# PART E, CHAPTER 3.1:CASE RECORD AND DOCUMENTATION

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| **Policy Number** | **Authority** | **Scope**  | **Effective Date** |
| Part E, Chapter 3.1 | 34 CFR [§361.47](https://www.ecfr.gov/current/title-34/section-361.47) | 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 case record management and supporting documentation required as part of the case record.

## DEFINITIONS

Case Record: Refers to the entirety of the case record, including electronic data in RHW, the paper file, and virtual case file.

Caseload: Refers to case records assigned to a VR Counselor.

Electronic Case File: Refers to information pertaining to a case entered into RHW, TWC-VR's case management system. Database record that documents the process and contains all the information collected and the documents generated throughout the VR process for an individual customer by TWC-VR staff, such as the Initial Contact, Application, Case Notes, and Plans phases.

Good Faith Effort: When TWC-VR staff make three or more attempts to contact the customer, on more than one date, and using more than one method of contact (e.g., phone, email, SARA).

Paper Case File: The hard copy or printed records associated with a customer’s TWC-VR case.

Virtual Case File: A non-paper version of the case file hosted electronically and ultimately residing in TEAMS. The virtual case file is used to organize and logically provide access to customer-related information obtained from, relevant to, and/or used on behalf of the customer during or as the result of the receipt of TWC-VR or OIB services.

## POLICY

### General Overview

TWC-VR is required to maintain a record of services for each customer served. RehabWorks (RHW) is the case management system used by TWC-VR to record the necessary customer data required for the Case Record Report (RSA-911) and the WIOA participant data necessary for the Annual Report (ETA 9169). TWC-VR also maintains paper and virtual case files for each customer that include personal information, VR program data, and supporting documentation. TWC-VR staff, including VR Counselors, are responsible for the following:

* Learning about and utilizing RHW;
* Ensuring accuracy of data input into RHW;
* Validating data through supporting documentation, where applicable;
* Maintaining case files (in addition to RHW); and
* Requesting professional development and training when needed.

The purpose of the case record is two-fold. Maintaining customer records that have clear, concise, and consistent documentation is imperative to assuring compliance with Federal and State regulatory requirements and is correlated with effective VR Counselor-Customer relationships and success. TWC-VR staff must uphold the highest level of integrity and ethical conduct when it comes to case documentation.

### Accessing Customer Records

Case records are confidential and can be accessed only for purposes directly associated with the provision of TWC-VR services.

TWC-VR staff must not—

* Access their own case record of TWC-VR services;
* Access case records of family members; or
* Access any case records in RHW for which they do not have an official TWC-VR need.

For the purposes of this section, "family" includes the employee's spouse, child, parent, grandparent, brother, sister, cousin, aunt, uncle, niece, and nephew. It also encompasses any individual related to the employee by kinship, adoption, or marriage (such as step-relatives), individuals dependent on the employee or their family for personal care or services, and all individuals living in the same household with the employee or their family member, regardless of kinship.

### Customers Requesting Amendments to Their Records

If a customer believes information in their case record is inaccurate or misleading, they may request that TWC-VR amend the information. TWC-VR will acknowledge receipt of the request and will notify the customer of final action taken. If the information is not amended, the request for an amendment must be documented in the case record.

## PROCEDURES

### Case Notes

TWC-VR staff must use case notes to compile information resulting from interactions with the customer, the customer's family or representative, referral sources, service providers, and others. Case notes should establish a sound record of TWC-VR effectiveness and efficiency by—

* Conveying compliance with Federal and State laws regarding—
	+ Use of funds; and
	+ Decisions and timeliness in service delivery;
* Documenting the VR Counselor's decision making and application of the VR process;
* Documenting the customer exercising informed choice;
* Providing a clear and concise explanation of the customer's progression through the VR process;
* Explaining any causes for delay, planned interventions, and the result of interventions;
* Documenting how TWC-VR services were seamlessly provided to the customer during absence(s) of the VR Counselor assigned to the caseload; and
* Recording VR counseling and guidance provided.

