

State of Washington

Department of Services for the Blind

(agency name)

Administrative Order No. 85-10

(1) I, Paul Dziezic, director of Department of Services for the Blind

do promulgate and adopt at 921 Lakeridge Dr., Rm. 202, FW-21, Olympia, WA 98504-0088 (place) the annexed rules relating to:

Revise Section: WAC 67-25-360 Vocational Rehabilitation Services--Similar Benefits

Repeal Sections: WAC 67-25-180 Economic Need
WAC 67-25-185 Economic Need--Financial Statement Required
WAC 67-25-190 Economic Need--Standards for Determining
WAC 67-25-200 Notification of Decision

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

This action is taken pursuant to Notice No. WSR 85-15-077 filed with the code reviser on 7/22/85. 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 74.18

(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's Office pursuant to chapter 34.04 RCW and chapter 1-12 WAC.

STATE OF WASHINGTON

FILED APPROVED AND ADOPTED August 30, 19 85

AUG 30 1985

By Paul Dziezic

Paul Dziezic, Director Title

CODE REVISER'S OFFICE VSR 85-18-046

REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 67-25-180 ECONOMIC NEED.
WAC 67-25-185 ECONOMIC NEED--FINANCIAL STATEMENT REQUIRED.
WAC 67-25-190 ECONOMIC NEED--STANDARDS FOR DETERMINING.
WAC 67-25-200 ECONOMIC NEED--NOTIFICATION OF DECISION.

AMENDATORY SECTION (Amending Order 84-04, filed 9/6/84)

WAC 67-25-360 VOCATIONAL REHABILITATION SERVICES--SIMILAR BENEFITS. (1) In as much as full consideration of similar benefits is required by federal regulations, this section prevails over all other sections describing the conditions under which rehabilitation services will be provided. Similar benefits include all sources of public funds and private insurance benefits for which the client may be eligible.

(2) The following services are provided without full consideration of similar benefits:

- (a) Evaluation of rehabilitation potential;
- (b) Counseling;
- (c) Guidance;
- (d) Referral;
- (e) Placement;

(f) Vocational and other training services not provided in an institution of higher education(†

~~(g)-Related-and-necessary-services-which-may-be-provided-to--family-members;~~

~~(h)-Post-employment-services)).~~

(3) Training in institutions of higher education may be provided only after the client produces proof of application for and denial of eligibility for federal grant programs. Institutions of higher education include universities, colleges, community/junior colleges, vocational schools, technical institutes, or hospital schools of nursing.

(4) The following services may be provided only after giving full consideration to similar benefits:

- (a) Physical and mental restoration services;
- (b) Maintenance;
- (c) Interpreter services for the deaf;
- (d) Reader services for the blind;

(e) Recruitment and training services in the fields of rehabilitation, health, welfare, public safety, law enforcement, and other public services employment;

(f) Rehabilitation teaching services;

(g) Orientation and mobility services for the blind;

(h) Occupational licenses, tools, equipment, initial stocks and supplies;

(i) Transportation;

(j) Telecommunications, sensory, and other technological aids and devices.

(5) Clients are required to apply for and accept similar benefits to which they are entitled before rehabilitation funds may be expended for services.

(6) The vocational rehabilitation counselors and rehabilitation teachers have an obligation to inform clients of known sources of similar benefits and to assist in application for such services when necessary.

(7) Exception to policy in two areas of service:

(a) Physical and mental restoration; and

(b) Maintenance may be made with supervisory approval when it has been determined that the lack of such services will delay completion of the client's rehabilitation program.

(8) The consideration of similar benefits will be documented in the client's case record. The documentation will include sources of assistance considered, whether the client applied, acceptable reasons for failure to apply, outcome of application, and basis for the decision to expend vocational rehabilitation funding for services in subsections (3) and (4) of this section.