

TITLE 192 - NEBRASKA ADMINISTRATIVE CODE NEBRASKA COMMISSION FOR THE BLIND AND VISUALLY IMPAIRED
CHAPTER 1 - SCOPE OF VOCATIONAL REHABILITATION SERVICES for the BLIND AND COST CONTAINMENT

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001. General Information.

001.01. Laws and Regulations. The Nebraska Commission for the Blind and Visually Impaired (the Commission) operates pursuant to the Rehabilitation Act, found in the United States Code, Title 29, Section 701 et. seq.; federal regulations found in the Code of Federal Regulations, Chapter 34, Part 80 and Parts 360 et. seq.; Revised Nebraska Statutes 71-8601 through 71-8616; and, the Nebraska Commission for the Blind and Visually Impaired State Plan which is filed and updated annually with the United States Department of Education/Rehabilitation Services Administration. The Federal and State laws, regulations, and State Plan are incorporated by reference. Copies of all documents are available for viewing at the Lincoln Office of the Commission.

001.02. Administration. In accordance with Nebraska Revised Statutes, 71-8605, the program is administered under the general supervision and direction of the Director. The Director is employed by the Commission for the Blind and Visually Impaired governing board, in accordance with established personnel standards and on the basis of the Director's education, training, experience, and demonstrated ability in the field of vocational rehabilitation for the blind. The Director shall, with the approval of the Board, establish and maintain appropriate subordinate administrative units within the program.

001.03. Commission Policies. Any policies, manuals, or procedures issued by the Director or approved by the Board relating to the internal operation of the Commission for the Blind and Visually Impaired shall apply to all activities performed by the program.

001.04. Purposes. The purpose of the Commission is to operate a comprehensive and coordinated program designed to assist individuals who are blind to gain remunerative employment, to enlarge economic opportunities for blind persons, to increase the available occupational range and diversity for blind persons, and to stimulate other efforts that aid blind persons in becoming self-supporting (Nebraska Revised Statutes, 71-8607[1]).

001.05. Services. The program will provide services reasonable and necessary to achieve an employment outcome to eligible individuals who are blind, consistent with the individual's strengths, resources, priorities, concerns, abilities, capabilities, interests and informed choice (34 CFR 361.48).

001.06. Staff Responsibilities. Program staff members are responsible for all decisions concerning the eligibility for services; the nature and scope of available services; the provision of services; the determination that a recipient has achieved an employment outcome commensurate with his or her strengths, resources, priorities, concerns, abilities, capabilities, interests and informed choice; and, the allocation and expenditure of program funds. These responsibilities may not be delegated to any other organization or individual.

001.07. Individual Responsibilities. Individuals participating in the program as either an applicant or a recipient have the following responsibilities:

001.07A. To maximize their employment by achieving an employment outcome consistent with their unique strengths, resources, priorities, concerns, abilities, capabilities, interests, and informed choices;

001.07B. To cooperate, which includes keeping scheduled appointments on time, following medical and other professional advice including advice provided by program staff, and completing all assignments and other tasks on time;

001.07C. To assume primary responsibility for identifying their employment outcomes, planning their vocational rehabilitation services, and carrying out their individualized plans for employment;

001.07D. To help pay for the costs of services received by seeking out, applying for, and using any comparable services and benefits for which they are eligible;

001.07E. To maintain regular contact with program staff regarding case progression, including to promptly inform program staff of changes in their personal and financial circumstances, and of problems encountered with services or service providers.

001.08. Failure to Comply with Responsibilities. Failure of an applicant or recipient to comply with any of these responsibilities may result in the termination of program services.

001.09. Confidentiality. Personal information relating to applicants and recipients will be kept confidential according to applicable federal law, state law, and related regulations.

002. Definitions.

002.01. Applicant shall mean an individual who has completed, signed, and submitted an application form to participate in the program, completed a common intake application form in a one-stop center requesting vocational rehabilitation services, or has otherwise requested services from the Commission. Applications via email, telephone, letter, or other formats, which provide the required information are accepted. If appropriate, the applicant may have a parent, family member, guardian, advocate, or other authorized representative sign the application.

002.02. Blind person shall mean a person having sight that is so defective as to seriously limit his or her

ability to engage in the ordinary vocations and activities of life (Nebraska Revised Statute 71-8603).

002.03. Board shall mean the governing board of the commission, to be appointed by the Governor of Nebraska pursuant to (Nebraska Revised Statute 71-8604).

002.04. Commission shall mean the Nebraska Commission for the Blind and Visually Impaired (Nebraska Revised Statutes 71-8603).

002.05. Comparable services and benefits shall mean services and benefits that are:

002.05A. Provided or paid for, in whole or in part, by other federal, state, or local public agencies, by health insurance, or by employee benefits, or other private sources (scholarships based upon merit shall not be considered to be comparable benefits) (34 CFR 316.5[b][10]);

002.05B. Available to the recipient at the time needed to achieve the employment outcome in his or her individualized plans for employment (34 CFR 316.5[b][10]); and,

002.05C. Commensurate to the services that the recipient would otherwise receive from the program. The professional licensing, staff qualifications and experience of other federal, state, or local public agencies will not be factors used to determine whether services or benefits are to be considered commensurate (34 CFR 316.5[b][10]).

002.06. Director shall mean the Executive Director of the Nebraska Commission for the Blind and Visually Impaired.

002.07. Eligibility shall mean the quality or state of being an individual with a visual disability who meets the requirements to participate in the program. Such requirements are that:

002.07A. The individual has sight which is so defective as to seriously limit his or her ability to engage in the ordinary vocations and activities of life (Nebraska Revised Statutes 71-8603[1][a]); and,

002.07B. The individual requires vocational rehabilitation services in order to prepare for, secure, retain, or regain employment;

002.08. Employment outcome shall mean:

002.08A. Entering or retaining full-time or, if appropriate, part-time competitive employment in the integrated labor market;

002.08B. Satisfying the vocational outcome of supported employment; or,

002.08C. Satisfying any other appropriate vocational outcome, including the vocational outcome of self-employment, telecommuting, business ownership, or homemaking in a manner consistent with the individual's Individualized Plan for Employment (IPE)(34 CFR 361.56[a]).

002.09. Individual with a disability shall mean any individual who has a visual impairment which, for the individual, constitutes or results in a substantial impediment to employment, and can benefit in terms of an employment outcome (as defined above in Section 002.08) from the provision of program services.

002.10. Individualized plan for employment shall mean the written document prepared on forms provided by the program, containing descriptions of a specific employment outcome, the nature and scope of needed services and the entities to provide them, the criteria to evaluate progress toward achievement of outcome, and the responsibilities of the program and the recipient (34 CFR 361.45) and (34 CFR 361.46).

