

# **Report to the Governor and Legislature**

## **DVR Assessment Tool and Referrals *as required by RCW 74.04.655***

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**Department of Social & Health Services  
Economic Services Administration  
Community Services Division  
P.O. Box 45440  
Olympia, WA 98504-5440  
(360) 725-4888  
Fax: (360) 725-4904**

# DVR Assessment Tool and Referrals

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**DVR ASSESSMENT TOOL AND REFERRALS**  
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**EXECUTIVE SUMMARY**

Section 5 of E2SHB 2782 (codified as [RCW 74.04.655](#)), which became law on March 29, 2010, required the Economic Services Administration (ESA) and the Division of Vocational Rehabilitation (DVR) within the Department of Social and Health Services (DSHS or the Department) to collaborate on an assessment tool “to determine whether vocational rehabilitation programs could help Disability Lifeline recipients return to the workforce.” The new statute required the assessment tool to be developed by December 1, 2010 and the Department to begin using it no later than January 1, 2011 to assess all Disability Lifeline recipients.

The Department developed the assessment tool by December 1, 2010, developed and provided online training in December 2010, tested use of the tool in the Kelso and Columbia River Community Services Offices (CSOs) and their partner DVR Office in southwest Washington during January and February 2011, then added offices monthly until statewide use was achieved in June 2011.

The assessment tool works better than previous assessments in identifying DL clients appropriate for referral to DVR. However, the results show a low number of these clients successfully complete a DVR program.

Under the current statute, the Department must assess some clients, pregnant women in particular, who typically are not ready or able to participate in vocational rehabilitation services. The Department recommends the statute be amended to exclude such clients, so the focus is on the population with the potential to benefit and for whom the statutory penalty of withholding cash assistance has an impact.

## OVERVIEW

With the passage of Engrossed Second Substitute House Bill 2782 into law on March 29, 2010, Section 5 (codified as [RCW 74.04.655](#)) required the Community Services Division of the Economic Services Administration (ESA) and the Division of Vocational Rehabilitation (DVR), both within the Department of Social and Health Services (DSHS), to collaborate on an Assessment Tool “to determine whether vocational rehabilitation programs could help Disability Lifeline (DL) recipients return to the workforce.” When Engrossed Second Substitute House Bill 2082 became law in 2011, it eliminated the Disability Lifeline (DL) program and amended the DVR referral requirement to apply to the Aged, Blind or Disabled (ABD) and Medical Care Services (MCS) programs.

The legislation directed development of the tool by December 1, 2010 and implementation of the tool by January 1, 2011. The Department successfully programmed the assessment tool into the electronic Jobs Automation System (eJAS) by the established deadline. After online training in December, the Department tested its use in the Kelso and Columbia River Community Services Offices and their partner DVR Office in southwest Washington during January and February 2011. Then use was expanded by groups of Community Services Offices (CSOs) each month with statewide implementation achieved in June 2011.

## DVR ASSESSMENT TOOL REFERRAL PROCESS

A workgroup of ESA and DVR staff reviewed the federal Rehabilitation Act from the Rehabilitation Services Administration within the U.S. Department of Education. Two key requirements were identified: (1) The person must have a permanent impairment that causes a “substantial impediment” to employment, and (2) The person must make an informed choice to voluntarily accept vocational rehabilitation services. To identify DL clients who were suitable candidates for DVR referrals, the group converted these requirements into eight assessment questions with yes/no answers. These questions were programmed as a module of the electronic Jobs Automated System (eJAS), which is an automated case management system that allows two-way communication with Department partners and contractors.

The eight assessment questions are:

1. Does this individual have a permanent (expected to last one year or more) physical, mental, or sensory impairment (disability)?
2. Does this individual's medical physical or sensory impairment (disability) result in a substantial impediment to employment?
3. Has a physician or other appropriate medical provider indicated that participation in training or employment activities would be appropriate at this time?
4. Is the individual scheduled for surgery or in the process of getting approval for surgery?

