

10A NCAC 63F .0502 ORDER OF SELECTION FOR SERVICES

All vocational rehabilitation services shall be provided without delay to all individuals determined to be eligible for services; however, if a situation should develop under which vocational rehabilitation services cannot be extended without delay to all eligible individuals, because the Division does not have the financial or staff resources to serve all eligible individuals who apply for services, an order of selection for provision of services shall be implemented. Rules .0504, .0505, and .0506 in this Section set out the order of selection for services that shall be followed by the Division of Services for the Blind Rehabilitation Program. The Rules in this Section do not apply to the Independent Living Rehabilitation Program. As used in this order of selection, the following terms have the meaning specified:

- (1) "Division" means the Division of Services of the Blind of the Department of Health and Human Services.
- (2) "Division Director" or "Director" means the Director of the Division of Services for the Blind.
- (3) "Eligible individual" means an applicant whom the Division has determined meets the eligibility criteria as stated in Rule .0101 of this Subchapter.
- (4) "Individual with a significant disability" has the meaning specified in P.L. 105-220, Title IV, Section 7(21) which is incorporated by reference.
- (5) "Individual with the most significant disability" means an individual with a significant disability whose impairment seriously limits two or more functional capacities in terms of an employment outcome.
- (6) "Functional capacity" means the ability to perform in the following areas:
 - (a) mobility;
 - (b) communication;
 - (c) self-care;
 - (d) self-direction;
 - (e) interpersonal skills;
 - (f) work skills; and
 - (g) work tolerance.

The Section of the Public Law incorporated by reference in this Rule shall automatically include any later amendments thereto as allowed by G.S. 150B-21.6. Copies of the Section of the Public Law so incorporated may be obtained at no cost from the Division.

History Note: Authority G.S. 111-28; 150B-21.6; 34 C.F.R. 361.36; P.L. 105-220, Title IV, Section 7(21) and Section 101(a)(5)(A); Eff. February 1, 1976; Readopted Eff. November 16, 1977; Amended Eff. August 1, 2002; January 1, 1996; Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. November 23, 2015.