

ARIZONA DEPARTMENT OF ECONOMIC SECURITY

Program Name: Vocational Rehabilitation (VR)

Policy Number: VR-5.1-v8

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CHAPTER 5: Closure

Section 5.1: Closure Criteria

I. Policy Statement

This policy outlines the criteria for closing Vocational Rehabilitation (VR) cases.

II. Authority

Authority for policies contained in this document includes the following:

- Workforce Innovation and Opportunity Act (WIOA), 29 U.S.C. § 3101 et seq.
- Title IV Amendments to the Rehabilitation Act of 1973, 29 U.S.C. § 701 et seq.
- State Vocational Rehabilitation Services Program, 34 CFR:
 - § 361.44, Closure without eligibility determination,
 - § 361.47(a)(9), Record of Services,
 - § 361.56, Requirements for closing the record of services of an individual who has achieved an employment outcome,
 - § 361.5(c)(9), Applicable definitions.
- Arizona Revised Statutes:
 - § 23-502, and
 - § 23-503.
- Arizona Administrative Code, Title 6, Chapter 4, R6-4-202 (I)(1).
- RSA Policy Directive: RSA-PD-19-03, Instructions for the Completion of Case Service Report (RSA-911) for the State Vocational Rehabilitation Services Program and the State Supported Employment Services Program

III. Applicability

This policy applies to all open VR cases.

IV. Standards

- A. All case closures must have relevant supporting documentation in the electronic case file (ECF).
- B. Case closures may be warranted in the following instances:
 - 1. Before eligibility/Order of Selection (OOS) determination,

2. Ineligibility,
 3. Not meeting an employment outcome,
 4. Meeting an employment outcome (also referred to as successful closure),
 5. The client has requested case closure at any time in the VR process, and/or
 6. The client will not be able to participate in VR services for a period longer than six months.
- C. VR cannot close an applicant's case before eligibility determination unless the applicant declines to participate in, or is unavailable to complete, an assessment for determining eligibility and OOS priority category, and VR has made a reasonable number of attempts to contact the applicant to encourage their participation.
- D. The following criteria for case closures under ineligibility must be met:
1. The client does not have a documented physical or mental impairment,
 2. The client's impairment does not result in a substantial impediment to employment,
 3. The client does not need VR services to achieve an employment outcome, or
 4. The client is determined to be unable to benefit from VR services, in terms of an employment outcome, due to the significance of their disability, which is supported by the results of a Trial Work Experience.
- E. The client must be allowed to participate in a consultation to review the results of the Trial Work Experience.
- F. The client must be provided with referral information to other available programs that may address their training or employment-related needs in instances of an ineligibility determination.
- G. Criteria for case closures as not meeting an employment outcome are as follows:
1. The client consistently fails to actively participate in VR services,
 2. The client fails to make consistent progress toward the achievement of the agreed-upon intermediate objectives or specific employment outcome,
 3. The client requests case closure before meeting an employment outcome, or
 4. The client has died (a closure decision letter is not required to be mailed out, however, the closure letter must be opened in the ECF to start the process).
- H. Criteria for all case closures as meeting an employment outcome are as follows:

1. The employment outcome is consistent with the Individualized Plan for Employment (IPE) goal,
 2. The employment outcome is in a competitive and integrated setting,
 3. The client has maintained employment for a minimum of 90 days from the first day the client attained stability on the job, which is determined after the date of job placement,
 4. IPE services are complete and the client no longer requires VR services to maintain employment, and
 5. The counselor, client, and client's legal guardian (if applicable) are satisfied with the employment outcome.
- I. Criteria for full-time, part-time, or self-employment must meet the following for closure:
1. Meets or exceeds State minimum wage standards,
 2. Wages are the customary wage paid by the employer for the same or similar work performed by other employees without disabilities who have similar training, experience, and skills and who are situated in similar occupations at the same workplace,
 3. Typically found in the community, and
 4. Presents opportunities for advancement for individuals with disabilities that are similar to those available to employees without disabilities in similar positions.
- J. The VR Counselor must verify the client's wages meet or exceed the State minimum wage.
- K. The types of documents for job verification accepted by VR are as follows:
1. Pay stub,
 2. Documentation from the employer that includes the client's start date and pay rate,
 3. Financial worksheets showing profit/loss/income for clients under a self-employment IPE, or
 4. Detailed case notes including the employment start date, date of verification, and justification for the client not providing employment documentation.
- L. The VR Counselor must indicate the attempts to collect job verification documentation via a case note in the ECF.
- M. In the event the client does not provide supporting documentation for

employment, the VR Counselor must utilize The Work Number to attempt to obtain wage verification.

- N. Before case closure, the client must maintain stable employment at least 90 days after one of the following:
 - 1. Transitioning to the Extended Supported Employment (ESE) source in a Supported Employment IPE,
 - 2. Transition to another source of ESE for youth who received ESE from VR and are no longer eligible for VR funding, or
 - 3. Upon achieving the agreed-upon financial outcome as outlined in a Self-Employment IPE.
- O. The VR Counselor must send the applicable closure letter that includes the reason for closure, the closure date, and appeal rights for all case closures. Closure letters are as follows:
 - 1. Closure Decision (Not Eligible for VR) with Appeal Rights, or
 - 2. Closure Decision (General) with Appeal Rights.
- P. The VR Counselor must close a case no sooner than 14 calendar days, beginning on the date after the closure letter date, and no later than 20 calendar days from the closure letter date, when a request for appeal of the closure decision has not been received.
- Q. The VR Counselor must:
 - 1. Contact the client before closing the case and document all client contact attempts in the ECF,
 - 2. Complete the Closure Justification template and the VR Case and Closure form in the ECF, and
 - 3. Ensure the ECF contains supporting documentation and criteria, per C above.
- R. The Program Supervisor must approve closure decisions made by VR Counselors who do not meet the Standard for Personnel, as per Section 1.3 of this policy manual.

V. Procedure

- A. Refer to IV. K-O and P-R above.
- B. Refer to Standard Work Closures - Loss of Contact.
- C. The case must be audited and the VR Counselor must reconcile services on the IPE (service categories) against open authorizations to match what the client has completed, did not complete, or did not use.
- D. In the event the client is paid in cash or on commission, the VR Counselor will

need to calculate the hourly wage and divide the number of hours worked by the gross pay on the Employment Verification form in the ECF.

- E. Refer to Chapter 15: Appeals of this manual in instances when a client submits a request for appeal of the closure decision.

VI. Documentation Requirements

- A. The client's ECF must include the following:
 1. Documentation supporting case closure,
 2. Documentation for job verification,
 3. Closure Justification template,
 4. VR Case and Closure form,
 5. Closure Decision Letter with Appeal Rights, and
 6. Case notes documenting the attempts to contact the client before case closure.