



Ohio Administrative Code

Rule 3304-5-01 Independent living services for older individuals who are blind.

Effective: November 5, 2021

(A) This rule implements 34 CFR 367 Subpart A - General in effect on the effective date of this rule.

(B) OODs bureau of services for the visually impaired (BSVI) provides for independent living services to older individuals who are blind (ILOB).

(1) ILOB services are available to individuals under the following conditions:

(a) The individual is age fifty-five or older; and

(b) The individual is blind or has low vision; and

(c) The individual's visual impairment makes competitive employment extremely difficult to obtain but for whom ILOB goals are feasible.

(2) OOD shall schedule and conduct interviews for all appropriate referrals and shall complete an assessment regarding the eligible individual's needs and goals for independence.

OOD may enter a contract to provide for case management.

(C) OOD shall provide each ILOB applicant and eligible individual the same information as required in paragraph (D) in rule 3304-2-51 of the Administrative Code.

(D) OOD shall purchase services only from qualified service providers as listed in rule 3304-2-53 of the Administrative Code.

(E) Ancillary conditions for providing services. OOD shall provide only those services listed on the independent living plan (ILP), except for diagnostic, counseling and guidance, and referral services.



Auxiliary services, such as transportation and interpretive services, may be provided whether or not listed on the ILP to participate in any approved service as determined necessary by ILOB staff.

(F) The ILP shall be developed between the eligible individual and ILOB staff on a form approved by BSVI. The ILP is void without an agreed on IL goal which enables the eligible individual to become more mobile and to become more self-sufficient in the eligible individuals home and community.

(1) The ILP shall be developed mutually between each eligible individual and the OOD qualified ILOB staff. The ILP:

(2) Shall contain a list of rights and duties for the eligible individual, or a separate document providing rights and duties information;

(3) Is not a promise that the eligible individual will receive every service listed;

(4) Services are dependent on such variables as the eligible individual's cooperation, OOD policy changes, and OOD funds;

(5) Shall contain the ILP goal(s) and the projected date(s) to reach the goal(s);

(6) Shall contain the objective(s) for attainment of the goal(s);

(7) Shall contain the list of any service or activity to obtain the ILP goal; and

(8) The ILP shall be provided in a format of the eligible individuals choice.

(G) BSVI may provide independent living services for ILOB as provided in 34 C.F.R. 367.3(b), in effect on the effective date of this rule, as determined necessary and appropriate by the ILOB staff.

(H) OOD shall close an eligible individual's case for reasons that include, but are not limited to, the following:



- (1) The eligible individual has reached the goals recorded on the ILP;
 - (2) The eligible individual has been referred to BSVI vocational rehabilitation;
 - (3) The eligible individual has been referred to another agency for services;
 - (4) The eligible individual is no longer interested in services or cannot be located or contacted;
 - (5) The eligible individual is not available to participate in ILOB services due to moving, or due to deterioration of function due to a disabling condition;
 - (6) The eligible individual has been institutionalized with no reasonable expectation of leaving institutionalized care;
 - (7) The eligible individual is no longer participating in ILP activities;
 - (8) The eligible individual has died; or
 - (9) The individual does not have severe visual impairment, or is not blind, or have low vision.
- (I) An eligible individual may file an appeal as provided in rule 3304-2-62 of the Administrative Code.
- (J) Information shall remain confidential as provided in rule 3304-2-63 of the Administrative Code.
- (K) This rule is designed to implement "the Workforce Innovation and Opportunity Act of 1973," and "Title IV of the Workforce Investment Act," 29 U.S.C. 2801-2945, which contains the 1998 amendments to "The Rehabilitation Act of 1973," 29 U.S.C. 701 - 797 and resulting regulations.