

3304-2-52

**Use of comparable benefits, consumer contribution, and fees for services.**

(A) "Comparable benefits" means services and benefits that are available to a consumer from federal, state, or local public agencies, by health insurance, or by employee benefits. RSC shall use comparable benefits to pay for services, unless such a determination would interrupt or delay:

(1) Services to a consumer who is at extreme medical risk. "Extreme medical risk" means a probability of substantially increasing functional impairment or a risk of death if medical services, including mental health services, are not provided expeditiously; determination of such risk shall be based on medical evidence provided by an appropriate, licensed medical professional;

(2) An immediate job placement;

(3) The progress of the consumer toward achieving the employment outcome in the individualized plan for employment (IPE).

RSC shall not require the use of comparable benefits for diagnostic services, but when possible, available information shall be obtained rather than new services purchased. Awards and scholarships based on merit are not considered comparable benefits. RSC shall not require the use of comparable benefits for counseling and guidance, referral, training fees and books and supplies when provided in other than post-secondary schools, job-related services, including job search and placement assistance, job retention services, follow-up services, and follow-along services, rehabilitation technology, and any of these services when provided as post-employment services. If a comparable benefit is not immediately available for post-secondary education expenses, the RSC executive director or designee may permit the use of RSC funds in place of the comparable benefit when the comparable benefit will become available later and will be used to reimburse RSC.

(B) A consumer ~~shall~~ may be expected to pay for services to the extent possible.

(C) Services shall be provided at the least cost consistent with the consumer's disability; and for training, services shall also be provided at the least cost consistent with training needed to reach the employment outcome. RSC shall pay no more than either the maximum amount allowed in the RSC fee schedule or the amount charged (whichever is less), minus the amount paid by comparable benefits and the consumer. If RSC is unable to obtain a medical or dental service for the maximum fee listed in the RSC fee schedule, an exception to the maximum may be granted by the area manager. If a fee is not found in the fee schedule, then the appropriate consultant, if any, shall be consulted and shall recommend a maximum fee. RSC shall not pay for missed appointments or other goods or services, which have not been provided, except when required for purchase order items and except for the

guaranteed minimum fee for interpreter service.

- (D) If a consumer chooses to receive services from a qualified service provider other than the least cost provider identified in accordance with this rule, RSC shall only pay for the services in the amount it would cost for the consumer to go to the least cost service provider. Any costs incurred by the consumer above that amount shall be the consumer's sole responsibility to pay.
- (E) This rule is designed to implement "Title IV of the Workforce Investment Act," which contains the 1998 amendments to "The Rehabilitation Act of 1973," and resulting regulations.

Effective:

R.C. 119.032 review dates: 01/20/2009

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Certification

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Date

Promulgated Under: 119.03  
Statutory Authority: 3304.16(A)  
Rule Amplifies: 3304.16(K)(5)  
Prior Effective Dates: 09/30/1985, 04/04/1988, 07/21/1990, 03/12/1993,  
05/15/1998, 01/11/1999, 01/03/2000, 06/20/2002,  
01/20/2004