

Chapter 306

REHABILITATION TECHNOLOGY SERVICES

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Section I. Definitions

- A. **"Home modification"** means reasonable and necessary additions or alterations to an entrance or room(s) of a domicile of a person with disabilities; the intent is to maximize independence as related to achieving the person's vocational goal.

GUIDANCE: Examples of home modifications may include but are not limited to such activities as constructing a ramp, widening a doorway, installing grab bars, and lowering counters. Services incidental to the modifications being provided to address functional limitations may also be provided, such as moving some electrical wiring in order to widen a doorway.

- B. **"Rehabilitation engineering"** means the systematic application of engineering sciences to design, develop, adapt, test, evaluate, apply, and distribute technological solutions to problems confronted by individuals with disabilities in functional areas, such as mobility, communication, hearing, vision, and cognition, and in activities associated with employment, independent living, education, and integration into the community.
- C. **"Rehabilitation technology"** means the systematic application of technologies, engineering methodologies, or scientific principles to meet the needs of and address the barriers confronted by individuals with disabilities in areas that include education, rehabilitation, employment, transportation, independent living, and recreation. The term includes rehabilitation engineering, assistive technology devices, and assistive technology services.

Section II. General Policy

- A. Rehabilitation technology services may be provided for a person at any stage in the rehabilitation process: during determination of eligibility and priority for services under the Division's order of selection for services; plan development (including worksite assessment); as a service in an IPE to reach a vocational goal; and as a post-employment service.
- B. When individualized prescriptions or fittings are needed, they shall be done by persons licensed and/or certified for such activity if required by law. If neither licensure nor certification is legally required, the person shall be so informed, and DVR staff shall describe the method(s) of getting the service so the person can make an informed decision.

Section III. Spending and Related Guidelines

- A. Although rehabilitation technology services are exempt from the determination of the availability of comparable services and benefits, such comparable services and benefits shall be used if such a determination will not interfere with the person's progress toward employment and if the person agrees. (See Chapter 103, "Comparable Services and Benefits")

GUIDANCE: The Adaptive Equipment Loan Fund may be a valuable resource for rehabilitation technology.

If the Individuals with Disabilities Education Act is pertinent, DVR staff should help the schools, students, and parents identify rehabilitation technology services to be incorporated in Individualized Education Plans for transitioning from school-to-work. (See Chapter 306, "School-to-Work Transition")

- B. The Division, with the input of the State Rehabilitation Council, shall establish and maintain suitable spending, duration, and related guidelines for provision of these services. The guidelines will be reviewed annually. Adjustments may be made by the Division Director.
- C. The Division Director or designee may grant exceptions to the spending guidelines according to the following standards for exception:
1. There are no suitable alternative funding sources available, including personal resources and loans, to safely meet the person's minimal needs; and
 2. In the case of a home modification:
 - a. The person has no family members or significant others able to physically assist with gaining access to otherwise inaccessible places/activities;
 - b. There are no less expensive alternatives, including relocation; and
 - c. The cost of making the exception remains reasonable; that is, enabling the person to continue or enter a vocation by delivering the service will be less costly to the public than not delivering it.

GUIDANCE: The following spending guidelines are established:

1. Rehabilitation engineering—a total of \$1,500 for assessment, design, etc.
2. Telecommunication device for the deaf ("TTY")--\$500 unless the disability(ies) necessitate(s) a more expensive instrument or added options such as a printer.
3. Signaling devices such as flashing alarm clocks, smoke detectors, doorbell flashers, etc., for people who are deaf or hard-of-hearing—up to a total of \$1,000 including installation.
4. Environmental control and comparable systems--\$10,000 for a system which involves a computer to perform such activities as answering the phone, opening the door, turning on appliance/lights, and control of the temperature.
5. Home modification--\$2,500.
6. Technological devices not elsewhere covered (such as special seating at a worksite)—up to a total of \$800.