5. Does the individual voluntarily choose to participate in vocational rehabilitation (VR) activities?
6. Does the individual voluntarily choose to go to work?
7. Does the individual understand that they must fully engage and participate in VR services or their DVR case will be closed? Also, they may be sanctioned by their community services office (CSO) worker if they do not keep DVR appointments or participate in the DVR portion of their IRP or DL case plan?
8. Are there support services issues or deficiencies that prevent this individual from participating in DVR activities (transportation, housing, childcare, mental or psychological services)?

Note: The phrase "substantial impediment" has a specific meaning in the regulations from the Rehabilitation Services Administration within the U.S. Department of Education. For this reason, Question 2 contains a hyperlink to a web page that has the federal definition of this phrase and examples.

The worker goes to the assessment screen and answers Question 1. If that answer is "no," the worker clicks on the "analysis" button and the system responds that the person is not suitable for referral. The assessment is done because the person doesn't meet the fundamental requirement to qualify for vocational rehabilitation services. When the answer to Question 1 is "yes," the worker arranges an interview with the client to answer the remaining questions. After all answers are entered, the worker clicks the "analysis" button. The system uses programmed logic to indicate whether the client is or is not appropriate for referral. The worker and client may also decide to wait until a temporary restriction or barrier is resolved before finishing the assessment. In these cases, the worker sets a case reminder to finish the assessment later.

The CSO refers clients who meet all of the criteria to contact DVR and attend a local group orientation or individual interview, depending on the availability of DVR workers and local practices. The CSO worker explains to the client that they have 14 days to contact the DVR office to make the arrangements. The CSO worker prints out the customer self-evaluation and consent to release information forms for the client to present to the DVR counselor at the orientation or interview.

The purpose of the orientation or interview is to provide the client with additional information about DVR and available services without the client having to submit a DVR application. If the client fails to keep their appointment or tells the DVR counselor that they are not willing to participate in DVR services, DVR reports these actions to the CSO through eJAS. This information lets the CSO worker know the referral is finished and discontinue monitoring. There is no penalty for the client's actions to withdraw at this point because they did not apply for and were not offered DVR services.

At the end of the interview or orientation, clients who decide to pursue vocational rehabilitation services are given a DVR application. The application is necessary to determine if the client qualifies for DVR services. For example, some clients are very motivated to obtain services but are so severely impaired by a disability that they are not capable of following through with a rehabilitation plan.

When DVR determines the client is eligible and the client then accepts DVR services, their participation in those services becomes part of their DL case plan. If they subsequently fail to participate in DVR services without a good reason, their DL cash benefits stop and a period of ineligibility (sanction) is imposed after they reapply.

## REFERRAL ACTIVITY AND OUTCOMES

Between January 2011 and September 2011 (most recent data):

- Total number of Disability Lifeline recipients assessed: 2,483
- Recipients who don't have a permanent disability: 926 (37.3%)
- Recipients who did not meet all referral criteria: 1372 (55.2%)
- Recipients who met all referral criteria: 185 (7.5%)

These recipients were referred to DVR and:

- Attended an orientation or interview: 123 (66.4%)
  - Were referred back by DVR as unsuitable candidates: 79 (42.7%)
- Applied for DVR services: 40 (21.6%)
  - Currently in application process: 3
  - Currently active in DVR services: 16
  - Had case closed without completing DVR plan: 17
  - Completed DVR services and are employed: 4

## NEXT STEPS

### Statutory Amendment

The Department supports continuing the statutory requirement to assess and refer recipients for vocational rehabilitation services. However, when ESHB 2082 became law in 2011, it amended RCW 74.04.655 to require the Department to assess all recipients of the Aged, Blind or Disabled (ABD) or Medical Care Services (MCS) programs. This means performing assessments of some clients, including pregnant women, who by definition do not have a permanent disability.

The statute also directs the Department to withhold cash benefits as a penalty when a recipient fails to participate in DVR services without a good reason. However, this penalty has no impact on Medical Care Services recipients as they do not receive cash benefits. Therefore, the Department recommends that the statute be amended so that it is limited to individuals who are eligible to receive cash assistance solely because they are aged, blind or disabled.