

STANDARDS FOR COMMUNITY REHABILITATION PROGRAMS
AND OTHER PROVIDERS OF SERVICES

THE STATE VOCATIONAL REHABILITATION SERVICES PROGRAM
TITLE I AND
STATE SUPPORTED EMPLOYMENT SERVICES PROGRAM - TITLE VI - PART C

THE STATE INDEPENDENT LIVING REHABILITATION SERVICES PROGRAM
TITLE VII - PART B

I. LEGAL AUTHORITY:

Rehabilitation Act Amendments of 1992 (PL 102-569); Title I and Title VI - Part C: 34 CFR Part 80; 34 CFR Part 361, 361.1(c), 361.2(a), 361.21, 361.45, 361.51, 361.73, 361.76, 361.86

Title VII - Part B: 34 CFR Part 365; 34 CFR 365.1(c); 34 CFR 361.1(c); 34 CFR 365.40; 34 CFR 361.51; 34 CFR 365.41; CFR 361.51(e); 34 CFR Part 76; 34 CFR Part 80.

II. POLICY STATEMENT AND PURPOSE:

The Office of Rehabilitation Services (ORS) establishes, maintains, and disseminates written standards for Community Rehabilitation Programs in the provision of rehabilitation services and independent living services. The standards assure that community rehabilitation programs and other providers of rehabilitation services have qualified personnel, a safe and accessible environment, have obtained applicable state and federal licenses, and provide quality services, including independent living services, designed to enable individuals with disabilities to have access to employment, career advancement opportunities and choices.

A. Definitions

1. Community Rehabilitation Program

Community Rehabilitation Program means a program that provides directly or facilitates the provision of vocational rehabilitation services to individuals with disabilities and provides, singly or in combination, such services for such individual to enable her/him to maximize her/his opportunities for employment including career advancement, as follows:

- a. Medical, psychiatric, psychological, social and vocational services that are provided under one management;
- b. Testing, fitting, or training in the use of prosthetic and orthotic devices;
- c. Recreational therapy;

- d. Physical and occupational therapy;
- e. Speech, language, and hearing therapy;
- f. Psychiatric, psychological, and social services including positive behavior management;
- g. Assessment for determining eligibility and vocational rehabilitation needs;
- h. Rehabilitation technology;
- i. Job development, placement, and retention services;
- j. Evaluation or control of specific disabilities;
- k. Orientation and mobility services for individuals who are blind;
- l. Extended employment;
- m. Psychosocial rehabilitation services;
- n. Supported Employment services and extended services;
- o. Services to family members when necessary to the vocational rehabilitation of the individual;
- p. Personal assistance services; and/or
- q. Services similar to the services described in a. through p.

2. Providers of Comprehensive Services for Independent Living

Providers of comprehensive services for independent living means providers of any appropriate combination of services to meet the independent living rehabilitation needs of individuals with significant disabilities which will enhance the ability of an individual with disabilities to live independently and function within the family and community and, if appropriate, secure and maintain appropriate employment (Sec. 702(b) of the Act).

3. Other Providers of Services

Other providers of services include vendors who provide other goods and services such as health care services, psychological services, etc.

III. STANDARDS:

It is expected that all Community Rehabilitation Programs and other providers of services including Comprehensive Services for Independent Living will comply with standards assuring safety, qualified staff, and adherence to applicable federal and state laws and licensing requirements in the provision of services to clients of the Office of Rehabilitation Services.

The Rhode Island Office of Rehabilitation Services encourages Community Rehabilitation Programs to obtain accreditation from the Commission on Accreditation of Rehabilitation Facilities (CARF) and utilizes written CARF standards as a guideline for Rhode Island standards. The Rhode Island Office of Rehabilitation Services also expects that applicable licenses be obtained from other state agencies such as Mental Health, Retardation, and Hospitals.

