NOTE: These temporary exceptions are intended to support safe and continued service delivery to Texas Workforce Commission (TWC) Vocational Rehabilitation Division (VRD) customers during and immediately following the COVID-19 Pandemic. Please submit questions to VR.Standards@twc.state.tx.us.

Revision: Temporary Exception Period Extended

These temporary exceptions are effective March 30, 2020. They shall remain in effect during and for 30 days following the expiration of GA-08 and any superseding Executive Orders issued by Governor Abbott which institute, on a statewide basis, social distancing and other COVID-19 containment measures. Further, this guidance is in alignment with the recommendations of the Centers for Disease Control and Prevention.

Introduction

The COVID-19 pandemic has substantially affected the daily lives of Texans, and as such, has altered the way in which services can be delivered to VRD customers. TWC-VRD is therefore implementing temporary exceptions to current Vocational Rehabilitation Standards for Providers (VR-SFP) manual requirements to support continued provision of services to VRD customers in the Vocational Rehabilitation (VR) and Independent Living Services for Older Individuals who are Blind (OIB) programs.
TWC-VRD service providers must continue to follow COVID-19 orders issued by federal, state and local offices to ensure the safety of VRD customers, including handwashing, good respiratory hygiene, cleaning surfaces, practicing social distancing, and other appropriate measures. Service delivery must continue to be consistent with the individual's unique strengths, resources, priorities, concerns, abilities, capabilities, interests, and informed choice.

The following temporary exceptions to the VR-SFP enable VR service providers to continue to provide essential services to VRD customers during the COVID-19 pandemic. VRD service providers must continue to refer to the VR-SFP for all other policies and procedures, which remain in effect and unchanged. If there is an exception to a service that does not have a standard COVID-19 VR3472 (pre-filled), the VR counselor must follow current policy which requires the counselor to submit a regular VR3472, Contracted Service Modification Request through the chain of management for review. The VR3472 must be signed by the VR Division Director and the contractor. The VR staff places a copy of VR3472 in the customer's paper case file; and forwards a copy of VR3472 to the contract manager.

**Revision: Retroactive Application of VR-SFP Exceptions**

If a service provider proactively implemented alternate training and service delivery methods in the month of March 2020 during the early stages of COVID-19 spread in Texas, and if those methods comply with the VR-SFP exceptions in this document, the VR counselor may complete and submit the applicable standard COVID-19 VR3472 for that service. Upon approval of the standard COVID-19 VR3472 from the VR Standards Team, the VR counselor may pay for those services. Retroactive application of these exceptions may only be applied to services that otherwise meet all outcomes required for payment as required by the VR-SFP. VR-SFP Exceptions are available only for Service Authorizations issued on or after January 1, 2020. If you received an approved VR3472 for services prior to January 1, 2020, it is considered null and void.
**Temporary Suspension of Certain Services**

Due to the “hands on” nature of the services below, it is recommended that these services be suspended unless the provider can assure that services are provided in compliance with containment strategies and orders issued by federal, state and local authorities. These services do not lend themselves well to remote service provision and observation for evaluation.

**Revised for Clarification:** If the service listed below is provided, the service must meet all requirements outlined in the VR-SFP unless a VR3472 has been approved by the VR Director. A regular VR3472 is required if the service will be provided remotely. Additional services have been added to the list to provide further clarification and as appropriate to be suspended or postponed unless they can be delivered implementing all applicable COVID-19 containment measures.