002.10A. Before a recipient may begin program services, the plan must be agreed to and signed by the

recipient or, if appropriate, a parent, a family member, a guardian, an advocate, or an authorized representative, and approved and signed by a program staff member.

002.10B. Before approving a recipient's individualized plan for employment, program staff must consider:

002.10B1. The availability of employment opportunities in the specific employment outcome in the recipient's local labor market or a labor market to which the recipient has indicated his or her willingness to relocate;

002.10B2. The consistency between employer requirements for educational level, type of preparation and relevant work experience in the specific employment outcome and the recipient's educational level, type of preparation, and work experience;

002.10B3. The consistency between employer wages and benefits in the specific employment outcome and the recipient's needs to meet necessary costs of living, rehabilitation technology, impairment related work expenses, and health care and disability treatment;

002.10B4. The consistency between the typical work environment in the specific employment outcome and the recipient's work interests, values, and needs;

002.10B5. The consistency between the essential functions typically performed in the specific employment outcome and the recipient's functional abilities.

002.10B6. The recipient's ability to benefit from the specific vocational rehabilitation services included in the plan to the degree necessary to

resolve all inconsistencies in Section 002.10B2 through 002.10B5.

002.10C. Program staff may approve a recipient's individualized plan for employment if, after considering the factors in Section 002.10B, they determine that:

002.10C1. The specific employment outcome will be available to the recipient in the local labor market, or a labor market to which the individual is willing to relocate;

002.10C2. The specific employment outcome available to the recipient will provide the earnings and benefits necessary to meet the criteria for an employment outcome in Section 002.06;

002.10C3. The plan includes the vocational rehabilitation services necessary to resolve all inconsistencies between employer requirements and occupational characteristics associated with the specific employment outcome and the recipient's unique strengths, resources, priorities, concerns, abilities, capabilities, and interests; and,

002.10C4. There is a service provider available (including program staff) for each of the necessary vocational rehabilitation services in the recipient's community or a community to which the individual is willing to relocate to receive services.

002.11. Informed choice shall, in accordance with 34 CFR 361.52, mean the principle by which applicants and recipients, with support services as necessary, are provided a meaningful opportunity to participate in decisions with regard to the selection of an employment outcome, program services (including assessment services), and service providers, through the provision of, or assistance in the acquisition of, information relating to:

002.11A. The availability of employment opportunities;

002.11B. The availability and flexibility to provide potential services (including accessibility, duration, cost, and financial participation requirements, service provider past performance in achieving results or employment outcomes and the quality of those results or outcomes, and recipient satisfaction);

002.11C. The qualifications of potential service providers;

002.11D. The types of services offered by that provider; and,

002.11E. The degree to which services are provided in integrated settings.

002.12. Mental impairments shall mean impairments produced by any mental or psychological disorder (34 CFR 361.42[b][41]).

002.13. Order of selection shall mean the process whereby applicants are identified and categorized into priority groups based on the significance of their disabilities and served accordingly, when there are insufficient resources to provide vocational rehabilitation services to all individuals who apply for services. Implementation of order of selection shall be predicated on the demand for services exceeding the ability of the program to provide those services, as detailed in Section 009 (34 CFR 361.36[c]).

002.14. Physical impairments shall mean those impairments produced by any physiological disorder or condition affecting one or more of the body systems (34 CFR 361.5[b][41]).

002.15. Program shall mean vocational rehabilitation services provided to eligible individuals served by the Nebraska Commission for the Blind and Visually Impaired.

002.16. Recipient shall mean an applicant who has met the eligibility requirements, is qualified for services, and is currently participating in the program. If Order of Selection is implemented, qualification will be pursuant to the categories defined within the order of selection.

002.17. Requires vocational rehabilitation (program) services shall, pursuant to Nebraska Revised Statutes 71-8609 and 71-8610, mean the determination that an individually planned and coordinated program of specific services is required for an individual to prepare for, secure, retain, or regain employment. In making this determination, considerations include:

002.17A. The individual's intent to maximize employment by achieving an employment outcome consistent with his or her unique resources, priorities, concerns, abilities, capabilities, interests, and informed choices;

002.17B. The individual's need for specialized services, supports, or accommodations not typically used by the general public; and,

002.17C. The need for planning and coordination of multiple or complex services over a long duration to enable the individual to secure, retain, or regain employment.

002.18. Substantial impediment to employment shall mean an impediment due to blindness or a combination of impairments such that the individual is prevented from working; is significantly restricted in the condition, manner, or duration under which he or she can work; or, is significantly restricted in his or her ability to perform either a class of jobs or a broad range of jobs in various classes. In determining whether the individual's blindness causes or results in a substantial impediment to employment, the following other related factors are considered:

002.18A. The nature of the blindness/visual impairment or combination of disability-related impairments;

002.18B. The duration or expected duration of the disability-related impairments; and,

002.18C. The permanent or long-term impact (or expected impact) of the disability-related impairments.

003. Scope of Services.

003.01. Program Purpose. Vocational rehabilitation services are those services required to determine eligibility, develop an individualized plan for employment, or described in an individualized plan for employment necessary to assist an eligible individual in preparing for, securing, retaining, or regaining an employment outcome that is consistent with the strengths, resources, priorities, concerns, abilities, capabilities, interests, and informed choice of the individual. The program is not a public welfare or health maintenance program, or a form of medical insurance. Individuals who are blind may have continuing, long-term needs for health maintenance, continued treatment, or management of the physical or mental impairment, including medications and therapies for maintenance of function. Earnings and fringe benefits, family resources, and the services of appropriate public and private agencies, organizations, and service providers should be used to the maximum extent possible to meet these needs.

003.02. Fee Schedules. The Commission's fee schedule in Appendix A is designed to identify a reasonable cost to the program for each vocational rehabilitation service purchased by the Commission. The fee schedule applies to all services. If the recipient chooses an out-of-state or non-tax supported service, the program is not responsible for those costs in excess of the costs of the in-state or tax-supported service.

003.03. Exceptions to Fee Schedules. The Commission's Deputy Directors have the authority and discretion to make reasonable exceptions to the fee schedule based on individual circumstances. Exceptions may be granted if the Deputy Director determines there is no alternative to addressing a recipient's need for a service necessary to complete an assessment for determining eligibility and vocational rehabilitation needs or to achieve the employment outcome on the recipient's approved individualized plan for employment.

003.04. Financial Assistance Exclusions. The program will not provide financial assistance for fines, penalties, damages, and other settlements resulting from recipient violations (or alleged violations) of, or failure of the recipient to comply with, federal, state, local, or Indian tribal laws and regulations. The program also will not provide financial assistance toward the recipient's outstanding financial obligations or judgments resulting from civil or criminal legal proceedings, or for the costs of any travel outside the United States.

