

Department of Human Services  
Division of Rehabilitation Services  
Division of Service to the Blind and Visually Impaired

**PROGRAM GUIDE  
DRS/DSBVI – 2008-03  
Draft Date: 9/03/2008**

**FROM: Gaye Mattke, SBVI Director  
Grady Kickul, DRS Director**

**TO: All DRS & DSBVI Offices**

**SUBJECT: Financial Need Policy**

**This Program Guide replaces DRS/DSBVI 99-12 on October 1, 1999 and DRS/DSBVI 01-01 on May 31, 2001. This Program Guide is effective immediately and provides policy and clarification on financial need for the Division of Rehabilitation Services (DRS) and Service to the Blind and Visually Impaired (SBVI).** The Rehabilitation Act Amendments allow State Vocational Rehabilitation Agencies to identify services requiring a consideration of financial need and to develop policies which identify services for which individuals may be required to participate in the cost of their services. As a matter of state policy, the Division of Rehabilitation Services (DRS) and the Division of Service to the Blind and Visually Impaired (SBVI) both consider a financial need test for certain services identified in this policy. This program guide provides direction and policy when applying a financial need test for applicants/eligible consumers of the Division of Rehabilitation Services and the Division of Service to the Blind and Visually Impaired. Each eligible consumer of the vocational rehabilitation program requires documentation as to the financial need in the case service record.

This policy applies uniformly to all individuals in similar circumstances and to all individuals within each geographic region of the State. This financial need policy assures that the level of an individual's participation in the cost of vocational rehabilitation services is:

- Reasonable;
- Based on the individual's financial need, including consideration of any disability-related expenses paid by the individual; and
- Not so high as to effectively deny the individual a necessary service.

A financial need test will not be applied and financial participation is not required for the following services:

- Assessment for determining eligibility and priority for services;
- Assessment for determining vocational rehabilitation needs;
- Vocational rehabilitation counseling, guidance, and referral services;
- Placement services; and

- Assistive Technology Services

### **Services Requiring a Financial Need Test:**

The Divisions of Rehabilitation Services and Service to the Blind and Visually Impaired have determined that the following services require a financial need test prior to service provision. All consumers shall be subject to a financial need test before delivering the following services:

1. Physical restoration services;
2. Transportation services, except when required to determine the person's eligibility for vocational rehabilitation services and the nature and extent of the services;
3. Occupational and business license services;
4. Customary occupational tools, equipment and initial stock, including livestock and supplies for vending stands;
5. Assistive Technology Devices – excluding computer and computer related devices needed to overcome a disability related impediment to employment. Computer related devices are defined as any software application or device necessary to operate the computer. Examples would be the mouse, keyboard, monitor, printer, scanner, Assistive Technology software (i.e. Dragon Natural Speaking, Jaws, Open Book). Closed Circuit TVs are considered to be Assistive Technology devices and subject to financial need unless necessary to access computer programs or information systems. Computer furniture is not considered as computer related device and financial needs would need to met
6. Maintenance services for any purpose except when required to determine the person's eligibility for vocational rehabilitation services and the nature and extent of the services necessary;
7. Training books and materials; and
8. Tuition and fees for participation in post secondary academic training programs that are under a "Federal Student Financial Assistance Program" requirement.

✓

### **Income and Family Status to be Considered when Completing a Financial Need Test:**

When completing a financial need test, the following income and family guidelines must be utilized:

- If a consumer is single, living at home with parents/legal guardian and is claimed as a dependent on the current family federal income tax, or receives over half of their financial support from their parents/legal guardian, then the parent's/legal guardian income and resources must be considered in the determination of financial need. Consumer's adjusted gross income is to be included in the family income.
- If the consumer is married, regardless of age, financial need will be based on the combined income of the consumer and spouse.
- If a consumer plans to or is attending post secondary training in a program that requires "Federal Student Financial Assistance Program", the Public Vocational Rehabilitation Program will adhere to this federal determination as to the dependent status of the consumer. This is determined and verified by the school's financial need requirements.

## **Determining Financial Need:**

The financial need is determined from past income and expenses. However, if the past financial status of the individual is not an accurate representation of the individual's current income and expenses, it is appropriate to utilize current income and expenses for determining financial need. This must be documented in the case service record. An example is if the consumer's disability recently occurred and he/she no longer has employment earnings.

The counselor must re-evaluate the financial need annually at a minimum or whenever the financial circumstance of the individual or the individual's family changes significantly. Significant changes include marriage or divorce, changes in dependent status, significant change in income or to the Individualized Plan for Employment (IPE).

When calculating the financial need of an individual, the agency's DHS-VR-314 form and instructions will be used. The DHS-VR-314 takes into consideration the following:

- the size of the family;
- dollars available from income producing real property;
- dollars available from cash, bonds, securities & investments
- annual income;
- extenuating expenses;
- relationship to federal poverty levels; and
- consumer financial participation.

## **Consumer Financial Participation in IPE Services**

It is the policy of the agencies to require financial participation from the consumer or consumer's family when there are available dollars calculated from the DHS-VR-314 form. The total dollars available shall be the first dollars applied towards the costs of the rehabilitation plan.

## **Federal Maintenance Requirements**

Maintenance means monetary support provided to an eligible individual for those expenses, such as food, shelter, and clothing, that are in excess of the normal expenses of the individual and that are necessitated by the individual's participation in a program of vocational rehabilitation services. The Public Vocational Rehabilitation Program requires adherence to this federal maintenance requirement for the services that require a financial need test. Case service records must document this test for all financial need services.

## **Social Security Recipients**

This Program Guide also addresses federal regulations §361.54 concerning an individual's financial participation for services based on financial need. This regulation addresses that neither DRS nor SBVI may require financial participation in the cost of an individual's rehabilitation plan, if the individual is eligible for Social Security benefits due to disability. In other words for those consumers who have been determined eligible for SSI and/or SSDI, a financial needs test will not be applied. This policy change applies only to consumers who are SSA eligible due to their disability. Situations may occur where the consumer is not eligible for SSA, but their spouse or other family member is an SSA recipient. This policy change would not impact this situation and the consumer would need to complete a financial needs test and their spouse's or other family

member's SSA dollars could be considered in the calculation. Each situation must document proof in the case file that the consumer is eligible for Social Security benefits.

### **Unique and Unusual Circumstances**

The Divisions understand that there is the possibility of individual circumstances regarding family, income, extenuating circumstances, etc. that may warrant special considerations. Properly documented justifications of these circumstances can be approved by State Office.

If Social Security or another federal program requirement mandates that the consumer use the cash benefit for a specific purpose such as room and board or another financial need service, this will be considered as a comparable benefit and is to be used to reduce VR participation in the rehabilitation plan as required by the federal program.

If you have any questions on this Program Guide, please contact the DRS or SBVI Assistant Director.

Enclosures: