

What happens if I disagree with a decision made by OVR or OVRB?

As a client of Mississippi Department of Rehabilitation Services (MDRS) Office of Vocational Rehabilitation (OVR) or Office of Vocational Rehabilitation for the Blind (OVRB), it is important that you work with your counselor to achieve your goals. There may be times when you and your counselor disagree on a course of action. When that happens, you can usually work this out by talking to your counselor. You may also ask to meet with the counselor's immediate supervisor.

However, if you can't agree on an issue that you feel is important to your success, your counselor or the supervisor will discuss the options available to address your concerns.

Your options for review of decisions made regarding your services include:

- Informal dispute resolution
- Mediation
- Impartial due process hearing
- Civil action
- Client Assistance Program (CAP) intake line at 601.969.0601

Helpful Hint

You may bring someone to help and any information that will help MDRS staff understand your concerns.

Informal Dispute Resolution

OVR/OVRB may offer informal review or mediation to quickly resolve disagreements, but you can always choose a formal hearing with an Impartial Hearing Officer instead. Informal steps won't delay the hearing unless both sides agree. The entire process—informal and formal—must be completed within 60 days of the request, unless both parties agree to an extension.

Informal Review

1. A manager will schedule a meeting with you, explain your rights (including CAP assistance), and offer mediation or a formal hearing. You may bring a support person or advocate. The manager may also request more information before the review.

Manager's Decision

2. You'll be notified of the manager's decision verbally and in writing by certified mail. The letter will explain the decision and how to request a review, mediation, or formal hearing within five days if you disagree.

Office Director Review

3. The Office Director will review your case documents—no meeting is needed. You'll get a written decision by certified mail. If you disagree, you have five days to request a formal hearing with an Impartial Hearing Officer.

Next Steps

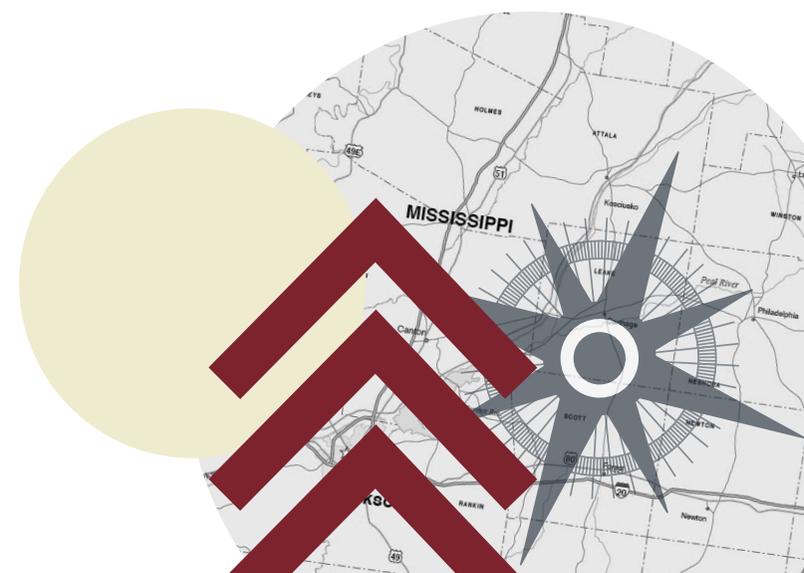
4. If you move forward, you may choose to proceed with mediation or an impartial due process hearing.

Mediation

If the Informal Dispute Resolution process doesn't resolve the disagreement about an agency decision that affects your OVR/OVRB services, you and the agency may choose to try mediation—provided both agree. Both participation and accessibility in mediation are voluntary for both the client and the agency. Using mediation will not deny or delay your right to an impartial hearing within the required time frame, or any other rights provided by this policy.

Impartial Due Process Hearing

The impartial due process hearing must be held and finished by an Impartial Hearing Officer within 60 days of the individual's request for a review. **This 60-day period includes any time used for informal review.** If the dispute is resolved informally or through mediation before the 60th day, or if both parties agree to an extension, the hearing can be postponed. All Impartial Hearing Officers are chosen randomly from a list of qualified officers jointly identified by the agency and the State Rehabilitation Council.



Suspension, Reduction, or Termination of Services

The State unit may **not** institute a suspension, reduction, or termination of OVR/OVRB services being provided to a client, including evaluation and assessment services and IPE development, pending a resolution through mediation, pending a decision by a hearing officer or reviewing official, or pending informal resolution under this section unless:

1. The client or, in appropriate cases, the client's representative requests a suspension, reduction, or termination of services.
2. The agency has evidence that the services have been obtained through misrepresentation, fraud, collusion, or criminal conduct on the part of the individual or the individual's representative.

Civil Action

Any party who disagrees with the Impartial Hearing Officer's findings and decision may file a civil lawsuit about the disputed issue. This lawsuit can be brought in any state court with proper jurisdiction or in a U.S. district court with proper jurisdiction, regardless of the amount of money involved.

Your OVR/OVRB Office

To locate your local MDRS - Vocational Rehabilitation Services or Vocational Rehabilitation for the Blind office, visit mdrs.ms.gov.



mdrs.ms.gov



MISSISSIPPI
COALITION FOR
CITIZENS WITH
DISABILITIES

Client Assistance Program (CAP)

If you are applying for or receiving services from MDRS, the Client Assistance Program (CAP) is available to assist you at any time, including during mediation and due process hearings. This free service, which is administered by the Mississippi Coalition for Citizens with Disabilities, provides assistance through:

- Provides information about client rights and responsibilities and promote self-advocacy.
- Assist clients in resolving communication problems with their counselor and informal negotiation or mediation.
- Assist clients in understanding services OVR, OVRB and CIL can provide and answer questions regarding service eligibility.
- Work with MDRS and Mississippi Statewide Independent Council to address systemic problems experienced by people with disabilities.

If you need more information or assistance about the legal rights of people with disabilities contact:

Client Assistance Program (CAP)
601.969.0601
cap@msccd.org

Mississippi Department of Rehabilitation Services
1281 Highway 51 North Madison, MS 39110
1-800-443-1000 • www.mdrs.ms.gov

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Navigating Your Rights

Appeal procedures to follow if you and your counselor disagree.



MDRS MISSISSIPPI DEPARTMENT OF REHABILITATION SERVICES
Opportunities for Independence