

**RSM 3
FINANCIAL POLICIES AND PROCEDURES MANUAL
SECTION 1400**

FINANCIAL NEED AND PARTICIPATION OF THE INDIVIDUAL IN COST OF SERVICES

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1401 Participation of the Individual in Cost of Services

- a. The applicant or eligible individual shall not be required to participate annually in the cost of vocational rehabilitation services in accordance with DORS policy and state regulation.
- b. DORS bases its rates of financial assistance on provision of the least-cost good or service which meets the rehabilitation needs of the individual, with consideration of informed choice. Therefore, an individual who otherwise would be exempt from contribution to the cost of services may be required to pay the difference if they choose a more expensive good or service if a less expensive good or service would meet their needs.

This includes individuals receiving Medicaid, Temporary Cash Assistance (TCA), Temporary Disability Adult Program (TDAP), Supplemental Nutritional Assistance Program (SNAP) or Supplemental Security Income (SSI) disability payments based on their own disability, and/or Social Security Disability Insurance (SSDI) based on their own disability.

1402 Services Provided during Assessment

Incidental goods required during assessment in applicant or eligible status prior to plan and which cost over \$200 require the approval of the regional director or designee.

1403 Informing the Individual About Financial Need Policy

The individual and/or their representative will be informed during the initial interview of DORS policies and procedures relating to the determination of financial need and participation in cost of services. The individual will also be informed that DORS will not pay for any service that is not pre-approved and authorized in writing by a DORS official, and that DORS bases its rate of financial assistance on the provision of the least-cost services which meets the rehabilitation needs of the individual, with consideration of the individual's informed choice.

The DORS counselor shall refer all consumers to this information which is available as part of the **Important Information about DORS** document which is attached to the **Eligibility Letter**, the **Individualized Plan for Employment (IPE)**, the **Independent Living Plan (ILP)**, and the **Trial Work Experiences Plan** in AWARE™.

1404 Litigation Involving an Applicant or Eligible Individual

Applicants or eligible individuals who have any legal claims arising out of an accident or injury shall request payment for the costs of their rehabilitation services as part of their legal claim.

1404.01 Notification of Litigation Agreement Policy

When an applicant or eligible individual has a legal claim arising out of an accident or injury, the DORS counselor shall review DORS litigation policy with the individual. Prior to the purchase of services by DORS, the individual, DORS counselor and, if appropriate, the individual's representative, shall review and sign the **Client Litigation Agreement (RS-9c)**.

1404.02 Reimbursement

Individuals receiving legal settlements which include payment for rehabilitation costs shall reimburse DORS for the costs of such rehabilitation services that were provided under an approved **IPE** or **ILP**.