System-generated case notes include all customer correspondence via SARA (Semi-Autonomous Research Assistant) and letters created in RHW. These case notes are automatically entered into RHW and cannot be modified.

* What Not to Include in Case Notes: TWC-VR staff must be aware that case notes are legal documents and are subject to internal and external audit and review, subpoena for legal action or appeals, and review by the customer or others with a valid release of information. Content that is included in case notes must be based on facts that are relevant to the TWC-VR case.

The following should not be included in a case note:

* + Information duplicated in other sections of RHW or on other forms or reports in the case record unless—
		- The information is significant to that case note; or
		- The case note is a summary, such as—
			* Diagnostic interview;
			* Comprehensive assessment; or
			* Case note from elsewhere;
		- Information that is not directly related to the identified disability;
		- Information that is not relevant to TWC-VR services; or
		- Results of a customer's Computerized Criminal History (CCH).
* Good Faith Effort: TWC-VR staff must document all good faith efforts in case notes prior to denying, suspending, terminating or closing a case record. A good faith effort is defined as TWC-VR staff making three or more attempts to contact the customer, on more than one date, and using more than one method of contact (e.g., phone, email, SARA).

### Paper Case File Organization

TWC-VR paper case files must be organized as follows to ensure uniformity.

* TWC-VR staff are responsible for the—
	+ Management of the caseload;
	+ Location of paper case files; and
	+ Case correction activities.
* TWC-VR staff must—
	+ Secure all documents from the paper case file to the file jacket;
	+ Record the customer's last name and first name (e.g., García, Isabella A.) and case ID on the tab label of each paper case file jacket;
	+ Stamp "Confidential" on the front and back of the case file jacket;
	+ Ensure that all documents are date-stamped or otherwise marked with the date the document is generated and/or received in the office; and
	+ Date-stamp the first and last pages of the packets for documents containing many pages (e.g., packets of medical record).

### Paper Case File Documentation

Documentation of TWC-VR service delivery, including case notes, contact reports and other reports, are maintained in either a virtual case file or a two- or six-sided paper case file. Any electronic documents not contained in RHW are contained in a TEAMS virtual case file.

* Documentation Order: Each region may determine which type of case file is used— two- or six-sided. Each section of the paper case file should be organized so that initial documents are on the bottom and most recent are on the top unless otherwise specified. Because of the volume of information often contained in the six-sided case file, dividers should be used to section off certain areas of documentation. This makes the information easier to access on a routine basis.
* Two-Sided Case File: TWC-VR staff should file the following documents from bottom to top on the left side of the paper case file in the order received, making sure that all financial documents are grouped together, including:
	+ Invoices;
	+ Bidding documentation;
	+ Signed itemized receipts;
	+ All service authorizations;
	+ Correspondence with providers regarding billing; and
	+ All other documents related to customer purchases.

TWC-VR staff should then file the following documents from bottom to top on the right side of the paper case file in the order received, as follows:

* + Signed release forms;
	+ Signed paper individualized plan for employment (IPE) or IPE amendments;
	+ Correspondence;
	+ All relevant records and reports and assessments;
	+ Copies of documents verifying the customer's identity and authorization for employment in the United States;
	+ Financial records used to verify customer income and expenses for calculating participation in cost of services;
	+ Verification of eligibility for Social Security Income/Social Security Disability Income benefits; and
	+ All other documents related to the customer's VR case.
* Six-Sided Case File
	+ Side 1: Basic information from bottom to top, chronologically (most recent on top), separated by a divider in the following order:
		- Old contact reports (CB-4) in chronological order, most recent on top, documenting activity from intake through closure and, if necessary, post-employment;
		- If paper application is taken, *Application for Vocational Rehabilitation Services (VR5056);* entered in RHW using a pseudo PIN;
		- *Permission to Collect Information (VR5060)* (optional);
		- *Notice and Consent for Disclosure of Personal Information (VR5061);*
		- *Checklist for Determining Significance of Disability (VR1390)* (if used);
		- *Individualized Plan for Employment (IPE) (VR5163)* and *Individualized Plan for Employment (IPE) Amendment (VR5159)*; entered in RHW using a pseudo PIN;
		- Customer Data Sheet (CDS) or Initial Contact Page from RHW (optional);
		- Any other document that is signed with a pen, ink signature, or digital signature that is later entered in RHW using a pseudo PIN;
		- Copies of the customer's driver's license or ID card, and health insurance card(s).
	+ Side 2: Medical information/reports (e.g., eye examination results, physician notes, general physical examination, low-vision reports, and psychological reports) in chronological order from top to bottom, most recent on top, and separated by a divider.
	+ Side 3: Assessments in the following order from top to bottom, chronologically, and separated by dividers:
		- Diabetic service reports, including evaluation and training; and
		- Orientation and Mobility (O&M) reports, including evaluation and training reports.
	+ Side 4: Educational and vocational information in the following order from top to bottom, chronologically, and separated by a divider (For vocational service information, each service type is separated by a divider.):
		- Vocational evaluation or training reports;
		- Academic-related reports (e.g., exemption from payment of tuition, copies of grades, class schedules);
		- On-the-job training reports, job development, and job placement reports; and
		- For Transition cases, copies of the child's Admission, Review and Dismissal (ARD), Individualized Education Program (IEP), individualized treatment plan, and/or individualized family service plan (updated at a minimum every three years).

Once Side 4 is full of ARD paperwork, older ARDs should be moved to the bottom of Side 3; only the most current ARDs remain on Side 4.

* + Side 5: Documentation of equipment purchases and general correspondence in the following order from top to bottom, chronologically, and separated by a divider:
		- All documentation related to equipment purchases (i.e., purchase packets, equipment receipts, *Rehabilitation Equipment, Item, and Bus Pass Receipt and Agreement (VR2014)*; and
		- General correspondence, including letters to and from family, letters to and from vendors, and Social Security packets.

Flyers and other mail-outs to customers do not have to be printed and filed in the paper case file. A scanned copy of a mail-out can be pasted in case notes, or a brief case note can be entered summarizing a mail-out.

* + Side 6: Service authorizations (SA) and invoices with references to SAs in chronological order with the most recent on top and separated by a divider.

A hard copy of the SA is required in the paper case file. Copies of requisitions and vouchers should include the invoice and/or reader service statement attached before filing. SA numbers must be written on invoices.

* Second Paper Case File: When the volume of information on a customer is more than a single paper case file can physically hold, a second paper case file can be used.

The following information must be transferred to the second paper case file:

* + Medical release forms;
	+ The most current IPE;
	+ The most current eye report; and
	+ All documentation necessary for the current management of a customer's case.

The original paper case file retains extensive past training reports and pertinent information regarding customer purchases.

* Potentially Eligible Students: A paper and/or virtual case file is required for each potentially eligible student with a disability. The paper case file for a potentially eligible student must include the following:
	+ *Request to Receive Pre-Employment Transition Services (VR1820);*
	+ Documentation verifying the student’s disability;
	+ Release forms;
	+ Referral forms, reports, invoices, and relevant documentation related to Pre-ETS; and
	+ Documentation of legal status to work in the United States (this documentation is required only when a potentially eligible student is participating in a work placement as part of work-based learning).

### Reopening a Case

When opening a new case for a customer that was previously active, TWC-VR staff must copy or download significant documents from the closed case record to include in the new paper, virtual, and electronic case file. TWC-VR staff must not remove forms, reports, and other data from the old file.

### Records and Reports from Outside Sources

Records and reports received from other sources, such as medical providers or training institutions, must be reviewed by the VR Counselor before they are filed in the customer's case record. The VR Counselor must initial and date next to each date stamp to confirm they have reviewed the content.

