Chapter 388-892 WAC

PURCHASE OF SERVICES—SELECTION CRITERIA—DVR VOCATIONAL REHABILITATION SERVICE CONTRACTS

WAC

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VOCATIONAL REHABILITATION SERVICES DVR PURCHASES BY CONTRACT

WAC 388-892-0100 What vocational rehabilitation (VR) services does DVR purchase by contract? DVR purchases the following VR services by contract:

(1) Vocational evaluation services,

(2) Job placement/retention services,

(3) Transitional employment services.

[Statutory Authority: RCW 43.20A.310(2), 74.29.020(3) and 74.29.080(8). WSR 03-19-075, § 388-892-0100, filed 9/12/03, effective 10/13/03.]

WAC 388-892-0110 What are vocational evaluation services? There are three types of vocational evaluation services:

(1) "Brief" vocational assessment services are:

(a) Paper and pencil tests, such as psychometric testing, personality testing, preference and interest inventories that identify an individual's work interests and abilities; and

(b) Typically completed in one day or less.

(2) Comprehensive vocational evaluation services:

(a) Consist of tests and/or assessment methods designed to measure and document an individual's interests, values, work related-behaviors, aptitudes, skills, physical capacities, learning styles and training needs;

(b) Are performed using a variety of techniques, i.e., assessment of functional/occupational performance in real or simulated environments, work samples, psychometric testing, preference and interest inventories, personality testing, personal interviews and analysis of prior work experience and transferable skills;

(c) Identify at least three employment options that the individual could successfully perform either with or without training and long-term employment supports; and

(d) May be completed in three days or less but may vary, more or less, to accommodate the unique needs and abilities of individuals receiving this service.

(3) Situational assessment services are:

(a) Experiences in which individuals perform work in an actual paid employment setting or other realistic work setting to identify an individual's unique work interests and abilities;

(b) Conducted over a negotiated period of time depending on the individual's needs.

[Statutory Authority: RCW 43.20A.310(2), 74.29.020(3) and 74.29.080(8). WSR 03-19-075, § 388-892-0110, filed 9/12/03, effective 10/13/03.]

WAC 388-892-0120 What are job placement/retention services? (1) Job placement/retention services mean referral of an individual to a specific job that results in a competitive employment job placement, training activities that enable an individual to adequately perform essential job functions and provision of services after job placement and training to enable an individual to retain their job for a minimum of ninety calendar days.

(2) There are two types of job placement/retention services—"general" and "specialized."

(a) General job placement/retention services are provided for individuals who need job placement assistance without additional on-the-job supports.

Individuals requiring general job placement/retention services may include, but are not limited to, those who meet one or more of the following conditions:

(i) Graduated from high school or attained a GED;

(ii) Successfully completed some post high school training, such as vocational/technical school or college academic program;

(iii) Have a recent and/or stable work history;

(iv) Were employed at the time of application for DVR services; or

(v) Have a high level of gross motor skills and/or cognitive functioning.

(b) Specialized job placement/retention services are provided for individuals who, as determined by DVR, require a high level of support prior to or during the initial phases of job placement and/or additional supports after job placement to achieve satisfactory job performance and retain the job.

Individuals requiring specialized job placement/retention services may include, but not limited to, those who meet one or more of the following conditions:

(i) Have received SSI/SSDI or other types of public assistance;

(ii) Have received special education services;

(iii) Did not graduate from high school or attain a GED;

(iv) Have little or no work history;

(v) Have not worked in the previous two years;

(vi) Experience significant cognitive or sensory impairments; or

(vii) Have a criminal history and/or are subject to a community protection order.

[Statutory Authority: RCW 43.20A.310(2), 74.29.020(3) and 74.29.080(8). WSR 03-19-075, § 388-892-0120, filed 9/12/03, effective 10/13/03.]

