



## Ohio Administrative Code

### Rule 3304-2-61 Closure.

Effective: November 23, 2019

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(A) OOD shall notify an individual in writing, and when appropriate in the individual's native language or through another appropriate mode of communication, when his/her case is being closed regardless of the reason for closure. The notification should include the closure reason, method of appeal, and the availability of the client assistance program.

(B) OOD shall close a case if an individual is found to be ineligible for services for the following reasons:

(1) The individual does not have a physical or mental impairment;

(2) The individual does not have a substantial impediment to employment;

(3) The individual, due to the severity of their disability, is incapable of benefiting from the provision of VR services in terms of an employment outcome as evidenced by the completion of trial work experience in a competitive integrated employment setting, consistent with the informed choice and rehabilitation needs of the individual; or

(4) VR services are not required for the person to prepare for, secure, retain, regain, or advance in employment.

(C) In the event the individual is determined ineligible, OOD shall consult with or attempt to consult with the individual or other appropriate representative about the reason or reasons for the ineligibility decision. Documentation of the consultation should be included within the written notification of closure. The written notification, supplemented as necessary by other appropriate modes of communications, consistent with the informed choice of the individual, should also include the method of appeal and the availability of the client assistance program.

(1) OOD shall review, within twelve months and annually thereafter, if requested by the individual



and as appropriate, his or her parent, legal guardian, or other representative, for any ineligibility determination that is based on a finding that the individual is incapable of achieving an employment outcome.

(2) This review need not be conducted in situations in which the individual has refused it, the individual is no longer present in the state, the individual's whereabouts are unknown, or the individual's medical condition is rapidly progressive or terminal.

(D) OOD shall close a case with an employment outcome only if all of the following conditions apply:

(1) The individual has achieved the employment outcome that is described in his/her individualized plan for employment;

(2) Services provided on the individualized plan for employment (IPE) have resulted in the achievement of competitive integrated employment;

(3) The individual has maintained competitive integrated employment for an appropriate period of time, but not less than ninety days, necessary to ensure the stability of the employment outcome;

(4) At the end of ninety days, or such longer time as deemed appropriate, the individual and the qualified rehabilitation counselor consider the employment outcome to be satisfactory, agree that the individual is performing well on the job and that he/she no longer needs vocational rehabilitation services;

(5) The individual is informed through appropriate modes of communication of the availability of post-employment services.

(E) When an individual's case is being closed with an employment outcome, OOD shall also include in the written notice the individual's job title, the date employment began, wages, any projected need for post-employment services, that a reassessment of the need for extended services has been completed for individuals in supported employment, and the basis on which the individual has been determined to be rehabilitated.



(F) OOD shall close a case without an employment outcome due to, but not limited to, the following reasons:

(1) The individual cannot be located;

(2) The individual dies;

OOD shall not forward written notification of case closure in the event of death.

(3) The individual is unavailable for services for an indefinite or considerable period of time due to the following:

(a) Institutionalization;

(b) Incarceration;

(c) Health/medical-related reasons;

(d) Reserve forces called to active duty.

(4) The individual needs non-vocational rehabilitation service(s) from another agency or has moved to another state and will be referred accordingly;

(5) The individual has refused services or has failed to cooperate;

(6) The individual cannot accept or maintain a job because transportation is not feasible or not available;

(7) The individual does not meet OOD's order of selection and is not interested in being placed on a waiting list, or is not available or not interested in services at a later time in the event that OOD is operating under a waitlist;



- (8) The individual is no longer interested in receiving services;
- (9) The individual requires extended services but they are not available;
- (10) The individual chooses to enter into or remain in extended employment.

For individuals closed in extended employment, OOD shall conduct a semi-annual review and reevaluation for the first two years of such employment and annually thereafter.

(G) This rule is designed to implement the Workforce Innovation and Opportunity Act, 29 U.S.C. 32, and resulting regulations.