# Vocational Rehabilitation Services Manual Section B-200

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## Notes on the Manual

On October 1, 2017, Texas Workforce Commission’s Blind Services Division and Rehabilitation Services Division combined to create a single designated state unit (DSU) to administer the vocational rehabilitation program for Texans with disabilities.

The combined Vocational Rehabilitation Services Manual (VRSM) was initially published on October 1, 2017. The latest update to this manual is reflected in the chapters below.

Please note that VRSM includes links to information that is intended to provide additional decision-making supports to VR staff. Some of this information may not be available to individuals who are accessing the VRSM outside of TWC's firewall. Copies of materials that cannot be accessed directly through links can be made available upon request.

Substantive revisions to the content are noted in the VRSM List of Revisions. Any printed versions may not contain the latest policy changes.

If you have any questions about VRSM content, please contact the TWC Vocational Rehabilitation Division Policy Team at state office by sending an email message to [vrsm.support@twc.texas.gov](mailto:vrsm.support@twc.texas.gov).

## Manual Overview

The VR Services Manual:

* helps ensure VR customers receive quality services to assist them in achieving successful competitive integrated employment outcomes as a result of their participation in vocational rehabilitation services.;
* helps to ensure taxpayer funds are spent wisely and each purchase paid for with public funds represents full value to the taxpayer; and
* provides published policies and procedures for maintaining compliance with federal and state laws, statutes, and rules or regulations.

The latest update to this manual is reflected in the chapters below. Any printed versions may not contain the latest policy changes.

# Vocational Rehabilitation Services Manual B-200: Processing Initial Contacts and Applications

## Introduction

This chapter explains how to gather the information that is necessary to develop a case and support the eligibility determination.

This portion of the VR process includes:

making initial contact with the customer and their representative, as appropriate;

* collecting identifying information;
* determining whether Vocational Rehabilitation (VR) is the right resource to meet the customer's identified needs;
* scheduling an appointment to complete an application for VR services;
* completing the application with the customer;
* explaining to the customer:
  + the services that VR provides;
  + VR expectations of the customer; and
  + the customer's rights;
* obtaining all required signatures on the application and release forms; and
* conducting a diagnostic interview.

## B-201: Legal Authorization

Section B-201: Legal Authority consists of excerpts from 34 Code of Federal Regulations (CFR) 361 that address the legal authority and responsibility of the designated state unit with respect to vocational rehabilitation services.

**34 CFR §361.1**

"Under the State Vocational Rehabilitation Services Program, the Secretary provides grants to assist States in operating statewide comprehensive, coordinated, effective, efficient, and accountable vocational rehabilitation programs, each of which is—

(a) An integral part of a statewide workforce development system; and

(b) Designed to assess, plan, develop, and provide vocational rehabilitation services for individuals with disabilities, consistent with their unique strengths, resources, priorities, concerns, abilities, capabilities, interests, and informed choice so that they may prepare for and engage in competitive integrated employment and achieve economic self-sufficiency."

**34 CFR §361.5(c)(3)**

"(3) Applicant means an individual who submits an application for vocational rehabilitation services in accordance with §361.41(b)(2).

**34 CFR §361.41 Processing referrals and applications.**

"(a) Referrals. The designated State unit must establish and implement standards for the prompt and equitable handling of referrals of individuals for vocational rehabilitation services, including referrals of individuals made through the one-stop service delivery systems under section 121 of the Workforce Innovation and Opportunity Act. The standards must include timelines for making good faith efforts to inform these individuals of application requirements and to gather information necessary to initiate an assessment for determining eligibility and priority for services.

(b) Applications. (1) Once an individual has submitted an application for vocational rehabilitation services, including applications made through common intake procedures in one-stop centers under section 121 of the Workforce Innovation and Opportunity Act, an eligibility determination must be made within 60 days, unless—

(i) Exceptional and unforeseen circumstances beyond the control of the designated State unit preclude making an eligibility determination within 60 days and the designated State unit and the individual agree to a specific extension of time; or

(ii) An exploration of the individual's abilities, capabilities, and capacity to perform in work situations is carried out in accordance with §361.42(e).

(2) An individual is considered to have submitted an application when the individual or the individual's representative, as appropriate—

(i)(A) Has completed and signed an agency application form;

(B) Has completed a common intake application form in a one-stop center requesting vocational rehabilitation services; or

(C) Has otherwise requested services from the designated State unit;

(ii) Has provided to the designated State unit information necessary to initiate an assessment to determine eligibility and priority for services; and

(iii) Is available to complete the assessment process.

(3) The designated State unit must ensure that its application forms are widely available throughout the State, particularly in the one-stop centers under section 121 of the Workforce Innovation and Opportunity Act."

