# Vocational Rehabilitation Services Manual B-300: Determining Eligibility

Revised September 10, 2018

## B-303: Eligibility Criteria for VR Services

To decide whether a customer is eligible for VR services, the VR counselor must:

1. determine that the customer has a physical or mental impairment (first criterion);
2. determine that the impairment constitutes or results in a substantial impediment to employment (second criterion);
3. determine that the customer requires VR services to prepare for, secure, retain, advance in, or regain employment that is consistent with the individual's unique strengths, resources, priorities, concerns, abilities, capabilities, interest, and informed choice. (third criterion); and
4. presume that the customer can have a goal of an employment outcome, unless Trial Work Experiences demonstrate by clear and convincing evidence that the customer cannot achieve a competitive and integrated employment outcome because of the severity of the customer's disability (fourth criterion).

VR customers must also provide and maintain authorization to work in the United States in order to be eligible for VR services. For more information, refer to B-204-2: Customer Identification and Authorization for Employment.

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### B-303-2: Extension of Time for Determining Eligibility

If the VR counselor cannot determine eligibility by the 60th day after the date the customer signs the application for services, the VR counselor must:

1. inform the customer of the exceptional and unforeseen circumstances (beyond VR control) that are delaying eligibility determination;
2. obtain agreement from the customer that an extension of time (EOT) to determine eligibility is necessary;
3. document in the comments section of the EOT for Eligibility page in RHW
   * the reasons that an extension of time is required, and
   * that the customer is in agreement with the extension of time;
4. complete the EOT for Eligibility page in RHW.

If the customer does not agree to an EOT for determining eligibility for VR services, document the customer’s decision in a case note and explain to the customer that eligibility for VR services cannot be determined at this time with the information available. Inform the customer that the case will be closed as ineligible, inform the customer of the right to appeal the decision and provide the "Can We Talk" brochure. Proceed to close the case.

If the VR counselor cannot contact the customer to obtain agreement to complete the EOT for eligibility by the 60th day, the VR counselor should consult with the VR Supervisor for guidance on how to proceed with the case. If it is determined that the case should be closed, refer to B-600: Closure and Post-Closure Services for information about closing the case.

#### EOT for Eligibility Approval Requirements

When completed prior to the eligibility due date, the first EOT for eligibility determination does not require any supervisory approval.

Any EOT for a lapsed eligibility due date requires VR Supervisor approval before the EOT for eligibility is entered in RHW.

Any additional EOT’s for eligibility (past the first one), regardless of whether or not the additional EOT is completed prior to the end of the first EOT, also requires VR Supervisor approval.

Case notes must be entered in RHW for both the approval request and the approval decision. Refer to E-300: Case Notes Requirements for case note requirements.

Once the approval request and the approval decision are documented in RHW, the VR counselor completes the EOT page in RHW.