

**Memorandum of Understanding between the Vocational Rehabilitation of the Department
of Human Services and the Commission for the Blind
July 2016**

This memorandum between the Vocational Rehabilitation (VR) of the Department of Human Services and the Commission for the Blind (OCB) affirms the commitment of both agencies to work in collaboration in order to ensure provision of high quality and consumer-responsive vocational rehabilitation services to eligible citizens of the State of Oregon.

This memorandum describes principles and guidance in the following areas:

- Cooperative statewide program planning
- Collaborative planning for Independent Living (IL) services
- Quality vocational rehabilitation services for customers who are blind and have other disabilities
- Collaborative planning and development of service providers
- Sharing Ticket to Work cases.
- Partnership to increase effectiveness of the workforce system for customers with disabilities

Other Related Interagency Agreements

VR and OCB strive to collaborate on policy areas that affect the provision of vocational rehabilitation services in Oregon and requirements under the Workforce Innovation and Opportunity Act. VR and OCB are each collaborative parties in the following related agreements that affect the provision of vocational rehabilitation to eligible individuals in the state of Oregon:

- Statewide Agreement among American Indian Vocational Rehabilitation Programs, VR, and OCB
 - Promotes collaboration and facilitates access to vocational rehabilitation services for tribal-enrolled American Indians and Alaskan Natives with disabilities
- Interagency Agreement among Public Institutions of Higher Education, VR and OCB
 - Promotes a collaborative approach to serving students with disabilities who

are VR and/or OCB consumers and defines the associated financial and programmatic responsibilities

- Interagency Agreement among Local Workforce Boards, VR and OCB
 - Promotes collaboration among agencies and access to resources for job-seekers with disabilities.
- Interagency Agreement among Oregon Office of Developmental Disability Services
- Interagency Agreement among the Oregon Department of Education VR and OCB
 - Promotes collaboration, increases access to resources and clarifies roles among schools and agencies for Pre-Employment Transition Services (PETS) for high school students with disabilities.

Each of the above interagency agreements set forth roles and responsibilities that must be carried out in combination with this agreement.

Cooperative Statewide Program Planning

VR and OCB act under separate Oregon Administrative Rules, and policies and procedures. VR operates under the guidance of the State Rehabilitation Council and the OCB operates under the policy direction and oversight of the Commission board. The missions of both agencies align and overlap under the shared philosophy and intent of the Rehabilitation Act of 1973 as amended by the Workforce Innovation and Opportunity Act of 2014 . To ensure a seamless system of vocational rehabilitation services statewide, VR and OCB will ensure appropriate statewide planning for services.

- VR and OCB agree to support local initiatives and relationships between each agency's staff to facilitate professional consultation and working relationships.
- VR and OCB agree to share staff training plans and calendars. Where appropriate, cross-training and joint-training of staff is encouraged. Also, to the extent possible, staff may attend appropriate training offered by the other agency at no cost.
- VR and OCB will jointly develop and implement staff recruitment initiatives to achieve maximum effectiveness in identifying and attracting qualified staff as necessary.
- VR and OCB will follow established procedures for protecting the confidentiality of jointly served customers and will share data in a way that enables each partner to effectively track and serve mutual cases.
- VR and OCB will collaborate in the service provision of individuals who are potentially eligible for vocational rehabilitation services statewide (See Page 3).
- VR and OCB will coordinate Employer Engagement Strategies to allow for both agencies to support the needs of both businesses and job seekers.

Collaborative Planning for Independent Living (IL) Services

VR, OCB and the State Independent Living Council (SILC) will collaborate in the development and implementation of the State Plan for Independent Living (SPIL).

Collaboration for Vocational Rehabilitation (VR) Services

Eligibility for VR Services

Both VR and OCB observe eligibility requirements for vocational rehabilitation services as set forth in the federal Rehabilitation Act as amended by the Workforce Innovation and Opportunity Act (WIOA). Each agency is responsible for determining eligibility and service delivery for individuals who request services.

- VR has a requirement of an individual having a physical or mental disability that may be an obstacle to keeping or finding a job as criteria for eligibility.
- OCB has a requirement of an individual being legally blind that may be an obstacle to keeping or finding a job as criteria for eligibility.
 - Legal blindness is defined as 20/200 in the better eye with best correction or a limit to the field of vision to such a degree that its widest diameter allows an angle of no greater than 20 degrees; or
 - A person who has an eye condition of a progressive nature which will lead to blindness that is currently an obstacle to keeping or find a job.
- Individuals who are blind, including those individuals who have other physical or mental disabilities, will be served by OCB unless OCB, VR and the individual being served mutually agree, on a case by case basis that the individual should be served jointly by both OCB and VR.

Joint Provision of VR Services

A case can be opened jointly if it meets all of the following criteria.

