicly or privately owned and operated.

NEW SECTION

WAC 67-25-394 VOCATIONAL REHABILITATION SERVICES PROVIDED--TRAINING--EMPLOYMENT. (1) Employment training services may be provided to a client when necessary to attainment of the client's vocational goal. "Employment training services" shall mean a program of organized training by which a client is given the opportunity to learn an occupation under actual conditions of commercial, industrial, or other on-the-job employment.

(2) Employment training services shall be provided to an individual client only when the vocational rehabilitation counselor has established that the following conditions have been or will be met:

(a) The training program has been prepared and outlined in detail and in advance;

(b) The client's training will follow a definite schedule of specified operations, instructions, and practices which will insure well-rounded preparation for the client's selected occupation;

(c) A mutual understanding has been reached between the trainee--client, the trainer--employment training facility, and the vocational rehabilitation counselor as to the provisions of the client's employment training plan, including length of the training period, financial arrangements, and operations and skills to be learned;

(d) The employer will provide careful supervision of the client's work and will submit regular reports on the client's attendance and progress to the vocational rehabilitation counselor;

(e) The training program will meet any requirements for licensing in the trade or occupation which exists in the field or work in which the client is to be employed;

(f) It has been ascertained that the employment training program is acceptable to other employees of the training facility.

NEW SECTION

WAC 67-25-395 VOCATIONAL REHABILITATION SERVICES--TRAINING--COLLEGE AND TRADE SCHOOL. (1) No training or training services in institutions of higher education (universities, colleges, community/junior colleges) or trade or business schools shall be paid for with vocational rehabilitation funds unless the client has demonstrated application for, and denial of, other grants and scholarships.

(2) Tuition at institutions of higher education will be limited to the amount charged at the University of Washington or the actual cost, whichever is less.

(3) The amount of assistance for books and academic supplies provided on a quarterly or semester basis for students carrying a full academic load will be established by the director of the department,

provided that exceptions can be made on a case-by-case basis. Students attending less than full time will have the amount authorized for books and supplies reduced proportionately.

NEW SECTION

WAC 67-25-396 VOCATIONAL REHABILITATION SERVICES--TRAINING--SHELTERED WORKSHOP. (1) The department may provide work adjustment services (employability training) to clients in a sheltered workshop environment. Work adjustment is appropriate where the client's disability is such as to limit his/her ability to participate in and take advantage of employment training facilities in the competitive labor market, and shall follow a vocational evaluation which will at the least include a measurement of productivity, behavior in interpersonal situations, work characteristics, and manipulative skills.

(2) The purpose of work adjustment services in sheltered workshops shall be to:

(a) Assist clients in understanding the meaning, value, and demands of work;

(b) Modify or develop attitudes, personal characteristics, and work behaviors;

(c) To develop functional capacities as required in order to assist clients toward their optimum level of vocational adjustment.

(3) Vocational adjustment in a sheltered workshop shall meet the following criteria:

(a) There shall be an individualized written program establishing immediate and long-range goals and objectives developed and monitored by a qualified staff person.

(b) The program will be in direct response to those problems defined in the evaluation process.

(c) Methods used to correct client problems and to develop acceptable work behaviors will be defined in writing and monitored and reported on at least monthly.

(d) All programs will be developed with the full knowledge and agreement of the vocational rehabilitation counselor or rehabilitation teacher and the client.

(e) Work adjustment services will always aim toward the eventual placement of the client into competitive employment.

(f) After September 30, 1984, work adjustment services will be undertaken only in state certificated rehabilitation facilities.

NEW SECTION

WAC 67-25-400 VOCATIONAL REHABILITATION SERVICES--MAINTENANCE. (1) Maintenance services include the client's basic living expenses, such as food, housing, clothing and health care needs, and other subsistence expenses which are essential to enable him/her to receive full benefit from other vocational rehabilitation services.

(2) Maintenance services may be provided to the extent necessary to enable a client to derive the full benefit of other vocational rehabilitation services.

(3) Maintenance may be provided at any time during the rehabilitation process, or following placement, until such time as the client has actually received remuneration for his employment, for a period not to exceed sixty days.

(4) Maintenance services provided in connection with diagnostic services shall be provided without regard to the economic need of the client. The provision of maintenance services in connection with any

other type of service shall be conditioned on the economic need of the client.

NEW SECTION

WAC 67-25-404 VOCATIONAL REHABILITATION SERVICES--TRANSPORTATION. (1) The department will provide or cause to be provided, within budget constraints, necessary travel and related expenses required to transport clients, thereby enabling them to receive services necessary for the achievement of vocational rehabilitation objectives.

