



New York State
Office of
Children & Family
Services

COMMISSION FOR THE BLIND & VISUALLY HANDICAPPED

**HANDBOOK
FOR
VOCATIONAL
REHABILITATION
SERVICES**

August 2005

COMMISSION FOR THE BLIND &
VISUALLY HANDICAPPED

**HANDBOOK FOR VOCATIONAL
REHABILITATION SERVICES**

Copies of this Handbook are also available, upon request, in Spanish, cassette tape, Braille or computer diskette. You may obtain your copy by writing to:

**CBVH Handbook
New York State Office of Children & Family Services
Commission for the Blind & Visually Handicapped
52 Washington Street
South Building, Room 201
Rensselaer, New York 12144
Phone: (518) 474-6812
FAX: (518) 486-5819
TDD: (518) 474-7501**

FOREWORD

The CBVH Handbook for Vocational Rehabilitation Services will familiarize you with the New York State Commission for the Blind and Visually Handicapped Vocational Rehabilitation Program. The goal of the vocational rehabilitation program is to provide you, as a legally blind individual in New York State, with the assistance necessary to achieve your goals as an independent, participating member of the community.

CBVH also administers other programs for individuals who are blind and who are not pursuing a vocational goal. Please contact your local CBVH District Office for information on programs for children and older individuals and the independent living program.

CBVH Vision

Legally blind individuals live independently, pursue meaningful employment and enjoy full integration into the mainstream of society.

CBVH Mission

CBVH's mission is to enhance employability, maximize independence, and assist in the development of the capacities and strengths of people who are legally blind.

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WHAT IS THE COMMISSION FOR THE BLIND AND VISUALLY HANDICAPPED?

The Commission for the Blind and Visually Handicapped (CBVH), as part of the Office of Children and Family Services, provides direct services to persons who are blind through district offices located throughout the State. CBVH provides vocational rehabilitation services for eligible individuals to achieve an employment goal. CBVH also provides other necessary services to children and adults when they are not pursuing a specific vocational goal.

The goal of vocational rehabilitation services is to enable you to become employed in a job that matches your abilities, interests and preferences. A range of occupations and employment settings are possible including professional careers, skilled labor, self-employment and business enterprise, supported employment, and homemaking. CBVH places particular emphasis on your full involvement in identifying your employment goal and developing a plan to achieve your goal.

HOW DO YOU APPLY FOR CBVH SERVICES?

You can apply for services by contacting one of the CBVH district offices listed in Appendix A and obtaining an application for services. Complete the application and submit it to the district office. If you require assistance

completing the application, contact your local CBVH office or local Client Assistance Program (CAP) (see Appendix D). An initial interview will then be scheduled with a CBVH Vocational Rehabilitation (VR) Counselor or representative. You can also be referred by a school, a doctor, a private agency serving individuals who are blind or other community, health or social service organizations. While the application is fairly simple, additional background information, such as medical reports, school records or work history may be needed in the application process. Recent medical reports that verify your disability can be useful and may be requested. If these are not available, CBVH will assist you in obtaining this information. This information is not necessary at application but may be needed later to determine your eligibility.

HOW DO YOU BECOME ELIGIBLE FOR SERVICES?

Once an application has been completed and an interview has taken place with the CBVH counselor, your eligibility for vocational rehabilitation services is determined.

Eligibility is based on two conditions:

- (1) Your disability (legal blindness) results in a substantial impediment to employment. It is presumed that there is a reasonable expectation that services will help you achieve employment.

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- (2) Vocational rehabilitation services are required to prepare for, enter, engage in or retain gainful employment.

To determine eligibility for services, the CBVH counselor needs existing medical records or information from the Social Security Administration that verifies your disability. Medical exams may need to be scheduled if existing reports are not available. These exams can be paid for by CBVH.

If you are legally blind, CBVH is the agency that can provide vocational rehabilitation services, even if you have other disabling conditions. If you are not legally blind, but have other disabilities, you can apply for vocational rehabilitation services through the NYS Education Department, Office of Vocational and Educational Services for Individuals with Disabilities (VESID).

If you are eligible for services, the CBVH VR counselor will meet with you to develop a vocational goal and a plan for services known as the Individualized Plan for Employment (IPE). If you are not eligible, you will be notified by CBVH in an accessible format. If you disagree with the determination that you are ineligible for services, you may appeal that decision. (See pages 13-17 for information regarding appeals).

WHAT IS THE INDIVIDUALIZED PLAN FOR EMPLOYMENT (IPE)?

