

CASE CLOSURE

AUTHORITY

The Rehabilitation Act of 1973 as amended: Sections 102(a)(5), 102(b) and 102(c)
Federal Regulation: CFR 361.44 and CFR 361.56

*For the purpose of this manual, use of the terms **must** or **shall** reflect requirements of Federal law or regulation or state law or administrative regulation and must be adhered to strictly.*

GENERAL CLOSURE PROCEDURES

An individual's case should be closed when no further Department services are justified, required, or anticipated in the immediate future. A closure statement must be completed for any case closed where an eligibility/ineligibility decision is being made. For cases closed from applicant status, the written justification should be recorded in the case progress notes. When closed from referral, no written justification is required. For those cases closed as reaching a Successful Employment Outcome, an Individualized Plan for Employment (IPE) is completed on the Department form, Successful Employment Outcome.

As the basic eligibility requirements must be continuously applied, it is possible that individuals once found eligible may become ineligible due to changing conditions. In this event, the case should be closed.

CLOSING CASES BENEFITING FROM REHABILITATION SERVICES

An employment outcome refers to an individual entering or retaining employment in full or part-time (when appropriate) competitive employment in an integrated setting including supported employment, self-employment, or telecommuting that is consistent with the individual's strengths, resources, priorities, concerns, abilities, capabilities, interests, and informed choice. A case shall be closed as a positive employment outcome when no further Department services are anticipated in the immediate future for the vocational rehabilitation of the individual and the following has occurred:

1. an individual has been certified as eligible on the Agreement of Understanding; and
2. has been provided an assessment for determining eligibility and vocational rehabilitation needs; and
3. been provided guidance and counseling as an essential service; and

4. been provided appropriate and substantial services in accordance with the IPE; and
5. has maintained employment in an integrated setting in the same occupational grouping for at least ninety (90) consecutive days.

The individual must be employed in an integrated setting to meet the definition of positive employment outcome. Therefore a case ***cannot*** be closed as a positive employment outcome in extended employment although this service may be a step in the rehabilitation process.

For those cases closed as reaching a positive employment outcome, an Individualized Plan for Employment (IPE) is to be completed on the Department form, Successful Employment Outcome. The case record must reflect a description of why it has been determined that the individual has made a satisfactory vocational adjustment. The case record is to be used to document place of employment, wages, benefits, etc.

CASES CLOSED UNSUCCESSFULLY REHABILITATED DUE TO INELIGIBILITY

An ineligibility certificate must be executed, signed and dated by the counselor when it has been determined that an applicant or consumer:

1. has no vocational disability, or
2. does not require vocational rehabilitation services to prepare for, secure, retain, or regain employment, or
3. after a period of trial work, is unable to benefit from vocational rehabilitation services in terms of a Successful Employment Outcome as the result of the severity of disability.

Since any Social Security Disability (SSDI) recipient or individual currently receiving Supplemental Security Income for a disability (SSI) is presumed eligible for Vocational Rehabilitation services, such cases cannot be closed ineligible unless there is clear and convincing evidence that the individual cannot benefit from services after a period of trial work.

Before a determination of ineligibility can be made, the individual or, as appropriate, the individual's parent, guardian or other representative must be consulted or given an opportunity for consultation. At the time of determination, a referral should be made to other appropriate agencies and facilities.

If the individual has been provided services as part of an IPE the rationale for the decision must be recorded in the case record unless the individual:

1. refused to participate;

2. is no longer present in the state;
3. cannot be located;
4. or, has a medical condition that is rapidly progressive or terminal.

Ineligibility decisions based on the finding that the individual is incapable of benefiting in terms of an employment outcome must be reviewed within twelve months. The first review is initiated by notification from Central Office to the counselor on a form to be returned denoting action taken. Subsequent reviews are conducted at the request of the individual or, as appropriate, the individual's representative. The individual must be given an opportunity for consultation in a reconsideration of the decision unless the individual:

1. refuses services;
2. refuses periodic review;
3. is no longer present in the state;
4. cannot be located;
5. has a medical condition that is rapidly progressive or terminal;
6. is deceased.

CASE CLOSED FOR REASONS OTHER THAN INELIGIBILITY

A case may be closed unsuccessfully rehabilitated if an intervening reason as listed below precludes an eligibility/ineligibility decision:

1. death;
2. unable to locate;
3. individual institutionalized;
4. transferred to another agency;
5. failure to cooperative;
6. refused services or further services;
7. transportation not feasible or available;
8. referred to an Independent Living Program;

9. all other reasons.

A case closed for a reason other than eligibility/ineligibility determination should have the rationale for closure documented in the progress notes or case record.

CASES CLOSED FROM PRE-SERVICE

Cases that are in priority categories of the Order of Selection that are not currently being served may be closed at the eligible individual's request or for any intervening reason that cases can be closed unsuccessfully as described above.

Prior to case closure, information and referral services must be provided to all individuals with disabilities that do not meet the open categories of the Order of Selection. These services include:

- Providing vocational rehabilitation information and guidance to assist individuals in achieving employment, and
- Appropriately referring individuals to other Federal and State programs, including other statewide workforce investment programs, which are best suited to meet the individual's specific employment needs.

The procedures and requirements for information and referral services are outlined in the Eligibility Section of this Manual. Best practice dictates that information and referral services be provided at the time of assignment of pre-service status. These services must be provided and appropriately documented prior to case closure.

CASES CLOSED FROM POST-EMPLOYMENT

An individual's case shall be closed from Post-Employment when one of the following criteria is met:

1. When employment appears secure as a result of appropriate vocational rehabilitation services provided in Post-Employment.
2. When a case evolves into a complex or comprehensive rehabilitation effort or a new distinct disabling condition arises. In this instance, a new case should be opened.
3. When services have failed to maintain or return the individual to gainful employment.

The reason(s) for closing the case are to be documented in the progress notes or case record.