

# ARIZONA DEPARTMENT OF ECONOMIC SECURITY

**Program Name:** Vocational Rehabilitation (VR)

**Policy Number:** VR-5.1-v7

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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. A client or applicant's VR case may be closed at any time in the VR process when further VR services are no longer necessary.

## 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 C.F.R. §§:
  - Closure without eligibility determination 361.44
  - Record of Services 361.47(a)(9)
  - Requirements for closing the record of services of an individual who has achieved an employment outcome 361.56
  - Applicable definitions 361.5(c)(9)
- A.R.S. §§ 23-502 and 503
- Arizona Administrative Code, Title 6, Chapter 4, Eligibility, ineligibility, and certification R6-4-202 (I)(1)
- RSA Policy Directive: RSA-PD-19-03, 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. Prior to eligibility/Order of Selection (OOS) determination,

2. Due to ineligibility,
  3. For not meeting an employment outcome,
  4. As a result of meeting employment outcome (also referred to as successful closure),
  5. When the client has requested case closure at any time in the VR process, and/or
  6. When the client will not be able to participate in VR services for more than six months.
- C. The following criteria for case closures prior to determining or redetermining eligibility/OOS must be met:
1. Medical records or documentation is unavailable, and/or
  2. The client is unavailable or unable to complete any necessary assessments for eligibility/OOS purposes.
- 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 due to the results of a trial work experience.
- E. The client must be given the opportunity 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 fails to actively participate in VR services on a consistent basis,
  2. The client fails to make consistent progress toward achievement of the agreed upon intermediate objectives or specific employment outcome,
  3. The client requests closure prior to 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 authorized representative 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. Be the customary wage paid by the employer for the same or similar work performed by other employees without disabilities that have similar training, experience, and skills and who are situated in similar occupations at the same workplace.
  3. Typically found in the community.
  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 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 minimum wage indicating the client's 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, via a case note in the ECF, the attempts to collect job verification documentation.
- M. In the event the client does not provide supporting documentation for

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

- N. Prior to case closure, clients must maintain stable employment retention 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 youths that received ESE from VR and are no longer eligible for VR funding.
  - 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 [Closure Decision (Not Eligible for VR), or Closure Decision (General)] that includes the reason for closure, the closure date, and appeal rights for all case closures.
- 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 prior to closing case and document all client contact attempts in the ECF,
  - 2. Complete the Closure Justification template and VR Case and Closure form in the ECF, and
  - 3. Ensure the ECF contains supporting documentation and criteria per G 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 manual.

**V. Procedure**

- A. Refer to IV. J.-N. above.
- B. Refer to Standard Work Closures Due to Loss of Contact.
- C. Refer to Standard Work PT Task - Amended Vendor Authorization for case audit procedures. The case must be audited, and 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**

The client's ECF must include the following:

- A. Documentation supporting case closure,
- B. Documentation listed in IV. K,
- C. Closure Justification template,
- D. VR Case and Closure form,
- E. Closure Decision letter with Appeal Rights, and
- F. Case notes documenting the attempts to contact the client prior to case closure.