

ND PROTECTION & ADVOCACY PROJECT

VOCATIONAL REHABILITATION (VR) FACT SHEET ELIGIBILITY FOR VR SERVICES

Basic Eligibility Criteria

To receive services, an individual must have a disability, which results in a *substantial impediment* to employment and requires VR services *to prepare for, secure, retain or regain employment*. Any service an individual receives from the VR system must be connected to their employment goal.

Disability Criteria

- Must have a mental, physical, or learning disability that interferes with the ability to work.
- Need not be so severe as to qualify for Social Security Disability Insurance (SSDI) or Supplemental Security Income (SSI).
- Recipients of SSDI or SSI are presumed eligible, as individuals with a significant disability.

Potential Employment Outcomes

- Full or part-time competitive employment in an integrated setting
- Supported employment
- Other employment in an integrated setting such as self-employment, customized employment, telecommuting and business ownership
- Must be consistent with person's strengths, abilities, and informed choice

Presumption of Eligibility

- All individuals are presumed capable of employment, despite the severity of a disability, if provided the proper services and supports.
- VR agencies must explore the individual's work potential through a variety of trial work experiences, with appropriate supports.
- VR services may be denied if a person cannot benefit, but VR must show by *clear and convincing* evidence that he or she cannot benefit.

Order of Selection

If a state lacks resources to serve all eligible individuals who apply they must:

- Specify the order for selecting who will receive services.
- Ensure that individuals with the most significant disabilities are selected first.
- Not include cost of services as selection criteria.

- If a state goes to *Order of Selection*, they must continue to provide all necessary services to anyone who started receiving services prior to effective date, regardless of severity of an individual's disability.

FOR MORE INFORMATION, CONTACT:

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If you need this handout in an alternative format, please contact the Protection & Advocacy Project.