The Individualized Plan for Employment (IPE) is a written plan which describes your employment goal and the steps you will take to achieve your goal.

The IPE is developed in accordance with your interests and abilities and reflects your choices in identifying an employment goal and the services to be provided to enable you to reach your goal. It may be helpful to learn more about vocational rehabilitation services and different types of employment and about your own capabilities before your plan is written. Your CBVH counselor will help you find resources that help you do this.

Your IPE will be developed on a form provided by CBVH. Before your plan can begin, it needs to be reviewed and approved by your CBVH counselor and supervisory staff. After your IPE is approved, you will receive a copy in your preferred format.

You and your counselor can review your IPE at any time, however, it must be reviewed at least once each year. Changes to the IPE can be made based on these reviews.

Your rights and responsibilities in carrying out your IPE are listed on the form and will be reviewed with you by your CBVH counselor. Information about your rights and responsibilities in the vocational process are located in Appendix B of this Handbook.

WHAT SERVICES DOES CBVH PROVIDE?

CBVH will provide services that are required for you to reach your employment goal. CBVH will provide counseling and guidance while you are developing your IPE and while you are receiving services. Some services can be purchased by CBVH if financial need exists based on your or your family's income. Alternative sources of funding or other benefits are used first, when available to purchase many of the above services. The CBVH counselor will work with you to make this determination.

The following vocational rehabilitation services may be available to you as part of your IPE when necessary to reach your employment goal:

- Assessment Services
- Attendant Services
- Counseling, Guidance and Referral Services
- Home Modification and Adaptive Equipment
- Interpreter Services for Individuals who are Deaf/Blind
- Medical Care for Acute Conditions
- Orientation and Mobility Instruction
- Physical and Mental Restoration Service
- Placement and Post-Employment Services
- Reader's Service
- Rehabilitation Engineering and Technology Related Services

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- Rehabilitation Teaching
 - Special Living Expenses Related to Training
 - Supported Employment
 - Telecommunications, Sensory and Other Technology Aids and Devices
 - Tools, Initial Stock, Equipment and Supplies, and Occupational Licenses
 - Transportation
 - Vehicle Modification and Adaptive Equipment
 - Vocational and Other Training Services (including college training)
 - Other Goods and Services

HOW CAN YOU MAKE THE BEST USE OF CBVH SERVICES?

You can make the best use of CBVH services by following these guidelines.

1. Make a commitment to participate fully in the planning and accomplishment of your independent living and vocational goals.
2. Travel and communication skills are key to independence. Your commitment to training and practice is fundamental to your acquisition of these critical skills.

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3. Stay in touch with your CBVH VR counselor. Keep your counselor posted on how things are going. As you pursue your employment options, your counselor is a resource to help you find and keep a job and to assist you in securing related services.

WHAT IS THE CBVH RECORD OF SERVICES?

A record of services is kept for each individual served by CBVH so that information regarding services provided is accurately documented. It contains your application for services, counselor notes, medical reports, information about your eligibility for services, your Individualized Plan for Employment (IPE) and other types of vocational related information.

In order to provide vocational rehabilitation services, it is often necessary to obtain or release information about you. Consumer Confidentiality Personal Privacy Protection Law (Appendix C) explains why and how this is done.

All information will be maintained in a confidential manner and will not be shared with any individual or organization unless CBVH has your written permission or unless the release of confidential information is otherwise mandated or authorized by federal or state law or regulations. As you may be aware, individuals who are legally blind may not drive a motor vehicle. As authorized by federal or state law or regulations, CBVH staff who have knowledge that a

CBVH consumer is driving a motor vehicle will report this information to the NYS Department of Motor Vehicles, Driver Improvement Program. This report can be made without your consent.

You have access to your own record of services, subject to certain procedures and restrictions. Your counselor can explain the procedure for obtaining information from your record of services.

WHEN DOES INVOLVEMENT WITH CBVH END?

The ultimate goal of CBVH's vocational rehabilitation services is to enable you to secure meaningful employment. Once you are working in your chosen occupation with acceptable performance for at least 90 days, involvement with CBVH usually ends. Your counselor will follow-up with you and will discuss the completion of your program with you prior to closure.

Post-employment services may be necessary once you have secured employment or to further assist you in keeping your job. Your CBVH counselor will discuss these options as your IPE is developed and again prior to closure of your file. Even though your file becomes closed with CBVH, you may contact your counselor if vocational issues develop in the future.

When you have achieved your employment goal or have ended your involvement with CBVH, you will be notified of the closure decision in an accessible format.

