

# **Oregon Commission for the Blind**

## **Vocational Rehabilitation Services Rights and Responsibilities**

The Oregon Commission for the Blind helps Oregonians who are blind obtain and maintain employment. To be eligible for services, you must be legally blind or have a condition that leads to legal blindness and need vocational rehabilitation services in order to achieve employment. If you are determined eligible, you will work with your counselor on identifying a specific vocational goal and develop a plan for reaching that goal. This goal could be returning to your former job prior to your vision loss or obtaining a job in a new field. You and your counselor will work together to find a job that is as close as possible to your vocational goals and that matches your skills and experience.

The Oregon Commission for the Blind is open Monday-Friday, 8 am-5 pm. Services are arranged by appointment at a time that will work for you and your counselor. All appointments with your counselor will need to be made in advance as drop-in appointments are generally not available due to counselor schedules/workloads. Clients are asked to call at least 24 hours in advance if a meeting needs to be cancelled/rescheduled. There is no charge for services provided by the agency, however your counselor may work with you to identify resources you or other entities may be able to contribute to your plan and services. This insures that the agency is being a good steward of public funds and that all comparable benefits available to you are explored and utilized to achieve the most positive outcomes.

### **Information About the Eligibility Process**

You are eligible for the Vocational Rehabilitation program if the following basic criteria are met:

1. You are legally blind or have a condition likely to lead to legal blindness because of which you are currently experiencing functional limitations. Legally blind is defined as 20/200 or worse in the better eye after all possible correction or fields of 20 degrees or less. The eye condition must be congenital or organic in nature.

2. This impairment constitutes or results in a substantial impediment to employment.

3. You require vocational rehabilitation services to prepare for, secure, retain, advance in, or regain employment consistent with your unique strengths, resources, priorities, concerns, abilities, capabilities, interests, and informed choice.

Your counselor is required to make a determination of your eligibility within 60 days of application, unless-

1. Exceptional and unforeseen circumstances beyond the control of the agency preclude a determination within 60 days and both you and the agency agree to a specific extension of time. If more time is needed, your counselor will create a written extension in your case file.

It is presumed that if you meet the above criteria, you can benefit from services in order to achieve an employment outcome. Also if you are already eligible for Social Security Disability Insurance (SSDI) or Supplemental Security Income (SSI) through Social Security, you are presumed eligible for vocational rehabilitation services and are considered to be a person with a significant disability. However, if it is questionable that you can benefit from services in order to work even if receiving SSI or SSDI, your counselor will arrange trial work experiences for you in competitive integrated settings. An ineligibility decision would be made if it is demonstrated, based on clear and convincing evidence, that you are unable to benefit/achieve an employment outcome as a result of vocational rehabilitation services.

Additional information about the vocational rehabilitation eligibility process can be found on pages 19-32 in our Vocational Rehabilitation (VR) Policy Manual located on our website at

[www.oregon.gov/blind/whoweare/Pages/agency\\_policies.aspx](http://www.oregon.gov/blind/whoweare/Pages/agency_policies.aspx)

(All future references to the VR Policy Manual can also be located at the above link)

## **Expectations and Responsibilities**

The goal of receiving services from the Oregon Commission for the Blind is for you to get and/or keep a job. By applying for our services it is

understood that you intend to work as a result of receiving services. Demonstrating that you are reliable and motivated to reach your goals are critical factors in determining your success in employment. You will have many opportunities to demonstrate that you are ready to pursue your goals and committed to achieving successful outcomes. Examples of how you can demonstrate your reliability and motivation include:

- Consistent attendance, participation in training and follow through on assignments with agency instructors and/or vendors
- Positive reports from volunteer or work experience supervisors
- Follow through with commitments such as informational interviewing, researching job choices and completing agreed upon assignments
- Doing what you say you will do when you say you will do it

Throughout your involvement with the Oregon Commission for the Blind, you will also have certain responsibilities:

It is your responsibility to cooperate in the collection of information necessary to determine eligibility for services and defining what services you may need.

