



STATE OF RHODE ISLAND DEPARTMENT OF HUMAN SERVICES

To: Interested Parties

From: Office of Rehabilitation Services

Date: March 28, 2023

Subject: Proposed Amendment to Vocational Rehabilitation Program Rules and Regulations

RICR Title 218 – Rhode Island Department of Human Services Chapter 20 – Rehabilitation Services Part 1 – Vocational Rehabilitation Program Rules and Regulations

The Department of Human Services (DHS)/Office of Rehabilitation Services hereby proposes to file a Proposed Amendment to the Vocational Rehabilitation Program Rules and Regulations to implement the following changes:

§ Section 1.1 Purpose: ORS is looking into easing requirement that VR Counselor must have Masters degree in Rehabilitation Counseling to instead having a degree in a related field due to lack of applicants for vacant positions.

Section 1.4 Definitions: Changes made to update ages of students with disabilities and youth with disabilities.

Section 1.5 Referrals and Applications: Added where ORS also receives referrals.

Section 1.8 Order of Selection/Waitlist: Changed number of functional capacities need to be considered Priority Category II.

Section 1.12 Individualized Plan for Employment: Added statement that “extension agreement must be in writing”.

Section 1.14 Comparable Benefits and Services: Removed line stating that comparable benefits are services/benefits “available to individual to ensure progress toward employment outcome in IPE”.

Section 1.17.3 Post-Secondary Education/VR Training: Added in under Training Expenses “trade schools or skills based certification program” under what is able to be paid for with VR funds. Removed paragraph re: eligible individuals encouraged to take advance of Promise Grant. This was moved to our procedures. Revised how tuition rate and book/supplies funded by ORS are determined.

1.17.7 Supported Employment Services: Revised age for Youth-Aged Individuals with Significant Disabilities to “until they reach the age of 24”.

1.17.8 Post-Employment Services: Rewrote entire section based on changes in guidance from RSA stating when post-employment services can be done.

1.17.9 Occupational Tools, Licenses, Equipment... : Removed an administrative waiver may be considered – in procedures.

1.17.10 – Rehabilitation Technology Services: Removed Sections B.D – B.K. as they are procedures.

1.17.11 – Transition and Pre-ETS: Added in words Pre-Employment Transition Services: Changed criteria of student with a disability to “up to the age of 22”.

1.17.13 – Adaptive Housing Services: Removed administrative waiver as this is in procedures.

1.17.14 Motor Vehicle Modifications: Revised conditions that make it not possible for ORS to provide any structural modifications to vehicle.

The Department does not expect this filing to be controversial and therefore a hearing will not be held. If no formal objection is received on or before April 26, 2023, the Department will file this Amendment and the Final Rule will take effect on this date.

This proposed rule is accessible on the R.I. Secretary of State website

(<https://rules.sos.ri.gov/Promulgations/part/218-50-00-1>, on the Department of Human Services/Office of Rehabilitation Services website (<https://ors.ri.gov/regulations/proposed-rules-and-regulations>) or available in hard copy upon request (401-871-0250 or RI Relay, dial 711). All written objections should be sent to [Karen Davis, Office of Rehabilitation Services, 40 Fountain Street, Providence, RI 02903](#) and must be received no later than 11:59 PM on April 26, 2023.

The Department of Human Services does not discriminate against individuals based on race, color, national origin, sex, gender identity or expression, sexual orientation, religious belief, political belief or handicap in acceptance for or provision of services or employment in its programs or activities.