

Over	But not Over	This Amount	Plus	Of Excess Over
Million	Million			Million
0	1	\$ 500	.0000850	0
1	10	1,000	.0000850	1
			[.0008000]	
10	100	1,000	.0000800	1
100	300	1,000	.0000600	1
300	500	1,000	.0000575	1
500	700	1,000	.0000538	1
700	900	1,000	.0000525	1
900	1,000	1,000	.0000500	1
1,000	—	1,000	.0000450	1

(2) Alien banks.
If the bank's total assets are:

The assessment is:

Over	But not Over	This Amount	Plus	Of Excess Over
Million	Million			Million
0	200	\$1,000	.0000625	1
200	300	1,000	.0000600	1
300	500	1,000	.0000575	1
500	700	1,000	.0000550	1
700	1,000	1,000	.0000500	1
1,000	—	1,000	.0000450	1

(3) Mutual savings banks and stock savings banks.
If the bank's total assets are:

The assessment is:

Over	But not Over	This Amount	Plus	Of Excess Over
Million	Million			Million
0	100	\$3,000		
100	200	1,000	.0000225	1
200	500	1,000	.0000200	1
500	1,000	1,000	.0000175	1
1,000	3,000	1,000	.00001625	1
3,000	—	1,000	.0000150	1

(4) Industrial loan companies.
If the total assets on a consolidated basis are:

The assessment is:

Over	But not Over	This Amount	Plus	Of Excess Over
Million	Million			Million
0	1	\$ 250		
1	—	250	.000075	1

The supervisor's office shall forward by first-class mail a notice to each respective financial institution showing the total amount of the asset charge due. The notices shall be mailed during the months of February and August, commencing in February 1982. The asset charge must be received by the office of the supervisor of banking within thirty days from the time the supervisor's notice is mailed. An additional two hundred dollar penalty shall be assessed if the amount is not paid within the time specified. [Statutory Authority: RCW 30.04-.030. 82-24-074 (Order 48), § 50-44-020, filed 12/1/82. Statutory Authority: RCW 34.04.070. 82-02-037 (Order 45), § 50-44-020, filed 12/31/81.]

Reviser's note: RCW 34.04.058 requires the use of underlining and deletion marks to indicate amendments to existing rules, and deems ineffectual changes not filed by the agency in this manner. The bracketed material in the above section does not appear to conform to the statutory requirement.

WAC 50-44-030 Additional fees and charges--Special examinations--Branch offices. Each bank, mutual savings bank, trust company, or industrial loan company shall pay to the supervisor the following fees:

(1) For special examinations and reviews as determined by the supervisor, thirty dollars per hour; (Special examinations are for the express purpose of examining unusual conditions or circumstances, including extensions of regular examinations wherein conditions may warrant extension of time required in the examination beyond normal allotted time);

(2) For electronic data processing examination, trust examination, or other examination requiring specialized expertise, thirty dollars per hour;

(3) For each bank branch in operation at the time of any periodic examination, seventy-five dollars;

(4) For each industrial loan company branch in operation at the time of any periodic examination, one hundred fifty dollars.

The supervisor shall submit a statement for the foregoing charges following the completion of any applicable examination, and the charges shall be paid not later than thirty days after submission of such statement. [Statutory Authority: RCW 34.04.070. 82-02-037 (Order 45), § 50-44-030, filed 12/31/81.]

WAC 50-44-040 Special assessment for working capital. To provide working capital funds to meet salary, travel, and goods and services expenses which do not correlate with receipt of funds from examinations conducted, banks, trust companies, mutual savings banks, and industrial loan companies will be levied an asset charge at the rate reflected in the following table on each of the following four dates: October 25, 1981, March 1, 1982, October 25, 1982, and March 1, 1983. The assessment charge will be computed on total assets as of the last day of the preceding quarterly period, and shall be paid within fifteen business days of the due date.

Total assets	Semi-annual assessment
0 — 2 million	\$ 350
2 — 10 million	750
10 — 50 million	1,500
50 — 100 million	2,500
100 — 300 million	3,000
300 — 500 million	3,500
500 — 1,000 million	4,000
1,000 million	6,000

[Statutory Authority: RCW 34.04.070. 82-02-037 (Order 45), § 50-44-040, filed 12/31/81.]

**Title 67 WAC
COMMISSION FOR THE BLIND**

Chapters

- 67-14 Public records--Disclosure.
- 67-15 Commission--General administration.
- 67-20 Vocational rehabilitation and services for blind persons.
- 67-30 Services for the blind--General.
- 67-32 Vending facility program for the blind.
- 67-40 Prevention of blindness.

67-50 Child and family services.

Chapter 67-14 WAC
PUBLIC RECORDS--DISCLOSURE

WAC

67-14-010	Purpose.
67-14-020	Description of organization of the commission.
67-14-030	Location of established places.
67-14-040	Operations and procedures.
67-14-050	Public records available.
67-14-060	Public records officer.
67-14-070	Records index.
67-14-080	Office hours.
67-14-090	Requests for public records.
67-14-110	Copying fees.
67-14-120	Exemptions.
67-14-130	Review of denials of public records requests.
67-14-140	Protection of public records.
67-14-150	Consumer complaints and inquiries.
67-14-160	Adoption of forms.
67-14-170	Form 1—Request for Inspection of Records.
67-14-180	Form 2—Request for Photocopy of Record(s).

WAC 67-14-010 Purpose. The commission for the blind is an agency of state government created by chapters 74.16 and 74.17 RCW. It shall hereafter in this chapter be referred to as the "commission." [Statutory Authority: Chapter 42.17 RCW. 82-16-095 (Order 82-04), § 67-14-010, filed 8/4/82.]

WAC 67-14-020 Description of organization of the commission. (1) Commission board. The commission board consists of five members of whom at least three shall be blind. The members are appointed by the governor with the advice and consent of the senate. Terms are for a period of three years. Commission board members elect one of their members as chair for a term of one year.

(2) Central organization. The chief executive officer of the organization is the director. The director is appointed by the commission board.

(3) The commission has two sections: Administrative services and field services which are each headed by an assistant director.

(4) Field organization. (a) The vocational rehabilitation program is operated statewide with two supervisors. (b) The business enterprise program, prevention of blindness, and child and family services are operated under one supervisor. (c) The agency operated Orientation and Training Center at 3411 S. Alaska St., Seattle is supervised by one supervisor. [Statutory Authority: Chapter 42.17 RCW. 82-16-095 (Order 82-04), § 67-14-020, filed 8/4/82.]

WAC 67-14-030 Location of established places. Location of established places where information about the commission may be obtained and commission's public records inspected and copied.

(1) Olympia office. The office of the director and the administrative office of the commission is located at 921 Lakeridge Drive #202, Olympia, WA 98502.

(2) Seattle office. The main office for field services is located at 3411 South Alaska St., Seattle, WA 98118.

(3) Field offices. (a) General information about the commission may also be obtained at its service locations or major field offices at the following places: 921 Lakeridge Drive, Olympia, WA 98504; W. 55 Mission, Rm. 115, Spokane, WA 99201; 613 W. Evergreen, P.O. Box 751, Vancouver, WA 98666; Morris Bldg., 23 S. Wenatchee Ave., Wenatchee, WA 98801; 32 N. 3 St., Rm. 316, Yakima, WA 98901. (b) Information about prevention of blindness, business enterprises for the blind, and child and family services can be obtained at the Seattle office, 3411 South Alaska St., Seattle, WA 98118. [Statutory Authority: Chapter 42.17 RCW. 82-16-095 (Order 82-04), § 67-14-030, filed 8/4/82.]