DISPUTE RESOLUTION AND CONSUMER APPEALS

You might disagree with decisions made during your involvement with CBVH. You have the right to appeal a counselor action or decision in any situation when you and your counselor cannot resolve the disagreement.

An appeal process has been developed to protect your rights and to review decisions in an impartial manner. CBVH's objective in the appeals process is to reach a mutually agreeable solution as quickly and simply as possible. Your counselor can provide more detailed information on the appeals process.

When you disagree with a decision made by your counselor, attempt to clearly communicate your concerns in an effort to resolve the disagreement. If this proves unsuccessful, tell the counselor that you would like to appeal the decision.

There are four main avenues available to you in the appeals process:

- Initial Review is an informal review conducted by a senior counselor (or the district manager if the senior counselor was involved in the decision being reviewed) with a consumer and counselor or other appropriate CBVH staff in an effort to resolve a consumer's dissatisfaction.

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- Administrative Review is an informal review conducted by CBVH administrative staff in accordance with the guidelines established in CBVH policy.
 - Mediation is a voluntary process between the consumer and the appropriate CBVH staff with the goal of resolving a dispute with CBVH. Mediation is conducted by a qualified and impartial mediator who is trained in mediation techniques. While mediation can be requested at any time, both parties must agree that the issue being disputed is one that can be addressed through mediation.
 - Administrative Hearing is a formal hearing conducted by one or more employees of the Office of Children and Family Services (OCFS) who are members of the OCFS State Fair Hearing Board in accordance with CBVH policy.

The informal review options provide the opportunity to resolve disputes more quickly than through the formal hearing process. However, you can choose to skip the initial review, mediation and/or the administrative review steps and proceed directly to the administrative hearing.

The Client Assistance Program (CAP) can provide information and assistance with regard to any stage of the appeals process. The Client Assistance Program is available to assist you in understanding your rights and options for resolving disputes. If you are unsuccessful in negotiating a resolution to your concerns you can pursue a

more formal appeal with CAP representation. The New York State CAP offices are listed in Appendix D.

Contact the CBVH district office manager either by telephone or in writing to request an appeal.

In addition, a request for a hearing can be made directly to:

Beth Mancini
Office of Children and Family Services
Bureau of Special Hearings
52 Washington Street
Rensselaer, NY 12144
(518) 474-6022

You may request an appeal in writing or by telephone, but a written request is preferred. If you need assistance in preparing a written request, you may ask for this assistance from your local CBVH or CAP office. To facilitate your request, you should include the following information when requesting a hearing:

1. Your name and address (including mailing address);
2. A phone number at which you can be reached;
3. The name, address and telephone number of any individual you will have representing you at the hearing (such as a CAP representative, your attorney, or other advocate etc.);
4. The name, district office and telephone number of the CBVH staff member(s) involved in the issue being disputed;

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5. A description of the decision or action you are appealing, being as specific as possible;
 6. Copies of any written notice from CBVH relative to your appeal;
 7. An indication of your preferred mode of communication. (Braille, large print, or tape).

WHAT ARE YOUR RIGHTS IN THE APPEALS PROCESS?

You have the right to be accompanied or represented, by an authorized representative such as legal counsel, CAP representative, lay advocate, relative or other spokesperson. CBVH is not responsible for the costs of your representative.

You also have the right to examine and introduce pertinent information from your record of services. There are restrictions regarding the release of some record of services information. Your counselor can explain the procedure for obtaining information from the record of services and any restrictions that may apply.

APPENDIX A

COMMISSION FOR THE BLIND & VISUALLY HANDICAPPED DISTRICT OFFICES

Buffalo Office:

Ellicott Square Building
295 Main Street, Rm. 590
Buffalo, NY 14203
(716) 847-3516

Albany Office:

155 Washington Ave., 2nd Fl.
Albany, NY 12210
(518) 473-1675
Saranac Lake: (518) 891-7518

Rochester Outstation:

259 Monroe Ave., Rm. 303
Rochester, NY 14607
(585) 238-8110
Elmira: (607) 737-1007

White Plains Office:

445 Hamilton Ave., Rm. 503
White Plains, NY 10601
(914) 993-5370
Woodstock: (914) 679-2310

Syracuse Office:

The Atrium – Suite 105
2 Clinton Square
Syracuse, NY 13202
(315) 423-5417
Binghamton: (607) 721-8292
Utica: (315) 859-1388

New York City Offices:

20 Exchange Pl., 2nd Floor
New York, NY 10005
(212) 825-5710
163 West 125th St., Rm. 209
(Elderly Services)
New York, NY 10027
(212) 961-4440

Hempstead Office:

50 Clinton St., Suite 208
Hempstead, NY 11550
(516) 564-4311

APPENDIX B

COMMISSION FOR THE BLIND & VISUALLY HANDICAPPED CONSUMER RIGHTS AND RESPONSIBILITIES

All individuals who are eligible for vocational rehabilitation services have both rights and responsibilities under the Rehabilitation Act of 1973, as amended.

