CONCISE EXPLANATORY STATEMENT

TITLE 218 – DEPARTMENT OF HUMAN SERVICES

CHAPTER 50 –REHABILITATION SERVICES

SUBCHAPTER 00 - N/A

218-RICR-50-00-1

PART 1 – Vocational Rehabilitation Program

REASON FOR RULEMAKING: This rule is being refiled by the agency pursuant to R.I. Gen. Laws § 42-35-4.1.

Changes being made to regulations include:

Section 1.4 Definitions: Changes made to update ages of students with disabilities and youth with disabilities.

Section 1.5 Referrals and Applications: Added where ORS also receives referrals.

Section 1.8 Order of Selection/Waitlist: Changed number of functional capacities need to be considered Priority Category II.

Section 1.12 Individualized Plan for Employment: Added statement that “extension agreement must be in writing”.

Section 1.14 Comparable Benefits and Services: Removed line stating that comparable benefits are services/benefits “available to individual to ensure progress toward employment outcome in IPE”.

Section 1.17.3 Post-Secondary Education/VR Training: Added in under Training Expenses “trade schools or skills-based certification program” under what ORS is able to be pay with VR funds. Removed paragraph re: eligible individuals encouraged to take advance of Promise Grant. This was moved to our procedures. Revised how tuition rate and book/supplies funded by ORS are determined to be reviewed annually and be based on RI College rates and the Department of Labor and Training Eligible Training Provider List.

1.17.7 Supported Employment Services: Revised age for Youth-Aged Individuals with Significant Disabilities to “until they reach the age of 24”.

1.17.8 Post-Employment Services: Rewrote entire section based on changes in guidance from RSA stating when post-employment services can be done.

1.17.9 Occupational Tools, Licenses, Equipment: Removed an administrative waiver may be considered – in procedures.

1.17.11 – Transition and Pre-ETS: Added in words Pre-Employment Transition Services: Changed criteria of student with a disability to “up to the age of 22”.

1.17.13 – Adaptive Housing Services: Removed administrative waiver as this is in procedures.

1.17.14 Motor Vehicle Modifications: Revised conditions that make it not possible for ORS to provide any structural modifications to vehicle.

ANY FINDING REQUIRED BY LAW AS A PREREQUISITE TO THE EFFECTIVENESS OF THE RULE: N/A

TESTIMONY AND COMMENTS: No public comments made.

CHANGE TO TEXT OF THE RULE: No change to text of Proposed Rule and text of Final Rule.

REGULATORY ANALYSIS: Students will benefit because of this change. Alternatives looked at included allowing lower amounts which would have negatively impacted students and not addressed the regular annual increases to tuition by universities, colleges and/or training providers, or allowing a higher rate which may have caused fewer students to benefit from post-secondary education.

This change will likely result in an approximate twenty percent increase in combined State and Federal funding.