

Chapter 203: Individualized Plan for Employment

Vermont Division of Vocational Rehabilitation
Policy and Procedures Manual

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Section I. Definitions

- A. **"Amendment"** to an Individualized Plan for Employment means a substantive change in the employment outcome, the services to be provided, or the providers of services.
- B. **"Competitive employment"** means work in the competitive labor market that is performed on a full-time or part-time basis in an integrated setting. The individual is compensated at or above the minimum wage, but not less than the customary wage and level of benefits paid by the employer for the same or similar work performed by individuals who are not disabled.
- C. **"Employment outcome"** means, with respect to an individual, entering or retaining full-time or, if appropriate, part-time competitive employment in the integrated labor market to the greatest extent practicable; supported employment; or any other type of employment, including self-employment, telecommuting, or business ownership, that is consistent with an individual's strengths, resources, priorities, concerns, abilities, capabilities, interests, and informed choice.
- D. **"Individualized Plan for Employment"** (IPE) means the written program of services developed with an eligible individual to result in an employment outcome.

Section II. Development and 90-Day Deadline for Completion

- A. As soon as possible after determining eligibility and vocational rehabilitation needs, the individual shall be provided in writing and in an appropriate mode of communication, the following information on options for developing the IPE:
 - 1. An explanation that the individual, or if appropriate, an individual's representative, may develop all or part of the IPE:
 - a) without assistance from the State unit or other entity; or
 - b) with assistance from a qualified vocational rehabilitation counselor employed by the State unit; or
 - c) with assistance from a qualified vocational rehabilitation counselor who is not employed by the State unit; or
 - d) with assistance from resources other than those listed above.
 - 2. A description of the full range of components that shall be included in an IPE;
 - 3. As appropriate—
 - a) an explanation of the Division's guidelines and criteria regarding financial commitments concerning an IPE;
 - b) additional information the person requests or the Division determines to be needed; and
 - 4. A description of the—
 - a) rights and remedies available including administrative review, mediation, and fair hearing; and
 - b) availability of the Client Assistance Program.

- B. The IPE shall be developed and implemented in a manner that affords eligible persons the opportunity to exercise informed choice in selecting an employment outcome, the specific vocational rehabilitation services to be provided, the entity that will provide them, and the methods used to procure them.
- C. **The IPE must be developed as soon as possible, but no later than 90 days after the date of the determination of eligibility.** The only exception to the 90-day requirement is if the counselor and the consumer agree to an extension of that deadline to a specific date by which the IPE must be completed. The counselor **must** document the reason for the extension, the specific date the IPE will be completed and the consumer's agreement.

Guidance – Using “IPE Preprint” to ensure informed choice for consumer.

The above requirements should normally be able to be fulfilled by using VR Form 12.1 (the “IPE Preprint”). This form should be provided to and signed by the person as soon as possible after eligibility and an assessment of the needs/possible services have been determined. Forms for completing the IPE may also be provided then. (If the person is “fast tracked” and both the Preprint and the IPE are signed on the same day, write a note into the case record explaining why both were signed at the same time.) Also suggested is that a sample of at least one completed IPE be provided to give the person further insight as to what is needed.

It is neither intended nor expected that the person will complete the IPE forms alone. Such a practice may be quite discouraging to some people; it may also mislead them re: possible services, spending guidelines, etc. It is expected that the counselor will play an active role, which may vary according to the person's abilities/desires, in the development of every IPE.

End Guidance.

Section III. Content

Every IPE shall contain, at a minimum, the following components:

- A. A description of the specific employment outcome chosen by the person; consistent with the unique strengths, resources, priorities, concerns, abilities, capabilities, interests, and informed choice of the eligible person, and, to the maximum extent appropriate, results in employment in an integrated setting;

Guidance – Setting appropriate employment goals; right to refuse goal.

When a consumer presents with prior behavior, or a condition that is not congruent with the employment goal, we have the right to refuse to sign the IPE. We should work with the consumer to develop an employment goal that is appropriate and acceptable to both parties and is suitable based upon or supported by medical and/or other professional evidence.

Examples of employment goals that the DVR counselor may refuse to sign off on are as follows:

- A consumer with a severe anxiety disorder who wants to work in a high stress sales environment.
- A consumer with a history of prescription medication substance abuse who wants to work in a pharmacy
- A consumer with a history of child molestation who wants to work in a day care center.

An employment goal can be very broad or very specific depending on the needs and interests of the consumer. Early in the rehab process, a consumer may not know a specific job title, but might know the general area of work they are interested in pursuing. As the consumer engages in continuous assessment and a more specific goal is identified the IPE may be amended.