**34 CFR §361.38(a) Protection, use, and release of personal information.**

"(a) General provisions. (1) The State agency and the State unit must adopt and implement written policies and procedures to safeguard the confidentiality of all personal information, including photographs and lists of names. These policies and procedures must ensure that—

(i) Specific safeguards are established to protect current and stored personal information, including a requirement that data only be released when governed by a written agreement between the designated State unit and receiving entity under paragraphs (d) and (e)(1) of this section, which addresses the requirements in this section;

(ii) All applicants and recipients of services and, as appropriate, those individuals' representatives, service providers, cooperating agencies, and interested persons are informed through appropriate modes of communication of the confidentiality of personal information and the conditions for accessing and releasing this information;

(iii) All applicants and recipients of services or their representatives are informed about the State unit's need to collect personal information and the policies governing its use, including—

(A) Identification of the authority under which information is collected;

(B) Explanation of the principal purposes for which the State unit intends to use or release the information;

(C) Explanation of whether providing requested information to the State unit is mandatory or voluntary and the effects of not providing requested information;

(D) Identification of those situations in which the State unit requires or does not require informed written consent of the individual before information may be released; and

(E) Identification of other agencies to which information is routinely released;

(iv) An explanation of State policies and procedures affecting personal information will be provided to each individual in that individual's native language or through the appropriate mode of communication; and

(v) These policies and procedures provide no fewer protections for individuals than State laws and regulations."

## B-202: Source of Referrals

Numerous community sources such as organizations, schools, clinics, employers, Local Workforce Development Boards (LWDB), and doctors refer persons to VR for services. Referrals can come from local, regional, statewide, or national sources, as well. VR staff must record the referral source in ReHabWorks (RHW) accurately.

Outreach efforts are made by VR staff to inform potential referral sources and the LWDBs about VR programs and services and help the sources make appropriate referrals.

### B-202-1: Worker's Compensation Referrals

Information about workers' compensation and how to manage referrals is on the following forms found on the Forms catalogue, and program web pages, and in guidance documents:

* VR3414, Vocational Rehabilitation Checklist for Customers with Workers' Compensation Cases, which may be used to obtain and discuss important information with the customer
* VR3415, Workers' Compensation Contact Verification Letter, which is completed by VR staff and provided to the customer, when needed, to document the customer's participation in the VR program
* Workers' Compensation page found on the VR Division Intranet page.

## B-203: Initial Contact

The first contact with a customer is a critical point in the VR process. The customer not only exchanges information with a VR staff but also forms an impression about the sincerity, concern, and professionalism of VR staff.

Initial contact is the first contact with a customer and may be made in person, by phone, in writing, or by email. If the customer has a legal guardian at the time of the initial contact, the legal guardian may make the initial contact on behalf of the customer, but the customer must be present and involved in the completion of the application for services. For information about working with legal guardians or representatives, see VRSM A-200: Customer Rights and Legal Issues.

At initial contact, a case must be assigned to a VR counselor as a point of contact when the case has the population indicator “Recipient of Subminimum Wages form a 14c.” Entering a point of contact counselor does not assign the case to a caseload but does associate the case with the counselor who will be following up with them on their 14c services.

Note: TWC-VR only serves individuals who are 14 years of age or older. For specific information about working with students and youth, see VRSM C-1300: Transition Services for Students and Youth with Disabilities. For specific information about working with potentially eligible students, see VRSM C-1305-6: Providing Pre-Employment Transition Services, Working with Potentially Eligible Students.

### B-203-1: VR Staff Responsibilities

Typically, it is the VR counselor that speaks to a customer or their representative at the time of the initial contact. However, in some instances, it is appropriate for other VR staff to assume this responsibility.

The VR staff member should communicate with the customer in a way that best accommodates the customer's limitations.

During the initial contact, the VR staff member develops an understanding of the customer's needs and explains the purpose of the program to the customer.

VR staff who complete initial contacts should be familiar with the following programs and services provided by Texas Workforce Commission and other agencies:

* Local Workforce Development Boards (LWDB),
* Independent Living Services for Older Individuals who are Blind (ILS-OIB)
* Comprehensive Rehabilitation Services (HHSC)
* Blindness Education, Screening, and Treatment (HHSC)
* Office for Deaf and Hard of Hearing Services (HHSC)
* Business Enterprises of Texas

### B-203-2: Initial Contact Procedures

After making initial contact with a customer the VR staff member:

1. completes the Initial Contact page in ReHabWorks (RHW);
2. assigns the case to the appropriate caseload;
3. completes or schedules the appointment to complete an application for services; and
4. provides the customer with contact information for the assigned office.

VR does not discriminate based on race, color, sex, national origin, age, disability, or religion. Refer to VRSM A-202-1: Nondiscrimination Policy for more information.

Each customer who requests an appointment to apply for VR services must receive an appointment. If the customer is homeless, VR staff completes the RHW Initial Contact page with the information that the customer provides. If the customer does not have contact information, an appointment date and time must be given to the customer at initial contact.

For additional instructions on completing the Initial Contact page, see the ReHabWorks User's Guide B-200: Initial Contact.

### B-203-3: Closing an Initial Contact in RHW

An initial contact can be closed after VR staff have made a good faith effort to contact the customer. A good faith effort is defined as three or more attempts to contact the customer or contact listed in RHW. All attempts must be documented in RHW using the case note topic “Attempted to Contact.” Refer to VRSM E-300: Case Note Requirements for additional detail.

Any VR staff may contact, or attempt to contact the customer. However, only a VR counselor can close a case after the initial contact has been entered in RHW. For more information see VRSM B-602-1: Reasons for Closures.

