

RHODE ISLAND GOVERNMENT REGISTER

PUBLIC NOTICE OF PROPOSED RULEMAKING

AGENCY: Department of Human Services

DIVISION: Office of Rehabilitation Services

RULE IDENTIFIER: 218-RICR-50-00- ERLID #8299 (Repealing), #TBA

REGULATION TITLE: Office of Rehabilitation Services Policy Manual

RULEMAKING ACTION: Proposed Rulemaking

TYPE OF FILING: Repeal then Adoption

TIMETABLE FOR ACTION ON THE PROPOSED RULES:

Date of Public Notice: 3/22/18

End of Comment Period: 4/20/18

SUMMARY OF PROPOSED RULE:

In accordance with the Administrative Procedures Act, the Department of Human Services is advertising for promulgation of the following amended DHS rules. This rule is being repealed, and reformatted into three parts in compliance with state and federal law and good practice.

In accordance with Rhode Island General Laws (RIGL) 42-35, notice is hereby given that the Department of Human Services, Office of Rehabilitation Services, proposes to **REPEAL: OFFICE OF REHABILITATION SERVICES POLICY MANUAL;** and **ADOPT** the following rules:

VOCATIONAL REHABILITATION PROGRAM REGULATIONS
SERVICES FOR THE BLIND AND VISUALLY IMPAIRED - SOCIAL
SERVICES/INDEPENDENT LIVING UNITS; AND
BUSINESS ENTERPRISES PROGRAM REGULATIONS.

Summary of Proposed Changes:

Office of Rehabilitation Services Policy Manual – being repealed and reformatted into three sections.

218-RICR-50-00-1 – Vocational Rehabilitation Program Regulations

1.4 Definitions

Definitions section created to consolidate definitions throughout the regulation into one section.

1.8 Order of Selection (OOS)/Waitlist

Revisions include: the change in number of functional limitations an individual must have to be classified as Priority Category I.

1.17.3 Post-Secondary Education and Vocational Rehabilitation Training

Revisions include: the expectation that eligible individuals utilize the “Promise Grant” while program is in effect; funding limits set and requirements shown for funding of tuition, room and board, and books, materials and tools. Other information carried over from Section 115.28 of ORS Policy Manual.

1.17.9 Occupational Tools, Licenses, Equipment, Initial Stock and Supplies

New provision includes maximum dollar limit set, other information carried over from Section 115.20 of ORS Policy Manual.

1.17.11 Transition and Pre-Employment Transition Services

Revisions include: providing requirements of Pre-Employment Transition Services based on the 2014 Workforce Innovation and Opportunity Act.

1.17.13 Adaptive Housing Services

Language carried over from Section 115.26 of ORS Policy Manual with revisions detailing property requirements and stating ORS may establish maximum dollar limits for adaptive housing services.

1.17.14 Motor Vehicle Modification Services

Language carried over from Section 115.23 of ORS Policy Manual with revisions detailing requirements for motor vehicle modifications, and stating ORS may establish maximum dollar limits for these services.

1.17.15 Self-Employment Services

New section created to explain services available to clients in order to achieve self-employment as an employment outcome.

1.19 Individuals in Extended Employment, 14(c), and Other Employment under Special Certificate Provisions of the Fair Labor Standards Act

New section created to explain the new limitations prohibiting employers from paying subminimum wage to persons with disabilities under section 14(c).

218-RICR-50-00-2 – Services for the Blind and Visually Impaired – Social Services/Independent Living Services

No new provisions, section reformatted and rephrased from Section 118.1 of ORS Policy Manual.

218-RICR-50-00-3 – Business Enterprises Program Regulations

No new provisions, section reformatted and carried over from Section 115.13 of ORS Policy Manual.

These proposed changes are available for public inspection on the RI Secretary of State website, (<http://sos.ri.gov/ProposedRules/>), the DHS website (www.dhs.ri.gov), the Office of Rehabilitation Services website (www.ors.ri.gov/Proposed%20Rules.html) in person at 40 Fountain Street, Providence, RI, or requested by email at Sharon.dipinto@ors.ri.gov, or available in hard copy upon request by calling Sharon DiPinto at (401-462-7818 or 711).

In accordance with R.I. General Laws § 42-35-2.8, an oral hearing will be granted if requested by twenty-five (25) persons, by an agency or by an association having at least twenty-five (25) members. A request for an oral hearing must be made within ten (10) days of this notice.

All interested parties are invited to submit written or oral comments concerning the proposed regulations by Friday, April 20, 2018 to Sharon DiPinto, Sr. Human Services Policy & Systems Specialist, Office of Rehabilitation Services, 40 Fountain Street, Providence, RI 02903, Sharon.dipinto@ors.ri.gov.

Date Notice was Posted: 03/22/2018