# PART C, CHAPTER 15:REHABILITATION TECHNOLOGY SERVICES

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| **Policy Number** | **Authority** | **Scope**  | **Effective Date** |
| Part C, Chapter 15 | CFR [§361.48(b)(17)](https://www.ecfr.gov/current/title-34/part-361#p-361.48(b)(17)), [§361.5(c)(45)](https://www.ecfr.gov/current/title-34/part-361#p-361.5(c)(45)), and TWC Rule [§856.56](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=56) | 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 rehabilitation and assistive technology services provided to customers.

## DEFINITIONS

Best Value Purchasing: Purchasing the least expensive services that meet the customer's vocational needs. Also known as the acquisition cost. Determining the acquisition cost ensures staff consider all factors that influence the total cost and value to both the customer and TWC-VR.

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, including accessing and choosing rehabilitation devices and services and the providers of those services.

## POLICY

### General Overview

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.

### Standards for Providers (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 22: Vehicle Modifications.

### Additional Policy Considerations

* Comparable Services and Benefits: Rehabilitation Technology 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: A customer's eligibility for TWC-VR services does not depend on the customer's income or liquid assets; however, if the customer's net income or liquid assets exceed the Basic Living Requirements (BLR), the customer must participate in the cost of services unless an exception is granted.
* 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 Rehabilitation Technology Services

The customer may need rehabilitation technology to participate in TWC-VR services and to successfully achieve an employment outcome. VR Counselors may purchase an assistive or adaptive device when it is required to conduct assessments and address a customer's vocational needs.

### Rehabilitation Technology Devices and Services

Technologically advanced products not shown to be effective by independent clinical evidence are not likely to meet customers' vocational needs in a cost-effective manner and should not be purchased with VR funds.

Before making a purchase, the VR Counselor must verify that the product meets TWC-VR's best-value purchasing criteria.

The VR Counselor should contact the State Office Program Specialist for Assistive and Rehabilitation Technology (PSART) with questions pertaining to TWC-VR best-value criteria as necessary.

### Technology Services Restrictions

While professionals other than Rehabilitation Engineers may provide assistive technology services, only licensed professional engineers or Assistive Technology Professionals (ATP) may provide rehabilitation engineering services. The VR Counselor must consult with an engineer or ATP when the service includes design or modification of a product.

Before committing TWC-VR funds, it is important to reach an understanding with the provider about price and delivery.

The VR Counselor must consult with the PSART for information about providers from which TWC-VR has purchased services.

The VR Counselor works with the Assistive Technology Specialist (ATS) to complete the purchasing process.

The ATS must—

* Prepare a consultation packet using the Non-BVI Assistive Technology coversheet, as appropriate, follow the instructions, and attach all required information;
* Submit the consultation packet to the PSART mailbox PSART@twc.texas.gov;
* Document in RHW the need for the required review and the submission date of the cover sheet and required information; and
* Review the assistive technology review entered in RHW and inform the VR Counselor when the review is completed.

### Vehicle Modification Services

Vehicle modification services help TWC-VR customers achieve competitive integrated employment (CIE) outcomes. Through use of a personal vehicle, these services provide equitable transportation opportunities for individuals with disabilities. The goal of vehicle modification is to promote greater independence and access to communities, educational institutions, and other supports necessary to locate jobs, sustain work and living arrangements, and enable career advancement and related travel. The vehicle modification process includes the following five phases:

1. Criteria for assistance review and approval;
2. Evaluation and training;
3. Vehicle selection and [Texas A&M Transportation Institute](https://vr.tti.tamu.edu/) (TTI) review;
4. Installation and other considerations; and
5. Vehicle delivery and final configuration.

Vehicle modification needs can arise at any time during the VR process and must be addressed as soon as possible. Services are considered substantial even though the customer might not be the driver of the modified vehicle (e.g., passenger-only lowered-floor vehicle conversions). All vehicle modifications must be included on the customer's Individualized Plan for Employment (IPE) before proceeding with related services.

* Effective Communication: Effective communication is essential to successfully navigate all five phases of the vehicle modification process. Customers and VR Counselors must regularly discuss progress and needs. Tracking tools and other resources must be used to promote accountability and transparency. The ATS assigned to oversee vehicle modifications must engage in effective communication with the customer regularly, usually on a weekly basis (but at least once every 30 days).