003.05. Treatment of Physical and Mental Impairments. The program will provide financial assistance for the diagnosis and treatment of physical and mental impairments that constitute a substantial impediment to employment, to the extent that financial support is not readily available from a source other than the program (such as through health insurance of the individual or comparable services and benefits). The purpose of diagnosis and treatment of physical and mental impairments is to eliminate or substantially reduce, within a reasonable period of time, the impediment to employment caused by a stable or slowly progressive disabling condition.

003.06. Conditions and criteria for providing financial assistance for the diagnosis and treatment of physical and mental impairments. Conditions and criteria are that:

003.06A. The physical or mental impairment must be stable or slowly progressive and constitute a substantial impediment to employment;

003.06B. The necessary corrective surgery, therapeutic treatment, or other diagnosis and treatment of physical and mental impairments must reasonably be expected to eliminate or substantially reduce the impediment to employment within a reasonable length of time;

003.06C. Comparable services and benefits must be sought to pay for the costs of any diagnosis and treatment of impairments determined to be necessary as defined above (34 CFR 361.53[c]).

003.07. Medical Services Excluded. The program will not provide financial resources for any medical services for injuries or acute illnesses which are unrelated to the recipients' disabling condition or which are not an impediment to his or her ability to achieve his or her vocational goal, and/or could be covered by any comparable benefits.

004. Comparable Services and Benefits.

004.01. Program services and funds may supplement, but not supplant, those services and benefits available to a recipient and his or her family from any outside agency or entity. If comparable services and benefits are currently available and ready for immediate use, they must be used to meet, in whole or part, the cost of program services (34 CFR 361.53[c]).

004.02. If any public entity other than the program is obligated under Federal or State law, or assigned responsibility under State policy, to provide or pay for any services that are also considered to be vocational rehabilitation services, then program funds cannot be used to provide or pay for such services. If the program provides or pays for services that a responsible public entity fails to provide or pay for, the program may claim reimbursement for the services from the public entity that failed to provide or pay for the services (34 CFR 361.53[e]).

004.03. Applicants for and recipients of services must apply for and accept any existing comparable service or benefit. Program funds cannot be used to replace comparable services and benefits a recipient is eligible for, but refuses to apply for or accept.

004.04. The requirement to determine the availability of comparable services and benefits does not apply if this would interrupt or delay (34 CFR 361.53[a]):

004.04A. The provision of program services to any recipient who is at "extreme medical risk." Extreme medical risk is a probability of substantially increasing functional impairment or death if medical services are not provided expeditiously. The determination of extreme medical risk is based upon medical evidence provided by an appropriate licensed medical professional;

004.04B. An immediate job placement; or,

004.04C. The progress of recipient toward achieving the employment outcome on the recipient's approved individualized plan for employment.

005. Procurement of Goods and Services.

005.01. Selection Criteria. Facilities, programs, and providers, whether public or private, are selected on the basis of:

005.01A. The ability to render the specific service or product required for the lowest cost:

005.01B. The qualifications of a professional and technical provider;

005.01C. The availability of adequate facilities, equipment, and services to meet the recipient's needs;

005.01D. Their past performance in achieving results or employment outcomes and the quality of results or employment outcomes achieved; and,

005.01E. The informed choice of the recipient.

005.02. Least Expensive Alternative. Considering all available alternatives, including those services that can be provided directly by program staff without additional cost to the program, the program will procure the least expensive, comparable goods and services that meet the recipient's needs. Consistent with the principle of informed choice, recipients may choose those goods and services, service providers, or procurement methods which, in their judgment, best meet their needs. However, if their choice exceeds the least expensive alternative or applicable cost containment provisions, the recipient must take the responsibility to pay for the excess costs incurred.

005.03. Price Quotations for Goods. Price quotations are required for the purchase of goods costing over \$1,000. Price quotations may be obtained from websites, catalogs, advertisements, by telephone, or in writing from qualified vendors. Price quotes shall be obtained from a minimum of two (2) providers, unless there is only one qualified provider available or it is unreasonable to obtain quotations from more than one (1) provider. If there is only one (1) qualified provider available, a single quote may be used. Program staff will involve clients in identifying price quotations for all goods purchased, regardless of price, to the extent feasible. Program staff has responsibility for assuring accuracy of such quotes.

005.04. Price Quotes. The following will be considered in choosing which providers present the least expensive price quote:

005.04A. Provider qualifications;

005.04B. Cost;

005.04C. Quality of goods or services;

005.04D. Specific individual needs, including access to repairs or service;

005.04E. Individual preferences and informed choices regarding the provider; and,

005.04F. The past performance of the provider in achieving results or employment outcomes and the quality of results or employment outcomes achieved.

005.05. In-State Providers. Preference will be given to comparable goods and services that can be procured from Nebraska service providers and businesses, with first preference given to those comparable services that can be provided directly by program staff without additional cost to the program. Use of out-of-state vendors is limited to situations in which an out-of-state vendor is geographically closer to the recipient, the good or service is not available in-state, or the total cost to the program for the good or service is substantially less considering the actual cost of the good or service and the related costs associated with procuring the goods or participating in the service.

005.06. Standards. Facilities used and providers of vocational rehabilitation services must meet the minimum standards in Appendix B.

005.07. Real Estate. Program funds cannot be used, either directly or indirectly, for the purchase of any land, or for the purchase or erection of any building.

005.08. Equipment Loans. The program will provide to recipients or make equipment and/or tools that are necessary for achieving the individual's vocational goal, available for loan for the purposes of:

005.08A. Providing the recipient with a trial period of use to evaluate the appropriateness of equipment or tools;

005.08B. Meeting the temporary or time limited need for a particular type of equipment or tools.

005.09. Equipment Ownership. The program will retain the title to any piece of equipment or tools until the individual's case is closed, at which time ownership will be transferred to the individual if the equipment is being put to productive use by the individual to whom it was issued or loaned.

005.09A. The individual will be responsible for maintenance and upgrades of equipment, unless doing so imposes undue burden on the individual.

005.09B. As long as the Commission has title and ownership of the tools or equipment, the Commission may request the return of the tools or equipment if the recipient is no longer able to use it for the purpose it was intended or is not putting the tools or equipment to productive use.

006. Maintenance.

006.01. Maintenance is a limited tool for program use when the circumstances of participating in a vocational rehabilitation service cause additional costs to the recipient for food, shelter, clothing, or other subsistence items.

