

IDVR Public Comment and Responses
IDAPA 47.01.01, VR Rules and IDVR Field Services Policy Manual

Public comment was solicited for IDAPA 47.01.01, Rules of the Idaho Division of Vocational Rehabilitation and changes to the Division's Field Services Policy Manual (FSPM), incorporated by reference, through public meetings across the state. IDVR posted the meeting schedule on the Division's public website, including the meeting notice and the draft proposed changes. Additionally, e-mails were sent to various interested stakeholders making them aware of the public comment process and meeting schedule. Additionally, the Division solicited and incorporated comments provided by the State Rehabilitation Council.

Public meetings were held across the state in Pocatello (5/20/16), Boise (5/26/16), and Coeur d'Alene (6/2/16). The public meeting attendance was minimal to no public attendance. Written comment was submitted by Glenn Roach, WITco and Lori Gentillon, Development Workshop, Inc. (DWI). Comments were provided to sections of the Field Services Policy Manual (FSPM). Comments provided by both organizations are similar in nature and therefore IDVR responses will collectively address both organizations input.

Public Comment: 5.5 Eligibility Criteria. Within the note contained in this section it references "...IDVR must conduct an exploration..." This should be an *evaluation or assessment* to ensure the service or activity is clearly defined for the VRC. *Exploration* does not appear to be referenced in the IDVR Field Service Manual used by IDVR.

IDVR Response: *IDVR agrees with this recommendation and will change "exploration" to "assess".*

Public Comment: 5.5 Eligibility Criteria. The rule references use of "clear and convincing" evidence in making the determination of ineligibility. It is recommended that clear and convincing be further defined as well as expanded to include the concurrence of this determination by the applicant and/or their legal representative.

IDVR Response: *IDVR agrees with this recommendation and provide explanation "clear and convincing evidence" and include this as a Note in section 5.6.1.*

Public Comment: 5.6.1 Eligibility/Ineligibility. In the second paragraph of this section, the rule calls out that a customer should be referred to Extended Employment Services program if the eligibility reason is "too severely disabled". This statement fails to recognize the scope of services available under EES. IDVR currently obtains a positive case closure for someone who is referred to the EES program and participating in supported employment services offered through the EES program. If the intent is to refer the individual for work services under EES as a means of developing their vocational skills to a level where they present themselves as having the potential to be competitively employed, this should be the statement.

IDVR Response: *IDVR agrees with this recommendation and will include work services in this section 5.6.1.*

Public Comment: 5.6.2 Exploration is reference again. This should be called an assessment or evaluation as stated above in 5.5. This section also refers to Trial Work Evaluation and lists what this may include. This is further defined in a separate paragraph. It is recommended this be combined into one list of what TWE may include.

IDVR Response: *IDVR agrees with this recommendation will change "exploration" to "assess". Additionally, IDVR revised the Trial Work Experiences paragraph to be more succinct.*

Public Comment: Section 14.0 Order of Selection. It is recommended that this section be modified to include alternative formats to be used to ensure every effort is made to contact the customer before closing the case record. Use of email should be included in the rule language given the availability of this technology and common use by people.

IDVR Response: *IDVR included phone or e-mail as options to contact customers.*