Contacting the customer does not necessarily qualify as effective communication. Instead, effective communication must include discussion of progress, needs, questions, and next steps in the vehicle modification process. To avoid misunderstandings and delays, all parties involved in vehicle modification must be included in communications about process status and expectations.

* Vehicle Modification Services Provision: After the decision is made to pursue vehicle modification services, the ATS exercises a leadership role and has a responsibility to move the vehicle modification process from start to finish.
* The Vehicle Modification Team's Roles and Responsibilities: Vehicle modification requires coordination and team effort. Members of the vehicle modification team (VM team) include the customer, VR Counselor, ATS, service providers, and the State Office.

The customer's roles and responsibilities regarding vehicle modification are to—

* + Become fully informed about vehicle modification rules and schedules;
	+ Proactively obtain and complete all necessary documentation;
	+ Practice effective communication about their needs; and
	+ Seek advice from the VM team to arrive at informed choices.

The VR Counselor's roles and responsibilities regarding vehicle modification are to—

* + Provide counseling and guidance to the customer regarding transportation opportunities and responsibilities;
	+ Identify criteria for vehicle modification assistance in communication with the customer;
	+ Coordinate with the VM team to ensure quality, timely services; and
	+ Assist the customer in making informed choices.

The ATS's roles and responsibilities regarding vehicle modification are to—

* + Provide leadership and expertise to advance the vehicle modification process;
	+ Educate the customer about processes, opportunities, and responsibilities;
	+ Coordinate all VM team members and services;
	+ Enter progress documentation case notes in RHW;
	+ Maintain effective communication among all VM team members to support roles; and
	+ Set up and generate all service records and authorizations as indicated in the IPE.

The contractor's roles and responsibilities regarding vehicle modification are to—

* + Educate the customer about TWC-VR State-approved equipment and options;
	+ Provide accurate and timely documentation as requested; and
	+ Proactively pursue effective communication with the customer and the ATS.

The State Office's roles and responsibilities regarding vehicle modification are to—

* + Ensure timely advancement of vehicle modifications and delivery of services;
	+ Coordinate with Texas A&M Transportation Institute for compliance;
	+ Practice effective stewardship over the assistive technology budget; and
	+ Moderate disagreements and facilitate conflict resolution.

Phase 1—Criteria for Assistance Review and Approval

* Phase in Brief
	+ Criteria for Assistance Review
	+ Justification and Approval
	+ VM Request to State Office

During the first phase of vehicle modification, needs are identified and core members of the VM team are assembled. The VR Counselor and customer must carefully approach this task in a timely manner to ensure the success of subsequent phases. It is important to set reasonable expectations while discussing criteria for assistance and plan for logistical and scheduling challenges that may arise.

* Criteria for Assistance Review: Before seeking any service approvals, the VR Counselor and customer must determine whether vehicle modification is the best option to provide equitable transportation opportunities. Vehicle modification is an example of rehabilitation technology and, therefore, is not subject to consideration of comparable benefits. However, basic living requirements (BLR) still apply for determining customer cost contributions (if any).

The VR Counselor should consider vehicle modification when the following criteria for assistance are met:

* + Because of the customer's disability, they could benefit from a modified vehicle for greater independence and access to communities, educational institutions, or other supports necessary to locate jobs, sustain work and living arrangements, or enable career advancement and related travel.
	+ The customer has enough income or other resources or achieving the planned employment goal will result in enough income or other resources to cover future payments, insurance premiums, gasoline, and routine maintenance costs for the vehicle.

When considering a vehicle modification for a student with a disability, additional stipulations must be met. TWC-VR staff must forward relevant case information to the State Office Transition Team for review via the Pre-ETS mailbox before including any vehicle modification services on the IPE.