006.02. Maintenance may be provided when participation in an assessment of eligibility and rehabilitation needs or while receiving a planned program service results in a cost to the recipient for food, clothing, shelter, or other subsistence items that exceeds his or her current subsistence expenses, including the costs of uniforms or other suitable clothing required for a recipient's training, job seeking, or job placement activities. Maintenance must be tied to other services being provided, and is intended to cover only the added costs of participating in rehabilitation, not everyday living expenses. Maintenance is a payment for additional living

expenses a recipient incurs while participating in program services.

006.03. Maintenance may be provided for room and board expenses while in training (including dormitory fees), and for subsistence expenses incurred during relocation, including required initial one-time costs, such as a security deposit or utility initiation charges.

007. Vocational Training Support.

007.01. Purpose. Academic, vocational and other training services enable individuals with disabilities to acquire the qualifications required for employment in their employment goals. Such training is an appropriate service when it will enable the recipient to acquire necessary qualifications to enter employment in the trade, occupation, or profession that is the employment goal, and when it (alone or in combination with other vocational rehabilitation services) will resolve the recipient's impediments to employment. Employment qualifications include those academic requirements necessary to meet state or local registration, certification, or licensing requirements to practice the trade, occupation, or profession. Qualifications for employment or hire in the specific employment outcome in the recipient's approved individualized plan for employment determine the type and level of post-secondary training required.

007.02. Vocational Training Defined. As used in this section, vocational training includes, but is not limited to, post-secondary training in institutions of higher education for which Federal student financial aid is available, including universities, colleges, community colleges, vocational schools, technical institutes, or hospital schools of nursing. Post-secondary training results in the award of a certificate, diploma, or an associate, bachelor's, master's, or doctoral degree.

007.03. Scope. The scope of vocational training services includes, as appropriate to the recipient and the specific employment outcome in the recipient's approved

individualized plan for employment, the provision of training services and related supports to prepare for and take licensing or certification examinations required for the practice of the trade, occupation, or profession and remedy deficiencies in prerequisite course requirements necessary for acceptance into post-secondary training programs.

007.04. Expectation of Completion. The need for vocational training services must be established, based on an analysis of hiring qualification requirements for the employment goal in the local labor market or a labor market to which the recipient is willing to relocate, and the recipient's current level of vocational qualifications and functioning. In addition, there must be a reasonable expectation of successfully completing training, based on an analysis of indicators of training success such as past academic achievement or test results relating to the relevant field or skills area, or demonstrated motivation and commitment to accomplish the employment goal.

007.05. Admission Requirements. Recipients must meet academic and other established requirements for admission into a post-secondary training program.

007.06. Graduate Training Requirements. Before post-secondary training beyond the bachelor's level will be provided, recipients must apply for admission to both the school and the graduate program. Recipients who have been denied admission to the school and/or the graduate program will not be eligible for program financial assistance, unless it is specific to courses necessary to qualify for the graduate degree program.

007.07. Comparable Services. There must be a full search for and use of comparable services and benefits. If training will be provided in an institution of higher education, there must be maximum efforts by the program and the recipient to secure grant assistance in whole or in part from other sources. This requirement does not apply if it would cause interruptions or delays pursuant to Section 004.04.

007.07A. The Pell Grant is a federal source of support for college students, which is considered to be a comparable benefit, therefore, all undergraduate post-secondary students must apply for the Pell Grant every year, with no exceptions, in order to receive academic support from the Commission (34 CFR 361.53[c]).

007.07B. The letter of determination regarding the acceptance or denial of a Pell Grant application must be entered into the recipient's case file.

007.08. Timelines. To receive consideration for program financial assistance, recipients must have their individualized plans for employment containing post-secondary training services approved, and have submitted all financial aid application forms required by the institution they will attend at least sixty (60) days before the date on which they will begin the post-secondary training. Recipients who do not meet the sixty (60) day deadline will not receive program financial assistance until the next post-secondary training term. The Commission's Deputy Directors will have the authority and discretion to grant exceptions to individual situations with appropriate extenuating circumstances.

007.09. Basic Academic Expenses and Other Non-Academic Expenses. The program will provide academic expenses, maintenance, childcare, and transportation expenses exceeding what would be normal living expenses if the recipient were not pursuing vocational training, within the framework of Title 192, Chapter 1, as follows:

007.09A. The following services are considered as part of basic academic support extended to all clients receiving assistance from the Commission for vocational training when applicable and otherwise not covered by comparable benefits: tuition, fees, textbooks, occupational tools and equipment (if required for participation in vocational training), registration fee for Recording for the Blind and Dyslexic services, low vision aids and devices,

assistive technology, and reader services (34 CFR 361.48[f]) and (34 CFR 361.53[a]);

007.09B. The Commission will provide assistance with expenses that exceed the client's ability to pay and which prevent or threaten the initiation or continuation of vocational training. These are not typically regarded as part of basic academic support. These expenses may include but are not limited to: training related maintenance expenses (clothing, rent, food, etc.), childcare, and transportation.

007.10. Reasonable Progress. Recipients in vocational training programs must maintain reasonable progress, according to progress criteria stated in their individualized plans for employment.

007.10A. In post-secondary training programs the following minimum progress criteria must be included in the progress criteria set out in the recipient's individualized plan for employment:

007.10B. Complete at least:

007.10B1. Twenty-four (24) semester hours of credit during the academic year in a university or college that operates on a two semester and summer school system; or,

007.10B2. Thirty-six (36) hours of credit during the academic year in a university or college that operates on a trimester system; or,

007.10B3. Forty-eight (48) quarter hours of credit during the academic year in a technical school or community college that operates on a 4 quarter system; and,

007.10C. Maintain an overall cumulative minimum grade point average (GPA) equivalent to "C" (2.0) or better. At the graduate level, maintain an overall cumulative minimum GPA as required by the individual graduate program. The recipient must provide the Commission with a copy of grades earned at the end of each term.

007.10D. If the recipient requires a reduced course load because of the disability or need to maintain employment or a comparable benefit, the number of hours to be completed each academic year must be stated in the progress criteria on the individualized plan for employment.

007.10E. If the recipient fails to maintain reasonable progress in a vocational training program, appropriate corrective actions should be taken, in cooperation with the training provider, to remedy the problem. Financial assistance with the cost of training may be continued for three months (or one academic term or semester for post-secondary training) to determine whether the recipient is able to make reasonable progress with the corrective actions. If reasonable progress is not achieved at the end of that period, financial assistance will be discontinued and the individualized plan for employment should be reviewed and revised to determine a more suitable vocational goal.

007.10F. If the recipient drops a course or courses, creating less than a full load during a semester or quarter, the Commission will continue support as long as the required overall cumulative minimum grade point average is maintained (Section 007.10C). However, the cost of tuition and fees for the number of hours dropped will be subtracted from support for the tuition and fees in the subsequent semester.