With the exception of the required date stamps and VR Counselor date and initials to confirm review of content, TWC-VR staff should avoid making permanent marks on records and reports that are received from sources outside of TWC-VR. The use of a yellow highlighter to draw attention to specific content is acceptable.

CCH records must not be added to a customer’s case record under any circumstances.

Content that is not relevant to the customer's TWC-VR services should not be maintained in the customer's case record. When content is received that is not relevant to the customer's TWC-VR case, the VR Counselor should dispose of this information.

### Maintaining Closed Case Records

TWC-VR must maintain the full case record for a total of seven years after closure.

TWC-VR local offices are responsible for securely storing closed paper case files in the current and preceding fiscal year of the case closure.

TWC-VR staff may retrieve closed paper case files from the RMC in accordance with TWC Records and Information Management Manual, Records Storage. TWC-VR staff may retrieve closed electronic case files from the Management Unit where the electronic case file was closed.

### Processing Closed Case Files

At the end of the fiscal year, closed paper case files from the previous fiscal year are boxed, sent, and stored at the Texas Workforce Commission Records Management Center (RMC) in accordance with procedures in the TWC Records and Information Management Manual, Records Storage.

Each office is responsible for completing an Inventory and Transmittal Spreadsheet. TWC-VR staff must request blank spreadsheets from Claimant Files (claimant.files@twc.texas.gov). TWC-VR staff must email the completed spreadsheets back to Claimant Files. TWC-VR staff must box and ship the closed paper case files to the RMC.

* Pulling Closed Case Files for Storage: For each paper case file on the inventory sheet that is pulled for storage, TWC-VR staff should use the following process:
	+ Remove the sealed CCH report from the case file; write the customer's last name, first initial, and case ID on the confidential envelope. In addition, TWC-VR staff place the envelope in a separate box bound for RMC for storage.
	+ Print any necessary records stored on CD and file the copies in the paper case file, or upload into the electronic case file. Remove the CD from the case file and place it in the locked confidential shredding container.
	+ Secure any loose papers to the file prongs and remove staples, clips, and post-it notes from the entire file. Small sheets of paper must be copied to a standard 8 1/2 by 11-inch letter size paper.
	+ Remove documents in six-sided files and place into a regular two-sided file, using the organization instructions of the two-sided file.
	+ Envelopes, with the exclusion of the sealed CCH envelopes, must be opened and the documents removed from the envelope. If the documents are folded, they must lay flat in the file.
	+ Record on the tab label the customer's last name, first name, and case ID.
	+ Stamp "Confidential" on the front and back of each file.
	+ Using a black felt-tip marker, write the fiscal year in which the case was closed on the outside of the file jacket.
	+ Change the file location status in RHW to Records Center.
* Adding Files to Boxes: When adding the closed paper case files to boxes to be shipped, TWC-VR staff must ensure that—
	+ Each box must contain only the closed paper case files from the previous fiscal year.
	+ There is approximately 2" of space in each box in case of interfiles (i.e., boxes are not over packed).
	+ Only standard records storage boxes (not copy paper boxes) are used (handholds on either end, with a removable lid, 10" x 12" x 15").
	+ Files are arranged within the box in alphabetical order by last name.
	+ Only 10 boxes are sent to RMC per shipment.
	+ Each box is labeled with "Box [number]" on the left side of the handhold. Underneath the "Box [number]" the label must contain the "Cost Center [number]" and "Location Code [number]." The box lid should not cover the box number.
* Completing the Box Inventory Spreadsheet: All files in each box must be listed on the Box Inventory Spreadsheet. Ten boxes are sent per shipment to RMC. To complete a Box Inventory Spreadsheet, TWC-VR staff must update the fields "box\_nbr" and "rhw\_updated" for each file on listed on the TWC Inventory Spreadsheet as follows:
	+ For "box\_nbr", number each box in the set as "[department cost center number]-001", "[department cost center number]-002", etc. (e.g., 4584-001).
	+ For "rhw\_updated", add "Yes" after RHW has been updated to reflect the new location of that file.
	+ Once the inventory is complete, TWC-VR staff must filter the "box\_nbr" field for each box and print the inventory sheet.
	+ TWC-VR staff must place a hard copy in front of the first file of the corresponding box and keep one for the unit reference.
* Completing the Transmittal Spreadsheet: Once TWC-VR staff have completed the file inventory, a Transmittal Spreadsheet for all the files will need to be completed.