(2) Transportation may include:

(a) Fares or travel costs associated with using public or private conveyances.

(b) Food and/or lodging while in travel status.

(c) Attendants or escorts for clients and the attendants' or escorts' travel costs.

(d) Reimbursement for relocation and moving expenses when a satisfactory adjustment to a job has been made and job security has been established.

(3) Transportation, except as provided during diagnostic services, will be provided based on economic need.

NEW SECTION

WAC 67-25-408 VOCATIONAL REHABILITATION SERVICES--SERVICES TO FAMILY MEMBERS. (1) Services to family members may be provided to assist a client in successful completion of his/her extended evaluation program or vocational rehabilitation program and subsequent vocational adjustment.

(2) The services provided to family members may include any of the vocational rehabilitation services available to clients of the department. However, the services must be directly related to the vocational rehabilitation of the client. Family members of any age may be served. Services provided to family members must be documented and justified in ways consistent with department vocational rehabilitation case documentation procedures and vocational rehabilitation policies.

(3) Other resources and similar benefits available to the family member(s) who may be served under this section must be considered under the same rules and conditions as those of the client.

(4) When the service provided to a family member(s) no longer substantially contributes to a client's vocational rehabilitation program or extended evaluation program, it will be terminated.

NEW SECTION

WAC 67-25-412 VOCATIONAL REHABILITATION SERVICES--INTERPRETER SERVICES FOR DEAF PERSONS. The department will provide interpreter services for deaf persons needing this service in all stages of involvement with the department while a client or applicant, or during appeal of a contested decision by an employee of the department which directly affects the client or applicant.

NEW SECTION

WAC 67-25-416 VOCATIONAL REHABILITATION SERVICES--READER SERVICES. (1) The department will provide or cause to be provided reader services to those clients under an individualized written rehabilitation program who are engaging in vocational training in institutions of higher learning, business schools, technical or trade schools, and other types of training where significant amounts of reading are essential to the completion of the course and/or the advancement of the client's vocational objective. Reader services may also be provided for clients entering employment where substantial amounts of reading are necessary, but only as it relates to the initial stages of their employment.

(2) Reader services consist of oral reading to the blind individual of ink-print material which is not available through any of the usual, special, nonvisual methods of reading used by blind persons.

(3) Reader services may be provided, despite the availability of alternatives to ink-print, when the client's skills in using nonvisual methods are not sufficient to fulfill the blind client's immediate rehabilitation needs, progress, or initial adjustment in employment.

(4) The employment and rates of payment will be governed by the department's procedures for purchase of reader services. Ordinarily, readers will be paid no more than the national minimum wage; however, exceptions may be made under the department's procedures governing reader services.

(5) The department's vocational rehabilitation program will encourage clients to make the most efficient use of readers; both as a sound economic practice and for the purpose of having clients learn to make effective use of readers in future employment and/or training settings.

NEW SECTION

WAC 67-25-420 VOCATIONAL REHABILITATION SERVICES--REHABILITATION TEACHING SERVICES. (1) The department will provide or cause to be provided rehabilitation teaching services to clients by rehabilitation teachers in the employ of the department. Such services may be purchased by the department from vendors who meet standards for these services when they are not otherwise available to a client.

(2) Rehabilitation teaching services include specific and identifiable teaching methods that are used to assist blind individuals in acquiring skills in manual dexterity, communication, home orientation, home management and general self-management.

(3) Rehabilitation teaching services may be provided during all phases of the vocational rehabilitation process wherever there is a documented need for them for diagnostic purposes and under a client's individualized written rehabilitation program.

NEW SECTION

WAC 67-25-428 VOCATIONAL REHABILITATION SERVICES--ORIENTATION AND MOBILITY SERVICES. (1) The department will provide orientation and mobility services that are consistent with the client's individualized written rehabilitation program, so that any mobility problems encountered during training, seeking employment and/or post-employment are resolved.

(2) Orientation and mobility services shall include systematic and individualized assessment, instruction, and the dissemination of

resources information which can enable blind persons to travel independently with optimum efficiency, safety, grace, and self-confidence.

(3) The department may provide or cause to be provided orientation and mobility services to individual clients through:

(a) Orientation and mobility specialists in the employ of the department;

(b) Independent orientation and mobility specialists whose qualifications are consistent with department standards;

(c) Orientation and mobility specialists in the employ of agencies for the blind whose qualifications are consistent with department standards;

(d) The department's field services offices by rehabilitation teachers in the client's home environment.