WAC 67-14-040 Operations and procedures. The general course and method of channeling and determining the operations of the two sections and the nature of requirements of all formal and informal procedures connected therewith are summarized in the following subsections:

(1) Administrative services. This section manages all personnel, training, budget, data processing, and properties management for the commission. It prepares budgets and reports, collects funds, certifies and pays invoices. It is responsible for state and federal reports. It provides staff to the commission board members. Many of the functions of the administrative services section are subject to Washington Administrative Code provisions as authorized by law to be adopted by other departments and enforced by the commission.

(2) Field services. This section provides services to all of the commission's clients and keeps records of these services.

(a) Vocational rehabilitation. This unit provides a wide array of services to individuals whose disability causes a substantial handicap to employment where there is a reasonable expectation that services will provide a benefit in terms of employability. The primary source of funds for this program is federal, and it is subject to federal regulation.

(b) Business enterprise program. This program assists in the development and maintenance of vending operations operated by blind individuals in public buildings. It is funded by a combination of state and federal funds and is subject to federal regulations. A restricted fund generated by vending machine revenue also funds business enterprise program activities.

(c) Prevention of blindness. This program serves economically eligible clients by providing the medical services to prevent blindness and restore sight. Financial eligibility is determined by standards set by the department of social and health services. Medical eligibility for prescribed services is determined by the commission. Approximately one half of these funds are federal.

(d) Child and family services. This program serves blind children and their families. Caseworkers work directly with children and parents. In addition, school personnel and other service providers are assisted in working with blind children by consultation and training. This program is state funded.

(e) Orientation and training center. This program is operated at 3411 South Alaska St., Seattle, WA 98118. It provides training in alternative skills, personal adjustment, and assessment for full-time blind students. Students live in a privately owned residential facility located nearby.

(f) Other programs. The commission may establish such additional programs as the commission deems necessary to carry out its legislative purpose. [Statutory Authority: Chapter 42.17 RCW. 82-16-095 (Order 82-04), § 67-14-040, filed 8/4/82.]

WAC 67-14-050 Public records available. Public records are available for public inspection and copying pursuant to these rules except as otherwise provided by RCW 42.17.310 and these rules. [Statutory Authority: Chapter 42.17 RCW. 82-16-095 (Order 82-04), § 67-14-050, filed 8/4/82.]

WAC 67-14-060 Public records officer. The public records officer for the commission shall be the assistant director of administrative services, as designated by the director, for all records maintained by the commission whether located at the central office thereof at Olympia, Washington, or at such other offices throughout the state maintained by the commission. The public records officer shall be located at such central office. The public records officer shall be responsible for implementation of this chapter regarding release of public records, coordinating the staff of the commission in this regard, generally insuring compliance by the staff with the public records disclosure requirements of RCW 42.17.250 through 42.17.320, and maintaining the records index of the commission as required. [Statutory Authority: Chapter 42.17 RCW. 82-16-095 (Order 82-04), § 67-14-060, filed 8/4/82.]

WAC 67-14-070 Records index. The commission has available to all persons a current index which provides identifying information as to public records received, issued, adopted or promulgated since its inception. The current index adopted by the commission shall be available to all persons under the same rules and on the same conditions as are applied to public records available for inspection. [Statutory Authority: Chapter 42.17 RCW. 82-16-095 (Order 82-04), § 67-14-070, filed 8/4/82.]

WAC 67-14-080 Office hours. Public records shall be available for inspection and copying during the customary office hours of the commission. For purposes of this chapter, the customary office hours shall be from 8:00 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. [Statutory Authority: Chapter 42.17 RCW. 82-16-095 (Order 82-04), § 67-14-080, filed 8/4/82.]

WAC 67-14-090 Requests for public records. In accordance with requirements of RCW 42.17.250 through 42.17.320 that agencies prevent unreasonable invasions

of privacy, protect public records from damage or disorganization, and prevent excessive interference with essential functions of the agency, public records may be inspected or copied or copies of such records may be obtained, by members of the public, upon compliance with the following procedures:

(1) A request shall be made in writing upon a form prescribed by the commission which shall be available at any office of the commission during customary office hours. The request shall include the following information:

(a) The name of the person requesting the records;

(b) The time of day and calendar date on which the request was made;

(c) The nature of the request;

(d) If the matter requested is referenced within the current index maintained by the records officer, a reference to the requested record as it is described in such current index;

(e) If the requested matter is not identifiable by reference to the current index, an appropriate description of the record requested.

(2) In all cases in which a member of the public is making a request, it shall be the obligation of the public records officer or staff member to whom the request is made to assist the member of the public in appropriately identifying the public record requested. [Statutory Authority: Chapter 42.17 RCW. 82-16-095 (Order 82-04), § 67-14-090, filed 8/4/82.]

WAC 67-14-110 Copying fees. No fee shall be charged for the inspection of public records. The commission will charge a per-page fee for providing copies of public records. If copies of photographs are requested, a fee will be charged for the duplication of such photographs. If copies of taped or brailled material are requested, fees will be charged for the duplication of such materials. Copying fees will be set at amounts equal to the actual costs to the commission incident to such copying, including costs of materials, machinery, and personnel. The fees charged will be reviewed periodically to assure their accuracy, and shall be modified accordingly. [Statutory Authority: Chapter 42.17 RCW. 82-16-095 (Order 82-04), § 67-14-110, filed 8/4/82.]

WAC 67-14-120 Exemptions. (1) The commission reserves the right to determine that a public record requested in accordance with the procedures outlined in WAC 67-14-090 is exempt under the provisions of RCW 42.17.310 and/or such other laws as may be deemed applicable.

(2) In addition, pursuant to RCW 42.17.260 the commission reserves the right to delete identifying details when it makes available or publishes any public record in any cases when there is reason to believe that disclosure of such details would be an invasion of personal privacy. The public records officer will fully justify such deletion in writing.

(3) All denials of requests for public records must be accompanied by a written statement specifying the reason for the denial, including a statement of the specific

exemption authorizing the withholding of the record and a brief explanation of how the exemption applies to the record withheld. [Statutory Authority: Chapter 42.17 RCW. 82-16-095 (Order 82-04), § 67-14-120, filed 8/4/82.]

WAC 67-14-130 Review of denials of public records requests. (1) Any person who objects to the denial of a request for a public record may petition for prompt review of such decision by tendering a written request for review. The written request shall specifically refer to the written statement by the public records officer or other staff member which constituted, or accompanied the denial.

(2) Immediately after receiving a written request for review of a decision denying a public record, the public records officer or other staff member denying the request shall refer it to the director. The director shall immediately consider the matter and either affirm or reverse such denial or call a special meeting of the members of the staff necessary to properly consider the matter and/or request a legal review thereof by the assistant attorney general representing the commission. In any case, the request shall be returned with a final decision, within five business days following the original denial.

(3) Administrative remedies shall not be considered exhausted until the director has returned the petition with a decision or until the close of the fifth business day following denial of inspection, whichever occurs first. [Statutory Authority: Chapter 42.17 RCW. 82-16-095 (Order 82-04), § 67-14-130, filed 8/4/82.]

WAC 67-14-140 Protection of public records. The public records officer shall to the extent practicable insure that records requested are not removed from the premises nor portions thereof removed by members of the public. [Statutory Authority: Chapter 42.17 RCW. 82-16-095 (Order 82-04), § 67-14-140, filed 8/4/82.]