For each line of the transmittal, TWC-VR staff must list information about one box within the batch:

* + Customer Box Number (4-digit cost center and box number);
	+ Major and Minor Description (e.g., Major Description - FY'20 closed customer case files); leave Minor description blank;
	+ Alpha FROM and TO (i.e., last name of the first customer in box and last name of the last customer in the box);
	+ Destruction Date (i.e., the close date of the fiscal year plus seven years).
	+ Date FROM and TO (e.g., FROM date: Beginning of fiscal year. For FY'20, this would be 9/1/19. TO date: End of fiscal year. For FY'20, this would be 8/31/20.)
* Preparing Computerized Criminal History in Closed Case Files: TWC-VR staff must store all CCH records from the previous fiscal year in a separate box.
	+ CCHs must be in a sealed confidential envelope;
	+ Envelopes are arranged within the box in alphabetical order by last name;
	+ A separate Box Inventory Spreadsheet and Transmittal Spreadsheet is completed.

TWC-VR staff should label each box with the Region number, Unit name, and "Confidential CCH Records" on the left side of the handhold and the top of the box.

* Requesting Pickup: TWC-VR staff must email both the File Inventory and Transmittals worksheets in Excel format to claimant.files@twc.texas.gov for approval and upload.

TWC-VR staff must include the following information in the email:

* + In the subject line: Cost Center number, FY 20\_\_ Closed Customer Case, City of Field Office;
	+ Contact information (Contact Name and Phone number);
	+ Physical pickup location (street address, room or suite number, city, state, ZIP code);
	+ Special instructions for location access, if any; and
	+ Number of boxes to be picked up (no more than 10 per shipment).

TWC-VR staff must send a separate email for CCH records. The following information is included in the email message:

* + In the subject line: CCH files;
		- Contact information (Contact Name and Phone number);
	+ Physical pickup location (street address, room or suite number, city, state, ZIP code);
	+ Special instructions for location access, if any;
	+ Number of boxes to be picked up.

RMC staff will review the inventory and transmittals sheets for approval. Within five business days upon approval from the RMC, the local TWC-VR office will schedule the shipment of file boxes on the approved inventory worksheets to the address below:

**Texas Workforce Commission**

Records Management Center

4405 Springdale Road Suite C

Austin, TX 78723

Once records are sent through FedEx, TWC-VR staff must email all FedEx tracking numbers to claimant.files@twc.texas.gov on the day the records are picked up by FedEx.

RMC staff will confirm the receipt of the records by notifying the TWC-VR staff member who submitted the tracking numbers once the shipment is received. If TWC-VR staff have not received the confirmation that the shipment has arrived to TWC RMC within three business days of the expected delivery date, TWC-VR staff must email claimant.files@twc.texas.gov to coordinate follow-up with FedEx.

When using a third-party shipping service, TWC-VR staff must complete and email the TWC EMA-65 Express Mail Authorization form to mail.services@twc.texas.gov.

TWC-VR staff must—

* + Ensure personally identifiable information (PII) is not exposed;
	+ Ensure all boxes are double-taped (not covering the handholds) to ensure that no records will spill during transit; and
	+ Save file inventories in a secure place.

## APPROVALS & CONSULTATIONS

There are no approvals or consultations for this policy and these procedures; however, consultation with VR Supervisors is recommended when there is potentially sensitive information that is relevant to the identified disability or TWC-VR services, prior to including this information in a case note to ensure that it is appropriate to do so.

**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 |