* Justification and Approval: Once the VR Counselor has determined a vehicle modification is needed, approval is required. The justification and approval must be documented in RHW, and the customer's IPE must be amended accordingly. Furthermore, the customer must continue to meet the aforementioned criteria for assistance throughout the vehicle modification process.
* VM Request to State Office: Following approval, TWC-VR staff must email a request for vehicle modification to the PSART@twc.texas.gov mailbox using the specified Vehicle Modification Request cover sheet. The State Office logs the request, and a PSART assigns it to an ATS. Notification is then sent via email to the VR Counselor and to the assigned ATS with instructions about coordination, communication, and standards.
* The VR Counselor must then contact the customer and the assigned ATS to expedite an introductory planning meeting (remote or in person) to review the vehicle modification process and plan next steps. During this planning meeting, the ATS becomes familiar with the customer's individualized needs and facilitates services accordingly.

Phase 2—Evaluation and Training

* Phase in Brief
	+ Driver's Evaluation
	+ Driver's Training

Not every vehicle modification request necessitates a driver's evaluation and training. Drivers whose disabilities have not significantly changed and are nonprogressive may move immediately to Phase 3 of the vehicle modification process. However, a driver's evaluation and training are needed in most cases.

* Driver's Evaluation: The customer must complete a driver's evaluation with appropriate equipment if—
	+ The customer has never driven;
	+ The customer has never driven with adaptive equipment;
	+ The customer's adaptive equipment may change; or
	+ The customer's condition or disability has significantly changed or is progressive.

If a driver's evaluation is needed, the VR Counselor must enter a service justification case note for this evaluation if the case is not in an IPE. If the case has an IPE, an IPE amendment is required. During the introductory meeting, the customer consults with the ATS and makes an informed choice regarding the evaluation provider. The completed driver's evaluation must be submitted no later than six months after the date of completion, to be included in *Vehicle Modification Evaluation (VR3408)*. The ATS must support and assist the customer in a timely manner with completing and gathering all required documents for the chosen provider. Whenever possible, the services of a certified driving rehabilitation specialist (CDRS) are preferred.

A driver's evaluation always requires a license (or learner's permit) and a prescription. Items specific to the provider may include referral forms, medical records requests, and other safety forms, waivers, and paperwork. Once all required documents are obtained, the ATS issues a service authorization (SA) for the provider.

The report from the driver's evaluation is sent to the ATS to discuss with the customer. The customer may be determined ready to drive, in which case the VM team proceeds to Phase 3. Otherwise, the customer may need training or may be determined not ready to drive even with appropriate adaptive equipment.

* Driver's Training: Driver's Training is considered a substantial service that must be included on the customer's IPE. If the driver's evaluation provider recommends further training, the ATS consults with the PSART regarding the recommendation to reach an agreement with the provider. Once training hours are determined, the VR Counselor must amend the customer's IPE accordingly. At the conclusion of approved training, the ATS reviews progress reports and consults with the PSART regarding additional training. After all training is complete, the customer receives a recommendation from the driver evaluator. Regardless of whether the customer will be a driver or passenger only, the vehicle modification process then advances to Phase 3.

Phase 3—Vehicle Selection and TTI Review

* Phase in Brief
	+ Vendor and Vehicle Selection
	+ TTI Review and *VR3408*
* Purchasing Considerations: During Phase 3, the customer works with the VM team to make an informed decision about selecting service providers (also called vendors), vehicles, and modifications. The comprehensive list of TWC-approved lowered-floor conversions and modification equipment can be found on the [TTI-TWC website](https://vr.tti.tamu.edu/).
* Vendor and Vehicle Selection: The ATS has a responsibility to work with the customer to review a list of approved vendors near the customer's area of residence. If needed, the ATS consults with the PSART for a complete list of vendors to support the customer's informed choice. The ATS sends a copy of the driver's evaluation recommendations, if applicable, to the selected vendor for completion of the vendor's portion of the VR3408. At no cost to the VR program, the vendor then prepares a proposal for the modification using VR3408. Before completing and submitting this proposal, the vendor must first meet with the customer. During this meeting, the vendor collects information about mobility needs and relevant measurements, including the customer's weight and height inclusive of any applicable mobility device. The vendor also discusses available options for vehicles, modifications, and equipment.

Approved vehicle modifications may include anything from a minor installation of hand controls to a wheelchair securement system in a passenger vehicle to a lowered-floor conversion. Vehicles for modification may be used or new, but TWC-VR may pay only for new modification equipment. Salvaged vehicles are not acceptable for any type of modifications. Additionally, TWC-VR may not sponsor modifications or purchase equipment for—

* + A vehicle not owned by the customer or an immediate family member (e.g., a spouse or parent);
	+ A vehicle without a current state registration and license plates; or
	+ Appearance rather than function.

