# PART C, CHAPTER 12.1.b:ENVIRONMENTAL WORK ASSESSMENTS (EWA)

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| **Policy Number** | **Authority** | **Scope**  | **Effective Date** |
| Part C, Chapter 12.1.b | 34 CFR [§361.48(b)(12)](https://www.ecfr.gov/current/title-34/part-361#p-361.48(b)(12)), and TWC Rule [§856.49](https://texreg.sos.state.tx.us/public/readtac%24ext.TacPage?sl=R&app=9&p_dir=&p_rloc=&p_tloc=&p_ploc=&pg=1&p_tac=&ti=40&pt=20&ch=856&rl=49) | All TWC-VR staff | 9/3/2024 |

## PURPOSE

In accordance with the authority (Federal and State) listed above, this policy is issued by the Texas Workforce Commission Vocational Rehabilitation Division (TWC-VR). Adherence to these rules and regulations issued under the Rehabilitation Act of 1973, as amended by Title IV of the Workforce Innovation and Opportunity Act (WIOA), supports Texans with disabilities in gaining, maintaining, and advancing in competitive integrated employment (CIE).

Specifically, the purpose of this policy and these procedures is to ensure adherence to the provision of Environmental Work Assessments.

## DEFINITIONS

Informed Choice: The means by which a customer chooses their rehabilitation path, from options based on their needs and circumstances and the TWC-VR rules, as it relates to choosing employment assessments and the providers of those services.

Trial Work Experience (TWE): Exploration of an individual's abilities, capabilities, and capacity to perform in realistic work situations in order to determine whether or not there is clear and convincing evidence to support a determination that an individual with a disability is incapable of benefiting from VR services in terms of an employment outcome.

## POLICY

### General Overview

The Environmental Work Assessment (EWA) is a diagnostic tool that assesses how the customer responds to variables in a work environment. The EWA is an accurate assessment of the correlations between a customer's performance and environmental variables and is critical to the customer's ability to find and maintain employment.

### EWA Parameters

The EWA Evaluator assesses the customer's skills in at least three work environments that align with their interests and the employment goal in the customer's individualized plan for employment (IPE), when known. Each environment is assessed for a minimum of two hours.

EWA—

* Is purchased through a bi-lateral contract.
* May be conducted during any phase of the VR process, but it is typically conducted during the development of the IPE.
* Is not a Vocational Evaluation or a Career Planning Assessment.
* Cannot be conducted remotely; and
* Has no premiums available to be purchased with the service.

### Standards for Providers Manual (SFP)

The SFP manual focuses on the business practices, processes, and policies that TWC-VR and the contracted provider must follow. This VRSM chapter includes services that are provided by a contractor. For additional information regarding contractor responsibilities, service descriptions and costs, please refer to the SFP Chapter 4: Employment Assessments.

### Additional Policy Considerations

* Comparable Services and Benefits: EWA services are exempt from the requirement to secure comparable services and benefits prior to TWC-VR expending funds.
* Customer Participation in the Cost of Services: EWA services are exempt from applying Basic Living Requirements (BLR) and, therefore, the customer is not required to participate in the cost of services.
* Recipients of Social Security Disability Benefits: Recipients of Supplemental Security Income (SSI) or Social Security Disability Insurance (SSDI), due to the customer's disability, are exempt from the requirement to participate in the cost of TWC-VR services regardless of income.
* Exceptions to Policy: When necessary to meet the VR needs of a customer, TWC-VR staff members may request exceptions to policies and procedures through their chain of management up to the Deputy Division Director of Field Services Delivery, or designee. However, exceptions to policies and procedures based on Federal and State laws, statutes, and rules or regulations are not allowable.

## PROCEDURES

### Determining the Need for an EWA

The VR Counselor and the customer may determine that an EWA is necessary when customer has a neurodevelopmental disorder that significantly impacts them, has a history of behavior that varies depending on the environment, and may benefit from an evaluation that assesses how their neurodevelopmental disorder may manifest in a work setting.

### EWA Referral and Service Provision

When the VR Counselor and customer agree to the receipt of EWA services, it must be included in the Individualized Plan for Employment (IPE), Trial Work Experience (TWE) plan, IPE amendment, or a Service Justification if prior to IPE development.

The VR Counselor must—

* Complete the *Referral Form for Services for Neurodevelopmental Disorders (VR1879)*;
* Provide documentation (only when relevant), such as medical or psychological reports, case notes, vocational testing, or employment data collected by TWC-VR staff;
* Ensure TWC-VR staff send the service authorization (SA) and VR1879;
* Monitor the customer's progress;
* Provide any needed instruction or intervention necessary to foster the customer's success;
* Review and approve the following:
	+ *Environmental Work Assessment Report Part A (VR1877A);*
	+ *Environmental Work Assessment Report Part B (VR1877B);*
	+ *Environment Work Assessment Signature Page Part C (VR1877C)*; and
	+ *Environmental Work Assessment Time Log (VR1878)*; and
* Ensure that the invoice is paid.

The contractor must—

* Document all information required in the Services Description on the *VR1877A, VR1877B*, and *VR1877C* and the *VR1878*, demonstrating evidence that the customer's—
	+ Interests, assets, and abilities in work and nonwork areas were explored, identified, and summarized;
	+ Personal, social, school, and medical histories were collected;
	+ Self-assessment includes the customer's score of the 40 basic skills;
	+ Skills were assessed in three environments related to the following four domains, after the environmental demands were identified and rated:
		- Basic and social communication;
		- Problem solving and executive functioning;
		- Advanced social and communication; and
		- Self-regulation and emotional intelligence;
* Document all the information required in the Service Description on the *VR1878*, recording:
	+ Each session held with the customer;
	+ Locations at which the sessions were held; and
	+ Whether the time spent was direct or indirect, as well as whether—
		- No more than eight hours were spent on indirect services; and
		- No fewer than 12 hours were spent on direct services.

### Customer's Satisfaction

The customer's satisfaction and service delivery is verified by the VR Counselor or by TWC-VR staff member’s contact with the customer, documented in a case note.

### EWA Payment

Payment for EWA is made to the contractor when the VR Counselor approves a complete, accurate, signed, and dated—

* *VR1877A*
* *VR1877B*;
* *VR1877C*,
* *VR1878*; and
* The invoice.

## APPROVALS & CONSULTATIONS

TWC-VR staff must follow the following approvals and consultations:

* *VR Director approval is required to request partial payment for work that has not been completed in its entirety, through a Contracted Service Modification Request (VR3472). Justification for why the Environmental Work Assessment cannot be completed in its entirety must be included on the VR3472 as well.*
* *VR Director approval is required for any request to change requirements for Environment Work Assessments, using the VR3472 prior to changes being implemented.*

**REVIEW**

The Policy Planning and Statewide Initiatives Team, or designee, is responsible for reviewing this policy and these procedures and will update the Document History log if necessary.

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| **Date** | **Type** | **Change Description** |
| 9/3/2024 | New | VRSM Policy and Procedure Rewrite |