

1 **Vocational Rehabilitation Vehicle Modification Services**
2 **Discussion Paper**

3 **Background**

4 Vocational Rehabilitation (VR) regulations in 34 Code of Federal Regulations (CFR) §361.50
5 require states to develop and maintain written policies covering the nature and scope of each VR
6 service specified in §361.48. Per §361.48(b), as appropriate to the VR needs of each individual
7 and consistent with each individual’s individualized plan for employment, states must ensure that
8 certain VR services are available to assist the individual in preparing for, securing, retaining,
9 advancing in, or regaining an employment outcome consistent with the individual’s strengths,
10 resources, priorities, concerns, abilities, capabilities, interests, and informed choice.

11 Under §361.48(b)(17), VR services are required to include vehicular modification (VM) as
12 defined in §361.5(c)(45). Through the engagement of a personal vehicle that has been altered
13 with suitable rehabilitation technology, VM services provide equitable transportation
14 opportunities for VR customers whose disabilities impede the operation of standard vehicles.
15 The goal of VM services is to promote greater independence and access to communities,
16 educational institutions, and other supports necessary to locate jobs, sustain work and living
17 arrangements, and enable career advancement and related travel. VM needs may arise at any
18 time during the VR process and must be addressed as soon as possible, in line with the
19 customer’s Individualized Plan for Employment (IPE).

20 **Issues**

21 The number of customers who receive VM services annually is lower than that of customers
22 receiving other types of VR services, and the overall number of customers receiving VM
23 services has declined in recent years. Several factors may be attributed to this decline, including
24 the cost and complexity associated with VM services as well as the overall time needed to
25 deliver and complete VM services after the need for them has been identified. Based on input
26 from customers and stakeholders regarding VM services, staff undertook a thorough review of
27 the VM process.

28 Based on that review, staff identified several process and procedural modifications that will
29 reduce the complexity associated with the VM services while also reducing the time needed to
30 complete the delivery of VM services. These modifications are expected to result in customers
31 completing the delivery and final configuration of their modified vehicle in a timelier manner,
32 ensuring that the customer has the means of transportation necessary to meet their employment
33 goals. However, staff also identified a needed policy modification that would not alter eligibility
34 requirements for VR services but would impact VR customers’ ability to participate in VM
35 services.

36 Under the current policy, before approving VM services, staff must determine whether other
37 means of accessible transportation, including public transportation, are available to the customer.
38 Furthermore, current policy requires that consideration be given to whether a customer
39 physically relocating to an area where public transportation is available is feasible. It is important

1 to determine whether a VM is the best transportation option for the customer, relative to
2 comparable options. However, making VM approval contingent upon the unavailability of a less
3 desirable mode of transportation, or asking a customer to physically relocate, does not give
4 appropriate consideration to a customer's preferred location and should no longer be
5 considerations in the decision to approve a customer's VM.

6 **Decision Point**

7 Staff seeks direction on replacing the current criteria for assistance associated with VM services
8 with the following:

- 9 • Determining, due the customer's disability, that the customer might benefit from a
10 modified vehicle to gain greater independence and access to communities, educational
11 institutions, or other supports necessary to locate jobs, sustain work and living
12 arrangements, and/or enable career advancement and related travel; and
- 13 • Ensuring that the customer has enough income or other resources, or that achieving the
14 planned employment goal will result in enough income or other resources, to cover future
15 payments, insurance premiums, gasoline, and routine maintenance costs for the vehicle.

16 **The Rehabilitation Council of Texas**

17 The Rehabilitation Council of Texas (RCT) received and reviewed the proposed VM
18 modifications and corresponding Vocational Rehabilitation Services Manual (VRSM) updates.
19 Staff responded to RCT comments on proposed revisions to the VM process and identified
20 several changes to the VRSM as a result of feedback received.