The purpose of vehicle modification is to ensure that the functionality and safety of the vehicle meet the customer's needs. Changes that only modify interior and exterior appearance, or that are only cosmetic in nature and do not improve the function of the vehicle, may not be included in requests for modifications and equipment.

If in doubt, the VR Counselor should contact the PSART.

* TTI Review and *VR3408*: Once a potential vehicle has been identified, the ATS must request a review of the vendor's vehicle modification proposal using the [TTI-TWC website](https://vr.tti.tamu.edu/). The ATS first ensures the make, model, year, and mileage of the vehicle that the customer plans to purchase are in the completed *VR3408* and are permitted by policy. The ATS also checks the quote against the TWC Accepted Products/Pricing List to ensure that all products are on the list and priced appropriately. Any pricing or product discrepancies that the ATS is not able to resolve are referred to the PSART for further guidance. VM reviews under $1,500 are at no cost.

TTI reviews verify whether the—

* + Vendor's quoted cost of the modification equipment is correct;
	+ CDRS's prescription appears to meet the customer's needs; and
	+ Specifications for equipment meet TWC-VR standards.

TTI immediately acknowledges via email review requests that are submitted electronically through the TTI-TWC website. The review process can take up to 10 business days after receipt of all required documents. TTI emails the review letter to the ATS. The ATS, with guidance from the PSART, if needed, addresses any findings by TTI with vendors and sends a courtesy copy of the corrected *VR3408* to TTI.

The ATS works with the VM team to complete the following forms—

* + The *Vehicle Modification Agreement (VR3410)*, which the customer signs to acknowledge essential roles in the vehicle modification process and individual responsibilities to maintain modification equipment by adhering to periodic maintenance or adjustments needed on a periodic basis (typically every six months) for the life span of the vehicle and equipment (usually seven to 10 years). The customer's signature is required for the vehicle modification process to continue.
	+ The *Vehicle Modification Notice to Lien Holder (VR3411)*, which explains ownership of the equipment being installed.

The signed form is submitted to the lien holder.

The VR Counselor must amend the customer's IPE to include modifications after the ATS has verified that the vehicle purchased is the same vehicle described in the submitted packet. After the IPE has been updated, an SA must be issued before the vendor begins the vehicle modification process and before any customer or vendor purchases of vehicles or equipment occur.

* Purchasing Considerations: Subsequent to completion of *VR3408*, *VR3410*, and *VR3411*, the ATS completes a service record for the vehicle modification equipment using the appropriate State Office budget. The ATS sends a request to the PSART@twc.texas.gov to review and release the funds. Once the funds have been released, the ATS generates applicable SAs and delivers them to the vendor.

New vehicles are often preferred for lowered-floor conversions. However, the ATS and the customer may consider the purchase of a reliable used or pre-owned vehicle. The VM team must verify all applicable items, such as the vehicle's reliability and serviceability, age, mileage, and insurance coverage. All vehicles with more than 30,000 miles or that are more than four years old need a mechanic evaluation by a certified mechanic using *Mechanic's Evaluation—Used Vehicle (VR3494)*. The ATS requests a CarFax from TTI at no cost. TWC-VR may pay for the cost of the evaluation.

Lowered-floor conversions, whether used or new, require special consideration. Not all vehicles are suitable for lowered-floor conversions. As mentioned above, the complete list of approved vehicles for lowered-floor conversions are on the [TTI-TWC website](https://vr.tti.tamu.edu/). Mobility providers are located around the State and specialize in this type of vehicle. The ATS must contact the PSART to identify provider locations. For a used vehicle to be considered for a lowered-floor conversion, it must have fewer than 30,000 miles, pass the requisite mechanic inspection, and have no evidence of ever having been in a wreck.

Phase 4—Installation and Other Considerations

* Phase in Brief
	+ Installation and Equipment Setup
	+ Payment Procedures
	+ Modification Repairs and Reclamations

During Phase 4, to help avoid delays, the VM team must work to ensure that all modifications have been accurately requested, documented, installed, and fitted. It is essential to maintain effective communication with all service providers.