When the case is closed, the customer must be informed that he or she can reapply for VR services at any time in the future and provided with or offered a copy of the "Can We Talk" appeals procedure brochure. See VRSM B-605: Customer Notification for notification requirements when closing a case.

For information about closing a case after an application is completed refer to VRSM B-605: Customer Notification.

## B-204: Application

If VR staff cannot meet with the customer to complete the application for services at the time of the initial contact, the customer is scheduled for an appointment for the earliest possible date. The application appointment date will be no later than 30 days after the date of the initial contact, or a good faith effort shown to meet this requirement.

The Diagnostic Interview is typically scheduled with the VR counselor at the same time the application for services is completed. For information on the Diagnostic Interview, refer to VRSM B-205: Diagnostic Interview.

A customer is not required to be physically present in the VR office at the time of application for services, but the individual must be present in Texas to apply for VR services. The customer or their representative can participate by phone or complete the application at an off-site location, such as in a school or at their home. However, an application is not complete until a signature is obtained from the customer or the customer's authorized representative on the application for services.

When scheduling an appointment to complete an application for services with a customer, the VR staff determines the customer's:

* language preference; and/or
* need for:
  + a translator;
  + sign-language interpreter services;
  + reasonable accommodations;
  + assignment to a specialty caseload; and
  + other support services to facilitate the application and eligibility process.

### B-204-1: Application Process

Any individual who wants to apply for VR services must be allowed to do so. VR staff may not deny an application to an individual for any reason.

When appropriate, the VR staff uses the Application Appointment Letter in RHW to schedule the appointment. This ensures that a record of this appointment is captured in RHW. If RHW is not available, VR staff schedules the appointment and completes the Application Appointment Letter in RHW as soon as it is available.

If the customer does not have all the information listed below, VR staff must not delay scheduling or completing the application for services. The customer is encouraged but not required to bring the following information, which will assist in completing the application and moving the case through the VR process:

* photo identification (for example, a driver's license, state-issued ID, school ID, passport, or military ID) and Social Security card;
* names and addresses of doctors seen recently;
* names and addresses of schools attended;
* information about medical insurance, including Medicaid and Medicare;
* a list of the customer's places of employment, including the type of job, dates of employment, reason for leaving, and salary;
* if currently employed, documentation showing employment start date (for example, pay stub identifying start date, self-employment worksheets indicating start date, or verification from the employer via email, fax, or letter verification);
* proof of income information for the customer and proof of income for the customer's spouse or parents, if the spouse or parents claim the customer as a dependent on their federal income tax (for example, a copy of the most recent pay statement, an award letter for Supplemental Security Income (SSI) and/or Social Security Disability Insurance (SSDI) or another Title II disability benefit or Veterans Affairs (VA) benefit, or a Notice of Payment for workers' compensation);
* proof of expenses related to the customer's monthly mortgage or rental payments, prescribed diets and medicines, debts imposed by court order, medical costs, and disability related expenses;
* names, addresses, and phone numbers of two individuals who can contact the customer;
* reports of recent medical exams, school records, or other information that may help VR understand the customer's disability; and
* the customer's Ticket to Work, if the customer is receiving SSDI benefits and has been issued one.

Note: A customer who is eligible for Social Security disability benefits (SSI or SSDI) provides only proof of Social Security eligibility. The law exempts recipients of Social Security disability benefits from the requirement to participate in the cost of VR services regardless of income, so no additional proof of income or expenses is required. For more information, refer to VRSM D-203-4: Customer Participation in the Cost of Services.

An option called "fast track" is available to complete the RHW application for returning customers when:

* it is within a year from when their previous case was closed; and
* the customer has the same disability as in their previous closed case.

Fast track will copy some of the customer's application information from the previous case to the new case. VR staff must verify all information including any wages and monthly financial information to ensure that the copied information is still accurate.

The VR staff member who is taking the application for services provides copies of the following:

* VR5057, VR Program Application Statement with the customer's signature from the RHW Application page,
* "Can We Talk? Appeal Procedures for Applicants and Customers," which explains VR's appeal and mediation procedures
* "A Guide for Applicants," which explains:
  + services and outcomes;
  + options for developing the IPE;
  + components of the IPE;
  + the customer's right to appeal; and
  + services available from the Client Assistance Program.

VR staff explains the basic content of each of the documents and their purpose to the customer. A case note is entered in RHW documenting the date and method the information was provided to the customer.

The application must be completed in a location that is private enough to maintain the confidentiality of the information provided by the customer.

During the meeting, VR staff:

* explains to the customer:
  + the purpose and expected outcomes of vocational rehabilitation;
  + VR expectations of the customer;
  + the roles of the VR counselor and customer; and
  + the customer's rights;
* explains to the customer the circumstances under which the customer's personal information is released;
* obtains the signatures required on the application and all other required forms, including the following forms found on the VR forms catalogue to allow VR to collect and disclose information:
  + VR5061, Notice and Consent for Disclosure of Personal Information;
  + VR5060, Permission to Collect Information (if needed);
  + VR1517-2, Authorization for Release of Confidential Customer Records and Information (if needed); and
  + One SSA-3288, Consent for Release of Information to obtain a Benefits Planning Query (BPQY) for SSI/SSDI recipients (if needed);
* offers the customer the opportunity to register to vote following the procedures in VRSM A-212-1: Voter Registration Procedures;
* explains in detail the expected outcomes and services related to the VR; and
* gathers, reviews, and documents the information necessary to determine whether the customer is eligible for services.