Until the COVID-19 containment measures are lifted, providers may suspend services ordered under existing service authorizations (SAs) and staff may postpone issuance of new SAs for the following service described in the Standards for Providers:

- VR-SFP Chapter 4, section 4.3 Vocational Evaluation
- VR-SFP Chapter 4, section 4.4 Vocational Evaluation-Situational Assessments and Work Samples
- VR-SFP Chapter 4, section 4.5 Environmental Work Assessment
- VR-SFP Chapter 5, section 5.3 Orientation and Mobility Assessment
- VR-SFP Chapter 5, section 5.4 Orientation and Mobility Training
- VR-SFP Chapter 7, section 7.3 Assessment of Diabetes Self-Management
- VR-SFP Chapter 7, section 7.4 Diabetes Skills Training
- VR-SFP Chapter 7, section 7.5 (Diabetes) Post-Training Assessment
- VR-SFP Chapter 9, section 9.3 Assistive Technology Evaluations
- VR-SFP Chapter 9, section 9.4 (Assistive Technology) Baseline Assessments
- VR-SFP Chapter 9, section 9.5 Assistive Technology Training
- VR-SFP Chapter 10, section 10.3 Independent Living Skills Training
- VR-SFP Chapter 12, section 12.3 Wellness Recovery Action Plan
- VR-SFP Chapter 13, section 13.3 Personal Social Adjustment Training Evaluation
- VR-SFP Chapter 13, section 13.4 Personal Social Adjustment Training
- VR-SFP Chapter 13, section 13.5 Work Adjustment Training Evaluation
- VR-SFP Chapter 13, section 13.6 Work Adjustment Training
- VR-SFP Chapter 13, section 13.14 VAT Public Transportation Training
• VR-SFP Chapter 13, section 13.15 VAT Specialized Evaluation
• VR-SFP Chapter 13, section 13.16 Vocational Adjustment Training Specialized
• VR-SFP Chapter 16, section 16.3 Project SEARCH Asset Discovery
• VR-SFP -Chapter 18, section 18.4 Benchmark 1A: Supported Employment Assessment
• VR-SFP Chapter 19, section 19.3 Self-Employment Exploration
• VR-SFP Chapter 19, section 19.4 Self-Employment Concept Development and Feasibility Study
• VR-SFP Chapter 19, section 19.5 Self-Employment Business Plan Development
• VR-SFP Chapter 19, section 19.6 Supported Self-Employment

Note: Services completed prior to the March 30, 2020 effective date of these exceptions may be invoiced.

General Exceptions

1. Handwritten Signatures. For forms that require handwritten signatures, the following options are available:
   
   i. Where necessary to support remote service delivery and observe social distancing strategies, VR staff and service providers may obtain a customer’s handwritten signature using alternate methods. Providers may send an encrypted email with a copy of the document to the customer if the customer has the equipment necessary to print, sign and return an electronic copy of the signed document (such as a photo or scanned copy).
   
   ii. If a handwritten signature is not possible because the customer does not have available technology, VR staff and service providers may make an exception to handwritten signatures and allow for electronic signatures. An electronic signature may include the customer’s electronic signature on a form by using the Adobe fill and sign option or from smart devices (i.e. touch screen, tables, phones). An email from the customer indicating agreement for his or her signature on the form is acceptable.
   
   iii. If the customer does not have an email address, doesn’t have access to get to email or is not responding to email follow this process:
1. The VR staff may contact the customer via phone, to verify that the service met the specifications. The VR counselor will document the contact in a case note.

2. If the customer is not available for VR staff to verify receipt of the service (as applicable), VR staff must document in case notes, in a timely manner, all attempts to verify receipt of the service.

   iv. Provider electronic signatures will be accepted on forms required for invoicing.

2. **Meetings with Customers.** Meetings necessary to complete the following forms may be held remotely by teleconference, Skype, Microsoft Teams, and other electronic platforms, provided that these virtual meetings may be held in a manner and location that protects the customer’s confidentiality.