* Installation and Equipment Setup: Once all modifications have been installed, the local vendor schedules the final fitting with the customer and makes any needed adjustments before proceeding to Phase 5.
* Payment Procedures: TWC-VR may help with the base cost or chassis (before modifications) of the vehicle. Vehicle purchasing assistance helps defray initial costs that the customer must pay to take possession of the vehicle to be modified, such as down payment, registration fees, and initial insurance. However, TWC-VR does not purchase vehicles outright for customers. TWC limits vehicle purchasing assistance to a maximum of a $4,000 down payment, based on demonstrated financial need, and requires consultation. All payments related to vehicle modification are made directly to the customer in the form of a warrant mailed directly to the customer via USPS mail. The VR Counselor must use the following process:
	+ Create the SA;
	+ Once the payment is authorized, email rtm.revenue.accounting@twc.texas.gov and requests the *Special Handling Form F-29 (695)*.
	+ Complete the form and return it to rtm.revenue.accounting@twc.texas.gov. This step must be completed before the warrant number is issued;
	+ Send the warrant to the customer via USPS mail and verify receipt.
	+ Verify that the vendor receives down payment assistance in the amount issued on the warrant and document this with a case note.

TWC-VR may also help make the customer's vehicle payments on modified vehicles, up to the full monthly payment, for up to six consecutive months. This assistance requires PSART consultation before the VR Counselor may include it on the customer's IPE and may be authorized only when—

* + The customer's financial circumstances create a temporary inability to make the payments;
	+ The customer's current modified vehicle is being replaced with another vehicle;
	+ The customer cannot pay for both vehicles at the same time; or
	+ The customer cannot sell the current vehicle until modifications on the replacement vehicle are completed.

All payments are made directly to the customer via the process detailed above.

* Modification Repairs and Reclamations: In certain circumstances, TWC-VR may purchase repairs to adaptive equipment and vehicle modifications. The ATS obtains a price quote and submits a repair pricing review electronically to TTI. Once the TTI report has been received and reviewed by the ATS, the VR Counselor must amend the IPE and issue an SA. In some cases, it may be best to replace equipment instead of repairing it. The PSART should be consulted as needed.

TWC-VR does not reclaim equipment that is broken, outdated, or no longer under warranty. If TWC-VR participated in paying for the cost of the vehicle modifications and a customer's vehicle is involved in a collision, or in the event of a customer's death, the VR Counselor contacts the PSART in the State Office.

If in doubt, the VR Counselor should contact the PSART.

Phase 5—Vehicle Delivery and Final Configuration

* Phase in Brief
	+ Verification of Insurance
	+ Delivery and Inspection
	+ Post-Modification Training

During Phase 5, the vendor notifies the VM team that all modifications have been installed with necessary fittings and adjustments. The ATS coordinates verification of insurance, delivery and inspection, and any needed post-modification training.

* Verification of Insurance: The customer must obtain, at the customer's own expense, insurance that covers the replacement cost of all sponsored modifications. The customer is required to carry full comprehensive coverage on the vehicle and adaptive equipment. Before releasing the vehicle, the ATS must obtain and file a copy of the paid insurance policy in the case file.
* Delivery and Inspection: For vehicle modifications that cost less than $9,000, the ATS must inspect the vehicle and equipment after the work has been completed but before the vehicle is released to the customer. The ATS must coordinate the inspection with the VM team.

Passenger-only lowered-floor conversions do not require TTI inspection but do require the ATS to inspect the vehicle before it may be released to the customer. However, TTI must inspect all other vehicle modifications that cost more than $9,000. TTI may also inspect a modification that costs less than $9,000 at the request of the ATS or PSART. The ATS also needs to attend the inspection.

For inspections costing more than $9,000, the ATS completes a service record for $3,000 to—

**Texas A&M Transportation Institute**

Texas A&M University System

College Station, Texas 77843-3135

Service Provider ID No. 3-727727727-5-999

The ATS emails a request to PSART@twc.texas.gov to review and release the funds. Once the funds have been released, the ATS generates applicable service authorizations. The ATS submits a vehicle inspection request through the TTI portal.