Note: For more information on completing the SSA-3288, refer to the Supplemental Security Income (SSI) / Social Security Disability Insurance (SSDI) Benefits Planning intranet page.

Refer to VRSM A-210: PIN and Signature Procedures for more information on signatures.

The information for the application may be entered into RHW by any VR staff.

When RHW is not available, VR staff:

* prints (when a printer is available) a paper copy of the form VR5056, Application for Vocational Rehabilitation Services, and records the information by hand or completes the form electronically;
* obtains signatures on the completed form VR5056 per VRSM A-210-5: Signature Procedures;
* transfers the information from the form VR5056 into RHW as soon as RHW is available (Note: The signature dates that are entered in RHW must match the signature dates that are on the VR5056.);
* keeps a copy of the paper application in the case file after the data has been entered in RHW;
* files the signed forms according to procedures in VRSM D-303: Case File Organization;
* mails or emails the customer a copy of the VR5057, VR Program Application Statement with the customer’s signature from the RHW Application page; and
* check the ‘this is a paper application’ box on the Application statement RHW page when entering the paper application information in RHW.

#### Identification in ReHabWorks

ReHabWorks (RHW) contains a Preferred Name field after the middle name on the Initial Contact page. This field is open to all customers who have a nickname they wish to be called. If a customer has not legally changed his or her name but prefers to be identified by another name, it should be documented in this field.

RHW includes the current Rehabilitation Services Administration value descriptions for gender with the following values:

* Individual indicates that he is a male.
* Individual indicates that she is a female.
* Individual did not self-identify with a particular sex.

### B-204-2: Customer Identification and Authorization for Employment

At the time that the customer is applying for services, VR staff asks the customer to provide original unexpired documents that prove his or her identity and show that the customer can work legally in the United States.

Customers may provide identification and employment authorization documents:

* in-person;
* by mail; or
* remotely by using videoconference, fax, encrypted email or other secure electronic means acceptable to the customer and VR staff.

Customers who do not have verification that he or she is able to legally work in the United States are not eligible for VR services.

If a customer says that he or she is legally authorized to work in the United States, but the customer does not have the required unexpired documentation when completing the application for VR services, VR staff:

* allows the customer to complete an application for services;
* explains that the customer must provide documents verifying the customer's identification and authorization for employment before VR can determine the customer's eligibility for VR services; and
* refers the customer to the Department of Homeland Security or other local organizations that can assist the individual in obtaining the required documentation.

State driver's licenses, federal identification and other valid documents verifying the customer's identification must be current at the time of eligibility. These documents will be considered valid throughout the life of a customer's case, even if the document expires. However, if a case is closed and re-opened, the customer must provide unexpired verification of their identity.

#### SSI/SSDI Recipients

If the customer has been determined eligible for SSI/SSDI benefits because of his or her disability, he or she must provide proof of identity and current, unexpired authorization for employment documents prior to determination of eligibility for VR services. Once this documentation is received, the customer will be presumed eligible for VR services. Staff completes the Social Security Income Benefits page in RHW. For more information about presumption of eligibility requirements for customers who are eligible for SSI or SSDI due to a disability, see VRSMB-300: Determining Eligibility.

#### Maintaining Authorization for Employment Documents

VR customers are responsible for providing and maintaining current employment authorization documents throughout the life of their case in order to maintain eligibility for VR services. The VR counselor must remind the customer of this requirement prior to the expiration of their documents and document this as a counseling and guidance session in a case note in RHW.

DHS maintains lists of documents a customer can use to verify their identity and/or employment authorization. The [DHS Form I-9 Acceptable Documents](https://www.uscis.gov/i-9-central/acceptable-documents/list-documents/form-i-9-acceptable-documents) webpage shows examples of the various documents:

#### List A – Documents that Establish Both Identity and Employment Authorization

Customers presenting an acceptable [List A document](https://www.uscis.gov/i-9-central/acceptable-documents/list-documents/form-i-9-acceptable-documents) should not be asked to present any other document.

#### List B – Documents that Establish Identity

The documents on [List B](https://www.uscis.gov/i-9-central/acceptable-documents/list-documents/form-i-9-acceptable-documents) establish only identity. Customers who present a List B document must also present a document from [List C](https://www.uscis.gov/i-9-central/acceptable-documents/list-documents/form-i-9-acceptable-documents).

[List B](https://www.uscis.gov/i-9-central/acceptable-documents/list-documents/form-i-9-acceptable-documents) includes acceptable documents for individuals under the age of 18.

#### List C – Documents that establish employment authorization.

The documents on [List C](https://www.uscis.gov/i-9-central/acceptable-documents/list-documents/form-i-9-acceptable-documents) establish only employment authorization. Customers who present a List C document must also present a document from [List B](https://www.uscis.gov/i-9-central/acceptable-documents/list-documents/form-i-9-acceptable-documents).