If the employment goal changes entirely, then the IPE must be amended to reflect the change and a rationale provided in a case note.

Sometimes consumers are requesting assistance with obtaining immediate employment that may or may not be a step beyond where they are at the point of application. Other times consumers are pursuing initial and intermediate goals as they work their way to their most hoped for employment goal. This can create a dilemma in how to move forward with selecting an appropriate employment goal. The examples below illustrate how to discern which goal is appropriate for the plan based on the consumer's stated goals, current skill level, and employment experience in the field of interest.

- A person with no work history or experience in the vocation they are pursuing (this includes those who are changing vocational fields completely due to the onset of a disabling condition)
 - ⊕ **Example:** A consumer wants to become a Registered Nurse but has never worked in the medical or health field. Her prior work history consists of cashiering at the local convenience store. She would like to start with her LNA and work at a local hospital as a way to move her toward her goal to be a Registered Nurse.
 - ⊕ **Conclusion:** In this case, setting the initial employment goal of LNA makes sense as it is a step beyond where she is at application. If she is successful as an LNA and would like to continue to work with VR after a successful closure related to this employment goal, she could open a new case with the next goal of LPN or RN.
- A person has limited work experience in a particular field and would like to move up to a higher paying or more advanced position. To do so they will need to increase their skills to achieve the goal.
 - ⊕ **Example:** A person has an interest in being an Office Manager for a small office and comes to the counselor unemployed. He/She has had several years of experience as an Administrative Assistant

working under Office Managers but needs additional education and opportunities to be competitive for that vocational goal.

- ⊕ **Conclusion:** *It is appropriate to set the employment goal as Office Manager rather than Administrative Assistant as they could likely obtain that level of employment on their own and are looking to VR for assistance with the next step.*
- *A person applies for VR services, needs a job quickly and also has a vocational goal that will require investment in time and resources to achieve.*
 - ⊕ **Example:** *An unemployed person has a history of working at convenience/retail stores and is interested in becoming a radiologist.*
 - ⊕ **Conclusion:** *Setting the initial employment goal of cashier/retail would be inappropriate as it does not help them achieve employment that advances their goal. While a counselor may assist with providing leads and counseling and guidance to support an immediate job in the retail field, it would not be the person's IPE goal or result in a successful closure. The counselor may work with the person to set an initial goal of Radiology Technician or even a more entry level job in the health sector. Achieving that goal could be considered a success and the case closed in adherence with policy. A new case could be opened if that person then wants to pursue the next level of employment leading to their ultimate goal of Radiologist.*

End Guidance.

- B. A description of the specific vocational rehabilitation services that are:
1. Needed to achieve the employment outcome, including, as appropriate, the provision of assistive technology devices and assistive technology services, and personal assistance services, including training in the management of such services; and
 2. Provided in the most integrated setting that is appropriate for the service involved and is consistent with the informed choice of the eligible individual;
- C. Timelines for the achievement of the employment outcome and for the initiation of the services;

Guidance – Setting the timeline for goal achievement.

The date of achievement of the employment outcome should generally be at least 6 months after the IPE is created and signed. Often the achievement date is set 12 months from the date of signature. There is flexibility in deciding how long it will take to reach the employment outcome and projecting a date does not create a requirement or hard deadline. Employment outcome timelines may be projected based on the length of a training program, educational program, or medical treatment. Actual

achievement of employment outcomes will vary based on individual circumstances.

End Guidance.

- D. A description of the entity chosen by the person that will provide the services, and the methods used to obtain such services; the services should always directly relate to the achievement of the specific employment goal;

Guidance – Completing specific items in the plan.

Service Date:

The date that the IPE has been signed is the date to use for beginning of services moving forward even though services listed here may have started previously or may also be ongoing.

There may be times where it might be best practice to have a later start date for a service, especially if a service is contingent on another activity being completed.

Provider:

The person or organization that will be providing the actual service must be listed.

Cost/Source:

Distinguish where funding is coming from: VocRehab, VSAC, etc.

Job development, placement, and referral services will often be provided through contract

When listing costs, best practice is to indicate an exact amount and duration

If VR is contributing case service funds, then always include a dollar amount. The dollar amount can be greater or less than the spending guidelines depending on the individual needs of the consumer.

If greater, the amount must be approved by the Regional Manager.

Best practice is to include specific dollar amounts when possible. The actual amount should be based on what is needed for the consumer to achieve their goal. If counselors are unclear on the specific amount needed it is recommended they set a maximum threshold.

