

## **ARIZONA DEPARTMENT OF ECONOMIC SECURITY**

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

**Policy Number:** VR-12.9-v4

**Effective Date:** July 1, 2008

**Last Revision:** October 25, 2024

**CHAPTER 12:** Support Services

**Section 12.9:** Client Equipment

### **I. Policy Statement**

This policy provides guidelines for the provision of equipment for clients to achieve a successful employment outcome as listed on their most recent and approved Individualized Plan for Employment (IPE).

### **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 §§:
  - 361.48 (b)(16) and (17), Scope of vocational rehabilitation services for individuals with disabilities,
  - 361.53 (a) and (c-e), Comparable services and benefits, and
  - 361.54 (b)(1-2), Participation of individuals in cost of services based on financial need.
- Arizona Revised Statutes:
  - § 23-502, and
  - § 23-503.
- Arizona Administrative Code, Title 6, Chapter 4:
  - R6-4-201 (A)(1)(m) and (n), General considerations, and
  - R6-4-403 (A)(1)(a)(vi) and (vii), and (B)(1) and (2) (c-e) and (3), Economic need and similar benefits.
- DES Policy and Procedure:
  - 1-37-05, Equipment Management Policy, and
  - 1-37-05-01, Equipment Management Procedures.

### **III. Applicability**

This policy applies to clients who require the equipment necessary to achieve the agreed-upon employment outcome listed on their Individualized Plan for Employment (IPE).

#### **IV. Standards**

##### **A. General Information**

1. VR provides equipment to obtain, maintain, retain, or advance employment.
2. Equipment purchased by VR is property of the Arizona Department of Economic Security (DES), Division of Employment and Rehabilitation Services (DERS), and Rehabilitation Services Administration (RSA) unless the ownership is transferred to a client.
3. VR provides the following types of equipment:
  - a. Assistive technology (AT) equipment, and
  - b. General-purpose equipment.

##### **B. Assistive Technology (AT) Equipment**

1. Economic need criteria does not apply to AT equipment.
2. A new assistive technology assessment and recommendations for specific AT equipment are required if the prior assessment is older than two (2) years.
3. The VR Counselor must determine the AT equipment that VR will provide based on the recommendations of a qualified AT evaluator.
4. Refer to Section 13.1 Rehabilitation Technology of this policy manual for complete guidelines for providing AT equipment.

##### **C. General-Purpose Equipment**

1. Economic need criteria must be applied for general-purpose equipment.
2. Comparable benefits must be explored and utilized before VR support is provided.
3. VR must provide general-purpose equipment when listed as a requirement in the postsecondary education or vocational training program curriculum in the following instances:
  - a. The equipment is available but not reasonably accessible at the training institution, or
  - b. The equipment is unavailable because the training institution is not obligated to provide it.

4. VR must provide general-purpose equipment which is necessary for business operations after the client's self-employment business plan is approved.
5. VR must provide general-purpose equipment which is necessary for employment. The employer must require the equipment to be purchased by all employees in the same or similar position.

**D. Replacement or Repair of Equipment**

1. The determination between the replacement or repair of equipment purchased by VR for a client's use must be based on which is more economical and under the following circumstances:
  - a. The client is actively participating in VR services, and making consistent progress towards the achievement of their employment outcome,
  - b. Normal wear and tear through the course of appropriate and prescribed usage by the client for the service which has made the equipment no longer functional,
  - c. Malfunction of the equipment due to manufacturer defect and the manufacturer warranty has expired, or
  - d. Change in the client's disability and/or disability-related needs that require a change in equipment.
2. VR must recover (if possible) and not replace equipment if evidence exists that the equipment has been:
  - a. Lost, stolen, or damaged due to abuse, neglect, unauthorized modification, or use by someone other than the authorized user,
  - b. Used for something other than the authorized purpose, or
  - c. Confiscated by law enforcement/authorities due to illegal activity.
3. Evidence about equipment misuse must include, but is not limited to, police reports, information provided by the client, the client's legal guardian, the client's representative, or vendor, observation of physical damage by VR staff, or an IT/computer repair report.
4. VR must send the client an RSA Decision Letter with Appeal Rights when equipment is recovered and not replaced.