#### State Office Consultation Required

If a customer presents documents not listed on [DHS Form I-9 Acceptable Documents](https://www.uscis.gov/i-9-central/acceptable-documents/list-documents/form-i-9-acceptable-documents) to prove their identity and/or employment authorization, email the following to the state office policy team at [vrsm.support@twc.texas.gov](mailto:vrsm.support@twc.texas.gov):

* customer name and case ID; and
* copies of the documents presented.

If the state office policy team is not able to determine the validity of the documents, state office staff will contact TWC Office of General Counsel for review and consultation. This must be completed before the customer can be determined eligible for VR services.

After the customer's documents are determined by staff or TWC Office of General Counsel to be valid, the type and expiration of the customer's identity and employment authorization must be documented in a case note.

#### Purchasing

After the customer provides an acceptable list C document to confirm the customer’s employment authorization and otherwise meets the eligibility requirements as outlined in VRSM B-303: Eligibility Criteria for VR Services, the VR counselor may authorize the purchase of a state-issued driver's license or ID card for the customer, if needed to help make an eligibility determination or for the customer to participate in VR services.

For information on renewing and/or obtaining a Texas driver's license or ID card from the Texas Department of Public Safety (DPS), see the [Driver License and IDs section](https://www.dps.texas.gov/section/driver-license) of the DPS website.

#### Expired Employment Authorization Documents

Expired employment authorization documents cannot be used to determine customer eligibility for VR services and unexpired employment authorization documents must be maintained throughout the life of the case to maintain eligibility for VR services.

If employment authorization documents are not expired, but will expire prior to completion of IPE services, VR staff:

* tells the customer that unexpired documents are required by an employer and
* monitors status of documents to ensure that the documents do not expire.

If the customer's employment authorization documents expire while the customer is participating in VR services, the customer is no longer eligible for VR services and the case must be closed, unless the case is in employment status.

For customers who have completed all VR services and are in employment status, pending case closure, the case should remain open until it is able to be closed successfully; no additional service authorizations should be issued. However, if additional services are needed while in employment status, the employment authorization documents must be updated in RHW prior to the purchase.

Note: In the event that Texas Department of Public Safety (DPS) or federal offices are closed or operating at a reduced capacity due to a public health or other safety concern, VR staff should refer to the VRD state office guidance, [DPS website](https://www.dps.texas.gov/) and [DHS Form I-9 Acceptable Documents](https://www.uscis.gov/i-9-central/acceptable-documents/list-documents/form-i-9-acceptable-documents) for information on accepting expired identification and work authorization documents.

#### Expired Identity Documents

Expired identity verification documents, such as a driver’s license or identification card issued by federal, state or local government agencies or entities, cannot be used to determine customer eligibility for VR services.

After eligibility for VR services has been determined, if the customer is a U.S. citizen or is authorized to work in the United States and the customer’s identity verification documents expire, these documents do not need to be updated to continue participation in VR services. However, if the customer’s case is closed for any reason, the customer will be required to provide unexpired identify verification documents to reapply for VR services. The customer should be advised that employers require unexpired documents and should be encouraged to update these documents in a timely manner. This communication can be documented as a counseling and guidance session.

#### Data Corrections

If a customer’s identity or employment authorization documents have expired or the information was entered incorrectly in RHW, a VR Supervisor or VR Manager can update the record in RHW through the data correction request process.

The VR5158, RHW Data Correction Request form is used to request and document all RHW data corrections. A copy of this form is filed in the customer’s paper case file.

Refer to ReHabWorks Frequently Asked Questions found on RHW intranet page for additional instructions on updating the ID and employment authorization record in RHW.

#### Copies of Documents

A copy of the customer's documents is placed in the customer's paper case file.

If the customer is reluctant to allow the documents to be copied, or if a copier is not immediately available, enter the following information in a case note for each document:

* Document title
* Issuing authority
* Document number
* Expiration date (if any)

If the customer is unable or unwilling to provide identity and employment authorization documents before the customer's eligibility determination is due, or before the customer's IPE is due for SSI or SSDI recipients, the case should be closed. The customer may reapply when he or she has the required documentation. See VRSM B-604: Unsuccessful Closures and VRSM B-606: Reopening a Closed Case for more information.

#### Mismatched Identification Documentation

Some individuals may have mismatched identification documentation, for example, "old" identification—with a previous name and/or gender marker—and "new" identification—with corrected name and/or gender marker. This situation is not uncommon. Such discrepancies must not prevent an individual from getting a job, participating in a program, or receiving services. For more information on documentation refer to VRSM B-502: IPE Process.

### B-204-3: Social Security Number

VR staff asks for the applicant's Social Security number (SSN), but if the customer refuses to provide a SSN, the VR counselor does not deny services solely because of the refusal. Section 7(a) of the Privacy Act of 1974 prohibits any federal, state or local government agency from denying any "right, benefit, or privilege provided by law" on the basis of an individual refusing to disclose his or her SSN.

If the customer cannot or refuses to provide an SSN, VR staff:

* completes the application for services;
* obtains a temporary SSN (see VRSM B-204-4: Obtaining a Temporary Social Security Number), and
* informs the customer that VR cannot determine eligibility until the customer provides documentation that the he or she can work legally in the United States. For required documentation, see VRSM B-300: Determining Eligibility.