007.11. Financial Aid Information. Before the amount of vocational rehabilitation financial assistance can be determined and authorized, an award letter completed by the school's financial office must be available.

007.12. Post-Secondary Training Financial Assistance Rates. Program financial assistance for training costs that include tuition, fees, textbooks and supplies (i.e. uniforms and specifically required supplies) shall be

available at rates currently charged for residents in the Nebraska state system of post-secondary education (i.e. University of Nebraska-Lincoln). Program financial assistance will fully cover rates for tuition and fees that are above the in-state level, if the degree program is not available within the state of Nebraska.

007.13. Maximum Credit Hours of Assistance for Post-secondary Training. The maximum credit hours for which the program will provide financial assistance will be set according to the requirements of the institution of higher education, for the specific degree or diploma program for completion or by a state authority issuing mandatory licenses.

007.14. Remedial or Developmental Classes. Limited program financial assistance is available for remedial or developmental classes. Remedial or developmental classes shall mean those classes designed to increase the ability of a recipient to pursue a course of study leading to a certificate or degree. Program financial assistance will only be provided for a maximum of six (6) semester hours or nine (9) quarter hours for remedial or developmental class hours. Costs for all remedial or developmental class hours in excess of six (6) semester hours or nine (9) quarter hours will be the recipient's responsibility.

007.15. Accessibly-Formatted Textbooks. Recipients are encouraged to get needed textbooks or course-related materials into accessible formats as early as possible, for upcoming courses. Commission support will be provided to achieve this in a timely manner despite whether or not grades for the current term have been issued. Continued support of tuition and fees still depends upon the recipient achieving the minimum requirement of grades. This provision assures that accessible course-related materials will be available to students in a timely manner even when an institution delays issuance of grades.

007.16. Readers. The Commission will pay up to five (5) hours per credit hour of reader services per semester or quarter used by a recipient in vocational training. The rate of pay for services will be the current minimum wage per hour unless it can be documented that readers are accorded a higher rate of pay at the institution the recipient is attending. Supervisors may make allowance for additional hours for programs requiring reading in excess

of that generally experienced in most post-secondary programs.

007.17. Student Loan Defaults. Students who have defaulted on a student loan will not be provided program support for vocational training. Students who apply for a Pell Grant will not be accepted for a Pell Grant if they have defaulted on a student loan. Denial of a Pell Grant for this reason will be indicated on the award letter issued by the financial aid office the student has applied to. If the student is refusing to pay back the loan that student will not be provided academic support, unless the existence of extenuating circumstances can be documented, such as poor health, exorbitant medical bill, or the inability to secure substantial employment, as determined by the Deputy Director.

007.18. Exceptions. Supervisors or Deputy Directors have the authority and discretion to make reasonable exceptions to the program financial assistance provisions in this section based on individual circumstances. Exceptions may be granted if the Supervisor or Deputy Director determines there is no alternative to addressing a recipient's need for vocational training necessary to achieve the employment outcome on the recipient's approved individualized plan for employment.

008. Self Employment and Establishing A Small Business Operation.

008.01. Purpose. The Commission expects that self-employment can result in a successful employment outcome as defined by the Rehabilitation Act, as amended. Recipients making application for services leading to self-employment requiring a capital investment from the Commission must develop a business plan.

008.02. Preliminary Considerations. Before establishing a goal of Self-Employment on the individualized plan for employment, the recipient and program staff will work through three phases:

008.02A. Phase 1. Assessment of the individual's potential to succeed in self-employment. This

assessment identifies the recipient's strong and weak characteristics and necessary disability-related accommodations, and highlights training or education that might need to be pursued.

008.02B. Phase 2. The recipient develops a 50-word statement summarizing the business idea. He or she also conducts and prepares a report of informational interviews with self-employed individuals in related business ventures.

008.02C. Phase 3. The individual completes a feasibility study to develop the business idea into an initial draft/outline of the business plan. This step enables the recipient to identify what business he or she is interested in, the business's market, and expected expenses and income for that business.

008.03. Self-Employment Committee. The Self-employment committee for the Commission reviews all business plans and other information for recipients interested in Self-employment as an occupational goal, and will make a recommendation to support or reject the recipient's request for self-employment services.

008.03A. The five-member Committee shall include three representatives of the Commission (Deputy Director of Vocational Rehabilitation Services, Business Manager, Self-Employment Advisor) and one representative each from the business community (preferably a blind individual who is self-employed) and from a lending institution.

008.03B. The recipient will develop and provide to the Committee for review the documents described in Section 008.02.

008.04. Identifying the Business Objective. If the Self-Employment Committee recommends approval of the request, and the recipient decides to pursue self-employment, the individualized plan for employment (IPE) will be written with the vocational goal as a specific occupation related to the type of business identified. Services, education and training identified in the IPE may be provided to help

the recipient to develop the business plan and to remedy any deficiencies in skills or knowledge.

008.05. Business Plan. Before an IPE is written with self-employment as the vocational goal, the recipient must write a comprehensive business plan. The Self-employment Committee will review all business plans. Recommendations by the Committee are then submitted to the appropriate Commission District Supervisor, who may seek additional information if needed. The District Supervisor will document acceptance or rejection of the business plan in a memo to be attached to the business plan and returned to the initiating Counselor. The Counselor will communicate the response to the recipient.

008.06. Plan Approval. If the plan is approved, the Individualized Plan for Employment for the recipient must include an approved Business Plan before financial assistance can be provided. Program staff may approve a recipient's IPE if they determine that:

008.06A. The business idea or concept is sound, based on an appraisal of similar ventures and their results;

008.06B. There is a market for the goods or services to be provided by the business, based on an appraisal of the market for the goods or services, market competition, and the recipient's market strategy;

008.06C. The business venture is financially sound, based on an assessment of initial startup costs, credit and financing availability, and pro forma cash flow and profit and loss statements; and,

008.06D. The recipient will be able to manage and operate the business, based on the consistency between the requirements of the business and the recipient's unique strengths, resources, priorities, concerns, abilities, capabilities, and interests.

008.07. Amending the IPE. If the Business Plan has been approved, program staff and the recipient will proceed with amending the IPE to identify self-employment as the

vocational goal. The IPE must include the following elements:

008.07A. A clear statement of the role and responsibility of the recipient and the nature and extent of Commission support and participation to include timelines, limitations on financial support, and services to be provided;

008.07B. A clear statement of the role and responsibility of a partner, if applicable, including the extent of the financial contribution the partner will make toward start-up expenses. The partner's share is based on percent of ownership of the business;

008.07C. Clear criteria for measuring progress including periodic reviews and financial reports;

008.07D. Clear criteria for determining when the business will be considered to have a successful employment outcome.