NEW SECTION

WAC 67-25-432 VOCATIONAL REHABILITATION SERVICES--TELECOMMUNICATIONS. (1) The provision of telecommunications, sensory or other technological aids and devices, individualized prescriptions and fittings must be performed by individuals licensed to fill such prescriptions and licensed to perform such fittings in accordance with state licensure laws, or be appropriately certified professionals. Aids and devices not requiring individual fittings must meet engineering and safety standards recognized by experts in the field.

(2) Telecommunications may be utilized when service delivery methods can be improved by the use of these devices. Cost benefit will be considered in the development of telecommunication services.

NEW SECTION

WAC 67-25-440 VOCATIONAL REHABILITATION SERVICES--PLACEMENT. (1) The department may provide or cause to be provided placement services to clients under an individualized written rehabilitation program. The department and clients will be mutually responsible in the endeavor to find and secure suitable employment. While the department will meet its responsibilities stated in this section, clients will be held responsible under their individualized written rehabilitation programs for actively and independently applying themselves in job-seeking efforts and self-placement.

(2) Placement services prepare a client for work and assist him/her in obtaining appropriate employment and may include the following range of activities:

(a) Organized and identifiable attempts to establish or improve the linkage of a client and a work situation.

(b) Sustained collaboration with the client in a variety of work-oriented activities culminating in the client's engagement in a job, including self-employment.

(c) Communicating and negotiating with a variety of employment resources in the community and other community resources regarding the employment of blind persons. This may or may not be on behalf of specific clients.

(d) Assisting the client in stabilizing himself/herself in a work setting to the point that the placement goal has been satisfactorily achieved.

(3) Placement services may be provided as follows:

(a) Vocational rehabilitation counselors will deliver placement services to clients as a primary function and the principal focus of their professional responsibilities and activities.

(b) A job training and placement counselor whose principle function will be to communicate and negotiate with a variety of community resources, especially employers, regarding the employment of blind persons will provide placement services. This function may or may not be on behalf of specific clients.

(c) Existing, noncost placement resources in the community such as the state department of employment security, projects with industry, and other entities shall be utilized whenever possible.

(d) In certain situations, placement services may be purchased when it is in the client's vocational interests, when the department's services are not otherwise available, or are offered by a vendor as part of a "package" involving placement as a service. The specific conditions under which placement services may be purchased are addressed in the department's procedures governing such purchase.

(4) Placement services will be terminated when the client has been provided vocational rehabilitation services in accordance with an individualized written rehabilitation program, and been determined to have maintained a suitable employment goal for at least sixty days.

(5) Suitable placement refers to a determination that the provision of vocational rehabilitation services has enabled a client to enter or retain employment consistent with client's capacities and abilities.

(6) Clients placed by the department in extended employment in rehabilitation facilities will have their statuses reviewed and re-evaluated by the department at least annually. The department will make maximum efforts to place these individuals in competitive employment or training for competitive employment whenever feasible.

(7) Placement services will be provided without consideration of similar benefits except when the purchase of placement services is contemplated.

NEW SECTION

WAC 67-25-444 VOCATIONAL REHABILITATION SERVICES--POST-EMPLOYMENT SERVICES. (1) The department may provide such follow-up services to clients after placement as are necessary to insure that the placement is suitable and that the vocational rehabilitation of the individual has been achieved.

(2) The department may provide post-employment services to a client whose case has previously been terminated as "rehabilitated" when such services are necessary to overcome emergent or latent problems related to the original disability or handicap for which he/she was receiving services prior to termination.

(3) All follow-up and post-employment services provided will have the same requirements to meet the economic needs test as those services that require the needs test for a regular program of services.

NEW SECTION

WAC 67-25-446 VOCATIONAL REHABILITATION--SERVICES TO GROUPS. (1) Services to groups of handicapped persons may be provided when such services will result in a benefit to the individual members' vocational rehabilitation.

(2) Members of such groups must be eligible for vocational rehabilitation services.

(3) Special services to groups may include but are not limited to the production of brailled and recorded materials.

(4) These services may include removal of architectural barriers.

NEW SECTION

WAC 67-25-448 VOCATIONAL REHABILITATION SERVICES--OCCUPATIONAL LICENSES, TOOLS, EQUIPMENT, INITIAL STOCKS AND SUPPLIES. (1) The department may provide or cause to be provided, within budget constraints, initial stocks and supplies as required in the client's individualized written rehabilitation program.