### B-204-4: Obtaining a Temporary Social Security Number

If the customer does not have an SSN or prefers not to provide it, ReHabWorks (RHW) assigns a temporary SSN. VR staff must not use or create any type of random number for the customer's SSN when entering data into RHW.

If the SSN that the customer provides is already assigned to another customer in RHW:

* verify the customer's SSN by viewing the customer's SSN card or other documentation; and
* email [VR.RHWSupport@twc.texas.gov](mailto:VR.RHWSupport@twc.texas.gov).

If the customer later presents a Social Security card, complete the VR5158, RHW Data Correction Request form and email the form to [VR.RHWSupport@twc.texas.gov](mailto:VR.RHWSupport@twc.texas.gov) to replace the temporary SSN generated by RHW with the verified SSN. A copy of this form is filed in the customer's case file.

### B-204-5: Completing the Case Navigation Menu

VR staff must ensure that all information in the application is accurate. If information is missing, it must be obtained as soon as possible. Many state and federal reports are compiled from the information in RHW, and their accuracy relies on the accuracy of reported data. For more information on the Case Navigation Menu, see the ReHabWorks User's Guide (RUG).

The VR counselor:

* completes the diagnostic interview; and
* reviews the application and other documents submitted.

The VR staff member completing the application gives a copy of the application statements to the customer.

### B-204-6: Application Signatures

This content has been relocated to VRSM A-210: PIN and Signature Procedures.

### B-204-7: PIN Procedures

This content has been relocated to VRSM A-210: PIN and Signature Procedures.

## B-205: Diagnostic Interview

The VR counselor must conduct a diagnostic interview with every customer. If the VR counselor completes the application, he or she should, in most circumstances, conduct the diagnostic interview at the same time. If another VR staff completes the application for services, the VR counselor should complete the Diagnostic Interview immediately after the application for services is completed. If the VR counselor is unable to complete the Diagnostic Interview at the time that the application for services is completed for any reason, it must be completed within no more than 2 weeks after the application is signed.

The primary purpose of the diagnostic interview is to obtain information that is relevant to determining eligibility. It is an opportunity to identify knowledge, skills, abilities, and key attributes from the customer's perspective.

The diagnostic interview includes:

* brief description of the customer's disabilities (relevant history and current treatment);
* a description of the functional limitations and their impact on employment, education, and independence;
* a record of the customer's perception of problems or issues related to his or her disabilities and need for services;
* the customer's educational and work history;
* the customer's knowledge, skills, and abilities;
* the customer's resources and comparable benefits (or the need to apply for benefits);
* information about the customer's SSI or SSDI status (including verification of benefits or a note about the need to verify benefits);
* the VR counselor's observations throughout interview; and
* a statement of the next actions needed to move the case through the VR process.

The VR counselor prepares for the diagnostic interview by

* reviewing existing information provided by the customer's family;
* identifying specific focus questions about the
  + disability's history and treatment, and
  + customer's perspective on its impact; and
* formulating specific questions to probe work history and identify work-related issues.

If available, review the Counselor's Desk Reference (CDR) for topics that are relevant to the disability, paying attention to the sample questions listed. For additional information about a customer's condition and treatment and the condition's possible impact on employment, consult the Medical Disability Guidelines.

The VR counselor encourages the customer to speak freely since only the customer can describe what he or she has been experiencing regarding perceptions of disability and vocational impact. However, to accomplish the purpose of the interview, the VR counselor must direct the course of the interview to gather the information needed to establish eligibility. In addition to the customer's perspective, the VR counselor records impressions of the customer's behavior that will

* impact the customer's ability to benefit from VR services, or
* help determine a competitive integrated employment goal.

By probing and exploration, the productive diagnostic interview establishes information that helps the VR counselor understand the customer's:

* adjustment to disability,
* support systems,
* resources,
* knowledge,
* skills,
* abilities, and
* key worker attributes.

Exploring the customer's work and disability history may reveal the need for further diagnostic review. The VR counselor orders records and/or purchase evaluations as necessary. For all reported disabling conditions, medical records must be obtained from the appropriate licensed professional and placed in the customer's case file before determining eligibility. The only exception to this requirement is for customers with an observable impairment or for customers with proof of Supplemental Security Income or Social Security Disability Income. For condition-specific required assessments and the policy refer to VRSM B-308-1: Required Assessments and Policy for Selected Conditions.

## B-206: Opening a Case

### B-206-1: Customer Has an Open VR Case

If the customer has an open VR case in a different supervisory unit, the VR counselor clarifies whether the customer is requesting a case transfer. If the customer wants to transfer the case, see VRSM B-100: Introduction to the VR Process.

If the customer wants to continue receiving services through the assigned supervisory unit, the VR counselor provides the customer with the contact information for:

* the assigned unit; and
* the assigned VR counselor.

The VR counselor documents the contact in RHW.

If the customer has a closed case, see VRSM B-206-2: Opening a New Case or Adjusting the Phase of a Previously Closed Case, below.

#### Phase Adjusting the Phase of an Open Case

Any phase adjustment of an open case after an application has been completed with the exception of moving a case from employment back to active services requires approval by the Deputy Division Director for Field Services.

