

10A NCAC 89C .0316 OTHER GOODS AND SERVICES

(a) Modification of a client's residence or vehicle is limited as follows:

- (1) A limit of twelve thousand dollars (\$12,000) shall be placed on modification projects when the residence is owned by the client or the client's immediate family.
- (2) Modifications to a mobile home owned by the client or the client's family which is located on land owned by the client or client's family, except for those situations where exterior modifications are not permanently affixed to a parcel of rented or leased land and are moveable with the mobile home, shall not exceed eight thousand five hundred dollars (\$8,500) per project. Modifications to a mobile home not meeting the ownership and land ownership requirements stated in this Paragraph shall not exceed five thousand five hundred dollars (\$5,500) per project.
- (3) Modifications to rented or leased residences shall not exceed five thousand five hundred dollars (\$5,500) per project.
- (4) The limitations indicated in (1) through (3) of this Paragraph apply unless a higher amount is needed to meet the cost of unforeseen structural damage needing repair or adaptive equipment and related assistive technology and devices necessary:
 - (A) to accommodate the individual's degree of disability, and
 - (B) to enable the individual to complete the rehabilitation program or meet the goals of the independent living program.

Amounts exceeding the limitations must be approved by the Division's Modification Review Committee.

(b) Job site modifications shall not exceed seven thousand dollars (\$7,000) per client unless the vocational placement requires adaptive equipment which necessitates extensive physical site changes that warrant a higher amount which must be approved by the Division's Modification Review Committee (MRC).

(c) The Independent Living Program of the Division may assist with the modification of a client or family-owned/leased-to-purchase vehicle in order to enhance the client's ability to function independently in the family or to actively participate in the community. The Vocational Rehabilitation Program of the Division may assist with the modification of a client or family-owned/leased-to-purchase vehicle for employment purposes or to assist a client enrolled in a college training program. Other options such as public transportation or family assistance shall be used when available. The following conditions and limitations apply:

- (1) Modifications shall not be considered for clients in secondary school programs unless the individual is a client of the Independent Living Rehabilitation Program.
- (2) Modifications for postsecondary training may be considered only:
 - (A) when the client is a full-time student with satisfactory grades and personal transportation is required as part of the training curriculum; or
 - (B) when the client must live off campus because the college has no, or only limited, on-campus housing.
- (3) The Division shall require an evaluation of any used vehicle by a certified mechanic or a dealership to verify that the vehicle is in good repair. The rehabilitation engineer shall certify that the vehicle will accommodate the needed modifications.
- (4) Division ownership of the modifications shall be secured through a signed Security Agreement.

(d) The Vocational Rehabilitation Program may contribute to the cost of purchasing a vehicle for modification purposes for eligible clients with the most severe disabilities under the following conditions and limitations:

- (1) The Program shall not contribute to the purchase of more than one vehicle for any individual.
- (2) The Program shall select the most cost effective method, based on the recommendation of the Rehabilitation Engineer, to secure a vehicle that meets the modification requirements of the individual.
- (3) The vehicle must be titled to or in the process of being purchased through a lease-to-purchase arrangement by either the client or the client's immediate family.
- (4) The Program shall contribute to the purchase of a vehicle only when a vehicle is required to accomplish the employment goal of the individual which must be at or above the substantial gainful activity (SGA) level as defined by Social Security Administration.
- (5) A comprehensive review of other financial resources must be conducted by the client and counselor detailing the plan for purchasing, insuring, and maintaining the vehicle.
- (6) The client must contribute a minimum of 50 percent of the initial purchase cost of the vehicle.
- (7) All vehicle purchases shall be approved by the Modification Review Committee. The Modification Review Committee may grant an exception to any of the provisions of this Paragraph only upon the written recommendation of the appropriate regional director of the Division which shall indicate why the exception is needed in relation to the individual's particular disability and employment goal.

(e) Other goods and services not specifically mentioned in the rules in this Section may be provided to clients who are eligible for services if necessary to enable them to become employable or, in the case of the Independent Living Program, to live independently. The other services shall not include the purchase of land or the purchase or construction of a building.

*History Note: Authority G.S. 143-545A; 143-546A; 34 C.F.R. 361.42;
Eff. May 1, 1990;
Amended Eff. February 1, 1996; October 1, 1994;
Pursuant to G.S. 150B-21.3A rule is necessary without substantive public interest Eff. March 1, 2016.*