WAC 67-14-150 Consumer complaints and inquiries. Unless a consumer complainant or inquirer specifically provides to the contrary, the public records officer or other members of the staff are authorized when deemed appropriate to forward a copy of the letter or other writings pertinent to the complaint or inquiry to the firm or person which is the subject of the complaint or to any firm or person who may provide assistance relative to the complaint or inquiry. [Statutory Authority: Chapter 42.17 RCW. 82-16-095 (Order 82-04), § 67-14-150, filed 8/4/82.]

WAC 67-14-160 Adoption of forms. The commission hereby adopts for use by all persons requesting inspection and/or copies of records the forms attached hereto entitled "request for inspection of records" and

"request for photocopy of records." [Statutory Authority: Chapter 42.17 RCW. 82-16-095 (Order 82-04), § 67-14-160, filed 8/4/82.]

WAC 67-14-170 Form 1--Request for Inspection of Records.

Request Number

Date requested

Date provided

(For office use only)

WASHINGTON COMMISSION FOR THE BLIND

Request for Inspection of Records

The information requested in Blocks 1 through 6 is not mandatory, however, the completion of these blocks will enable this office to expedite your request and contact you should the record you seek not be immediately available.

1. Name

4. Phone number

2. Address

5. Representing (if applicable)

3. Zip code

6. If urgent - date needed

Below please state what record(s) you wish to inspect and be as specific as possible. If you are uncertain as to the type or identification of specific record or records we will assist you.

I certify that the information requested from the above record(s) will not be part of a list of individuals to be used for commercial purposes.

Signed _____

Date _____

[Statutory Authority: Chapter 42.17 RCW. 82-16-095 (Order 82-04), § 67-14-170, filed 8/4/82.]

WAC 67-14-180 Form 2--Request for Photocopy of Record(s).

Request Number

Date Requested

Date Provided

(Office use only)

WASHINGTON COMMISSION FOR THE BLIND
Request for Photocopy of Record(s)

1. Name 4. Phone number
2. Address 5. Representing (if applicable)
3. Zip code 6. If urgent - date needed

Please state below the pages of the documents or records you wish to have photocopied. A reasonable standard fee for each page or record will be charged for this service.

I wish the following page(s) of documents or records to be photocopied and made available for my possession, I agree to pay a reasonable standard charge for this service.

I certify that the photocopies of records received as listed above will not be part of a list of individuals to be used for commercial purposes.

Signed _____
Date _____

Office use only

Number of pages copied @ per copy.
Total charge Amount paid

[Statutory Authority: Chapter 42.17 RCW. 82-16-095 (Order 82-04), § 67-14-180, filed 8/4/82.]

Chapter 67-15 WAC
COMMISSION--GENERAL ADMINISTRATION

WAC
67-15-010 Physical and informational accessibility.

WAC 67-15-010 Physical and informational accessibility. (1) No otherwise qualified handicapped individual shall, solely by reason of handicap, be excluded from participation, be denied benefits of, or be subjected to discrimination under any commission-provided program or activity.

(2) No handicapped person will be subjected to discrimination because commission-provided facilities are inaccessible to or unusable by handicapped persons. Any construction or alteration to any present or future locations or facility, on behalf of or for the use of the commission, will be readily accessible to and useable by handicapped persons.

(3) No person shall be denied access to commission information, records or materials solely on the basis of his/her inability to utilize such information, records or materials in a customary manner. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-096

(Order 82-05), § 67-15-010, filed 8/4/82. Formerly WAC 67-30-210. 82-10-025 (Order 82-02), § 67-30-210, filed 4/30/82.]

Chapter 67-20 WAC
VOCATIONAL REHABILITATION AND SERVICES FOR BLIND PERSONS

- WAC
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WAC 67-20-005 Definitions. (1) "Accepted for services" shall mean that the commission 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 commission a letter or application requesting vocational rehabilitation services which:

(a) Has been signed by the individual, his 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 commission; and

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

(6) "Commission for the blind" shall mean the legal authority in its entirety:

(a) "Commission board" shall mean the five members appointed by the governor as the governing body.

(b) "Commission" shall mean the agency which carries out the operations of the Washington commission for the blind.

(7) "Director," except when the context indicates otherwise, means the director of the commission 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 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 commission 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 commission 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 commission 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 commission 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 obtaining, retaining, or preparing for employment consistent with his capacities and abilities.

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

(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 to enter or retain employment consistent with his 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 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. [Statutory Authority: RCW 74.16.450. 83-01-080 (Order 82-08), § 67-20-005, filed 12/17/82. Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-096 (Order 82-05), § 67-20-005, filed 8/4/82.]

WAC 67-20-010 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 commission shall submit a written application for services to the commission.

(3) The written application for services shall be signed by the person requesting services or by his 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 commission.

(5) The commission shall not provide vocational rehabilitation services to any person who has failed to submit a signed application in writing containing the above information. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-096 (Order 82-05), § 67-20-010, filed 8/4/82.]

WAC 67-20-015 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 his right to appeal from any decision made by the commission with regard to his 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 right of confidentiality of information possessed by the commission; and

(d) Obtain any general information from the applicant which might be useful in determining his eligibility for vocational rehabilitation services. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-096 (Order 82-05), § 67-20-015, filed 8/4/82.]

WAC 67-20-020 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 commission shall record in writing the results of each applicant's preliminary study. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-096 (Order 82-05), § 67-20-020, filed 8/4/82.]

WAC 67-20-025 Eligibility for services. (1) The commission 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 commission shall base its eligibility determination on the results of the preliminary diagnostic study and extended evaluation, if any. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-096 (Order 82-05), § 67-20-025, filed 8/4/82.]

WAC 67-20-030 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 commission 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. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-096 (Order 82-05), § 67-20-030, filed 8/4/82.]

WAC 67-20-050 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. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-096 (Order 82-05), § 67-20-050, filed 8/4/82.]

WAC 67-20-055 Notice to applicant. (1) The individual shall be notified in writing of the action taken on eligibility or ineligibility.

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

(3) If the applicant was determined to be ineligible for vocational rehabilitation services, the certification shall clearly specify how he 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. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-096 (Order 82-05), § 67-20-055, filed 8/4/82.]

WAC 67-20-060 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 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. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-096 (Order 82-05), § 67-20-060, filed 8/4/82.]

WAC 67-20-070 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 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. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-096 (Order 82-05), § 67-20-070, filed 8/4/82.]

WAC 67-20-075 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. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-096 (Order 82-05), § 67-20-075, filed 8/4/82.]

WAC 67-20-077 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. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-096 (Order 82-05), § 67-20-077, filed 8/4/82.]

WAC 67-20-080 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, his 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 rights and the means by which he may express and seek remedy for his dissatisfactions, including the opportunity for an administrative review of the commission's action and fair hearings; and the opportunity for judicial review. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-096 (Order 82-05), § 67-20-080, filed 8/4/82.]

WAC 67-20-085 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. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-096 (Order 82-05), § 67-20-085, filed 8/4/82.]

WAC 67-20-090 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. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-096 (Order 82-05), § 67-20-090, filed 8/4/82.]

WAC 67-20-095 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. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-096 (Order 82-05), § 67-20-095, filed 8/4/82.]

WAC 67-20-100 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. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-096 (Order 82-05), § 67-20-100, filed 8/4/82.]

WAC 67-20-105 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. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-096 (Order 82-05), § 67-20-105, filed 8/4/82.]