**E. Return of Equipment**

1. In instances when the equipment must be returned to VR, the VR Counselor must send the Equipment Collection Notification letter and Appeal Rights form to the client. The letter must include the following information:

- a. Equipment to be returned,
  - b. Date the equipment must be returned to VR,
  - c. Options for returning the equipment in person or via mail, and
  - d. Notification that if equipment is not returned, DES will initiate the collections process.
2. VR must not provide any additional or new equipment to the client during this time unless the purchase of new/additional equipment is approved by the Regional Program Manager to address the client's disability-related needs.
  3. VR may allow the client to keep the equipment should the following instances apply:
    - a. Recovery of the equipment will negatively impact the health or welfare of the client,
    - b. The equipment was custom-made to meet the client's unique disability needs,
    - c. The equipment has become obsolete,
    - d. The value of the equipment, as determined by averaging the value obtained through three (3) internet searches, has depreciated to less than \$250.00 and it cannot be readily used by other clients, and/or
    - e. The client has significantly contributed to the cost of the equipment or the equipment was obtained through a comparable benefit.
  4. Ownership of the equipment must automatically transfer from DES/DERS/RSA to the client at the time of the successful completion of the client's rehabilitation program as indicated on the Equipment Contract form.

## **V. Procedure**

- A. The client must:
  1. Complete and sign the agency Equipment Contract form.
  2. Use the equipment for the purpose intended in the IPE.
  3. Return the equipment if the equipment:
    - a. Is no longer needed,
    - b. Has been damaged and will not be repaired/replaced, or
    - c. Is no longer being used for the purpose intended in the IPE.

- B. To purchase a weapon that is required for a client to achieve their approved IPE employment outcome, the VR Counselor must:
  - 1. Document in the client's electronic case file (ECF) the reason the weapon is required for the client's achievement of their approved IPE employment outcome and include supporting documentation, and
  - 2. Obtain written approval from the Program Administrator or designee to purchase the weapon.
- C. VR must utilize rental equipment in instances when the equipment is necessary for a short period of time and it is the most economical means of providing the service.
- D. The VR Counselor must prepare a justification that explains the rationale for using rental equipment.
- E. The VR Counselor and client must complete, review, and sign the agency Equipment Contract Form before issuing equipment to the client.
- F. The VR Counselor must provide the client a copy of the completed Equipment Contract to the client.
- G. Refer to the RSA Allowable Services Document, contracts (if available), and provider requirements.
- H. For non-contracted service, refer to the RSA Contracts Unit for guidance as to whether the service is to be procured via:
  - 1. Arizona Health Care Cost Containment (AHCCCS) Fee for Services,
  - 2. Other procurement methods, or
  - 3. Direct payment to the client via CPA.
- I. The VR Counselor must complete the agency Referral for Services form for AT-Aids and Devices or Other Services-Employment Related and include the type of equipment being purchased.
- J. The VR Counselor must task the Purchasing Specialist to create RSA Purchase Authorization(s) for the necessary service(s).
- K. The Purchasing Specialist must submit the RSA Purchase Authorization for each service listed and the referral information to the provider(s).
- L. Upon receipt of the provider's reporting documentation, the VR Counselor must review the documentation for completeness, approve the provider's invoice, and process for payment after confirming that the reporting documentation is complete.
- M. The VR Counselor must assess and document whether the client is using the equipment for the purpose(s) intended in the IPE at the time of:
  - 1. Annual IPE reviews, and

2. Case closure.
- N. All equipment repairs must be approved by the VR counselor before the repair work is done.
- O. Upon return of the equipment, the VR Counselor must complete the Equipment Returned by Client form in the electronic case file (ECF) and coordinate with the RSA Policy Unit regarding the storage, disposal, or redistribution of equipment.
- P. In instances when the equipment is not returned by the client and the client has not appealed the VR decision, the VR Counselor must make two (2) additional attempts to contact the client using the client's preferred method of communication within 30 calendar days of the date of the Equipment Collection letter.
- Q. The VR Counselor must document attempts to contact the client in the ECF.
- R. In instances when the equipment is not returned within 30 calendar days from the date of the VR Equipment Collection letter, the VR Counselor must:
1. Notify the Program Supervisor or designee,
  2. Include a case note in the ECF stating that the client will not receive any additional or new equipment unless the purchase of new/additional equipment is approved by the Regional Program Manager to address the client's disability-related needs,
  3. Complete an Unusual Incident Report (UIR), and
  4. Submit the completed UIR, with copies of the Equipment Contract, any purchase documentation, and any correspondence with the client that relates to the equipment, to the Regional Program Manager.
- S. The Regional Program Manager must:
1. Review the information, and
  2. Submit a copy of all information to the RSA Administrator or designee.
- T. The RSA Administrator or designee must:
1. Review information and documentation provided by the Regional Program Manager, and
  2. Submit the pertinent information to Risk Management and the DES Office of Accounts Receivable and Collections (OARC) to initiate the collections process.
- U. Refer to Standard Work, if available.

## **VI. Documentation Requirements**

- A. The client's ECF must include the following documentation:

1. RSA Purchase Authorizations,
2. Documentation and case notes related to the purchase, collection, or disposal of required equipment,
3. Provider invoice,
4. Packing slips,
5. Warranty information, and
6. Equipment Contract.