(a) Occupational licenses will include any license, permit or other written authority required by a state, city, or other government unit to be obtained in order to enter an occupation or enter a small business.

(b) Occupational tools will include those customarily required for a worker to perform efficiently on the job and normally provided by workers in the same or similar trade or profession, and may also include specialized tools adapted to use for blind persons or any accompanying disabling condition the client may have. Any tools provided must be directly applicable and significantly useful in the employment or training of the client.

(c) Occupational equipment will include occupational fixtures normally found in places of business. These may consist of apparatuses, machinery, and appliances that are usually of a stationary nature during the time of utilization in a particular business trade or profession. However, self-powered vehicles may be provided under this section.

(d) Initial stocks will include the initial inventory of merchandise or goods necessary for a client entering self-employment. It may also include the initial purchase of livestock as a base stock and stocks of seed, fertilizer, fuel, etc., for farming or agricultural self-employment.

(e) Initial supplies will include expendable items necessary to enable the client to carry out the day-to-day operations and which are consumed on the premises in the course of the client's self-employment business.

(2) Occupational tools and equipment will be provided only when provision of such items becomes central to the effective training of a client for a specific occupation or trade and/or effective placement in and employment, self-employment, or post-employment setting where the items will be used.

(3) Initial stocks and supplies will be provided only when a client enters a self-employment business.

(4) The specific kinds of items and the particular methods by which they may be provided under this section are addressed in detail in the department's procedures governing their provision.

(5) The matters of accountability, legal title, insurance, maintenance and similar considerations with regard to occupational tools, equipment, initial stocks and supplies are addressed in detail in the department's procedures governing their provision.

(6) In the provision of items under this section, thorough consideration will be given to similar benefits and resources available to the client.

(7) Occupational licenses, tools, equipment, initial stocks, and supplies will be provided based on the clients' economic need.

NEW SECTION

WAC 67-25-452 VOCATIONAL REHABILITATION SERVICES PROVIDED--OTHER GOODS AND SERVICES. (1) Such other goods and services may be provided to the client as are essential to a determination of his/her rehabilitation potential, to his/her rehabilitation plan, or to render him/her fit to engage in a gainful occupation.

(2) The provision of other goods and services shall be conditioned upon the economic need of the client except when provided in connection with diagnostic services.

NEW SECTION

WAC 67-25-500 PURCHASE OF SERVICES. The department may purchase training from schools or sheltered workshops, or from business establishments which offer on-the-job training services.

NEW SECTION

WAC 67-25-505 PURCHASE OF SERVICES--SELECTION CRITERIA--SCHOOLS.
 (1) In determining whether a particular school is appropriate and acceptable as a training facility, the vocational rehabilitation counselor shall evaluate the curriculum, quality of training, and adequacy of total resources in relation to the client's needs. The vocational rehabilitation counselor may also consider such factors as the placement services, if any, offered by the facility, the convenience of the physical arrangements of the plant and their adaptability to the needs of the client, and the willingness of school authorities to adopt and make available such equipment as is necessary to aid the client in the most efficient pursuit of his training.

(2) The use of schools for training purposes shall generally be limited to those which are accredited, licensed, or approved either by a legal authority, or are recognized as adequate by the professional or trade group with which they are associated. The department shall attempt to utilize for training purposes those schools and other training facilities which provide the client with the credits, credentials, diplomas, or other certifications required by the profession or trade which is the goal of the client's rehabilitation program.

(3) Tax supported schools shall be used in preference to nontax supported schools whenever possible and appropriate in light of the vocational objective of the client in question.

(4) Prior to the use of a school as a training facility the vocational rehabilitation counselor shall advise the client involved about the status of the school in which the training program will be carried out. The client shall be made particularly aware of any limitation of job opportunities which might result from the use of a school or facility of limited or no accreditation.

NEW SECTION

WAC 67-25-510 PURCHASE OF SERVICES--SELECTION CRITERIA--EMPLOYMENT TRAINING FACILITIES. A business or industrial establishment which is to be utilized by the department for the provision of employment training services shall meet the following criteria:

(1) The facility has personnel qualified for instructional purposes by knowledge, skills, and personality;

(2) The facility has sufficiently diversified operations and adequate and suitable materials and equipment to insure a trainee thorough preparations and training within the scope and limits of his occupational objective;

(3) The training of clients is only incidental to the business activity of the facility, and in no case shall the major activity of the facility be the training of clients.

NEW SECTION

WAC 67-25-525 TERMINATION OF SERVICES FOR REASON OF INELIGIBILITY. (1) Services under a written program are to be terminated on the basis that a vocational goal cannot be achieved and the client is then no longer eligible.