### B-206-2: Opening a New Case or Adjusting the Phase of a Previously Closed Case

When a customer has a Vocational Rehabilitation (VR) case that was previously closed and is requesting services again, the VR counselor determines whether to:

* open a new case;
* adjust the phase of the case to provide post-employment services within the program year quarter a case was closed; or
* adjust the phase of the case in ReHabWorks (RHW) within the program year quarter the case was closed, only if the case was closed:
  + successfully or unsuccessfully after Individualized Plan for Employment (IPE); or
  + before case assignment.

For more information on program year, refer to the calendar on the VR RHW Support Resources SharePoint page.

The customer's request to apply for additional services must not be delayed or denied a on the basis that the customer has received services from VR in the past.

### B-206-3: Opening a New Case for a Previous Unsuccessful Closure

A new case may be opened for a customer who has received services from VR in the past. Follow the policies and procedures outlined in VRSM B-202: Initial Contact to process the case in the same way as for any other customer requesting services:

As a part of the diagnostic interview and the comprehensive assessment, the VR counselor:

* reviews the circumstances related to the previous unsuccessful closure by reading the documentation for that previous case,
* when necessary, obtains a copy of the previous case file; and
* documents in ReHabWorks the reasons for opening a new case.

### B-206-4: Opening a New Case for a Previous Successful Closure

When a customer requests additional services from VR after the customer's case has been closed successfully, consider first what level of services the customer requires.

If the customer requires only limited services to maintain, regain, or advance in employment phase adjust the case if it is within the program year quarter of the successful closure.

Open a new case if the:

* customer requires more complex and comprehensive services, or
* successful closure is outside of the program year quarter in which the case was closed.

See VRSM B-202: Initial Contact and VRSM B-203: Application to process the case in the same way as for any other customer for services.

As a part of the diagnostic interview and the comprehensive assessment process, the VR counselor:

* reviews the circumstances related to the previously successful closure by reading the documentation on the previous case; and
* documents in RHW the reasons for opening a new case.

### B-206-5: Adjusting the Phase of a Previously Closed Case

A phase adjustment is a RHW process that changes a closed case.

Phase adjustments must be used only when the:

* case was closed either successfully or unsuccessfully after IPE; or
* case was closed before application (potentially eligible cases only); and
* case was phase adjusted within the current program year.

#### Closure after IPE Is Returned to Active Status

To request and complete a phase adjustment from a closed status after IPE back to an active status, follow the procedure below.

The VR counselor takes the following steps:

1. Reviews the case and gathers information from the customer to ensure that a phase adjustment is appropriate
2. Selects the Phase Adjustment Request tab from the case in RHW
3. Selects the Save tab to set the approval status to pending and to generate an action for the VR Supervisor in RHW
4. Documents the justification for the phase adjustment in a case note that will automatically open in RHW when the phase adjustment request is saved

The VR Supervisor takes the following steps:

1. Reviews and approves or denies the phase adjustment request in RHW by selecting the Phase Adjustment Approval tab from the case in RHW
2. Documents the approval or non-approval of the decision for the phase adjustment in a case note in RHW
3. Notifies the VR counselor that the phase adjustment was approved or denied

Note: This is available only if the adjustment is within the program year quarter the case was closed.

#### Unsuccessful Closure Changed to a Successful Closure after IPE

If a customer whose case was closed as an unsuccessful closure became employed during the same program year quarter in which the case was closed, the VR counselor must first complete the phase adjustment process outlined above.

To change an unsuccessful closure after IPE to a successful closure, follow the procedure below.

The VR counselor take the following steps:

1. Reviews the case to ensure that all criteria for Successful Closure are met (Refer to VRSM B-600: Closure)
2. Updates the employment information in RHW (Refer to VRSM B-600: Closure)
3. Selects the Phase Adjustment Request tab from the case in RHW
4. Selects the Save tab to set the approval status to pending and to generate an action for the VR Supervisor in RHW
5. Documents the justification for the phase adjustment in a case note that will automatically open in RHW when the phase adjustment request is saved

The VR Supervisor takes the following steps:

1. Reviews and approves or denies the phase adjustment request in RHW by selecting the Phase Adjustment Approval tab from the case in RHW
2. Documents the approval or non-approval of the decision for the phase adjustment in a case note in RHW
3. Notifies the VR counselor that the phase adjustment was approved or denied

Note: This is available only if the adjustment is within the program year quarter the case was closed.

If the phase adjustment is approved, the VR counselor closes the case as a successful closure in RHW.

#### Successful Closure Changed to Unsuccessful Closure after IPE

If a case was closed as a successful closure but did not meet the criteria for a successful closure, the VR counselor must first complete the phase adjustment process above.

To change a successful closure after IPE to an unsuccessful closure, follow the procedure below.

The VR counselor takes the following steps:

1. Reviews the case to ensure that all criteria for Unsuccessful Closure are met (Refer to VRSM B-600: Closure)
2. Selects the Phase Adjustment Request tab from the case in RHW
3. Selects the Save tab to set the approval status to pending and to generate an action for the VR Supervisor in RHW
4. Documents the justification for the phase adjustment in a case note that will automatically open in RHW when the phase adjustment request is saved

The VR Supervisor reviews and approves or denies the phase adjustment request in RHW by selecting the Phase Adjustment Approval tab from the case in RHW.

Note: This is available only if the adjustment is within the program year quarter the case was closed.