Once the inspection has been completed, the ATS places a copy of the *Vehicle Modification Acceptance (VR3474)*, the vendor invoice, warranty information, and other paperwork obtained at the inspection in the case file and gives a copy to the customer.

* Post-modification Training: The purpose of post-modification training is to verify that all adaptive equipment and vehicle modifications comply with the driver's evaluation prescription. Post-modification training also ensures that modifications are fitted in a way that best meets the customer's needs. Additionally, post-modification training helps the customer learn to proficiently operate the modified vehicle.

If needed, the ATS completes a service record for the recommended post-modification training using the appropriate state office budget. The ATS emails a request to PSART@twc.texas.gov to review and release the funds. Once the funds have been released, the ATS generates applicable SAs and delivers them to the vendor. If there is a scheduling conflict and the post-modification training cannot be coordinated to take place on the same day as the inspection, the PSART must be contacted for guidance.

The vehicle modification process is complete once all recommended post-modification training (if applicable) is finished.

### Jobsite and Home Modification Services

TWC-VR provides a jobsite or home modification when changes to a customer's physical environment are needed for the customer to perform—

* All the essential tasks of a job; or
* Activities of daily living that improve the customer's ability to function independently in the home and community and enable the customer to pursue a vocational goal as indicated in the IPE.

The process begins with a full assessment of needs, followed by consideration of accommodation alternatives, including the need for customer training and/or education regarding the use of rehabilitation technology.

Informed customer choice in meeting technology needs involves considering—

* When to disclose confidential information to an employer involved in a jobsite modification;
* The advantages of low-tech solutions over high-tech solutions;
* Employer responsibilities under the Americans with Disabilities Act (ADA);
* Equipment maintenance needs and associated maintenance costs; and
* The timeliness of the needed service.

Obtaining an Assessment of the Jobsite or Home: Before modifying the customer's jobsite or home, the VR Counselor purchases an assessment from a licensed occupational therapist (OT), physical therapist (PT), ATP, or professional engineer (PE) specializing in assistive technology. Assessment services identify options that will allow the customer to—

* + Work as effectively as possible; and/or
	+ Function as independently as possible.

For assessments specific to farm or ranch employment, the VR Counselor must consider purchasing services from Texas AgrAbility.

* Procedure for Obtaining an Assessment: The VR Counselor must use the following procedure to obtain the assessment of potential modifications to the customer's jobsite or home:
	+ Completes—
		- *Job Site Modification Assessment Referral (VR3394)*; and/or
		- *Home Modification Assessment Referral (VR3395)*.
	+ Pays upon receipt of assessment report, which is usually provided within 10 days of service.

If applicable, TWC-VR staff ensures that the customer signs the release on *VR3394*, specifying what customer information the OT, PT, or PE may provide to the employer.

* Exceptions to Obtaining an Assessment: PSART consultation is required to have an OT, PT, ATP, or PE assessment of the jobsite or home modification when—
	+ No OT, PT, ATP, or PE can be located to provide the service, and the PSART is satisfied that a reasonable search has been made to find one;
	+ The PSART, as documented in the case file, and the reason that a comprehensive modification assessment is not necessary is also clearly documented (e.g., the customer requests help in replacing a piece of equipment); or
	+ The use of an OT, PT, ATP, or PE will cause an unreasonable delay that could result in an undue hardship for the customer (e.g., a low-cost modification to a jobsite would allow the customer to maintain employment, and the employer will not wait for the assessment.)
* Consultation and Other Requirements for Jobsite or Home Modifications:

| Service | Consultation | Other Requirements |
| --- | --- | --- |
| Jobsite modification | All jobsite modifications require consultation with the State Office PSART before being included in the customer's IPE. | TWC-VR purchased modifications are limited to adding items or equipment that can be removed without permanent damage to the employer's property if the customer terminates employment, changes job assignments, etc.Before considering TWC-VR purchase, the VR Counselor reviews the employer's responsibility under the ADA. |
| Home modification | All home modifications costing more than $5,000 require consultation with the State Office PSART and VR Supervisor approval before being included in the customer's IPE. | Adaptive equipment may require installation but usually does not result in permanent structural changes. Household equipment may be specially designed, selected, or altered to enable the customer to perform duties despite their functional limitations.Modifications are limited to equipment that can be removed from the residence without permanent damage to the property if the customer moves or fails to cooperate in achieving the planned objective. |