CBVH will assure that your rights are protected in the provision of services. You have an obligation to continue to make progress toward the goals and requirements outlined in your IPE.

Your IPE is not a contract but a plan for services. The plan will be carried out providing you remain eligible to receive CBVH services, funding is available to support the plan and the plan is consistent with current CBVH policy and procedures. You and your counselor will review your IPE as often as needed but at least once a year.

Your rights and responsibilities are listed below:

RIGHTS

You have the right to jointly develop your IPE with your counselor, and to include an advocate of your choice in that process.

You and/or your representative will be given the opportunity for full consultation in any action that changes your eligibility for services.

If your case is closed because of a decision of ineligibility, you will be informed in an accessible format, and you will

have the opportunity to be involved in a review of that decision.

If you are dissatisfied with any action or decision made by your counselor, you are encouraged to discuss the issue with your counselor.

You or your representative may request an initial review, mediation, administrative review or an administrative hearing to help resolve disagreements. An initial review is an informal meeting between you, your counselor and the district office senior counselor or manager. An administrative review is conducted by CBVH administrative staff. Mediation is an alternative means to resolve a dispute with the assistance of a qualified and impartial mediator. A hearing is a formal hearing conducted by an impartial hearing officer. You may begin the appeals process with any of these four reviews. If, after an administrative hearing, you are dissatisfied with the decision of the fair hearing board, you may seek legal action in court.

You have the right to services from the Client Assistance Program (CAP) in New York State. CAP provides a Statewide network of consumer advocates and attorneys who can assist with dispute resolution and provide representation at all levels of appeal. A listing of CAP offices can be found in Appendix D of this Handbook.

RESPONSIBILITIES

It is your responsibility to cooperate in carrying out your program by attending training programs, keeping

appointments, meeting any financial obligations associated with your IPE and securing other available benefits and sources of funding for services.

It is your responsibility to keep your counselor fully informed of developments that would impact on your progress toward your goals. Specifically, this refers to changes in your address and telephone number, living arrangements, medical status and financial status. It is also your responsibility to develop and review your IPE with your counselor.

You are responsible for the proper use and care of any equipment provided to you by CBVH. Equipment provided to you will remain the property of CBVH while your case is open. Ownership of all equipment is transferred to you at the time you successfully achieve your vocational goal and your case is closed.

APPENDIX C

CONSUMER CONFIDENTIALITY PERSONAL PRIVACY PROTECTION LAW

Sections 8701-8714-a of the Unconsolidated Laws of New York, together with 29 USC Section 701 et seq. give the Commission for the Blind and Visually Handicapped (CBVH) the right to collect select information about you.

We will use select information to determine if you are eligible for services and, if so, to decide which services will enable you to reach your vocational goal.

In order to plan for services CBVH may communicate with other persons to find out more about you. For example, with your written permission, your CBVH counselor may:

- contact previous employers to verify work experiences;
- contact doctors or other health care providers to find out what your current medical condition is and how it may affect your ability to participate in training or work;
- obtain school or other educational or vocational records to see if your education and/or vocational experiences can help you reach your vocational goal.

With your written permission, your CBVH counselor will share this information with community rehabilitation programs when we ask them to provide vocational services to you.

All such consumer information secured or maintained by CBVH will be maintained in a confidential manner, and released only consistent with applicable federal and state laws and regulations.

CBVH will always ask for your written permission to obtain or release information, unless otherwise mandated or authorized by federal or state law or regulations. Your cooperation in this regard is necessary for us to provide services that may benefit you. If you refuse to provide us with the information we need or authorize its release, it may prevent us from determining if you are eligible for services, and we may not be able to act on your application for services.

As you may be aware, individuals who are legally blind may not drive a motor vehicle. If CBVH staff have knowledge that a CBVH consumer is driving a motor vehicle they will report this information to CBVH administrative staff who will forward the information to the NYS Department of Motor Vehicles, Driver Improvement Program. This report can be made without your consent.

Besides using the information you give us in this way, New York State may also use the information to develop non-identifiable statistics about people receiving services to assist in the management of these programs. We do not need your consent to use your information to develop these statistics.