1. The consumer meets the eligibility criteria for both agencies.
2. The individual has multiple rehabilitation needs that are significant in nature and result in both legal blindness and another physical or mental disability or disabilities.
3. It is determined by both agencies that there are substantial rehabilitation services that are required and could be best provided by a cooperative effort involving the expertise of counselors from OCB and VR.
4. As outlined in the previous section (Eligibility for VR Services), agreement by VR, OCB and the individual has been reached that both OCB and VR will jointly serve the individual.

Agreements of Joint Rehabilitation Cases

1. All vision related rehabilitation services, including assistive technology that address the individual's vision related rehabilitation needs are the sole responsibility of OCB.
2. Order of Selection:
 - If either agency is in an order of selection, the responsibilities of serving consumers as described above is not altered.
 - The Order of Selection Policy of each respective agency is followed.
 - If either agency is in an order of selection and the need arises, case collaboration and joint planning to occur to meet the needs of the individual being served.

Consultation Services for Consumers other than those served jointly

Each agency provides services to consumers eligible for their respective programs. However, there may be circumstances in which the professional expertise of staff of the OCB or VR is necessary to best serve a consumer that is not eligible or appropriate for the other program. Consumers that meet the criteria could receive services on a fee-for-service basis. Services will be provided contingent upon the availability of agency staff resources.

Each agency will establish an hourly rate for consultation and consumer services that will be paid to the referring agency when providing services to or on behalf of the non-eligible consumer. The rates will be reasonable and based upon actual expenses.

Each agency will provide information and referral under this agreement without charge to the other agency.

Collaborative Planning, Development and Qualification of VR Service Providers

Community Rehabilitation Providers

VR and OCB will work jointly to develop and enhance the quality and availability of vocational rehabilitation services statewide. This will include, to the maximum extent possible, development and alignment of providers that could provide vocational rehabilitation services.

Mediation

VR will maintain a list of qualified vendors that have been trained and are qualified to provide mediation services as outlined in the dispute resolution process. This information will be made available to OCB upon request.

Rehabilitation Teaching, and Orientation/Mobility Service Providers

OCB will maintain lists of qualified vendors that provide specialized services to individuals who are blind. This information will be made available to VR upon request.

Technical Assistance by Staff who have Specialized Skills

VR and OCB will reciprocally provide consultation and technical assistance in specialized areas of expertise.

Examples include:

- Assistive Technology
- Alternative Skills of Blindness
- Business/Employment Relations
- Transition Services
- Employment First
- Supported Employment
- Independent Living
- Benefits Planning
- Deaf and Deaf/Hard of Hearing

Counselors and other staff with VR and OCB are encouraged to consult and share their expertise to successfully serve individuals statewide even when a joint case is not open.

Sharing Ticket to Work Cases

- A. Each agency will use the reimbursement method for recouping their cost of a jointly served Ticket to Work cases. Reimbursement will be separately sought by each agency.
- B. VR and OCB will collaborate in maintaining effective relationships with Employment Networks.

Partner to Increase Effectiveness of the Workforce System for Customers with Disabilities

- A. VR and OCB will work collaboratively at the state and local level to plan and provide consultation and technical assistance to assist Workforce System partners in assuring all workforce services and facilities are welcoming and fully accessible to customers with disabilities.
- B. VR and OCB will mutually involve each other in initiatives to assist local workforce boards and providers in evaluating the accessibility of services to customers with disabilities, including the provision of consultation to assist in understanding and meeting the needs of individual customers with disabilities.
- D. VR and OCB will consult each other regarding activities of the local workforce system that could potentially impact customers with disabilities.

Distribution of Federal Grant Funds

- VR and OCB will determine through mutual agreement the distribution of the federal grant awarded to Oregon that will be shared between the two agencies. VR and OCB are committed to equitable distribution of resources in order to ensure that services, staffing, and operational needs of both agencies are adequately met based on the availability of funds.
- Under this agreement, VR will receive 84.4% of the federal award and OCB will receive 15.6%.
- Changes to the current funding levels can be requested by either agency at any time and changes can be made based upon mutual agreement.

Maintenance of Effort

VR and OCB will work collaboratively to ensure that maintenance of effort requirements and any set asides are met to the extent possible.

VR and OCB agree to exchange regular communication in regards to maintenance of effort requirements in the following areas:

Federal Award

Pre-Employment Transition Services 15% expenditure requirement

In the event that either OCB and/or VR is unable to meet their federal award maintenance of effort or are unable to meet the pre-employment transition set aside services obligations, the affected agency make every effort to assume responsibility for the associated federal award maintenance of effort or pre-employment transition services.

This Memorandum of Understanding is effective the date of signature by directors of both agencies. It is subject to review and amendment upon request of either party with at least a 30-day period for implementation of a new Memorandum of Understanding.

COMMISSION FOR THE BLIND



Signature

Executive Director 7/20/16
Title Date

**VOCATIONAL
REHABILITATION,
DEPARTMENT OF HUMAN
SERVICES**



Signature

VR Director 7/20/16
Title Date