# VIII. CASE CLOSURE


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# VIII. CLOSURE

## POLICY – CLOSURE

It is the policy of the Department on Disability Services, Rehabilitation Services Administration (DDS/RSA) that case closures made pursuant to this Section will include due process procedures, as appropriate, and comply with federal and District regulations. *See* generally 34 CFR §361.57 (b) (2) and 29 DCMR §112.

## CASES CLOSED FROM STATUS 00

Status 00 cases will require the counselor to make three attempts to contact the client before closing the case. The last attempt will be through a certified letter. The certified letter must include all of the date(s), time(s) and manner (i.e., telephone, email, letter, etc.) in which the counselor tried to contact the client.

PROCEDURES – CASES CLOSED FROM STATUS 00

If the Counselor attempts to contact the client via telephone and is unsuccessful, the Counselor must send the client a letter or an email verified by delivery confirmation / read receipt, within two (2) business days of the unsuccessful contact. This follow up written correspondence will help the Counselor document the unsuccessful attempts to contact the client and ensure the closure is legally sufficient, in accordance with 29 DCMR §117.

The certified letter, which is the final notice before closure of the case record, must comply with 29 DCMR §117 (Reasons for Closure of the Record of Services). The certified letter must include the following:

All of the date(s), time(s) and manner (i.e., telephone, email, letter, etc.) in which the counselor tried to contact the client;

The Due Process Rights available to the client under federal and District regulations (See Section XIV of this Manual – Due Process).

The reason(s) for closing the case in Status 00.

CLOSED NOT REHABILITATED BEFORE/DURING EVALUATION (Status 08)

DCRSA will not close the case record of a referral or applicant prior to making an eligibility determination unless the applicant declines to participate, or is unavailable to complete an assessment for determining eligibility and priority for services. DCRSA will make a reasonable number of attempts (at least three in writing and the last attempt through certified letter) to contact the applicant or the applicant's representative to encourage the applicant's participation, 34 C.F.R. § 361.44.

## PROCEDURES – CLOSED NOT REHABILITATED BEFORE/DURING EVALUATION

Complete Certificate of Ineligibility. (RS-4C) (See Forms Appendix E)

Document 00 status closure with a case note in Case Management Information System.

Key Case Management Information System data for Status 08.

The certified letter, which is the final notice before closure of the case record, must comply with 29 DCMR §117 (Reasons for Closure of the Record of Services). The certified letter must include the following:

All of the date(s), time(s) and manner (i.e., telephone, email, letter, etc.) in which the counselor tried to contact the client;

The Due Process Rights available to the client under federal and District regulations (See Section XIV of this Manual – Due Process).

The reason(s) for closing the case in Status 08.

**Note: An Annual Review is required on a case that has been closed as incapable of achieving an employment outcome due to the severity of disability. This review need not be conducted in situations, in which the individual has refused, no longer resides in the state, whereabouts are unknown, or the individual's medical condition is rapidly progressive or terminal, 34 C.F.R. § 361.43 (e).**

## CLOSED NOT REHABILITATED DURING/ AFTER EVALUATION (Status 08)

An individual's record of services is closed from application or Trial Work Experience/Extended Evaluation when the VR eligibility conditions are not met or intervening reasons prevent eligibility determination. The ineligibility determination must be made based on clear and convincing evidence that the individual cannot benefit from services in terms of an employment outcome due to severity of disability. The counselor must include a formal certification statement indicating ineligibility for VR services in the individual's record of services.

A Certificate of Ineligibility will be dated and signed by the counselor. Ineligibility certification will be made only after full participation with the individual or, if appropriate, the individual's representative, after an opportunity for consultation. In such cases, the counselor will notify the applicant in writing of the action taken, or by other appropriate modes of communication consistent with the informed choice of the individual, including the reasons for the ineligibility determination. When appropriate, referral will be made to other agencies and programs that are part of the One-Stop service delivery system under the Workforce Investment Act.

The individual may appeal the ineligibility determination. The counselor will provide the individual with information on the means by which an appeal can occur, including informal and formal due process procedures, such as administrative review, mediation and review by an impartial hearing officer. The counselor will also provide the individual with information regarding services available from the Client Assistance Program (CAP) and how to contact the Program for assistance, 34 C.F.R. § 361.57.

