# PART C, CHAPTER 6.1.b: ASSISTIVE TECHNOLOGY CONTRACTED SERVICES

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| **Policy Number** | **Authority** | **Scope** | **Effective Date** |
| Part C, Chapter 6.1.b | 34 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)), [§361.5(c)(6)](https://www.ecfr.gov/current/title-34/part-361#p-361.5(c)(6)), and TWC Rule [§856.56](https://texreg.sos.state.tx.us/public/readtac$ext.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 contracted assistive technology (AT) services for TWC-VR customers who are blind or visually impaired, who need training in safely and effectively navigating different environments.

## DEFINITIONS

Bilateral Contractor*:* A service contractor that agrees to specific duties or deliverables under the terms of a contract with TWC-VR.

Evaluation Products List (EPL): A resource developed and maintained by the Assistive Technology Unit (ATU) that lists the products a contracted AT evaluation provider can show a customer during an AT evaluation purchased by TWC-VR; AT products on the EPL are based on product performance, best value, ease of use, availability, and other criteria to help customers make informed choices when selecting AT products to support their educational and vocational goals.

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 AT services to meet their needs.

## POLICY

### General Overview

Contracted AT services are for customers with visual impairments and include AT baseline and post-training assessments, AT evaluation, and AT training. These services help a customer who is blind or has a significant visual impairment make informed choices about which AT products meet their needs and how to use them.

* AT Baseline and Post-Training Assessments: These assessments provide a customer the opportunity to compare AT products under the unbiased guidance of an AT evaluator. The assessments enable the customer to make informed choices about which products might best help them succeed in work, school, or vocational training.

The results of the baseline assessment help the AT trainer modify training to meet the customer’s unique training needs. Combined with the post-training assessment, it provides a point of comparison to measure the customer’s progress. An AT evaluator can also use the results of a baseline assessment to recommend training.

* AT Evaluations: Much like the AT baseline and post-training assessment, an AT evaluation also provides a VR customer the opportunity to compare AT products, which allows them to make informed choices about which products might best help them succeed.

An AT evaluation must include the following:

* + An interview;
  + An assessment;
  + A post-evaluation discussion, and
  + Documentation.

A baseline assessment is not required for an AT evaluation.

* AT Training: AT training is a service provided by an AT trainer who teaches a customer how to use AT products, measures the customer’s progress, and reports the results of the training to the customer’s VR Counselor. AT training teaches a customer how to use specialized equipment, devices, and software designed specifically to mitigate the effects of significant visual impairment.

AT training includes the following:

* + A baseline assessment;
  + Planning;
  + Training sessions with the customer;
  + Monthly reporting;
  + A post-training assessment; and
  + Final training reporting.

### Contracted AT Services Parameters

AT services begin with a baseline assessment when purchasing training services.

* Blind or Visually Impaired (BVI) services can be provided before and after a customer is receiving services in an IPE. Once the customer has an IPE, all BVI services must be included in the IPE.
* AT services not provided by TWC-VR staff are purchased from a bilateral contractor.
* AT evaluation and keyboarding must be provided in person. All other AT services may be provided remotely as indicated on the *Assistive Technology Services for Customers with visual Impairments Referral (VR1884)*.
* AT baseline assessments must be purchased when also purchasing training services. However, the baseline assessment can also be purchased as a separate service without purchasing other AT services.
* An AT assessment is an outcome-based service. All topics in the service description and service authorization (SA) must be addressed. A VR Counselor or OIB Worker cannot pay for incomplete services.
* An AT evaluator or AT trainer must maintain a one-to-one ratio of customer to AT trainer/evaluator.
* An AT trainer cannot provide more than eight hours of training per day per customer.
* An AT evaluation is strictly limited to the product categories indicated on the Employment Assistance Specialist (EAS) report or basic consultation report. All product categories shown to a customer must be on the Evaluation Products List (EPL).

### 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 9: Assistive Technology Services for Customers with Visual Impairments.