   - VR1845A, Bundled Job Placement Services Placement Plan Part A
   - VR1845 B, Bundled Job Placement Services Placement Plan Part B
   - VR1642, Supported Employment Services Plan 1 (including the review meeting for the Supported Employment Assessment)
   - VR1601, Work Experience Plan and Placement Report
   - VR3373, Project SEARCH Job Placement Services Plan

**Processing VR 3472 Contracted Service Modification Requests**

**Revised for Clarification.**

During this temporary exception period, to ensure compliance with contracts and the Standards for Providers, a VR3472 Contracted Service Modification Request must be utilized and submitted in accordance with the following process:

1. state office staff has created seven standard COVID-19 VR3472s for the specific modifications to the VR-SFP described within this document. These seven VR3472s have been approved by the VR Division Director for this purpose;

2. the VR counselor will use the standard COVID-19 VR3472 associated with the modification and will add the customer’s name and ReHabWorks (RHW) Case ID, provider name, and any other information necessary to individualize the VR3472 to the customer’s needs. The VR counselor may use one standard COVID-19 VR3472 for multiple customers who are on their caseload attending the same
service with the same provider, but must list all customer’s RHW Case IDs on the form;

3. The VR counselor will sign the VR3472 and obtain the provider’s legal authorized representative’s handwritten signature or electronic signature (e.g. Adobe PDF or email stating provider is in agreement with the VR3472);

4. the approvals from the VR counselor's manager/supervisor, Regional Director and Regional Quality Assurance Specialist will be waived;

5. The VR counselor will enter a case note in RHW using the COVID-19 Temporary Exception case note title for each customer that includes:
   - explanation of why the 3472 is necessary,
   - how the request will meet the customer’s needs,
   - statement that indicates the customer has the resources and willingness to participate, and
   - statement that the VRC has communicated with the provider regarding the customer’s individual needs, including confirmation that the provider can provide the service while meeting the customer's needs and requirements on the 3472.

6. the VR counselor will send the completed VR3472 (one per email) to the vrs.program.contract.approval@twc.state.tx.us mailbox for approval using the following file naming conventions in the subject line of the email: Region_3472_customer’s name or customer’s case ID_ provider name (eg.R1_3472_KJones_happy employment) For multiple customers listed on VR3472 enter VRC name instead of customer ( R1_3472_VRC name happy employment);

7. the VR Standards team will review and coordinate the approval of the VR3472 and will forward to the VR counselor and will copy the Regional Quality Assurance Specialist and the CMU mailbox: cmu.contract.management@twc.state.tx.us;

8. the VR counselor will send the VR3472 to the provider and will file it in the customer paper file; and

9. providers will submit a copy of the approved VR3472 with applicable invoices.
Note: The TWC VRD Director has authorized the VR Standards and Transition teams at State Office to approve the standard COVID-19 VR3472, Contracted Service Modification Requests submitted in compliance with these exceptions.

**Remote Service Delivery** (COVID-19-Computer Based Training VR3472 required)

For services currently in progress, and for new Service Authorizations (SAs), with an approved standard COVID-19 VR3472 Contracted Service Modification Request, service providers may implement accessible training activities using a computer-based training platform that allows for face-to-face and/or real time interaction. The VR counselor may use one standard COVID-19 VR3472 for multiple customers who are on their caseload and attending the same training with the same provider but must list all customer RHW Case IDs on the form. The service provider must ensure all requirements in the Standards for Providers and the customer's literacy and disability needs are met in the delivery of the services.

The service provider must evaluate the customer’s ability to actively participate in the computer-based training, including identifying whether the customer has the necessary computer resources available. VR staff must verify with the customer and the service provider how, when, and what training occurred using procedures outlined in VRSM D-207-4: Documenting Receipt of Services, to determine if all requirements for payment have been achieved prior to payment of the invoice.