## PROCEDURES – CLOSED NOT REHABILITATED DURING/AFTER EVALUATION

Cancel or pay any outstanding encumbrance.

Complete Certificate of Ineligibility if closed Status 08 from Status 02. (See Forms Appendix E) (See Case Management Information System).

Complete Form (DPD) if closed Status 08 from Status 06. (See Forms Appendix E))

When appropriate, referral will be made to other agencies and programs that are part of the One-Stop service delivery system under the Workforce Investment Act.

Key Case Management Information System data for Status 08 Closure. (Refer to supervisor for assistance).

The certified letter, which is the final notice before closure of the case record, must comply with 29 DCMR §117 (Reasons for Closure of the Record of Services). The certified letter must include the following:

All of the date(s), time(s) and manner (i.e., telephone, email, letter, etc.) in which the counselor tried to contact the client;

The Due Process Rights available to the client under federal and District regulations (See Section XIV of this Manual – Due Process).

The reason(s) for closing the case in Status 08.

**Note: An Annual Review is required on a case that has been closed as incapable of achieving an employment outcome due to the severity of disability. This review need not be conducted in situations, in which the individual has refused it, no longer resides in the state, or whereabouts are unknown, or the individual's medical condition is rapidly progressive or terminal, 34 C.F.R. § 361.43 (e).**

## CLOSED REHABILITATED (Status 26)

An individual's record of service will be closed as successfully rehabilitated when the individual has achieved an employment goal consistent with his or her informed choice, substantiality of services has been documented in the case notes, and the following requirements have been met:

The individual has achieved the employment outcome described in the IPE.

The employment outcome is consistent with the individual's strengths, resources, priorities, concerns, abilities, capabilities, interests, and informed choice.

The employment outcome is in the most integrated setting possible, consistent with the individual's informed choice.

The individual has maintained the employment outcome for a period of at least 90 days.

The individual and the VR counselor consider the employment outcome to be satisfactory.

The individual is informed through appropriate modes of communication of the availability of post-employment services, 34 C.F.R. §§ 361.56; *see also* 361.5(b) (5).

Additional employment information is required and must be included in the closure document:

Name and address of the employer

Type of work performed. (Occupation)

Gross weekly earning and hours worked per week

Medical insurance coverage at closure

Public assistance at closure

The individual is compensated at or above minimum wage.

The wage and level of benefits are not less than that customarily paid by the employer for the same or similar work performed by non-disabled individuals.

How did the services provided contribute substantially to the individual's achievement of the employment outcome consistent with informed choice?

**Note: An individual will not be closed "Rehabilitated" more than once in any fiscal year.**

## PROCEDURES – CLOSED REHABILITATED – STATUS 26

Pay or cancel any outstanding encumbrance.

The counselor must demonstrate through documentation in a summary case diary note that substantial services provided under the individual's IPE contributed to the achievement of the employment outcome.

If there is a need for an IPE goal change, an amendment must be completed 90 days prior to closure.

Case must be in Status 22 for 90 days.

If the counselor has information concerning employment of the individual, but cannot obtain the individual's signature that is required on the closure amendment, the counselor may close the case by using the method described below:

1) A minimum of three written attempts (2 letters and one registered letter) must be made to contact the individual is required. (See forms section)

2) The receipt verification (card) signed by the client must be placed in the case file. (If the card is not signed by the client, the case cannot be closed "26.")

3) Complete the Form (DPD) (See Forms Appendix E)

4) The original Form (DPD) will be placed in the case file and a copy will be given to the individual.

5) Key Case Management Information System for Status 26. Refer to Unit Supervisor for assistance.

6) The individual will complete the Consumer Satisfaction Survey form. This form can be given to the individual or mailed. (See Forms Appendix E)

7) The certified letter, which is the final notice before closure of the case record, must comply with 29 DCMR §117 (Reasons for Closure of the Record of Services). The certified letter must include the following:

The reason(s) for closing the case in Status 26.

The Due Process Rights available to the client under federal and District regulations (See Section XIV of this Manual – Due Process).

## CLOSED NOT REHABILITATED (STATUS 28)

Cases closed not rehabilitated in Status 28 can only be closed from Statuses 14 – 24. An individual's record of services will be closed as not rehabilitated when it is determined that suitable employment cannot be achieved or that employment resulted without benefit derived from VR services. The counselor will also provide the individual with information regarding services available from the Client Assistance Program and how to contact that Program.

