

Chapter 201

REFERRAL & APPLICATION PROCESS

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Section I. Referral

- A. Anyone present in Vermont who is referred to the Division of Vocational Rehabilitation (DVR) as a person who may benefit from its services will be given the opportunity to inquire about and apply for its services promptly and equitably. An initial attempt to contact individuals referred by other organizations will be made within two working days of the referral. The individual will be offered an opportunity to meet with a DVR representative to learn more about possible services and how to apply for them.
- B. Individuals, whether referred or applying on their own, will be scheduled to meet with a Counselor or other DVR representative within ten (10) working days unless:
1. The referred person cannot meet within that timeframe; or
 2. The referred person is unable to get to a DVR office and more than ten (10) days is acceptable to the person.
- C. Though a face-to-face meeting is preferable, contact by other means is acceptable. Reasonable efforts to contact the referred person by telephone, in person, and/or by mail will be made. If the person does not respond or cannot be located, attempts to contact may end.

GUIDANCE: Any Division employee may initially contact a referred person, most likely by telephone, to be sure the person knows s/he has been referred for possible services, to describe the Division's employment-related mission, and to encourage the person to meet with a Counselor or representative for more information and to apply for services. If the person is not interested, a brochure which describes services may be provided if s/he desires one; otherwise, efforts may cease unless it is felt the person's disability may be a factor and extra effort to encourage the person's participation seems warranted (e.g., the disability may be resulting in fear or misunderstanding, or the person has mobility impairments which interfere with traveling almost anywhere).

If the person is interested and if reasonably possible, an appointment with a Counselor or representative will be offered within 10 working days of receiving a referral. A letter confirming the appointment and/or a brochure may be sent ahead of time if the person wants one or both. If the office offers group

orientation/information sessions, the person will be given the choice of attending a group session or an individualized one.

If a face-to-face meeting isn't reasonably possible within 10 working days, contact may be made with the person by phone to describe services in greater detail within 10 days.

No questionnaires will be provided to a referred person prior to contact with a Counselor or representative or prior to receipt of an application for services. An application form for Division services, however, may be provided prior to such contact.

Section II. Application

- A. Application for Division services confirms a person's desire and willingness to participate in employment. A person is considered to have submitted an application when s/he (or representative):
1. Has completed and signed the Division's application form or has otherwise requested services;
 2. Has provided information necessary to initiate an assessment to determine eligibility and priority for services (at least name, address and mention of a disability); and
 3. Is available to complete the assessment process.
- B. Application forms shall be available in every Division office and application information will be placed statewide in pertinent places such as related government entities, community rehabilitation programs, and hospitals.

GUIDANCE: If an application is filed in a "non-traditional" way--e.g., other than by using the Division's form:

- A. The data collected on the Division's application form must still be collected somehow, such as being written in by the Counselor; and
- B. Information regarding the person's rights, responsibilities, availability of the

Client Assistance Program, etc., must be provided in writing or, if applicable, in another method of communication understandable to the person.

A way to assure that these activities are fulfilled is to subsequently complete the Division's standard application form using the date of the non-traditional application as the date of application.

Section III. Procedures for Specific Disabilities

A. Deaf and Hard of Hearing Referral Procedures

GUIDANCE: This procedure applies to referrals of all persons who are deaf or hard of hearing (including all types of hearing loss).

All persons who are deaf or hard of hearing (as a primary disability) will be assigned initially to the local Rehabilitation Counselor for the Deaf (RCD) who will review the person's record of services, particularly the medical and audiological information. Based on the person's informed choice, the RCD may then coordinate with the local DVR staff to determine whether to continue working with the person or to transfer the case management to the area's general Counselor.

To assure quality services and customer satisfaction, general Counselors will consult with the local RCD on all persons with any type of hearing loss whenever the need arises. Suggested consultation times include:

1. Upon application;
2. When the IPE is written;
3. Prior to case closure.

The RCDs will be available to provide periodic information and training about hearing loss and deafness.

B. People Diagnosed As HIV-Positive.

GUIDANCE:

1. The following procedures and guidance should be considered as supplemental to any related material developed by the Agency of Human Services.

a. **Eligibility:** The same criteria will be applied to all program participants, regardless of the nature or source of their medical problem. HIV may manifest itself in a variety of symptoms and functional limitations in a multitude of combinations. The component of the syndrome which is most functionally limiting as it relates to employment must be determined.

People with a positive HIV blood test and without physical or psychological impairments (including a stigma perceived by potential employers and others) are not considered to have a disability. If no functional limitations are present, an impediment to employment is deemed not to exist.

b. **Confidentiality:** When HIV infection is presented as a disability by the person or by medical records, the confidentiality of this disease must be adhered to in the strictest manner. If information is shared with any person or entity, the person must agree and sign a release each time. Failure to adhere to this practice may result in assessment of civil penalties plus court costs. Therefore, the procedures outlined herein must be followed.

i. Medical information routinely sent to other service providers such as psychologists, health clinics, and the Industrial Homework Service must be screened to assure that HIV (or other related terms such as "AIDS") is not listed as a primary or secondary disability unless written permission is granted by the person.

ii. Verbal communications of a person's HIV condition shall occur only with medical personnel and supervisors for the purpose of clarifying policy, procedures, and practices.

2. **Entering HIV Diagnosis in the Record of Services:** To enter a person's statement of having HIV infection and/or symptoms, or to cite information contained in laboratory records of medical reports regarding the HIV diagnosis, a specific signed Release of Information for this purpose must be obtained which states specifically:

I, _____, hereby give my Rehabilitation Counselor, _____, approval to enter the reference of HIV infection and/or the diagnosis of HIV infection in my case file.

(person's signature*)

*(To help assure that the person is aware of what s/he is signing, the person's signature must immediately follow this statement.)

3. **Requesting Medical Information:** To request medical information from an attending physician or medical facility regarding HIV infection, a specific Release of Information must be signed by the person on each occasion.
4. **Comparable Benefit:** Testing for HIV infection (if requested) is provided by the Health Department. For further information, call the AIDS hotline (1-800-882-AIDS or 1-800-882-2437) between 8:00 a.m. and 4:00 p.m.
5. **Recording/Coding:** As with any other disability, persons with HIV+ should be individually assessed to determine the primary vocational impediment by identifying the major functional limitations. For example, severe psychological problems may develop and, in fact, be the major barrier to employment. Other primary impairments due to HIV+ might include neurological or cognitive deficits, chronic infections, and chronic fatigue. Coding of the primary disability will follow normal RSA coding procedures. Because it is associated with blood it may be coded 629 ("other anemia and diseases of the blood and blood-forming organs") on the 105R Form as a secondary disability.
6. **Staff/Client Interaction:** As the HIV virus is not transmitted through casual contact, interviews and meetings should be conducted in the usual environments. There should be no restrictions on the person's use of office equipment or facilities; no special precautions are required when transporting a person with HIV.
7. **Staff Training:** DVR is responsible for providing staff training on policies and procedures re: HIV. Staff shall be familiar with basic facts about HIV through available literature and presentations by the Department of Health. Situations not clearly addressed by this policy may be discussed with the DVR Central Office staff and/or knowledgeable officials in the Department of

Health.

8. **Miscellaneous:** DVR offices may make available informational literature explaining HIV infection (in an accessible format upon request).