WAC 67-20-110 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 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 cannot be expected to benefit in terms of employability from vocational rehabilitation services.

(2) In such cases the procedures outlined in WAC 67-20-280 must be followed. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-096 (Order 82-05), § 67-20-110, filed 8/4/82.]

WAC 67-20-120 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 parent, guardian or other representative, or after affording a clear opportunity for such consultation. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-096 (Order 82-05), § 67-20-120, filed 8/4/82.]

WAC 67-20-180 Economic need. (1) The commission 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 commission 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. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-096 (Order 82-05), § 67-20-180, filed 8/4/82.]

WAC 67-20-185 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 commission with:

(1) Such information in detail regarding his financial assets, income, debts, obligations, and expenses as may be necessary to enable the commission to make a determination of his economic need;

(2) A disclosure of insurance coverage which may apply to vocational rehabilitation services;

(3) A signed statement indicating whether he is in need of financial assistance from the commission to participate in those vocational rehabilitation services which are conditioned upon economic need. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-096 (Order 82-05); § 67-20-185, filed 8/4/82.]

WAC 67-20-190 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 commission 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 an 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.

(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. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-096 (Order 82-05), § 67-20-190, filed 8/4/82.]

WAC 67-20-200 Economic need--Notification of decision. When it is determined that the client shall be required to contribute financially to his rehabilitation, the commission shall explain to him when, how, and for what services his funds will be used. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-096 (Order 82-05), § 67-20-200, filed 8/4/82.]

WAC 67-20-255 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. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-096 (Order 82-05), § 67-20-255, filed 8/4/82.]

WAC 67-20-260 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 rights and the means by which he may express and seek remedy for his 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 parents, guardian or other representative. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-096 (Order 82-05), § 67-20-260, filed 8/4/82.]

WAC 67-20-270 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 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 parent, guardian or other representative. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-096 (Order 82-05), § 67-20-270, filed 8/4/82.]

WAC 67-20-275 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 parent, guardian or other representative will be afforded an opportunity to review such program and, if necessary, jointly redevelop its terms. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-096 (Order 82-05), § 67-20-275, filed 8/4/82.]

WAC 67-20-280 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 parent, guardian, or other representative.

(2) The views of the individual or his 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 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 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 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. [Statutory Authority: RCW 74.16.450. 83-01-080 (Order 82-08), § 67-20-280, filed 12/17/82. Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-096 (Order 82-05), § 67-20-280, filed 8/4/82.]

WAC 67-20-281 Vocational rehabilitation program--Notification of rights. Upon termination the individual will be informed of his rights and the means by which he may express and seek remedy for his dissatisfactions, including the opportunity for an administrative review of the commission's action; fair hearings; and judicial review. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-096 (Order 82-05), § 67-20-281, filed 8/4/82.]

WAC 67-20-300 Objective of vocational rehabilitation. The objective of vocational rehabilitation services is to enable an individual to enter or retain employment consistent with his 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 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 commission has no obligation to provide further assistance. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-096 (Order 82-05), § 67-20-300, filed 8/4/82.]

WAC 67-20-325 Services available from other agencies. The commission'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. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-096 (Order 82-05), § 67-20-325, filed 8/4/82.]

WAC 67-20-326 Services to civil employees of the United States. The commission 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. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-096 (Order 82-05), § 67-20-326, filed 8/4/82. Formerly WAC 67-30-170. 82-10-025 (Order 82-02), § 67-30-170, filed 4/30/82.]

WAC 67-20-350 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 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. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-096 (Order 82-05), § 67-20-350, filed 8/4/82.]

WAC 67-20-380 Vocational rehabilitation services--Counseling and guidance. Counseling and guidance is a necessary and key function of the vocational rehabilitation counselors in facilitating the development of the individual being served.

(1) Counseling and guidance services will be provided by the commission 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 commission 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 commission's rehabilitation center.

(4) Counseling and guidance will be provided without regard to economic need. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-096 (Order 82-05), § 67-20-380, filed 8/4/82. Formerly WAC 67-30-090. Statutory Authority: RCW 74.16.430(1) and 74.16.450. 82-06-022 (Order 82-01), § 67-30-090, filed 2/24/82.]

WAC 67-20-384 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, 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. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-096 (Order 82-05), § 67-20-384, filed 8/4/82. Formerly WAC 67-30-080. Statutory Authority: RCW 74.16.430(1) and 74.16.450. 82-06-022 (Order 82-01), § 67-30-080, filed 2/24/82.]

WAC 67-20-385 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; clients needing physical restoration will be referred to the prevention of blindness program.

(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. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-096 (Order 82-05), § 67-20-385, filed 8/4/82.]

WAC 67-20-388 Vocational rehabilitation services--Vocational and other training. (1) The commission 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 paragraph (5) below.

(2) The commission 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 commission 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 commission 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. Assistance will be limited to seventy-five dollars per quarter or one hundred ten dollars per semester for full academic load. 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 commission 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 agency in the client's individualized written rehabilitation program and meets the standards of the occupation the client intends to enter. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-096 (Order 82-05), § 67-20-388, filed 8/4/82. Formerly WAC 67-30-100. Statutory Authority: RCW 74.16.430(1) and 74.16.450. 82-06-022 (Order 82-01), § 67-30-100, filed 2/24/82.]

WAC 67-20-390 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 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 similar factors, indicates that it would be appropriate to provide him with college training even though he 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 grades fall below the standards required in the field of his choice, it may be necessary to select a new objective for his college training program through joint planning between the client and the vocational rehabilitation counselor or to modify or cancel that portion of his 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. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-096 (Order 82-05), § 67-20-390, filed 8/4/82.]

WAC 67-20-392 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 licensed 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. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-096 (Order 82-05), § 67-20-392, filed 8/4/82.]

WAC 67-20-394 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. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-096 (Order 82-05), § 67-20-394, filed 8/4/82.]

WAC 67-20-395 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) Books and academic supplies will be limited to seventy-five dollars per quarter or one hundred ten dollars per semester for a full academic load. Students attending less than full time will have the amount authorized for books and supplies reduced proportionately. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-096 (Order 82-05), § 67-20-395, filed 8/4/82.]

WAC 67-20-396 Vocational rehabilitation services--Training--Sheltered workshop. (1) The commission 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 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. [Statutory Authority: RCW 74.16.450. 83-01-080 (Order 82-08), § 67-20-396, filed 12/17/82. Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-096 (Order 82-05), § 67-20-396, filed 8/4/82.]

WAC 67-20-400 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 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. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-096 (Order 82-05), § 67-20-400, filed 8/4/82.]

WAC 67-20-404 Vocational rehabilitation services--Transportation. (1) The commission 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. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-096 (Order 82-05), § 67-20-404, filed 8/4/82. Formerly WAC 67-30-185. Statutory Authority: RCW 74.16.430(1) and 74.16.450. 82-06-022 (Order 82-01), § 67-30-185, filed 2/24/82.]

WAC 67-20-408 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 commission. 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 agency 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. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-096 (Order 82-05), § 67-20-408, filed 8/4/82. Formerly WAC 67-30-150. Statutory Authority: RCW 74.16.430(1) and 74.16.450. 82-06-022 (Order 82-01), § 67-30-150, filed 2/24/82.]