## PROCEDURES – CLOSED NOT REHABILITATED – (STATUS 28)

Pay or cancel any outstanding encumbrance.

The counselor must document in the case diary notes the reason for closure.

Complete the Form DPD. (See Forms Appendix E)

The original Form (DPD) will be placed in the case file and a copy will be given to the individual.

If appropriate, the individual will be referred to other agencies, programs, WIA One Stop Partners.

Key Case Management Information System for Status 28. (Refer to Unit Supervisor for assistance).

The individual will complete the Consumer Satisfaction Survey form. This form can be given to the individual or mailed. (See Forms Appendix E)

The counselor must send the client a certified letter, with return receipt requested, noting the case closure. The certified letter, which is the final notice before closure of the case record, must comply with 29 DCMR §117 (Reasons for Closure of the Record of Services). The certified letter must include the following:

The reason(s) for closing the case in Status 28.

The Due Process Rights available to the client under federal and District regulations (See Section XIV of this Manual – Due Process).

## CLOSED NOT REHABILITATED (STATUS 30)

Cases closed not rehabilitated in Status 30 can only be closed from Status 10 or 12. An individual's record of services will be closed as not rehabilitated when it is determined that the vocational goal is not feasible, the counselor and individual cannot agree on a rehabilitation plan, progress toward rehabilitation cannot be made for one reason or another, the individual has moved to another state, or is no longer available for services. The counselor will also provide the individual with information regarding services available from the Client Assistance Program and how to contact the Program for assistance.

## PROCEDURES – CLOSED NOT REHABILITATED – (STATUS 30)

Pay or cancel any outstanding encumbrance.

The counselor must document in the case diary notes the reason for closure.

Complete the Form DPD. (See Forms Appendix E)

The original Form DPD will be placed in the case file and a copy will be given to the individual.

The individual will be referred to other agencies, programs, or WIA One Stop Partners.

Key Case Management Information System for Status 30. (Refer to Unit Supervisor for assistance).

The counselor must send the client a certified letter, with return receipt requested, noting the case closure. The certified letter, which is the final notice before closure of the case record, must comply with 29 DCMR §117 (Reasons for Closure of the Record of Services). The certified letter must include the following:

The reason(s) for closing the case in Status 30.

The Due Process Rights available to the client under federal and District regulations (See Section XIV of this Manual – Due Process).

## POST-EMPLOYMENT – (STATUS 32)

Status 32 is used when the need for post-employment services has been identified. Post-employment services may be provided after the individual has been closed as Rehabilitated Status (26) and needs services to maintain employment. The case must be in active status for post-employment (32) before any services may be provided. Cases can only be placed in Status 32 after being closed in Status 26.

The counselor and individual must agree on the services planned to maintain the individual in employment. The purpose of this status is to avoid the necessity of reopening a case in order to provide a minor service that can be provided quickly, expeditiously, at a minimum cost and with little counselor effort.

For example, these may include minor repair to prosthesis or a small amount of retraining in the use of prosthesis, weekly or biweekly counseling and guidance or a spinal cord injured individual who suffers from an acute kidney infection and needs immediate medical treatment.

If the counselor is aware of the need for Post-Employment services at the time of the 26 closure, all planned and anticipated services should be documented and must be included on the closure (amendment) document (Form DPD). If a need for post-employment services is determined several weeks after the 26 Closure, an Amendment (Form DPD) must be completed.

**Post-employment services are expected to be a minor, one-time service and not provided in excess of 18 months, 34 C.F.R. §361.5b (42).**

## PROCEDURES – POST-EMPLOYMENT (STATUS 32)

The counselor must document in the case diary note the need for Post-Employment services.

**If Post-Employment services are identified at the time of 26 Closure, the counselor can complete the Form DPD to document all planned or anticipated services on the closure amendment. (See Forms Appendix E) Close the case in Status 26 in CMIS and immediately reopen the case in CMIS in Status 32 by keying in the Social Security Number. (Refer to Supervisor for Assistance).**

If Post-Employment services are identified after the status 26 Closure, the counselor must complete a (Form DPD) to document all planned services. (See Forms Appendix

E) Reopen the case in CMIS directly into Status 32 by keying in the Social Security Number. (Refer to Unit Supervisor for Assistance).