This exception applies only to the following services:

- VR-SFP Chapter 13, section 13.7 VAT Explore the "You" in Work
- VR-SFP Chapter 13, section 13.8 VAT Skills to Pay the Bills—Mastering Soft Skills for Workplace Success
- VR-SFP Chapter 13, section 13.9 VAT Soft Skills for Work Success
- VR-SFP Chapter 13, section 13.10 VAT Entering the World of Work
- VR-SFP Chapter 13, section 13.11 VAT Job Search Training—for Pre-Employment Transitional Services
- VR-SFP Chapter 13, section 13.12 VAT Disability Disclosure Training
- VR-SFP Chapter 13, section 13.13 VAT Money Smart—A Financial Education Training
- VR-SFP Chapter 13, section 17.3 Non-bundled Job Placement
- VR-SFP Chapter 13, section 17.4.2 Bundled Job Placement—Benchmark A
• VR-SFP Chapter 15 Pre-Employment Transition Services as described on the VR1825, Pre-ETS Curriculum Checklist

When a customer needs Job Skills Training or Work Experience Training, the trainer must consider the safety of staff and customers. Meeting the customer’s needs by using Face Time, or other virtual platforms in a manner that protects the customer’s confidentiality, is allowable if a standard COVID-19 VR3472 is approved and in place.

**Job Placement Services** (COVID-19-Job Placement Services VR3472 required)

VR-SFP Chapter 17, section 17.4.1 Bundled Job Placement Services Service Description and Chapter 17 section 17.3.1 Service Description

If a service authorization has been issued for Bundled Job Placement services and some services, such as placement, have been delayed due to COVID-19, thereby delaying payment to the service provider and causing a financial hardship, the service provider may request to change from Bundled Job Placement Services to Non-bundled Job Placement Services to allow job readiness training to occur and be invoiced.

With the change to Non-bundled Job Placement Services, the service provider will not be paid for the Bundled Job Placement training if the service provider already received payment for the job readiness training as Non-bundled Job Placement. The VR counselor will issue a replacement Service Authorization for Non-bundled Job Placement services to authorize the Non-bundled Services. Once the COVID-19 exceptions are lifted, a services authorization may be issued for the placement portion of Benchmark A in Bundled Job Placement services.

**Note:** The customer should not have a Service Authorization for both Non-bundled Job Placement and Bundled Job Placement simultaneously.

**90-Day Count for Employment** (COVID-19-90-day Count of Employment (Bundled Job Placement and Project SEARCH) VR3472 required)

VR-SFP 17.4 Bundled Job Placement Services and VR-SFP 16.5 Project SEARCH Job Placement

This exception applies to VR customers receiving Job Placement Services who were placed in a position that met the prescribed employment conditions documented on the
VR1845 B, Bundled Job Placement Services Placement Plan Part B or VR3373, Project SEARCH Job Placement Services Plan prior to implementation of COVID-19 containment measures and orders issued by federal, state and local authorities.

If the customer’s employment conditions have been altered by the employer due to COVID-19 impacts such that they no longer meet the prescribed employment conditions, the 90-day count is frozen as of the date the altered employment conditions began. The 90-day count may restart when the employment conditions return to those documented on the aforementioned forms, or if revised employment conditions are negotiated between the customer, service provider and VR counselor and documented on a new VR1845-B or VR3373. When the customer’s employment is interrupted, the 90-day count for closure will restart from the date it ended, upon return to employment that meets an employment goal and employment conditions on the current VR1846B or VR3373. Customers must work a minimum of 30 cumulative calendar days prior to achievement of Benchmark C, or the amount of time remaining in the 90-day count, or whichever is greater to achieve successful competitive integrated employment. The VR3472 COVID-19 form for the 90-day Count of Employment needs to be completed when the customer returns to work and there are less than 30 days left in the 90-day count towards achievement of Benchmark C. The COVID-19 VR3472 should be submitted upon determining that the customer will be returning to the same position at the same employer.

When a customer needs to obtain a new placement, requiring the assistance of a provider and Benchmark payments need to be repeated, a regular VR3472 must be completed.

