

REHABILITATION TECHNOLOGY

I. LEGAL AUTHORITY:

Workforce Investment Act (WIA) of 1998 (P.L. 105-220); 34 CFR 361.5(b)(45); 34 CFR 361.5(b)(7); and 34 CFR 361.5(b)(8).

II. POLICY STATEMENT AND PURPOSE:

Rehabilitation technology must be considered for all applicants or individuals with a disability as a means of ensuring informed choice, enhancing assessment of rehabilitation potential, Individual Plan for Employment (IPE) development, placement in employment, and job accommodations. Therefore, language pertaining to the provision of assistive technology services and/or devices is included in the specific policy sections dealing with those topics and/or processes.

An assessment of the need for assistive technology must be performed by skilled personnel. The assessment must establish how assistive technology devices and services can increase or supplement functional capacity and/or modify environments to accommodate the individual's abilities to work. The provision of assistive technology services should be considered during the evaluation process.

A. Terminology

1. Rehabilitation technology is defined as “the systematic application of technologies, engineering methodologies, or scientific principles to meet the needs of, and address the barriers confronted by, individuals with disabilities in areas that include education, rehabilitation, employment, transportation, independent living, and recreation. The term includes rehabilitation engineering, assistive technology devices, and assistive technology services.” (34 CFR 361.5(b)(45), 34 CFR 361.5(b)(8); 34 CFR 361.5(b)(7))
 - a. Assistive technology service means any service that directly assists an individual with a disability in the selection, acquisition, or use of an assistive device including: the evaluation of the individual’s needs including functional evaluation in her/his customary environment; purchasing, leasing, or otherwise providing for the acquisition of an assistive technology device; selection, designing, fitting, customizing, adapting, applying, maintaining, repairing, replacing assistive technology devices; training or technical assistance for individuals, and, when appropriate, for family members, guardians, advocates, or authorized representatives of the individual and other individuals (service providers and employers), who are involved in the life

functioning of the individual; coordinating and using other therapies, interventions, or services with assistive technology devices in the rehabilitation planning process.

- b. Assistive technology device means any item, piece of equipment, or product system acquired commercially off the shelf, modified, or customized, and used to increase, maintain, or improve the functional capabilities of an individual with a disability.

Assistive technology devices and services include, but are not limited to, augmentative communication devices, environmental control devices, telecommunication devices for the deaf, sensory and technological aids for individuals with sensory impairments, durable medical equipment, vehicle modifications, as well as computer and other adaptations or customization of equipment.

B. Consideration of Rehabilitation Technology in All Stages of the Rehabilitation Process

An assistive technology device may be required to communicate with an individual in order for the client to make an informed choice about services and service providers throughout the VR process. Even in the initial application process, the client's need to communicate effectively and to exercise informed choice must begin. Examples of appropriate modes of communication include but are not limited to the application of devices as well as services: captioned videos and audio recordings for clients with deficits in receptive communication, and augmentative communication devices (ACDs).

C. Stages

1. During applicant status, Rehabilitation Technology, including consultation with Rehabilitation Technology Consultants, can be used to gain information to assist the counselor in the determination of the rehabilitation potential of the individual.
2. The decision to provide assistive technology services and/or devices is made on a case by case basis and reviewed at each stage of the rehabilitation process as follows:
 - a. The preliminary assessment will include, if appropriate, evaluation by qualified personnel of the possible benefit of assistive technology services and/or devices; and

1. The counselor must consider assistive technology as early as possible in the rehabilitation assessment to determine vocational potential.
2. This consideration generally requires that the counselor make a referral to the Rehabilitation Technology Consultant(s) for review and recommendation.
 - a. The counselor shall specify the referral questions and present the strengths and limitations of the individual with a disability related to her/his vocational plan. If the individual with a disability is entering employment or is already employed, the counselor provides a job analysis or profile of the situation requiring adaptation. This information must be noted in the case narrative.
 - b. The counselor must attend the initial assistive technology consultation/evaluation and provide necessary input whenever appropriate.
 - c. The counselor shall review the assistive technology reports with the individual using appropriate modes of communication to ensure that the recommendations are suited to the individual's needs. Every effort should be made to ensure that the individual, and/or her/his guardian or advocate, understands and accepts the recommendations. A copy of the assistive technology report shall be provided to the individual and a notation regarding the review must be noted in the case narrative.
 - d. The counselor must establish that the recommendations of a Rehabilitation Technology Consultant are directly relevant to achieving an employment outcome when including them in the IPE.
 - e. For optimal benefit in the use of recommended equipment, the counselor and the individual with a disability must determine the need for training in the use of the equipment and the source of appropriate training in its use. Any recommendations which are not directly related to the employment goal and services included in the IPE are the individual's responsibility.
 - f. The Rehabilitation Technology Consultant will assist the counselor and the individual with a disability in the purchasing process, as appropriate, and in assessing the compatibility of accessories to existing equipment used by the individual.
3. In those cases where generic, simple, low-tech, devices (i.e., Aids to Daily Living (ADL) such as reachers, plate guards, etc.) can meet the needs of an individual with a disability, the counselor need not request a assistive

technology evaluation. However, the counselor must still substantiate the need for, and value of, such equipment.

4. The purchase of assistive technology devices will be provided through the Individualized Plan for Employment in a timely manner. However, in those cases where such devices are necessary or critical to the evaluation process, determination of eligibility, or achievement of the vocational goal (i.e., without such devices, the client could not participate and succeed in a vocational rehabilitation program), consideration for rental or purchase will be made upon consultation with the supervisor.
5. In order for the individual with a disability to make an informed choice about the final purchase of equipment, the counselor advises the individual that any assistive technology device provided solely by the ORS or jointly by ORS and the individual will become the property of the individual upon satisfactory achievement of the goal as established in the IPE.
 - a. If the AT device is jointly purchased by an employer (or other entity) and ORS, the IPE must specify which party owns the equipment or device.
 - b. Where ORS has purchased an AT device that is considered by the state controller to be a 'fixed asset' (e.g., computer, printer) the state agency retains title to the equipment and affixes a state identification sticker to the device.
 - (i) It retains title to the equipment until the individual successfully completes the IPE by achieving an employment outcome;
 - (ii) Title is transferred to the individual when the case is closed.
6. Selecting, designing, fitting, customizing, adapting, applying, maintaining, repairing, or replacing assistive technology devices is the responsibility of the agency when part of a current Employment Plan.
7. When equipment is no longer useful to the individual with a disability, yet is still functional, the agency will refer the individual to an appropriate recycling agency for transfer of the equipment and use by another individual with a disability.