WAC 67-20-412 Vocational rehabilitation services--Interpreter services for deaf persons. The commission will provide interpreter services for deaf persons needing this service in all stages of involvement with the commission while a client or applicant, or during appeal of a contested decision by an employee of the commission which directly affects the client or applicant. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-096 (Order 82-05), § 67-20-412, filed 8/4/82. Formerly WAC 67-30-125. Statutory Authority: RCW 74.16.430(1) and 74.16.450. 82-06-022 (Order 82-01), § 67-30-125, filed 2/24/82.]

WAC 67-20-416 Vocational rehabilitation services--Reader services. (1) The commission 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 commission'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 commission's procedures governing reader services.

(5) The commission'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. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-096 (Order 82-05), § 67-20-416, filed 8/4/82. Formerly WAC 67-30-120. Statutory Authority: RCW 74.16.430(1) and 74.16.450. 82-06-022 (Order 82-01), § 67-30-120, filed 2/24/82.]

WAC 67-20-420 Vocational rehabilitation services--Rehabilitation teaching services. (1) The commission will provide or cause to be provided rehabilitation teaching services to clients by rehabilitation teachers in the employ of the commission. Such services may be purchased by the commission 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. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-096 (Order 82-05), § 67-20-420, filed 8/4/82. Formerly WAC 67-30-070. 82-10-025 (Order 82-02), § 67-30-070, filed 4/30/82.]

WAC 67-20-428 Vocational rehabilitation services--Orientation and mobility services. (1) The commission 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 commission 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 commission;

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

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

(d) The commission's field services offices by rehabilitation teachers in the client's home environment. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450, 82-16-096 (Order 82-05), § 67-20-428, filed 8/4/82. Formerly WAC 67-30-130, 82-10-025 (Order 82-02), § 67-30-130, filed 4/30/82.]

WAC 67-20-432 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. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450, 82-16-096 (Order 82-05), § 67-20-432, filed 8/4/82.]

WAC 67-20-440 Vocational rehabilitation services--Placement. (1) The commission may provide or cause to be provided placement services to clients under an individualized written rehabilitation program. The commission and clients will be mutually responsible in the endeavor to find and secure suitable employment. While the commission 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 commission'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 commission'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 commission in extended employment in rehabilitation facilities will have their statuses reviewed and reevaluated by the commission at least annually. The commission 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. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450, 82-16-096 (Order 82-05), § 67-20-440, filed 8/4/82. Formerly WAC 67-30-050; 82-10-025 (Order 82-02), § 67-30-050, filed 4/30/82.]

WAC 67-20-444 Vocational rehabilitation services--Post-employment services. (1) The commission 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 commission 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 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. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-096 (Order 82-05), § 67-20-444, filed 8/4/82.]

WAC 67-20-446 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. [Statutory Authority: RCW 74.16.450. 83-01-080 (Order 82-08), § 67-20-446, filed 12/17/82. Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-096 (Order 82-05), § 67-20-446, filed 8/4/82.]

WAC 67-20-448 Vocational rehabilitation services--Occupational licenses, tools, equipment, initial stocks and supplies. (1) The commission 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 commission'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 commission'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. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-096 (Order 82-05), § 67-20-448, filed 8/4/82. Formerly WAC 67-30-180. Statutory Authority: RCW 74.16.430(1) and 74.16.450. 82-06-022 (Order 82-01), § 67-30-180, filed 2/24/82.]

WAC 67-20-452 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 rehabilitation potential, to his rehabilitation plan, or to render him 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. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-096 (Order 82-05), § 67-20-452, filed 8/4/82.]

WAC 67-20-500 Purchase of services. The commission may purchase training from schools or sheltered workshops, or from business establishments which offer on-the-job training services. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-096 (Order 82-05), § 67-20-500, filed 8/4/82.]

WAC 67-20-505 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 commission 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. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-096 (Order 82-05), § 67-20-505, filed 8/4/82.]

WAC 67-20-510 Purchase of services--Selection criteria--Employment training facilities. A business or industrial establishment which is to be utilized by the commission 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. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-096 (Order 82-05), § 67-20-510, filed 8/4/82.]

WAC 67-20-525 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 services there shall be a certification, dated and signed by an appropriate staff member and placed in the individual's file. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-096 (Order 82-05), § 67-20-525, filed 8/4/82.]

WAC 67-20-530 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 commission 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 commission 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 for consideration by declining to accept or utilize vocational rehabilitation services after all reasonable efforts have been expended to encourage participation. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-096 (Order 82-05), § 67-20-530, filed 8/4/82.]

WAC 67-20-540 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 commission. No client shall be terminated as rehabilitated unless the commission has provided him with the following substantial services:

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

(b) Assistance in understanding the services available from the commission 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 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. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-096 (Order 82-05), § 67-20-540, filed 8/4/82.]

WAC 67-20-545 Notification of termination. The commission shall provide written notification to every individual who has applied for services whenever any determination is made to terminate services to him. Such written notice shall specify in detail the reasons for the commission's decision to terminate services and shall clearly inform the client of his right to an administrative review, a fair hearing on the decision, and judicial review. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-096 (Order 82-05), § 67-20-545, filed 8/4/82.]

WAC 67-20-550 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 commission, given or made available to the commission, 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 commission's evaluations of factual information regarding a client, and all other information about a client, whether recorded or not recorded.

(2) The commission 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 informed consent in writing to such disclosure; or

(d) Where necessary for purposes of audit to determine compliance with standards and regulations.

(3) The commission 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 commission 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 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 commission 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 commission shall release to an employer only such confidential information regarding a client as is essential to his 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 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 commission without the written consent of the person involved and of the commission.

(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 commission, or to the client by a physician or by a licensed or certified psychologist. [Statutory Authority: RCW 74.16.450. 83-01-080 (Order 82-08), § 67-20-550, filed 12/17/82. Statutory Authority: Chapter 74.16

RCW and RCW 74.16.450. 82-16-096 (Order 82-05), § 67-20-550, filed 8/4/82.]

WAC 67-20-560 Administrative review. (1) Any client who feels aggrieved by, or is otherwise dissatisfied with, any decision or action by the commission or its agents with regard to his vocational rehabilitation case may file a request with the commission 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 commission. 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 representative; and

(d) Be signed by the client or by his representative.

(4) A request for an administrative review must be made within sixty days after receiving notice from the commission of the decision or action by the commission 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 findings to the client in writing specifying in reasonable detail the reasons for his findings and informing the client of his right to request and receive a fair hearing if dissatisfied with those findings. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-096 (Order 82-05), § 67-20-560, filed 8/4/82.]

WAC 67-20-570 Fair hearing. (1) Any client dissatisfied with the finding of an administrative review may request from the commission, 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 commission of the finding of the administrative review.

(2) A request for fair hearing shall be sent to the commission for the blind at 921 Lakeridge Drive, Olympia, WA 98502, 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 commission 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. [Statutory

Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-096 (Order 82-05), § 67-20-570, filed 8/4/82.]

WAC 67-20-590 Client records. The commission 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. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-096 (Order 82-05), § 67-20-590, filed 8/4/82.]