A. Programs and Services

Community Rehabilitation Programs and Providers of Comprehensive Independent Living Services must comply with the following:

1. Program staff must demonstrate that they have relevant education or experience to provide the service, or that another staff member with such qualifications supervises and trains the employee(s).
 - a. Staff must be available to develop or update skills if required by the Office of Rehabilitation Services.
2. Programs must show evidence of client choice and involvement in planning for rehabilitation programs. In addition, client satisfaction must be assessed.
3. Programs which have a workshop component in the provision of rehabilitation services must meet minimum standards for health and working conditions.
4. Wages paid to individuals with disabilities who are employed through community rehabilitation programs must be established in accordance with the Fair Labor Standards Act.
5. Programs must have physical plants which meet health and safety standards and provide a safe environment for individuals receiving services including:
 - a. Health and sanitation provisions in food handling;
 - b. Adequately ventilated environment which is free of air pollutants and other toxic contaminants;

- c. Emergency warning systems, emergency plans, and means of egress;
- d. Fire protection;
- e. Work equipment and tools in safe working order;
- f. A designated individual responsible for safety and health;
- g. Posted safety rules and practices; at least one individual certified in administering first aid, CPR, Heimlich procedure;
- h. Liability insurance and worker's compensation to cover individuals working in the workshop; and
- i. Assurance that medical and related health services provided in the facility are under the supervision of persons licensed to provide or supervise provision of these services in Rhode Island.

B. Accessibility of Facilities

Community Rehabilitation Programs, Comprehensive Services for Independent Living, and other providers of services must have physical plants which meet uniform federal and state accessibility standards. Any facility in which vocational rehabilitation services are provided must be accessible to individuals receiving services and must comply with the requirements of the Architectural Barriers Act of 1968, the Uniform Accessibility Standards and their implementing regulations in 41 CFR part 101, subpart 101-19.6, the Americans with Disabilities Act of 1990 and Section 504 of the Rehabilitation Act.

C. Personnel Standards

Community Rehabilitation Programs, providers of Comprehensive Services for Independent Living, and other providers of services:

- 1. Must use qualified personnel, in accordance with any applicable national or State-approved or recognized certification, licensing, or registration requirements, or in the absence of these requirements, other comparable requirements including state personnel requirements, that apply to the profession or discipline in which that category of personnel is providing services.

2. Must include among their personnel, or obtain the services of, individuals able to communicate in the native languages of applicants and eligible individuals who have limited English speaking ability.
3. Must ensure that appropriate modes of communication are used for all applicants and eligible individuals.

D. Affirmative Action

Community Rehabilitation Programs, providers of Comprehensive Services for Independent Living, and other providers of services must have a written affirmative action plan which provides for specific action steps, timetables, and complaint and enforcement procedures in the hiring and advancement of qualified persons with disabilities.

E. Non-discrimination

Community Rehabilitation Programs, providers of Comprehensive Services for Independent Living, and other providers of services must comply with provision of Section 504 of the Rehabilitation Act of 1973 as amended and Title VI of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, the Age Discrimination Act (34 CFR 76.500), and the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.).

F. Fraud, Waste and Abuse

Community Rehabilitation Programs, providers of Comprehensive Services for Independent Living, and other providers of services must have adequate and appropriate policies and procedures to prevent fraud, waste, and abuse.

G. Client Assistance Program (CAP)

Community Rehabilitation Programs, providers of Comprehensive Services for Independent Living, and other providers of services must inform clients of the existence and availability of CAP.

IV. PROCEDURES:

- A. The Standards are incorporated into the State Plan for Community Rehabilitation Programs.
- B. The Standards are disseminated to all Community Rehabilitation Programs, providers of Comprehensive Services for Independent Living, and other service providers. Training relating to these standards will be provided upon request.

- C. ORS will monitor community rehabilitation programs to ensure understanding of and adherence to standards. Training will be provided, if necessary, to insure compliance.
- D. Those providers of Comprehensive Services for Independent Living who subcontract for services with other providers will ensure that there is an understanding of and agreement to comply with these standards.
- E. Community Rehabilitation Programs and other providers of services must be approved by ORS to provide specific services.
- F. Community Rehabilitation Programs and providers of Comprehensive Services for Independent Living which do not meet minimum federal and state accessibility standards must present a plan of action with timetables to comply. ORS will determine if provisional certification can be made.