This information will be maintained by:

The Office of the Associate Commissioner
Commission for the Blind and Visually Handicapped
NYS Office of Children and Family Services
52 Washington Street
South Building, Rm. 201
Rensselaer, NY 12144
(518) 473-1801

APPENDIX D

CLIENT ASSISTANCE PROGRAMS

The Client Assistance Program (CAP) is responsible for assisting individuals with disabilities who are applicants or recipients of rehabilitation services. The Client Assistance Program provides advocacy services to secure the benefits and programs available under the Rehabilitation Act. More specifically, the Client Assistance Program will:

- Help clients and client applicants understand the rehabilitation programs and facilities;
- Assist individuals with disabilities in their relationships with rehabilitation programs and facilities;
- Advise individuals with disabilities of the benefits provided for under the Rehabilitation Act;
- Provide legal, administrative and other remedies to protect the rights afforded to disabled individuals under the Act; and
- Identify problem areas in the delivery of rehabilitation services and suggest changes for improving the provision of such activities.

The following is a list of the CAP agencies in New York State who are responsible for providing CAP services:

I. WESTERN/CENTRAL REGION

- Regional Center for Independent Living, Inc.
1641 East Avenue
Rochester, NY 14610
(585) 442-6470 (VOICE AND TDD)

Counties served: Chemung, Livingston, Monroe, Ontario, Schuyler, Seneca, Steuben, Tompkins, Wayne and Yates.

- Western NY Independent Living Project, Inc.
3108 Main Street
Buffalo, NY 14214-1384
(716) 836-0822 (voice/TTY)

Counties served: Allegany, Cattaraugus, Chautauqua, Erie, Genesee, Niagara, Orleans and Wyoming.

II. CENTRAL NEW YORK REGION

- Resource Center for Independent Living, Inc.
409 Columbia Street
Utica, NY 13502
(315) 797-4642, (315) 797-5837 (TDD)

Counties served: Broome, Cayuga, Chenango, Clinton, Cortland, Delaware, Essex, Franklin, Fulton, Hamilton, Herkimer, Jefferson, Lewis, Madison, Montgomery, Oneida, Onondaga, Oswego, Otsego, St. Lawrence, Tioga and Tompkins.

III. HUDSON VALLEY REGION

- Capital District Center for Independence, Inc.
855 Central Avenue, Suite 110
Albany, NY 12206
(518) 459-6422 (VOICE & TDD)

Counties served: Albany, Clinton, Columbia, Essex, Franklin, Greene, Rensselaer, Saratoga, Schenectady, Schoharie, Warren and Washington.

- Westchester Independent Living Center, Inc.
200 Hamilton Avenue, 2nd Floor
White Plains, NY 10601
(914) 682-3926, (914) 682-0926 (TTY)

Counties served: Dutchess, Orange, Putnam, Rockland, Sullivan, Ulster and Westchester.

IV. NEW YORK CITY REGION

- Center for Independence of the Disabled in New York (CIDNY)
841 Broadway, Suite 205
New York, NY 10003
(212) 674-2300 (VOICE and TDD)

Counties served: Bronx, Manhattan and Richmond.

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- Brooklyn Center for the Independence of the Disabled, Inc.
2044 Ocean Avenue, Suite B-3
Brooklyn, NY 11230
(718) 998-3000 (718) 998-7406 (TTY)
Counties served: Kings and Queens

V. LONG ISLAND REGION

- Long Island Advocacy Center, Inc.
Herricks Community Center
999 Herricks Road
New Hyde Park, NY 11040
(516) 248-2222 (516) 877-2627 (TTY)
County served: Nassau
- Long Island Advocacy Center, Inc.
490 Wheeler Road, Suite 165C
Hauppauge, NY 11788
(516) 234-0467
County served: Suffolk

For further information write or call:

Client Assistance Program (CAP)
NYS Commission on Quality of Care
401 State Street
Schenectady, NY 12305-2397
(518) 388 - 2892 or 1(800) 624-4143 (voice/TTY)
Fax: (518) 388-2890
Email: webmaster@cqc.state.ny.us
Website: www.cqc.state.ny.us

**New York State
Office of
Children & Family
Services**

Capital View Office Park
52 Washington Street
Rensselaer, NY 12144

Visit our website at:
www.ocfs.state.ny.us

For child care, foster care and adoption information, call:
1-800-345-KIDS

To report child abuse and neglect, call:
1-800-342-3720

For information on the Abandoned Infant Protection Act,
call:
1-866-505-SAFE

For information on services for the blind, call:
1-866-871-3000
1-866-871-6000 (TDD)



State of New York

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