

2200 ORDER OF SELECTION.

2201 General. The Division's Director will determine whether resources will be available to provide vocational rehabilitation services to all eligible individuals throughout the program year. If not, consistent with state and federal law and regulations, the Director will establish restrictions regarding priority categories for selecting the order in which otherwise eligible individuals may be served. Only the Director may establish an order of selection.

2202 Exemptions. Services necessary for determination of eligibility, assessment of rehabilitation needs, and post employment services are exempted from the Division's order of selection. No administrative exemption from the order of selection shall be approved except by the Director or his/her designee. Any individual notified by the Counselor of classification as a member of an open priority category shall be exempted should that category later be closed.

2203 Priority Categories. Following are the order of selection categories currently applicable to the Division's vocational rehabilitation program:

Category 1: Eligible applicants with the most significant disabilities.

Category 2: Eligible applicants with significant disabilities.

Category 3: Eligible applicants with non-significant disabilities which result in permanent functional limitations.

Category 4: Eligible applicants with disabilities which do not result in permanent functional limitations.

2204 Notice. The Counselor shall provide both written notice and an oral explanation of the order of selection to each applicant, including a copy of the form *Information about the Order of Selection*. The *Application for Rehabilitation Services* will include a certification by the applicant that information about the order of selection was received and explained.

2205 Classification. The Counselor will determine the appropriate order of selection priority classification for each applicant at the earliest practical time in case development.

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A. *When Assigned.* The determination may be completed at any time prior to eligibility determination. However, the Counselor will complete the determination and assign the individual to the highest appropriate priority category prior to moving the case into Status 10. In those instances where trial or extended work experience is required prior to eligibility determination, priority classification may be deferred pending completion of the requisite services.

B. *Basis.* The assessment for eligibility determination usually will yield sufficient information to support an appropriate priority classification. Minimally the basis for priority classification should include an initial interview, assessment of the individual's current health using the *Health Assessment Questionnaire*, and if appropriate, medical or psychological confirmation of the disability.

C. *Reclassification.* An individual who the Counselor determines has been misclassified may be reclassified into the highest appropriate priority classification at any time. However, any individual notified by the Counselor of classification as a member of an open priority category shall be exempted from later reclassification into a closed category. In such instances, the Counselor will note the circumstances in the *Action Statement/Details* section of the individual's case record, but the initial classification shall remain unchanged.

D. *Documentation.* The Counselor will complete the appropriate block on the *Eligibility Statement* based on the determination of priority classification or reclassification.

2206 Classification into Closed Category. When an individual is classified into a closed order of selection category, the Counselor will notify the individual and place the case into Status 04 pre-service listing by completing the *Status Change Report*. Members of closed categories do not receive vocational rehabilitation services regardless of whether provision of such services requires expenditure of funds.

A. *Category Reopened.* An individual may be classified into a closed category which is later declared open. If this occurs while the case is in Status

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04 and the individual desires to pursue vocational rehabilitation services, the Counselor will notify the individual in writing and immediately move the case into Status 10 by completing the *Status Change Report*.

B. *Review*. Cases placed into Status 04 may be reviewed at the request of the individual or the individual's representative, but will be reviewed after twelve months. During the review, the individual or individual's representative will be contacted to ascertain whether any change of the individual's disability or functional limitations indicate that the current classification may no longer be appropriate or if the individual wishes to remain on the waiting list. The case will remain in Status 04 if there are no changes and the individual requests to remain on the list.

C. *Status 38 Closure*. If the classification has been reviewed and the individual requests to be removed from the waiting list, the Counselor will notify the individual in writing and close the case into Status 38 by completing the *Status Change Report*. The written notice of case closure should encourage the individual to reapply for vocational rehabilitation services if changes occur in the disabling condition(s) or functional limitations. Should the Counselor be unable to contact the individual or the individual's representative to complete the twelve month review, the case will be closed in Status 38.