

10A NCAC 63F .0402 ECONOMIC NEEDS POLICIES

(a) The Division of Services for the Blind shall establish the economic need of each eligible consumer either simultaneously with or prior to the provision of those services for which the Division requires a needs test. The financial need of a consumer shall be determined by the financial needs test specified in Rule .0403 of this Section. If the consumer has been determined eligible for Social Security benefits under Title II or XVI of the Social Security Act, (SSA), the Division of Services for the Blind shall not apply a financial needs tests or require the financial participation of the consumer. A financial needs test shall be applied for all consumers determined eligible to receive services through the Independent Living Rehabilitation Program regardless of SSA Title II or Title XVI eligibility.

(b) The Division of Services for the Blind shall furnish the following services not conditioned on economic need:

- (1) an assessment for determining eligibility and priority for services, except those non-assessed services that are provided during an exploration of the applicant's abilities, capabilities, and capacity to perform in work situations through the use of trial work experiences or an extended evaluation and an assessment by personnel skilled in rehabilitation technology;
- (2) an assessment for determining rehabilitation needs by a qualified vocational rehabilitation counselor;
- (3) vocational rehabilitation counseling and guidance, including information and support services to assist an applicant or consumer in exercising informed choice; and
- (4) tuition and supplies for Community Rehabilitation Program training;
- (5) tuition and fees for:
 - (A) community college and university educational and vocational programs up to the catalog rate; and
 - (B) post-secondary education up to the maximum rate charged for the North Carolina public university system.

The Division shall require eligible consumers applying for training programs listed in Parts (b)(5)(A) and (B) of this Rule to first apply for all available grants and financial aid. The Division may grant an exception to the rate for tuition and required fees for post-secondary education specified in Part (b)(5)(B) of this Rule when necessary to accommodate the special training needs of severely disabled individuals who must be enrolled in special programs designed for severely physically disabled students;

- (6) interpreter services, including sign language and oral interpreter services for applicants or consumers who are deaf or hard of hearing, and tactile interpreting services for applicants or consumers who are deaf-blind;
- (7) reader services, rehabilitation teaching services, and orientation and mobility services;
- (8) job-related services, including job search, job placement employment assistance, and job retention services;
- (9) DSB Rehabilitation Center services or fundamental independent living rehabilitation adjustment services, including transportation and training supplies, contingent on a consumer's participation in the program;
- (10) diagnostic transportation;
- (11) on-the-job training;
- (12) training and associated maintenance and transportation costs for Business Enterprises Program trainees;
- (13) upward mobility training and associated maintenance and transportation costs for Business Enterprises Program trainees;
- (14) equipment and initial stocks and supplies for state-owned (Randolph-Sheppard) vending stands;
- (15) supported employment services;
- (16) personal assistance services provided while a consumer with a disability is receiving vocational rehabilitation services;
- (17) referral and other services designed to assist applicants or consumers with disabilities in securing needed services from other agencies through agreements developed under Section 101(a)(11) of Rehabilitation Act Amendments (the Act, P.L. 102-569), if such services are not available under this Act, and to advise those individuals about client assistance programs established under the Act;
- (18) transition services for students with disabilities that facilitate the achievement of the employment outcome identified in the student's individualized plan for employment, except for those services based on economic need;

- (19) technical assistance and other consultation services to consumers who are pursuing self-employment, telecommuting, or establishing a business operation as an employment outcome; and
 - (20) provision of pre-employment transition services to students with disabilities who are 14-21 years of age, whether they are presently a VR client or a potentially eligible individual.
- (c) The following services shall be provided by the Division of Services for the Blind and shall be conditioned on economic need:
- (1) physical and mental restoration services that are medical services other than diagnostic;
 - (2) maintenance for additional costs incurred while participating in rehabilitation;
 - (3) transportation in connection with rendering any vocational rehabilitation service except where necessary in connection with determination of eligibility or nature and scope of services;
 - (4) services to members of a disabled consumer's family necessary to the adjustment or rehabilitation of the consumer with a disability;
 - (5) post-employment services necessary to assist consumers with visual disabilities to maintain, regain, or advance in employment, except for those services not conditioned on economic need listed in Paragraph (b) of this Rule;
 - (6) fees necessary to obtain occupational licenses;
 - (7) tools, equipment, and initial stocks and supplies for items listed in Subparagraphs (1) through (7) of this Paragraph;
 - (8) expenditures for short periods, not to exceed 30 days of medical care for acute conditions arising during the course of vocational rehabilitation that if not cared for, will constitute a hazard to the achievement of the vocational rehabilitation objective; and
 - (9) other goods and services not prohibited by the Act (P.L. 102-569) that can reasonably be expected to benefit an individual with a disability in terms of his employability or independent living skill development.
- (d) Notwithstanding Paragraph (c) of this Rule, the following services shall not be subject to economic need for individuals being served through the Vocational Rehabilitation Program:
- (1) books and other training materials required for post-secondary training; and
 - (2) rehabilitation technology, including telecommunications, sensory aids, and other technological aids and devices for consumers who have an Individualized Plan for Employment (IPE) who are working toward an employment goal that requires specified technology to attain, regain, or maintain employment and who have the capability to use the equipment.
- (e) The Division of Services for the Blind shall publish the standard for measuring the financial need of consumers with respect to normal living requirements, for determining their financial ability to meet the cost of necessary rehabilitation services, and for determining the amount of agency supplementation required to procure the necessary services.

History Note: Authority G.S. 111-28; 34 C.F.R. 361.5; 34 C.F.R. 361.48; 34 C.F.R. 361.52; 34 C.F.R. 361.54; P.L. 102-569, Section 103; S.L. 2009-475; Eff. February 1, 1976; Amended Eff. August 1, 1976; Readopted Eff. November 16, 1977; Amended Eff. January 1, 1996; June 1, 1993; October 1, 1990; April 1, 1990; Temporary Amendment Eff. August 1, 2001; Amended Eff. August 1, 2002; Emergency Amendment Eff. September 23, 2009; Temporary Amendment Eff. November 16, 2009 to expire on June 30, 2012(See G.S. 150B-21.1B); Amended Eff. July 1, 2012; Readopted Eff. October 1, 2018.