



Frequently Asked Questions: Potential OVR Waiting List May 3, 2019

What is an order of selection?

Under federal law, state vocational rehabilitation programs that do not have sufficient funding or personnel to provide services to everyone who is eligible must set priorities to serve those with the most significant disabilities. The Department of Labor & Industry's (L&I's) Office of Vocational Rehabilitation (OVR) has been operating under this prioritization, called an order of selection, since March 1, 1994.

Why is OVR seeking to temporarily close the order of selection?

Pennsylvania expects to receive less federal supplemental funding for the vocational rehabilitation program, and requests for services have outpaced available resources. The state must amend the vocational rehabilitation services plan to ensure continuation of services. As a result, members of the independent Pennsylvania State Board of Vocational Rehabilitation recently voted unanimously to implement the process to temporarily close the order of selection and create a waiting list for new customers.

How is OVR funded?

OVR is funded by both state and federal funds and receives a four-to-one federal match for each state dollar awarded. OVR is currently maxed out on the amount of federal funds that can be obtained. Pennsylvania has also been able to obtain reallocation funds (federal funds unused by other states), but anticipates less reallocation funds to be available in the future.

What are the next steps?

The proposed amendment to the order of selection is included in the May 4, 2019, edition of the [Pennsylvania Bulletin](#). Public comments will be accepted until June 4, 2019.

Following the public comment period, the U.S. Department of Education's Rehabilitation Services Administration (RSA) will review OVR's request to temporarily close the order of selection. If approved, the waiting list is expected to be implemented on July 1, 2019.

How can I provide comments regarding the potential implementation of a waiting list?

Written comments may be submitted by mail to the appropriate [OVR district office](#) serving the area in which the individual/organization member resides or to: OVR Central Office c/o Cindy Mundis, 1521 North 6th Street, Harrisburg, PA 17102. Comments may also be emailed to OVRFeedback@pa.gov, with "OOS closing all categories" in the subject line. **Comments will be accepted until 5:00 p.m. on Tuesday, June 4, 2019.**

Will OVR hold meetings on the proposed waiting list?

Public meetings will be conducted in-person throughout the state in each [OVR district office](#) on Wednesday, May 22, 2019, from 3:00 p.m. to 4:30 p.m. and again from 5:00 p.m. to 6:30 p.m. All meeting sites are accessible and interpreters for people who are deaf or hard of hearing will be present at each public meeting. Individuals who are unable to attend in person can participate via phone:

First conference call on May 22, 2019

Time: 3:00 p.m. EST (90-minute duration)
Number: 1-800-260-0712
Access code: 465374

Second conference call on May 22, 2019

Time: 5:00 p.m. EST (90-minute duration)
Number: 1-800-260-0702
Access code: 465848

How will the waiting list work if it is implemented?

After OVR receives a referral, counselors will meet with respective applicants to complete the application, inform them about the order of selection closure, and provide them with resources that can assist them while they are on the waiting list. Eligibility will be determined within 60 days of the application date.

After eligibility determinations are made, customers will be assigned to an order of selection priority category based on their functional limitations and need for multiple vocational rehabilitation services over an extended period (currently defined as six months). Customers will be put on the waiting list based on their application date and will be notified when this occurs.

When financial resources are available, first priority will be given to customers with a most significant disability, second priority to customers with a significant disability, and third priority to customers with a non-significant disability.

How long would the waiting list be in effect?

If implemented, the waiting list is expected to be in effect temporarily. OVR will determine when to open each category based upon financial availability and will evaluate the ability to open categories on a quarterly basis.

Once funding is available, if OVR is unable to serve everyone in a specific category, customers who have been waiting the longest to receive services based on application date will be able to proceed with the development and implementation of their Individualized Plan for Employment.

I've received OVR services in the past – can I reopen my case while the order of selection is closed?

Yes. Individuals applying for services after the date the order of selection is closed will be interviewed and their eligibility and order of selection determination will be made.

Will my child receiving Pre-Employment Transition Services be affected?

Under federal law, eligible students who apply for pre-employment transition services are exempt from the order of selection. Students with disabilities can continue to receive ongoing pre-employment transition services while placed on an order of selection wait list, if they have participated in a pre-employment transition service before being determined eligible for vocational rehabilitation services and assigned to a closed order of selection priority category.

Does closing the order of selection impact current or future requests from existing customers?

Services will continue for all customers who are already receiving services under an approved Individualized Plan for Employment prior to the date the order of selection is closed.

Will OVR be reinstating interviews of current customers to reevaluate their eligibility? Are the eligibility standards changing in any way?

Current customers already receiving services under an approved Individualized Plan for Employment will not be impacted. If you are on the waiting list and believe your disability has become more significant, you may contact your counselor to request a review of your priority category assignment. Supporting documentation may be requested.

The eligibility standards are not being changed. The determination of an applicant’s eligibility for services must be based only on the following requirements:

- The individual has a physical or mental impairment;
- The impairment(s) result(s) in a substantial impediment to employment;
- The individual requires vocational rehabilitation services to prepare for, secure, retain, advance in, or regain employment that is consistent with the individual’s unique strengths, resources, priorities, concerns, abilities, capabilities, interest, and informed choice; and
- The individual intends to achieve an employment outcome that is consistent with their unique strengths, resources, priorities, concerns, abilities, capabilities, interests, and informed choice.

I’m an existing OVR customer. Can I still talk to my case worker?

Yes.

Will this affect my grant funding/tuition reimbursement?

Services will continue for all customers who are already receiving services under an approved Individualized Plan for Employment prior to the date the order of selection is closed.

Will the Transition from School to Work or the Ticket to Work programs be impacted in any way?

Federal law allows for the continuation of the five required pre-employment transition services only for those students who received such services prior to an eligibility determination and the assignment to a closed order of selection priority category. Once an application and eligibility determination is made, that student would be subject to the order of selection for the receipt

of vocational rehabilitation services, including pre-employment transition services if they had not yet begun.

Transition services are activities provided by schools and/or outside agencies which prepare a student with a disability to move from school to post-school activities, including further education and employment. Students with disabilities will continue to receive transition services as outlined under section 614(d)(1)(A)(i)(VIII) of the Individuals with Disabilities Education Act.

The Ticket to Work program is for Social Security Administration recipients over 18 who require assistance in obtaining and maintaining employment. Individuals who are in “Plan” status will continue to receive services from OVR. Once they have successfully completed 90 days in competitive integrated employment and require no further services, the case can be closed. The individual can then transfer their Ticket to an Employment Network for further services as described at the Ticket to Work website <https://choosework.ssa.gov>.

My family member is currently enrolled at HGAC – what are the impacts to their programs and services?

None. Services will continue for all customers who are already receiving services under an approved Individualized Plan for Employment prior to the date the order of selection is closed.

I am a vendor – how does this change my contract of services for the state?

There will be no change.