You will treat agency staff and other persons involved in the provision of services with respect and courtesy, free of violent behavior, threats of violent behavior or other forms of harassment.

You will carry out all of the responsibilities you have agreed to perform.

If you receive SSI or SSDI and you choose to receive services from the Commission for the Blind under an Individualized Plan for Employment, your Ticket to Work will be assigned and/or considered “in use” by the agency until your case is closed.

To learn more about the Ticket to Work Program please visit the following website: <https://www.ssa.gov/work/overview.html>

You will need to cooperate in locating and applying for additional sources of funding which may be available to help pay for services that assist you in obtaining employment.

You are responsible for obtaining approval from your counselor before you arrange for or receive products or services that you are requesting the Commission for the Blind to fund.

You will maintain regular contact with your counselor. If you do not stay in touch, your counselor will attempt to contact you through any available means and if you are unable to be reached after three attempts over the course of a month, your case may be closed. When you are ready to reengage, you are always welcome to reapply.

You will actively look for and accept employment related to your Individualized Plan for Employment (IPE). You will notify your counselor as soon as you obtain employment and share information about your job including the name of the employer, hours per week, job title, earnings and benefits information.

### **Services and Case Closure Information**

Services will be planned with your participation and are provided based on your unique situation. You will be actively encouraged to make informed choices about your job goals and the types of services you receive. The types of services you receive and the length of time you receive services will depend on your unique needs.

Your counselor will not close your file prior to making an eligibility determination unless you decline to participate in, or are unavailable to complete, an assessment for determining eligibility.

If you have achieved an employment outcome your counselor may close your file if all of the following requirements are met: you have achieved the employment outcome that is described in your Individualized Plan for Employment (IPE); you are employed in competitive integrated employment; you have maintained this employment outcome for an appropriate period of time necessary to ensure the stability of employment (no less than 90 days); you no longer need vocational rehabilitation services; you and your rehabilitation counselor consider the employment outcome to be satisfactory and you are performing well on the job.

Please note that even after your case is closed, post-employment services are available to you if you need them in order to retain your employment.

You can find more information about case closure and post-employment services in our VR Policy Manual pages 95-99.

## **Confidentiality**

The Commission for the Blind will be gathering medical and other personal information about you in order to determine your eligibility for services. All information obtained is collected under the authority of the Rehabilitation Act of 1973, as amended. Without this information, your counselor will be unable to establish your eligibility and your case may be closed.

Information will remain confidential and will be used only for vocational rehabilitation purposes. Staff of the Oregon Commission for the Blind will have access to your records when required to conduct agency business. This means that information will be shared as necessary with other professional staff of the agency such as rehabilitation instructors, technology specialists, support staff, and managers.

Information about you and the services you receive will be released to the Rehabilitation Services Administration which provides federal funding to Vocational Rehabilitation agencies and may be released when requested by the Social Security Administration, under judicial order or when needed for a law enforcement investigation. Information may also be released to protect you or others if it is determined that you pose a threat to your safety or the safety of others. If you are under 18 or have a court appointed guardian, your parent or guardian can access your records. Otherwise, information requested by any other person or organization will only be released with your written permission.

The Oregon Commission for the Blind may need to access and share information about you with WorkSource Oregon Management Information System (WOMIS), Oregon Department of Education, and the Oregon Department of Human Services Agencies: Vocational Rehabilitation (VR) and Office of Developmental Disabilities Services (ODDS) in order to coordinate employment services and resources, ensuring a successful job search and coordination of services. Your information will be kept confidential and only authorized representatives from the aforementioned entities will have access to records.

## **Shared Information System (SIS) and Performance Reporting Information System (PRISM)**

Prism collects information from organizations in Oregon that provide employment and training services. This information is transmitted to the Oregon Employment Department using the client's Social Security number. This information is then summarized and used by the Legislature to analyze and improve workforce programs in Oregon. No information which can identify you will be given out by the SIS/PRISM. Information produced by the SIS/PRISM will not be used to make any decision or take any action that would directly affect any individual.