The original (Form DPD) will be placed in the case file and a copy of the Form DPD will be given to the individual.

A case narrative entry must be made every 90 days to document progress.

## CLOSED FROM POST-EMPLOYMENT (STATUS 34)

Decisions to terminate post-employment services should be made in consultation with the individual and documented in the amended IPE (Form DPD). The counselor will work with the individual to achieve a satisfactory level where post-employment support is no longer necessary. It also requires the counselor's professional judgment as to the individual's employment stability.

In making these decisions, the following factors should be considered:

Satisfactory resolution of the problem requiring post-employment services;

The individual's attainment of sufficient independence to function without continuing post-employment services, or a counselor's professional judgment to discontinue services;

Employment appears secure as determined by suitable work performance, job satisfaction, and acceptance in the employment setting with respect to employee benefits, and opportunities for job development and advancement;

Employment continues at a suitable level in relation to the individual's potential and the locality and labor market, or potential can be realized by the individual's initiative.

## PROCEDURES – CLOSED FROM POST-EMPLOYMENT (STATUS 34)

Pay or cancel any outstanding encumbrances.

The counselor must document in the case diary notes the reason for closure and result of post-employment services.

Complete Form DPD.

The original Form DPD will be placed in the case file and a copy will be given to the individual.

Key Case Management Information System for Status 34. Refer to Unit Supervisor for assistance.

The counselor must send the client a certified letter, with return receipt requested, noting the case closure. The certified letter, which is the final notice before closure of the case record, must comply with 29 DCMR §117 (Reasons for Closure of the Record of Services). The certified letter must include the following:

The reason(s) for closing the case in Status 34.

The Due Process Rights available to the client under federal and District regulations (See Section XIV of this Manual – Due Process).

## CLOSED FROM POST-EMPLOYMENT TO BE REOPENED (STATUS 36)

The counselor will close an individual's case in Status 36 when the counselor determines to reopen the individual's record of services (place in 02) to initiate a new application to provide necessary VR services.

## PROCEDURES – CLOSED FROM POST-EMPLOYMENT TO BE REOPENED (STATUS 36)

Pay or cancel any outstanding encumbrances.

The counselor must document in the case diary notes the reason for closure.

Complete Form DPD.

The original Form DPD will be placed in the case file and a copy will be given to the individual.

Key Case Management Information System for Status 36. Refer to Unit Supervisor for assistance.

Initiate a new Application (Rights and Responsibilities) and follow procedures for a new referral.

## CLOSED FROM SERVICE DELAYED/ORDER OF SELECTION (Status 38)

This status is used to identify individuals eligible for VR who will not advance to Status 12 and whose names are being removed from the Service Delayed/Order of Selection list (Status 04).

## PROCEDURES CLOSED FROM SERVICE DELAYED/ORDER OF SELECTION

Pay or cancel any outstanding encumbrances.

The counselor must document in the case notes the reason for closure.

Complete Form DPD.

The original Form DPD will be placed in the case file and a copy will be given to the individual.

Key Case Management Information System for Status 38. Refer to Supervisor for assistance.

The counselor must send the client a certified letter, with return receipt requested, noting the case closure. The certified letter, which is the final notice before closure of the case record, must comply with 29 DCMR §117 (Reasons for Closure of the Record of Services). The certified letter must include the following:

The reason(s) for closing the case in Status 32.

The Due Process Rights available to the client under federal and District regulations (See Section XIV of this Manual – Due Process).

## CLOSED FROM POST-EMPLOYMENT (STATUS 39)

An individual will be closed from post-employment when the individual cannot maintain employment.

## PROCEDURES – CLOSED FROM POST-EMPLOYMENT (STATUS 39)

Pay or cancel any outstanding encumbrances.

The counselor must document in the case notes the reason for closure.

Complete Form DPD.

The original Form DPD will be placed in the case file and a copy will be given to the individual.

Key Case Management Information System for Status 39. Refer to Unit Supervisor for Assistance.

The counselor must send the client a certified letter, with return receipt requested, noting the case closure. The certified letter, which is the final notice before closure of the case record, must comply with 29 DCMR §117 (Reasons for Closure of the Record of Services). The certified letter must include the following:

The reason(s) for closing the case in Status 39.

The Due Process Rights available to the client under federal and District regulations (See Section XIV of this Manual – Due Process).