

DIVISION OF VISUAL SERVICES, cont. . .

APPLICATION PROCESS

- Individuals are considered applicants when they:
 - have completed and signed an application form or have otherwise requested services (including, but not limited to requests made verbally, by telephone, in writing, by facsimile, etc.);
 - have provided information necessary to initiate an assessment to determine eligibility and priority for service; and
 - are available to complete the assessment process as soon as the counselor has a document signed by the individual requesting VS services. This may be a formal application or a letter signed by the applicant, applicant's parent, guardian, or other representative which provides the minimum basic information and request VS services.
- In application status, the counselor will secure sufficient information to make a determination of eligibility or ineligibility for VS services, determine a priority group assignment, or make a decision to put the client into extended evaluation. The information needed by the counselor may include the results of a physical examination, an assistive technology evaluation, or an extended evaluation of vocational potential to determine potential for gainful employment.
- If a person is determined to be eligible for services based on evaluation information, the counselor and the individual will develop an Individualized Plan for Employment (IPE) that is designed to promote competitive employment for the individual.
- Unless extended evaluation/trial work is required, the counselor will make the eligibility determination decision within 60 days of application.

APPEALS PROCESS

1. Consumers who disagree with a VR Program decision are encouraged to contact the local District Supervisor to attempt an effective resolution of the issue. In the event of a reduction, suspension or cessation of VR services, individuals have a right to a case review by an impartial hearing officer, mediation, and/or assistance from the Client Assistance Program (CAP).
2. A request for a fair hearing should be made in writing to your VR Counselor or the hearing coordinator within 30 days of DRS informing you of the decision with which you disagree. The fair hearing will be conducted by a hearing officer within 60 days of the written "Request for a Fair Hearing" by the consumer.
3. Individuals filing a "Request for a Fair Hearing" may request a confidential mediation session to resolve grievances. In the event mediation sessions do not resolve the grievance, individuals retain their right to a fair hearing.
4. After filing a "Request for a Fair Hearing," the administrative review must be conducted by the district supervisor and concluded within the same 60 days, with the results of the review provided in a written letter. If the review resolves the grievance, the "Withdrawal of Request for Hearing" form must be completed; otherwise, the hearing will continue.
5. The written decision of the hearing officer including findings and grounds for the decision will be made to the consumer and hearings coordinator within 30 days of the completion of the hearing.
6. Individuals may request a review of the hearing officer's decision by the Governor or Governor's designee within 20 days of the decision.
7. In the event an individual brings civil action regarding the decision, the final decision either by the hearing officer or the Governor or Governor's designee will be implemented pending court review.

ASSISTANCE PROVIDED FOR APPEALS

- The Client Assistance Program (CAP) assists persons with disabilities who are seeking or receiving services from any program funded by the Rehabilitation Act of 1973 as amended. CAP can:
 - advise clients of their rights and responsibilities under the Rehabilitation Act;
 - assist clients in communicating their concerns to DRS; and
 - represent the individual in the fair hearing process when appropriate and/or needed.
- Additional information concerning vocational rehabilitation and the appeals process can be obtained from the CAP at (405) 521-3756 or (800) 522-8224 statewide.
- All DRS clients should receive a CAP brochure at the time their case is activated.