If the change is approved, the VR counselor closes the case as an unsuccessful closure in RHW.

#### Closure Before Application Is Returned to Potentially Eligible with Case Assignment (for Pre-ETS only)

In order to request and complete a phase adjustment from a Closure before Application back to Potentially Eligible with Case Assignment, follow the procedure below.

The VR counselor takes the following steps:

1. Reviews the case and gathers information from the customer to ensure that a phase adjustment is appropriate
2. Selects the Phase Adjustment Request tab from the case in RHW
3. Selects the Save tab to set the approval status to pending and to generate an action for the VR Supervisor in RHW
4. Documents the justification for the phase adjustment in a case note that will automatically open in RHW when the phase adjustment request is saved

The VR Supervisor takes the following steps:

1. Reviews and approves or denies the phase adjustment request in RHW by selecting the Phase Adjustment Approval tab from the case in RHW
2. If the phase adjustment is approved, the VR Supervisor saves the Phase Adjustment Approval page as approved in the Management Unit Supervisor approval drop-down
3. If the phase adjustment is denied, the VR Supervisor saves the Phase Adjustment approval page with Denied in the Management Unit Supervisor approval drop down
4. Documents the approval or non-approval of the decision for the phase adjustment in a case note in RHW
5. Notifies the VR counselor that the phase adjustment was approved or denied

For the definition of Pre-ETS eligibility, refer to VRSM C-1300 Transition Services for Students and Youth with Disabilities.

If the case does not meet the criteria for Pre-ETS eligibility, the case will not be phased adjusted.

Note: This is available only if the adjustment is within the program year quarter (July 1-June 30). If the adjustment is outside the quarter, but within the program year, email [vr.rhwsupport@twc.texas.gov](mailto:vr.rhwsupport@twc.texas.gov) to phase adjust the case with VR Supervisor approval. If the phase adjustment request is outside of the program year, approval by the Deputy Division Director for Field Services is required.

## B-208: Social Security Recipients and Beneficiaries

Customers receiving SSDI or SSI based on their disability are presumed eligible during the VR process as stated in 34 CFR §361.42.

For more information, see VRSM A-306: Social Security Recipients and Beneficiaries.

## B-209: Ticket to Work Program

The Ticket to Work Program (TTW) is a voluntary program administered by the Social Security Administration (SSA) for customer customers ages 18 to 64 who receive SSA disability benefits. For more information, see VRSM A-307: Ticket to Work Program.

## B-210: Subminimum Wage Recipients

Section 511 of the Rehabilitation Act, as added by the Workforce Innovation and Opportunity Act (WIOA), requires employers that hold special wage certificates under the Fair Labor Standards Act (FLSA) to comply with certain requirements. WIOA mandates that these requirements be satisfied before the employers can hire youth with disabilities at subminimum wages, or continue to employ individuals with disabilities of any age at the subminimum wage level. Individuals with disabilities, regardless of age, must receive Career Counseling and Information and Referral services designed to promote opportunities for competitive integrated employment to individuals with disabilities referred to Texas Workforce Solutions–Vocational Rehabilitation (TWS-VR) to be employed at subminimum wage (wages less than the federal minimum wage).  For more information, see VRSM A-309: Outreach to Subminimum Wage Recipients.

## B-211: Veterans

Veterans have unique vocational rehabilitation needs. Disabilities incurred or aggravated in the line of duty in the active military, naval, or air service can hinder readjustment to civilian life. As the veteran population grows, the number of veterans who are blind, visually impaired, hard of hearing, or who suffer from PTSD, is expected to increase.

For more information, see VRSM A-304: Veterans with Disabilities.

## B-212: Outreach to Individuals with Disabilities Who Are Minorities

VR engages in numerous programs and activities designed to inform and make available VR and supported employment services to minorities and those who have the most significant disabilities.

For more information, see VRSM A-308: Minority Backgrounds.

## B-213: When a Customer Requires Special Attention

When VR staff or other reliable source is aware of or observes behavior that could pose a threat to other employees or to providers, it is important to document the information as specifically and factually as possible by creating a case note in the customer's case file.

VR staff creates a case note:

* if at any time during the rehabilitation process, a customer verbally or physically threatens someone; or
* if the customer has a recent history of actual or threatened physical abuse.

The VR staff enters the case note in RHW under the topic Requires Special Attention.

A case note must include as much information as possible about the incident, including:

* the date;
* the location;
* the names and addresses of witnesses and the people involved;
* what was said and/or done; and
* the names of those willing to testify.

Report incidents affecting the security of VR staff or property to VR management and, if appropriate, to the local law enforcement authority. Place a copy of the police report in the paper file if police were involved.

When other VR staff refers to the customer's online case record, the case note alerts him or her to use caution when working with the customer. Additional case notes must be entered as needed to maintain an accurate record of potential risks or of changes in the circumstances.

Although it is important to alert others to potential risk, VR staff must exercise extreme care in using a case note titled Requires Special Attention to avoid labeling a customer unnecessarily.

Incidents affecting the security of VR staff or property must be reported to:

* VR management; and
* local law enforcement, if appropriate.

For more information on reporting an incident, see VRSM A-213: Incident Reporting and Documentation.