Chapter 67-30 WAC
SERVICES FOR THE BLIND--GENERAL

- WAC
67-30-005 through 67-30-320 Repealed.
- DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER**
- 67-30-005 Population to be served. [Statutory Authority: RCW 74.16.430(1) and 74.16.450. 82-06-022 (Order 82-01), § 67-30-005, filed 2/24/82.] Repealed by 82-16-096 (Order 82-05), filed 8/4/82. Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450.
- 67-30-050 Placement. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-10-025 (Order 82-02), § 67-30-050, filed 4/30/82.] Decodified by 82-16-096 (Order 82-05), filed 8/4/82. Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. Later promulgation, see WAC 67-20-440.
- 67-30-070 Rehabilitation teaching services. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-10-025 (Order 82-02), § 67-30-070, filed 4/30/82.] Decodified by 82-16-096 (Order 82-05), filed 8/4/82. Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. Later promulgation, see WAC 67-20-420.
- 67-30-080 Physical and mental restoration services. [Statutory Authority: RCW 74.16.430(1) and 74.16.450. 82-06-022 (Order 82-01), § 67-30-080, filed 2/24/82.] Decodified by 82-16-096 (Order 82-05), filed 8/4/82. Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. Later promulgation, see WAC 67-20-384.
- 67-30-090 Counseling and guidance. [Statutory Authority: RCW 74.16.430(1) and 74.16.450. 82-06-022 (Order 82-01), § 67-30-090, filed 2/24/82.] Decodified by 82-16-096 (Order 82-05), filed 8/4/82. Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. Later promulgation, see WAC 67-20-380.
- 67-30-100 Vocational training and other training. [Statutory Authority: RCW 74.16.430(1) and 74.16.450. 82-06-022 (Order 82-01), § 67-30-100, filed 2/24/82.] Decodified by 82-16-096 (Order 82-05), filed 8/4/82. Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. Later promulgation, see WAC 67-20-388.
- 67-30-120 Reader services. [Statutory Authority: RCW 74.16.430(1) and 74.16.450. 82-06-022 (Order 82-01), § 67-30-120, filed 2/24/82.] Decodified by 82-16-096 (Order 82-05), filed 8/4/82. Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. Later promulgation, see WAC 67-20-416.
- 67-30-125 Interpreter services for deaf persons. [Statutory Authority: RCW 74.16.430(1) and 74.16.450. 82-06-022 (Order 82-01), § 67-30-125, filed 2/24/82.] Decodified by 82-16-096 (Order 82-05), filed 8/4/82. Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. Later promulgation, see WAC 67-20-412.
- 67-30-130 Orientation and mobility services. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-10-025 (Order 82-02), § 67-30-130, filed 4/30/82.] Decodified by 82-16-096 (Order 82-05), filed 8/4/82. Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. Later promulgation, see WAC 67-20-428.
- 67-30-150 Services to family members. [Statutory Authority: RCW 74.16.430(1) and 74.16.450. 82-06-022 (Order 82-01), § 67-30-150, filed 2/24/82.] Decodified by 82-16-096 (Order 82-05), filed 8/4/82. Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. Later promulgation, see WAC 67-20-408.
- 67-30-170 Services to civil employees of the United States. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-10-025 (Order 82-02), § 67-30-170,

- 67-30-180 filed 4/30/82.] Decodified by 82-16-096 (Order 82-05), filed 8/4/82. Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. Later promulgation, see WAC 67-20-326.
- 67-30-185 Occupational licenses, tools, equipment, initial stocks and supplies. [Statutory Authority: RCW 74.16.430(1) and 74.16.450. 82-06-022 (Order 82-01), § 67-30-180, filed 2/24/82.] Decodified by 82-16-096 (Order 82-05), filed 8/4/82. Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. Later promulgation, see WAC 67-20-448.
- 67-30-210 Transportation. [Statutory Authority: RCW 74.16.430(1) and 74.16.450. 82-06-022 (Order 82-01), § 67-30-185, filed 2/24/82.] Decodified by 82-16-096 (Order 82-05), filed 8/4/82. Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. Later promulgation, see WAC 67-20-404.
- 67-30-210 Physical and informational accessibility. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-10-025 (Order 82-02), § 67-30-210, filed 4/30/82.] Decodified by 82-16-096 (Order 82-05), filed 8/4/82. Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. Later promulgation, see WAC 67-15-010.
- 67-30-310 Responsibilities of medical consultant. [Statutory Authority: RCW 74.16.430(1) and 74.16.450. 82-06-022 (Order 82-01), § 67-30-310, filed 2/24/82.] Repealed by 82-16-096 (Order 82-05), filed 8/4/82. Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450.
- 67-30-320 Other goods and services. [Statutory Authority: RCW 74.16.430(1) and 74.16.450. 82-06-022 (Order 82-01), § 67-30-320, filed 2/24/82.] Repealed by 82-16-096 (Order 82-05), filed 8/4/82. Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450.

WAC 67-30-005 through 67-30-320 Repealed. See Disposition Table at beginning of this chapter.

Chapter 67-32 WAC
VENDING FACILITY PROGRAM FOR THE BLIND

- WAC
67-32-150 Federal vending machine income—Use as determined.
67-32-180 Access to program and financial information.
67-32-310 Public liability insurance.
67-32-910 Agreement.

WAC 67-32-150 Federal vending machine income—Use as determined. Vending machine income received by the commission as described in WAC 67-32-140(4) shall be known as federal vending machine income. Federal vending machine income shall be used for the establishment and maintenance of retirement or pension funds, health insurance, the provision of paid sick leave and vacation time for vendors, the repair of vending facility equipment, the replacement of obsolete or worn-out vending facility equipment, the purchase of new or additional vending facility equipment in existing facilities, management services, and the costs necessary to the conduct of the state blind vendors committee.

(1) After the majority of all vendors have voted to utilize federal vending machine income for retirement or pension, health insurance, paid sick leave or paid vacations, the commission may adopt procedures for implementing such plans.

(2) Vendors whose income from their vending facility is at the national average or above for all vendors as determined each federal fiscal year on the basis of each prior year's operation shall pay repair charges for each separate repair job on vending facility equipment of fifty dollars or ten percent of the cost of repair, whichever is greater. For purposes of this paragraph, repair or a repair job shall mean the cost associated with a single visit of a repair technician to a vending facility without respect to the amount of equipment being repaired, or multiple visits, and/or contact relative to the repair of a single item.

(3) Vendors whose income from their vending facility is below the national average of such income for all vendors as determined each federal fiscal year on the basis of each prior year's operation shall pay a voluntary amount for each separate repair job on vending facility equipment at their facility.

(4) The remainder of the charges for repair or maintenance of vending facility equipment described in subsections (2) and (3) of this section shall be paid for from set aside funds. If set aside funds are entirely depleted, the vendor shall pay the costs of repair of vending facility equipment at his/her facility.

(5) For purposes of this section vending facility equipment shall include equipment provided by the commission and equipment furnished as a part of the contract or permit for which the commission and operator assumes the responsibility of maintenance. [Statutory Authority: RCW 74.16.430(1), 74.16.450, and 74.17.040. 81-07-001 (Order 81-06), § 67-32-150, filed 3/5/81; 80-06-053 (Order 80-03), § 67-32-150, filed 5/16/80; 79-08-016 (Order 79-01), § 67-32-150, filed 7/10/79.]

WAC 67-32-180 Access to program and financial information. The commission shall provide to any interested person program and financial information and interpretation concerning the operation of the program, except that confidential information concerning any applicant, trainee, licensee or vendor shall not be released directly or indirectly without written permission of such applicant, trainee, licensee, or vendor as specified in Title 45 CFR, Chapter 8, Part 1361.47; chapter 42.17 RCW and attendant regulations; and commission policy B-21. [Statutory Authority: RCW 74.16.430(1), 74.16.450, and 74.17.040. 81-03-048 (Order 81-05), § 67-32-180, filed 1/19/81; 79-08-016 (Order 79-01), § 67-32-180, filed 7/10/79.]