008.08. Services and Financial Assistance Provided.

Training, personal assistance, and technology services are available to recipients with the goal of Self Employment. Services that may be provided when necessary to achieve an employment outcome of self-employment or establishing a small business operation include, and are strictly limited to:

008.08A. Technical assistance and other consultation services to conduct market analyses, develop business plans, and to secure resources from sources other than the program for the establishment and operation of the small business enterprise;

008.08B. Training identified in the preliminary process as necessary for the recipient to achieve a successful self-employment goal. The focus of such training should be to increase knowledge and skills in business management or increasing trade skills, and may include education, work experience, job shadowing or other similar work experience;

008.08C. The Commission's specialists in Assistive Technology will identify assistive technology required by the recipient prior to entry into a business enterprise;

008.08D. The recipient and counselor will determine what type of advertising will be most effective (i.e., signage, posters, flyers, mailings, phone sales, radio or newspaper ads, yellow pages, websites, etc.);

008.08E. Help in securing future financing if necessary;

008.08F. Financial assistance, to the extent such assistance is not available from the individual, his or her family, or other sources, and subject to the limits in Section 008.08H, for the costs of:

008.08F1. Occupational licenses, franchise fees, and business permits including those required by any unit of state or local government for the operation of the new business enterprise;

008.08F2. Tools and equipment that are essential to the initial operation of the new business enterprise;

008.08F3. Initial stocks, supplies, and services essential to the initial operation of the new business enterprise (to be defined as 30 to 60 days);

008.08F4. Rent and utilities (electricity, gas, water, and telephone). The recipient is responsible for securing a business location. Any request for financial assistance for rental space must include location of the space, name and mailing address of the business owner, square footage, amount of rent to be paid by the Commission, and period of rent or lease to be paid by the Commission;

008.08F5. Payment of premiums for insurance, business equipment, premises, or personal liability;

008.08F6. Advertising, including payment for a classified telephone directory advertisement at the commencement of telephone service;

008.08F7. Legal expenses associated with starting a business or partnership; and bonding fee if necessary;

008.08F8. Miscellaneous services as needed, such as bookkeeping, readers, interpreters, etc.

008.08G. Financial assistance is not available from the program for the costs of:

008.08G1. Acquiring land or buildings for the new business enterprise; or,

008.08G2. Construction, renovation, or remodeling of buildings or space to be used by the new business enterprise.

008.08H. Availability of financial assistance is limited to the initial establishment period of the new business enterprise, not to exceed six (6) months, up to a maximum of \$10,000.

008.08I The requirement of writing a comprehensive business plan and getting the approval from the Self-employment committee may be waived, when the Commission support does not exceed 20% of the maximum support as allowed in Section 008.08H.

008.08J. Exceptions to the limitation on the amount of financial assistance for the establishment and operation of the new business enterprise in Section 008.08F may be granted by the Executive Director after considering the following factors:

008.08J1. The availability of financing from the Nebraska Department of Economic Development, the Small Business Administration, programs administered by the Under Secretary for Rural Development of the United States Department of Agriculture, or other programs and entities experienced in the financing of start-up small businesses;

008.08J2. The reasons for the availability or non-availability of financing from the programs and entities in Section 008.08J1; and

008.08J3. If the limitations established in Section 008.08H are insufficient to establish the small business enterprise.

008.09. Follow-up Issues. Critical issues to be reviewed by the counselor during the first three to six months include marketing activities and cash flow. Continued support on the part of the Commission will be contingent on quarterly reports reflecting progress in these areas. Criteria for progress are to be outlined in the IPE. Given the nature of self-employment, it may be necessary to extend follow-up beyond the mandatory 90 days to ensure that the recipient is stable in self-employment before closing the case.

009. Order of Selection.

009.01. Purpose. An Order of Selection gives priority to persons with significant disabilities when there are insufficient resources to provide vocational rehabilitation services to all eligible individuals who apply for services, statewide. After eligibility has been determined, each eligible individual is assigned to a category group that is ranked in priority order. Order of Selection is only to be implemented if the Commission has

insufficient resources to provide vocational rehabilitation services to all eligible applicants (34 CFR 361.36[c]). The procedures identified below will apply only if a lack of fiscal and personnel resources result in implementation of Order of Selection.

009.02. Eligibility. The Commission will set aside sufficient funds to determine eligibility. Applications for services will be accepted without restriction. All individuals with disabilities including eligible individuals who do not meet the Commission's criteria for receiving services under Order of Selection, will be provided with information and referral to assist them in preparing for, securing, retaining, or regaining employment.

009.03. Referrals. Referrals will be made to other appropriate Federal and State programs, including other components of the statewide workforce investment system, that are best suited to address the specific employment needs of the individual. These referrals will include:

009.03A. A notice from the Commission to the agency carrying out the program;

009.03B. Information to identify the specific person to be contacted at the agency carrying out the program;

009.03C. Information and advice regarding the most suitable services that will help the individual prepare for, secure, retain, or regain employment.

009.04. Priority Categories. The Order of Selection categories are based upon the requirements of the Rehabilitation Act (34 CFR 361.5[b][31]) and implementing regulations for vocational rehabilitation (Title I) and supported employment services (Title VI-C). After eligibility for services has been determined, the client will be assigned to the highest category for which the client is qualified, and a rationale will be documented in the case file. If a client's circumstances change, or new

information has been acquired, the category assignment can be changed. Priority Categories are as follows:

009.04A. Category 1. Eligible individuals with the most significant disabilities.

009.04A1. An individual with a severe visual impairment or combination of visual, physical, or mental impairments which profoundly limits one or more functional capacities (such as mobility, communication, self-care, self-direction, interpersonal skills, work tolerance, or work skills) in terms of an employment outcome; and

009.04A2. An individual whose vocational rehabilitation can be expected to require at least four extensive or intensive multiple core services for at least twelve months.

009.04B. Category 2. Eligible individuals with significant disabilities.

009.04B1. An individual with a severe visual impairment or combination of visual, physical, or mental impairments which seriously limits one or more functional capacities (such as mobility, communication, self-care, self-direction, interpersonal skills, work tolerance, or work skills) in terms of an employment outcome.

009.04B2. An individual who will require multiple services (substantial amount of at least three core services) over an extended period of time (at least six months).

009.04C. Category 3. All other eligible individuals.