(2) Whenever it has been determined based on clear evidence that an individual is ineligible for vocational rehabilitation service there shall be a certification, dated and signed by an appropriate staff member and placed in the individual's file.

NEW SECTION

WAC 67-25-530 TERMINATION OF SERVICES FOR REASONS OTHER THAN INELIGIBILITY. Vocational rehabilitation services shall be terminated when a client:

- (1) Has died;
- (2) Cannot be located by the department after reasonable efforts to do so;
- (3) Has been institutionalized under circumstances which preclude the provision of services for a substantial or indefinite period of time;
- (4) Has moved to another jurisdiction and the department has been unable either to continue provision of services or to refer the individual to an appropriate agency within the other jurisdiction;
- (5) Removes himself/herself for consideration by declining to accept or utilize vocational rehabilitation services after all reasonable efforts have been expended to encourage participation.

NEW SECTION

WAC 67-25-540 COMPLETION OF VOCATIONAL REHABILITATION PROGRAM. Services shall be terminated on the basis of the completion of the client's vocational rehabilitation if:

(1) The program of rehabilitation services as set forth in the client's rehabilitation plan has, insofar as possible, been completed. Services may be terminated in spite of the failure to comply with this requirement only if the vocational rehabilitation counselor and the client have mutually decided that it is necessary and/or appropriate for the client to accept employment before completing the total plan of services set forth in his rehabilitation program; and

(2) Substantial rehabilitation services have been rendered to the client by the department. No client shall be terminated as rehabilitated unless the department has provided him/her with the following substantial services:

(a) Adequate and necessary guidance in developing an understanding of his/her capacities and limitations, his/her vocational potentialities, and the health, personal, and social problems related to his/her vocational adjustment;

(b) Assistance in understanding the services available from the department and other community resources and in obtaining and utilizing these services to achieve the best possible vocational adjustment;

(c) Counseling and assistance in adjusting to situations encountered during the rehabilitation process, such as control of anxieties concerning physical restoration, development of appropriate study and work habits, improving personal appearance, managing finances, and devising effective interpersonal relationships;

(d) Completion of alternative skills training.

(3) The client must have been, as a minimum, determined to have achieved a suitable employment objective which has been maintained for a period of time not less than sixty days. An occupation shall be considered suitable when, after a reasonable period of time has passed since placement, it has been confirmed that the following conditions have, insofar as possible, been met:

- (a) The client and employer are mutually satisfied;
- (b) The client is maintaining adequate interpersonal relationships and acceptable behavior in the employment environment;
- (c) The occupation is consistent with the client's capacities, skills, and abilities;
- (d) The employment and working conditions will not aggravate the client's disability, and his disability in the employment situation will not jeopardize the health or safety of himself/herself or others;
- (e) The wage and working conditions conform to state and federal legal requirements;
- (f) The employment is regular, reasonably permanent, and the client receives a wage commensurate with that paid other workers for similar work.

NEW SECTION

WAC 67-25-545 NOTIFICATION OF TERMINATION. The department shall provide written notification to every individual who has applied for services whenever any determination is made to terminate services to them. Such written notice shall specify in detail the reasons for the department's decision to terminate services and shall clearly inform the client of his/her right to an administrative review, a fair hearing on the decision, and judicial review.

NEW SECTION

WAC 67-25-550 CONFIDENTIAL INFORMATION--DISCLOSURE. (1) The term "confidential information" shall mean all information and records as to personal facts regarding any past or present clients of the department, given or made available to the department, its representatives, or its agents in the course of the administration of the vocational rehabilitation program, including, but not limited to, lists of clients' names and addresses, information with respect to clients' financial resources, records of the department's evaluations of factual information regarding a client, and all other information about a client, whether recorded or not recorded.

(2) The department shall disclose confidential information, whether directly or indirectly, only under the following circumstances:

- (a) Where necessary to and directly connected with the administration of the vocational rehabilitation program; or
- (b) Where required by order of a court of competent jurisdiction; or
- (c) Where the client has given his/her informed consent in writing to such disclosure; or
- (d) Where necessary for purposes of audit to determine compliance with standards and regulations.

(3) The department shall refuse to disclose confidential information even when disclosure has been expressly or impliedly requested by the client if the information in question has been provided to the department on the basis that it will not be disclosed to the client. Information so withheld shall be briefly identified and listed, and

said list shall be provided to the client or his/her authorized representative. Such confidential information shall be provided to the client only under the following circumstances:

(a) Where the person or agency which provided the information has given the department express written authorization to release the information to the client; or

(b) Where, during the course of a fair hearing, the hearing officer has made a determination that the information in question is relevant and material to the issue under appeal and has ordered that said information be made available to the client.

