

## Attachment 4.11(c)(3)

### Order of Selection

While it is the intent of the Mississippi Department of Rehabilitation Services (MDRS) to provide comprehensive vocational rehabilitation (VR) services to all eligible individuals who apply for services, often VR services cannot be provided to all eligible applicants due to financial limitations. Federal Regulations require the establishment of an Order of Selection (OOS), if VR Services cannot be provided to all eligible individuals who apply for VR Services. Therefore, MDRS has adopted an OOS which establishes a system of criteria for prioritizing individuals with disabilities to receive services. The OOS allows for individuals with most significant disabilities to receive services before all other individuals with disabilities.

The OOS system does not preclude the provision of counseling, guidance, referral services (including to Workforce Investment Network Job Centers for training and placement), and coordination of comparable benefits and services paid by a third party, although an Individualized Plan for Employment (IPE) would not be developed for these services. The OOS system in no way restricts the provision of diagnostic and evaluation services for the purpose of determining eligibility and assignment to a priority category under the OOS with each person placed on a waiting list to be served in the chronological order he or she applied. The OOS does not discriminate against any eligible individual on the basis of gender, age, race, creed, color, religion, national origin, citizenship, type of disability, duration of residence in Mississippi, public assistance status, source of referral, expected employment outcome, need for specific services, anticipated cost of services required, or income level of an individual or his/her family.

An applicant's eligibility must be determined before applying the OOS. After an individual is determined eligible for VR services, the VR Counselor identifies the level of significance of disability to determine the OOS priority category under the following descriptions.

**Priority 1.** Individuals with the most significant disabilities.

*An individual with a most significant disability* means an individual:

who has a severe physical or mental impairment which seriously limits two or more functional capacities (such as mobility, communication, self-care, self-direction, interpersonal skills, work tolerance, or work skills) in terms of an employment outcome; whose vocational rehabilitation can be expected to require multiple vocational rehabilitation services over an extended period of time; and, who has one or more physical or mental disabilities resulting from amputation, arthritis, autism, blindness, burn injury, cancer, cerebral palsy, cystic fibrosis, deafness, head injury, heart disease, hemiplegia, hemophilia, respiratory or pulmonary dysfunction, mental retardation, mental illness, multiple sclerosis, muscular dystrophy, musculoskeletal disorders, neurological disorders (including stroke and epilepsy), paraplegia, quadriplegia and other spinal cord conditions, sickle-cell anemia, specific learning disabilities, end-stage renal disease, or

another disability or combination of disabilities determined on the basis of an assessment for determining eligibility and vocational rehabilitation needs (comprehensive assessment) to cause comparable substantial functional limitation.

**Priority 2.** Individuals with significant disabilities.

*An individual with a significant disability* meets all the requirements for Priority 1 applicants, except that they have a severe physical or mental impairment which seriously limits only one functional capacity.

**Priority 3.** Individuals with disabilities who do not meet the definitions of either "individuals with the most significant disabilities" or "individuals with significant disabilities", but will require vocational rehabilitation services to prepare for, secure, retain, or regain employment.

**Estimated Number of Individuals Served and Cost of Services Per Priority Category**

MDRS estimates that 22,644 individuals with disabilities will be eligible to receive services in the following Priority Categories:

**Table 1**

The estimated number per Priority Category is as follows:

<b>Priority Category</b>	<b>Number of Individuals Served</b>	<b>Time Within goals are to be achieved</b>	<b>Cost of Services</b>
<b>1</b>	8,831	FFY 2015	\$26,741,980
<b>2</b>	9,963	FFY 2015	\$30,170,439
<b>3</b>	3,850	FFY 2015	\$11,656,761
<b>TOTAL</b>	<b>22,644</b>	<b>FFY 2015</b>	<b>\$68,569,180</b>

The estimated number for service and outcome goals by OOS priority categories for FFY 2015, ending September 30, 2015, is listed below:

	<b>Service</b>	<b>Employment</b>
<b>Priority 1</b>	8,831	1,828

<b>Priority 2</b>	9,963	2,010
<b>Priority 3</b>	3,850	731
<b>Total</b>	22,644	4,569

The total projected available resources, including the federal allotment, non-federal contributions, carryover and program income, for FFY 2015 is \$67,500,000. Based on this projection and the estimations provided above, MDRS will not be able to provide the full range of VR services to all eligible individuals in the state. Therefore, MDRS may implement an Order of Selection (OOS) in FFY 2015 with Priority Category 3 being the first category to close if necessary.

The OOS will be implemented by the MDRS leadership when examination of funding levels and a review of clients served projections indicate that there are not sufficient funds to provide services to all eligible applicants. The MDRS leadership in consultation with the State Rehabilitation Council will then close Priority Category 3, which includes individuals with disabilities who do not meet the definitions of either “individuals with most significant disabilities” or “individuals with significant disabilities” but require vocational rehabilitation services to prepare for, secure, retain, or regain employment. Any individual currently under an approved IPE at the time Priority Category 3 is closed will continue with his or her plan of services, including the provision of Post-Employment Services. No new Priority Category 3 cases will be authorized until the category is reopened. Priority Categories 1 and 2 would remain available for new cases meeting the respective definitions. Individuals on the deferred waiting list will be notified of the priority categories and the process for classification or reclassification and their right to appeal the classification they were assigned.

If an OOS is implemented, MDRS will provide the following information:

- Show the order to be followed in selecting eligible individuals to be provided vocational rehabilitation
- Provide justification for the order
- Identify the services and outcome goals
- Identify the time within which these goals may be achieved for individuals in each priority category within the order

This attachment was developed after a review of the results of the Statewide Assessment of Rehabilitation Needs. Any pertinent findings from the Statewide Assessment were incorporated into this attachment. Additionally, members of the State Rehabilitation Council were involved in the development of this attachment.