“Within policy guidelines” or “To be determined” should not be used as a practice to define a dollar amount. If a guideline amount is needed or a specific amount is not known, best practice would be to use an estimated amount or your best guess dollar amount as a starting point.

- E. A description of the criteria to evaluate progress toward achievement of the employment outcome;

- F. The terms and conditions of the IPE, including, as appropriate, information describing—
 - 1. The responsibilities of the Division;
 - 2. The responsibilities of the person, including those
 - a) In relation to his/her employment outcome;
 - b) In relation to, if applicable, his/her participation in paying for the costs of the plan; and
 - c) With regard to applying for and securing comparable benefits and services.
 - 3. The responsibilities of other entities in accordance with the Division's policies (see Chapter 103, "Comparable Services and Benefits").

- G. For an eligible person with the most significant disabilities for whom an employment outcome in a supported employment setting has been determined to be appropriate, information identifying—
 - 1. The extended services needed by the person; and
 - 2. The source of extended services or, to the extent that the source cannot be identified at the time of development of the IPE, a description of the basis for concluding that there is a reasonable expectation that such source will become available;

- H. Signatures of both the person seeking services (or his/her representative) and his/her vocational rehabilitation counselor; and

- I. As determined to be necessary at the time of determining that the IPE has resulted in a successful employment outcome, a statement of the projected need for post-employment services.

Section IV. Post-Employment Services

The IPE for each person must contain statements concerning:

- A. An assessment of the need for post-employment services prior to the determination that the person has achieved an employment outcome; and

- B. If post-employment services are needed, the IPE must contain a description of them and the other criteria listed in Section III.

Section V. Coordination of Services for Students with Disabilities Who are Receiving Special Education Services

The IPE for a student with a disability who is receiving special education services must be coordinated with the Individualized Education Program (IEP) for that person in terms of the goals, objectives, and services identified in the IEP. (See Chapter 306, School-to-Work Transition, for more information).

Section VI. Copy

A written copy of the IPE shall be provided to the person or, as appropriate, to the person's representative and, if appropriate, in the native language or mode of communication of the person or, as appropriate, his/her representative.

Section VII. Review and Amendment

- A. The IPE shall be reviewed at least annually by the vocational rehabilitation counselor and the person or, as appropriate, the person's guardian. The case record must show that the annual review of the IPE was conducted with the person's participation or, as appropriate, the person's representative. The case record must report on the progress made, and must include, on IPE form(s), amendments made, if any.

Guidance – Best Practices for IPE review and amendment.

- *This is an opportunity for the consumer and counselor to review what is and/or isn't working, what progress has been made toward their goals and if any services need to be added or changed. Ideally this would be a face to face meeting, but it could take place over the phone.*
- *Counselors may informally review the IPE more often with consumers. The IPE document may be beneficial to reference more frequently during meetings with consumers as a tool to check in around. Counselors may find this helpful in creating talking points around progress and accomplishments.*
- *The case file should show a record that the IPE review was completed and would document any changes and/or progress made toward the employment goal. Data entry within Putty should also be done to update that the review occurred and will not officially be due for another year.*
- *IPE review dates will show up on the Putty generated tickler list in the month they are due and will continue to show up on this list until they are done and the date is updated within the Putty database system.*

End Guidance.

- B. The IPE must be amended if there are substantive changes:
1. In the planned employment outcome;
 2. In the vocational rehabilitation services to be provided; or
 3. In who will provide the planned services.

A full amendment requires both a counselor and a consumer signature. The counselor must print out or write up the new IPE amendment including all the changes. The IPE amendment does not go into effect until both the counselor and consumer have signed the amended plan.

Guidance – Examples of changes affecting need for IPE amendment.

It is not always apparent what would be considered a “substantive” change in services in an IPE. The following are examples to help guide counselors as to when a full amendment is needed.

Examples of a Substantive Change in Services

- *When a substantial new service is added to the plan that is funded all or in part by DVR and that new service costs more than \$100.*
- *If the cost of an existing service is going to be increased by \$100 or greater than was allotted in the original plan.*

Examples of a Non-Substantive Change

- *When the cost of a planned service is increased by less than \$100.*
- *When a new service is added that costs less than \$100.*
- *When comparable services or benefits are being added to the plan that are not funded by DVR. For example, if a consumer becomes eligible for another program that will support his/her employment plan such as Community Rehabilitation and Treatment.*
- *When a change in service provider is inconsequential. For example, if the vendor for work clothing changes from JC Penny to Walmart.*
- *The counselor can note non-substantive changes on the original IPE without a consumer signature. The changes must be documented in the case notes.*

End Guidance.