

281—56.5 (259) Eligibility for vocational rehabilitation services.

56.5(1) Eligibility for vocational rehabilitation services shall be determined upon the basis of the following:

- a.* A determination by a qualified rehabilitation counselor that the applicant has a physical or mental impairment;
- b.* A determination by a qualified rehabilitation counselor that the applicant's physical or mental impairment constitutes or results in a substantial impediment to employment for the applicant;
- c.* A determination by a qualified vocational rehabilitation counselor that the applicant requires vocational rehabilitation services due to the applicant's disability to prepare for, secure, retain, regain, or advance in employment consistent with the applicant's unique strengths, resources, priorities, concerns, abilities, capabilities, interests, and informed choice.

56.5(2) A presumption exists that the applicant can benefit, in terms of an employment outcome, from the provision of vocational rehabilitation services.

56.5(3) Standards for ineligibility. If the DSU determines that an applicant is ineligible for vocational rehabilitation services or determines that an individual receiving services under an IPE is no longer eligible for services, the DSU must:

- a.* Make the determination only after full consultation with the individual impacted or, as appropriate, the individual's representative;
- b.* Inform the individual in writing, supplemented with appropriate modes of communication;
- c.* Provide to the individual the individual's appeal or mediation rights;
- d.* Provide the individual information on the Iowa client assistance program (ICAP);
- e.* Refer the individual to other appropriate programs; and
- f.* Review the decision semiannually the first year, and annually thereafter, when the decision to close the file is based on findings that the individual who received services under an IPE is incapable of achieving competitive integrated employment at the time of closure.