009.05. Core Services. Core vocational rehabilitation services, pursuant to the Rehabilitation Act, United States Code, Title 29, Section 701 et. seq. include:

009.05A. Assessment for determining eligibility and priority for services;

009.05B. Assessment for determining vocational rehabilitation needs;

009.05C. Vocational rehabilitation counseling and guidance;

009.05D. Referral;

009.05E. Physical and mental restoration services;

009.05F. Vocational and other training services;

009.05G. Maintenance;

009.05H. Transportation;

009.05I. Vocational rehabilitation services to family members;

009.05J. Interpreter services;

009.05K. Reader services, rehabilitation teaching services, and orientation and mobility services;

009.05L. Job-related services;

009.05M. Supported employment services;

009.05N. Personal assistance services;

009.05O. Post-employment services;

009.05P. Occupational licenses, tools, equipment, initial stocks, and supplies;

009.05Q. Rehabilitation technology including vehicular modification, telecommunications, sensory, and other technological aids and devices;

009.05R. Transition services;

009.05S. Technical assistance and other consultation;

009.05T. Other goods and services determined necessary for an individual with a disability to achieve an employment outcome.

009.06. SSI or SSDI Eligibility. An individual who is determined eligible for SSI (Supplemental Security Income) or SSDI (Social Security Disability Insurance) because of disability meets the criteria for the definition of a significant disability and would need to be assessed like all other individuals to determine whether or not he or she meets the definition of most significant disability.

009.07. Waiting List. In the event that vocational rehabilitation services cannot be provided to all eligible individuals in a given category, a waiting list will be established, based on date of application for services. Each category will have its own waiting list, if needed.

010. Home Modifications.

010.01. Purpose. Home modifications are strictly limited to removal of barriers to access and function within the home environment and other limited modifications that are necessary to convert ordinary living space into space essential to achieve the employment outcome of the recipient.

010.02. Price Quotations. Price quotations are required for the purchase of home modifications costing over \$500. Price quotations may be according to the requirements in Section 005.02.

010.03. Erection of Structures. Home modifications cannot constitute the erection of new rooms, units, or structures.

010.04. Scope. Scope and extent of home modifications include:

010.04A. Entrance and Egress. A single exterior ramp may be provided to enable the recipient to enter and leave the home, provided that the recipient will be engaging in services necessary to achieve an employment outcome. If circumstances such as small lot size, lot grades, excessive comparative costs, etc., preclude the use of a ramp, a single exterior stair glide or elevator may be provided instead.

010.04B. Exterior and Interior Doorways. A single interior doorway may be widened and the outer doors replaced, if necessary to permit the recipient to enter and leave the home. An interior doorway may be widened to permit the recipient to enter and leave rooms in the house essential to independent functioning and to achieve the goals on the individualized plan for employment; such as bathroom, kitchen, personal bedroom.

010.04C. Room modifications. Modifications to rooms within the house is strictly limited to those which will be used for purposes directly related to enabling the recipient to function independently in self-care, daily living or housekeeping, and to achieve the goals on the recipient's individualized plan for employment.

010.04D. Heating and Cooling. Modifications to heating and cooling systems are strictly limited to those specifically required by the recipient's disabling condition and may include an air conditioner, air purifier, humidifier, and dehumidifier which attaches to the primary system or single room units sufficient for the room in which the recipient will perform most of the activities related to the individualized plan for employment.

010.04E. Plumbing and Electrical Systems. Home modifications involving plumbing and electrical systems are strictly limited to those required to connect disability related equipment and appliances, or relocated appliances and fixtures, into existing systems within the existing structure.

010.04F. Building Codes and Safety. All home modifications must conform to applicable local building codes and generally recognized design standards. However, in-home safety is the responsibility of the recipient or his or her family, not the program. The recipient is responsible for providing smoke detectors, additional exits, and related personal safety features.

010.05. New Home Construction. In situations where the recipient plans to, or is in the process of, constructing a new home or is building an addition to an existing home, assistance is strictly limited to the purchase of disability-related equipment. The recipient is responsible for all installation costs.

010.06. Rental or Leased Property. Accommodations or modifications to individually occupied rental or leased property may only be made if the owner refuses to make the modifications him/herself; the owner has given all appropriate clearances and approvals; building permits, and other pre-modification consents have been obtained; and, the recipient has no plans to move or otherwise vacate the premises.

010.07. Exceptions. The Commission's Deputy Directors have the authority and discretion to make reasonable exceptions to home modification regulations based on individual circumstances. Exceptions may be granted if he or she determines there is no alternative to accomplish the necessary accommodation in a safe manner.

011. Vehicle Modifications.

011.01. Purpose. Vehicle modifications are strictly limited to those changes, adaptations, or adjustments to a recipient's vehicle that enable him or her to ride in the vehicle and are essential to achieve the employment outcome of the recipient.

011.02. Vehicle Requirements. Vehicle modifications are strictly limited to those vehicles that are in good working condition, have a reasonable expected life, and are suitable for the adaptations and modifications required by the recipient. If the vehicle age exceeds four (4) years or the vehicle mileage exceeds 50,000 miles, the recipient must provide a statement from a qualified mechanic showing that the vehicle is in good working condition. The recipient is responsible for the cost of any repairs needed to put the vehicle into good working condition.

011.03. Title and Insurance. Vehicle modifications are strictly limited to those vehicles that are titled in the name of the recipient, his or her spouse, or his or her parent, and for which there is current full liability insurance coverage.

011.04. Price Quotations. Price quotations are required for the purchase of vehicle modifications costing over \$500. Price quotations may be obtained according to the requirements in Section 005.02.

011.05. Exceptions. Vehicle modifications expressly do not include servo or joystick controlled steering, braking systems, or any other system that replaces the stock steering, braking system, or major part of the stock system provided as original equipment by the manufacturer.

011.06. Repairs. Repairs may be provided to any of the aids and devices that are already installed on a vehicle for purposes identified in 009.01.

011.07. Acquisition of Vehicles. The program does not provide assistance for the acquisition of manufacturer modified or used modified vehicles. This restriction includes, but is not limited to, assistance with purchase,

lease, rental, or any other means of acquiring a vehicle. This restriction also includes, but is not limited to, financial assistance with down payments, leasing or rental charges, financing or licensing fees, sales and use taxes, insurance premiums, or any other costs incurred in connection with acquiring a vehicle.

011.08. Financial Assistance. The program may provide assistance up to the estimated value of the necessary adaptations and modifications if the recipient is purchasing a new vehicle that is modified by the manufacturer or a manufacturer approved vendor, or a used vehicle that is already adapted and modified. Any such financial assistance cannot exceed the estimated current value of the modifications (based on present average costs, and depreciation of 20% for each year of use from the date the modifications went into use).

011.09. Exceptions. The Commission's Deputy Director for vocational rehabilitation or independent living services has the authority and discretion to make reasonable exceptions to any state imposed vehicle modification regulations based on individual circumstances. An exception may be granted if he or she determines there is no alternative to accomplish the necessary accommodation in a safe manner.