* Procedure for Purchasing a Jobsite Modification: TWC-VR uses the following procedure when purchasing a modification to the customer's jobsite.

| Service Description | Procedure |
| --- | --- |
| The services include—* Evaluating the work site to design or redesign a workstation to prevent injury or re-injury;
* Providing training in ergonomic positioning and movement; and
* Recommending technology, furniture, or positioning that prevents injury or improves functioning at work.
 | The VR Counselor consults with the PSART to ensure that the most practical modification equipment is used.If the modification costs more than $700, the VR Counselor obtains a written agreement from the employer, using the format and language in the *Employer Job Site Modification Agreement (VR3404)*, before beginning the modification.If the modification costs more than $1,000, the VR Counselor—* Authorizes the purchase of a lien examination service from either a title insurance company or other source (e.g., law office); and
* If no lien is found, files a copy of the results in the case file.

If there is a lien, the VR Counselor—* Provides a copy of the TWC-VR–employer agreement to the lien holder; and
* Requests that the lien holder expressly disclaim in writing any interest in the equipment installed at the jobsite by TWC-VR using the *Residence or Job Site Modification, Express Waiver of Right to TWC-VR Equipment (VR3426)*.

If the lien holder will not sign the waiver of rights, the VR Counselor contacts the PSART. The PSART will review the documentation and provide guidance on next steps based on input from Office of General Counsel.The VR Counselor—* Provides one copy of the signed *VR3404* to the employer; and
* Files the original signed *VR3404* in the case file.
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* Procedure for Purchasing a Home Modification: TWC-VR uses the following procedure when purchasing a modification to the customer's home.

| Service Description | Procedure |
| --- | --- |
| Creating or enhancing access to the house or apartment or making residential features more accessible (i.e., those features critical to participation in job preparation services or necessary for the customer's employment).May include construction of ramps, adaptive equipment such as stair glides and lifts, and household equipment. | The VR Counselor consults with the PSART to ensure that the most practical modification equipment is used.When equipment such as a porch or ramp is attached (e.g., bolted or nailed) to the property, the VR Counselor obtains a written agreement from the property owner using the format and language in the Customer Residence Modification Agreement form (VR3403).If the modification costs more than $700, the VR Counselor must clearly justify that the modification supports the customer's planned employment outcome before authorizing the purchase.If the modification costs more than $5,000, the VR Counselor—* Also obtains the VR Supervisor’s approval; and
* Purchases a lien examination from either a title insurance company or other source (e.g., law office).

If there is a lien, the VR Counselor—* Provides a copy of VR3403 to the lien holder for review; and
* Requests that the lien holder expressly disclaim in writing any interest in the equipment installed in the residence or jobsite by VR, using VR3426.

If the lien holder will not sign the waiver of rights, the VR Counselor contacts the PSART. The PSART will review the documentation and provide guidance on next steps based on input from Office of General Counsel.The VR Counselor—* Provides one copy of the signed VR3403 to the property owner; and
* Keeps the original VR3403 in the case file.
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## APPROVALS & CONSULTATIONS

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

*Approvals*

* *VR Supervisor approval and review with Texas A&M Transportation Institute (TTI) is required for vehicle modification services and modification repairs to include all associated costs.*
* *VR Supervisor approval is required for residential modifications that cost more than $5,000.*

*Consultation*

* *PSART consultation is required before authorizing the purchase of any assistive technology with a cumulative cost greater than $10,000, except for those recommended in an AT evaluation report from the Assistive Technology Unit (ATU).*
* *PSART consultation is required for drivers training exceeding 20 hours.*
* *PSART consultation is required for vehicle payment assistance (includes monthly payments or down payment).*
* *PSART consultation is required for exceptions to obtaining an OT, PT, or PE assessment of the job site or residential.*
* *PSART consultation is required for all Job site modifications.*
* *PSART consultation is required for residential modifications that cost more than $5,000.*
* *PSART consultation is required if the lien holder will not sign the VR3426, Residence or Job Site Modification, Express Waiver of Right to VR Equipment.*
* *PSART consultation is required to determine which items of equipment to reclaim after customer’s death.*

**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 |