

205.00 Significance of Disability Policy

(April 1, 2003)

See corresponding procedure: 205.00P Significance of Disability Procedure

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Overview

ACCES-VR is committed to serve individuals with significant disabilities. Assigning and tracking levels of significance of disability assures that we are reaching individuals with significant disabilities. This policy is only directed to the determination of significance of disability not to services to be provided.

The ACCES-VR counselor must identify at eligibility, without delaying the eligibility decision, an individual as having a most significant, significant, or less significant disability. The determination is based on the individual's functional capacities, the services needed to reduce the impact of disability-related limitations and the duration of the rehabilitation services required for the individual to achieve an employment outcome. Significance of disability shall be based on existing information and may be amended at any time during the life of the case. Significance of disability is not based on a specific diagnosis or disability.

Significance of Disability Categories

1. An individual with a most significant disability means an individual:
 - A. who has one or more physical or mental disabilities, determined by an assessment of eligibility and vocational rehabilitation needs, which cause substantial functional limitations; and
 - B. who has a severe physical or mental impairment which seriously limits three or more functional capacities (such as mobility, communication, self-care, self-direction, interpersonal skills, work tolerance, or work skills) impacting an employment outcome; and
 - C. whose vocational rehabilitation will require multiple vocational rehabilitation services over an extended period of time.
2. An individual with a significant disability means an individual:

- A. who has one or more physical or mental disabilities, determined by an assessment of eligibility and vocational rehabilitation needs, which cause substantial functional limitations; and
 - B. who has a severe physical or mental impairment which seriously limits one or two functional capacities (such as mobility, communication, self-care, self-direction, interpersonal skills, work tolerance, or work skills) impacting an employment outcome; and
 - C. whose vocational rehabilitation will require multiple vocational rehabilitation services over an extended period of time.
3. An individual with a less significant disability means an individual:
- A. who has one or more physical or mental disabilities, determined by an assessment of eligibility and vocational rehabilitation needs, which cause substantial functional limitations; and
 - B. whose vocational rehabilitation is not expected to require multiple vocational rehabilitation services; and
 - C. whose vocational rehabilitation services will not require an extended period of time.

Determining Significance of Disability

There are three criteria to be reviewed for significance of disability:

Serious Limitations to Functional Capacity

ACCES-VR must determine which functional capacities of an individual are seriously limited by reviewing and assessing available information/reports including information provided by the individual and the individual's family, and by counselor observation.

"Seriously limits" means that the limitation in functional capacity results in significant behavioral consequences in terms of intensity, frequency, or duration in relation to achieving an employment outcome. The counselor must consider these elements when determining whether the impairment seriously limits a functional capacity.

Intensity - The degree to which the limitation affects the individual's ability to function.

Frequency - The number of times a given limitation affects the individual's ability to function within a set period of time.

Duration - The length of time the limitation has existed or is expected to last.

Functional capacities to be considered are:

Mobility means a person's ability to move to and from work or within a work environment, including walking, climbing, coordination, accessing and using transportation, as well as use of spatial and perceptual relationships.

Communication is a person's ability to transmit and/or receive information through spoken, written or other non-verbal means.

Self-care means the ability to perform activities of daily living, to participate in training or work-related activities, including eating, toileting, grooming, dressing, cooking, shopping, washing, housekeeping, money management and health and safety needs.

Self-direction is an individual's ability to independently plan, learn, reason, problem solve, memorize, initiate, organize, and make decisions. These processes allow individuals to assimilate information and learn specific skills related to job functions.

Interpersonal skills means the ability to establish and/or maintain personal, family or community relationships as they affect job performance.

Work tolerance is defined as a person's capacity to meet the demands of the work place regardless of the work skills already possessed by the individual. Limitations may be due to physical disability, stamina/fatigue, effects of medication, or psychological factors.

Work skills means the ability to demonstrate specific tasks and work-related behaviors, to carry out job functions as well as the capacity to benefit from training necessary to obtain and maintain appropriate employment.

Multiple Rehabilitation Services Required to Reduce Impact of Limitations on Employment

Only services that are necessary, as a direct result of the disability, to reduce the impact of limitations to functional capacity on an employment outcome are included in the determination of significance of disability. This includes services that are provided by others as comparable benefits. Specialized vocational or other training designed for individuals with disabilities, physical and mental restoration services, special transportation, rehabilitation technology, job search, placement assistance and job retention services are examples of services that are to be counted in this determination.

Counseling and guidance services and placement services provided by ACCES-VR staff to all consumers, vocational and other training services required by all individuals to meet a specific employment goal, and assessment services to determine eligibility are examples of services that may be required by the individual to meet an employment outcome but are not counted toward significance of disability. Generic training, education or other services that are required by all individuals to meet an employment goal are not considered when determining significance of disability.

Duration of Services for an Extended Period of Time

A determination that services will be required for an extended period of time is made when required services are expected to last for six or more months after eligibility has been determined.

Social Security Recipients

An individual who has a disability and is receiving SSI or SSDI benefits, as determined by the Social Security Administration, is to be considered an individual with at least a significant disability. Further review by the counselor of the consumer's functional capacities may result in a determination that the individual has a most significant disability.

Reference:

Rehabilitation Act:

- Section 7; Section 101; Section 102

Federal Regulations:

- §361.5; §361.42; §361.48

Policy:

- 202.00 Eligibility for Services