WAC 67-32-310 Public liability insurance. The vendor shall obtain and maintain continuously public liability insurance with limits of liability not less than:

\$500,000.00 each person personal injury,
\$500,000.00 each occurrence personal injury, and
\$500,000.00 each occurrence property damage; or
insurance coverage specified in the permit or contract, which ever is greater.

[Statutory Authority: RCW 74.16.450. 83-01-080 (Order 82-08), § 67-32-310, filed 12/17/82. Statutory

Authority: RCW 74.16.430(1), 74.16.450, and 74.17.040. 81-07-001 (Order 81-06), § 67-32-310, filed 3/5/81; 79-08-016 (Order 79-01), § 67-32-310, filed 7/10/79.]

WAC 67-32-910 Agreement.

This AGREEMENT entered in this _____ day of _____, 19__ by and between the Commission for the Blind, hereinafter referred to as the commission, and _____, hereinafter referred to as the vendor.

Name and Address of Facility _____
City: _____, Washington

IT IS HEREBY AGREED:

1. The provisions of the permit or contract between the commission and the property management as now exists or as may be renegotiated in the future, and chapter 67-32 WAC (the Vending Facility Program rules), which described the rights and responsibilities of the commission and the rights and responsibilities of the vendor, as presently exist or as may be amended in the future, are both by reference incorporated into and made part of this agreement.
2. The vendor is entitled to all profits of the vending facility, and vending machine revenue from site, except as provided for in WAC 67-32-140.
3. The vendor is responsible to submit reports to the commission as required.
4. The vendor must maintain the business hours agreed upon or as stated in the permit or contract.
5. The vendor shall receive a copy of the permit or contract and all applicable commission rules.
6. The vendor shall obtain and maintain continuously public liability insurance with limits of liability not less than:
\$100,000.00 each person personal injury,
\$300,000.00 each occurrence personal injury, and
\$ 25,000.00 each occurrence property damage or insurance coverage specified in the permit or contract, whichever is greater.
7. Vendors are accountable to the commission for equipment assigned to their location. The vendor is responsible for maintaining the equipment in a clean and sanitary condition.
8. The vendor shall not discriminate in the employment of persons on the grounds of race, color, sex, national origin, creed or religion, physical or mental impairment, age, marital status or political affiliation.

- 9. The vendor or the vendor's employees shall not subject customers to discrimination or deny them participation in, or the benefits of the vending facility on the grounds of race, color, sex, national origin, creed or religion, physical or mental impairment, age, marital status or political affiliation.
- 10. The commission staff shall provide management services as defined in WAC 67-32-030 on a systematic basis. Consultation shall occur a least bi-monthly.
- 11. The commission may upon thirty days notice terminate the license and/or terminate the agreement with the vendor for failure to operate the facility in accordance with the permit or contract or the vending facility rules and shall provide an opportunity for a full evidentiary hearing as provided for in WAC 67-32-420, except in those instances where aggravated emergency conditions require immediate termination of license and/or termination of agreement and removal of the vendor due to gross neglect or misconduct, as provided for in WAC 67-32-430.
- 12. The vendor may terminate this agreement upon giving thirty days written notice to the commission.
- 13. This agreement is automatically terminated when the permit or contract with the contracting agency is terminated.

- 67-40-016 Prevention—Eye physicians advisory committee.
- 67-40-020 Repealed.
- 67-40-021 Cooperative agreement with department of social and health services.
- 67-40-025 Repealed.
- 67-40-050 Repealed.
- 67-40-060 Repealed.
- 67-40-070 Repealed.
- 67-40-090 Prevention—Appeal and fair hearing.
- 67-40-440 Repealed.

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

- 67-40-020 Prevention—Eligibility. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-097 (Order 82-06), § 67-40-020, filed 8/4/82.] Repealed by 83-01-069 (Order 82-08), filed 12/15/82. Statutory Authority: RCW 74.16.450.
- 67-40-025 Prevention—Medical eligibility. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-097 (Order 82-06), § 67-40-025, filed 8/4/82.] Repealed by 83-01-069 (Order 82-08), filed 12/15/82. Statutory Authority: RCW 74.16.450.
- 67-40-050 Prevention—Services provided. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-097 (Order 82-06), § 67-40-050, filed 8/4/82.] Repealed by 83-01-069 (Order 82-08), filed 12/15/82. Statutory Authority: RCW 74.16.450.
- 67-40-060 Prevention—Services not provided. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-097 (Order 82-06), § 67-40-060, filed 8/4/82.] Repealed by 83-01-069 (Order 82-08), filed 12/15/82. Statutory Authority: RCW 74.16.450.
- 67-40-070 Prevention—Authorizations and billing. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-097 (Order 82-06), § 67-40-070, filed 8/4/82.] Repealed by 83-01-069 (Order 82-08), filed 12/15/82. Statutory Authority: RCW 74.16.450.
- 67-40-440 Prevention of blindness. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-097 (Order 82-06), § 67-40-440, filed 8/4/82.] Repealed by 83-01-069 (Order 82-08), filed 12/15/82. Statutory Authority: RCW 74.16.450.

I HEREBY CERTIFY THAT I FULLY UNDERSTAND THE ARTICLES AND TERMS SET FORTH IN THE ABOVE AGREEMENT AND HAVE RECEIVED ALL NECESSARY EXPLANATIONS OF THE PERMIT OR CONTRACT AND THE VENDING FACILITY PROGRAM RULES AND HAVE RECEIVED WRITTEN COPIES THEREOF.

Signed: _____ Date: _____, 19__
 (Vendor)

Name of vendor: _____
 (please type)

Signed: _____ Date: _____, 19__
 (Commission for the Blind)

Name of staff: _____
 Title: _____

[Statutory Authority: RCW 74.16.430(1), 74.16.450, and 74.17.040. 81-07-001 (Order 81-06), § 67-32-910, filed 3/5/81; 79-08-016 (Order 79-01), § 67-32-910, filed 7/10/79.]

Chapter 67-40 WAC PREVENTION OF BLINDNESS

WAC
 67-40-010 Purpose—Description.
 67-40-015 Prevention—Staff ophthalmologist.

WAC 67-40-010 Purpose--Description. The prevention of blindness program is established in RCW 74.16.170. Its purpose is to assure establishment and maintenance of such services as may prevent blindness; to assist in determining the causes of blindness; and to inaugurate and cooperate in any preventative measures as may appear practicable. The commission shall arrange for the examination and necessary treatment for blind or partially blind persons who are unable to pay for such services. [Statutory Authority: RCW 74.16.450. 83-01-069 (Order 82-08), § 67-40-010, filed 12/15/82. Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-097 (Order 82-06), § 67-40-010, filed 8/4/82.]

WAC 67-40-015 Prevention--Staff ophthalmologist. The commission for the blind shall employ an ophthalmological consultant on a part-time basis. His appointment shall be recommended to the commission by the eye physicians advisory committee for a one year term subject to renewal. He shall be responsible for reviewing recommendations made by participating ophthalmologists to determine if the proposed services will

provide a medical benefit in preventing blindness. [Statutory Authority: RCW 74.16.450. 83-01-069 (Order 82-08), § 67-40-015, filed 12/15/82. Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-097 (Order 82-06), § 67-40-015, filed 8/4/82.]

WAC 67-40-016 Prevention—Eye physicians advisory committee. (1) The eye physicians advisory committee shall be appointed by the director of the commission for the blind.

(2) It shall consist of up to eight members who have staggered four year terms.

(3) The committee shall select a chair from among its members.