## **Wage Records**

The Commission for the Blind may need to access wage record data from the Oregon Employment Department using your Social Security number, in order to conduct internal program improvement analysis and to claim reimbursement of service costs from the Social Security Administration. In obtaining these records, the Commission for the Blind will maintain them as confidential information.

Also in order to ensure your success in maintaining your job or in finding employment after closure, the Oregon Commission for the Blind is required to monitor your progress through wage information for a year after your case is closed. The Oregon Commission for the Blind may need to contact you to obtain wage information if this information cannot be obtained through the Oregon Employment Department.

## **Educational or Training Credentials**

The Oregon Commission for the Blind is required to monitor your progress in attaining additional educational or training credentials for a year after your case is closed and may contact you to see how you are doing in obtaining the training that you need to strengthen your work skills. The agency may also develop a contract to obtain this information through educational sources while maintaining the confidentiality of your information.

## **Individual Rights**

When applying for or receiving vocational rehabilitation services, you have certain rights.

You are protected against discrimination due to race, creed, color, physical disability, mental disability, national origin, gender, sexual orientation, age, religion, ancestry, veteran's status, and as a member of any other protected status covered by applicable local, state or federal nondiscrimination laws.

You have the right to work with your counselor in order to make informed choices about your services and service providers throughout the rehabilitation process.

You have a right to have information presented to you in a format that works for you and your communication needs. Any information you receive from the Oregon Commission for the Blind is available in alternate formats that, upon request, can include but are not limited to large print, braille, electronic and oral presentation.

You have the right to examine information in your case record.

At any time, you have the right to involve other person(s) in the rehabilitation process to advocate on your behalf.

If you are determined eligible for vocational rehabilitation services, you have these additional rights:

You have the right to select, with the assistance of your counselor, your employment goal consistent with your strengths and limitations, resources, priorities, concerns, abilities and capabilities.

You have the right to decide who will help you with your Individualized Plan for Employment and request changes as needed to help you reach your goals.

You have the right to speak with your counselor's supervisor if at any point you have concerns regarding the services you are receiving from the Oregon Commission for the Blind.

## **Appeal Process - Client Assistance Program**

If you are dissatisfied with decisions made by the Oregon Commission for the Blind regarding services, you have the right to contact the Client Assistance Program at Disabilities Rights Oregon. They can be reached by phone at 503-243-2081 or visit their website at [www.droregon.org](http://www.droregon.org). You will also receive this information at time of application, plan, closure, or upon denial of a requested service. You have 60 days following a decision to pursue your right of appeal.

If the issue cannot be resolved through informal means, you can request a mediation or hearing with an impartial hearings officer.

You can find mediation/hearings request forms at:

<http://www.oregon.gov/blind/whoweare/Pages/agencypolicies.aspx>



**Agreement**

Your signature or that of your parent or other authorized representative certifies the following:

- Your rights and responsibilities and those of the Commission for the Blind have been reviewed with you.
- You understand the use of personal data will be used for the purposes of the Shared Information System (SIS) and Performance Reporting Information System (PRISM) and obtaining wage records and training credential information. You also agree to assist in the provision of this data/information, as needed, for up to a year following the closure of your case.
- You understand that your personal data will be used for tracking referrals and participation to WorkSource Oregon services and resources through WOMIS (WorkSource Oregon Management Information System). You also understand that this information will be used for service coordination within WorkSource Oregon by OCB and WorkSource Oregon staff.
- You have received a copy of this document and information on the Client Assistance Program which describes your rights and provides the contact information on where any appeals should be filed.
- You understand that the Oregon Commission for the Blind will make every effort to protect consumer confidentiality when communicating via email and or other electronic devices and that there are potential risks associated with electronic communications that are outside of the control of the Oregon Commission for the Blind.

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Printed name of Client

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Signature of Client

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Date

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Signature of Guardian/Other

\_\_\_\_\_  
Date