(4) Confidential information may be disclosed or released to an employer in connection with the placement of a client. The department shall release to an employer only such confidential information regarding a client as is essential to his/her successful placement.

(5) Confidential information may be disclosed or released to welfare agencies or programs from which the client has requested services if:

(a) The client has requested services under circumstances from which his/her consent may be presumed;

(b) The welfare agencies or programs involved have adopted regulations which will assure that the confidential information disclosed will continue to be held confidential; and

(c) The welfare agency or program involved can assure that the confidential information disclosed shall be used only in connection with application for and receipt of services from such agency or program.

(6) Confidential information may be disclosed or released to organizations or individuals engaged in research if:

(a) The research is directly connected with the administration of the vocational rehabilitation program;

(b) The organization or individual has furnished satisfactory assurance that the confidential information will be used only in connection with the research purposes for which it is provided;

(c) The organization or individual furnishes satisfactory assurance that the final product of the research shall not reveal any information that might serve to identify any person about whom information has been obtained from the department without the written consent of the person involved and of the department.

(7) Upon written request, information shall be released to the client, or, as appropriate, his parent, guardian, or other representative in connection with any proceeding or action for benefits or damages, including any proceeding or action against any public agency: Provided,

(a) That only such information as is relevant to the needs of the client shall be released; and

(b) In the case of medical or psychological information, the knowledge of which may be harmful to the client, such information will be released to the parent, guardian, or other representative of the client by the department, or to the client by a physician or by a licensed or certified psychologist.

NEW SECTION

WAC 67-25-560 ADMINISTRATIVE REVIEW. (1) Any client who feels aggrieved by, or is otherwise dissatisfied with, any decision or action by the department or its agents with regard to his/her vocational rehabilitation case may file a request with the department for, and shall thereupon receive, an administrative review and redetermination of that decision or action.

(2) A request for an administrative review may be made either verbally or in writing and may be filed in any office of the department. A verbal request shall promptly be reduced to writing.

(3) All requests for administrative review shall:

- (a) Specify the date of the decision or action being appealed;
 - (b) Specify as precisely as possible the issue to be resolved by the administrative review;
 - (c) Set forth the address of the client or of his/her representative; and
 - (d) Be signed by the client or by his/her representative.
- (4) A request for an administrative review must be made within sixty days after receiving notice from the department of the decision or action by the department which is the basis for the request for review.
- (5) An administrative review and redetermination shall be provided by the director's designee, and shall be provided within thirty days after the submission of the request for review.
- (6) Within fifteen days after the conclusion of the administrative review the designee shall certify his/her findings to the client in writing specifying in reasonable detail the reasons for his/her findings and informing the client of his/her right to request and receive a fair hearing if dissatisfied with those findings.

NEW SECTION

WAC 67-25-570 FAIR HEARING. (1) Any client dissatisfied with the finding of an administrative review may request from the department, and shall thereupon be granted, a fair hearing. A client who desires a fair hearing shall request such hearing within thirty days after receiving notice from the department of the finding of the administrative review.

(2) A request for fair hearing shall be sent to the Department of Services for the Blind at 921 Lakeridge Drive, Olympia, WA 98504, who will forward it to the office of administrative hearings.

(3) The administrative law judge will make a proposed decision to the director of the department of services for the blind who will make a final determination.

(4) The client will be notified in writing by the director within fifteen days of receipt of the administrative law judge's proposed decision.

(5) A client not satisfied with the decision of the director may request a review of the director's decision by the secretary of the federal education department on the individual written rehabilitation program.

NEW SECTION

WAC 67-25-590 CLIENT RECORDS. The department will maintain for each applicant for vocational rehabilitation services a case record which will include to the extent pertinent, the following information:

(1) Documentation as to the preliminary diagnostic study, supporting the determination of eligibility, or the determination that an extended evaluation of rehabilitation potential is necessary to make such determination;

(2) In the case of individuals who have applied for vocational rehabilitation services and have been determined to be ineligible, documentation as to the preliminary diagnostic study specifying the reasons for such determination;

(3) Data supporting any determination that the handicapped individual is a severely handicapped individual;

(4) Documentation as to periodic assessment of the individual during an extended evaluation of rehabilitation potential;