Section IV. Home Modification

- A. The Division may furnish reasonable and necessary home modifications to enable a person to do such things as safely enter/exit his/her domicile, safely access bathroom facilities (including shower or tub) and living areas (including kitchen and bedroom), and safely prepare meals.
- B. Home modifications must be in compliance with local building codes and with the Americans with Disabilities Act's (ADA) accessibility guidelines unless the situation does not permit and the person agrees to non-compliance in writing. If the domicile is not owned by the person, written permission of the owner must be obtained prior to doing the modifications.
- C. Competitive bidding will occur as directed by the Division of Purchasing, and prudence will be exercised in determining the extent of home modifications needed to achieve the vocational goal. Only home modifications to safely meet the vocational rehabilitation needs of the person, without "frills", will be provided. Although the person's "master" plan may include modifications not needed to reach the vocational goal (e.g., gaining access to the attic, garden and the second bathroom upstairs), the Division's share shall include only modifications essential to the person's vocational rehabilitation. This policy must be clearly articulated to the person so no misunderstandings develop about the Division's role in the total modifications to the domicile
- D. Only space to be used by the person will be modified; for example, a kitchen should not be modified unless the person will be enabled to prepare and clean up after meals.

Section V. Procedures

- A. After identifying the need for home modifications, the Counselor may communicate with Regional or Central Office staff trained on accessibility requirements.

- B. Someone trained in accessibility will do a site visit (if one has not already been done). The Counselor and the customer (as well as parent/guardian if applicable) should attend the site visit to assure that the customer's needs are well understood.

GUIDANCE: The person doing the site visit may be a general contractor familiar with ADA accessibility guidelines depending on the complexity of the job, local building codes, need for below-frost line construction, etc.

- C. The site visitor will develop materials and other specifications (including a timeframe for completion of the job) to the satisfaction of the Counselor to assure that all bidders (if required) will be bidding on exactly the same job and the Division can get a precise idea of the extent of cost of materials and labor.
- D. The Regional Manager, or designee, will develop and maintain a list of building contractors interested in bidding on jobs within the region. The Regional Manager, or designee, will also acquire and maintain copies of local building codes, as needed.

GUIDANCE: If volunteer labor is to be used, the ability of the volunteer(s) must be carefully assessed by the customer and the Counselor: well intentioned people may not possess the skills or knowledge for below-frost line construction, compliance with building codes, ADA guidelines, etc. In the long run, hiring a knowledgeable contractor may be less expensive than using volunteers as the project will more likely be constructed correctly and will not have to be rebuilt or repaired.

If the domicile is rented, use of volunteers is discouraged.

- E. If the materials are not likely to exceed \$1,000, bidding may not be needed; the Counselor should communicate with the Department's Business Enterprise Specialist to discuss probable costs of material plus labor and to learn if bidding will be necessary.
- F. If the cost of materials is likely to exceed \$1,000, communication with the Department's Business Enterprise Specialist is required to discuss the whole situation (including potential labor costs) and to learn how many bids will be needed—either two or three. Proof of insurance must be made available for inspection by the contractor being awarded a job by the State of Vermont.

- G. If the Business Enterprise Specialist feels one is needed, the Counselor shall arrange a meeting of potential bidders at the job site.

GUIDANCE: The Counselor will disseminate written specifications, will emphasize the important factors (such as using pressure treated lumber, etc.), and will tell the contractors that they have one week to present their bids. The contractor with the selected bid will be notified within a week thereafter. The Counselor will reiterate the specifications—materials, tasks, and expected timeframe for completion.

In addition, the Counselor shall make a site visit during the construction process to see if there are unanticipated problems and that the work complies with the specifications, etc.

- H. Upon completion of the job and prior to initiating payment of the bill, the Counselor will inspect the work. The bill will not be processed until the Counselor is satisfied with the job.
- I. If ADA accessibility guidelines are not able to be followed, see the waiver form at the end of this chapter which must be signed by the person or applicable other. The original of the signed form will be placed in the case record; a copy will be provided to the person seeking services.

**Home Modification
Waiver of Liability**

This is to acknowledge that I am fully aware of and understand that the modification(s) listed below will not fully meet the accessibility guidelines of the Americans with Disabilities Act (ADA).

Modification:

Ramp _____

Doorway _____

Other(s) _____ **Specify:** _____

Reason(s) why ADA guidelines cannot be met:

However, I feel the modification(s) will safely meet my needs, I want it to be done and, although the Vermont Vocational Rehabilitation Division is involved financially, I will hold the Division harmless of liability should the modification fail due to deviation from the ADA guidelines.

Signed: _____ **Date:** _____

Witness: _____ **Date:** _____

(must be a non-relative and cannot be a Division employee)