# PART C, CHAPTER 5.2.h: EYE MEDICAL SERVICES

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| **Policy Number** | **Authority** | **Scope**  | **Effective Date** |
| Part C, Chapter 5.2.h | 34 CFR [§361.5(c)(39)](https://www.ecfr.gov/current/title-34/part-361#p-361.5(c)(39)), [§361.48(b)(5)](https://www.ecfr.gov/current/title-34/part-361#p-361.48(b)(5)), and TWC Rule [§856.43](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=43) | 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 eye medical services to customers who are blind or visually impaired.

## DEFINITIONS

Informed Choice: The means by which a customer chooses their rehabilitation path, from options based on their needs and circumstances and the VR program's rules, as it relates to eye medical services and the providers of those services.

## POLICY

### General Overview

Eye Medical Services include eye surgery and treatment for eye conditions. The purpose of eye medical services is to assist TWC-VR customers with a visual impairment to prevent the onset of legal blindness or make an improvement in their visual impairment, and to allow them to maintain or seek employment and remain as independent as possible in employment.

Eye medical services must—

* Have a direct effect on the customer's functional ability to perform the employment goal, or support other needed TWC-VR services; and
* Be likely, within a reasonable period, to correct or modify substantially a stable or slowly progressive physical or mental impairment that constitutes a substantial impediment to employment.

### Additional Policy Considerations

* Comparable Services and Benefits: TWC-VR must not expend funds on eye medical services unless the VR counselor and the customer have made maximum efforts to secure comparable services and benefits from other sources to pay for services.
* 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 Eye Surgery

When the VR Counselor and customer agree that eye medical services may be necessary, the VR Counselor must take the following initial steps:

1. Document how the customer's substantial impediment to employment will be addressed by the proposed eye surgery or treatment in a case note;
2. Obtain a recommendation for planned eye medical services with current (within six months) procedural terminology codes from the surgeon or physician using the Eye Surgery and Treatment Recommendation (VR3109) or eye medical records (within six months);
3. Document the appropriate reviews or approvals required and completed in RHW (if applicable); and
4. Determine whether the eye surgery or treatment will be coordinated by local TWC-VR staff or the Medical Services Coordinator (MSC);
5. After determining the appropriate service, add the appropriate eye medical services to the IPE or IPE amendment before services are rendered.

The surgeon or physician must complete the *VR3109*. If information is missing, TWC-VR staff must return the form to the surgeon or physician for completion.

### Eye Medical Services Consultations

* Medical Services Coordinator: If the recommended surgery or procedure will be conducted in a physician's office or ambulatory surgical center (ASC) with a local topical anesthetic or a local subconjunctival lidocaine or retrobulbar injection, it is exempt from MSC coordination. Local TWC-VR staff may coordinate these medical services and must clearly document why this was coordinated at the local level.

If the surgery or treatment is required to be sent to the regional MSC, frequent communication between the MSC and local TWC-VR staff is advised.

* Local Medical Consultant: Due to the nature of eye surgeries and treatments being low-risk procedures and to create more efficient and timely services for customers, a local medical consultant (LMC) review is not required for eye surgeries or treatments.
* State Medical Consultant: The VR Counselor may choose to consult with the State Optometric Consultant or the State Ophthalmological Consultant.
	+ State Ophthalmological Consultants: TWC-VR staff must direct ophthalmological and surgical questions to their attention. When a consultation is required, the State Ophthalmological Consultant will provide a recommendation to the VR Counselor.
	+ State Optometric Consultants:State Optometric Consultants are clinical low-vision specialists. Low-vision, vision therapy, and related optometric questions are directed to their attention. When a consultation is required, the State Optometric Consultant will provide a recommendation to the VR counselor.

The VR Counselor completes the *Request for MAPS Consultation for Visual Services (VR2351)* to accompany a consultation packet, which must include any relevant medical records, the *VR3109* and other documents, and is emailed to vr.mapsinquiryblindservices@twc.texas.gov.

Consultations may be needed when there are—

* + Conflicting or unclear eye medical records or documents;
	+ Questions on recurring eye medical treatments;
	+ Procedures not listed in MAPS;
	+ Questions or requests from medical providers for a higher-than-normal cost; or
	+ Requests for fees that exceed MAPS fees.

VR Counselors can use the checklist for assistance in providing all the required documentation to the consultant. The VR Counselor must document the results of the consultation in a case note.

* State Office Program Specialist for Blind Services: Eye surgeries with complex procedures may need additional consultation. TWC-VR staff must contact the State Office Program Specialist for Blind Services at BVI\_staffing@twc.texas.gov if the VR Counselor has questions—
	+ Regarding a need for an eye surgery;
	+ Regarding the eye surgery process; or
	+ Regarding blind services policy and procedure.
* State Office Program Specialist for Physical Restoration: For additional consultation, VR Counselors must contact the State Office Program Specialist for Physical Restoration at vr.mapsinquiry\_blindservices@twc.texas.gov when—
	+ Codes are not listed in MAPS;
	+ The code is listed as $0; or
	+ Codes end in "99" or the letter "T."

TWC-VR staff members must copy their immediate supervisor on all consultation requests.

