

3304-5-01

Independent living services for older individuals who are blind.

(A) RSC shall provide or provide for independent living ~~(H)~~ services to older individuals who are blind (ILOB) through RSC's bureau of services ~~to~~ for the visually impaired (BSVI).

(B) Persons who are eligible for ~~H~~ services under independent living services for older individuals who are blind shall be any individual who is age are those aged fifty-five years or older and ~~whose~~ who has a significant visual impairment that makes ~~competitive~~ employment extremely difficult to ~~obtain~~ attain but for whom ILOB goals are feasible.

~~(C)~~ Definitions:

~~(1)~~ "Severe visual impairment" means that a person is:

~~(a)~~ Legally blind; or

~~(b)~~ Has a visual loss or physical condition that will progress toward legal blindness.

~~(2)~~ "Legal blindness" means that, in the better eye with proper correction, ~~(a)~~ visual acuity is 20/200 or less, or ~~(b)~~ the field of vision is limited so that its widest diameter subtends an angle of no greater than twenty degrees.

~~(D)~~(C) RSC shall not discriminate against any person on the basis of age, color, ~~ered~~, national origin, race, sex, or type of disability.

~~(E)~~(D) RSC shall inform each consumer about RSC's civil rights compliance, the client assistance program, the methods of consumer appeal, and confidentiality. RSC shall also provide each consumer with a copy of the "Application for Services/General Consent" form; and a copy of rights and duties.

~~(F)~~(E) RSC shall inform each consumer that information given to or retained by RSC is confidential, whether it is required by law, what it is used for, and how and why it may be released.

~~(G)~~(F) RSC shall purchase services only from service providers who are licensed by the state in which they practice, if applicable, or are accredited or certified by the appropriate law, agency or professional organization.

~~(H)~~(G) RSC shall schedule and conduct or provide for interviews for all appropriate referrals and shall complete an assessment regarding consumer needs and goals for independence.

~~(H)~~(H) Conditions for providing services. RSC shall provide or provide for services other than diagnostic (and needed auxiliary services), counseling and guidance, and referral only if they are listed on the independent living ~~program plan~~ ILP. RSC shall provide or provide for services on the ILP only to enable the consumer to reach or maintain the IL goal or as an auxiliary service needed for the consumer to take part in those services.

~~(I)~~(I) The ILP goal shall enable the consumer to become more mobile and to become more independent in his/her home and community.

~~(J)~~(J) An ILP shall be developed mutually between each consumer and the RSC rehabilitation teacher or ~~the agent representing grantee representative for RSC,~~ and the The ILP shall include the following parts:

- (1) The name of the consumer;
- (2) A statement that the consumer's rights and duties are listed in an attached brochure;
- (3) A statement that the ILP form is not a promise that the consumer will receive every service listed;
- (4) A statement that services provided depends on many things, such as the consumer's cooperation, RSC policy changes, and RSC funds;
- (5) The ILP goal(s) and the projected date(s) to reach the goal(s);
- (6) The objective(s) for attainment of the goal(s);
- (7) The service(s)/activity(ies);
- (8) How progress toward the objective(s) will be measured;
- (9) The consumer's duties under the ILP;
- (10) The consumer's opinion about the ILP goal(s) and service(s) listed on the ILP;
- (11) The consumer's dated signature and the representative's/guardian's dated signature, if necessary;

~~(12)~~ The representative's/guardian's dated signature, if necessary;

~~(13)~~(12) The RSC rehabilitation teacher's ~~dated~~ signature or the signature of the RSC grantee representative;

~~(14)~~(13) The date a copy of the ILP in the format of the consumer's choice is given or sent to the consumer; ~~and~~

~~(15)~~(14) The date a copy of the rights and duties brochure in the format of the consumer's choice is given or sent to the consumer.;

(15) Whether it is an original or amendment to the ILP; and

(16) The funding source, estimated cost, estimated start date, and estimated ending date for each service(s)/activity(ies).

~~(L)~~ The ILP may include the following parts:

~~(1) Whether it is an original or amendment to the ILP;~~

~~(2) The funding source, estimated cost, estimated start date, and estimated ending date for each service(s)/activity(ies).~~

~~(M)~~(K) The following services shall be available under the ILOB program:

(1) Evaluation and assessment such as low vision assessment;

~~(2) Psychotherapy;~~

~~(3)~~(2) Low vision and communications aids;

~~(4)~~(3) Orientation and mobility;

~~(5)~~(4) Rehabilitation teaching such as communication skills and daily living skills;

~~(6)~~(5) Auxiliary services such as transportation;

~~(7)~~(6) Ramp and home modifications, ~~adaptive~~ such as rails or grab bars, equipment, and housekeeping aids;

~~(8)~~(7) Counseling;

~~(9)~~(8) Advocacy; and

~~(10)~~(9) Other ILOB services necessary to reach ILP goals.

~~(N)~~(L) Goods and services.

(1) "Transportation" means travel costs which consumers incur for themselves and their personal care assistants or escorts because of participation in another IL service. Neither an RSC employee nor someone retained by RSC (other than public and private transportation companies) shall transport a consumer unless he or she has signed a waiver of liability such as that found on the "RSC ~~0006A~~ -0008 or RSC-0009 (Spanish) Consent to Release Information; Waiver of Liability" form.

(2) RSC shall pay workers' compensation coverage for individuals who provide direct consumer services, if the providers are not independent contractors.

~~(O)~~ RSC shall not provide the following goods or services:

~~(1) Abortion;~~

~~(2) Acupuncture, implants, or hypnosis for the purpose of pain control or pain modification;~~

~~(3) Central nervous system implants for the treatment of cerebral palsy;~~

~~(4) Experimental surgery and/or medical equipment;~~

~~(5) Sterilization;~~

~~(6) Transplants of vital organs other than kidneys;~~

~~(7) Transsexual surgery or any ancillary procedures associated with, or leading up to such surgery;~~

~~(8) Land;~~

~~(9) Vehicles;~~

~~(10) Experimental items; or~~

~~(11) Representation for appeal hearings for a referral, applicant, or consumer.~~

~~(P)~~(M) RSC shall close a consumer's case for reasons that include, but are not limited to,

the following:

- (1) The consumer has reached the goals recorded on the IL plan;
- (2) The consumer has been referred to VR;
- (3) The consumer has been referred to another agency for services;
- (4) The consumer is no longer interested in services;
- (5) The consumer has moved to another area;
- (6) The consumer has been institutionalized; or
- (7) The consumer ~~dies~~has died.

~~(Q)~~(N) Consumer appeals are the same as those specified in rule 3304-2-62 of the Administrative Code.

~~(R)~~(O) Confidentiality of information is the same as that specified in rule 3304-2-63 of the Administrative Code.

~~(S)~~(P) This rule is designed to implement "title IV of the Workforce Investment Act," which contains the 1998 amendments to "The Rehabilitation Act of 1973."

Effective:

R.C. 119.032 review dates: 04/18/2006

Certification

Date

Promulgated Under: 119.03
Statutory Authority: 3304.16(A)
Rule Amplifies: 3304.16(O)
Prior Effective Dates: 08/01/1995, 01/30/2001