012. Services to Groups.

012.01. Services to Groups are vocational rehabilitation services for the benefit of groups of individuals with disabilities (34 CFR 361.49). Program funds may be used for services to groups as follows:

012.01A. Special services to provide non-visual access to information for individuals who are blind; including a statewide digital voice delivery system and the use of telecommunications, Braille, sound recordings, electronic accessibility via the internet, and other appropriate media;

012.01B. Technical assistance and support services to businesses and other components of the statewide workforce investment system, which are best suited to address the specific employment needs of individuals who are blind or visually impaired;

012.01C. Services, goods, and other costs allowed pursuant to Section 71-8611, in the case of small business enterprises established under the Randolph-Sheppard Act, as amended (20 U.S.C. 107 et. Seq. [Title 192, Chapter 3 Blind Vendor Program]);

012.01D. Other goods and services that contribute substantially to the rehabilitation of a group of individuals but that are not related directly to the individualized plan for employment of any single individual; such as workshops on diabetes, technology, etc. or the purchase of equipment or instructional materials to benefit a group of applicants or eligible individuals;

012.01E. Technical assistance services to educational agencies in planning for and facilitating the transition of students who are blind and visually impaired from school to post-school life, including employment.

012.02. The Commission will maintain written policies specific to each program or service provided as a service to groups. Individualized contractual agreements will be written where appropriate to provide the services and will be maintained by the Deputy Director or Program Specialist responsible for specific services to groups. Information will be maintained to ensure the proper and efficient administration of each service.

APPENDIX A

FEE SCHEDULE FOR SERVICES PURCHASED BY THE COMMISSION

The program maintains a fee schedule for services purchased by the commission to contain cost and to assure the availability of program services to the largest number of individuals with significant disabilities. The intent of the schedule is to assure costs are the lowest reasonable cost for program services purchased from third party providers, while allowing for sufficient flexibility to meet an applicant's or recipient's needs. Copies of relevant fee schedules will be made available by contacting the Lincoln Office of the Nebraska Commission for the Blind and Visually Impaired.

Service	Fee Schedule
Assistive technology devices (including wheelchairs), except eyeglasses and hearing aids	Cost determined by price quotes
Dental--assessment and restoration	See Medicaid Dental Fee Schedule
Drugs	None--Use pharmacy billed charge
Eyeglasses--purchase and repair	See Medicaid Visual Care Fee Schedule
Hearing aids--purchase and repair	See Medicaid Hearing Aid Services Fee Schedule
Hospitalization--assessment and restoration	See Medicaid Hospital Fee Schedule
Independent living training	Fees established in agreements with Centers for Independent Living or service agreements
Interpreters for hearing impaired	Fees established in individual contracts with service provider

Service	Fee Schedule
Interpreters foreign language	Fees established in individual contracts with service provider
Job coaching	Fees established in written agreements with cooperating agencies, community rehabilitation programs, or businesses
Job placement services	Fees established in written agreements with cooperating agencies, community rehabilitation programs, or businesses
Life skills training	Fees established in written agreements with cooperating agencies, community rehabilitation programs, or businesses
Maintenance	Cost for living expenses, such as food, shelter, clothing, and other subsistence items, that are in addition to normal subsistence expenses
Medical and psychological assessment and evaluation	See Medicaid Practitioner Fee Schedule
Mental restoration	See Medicaid Psychiatric Fee Schedule
Occupational therapy--including training	See Medicaid Practitioner Fee Schedule
On-the-job training	Fees established in agreements with employers
Physical restoration--medical, surgical, and allied health services	See Medicaid Practitioner Fee Schedule
Physical therapy--including training	See Medicaid Practitioner Fee Schedule

Prosthetics and orthotics	See Medicaid Durable Goods Fee Schedule
Rehabilitation engineering services, including assistive technology services	Fees established in written agreements with independent living center, cooperating agencies, community rehabilitation programs, or individuals
Speech therapy-- including training	See Medicaid Practitioner Fee Schedule
Supported employment services	Fees established in written agreements with cooperating agencies, community rehabilitation programs, or businesses
Transportation	Coverage of mileage, lodging and meals will not exceed state rates.
Vocational assessment and evaluation	Fees established in written agreements with cooperating agencies, community rehabilitation programs, or businesses
Vocational training-- institutions of higher education	See cost containment guidelines for vocational training at institutions of higher education in Section 011
Vocational training-- other than in institutions of higher education	Fees established in written agreements with cooperating agencies, community rehabilitation programs, or businesses
Work adjustment training	Fees established in written agreements with cooperating agencies, community rehabilitation programs, or businesses

APPENDIX B

STANDARDS FOR FACILITIES AND SERVICE PROVIDERS

To determine whether a facility, service, program, or provider meets minimum standards, program staff consider such factors as: their past performance in achieving results or employment outcomes and the quality of results or employment outcomes achieved, licensure, accreditation, certification, or registration from state authorities; accreditation or certification from nationally recognized accrediting organizations; education, training, and experience of personnel; and, compliance with the Americans With Disabilities Act and Section 504 of the Rehabilitation Act.

Hospitals and clinics must be licensed by the State of Nebraska. Hospitals accredited by the Commission on Accreditation of Rehabilitation Facilities are given preference for the provision of rehabilitation medicine and treatment of physical impairments.

Schools and other training institutions must be approved by a recognized accrediting body for the institution. Out-of-state schools must be approved by a nationally recognized accrediting agency or association.

Program services and goods may be purchased from any entity doing business in Nebraska, including businesses operated by independent contractors, for-profit sole proprietorships and partnerships, and those engaged in the construction or renovation of homes.

Medical or psychological diagnosis and treatment services in audiology and speech language pathology; chiropractic; dentistry; hearing aid instruments; dispensers and fitters; medicine and surgery; mental health; nursing; occupational therapy; optometry; physical therapy; podiatry; psychology; respiratory care; and, social work must be provided by professionals who are appropriately licensed, certified, or registered with the appropriate state examining board. Psychologists with clinical certification are given preference.

Prosthetic and orthotic services and appliances must be provided by professionals who are certified by the American Board of Certification for Prosthetic and Orthotic Appliance Industry Inc. or otherwise qualified by training and experience to perform the specific service required.

A qualified interpreter for the hearing impaired is an interpreter who is able to interpret effectively, accurately, and impartially both receptively and expressively, using any necessary specialized vocabulary. Interpreters providing services for hearing impaired recipients must be appropriately qualified for the particular assignment.

All service providers must be at least 18 years of age.

Individuals who have been convicted of any felony or crime consisting of abuse of a child or vulnerable adult are disqualified to be selected as service providers.