### Eye Prescriptions

Eye prescriptions are provided by a physician for various purposes, including pre- and post-surgery care and the management of eye conditions to prevent vision deterioration. Common uses include treating eye infections, reducing inflammation, and preparing for or recovering from eye surgery. While some eye conditions are temporary and can be quickly resolved with eye drops, others, like glaucoma, require ongoing treatment. Typically, glaucoma is initially managed with prescription eye drops, which may be necessary for extended periods, often longer than three months. For most eye surgeries, eye drops are used for less than a month, with exceptions such as steroid drops for corneal transplants, which may be required for a longer duration.

The VR Counselor can authorize for up to three months of eye drops.

### Eye Injections

Intravitreal injections are effective treatments for certain retinal conditions, including diabetic eye disease, macular degeneration, and retinal vein occlusion. These injections, administered in a physician's office using local anesthetics such as topical anesthetic, subconjunctival lidocaine, or retrobulbar injection, may be coordinated by the VR Counselor/Rehabilitation Assistant (RA) team.

Regular injections are crucial for preventing permanent vision loss and maintaining long-term vision. Customers may require ongoing injections, typically averaging 12 per eye, to stabilize their condition. Once stabilized, a scheduled treatment plan will be implemented. After the completion of 12 injections per eye, a State Ophthalmological Consultant review is required to reassess the customer's treatment.

Eye injections are not considered prescriptions but are physician-recommended treatments. The VR Counselor must have ongoing VR counseling and guidance with the customer regarding applying for comparable services and benefits and long-term payment options since the customer may need continued eye injections to maintain their eye health indefinitely. TWC-VR staff must enter case notes to document the effect and improvement of the customer's progress with the treatment of eye injections.

### Corneal Transplants

Corneal transplants, also called a keratoplasty, is a surgical procedure in which the corneal tissue is replaced with donor tissue. Typically, corneal transplants are conducted as an outpatient procedure. If the procedure will be completed using general or local/MAC anesthesia, the case should be coordinated through the MSC.

If the procedure is completed using a local topical anesthetic or a local subconjunctival lidocaine or retrobulbar injection, the VR Counselor/RA team must complete the following steps:

1. The VR Counselor/RA team must contact the facility to determine which eye bank the facility will use.
2. VR Counselor/RA team must call the eye bank directly to request a copy of the invoice as soon as it becomes available. The eye bank invoice is required before a service authorization (SA) is issued.
	* The invoice amount is typically set at zero since the authorized payment varies depending on the source of the tissue. Payment for the donor tissue is based on the eye bank's invoiced amount. TWC-VR does not pay for shipping, handling, or other processing fees.
	* TWC-VR staff must obtain a copy of the original eye bank invoice and must not pay from the hospital or facility invoice. TWC-VR staff must retain the invoice in the customer's case file. The service record and SA for a MAPS purchase must be completed once the service is approved but before the service is ordered. The SA must only be completed once the actual eye bank invoice is received.
3. The invoice from the eye bank will not be received until immediately before the service. This delay occurs because corneal tissue is only shipped to the facility immediately before the surgery. The eye bank cannot ship the donor tissue until the last minute and there is no way of knowing the actual cost until the tissue is available and ready to be shipped.
4. TWC-VR staff must work closely with the eye bank in advance of the planned surgery to ensure the invoice is received as soon as possible. Typically, TWC-VR staff receive the invoice the day before the scheduled surgical procedure.
5. Once the eye bank invoice is received, the VR Counselor/RA team send an email to vr.mapsinquiryblindservices@twc.texas.gov to request to open *V2785* in the amount shown on the invoice. The email must confirm that the requested amount does not include shipping, handling, or other fees.
6. A medical services team member will open *V2785* in the requested amount. The VR Counselor/RA team will be notified when the MAPS code has been opened.
7. VR Counselor/RA team must complete the service record and SA.
8. Required documentation must be completed in RHW before changing the amount requested.

### Vision Therapy

Vision therapy is a customized program of visual activities designed to correct or improve specific vision problems and enhance visual skills. The therapy aims to improve the coordination, efficiency, and functioning of the visual system. A physician may recommend vision therapy as part of their treatment plan, which requires State Optometric Consultation.

VR Counselors can use the checklist for assistance in providing all the required documentation to the consultant. The VR Counselor documents the results of the consultation in a case note.

## APPROVALS & CONSULTATIONS

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

*Approvals*

* *VR Deputy Division Director of Field Services Delivery approval is required when actions are taken that are contrary to the advice of the State Optometric and/or Ophthalmological Consultant.*
* *VR Supervisor approval is required when eye-drop prescriptions exceed three months.*

*Consultations*

* *State Optometric consultation is required when vision therapy is recommended by a physician.*
* *State Ophthalmological consultation is required:*

| Eye Condition | State Ophthalmological Consultant Review Required |
| --- | --- |
| Any surgery | If more than one surgeon is recommended on any procedure |
| Cataracts | If, more than two per eye, past cataract surgeries have occurredIf any lens other than a standard intraocular lens is recommended |
| Diabetic Retinopathy | After 12 injections (per eye) and/or if injection cost is more than $300 per injection |
| Glaucoma (advanced) | After 12 injections (per eye) and/or if injection cost is more than $300 per injection |
| Keratoconus (severe) | After one previous crosslinking procedure has occurred |
| Macular Degeneration (Wet or Dry) | After 12 injections (per eye) and/or if injection cost is more than $300 per injection |

**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 |