



**DISABILITY
RIGHTS
ARIZONA**

Arizona's Protection & Advocacy System

Fact Sheet -- Vocational Rehabilitation (VR) Service Limits

Arizona VR

Your VR counselor may tell you there are limits on the number and/or cost of services that VR will provide you. VR refers to their service limitations as *thresholds*. But these thresholds are VR's actual limits on the amount, cost, or length of time they will provide a service.

Here are examples of VR's limits:

Hearing Aids fitting and follow up - \$1,300 per case

College Tuition – up to 120 credit hours for a BA; must complete degree in 4 years

Self-employment plan – up to \$18,000

Car repair – up to \$1,000 per case

Personal assistance/attendant – up to \$4,000 per case

Federal Rules on Cost of Services

It is important to know what federal law says about service limitations in case your VR counselor limits your services. Arizona VR policy guidelines on service limitations cannot be more strict than federal law.

VR may set reasonable fee schedules that are not so low as to deny a necessary service. But VR may not place absolute dollar limits on specific service categories or on the total services provided to an individual. (Source: *34 CFR §361.50*). VR services are based on individual needs, which means VR must be flexible and make exceptions when necessary to meet your rehabilitation or disability-related needs.

Example: VR has a guideline that it will only pay for one pair of glasses each year. Mary asks for a second pair of glasses in the same year because she experienced additional vision loss related to diabetes. Her current prescription no longer allows her to see enough to read and study for her classes. This is a good reason for making an exception to the service limit.

Federal Rules on Time

VR may set reasonable time limits to provide services. But VR can never put an absolute limit on how long your services will last. Just like cost, the duration of services depends on your situation. Your disability-related needs and barriers that affect the length of time you need services must be considered. (Source: *34 CFR §361.50 (d)(2)*).

Example: Una has cerebral palsy and an intellectual disability. She has been working in an integrated setting in the community with a job coach and is doing well. Her VR Counselor says her case will be closed because she has had 90 days of successful employment. But Una knows that without her job coach she would not be able to complete all of her work duties or self-advocate with her manager. Una needs a little longer to make sure she can continue to be successful. This is a good reason for extending her VR supported employment services.

Federal Rules on In-State Services

State VR agencies may have a preference for in-State services, if that preference does not deny you a necessary service. If you choose an out-of-State service that costs more than an in-State service, and both meet your needs, VR is only responsible for the cost of the in-State service. But the State agency may not establish policies that ban out-of-State services. (Source: *34 CFR §361.50*).

Example: Ramon is 21 years old and has an intellectual disability. He needs more transition services and employment training. He asked to attend a comprehensive transition program in a community college setting in a neighboring state. Instead, VR wanted him to go to the

independent living center to learn job skills. This did not meet his transition and employment training needs and there was nothing else available. This would be a good reason to make an exception and allow Ramon to attend the out-of-state training program.

Federal rules on exceptions

Federal law requires VR to make policy exceptions. AZ VR's exceptions to policy are based on:

- **Your Needs:** The exception to policy must be necessary because of the unique needs of the individual. And be necessary for the individual to achieve the agreed upon employment outcome,
- **Legality:** The granting of the policy exception will not violate any federal or state law or regulation.
- **Intent of the Policy:** Granting the exception will not violate the intent of the given policy.
- **Fairness and Equity:** The granting of the exception will not violate fairness to other clients.

VR Policy Manual -7.5-v2

Proving You Need an Exception

You need to ask for exception if VR sets a limit on services and you disagree. You should prove there is a disability-related reason you need an exception to the service limit. Proof can come from your healthcare providers, teachers and instructors, and other professionals who know you.

Examples:

- A statement from your doctor saying because of your low vision you need a text display rather than a magnifier when you attend college.
- A statement from your teacher and a copy of the class syllabus showing the class requires software and tools that cost more than \$600 a year.

- A statement from your doctor on why you will require personal care assistance services above \$4,000 while you attend college.

If VR limits your services or denies continuing a service, you can file an appeal.

Anytime VR denies, suspends, reduces or ends a service, written notice must be given to the client. The notice must explain the decision, the reason for it and your appeal rights.

For questions or issues related to VR's service limits, call ACDL and do an [intake to request services](#).

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