- (5) An individualized written rehabilitation program as developed and any amendments to such program;
- (6) In the event the physical and mental restoration services are provided documentation supporting the determination that the clinical status of the handicapped individual is stable or slowly progressive;
- (7) Documentation supporting any decision to provide services to family members;
- (8) Data relating to the participation by the handicapped individual in the cost of vocational rehabilitation services;
- (9) Data relating to the eligibility of the individual for similar benefits under any other program;
- (10) Documentation that the individual has been advised of the confidentiality of all information pertaining to his case and documentation and other material pertinent to the release of any information concerning the handicapped individual on the basis of the written consent of the handicapped individual;
- (11) Documentation as to the reason and justification for closing the case, including the employment status of the client, and if the individual is determined to be rehabilitated, the basis on which the employment was determined to be suitable;
- (12) Documentation of any plans for the provision of post-employment objective has been achieved, the basis on which such plans were developed, and a description of the services provided and the outcomes achieved;
- (13) Documentation as to any action and decision involving the handicapped individual's request for an administrative review of agency action; fair hearings; and judicial review; and
- (14) In the case of an individual who has been provided vocational rehabilitation services under an individualized written program but who has been determined after the initiation of such services to be no longer capable of achieving a vocational goal, documentation of any reviews of such determination.

REPEALER

The following chapter of the Washington Administrative Code is repealed:

- (1) WAC 67-20-005 DEFINITIONS.
- (2) WAC 67-20-010 APPLICATION FOR SERVICES.
- (3) WAC 67-20-015 INITIAL INTERVIEW.
- (4) WAC 67-20-020 PRELIMINARY DIAGNOSTIC STUDY.
- (5) WAC 67-20-025 ELIGIBILITY FOR SERVICES.
- (6) WAC 67-20-030 ELIGIBILITY FOR SERVICES--CRITERIA.
- (7) WAC 67-20-050 CERTIFICATION FOR DECISION OF ELIGIBILITY OR INELIGIBILITY.
- (8) WAC 67-20-055 NOTICE TO APPLICANT.
- (9) WAC 67-20-060 CRITERIA FOR THE SEVERELY HANDICAPPED.
- (10) WAC 67-20-070 EXTENDED EVALUATION.
- (11) WAC 67-20-075 EXTENDED EVALUATION--ELIGIBILITY CRITERIA.
- (12) WAC 67-20-077 CERTIFICATION FOR EXTENDED EVALUATION TO DETERMINE REHABILITATION POTENTIAL.
- (13) WAC 67-20-080 EXTENDED EVALUATION--PROGRAM.
- (14) WAC 67-20-085 EXTENDED EVALUATION--SERVICES PROVIDED.
- (15) WAC 67-20-090 EXTENDED EVALUATION--SERVICES NOT PROVIDED.
- (16) WAC 67-20-095 EXTENDED EVALUATION--DURATION AND SCOPE OF SERVICES.
- (17) WAC 67-20-100 EXTENDED EVALUATION--ASSESSMENT.
- (18) WAC 67-20-105 EXTENDED EVALUATION--REVISION OF PROGRAM.
- (19) WAC 67-20-110 EXTENDED EVALUATION--TERMINATION.
- (20) WAC 67-20-120 CERTIFICATION OF TERMINATION OF EXTENDED EVALUATION AND NOTICE.
- (21) WAC 67-20-180 ECONOMIC NEED.
- (22) WAC 67-20-185 ECONOMIC NEED--FINANCIAL STATEMENT REQUIRED.
- (23) WAC 67-20-190 ECONOMIC NEED--STANDARDS FOR DETERMINING.
- (24) WAC 67-20-200 ECONOMIC NEED--NOTIFICATION OF DECISION.
- (25) WAC 67-20-255 THOROUGH DIAGNOSTIC STUDY.
- (26) WAC 67-20-260 VOCATIONAL REHABILITATION PROGRAM--INDIVIDUAL WRITTEN REHABILITATION PROGRAM.
- (27) WAC 67-20-270 VOCATIONAL REHABILITATION PROGRAM--PARTICIPATION OF CLIENT.
- (28) WAC 67-20-275 VOCATIONAL REHABILITATION PROGRAM--ANNUAL REVIEW.
- (29) WAC 67-20-280 VOCATIONAL REHABILITATION PROGRAM--TERMINATION.
- (30) WAC 67-20-281 VOCATIONAL REHABILITATION PROGRAM--NOTIFICATION OF RIGHTS.
- (31) WAC 67-20-300 OBJECTIVE OF VOCATIONAL REHABILITATION.
- (32) WAC 67-20-325 SERVICES AVAILABLE FROM OTHER AGENCIES.
- (33) WAC 67-20-326 SERVICES TO CIVIL EMPLOYEES OF THE UNITED STATES.
- (34) WAC 67-20-350 VOCATIONAL REHABILITATION SERVICES.
- (35) WAC 67-20-380 VOCATIONAL REHABILITATION SERVICES--COUNSELING AND GUIDANCE.
- (36) WAC 67-20-384 VOCATIONAL REHABILITATION SERVICES--PHYSICAL AND MENTAL RESTORATION SERVICES.
- (37) WAC 67-20-385 VOCATIONAL REHABILITATION SERVICES--PHYSICAL AND MENTAL RESTORATION.
- (38) WAC 67-20-388 VOCATIONAL REHABILITATION SERVICES--VOCATIONAL AND OTHER TRAINING.
- (39) WAC 67-20-390 VOCATIONAL REHABILITATION SERVICES--TRAINING--COLLEGE.
- (40) WAC 67-20-392 VOCATIONAL REHABILITATION SERVICES PROVIDED--TRAINING--TRADE SCHOOLS.
- (41) WAC 67-20-394 VOCATIONAL REHABILITATION SERVICES PROVIDED--TRAINING--EMPLOYMENT.
- (42) WAC 67-20-395 VOCATIONAL REHABILITATION SERVICES--TRAINING--COLLEGE AND TRADE SCHOOL.
- (43) WAC 67-20-396 VOCATIONAL REHABILITATION SERVICES--TRAINING--SHELTERED WORKSHOP.