**Project SEARCH Skills Training Services** (COVID-19-Project SEARCH Training VR3472 required)

**VR-SFP Chapter 16 section 16.4 Project SEARCH Skills Training Services**

For Project SEARCH Skills Training Services, the following will be allowed:

- partial payments for weeks of services already provided following guidelines in VR-SFP;
- a VR3472 for payment of full rotations to be submitted when the service provider maintains contact with the customer a minimum of 2 times/week and documents the contact on the VR3371 for weeks the customer is unable to participate due to school or business closures;
• the requirement of at least three hours of training each week at the worksite be removed during time the customer is not at the worksite but will be provided remotely during the contacts each week.
• for the third rotation the VR3372 does not need to be completed, therefore VR3371 is the only form required to be included with the invoice, when the COVID-19-Project SEARCH Training VR3472 has been submitted.

The VR counselor may use one standard COVID-19 VR3472 for multiple customers who are on their caseload and are in the same Project SEARCH Program but must list all RHW Case IDs on the form.

**Temporary Employment** (COVID-19-Temporary Employment VR3472 required)

VR-SFP Chapter 14 section 14.1 Overview of Work Experience Services

Customers who are laid off and want to pursue temporary employment, may have a SA issued for Work Experience Placement and Work Experience Training when added to the customer’s IPE, as applicable, during the time the customer is laid off from employment. A VR counselor can purchase wage services as applicable. Customers can return to their employment related to Job Placement when allowed by the original employer.

**Supported Employment** (COVID-19-Supported Employment VR3472 required)

VR-SFP Chapter 18 section 18.10 Benchmark 6: Service Closure

As stated in the VR-SFP, for Supported Employment between achievement of Benchmark 2 and Benchmark 5, the placement will be frozen if the customer does not have continued employment that meets the prescribed employment conditions on the VR1642 therefore a COVID-19 Supported Employment VR3472 is not required.

For the following two situations the COVID-19 Supported Employment VR3472 should be submitted upon determining that the customer will be returning to the same position at the same employer.

The count towards the achievement of Benchmark 5- Job Stability will begin upon return to employment that meets the employment conditions on the current VR1642. The Customer must work a minimum of 30 days prior to Job Stability being determined after the placement has been frozen between Benchmark 2 and Benchmark 4.
When a customer in Job Stability status returns to work, they must meet the employment conditions documented on the VR1642 and have Extended Services that are working to allow for the placement count towards Benchmark 6 to resume. The VRC should evaluate each case to determine if the job is stable using procedures outlined in VRSM C-1206-6: Benchmark 5 Job Stability. Customers must work a minimum of 30 cumulative calendar days prior to achievement of Benchmark 6.

**Supportive Residential Services for Persons in Recovery**

VR-SFP Chapter 11: Supportive Residential Services for Persons in Recovery. For services described in VR-SFP Chapter 11: Supportive Residential Services for Persons in Recovery that are in progress can be provided while the COVID-19 containment orders are in place. This includes issuing Service Authorizations for subsequent 30-day increments if the customer demonstrates progress towards established goals and objectives as outlined in the treatment plan and the VR3384, Supportive Residential Progress Report.

VR customers not already receiving Supportive Residential Services for Persons in Recovery until COVID-19 may not begin these services until containment orders are lifted.

**Delivery of Goods** (COVID-19-Delivery of Goods VR3472 required)

VR-SFP Chapter 8 section 8.4 Outcomes Required for Payment and VR-SFP Chapter 22 section 22.4 Outcomes Required for Payment

If the delivery of goods is delayed during the COVID-19 restrictions, the provider must notify VR staff of the estimated delivery date for the following services described in the Standards for Providers:

- Chapter 8: Durable Medical Equipment (DME)
- Chapter 22: Vehicle Modifications

Providers should be aware of and complying with orders issued by federal, state and local authorities requiring social distancing and other measures necessary to mitigate the spread of COVID-19. Continuing in-person services should be considered only when the safety of the customer, provider and community has been considered and appropriate
measures are taken to ensure safety in compliance with COVID-19 containment strategies implemented by federal, state and local authorities.