

COMPARABLE SERVICES AND BENEFITS

I. LEGAL AUTHORITY:

Rehabilitation Act of 1973, as amended, in Title IV of the Workforce Development Act of 1998; Sec. 12(c) and 101(a)(8); Sec. 103(a)(1)-(12); Sec. 504; Sec. 705(a)(3); 29 U.S.C. 711(c) and 721(a)(8); 34 CFR 104.44(d); 104.51; 104.52(d)(1); 361.5(b)(10);- 361.53; 365.15(a); Title IV of the Higher Education Act of 1965, as amended; Sec. 484(a)(3).

II. POLICY STATEMENT AND PURPOSE:

The Office of Rehabilitation Services must determine whether comparable services and benefits, as defined in § 361.5(b)(10), exist under any other program and whether those services and benefits are available to the individual.

A. Definitions

1. Comparable services and benefits are services and benefits which are:
 - a. Provided or paid for in whole or in part by other Federal, State, or local public agencies, by health insurance or by employee benefits;
 - b. Available to the individual at the time needed to achieve the intermediate rehabilitation objectives listed in the IPE; and
 - c. Commensurate with the services that the individual would otherwise receive from the vocational rehabilitation agency.

B. Conditions and Criteria

1. The determination of comparable services and benefits shall be required unless:
 - a. Comparable services and benefits exist under another program but are not available to the individual at the time needed to satisfy the rehabilitation objective in the IPE. The Agency shall provide those services until comparable services and benefits become available; or
 - b. The determination would interrupt or delay the provision of services to any individual at extreme medical risk (extreme medical risk means the substantial increase of functional impairment or risk of death if medical services are not provided expeditiously) based on medical evidence provided by an appropriate qualified medical professional; or

- c. The determination would interrupt or delay the loss of an immediate job placement.

C. Services not Subject to the Comparable Benefits Requirements

1. Assessment for determining eligibility and vocational rehabilitation needs;
2. Counseling and guidance, including information and support services, to assist an individual in exercising informed choice;
3. Referrals to secure needed services from other agencies, including other components of the statewide workforce investment system
4. Job-related services, including job search and placement assistance, job retention services, follow-up services and follow-along services;
5. Vocational and other training services, which are not provided in institutions of higher education, including personal and vocational adjustment, books (including alternative format books, accessible by computer and taped books), tools and other training materials;
6. Rehabilitation Technology devices and services including telecommunications, sensory and other technological aid and devices; and
7. Post-Employment Services consisting of the previously listed exceptions.