(44) WAC 67-20-400 VOCATIONAL REHABILITATION SERVICES--
 MAINTENANCE.

(45) WAC 67-20-404 VOCATIONAL REHABILITATION SERVICES--
 TRANSPORTATION.

(46) WAC 67-20-408 VOCATIONAL REHABILITATION SERVICES--SERVICES
 TO FAMILY MEMBERS.

(47) WAC 67-20-412 VOCATIONAL REHABILITATION SERVICES--
 INTERPRETER SERVICES FOR DEAF PERSONS.

(48) WAC 67-20-416 VOCATIONAL REHABILITATION SERVICES--READER
 SERVICES.

(49) WAC 67-20-420 VOCATIONAL REHABILITATION SERVICES--
 REHABILITATION TEACHING SERVICES.

(50) WAC 67-20-428 VOCATIONAL REHABILITATION SERVICES--
 ORIENTATION AND MOBILITY SERVICES.

(51) WAC 67-20-432 VOCATIONAL REHABILITATION SERVICES--
 TELECOMMUNICATIONS.

(52) WAC 67-20-440 VOCATIONAL REHABILITATION SERVICES--
 PLACEMENT.

(53) WAC 67-20-444 VOCATIONAL REHABILITATION SERVICES--POST-
 EMPLOYMENT SERVICES.

(54) WAC 67-20-446 VOCATIONAL REHABILITATION--SERVICES TO
 GROUPS.

(55) WAC 67-20-448 VOCATIONAL REHABILITATION SERVICES--
 OCCUPATIONAL LICENSES, TOOLS, EQUIPMENT, INITIAL STOCKS AND SUPPLIES.

(56) WAC 67-20-452 VOCATIONAL REHABILITATION SERVICES PROVIDED--
 OTHER GOODS AND SERVICES.

(57) WAC 67-20-500 PURCHASE OF SERVICES.

(58) WAC 67-20-505 PURCHASE OF SERVICES--SELECTION CRITERIA--
 SCHOOLS.

(59) WAC 67-20-510 PURCHASE OF SERVICES--SELECTION CRITERIA--
 EMPLOYMENT TRAINING FACILITIES.

(60) WAC 67-20-525 TERMINATION OF SERVICES FOR REASON OF
 INELIGIBILITY.

(61) WAC 67-20-530 TERMINATION OF SERVICES FOR REASONS OTHER
 THAN INELIGIBILITY.

(62) WAC 67-20-540 COMPLETION OF VOCATIONAL REHABILITATION
 PROGRAM.

(63) WAC 67-20-545 NOTIFICATION OF TERMINATION.

(64) WAC 67-20-550 CONFIDENTIAL INFORMATION--DISCLOSURE.

(65) WAC 67-20-560 ADMINISTRATIVE REVIEW.

(66) WAC 67-20-570 FAIR HEARING.

(67) WAC 67-20-590 CLIENT RECORDS.