(4) The committee does the following:

(a) Recommends the criteria to be used in making decisions regarding medical services to be provided;

(b) Recommends the person to serve as staff ophthalmologist;

(c) Reviews and certifies credentials of physicians who render services under the prevention of blindness program. [Statutory Authority: RCW 74.16.450. 83-01-069 (Order 82-08), § 67-40-016, filed 12/15/82. Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-097 (Order 82-06), § 67-40-016, filed 8/4/82.]

WAC 67-40-020 Repealed. See Disposition Table at beginning of this chapter.

WAC 67-40-021 Cooperative agreement with department of social and health services. The prevention of blindness program will be provided cooperatively with the department of social and health services. An agreement which specifies the respective duties and responsibilities of each agency will be controlling. The director shall have the authority to negotiate and sign the agreement, subject to ratification by the commission board within ninety days of signing.

This agreement may include a description of services which are provided to blind and partially blind persons, provide for medical reviews, payment of costs of administration and services, and provide for coordination of the prevention of blindness program with other programs serving the needs of blind individuals. [Statutory Authority: RCW 74.16.450. 83-01-069 (Order 82-08), § 67-40-021, filed 12/15/82.]

WAC 67-40-025 Repealed. See Disposition Table at beginning of this chapter.

WAC 67-40-050 Repealed. See Disposition Table at beginning of this chapter.

WAC 67-40-060 Repealed. See Disposition Table at beginning of this chapter.

WAC 67-40-070 Repealed. See Disposition Table at beginning of this chapter.

WAC 67-40-090 Prevention—Appeal and fair hearing. (1) Any individual denied service may request a

hearing by writing within thirty days of receipt of notification to the commission for the blind at 921 Lake-ridge Drive, Olympia, WA 98502, which will forward the request to the office of administrative hearings.

(2) The individual may be represented by legal counsel or by another person of his choosing.

(3) The director shall upon recommendation from the administrative law judge issue a decision.

(4) The director shall issue a final decision within fifteen days of receipt of the proposed decision. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-097 (Order 82-06), § 67-40-090, filed 8/4/82.]

WAC 67-40-440 Repealed. See Disposition Table at beginning of this chapter.

Chapter 67-50 WAC

CHILD AND FAMILY SERVICES

WAC

67-50-010	Purpose and description.
67-50-020	Referral for services.
67-50-030	Initial interview.
67-50-035	Eligibility for services.
67-50-040	Eligibility criteria.
67-50-050	Child and family services—Services provided.
67-50-060	Termination.

WAC 67-50-010 Purpose and description. The authority for child and family services are established in RCW 74.16.300, 74.16.400 and 74.16.490. The purpose of this program is to provide services to blind children and their families in order to facilitate the child's optimum participation in school and society. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-098 (Order 82-07), § 67-50-010, filed 8/4/82.]

WAC 67-50-020 Referral for services. Referrals of children for child and family services shall be accepted from any and all sources. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-098 (Order 82-07), § 67-50-020, filed 8/4/82.]

WAC 67-50-030 Initial interview. (1) The commission shall interview all referrals to child and family services and/or their families as soon as possible following referral.

(2) At the initial interview the interviewer shall:

(a) Explain to the child and/or his family the nature and scope of available services as they relate to the child.

(b) Inform the child and/or his family of the right to confidentiality of information possessed by the commission.

(c) Obtain any information necessary in determining eligibility for child and family services. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-098 (Order 82-07), § 67-50-030, filed 8/4/82.]

WAC 67-50-035 Eligibility for services. The commission shall make eligibility determination as to every referral for child and family services. The determination

of eligibility shall be made as soon as possible after referral. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-098 (Order 82-07), § 67-50-035, filed 8/4/82.]

WAC 67-50-040 Eligibility criteria. (1) To be eligible for child and family services an individual must be between the ages of birth and twenty-one years.

(2) Any child below the age of twenty-one years who has completed high school or has discontinued his formal education shall not be eligible for child and family services. Such children shall be referred for vocational rehabilitation or other appropriate resources.

(3) Eligibility for child and family services shall be dependent on documentation of a visual impairment including one or more of the following conditions:

(a) Legal blindness or visual handicap as they are customarily defined, either in terms of qualifying reduction in visual acuity and/or a qualifying reduction in visual fields.

(b) A visual impairment which is progressive in nature and can be expected to lead to blindness within a reasonable period of time.

(c) Reductions in both visual acuity and visual fields such that the effect is substantially that of legal blindness, or visual efficiency is so reduced as to have substantially the same effect as legal blindness.

(d) A visual impairment which makes it impossible for a child to compete successfully in school and other childhood endeavors. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-098 (Order 82-07), § 67-50-040, filed 8/4/82.]

WAC 67-50-050 Child and family services--Services provided. Services provided by child and family services include:

(1) Direct consultation with children and their families to provide developmental training, general counseling, needs assessment, and information regarding other available resources.

(2) Direct consultation and technical assistance to teachers, administrators and other educational personnel in order to facilitate adequate programs for blind and visually handicapped children.

(3) Direct consultation and technical assistance to other professionals who work with blind and visually handicapped children.

(4) Periodic follow-up throughout the child's term of eligibility to assure continuation of appropriate services.

(5) Continuity of case management and facilitation of transition to vocational rehabilitation at the appropriate time.

(6) Advocacy in all sectors of society for blind and visually handicapped children and/or their families to assure their rights to participate fully in the educational, vocational and social endeavors of society in general. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-098 (Order 82-07), § 67-50-050, filed 8/4/82.]

WAC 67-50-060 Termination. A child shall be terminated from child and family services for the following reasons:

(1) The child has completed high school;

(2) The child has withdrawn from school prior to his senior year and does not intend to return;

(3) The child has reached the age of twenty-one years;

(4) The child's vision improves to a degree which no longer meets the criteria for eligibility;

(5) The child moves from the state of Washington; or

(6) The child and/or his family requests termination. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-098 (Order 82-07), § 67-50-060, filed 8/4/82.]

Title 82 WAC

OFFICE OF FINANCIAL MANAGEMENT

(Formerly: Office of Program Planning and Fiscal Management)

Chapters

82-10	Public funds cash flow.
82-20	Electronic deposit of salaries and state funded benefits.
82-24	Moving expenses.
82-28	Travel regulations.
82-50	Pay dates for state employees.

Chapter 82-10 WAC

PUBLIC FUNDS CASH FLOW

WAC

82-10-010	Estimate of cash flow.
82-10-020	Agency to provide information.
82-10-030	Purview of state treasurer.

WAC 82-10-010 Estimate of cash flow. This rule is promulgated pursuant to RCW 43.41.110(13). The office of financial management (OFM) is the primary agency responsible to estimate the cash flow of the state general fund and accounts in the general fund. OFM has the responsibility to manage funds to enhance the cash flow position of the general fund and accounts in the general fund after consultation with any affected agency, council, commission, department or office. [Statutory Authority: RCW 43.41.110(13). 82-20-028 (Order 1982-1), § 82-10-010, filed 9/30/82.]

WAC 82-10-020 Agency to provide information. In order to carry out the provision of WAC 82-10-010, state agencies, councils, commissions, departments, or offices depositing, transferring or disbursing funds from the general fund or accounts in the general fund will provide such information as deemed necessary by OFM to estimate and manage the cash flow of the general fund. [Statutory Authority: RCW 43.41.110(13). 82-20-028 (Order 1982-1), § 82-10-020, filed 9/30/82.]