### Additional Policy Considerations

* Comparable Services and Benefits: Contracted AT 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: Contracted AT 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 customers 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 Contracted AT Services

The VR Counselor or Older Individuals who are Blind (OIB) Worker and the customer may determine that AT contracted services are necessary for BVI customers who need help to learn how to use specialized equipment, devices, and software designed specifically to mitigate the effects of significant visual impairment.

### AT Referral and Service Provision

When the VR Counselor or OIB Worker, and customer agree to the receipt of AT contracted services—

The VR Counselor or OIB Worker must—

* Complete the *VR1884*;
* Provide an EAS report or basic consultation report;
* Provide the *Assistive Technology Evaluation (VR1886)* for Assistive Technology Training;
* Ensure TWC-VR staff send the SA, *VR1884*, and *VR1886*, as applicable;
* Provide any needed instruction or intervention necessary to foster the customer's success;
* Review and approve the *Assistive Technology Training Baseline Assessment and Post-Training Assessment (VR2902)*;
* Review and approve the *Assistive Technology Training Report (VR2868)*;
* Review and approve the *VR1886;* and
* Ensure that the invoices are paid.

The contractor—

* For baseline and post-training assessments, the AT evaluator or AT trainer must—
  + Within 10 business days from the completion date of the assessment, document the required information on the *VR2902*, verifying—
* The service was delivered as indicated in *VR1884*;
* Training was delivered without exceeding the one-to-one ratio of customer to AT trainer/evaluator;
* The accommodations and compensatory techniques necessary to enable the customer to participate in the assessment were provided;
  + - The customer's performance, skills, and progress were measured and documented; and
  + Complete the *VR2868*, when completing a post-training assessment.
* For AT evaluations, the evaluator must—
  + Within 10 business days from the completion date of the assessment, document the required information on the *VR1886*, verifying—
* The AT evaluation was provided in person at the AT evaluator’s facility without exceeding the one-to-one ratio of customer to AT trainer/evaluator;
  + - The results of the AT evaluation on the *VR1886* were documented; and
* Which products the customer selected;
* Limit the AT evaluation to the product categories indicated on the EAS report or basic consultation report and ensure all product categories shown to a customer are on the EPL;
* Indicate in the AT evaluation report if a customer refused to evaluate a product or product category listed on the EAS report or basic consultation report or if the customer requested to evaluate additional products; and
* Not show additional categories to the customer without a new SA and revised EAS report or basic consultation report that indicates the additional categories.
* For AT training, the AT trainer must—
  + Document the required information on the *VR2902* and *VR2868*, verifying the AT trainer:
* Provided training without exceeding the trainer-to-customer ratio indicated in the Assistive Technology Training Guide (ATTG);
* Provided all necessary accommodations and compensatory techniques to enable the customer to participate in the training;
* Measured and documented the customer's performance, skills, and progress;
  + - Completed a post-training assessment; and
    - Completed the *VR2868*.

AT training is an outcome-based service. The VR Counselor or OIB Worker cannot approve required documentation that is incomplete. All topics in the service description and SA must be addressed.

If a customer fails to complete the training or fails to meet training objectives, an AT trainer may request payment for the training hours the customer completed by submitting the required training reports and an invoice, explaining why the training was unsuccessful.

### Customer's Satisfaction

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

### AT Payment

Payment for AT services is made to the contractor when the VR Counselor or OIB Worker approve a complete, accurate, signed, and dated—

* For baseline and post-training assessments—
  + *VR2902*
  + *VR2868*, as applicable; and
  + The invoice.
* For Assistive Technology Evaluations—
  + *VR1886*; and
  + The invoice.
* For Assistive Technology Training—
  + *VR2902*, as applicable;
  + *VR2868*; and
  + The invoice.

## APPROVALS & CONSULTATIONS

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

*Approvals*

* *VR Director approval is required for any request to change Assistive Technology Contracted Services policy and procedures, using the Contracted Service Modification Request form (VR3472) prior to changes being implemented.*

*Consultations*

* *Program Specialist for Assistive and Rehabilitation Technology (PSART) consultation is required for AT purchases with a cumulative cost greater than $10,000, except for those recommended in an AT evaluation report from the Assistive Technology Unit (ATU).*

## 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.

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