WAC 388-892-0130 What levels of support are available under specialized job placement/retention services? Specialized job placement/retention services include two levels - level 1 and level 2:

(1) Level 1 services are provided for individuals who, as determined by DVR, may require a high level of support prior to or during the initial phases of job placement but do not require ongoing supported employment services to maintain their job after DVR closes the case.

(2) Level 2 services are provided for individuals who, as determined by DVR, require ongoing supported employment services to maintain their job after DVR closes the case.

[Statutory Authority: RCW 43.20A.310(2), 74.29.020(3) and 74.29.080(8). WSR 03-19-075, § 388-892-0130, filed 9/12/03, effective 10/13/03.]

WAC 388-892-0140 What are transitional employment (TE) services? Transitional employment services:

(1) Meet the vocational rehabilitation needs of individuals with severe and persistent mental illness.

(2) Assess and build an individual's skills and abilities in a real work setting.

(3) Utilize the clubhouse programs model/international center for club house development (ICCD).

[Statutory Authority: RCW 43.20A.310(2), 74.29.020(3) and 74.29.080(8). WSR 03-19-075, § 388-892-0140, filed 9/12/03, effective 10/13/03.]

DVR VOCATIONAL REHABILITATION SERVICE CONTRACT PROCUREMENT

WAC 388-892-0200 How does DVR procure vocational evaluation, job placement/retention and transitional employment services? (1) DVR contracts with qualified service providers for the provision of vocational evaluation, job placement/retention and transitional employment services through a request for qualifications (RFQ) contract procurement process that is administered by DVR.

(2) A qualified provider is one that meets all DVR qualifications for a VR service contract as outlined in the RFQ.

[Statutory Authority: RCW 43.20A.310(2), 74.29.020(3) and 74.29.080(8). WSR 03-19-075, § 388-892-0200, filed 9/12/03, effective 10/13/03.]

WAC 388-892-0210 How does an RFQ work? (1) RFQs are issued on a periodic cycle to be determined by DVR, for example, every two years. The duration of the VR service contracts resulting from the RFQ will be announced in the RFQ. DVR reserves the right to extend the contracts by offering up to three one-year extensions.

(2) DVR may advertise the RFQ in a variety of ways, including but not limited to the DVR web site, newspapers, and notices sent to potentially interested contractors.

(3) The scope of work, fee to be paid, and contractor qualifications are defined in a separate RFQ and contract for each specific type of VR service:

(a) Brief vocational assessment,

(b) Comprehensive vocational evaluation,

(c) Situational assessment,

(d) General job placement/retention,

(e) Specialized job placement/retention level 1,

(f) Specialized job placement/retention level 2, and

(g) Transitional employment.

(4) Service providers, that are interested in obtaining a VR service contract as outlined in the RFQ, are instructed to submit their qualifications.

(5) First time respondents that demonstrate full conformance to the uniform VR service contract qualifications, as outlined in this chapter, may be granted an initial VR service contract.

(6) DVR may limit the number of VR service contracts it issues in a service delivery area as a result of an RFQ.

[Statutory Authority: RCW 43.20A.310(2), 74.29.020(3) and 74.29.080(8). WSR 03-19-075, § 388-892-0210, filed 9/12/03, effective 10/13/03.]

INITIAL DVR VOCATIONAL REHABILITATION SERVICE CONTRACTS

WAC 388-892-0300 What are the uniform qualifications for an initial VR service contract? A VR service contractor must meet all of the following uniform qualifications, as specifically detailed in the DVR RFQ for VR service contracts, to obtain any/all specific types of initial VR service contracts. Such qualifications shall include but not be limited to, qualifications regarding conformance to:

(1) Federal, state and local laws and DSHS regulations and policies;

(2) Accessibility;

(3) Safety and health;

(4) Liability insurance coverage;

(5) Having a system in place to report the effectiveness and efficiency of the provider's DVR services;

(6) Having a system in place to gather and report DVR customer satisfaction;

(7) DVR code of ethics and standards of practice;

(8) Having a complaint and dispute resolution process in place for DVR customers;

(9) Having current background checks in place for personnel serving DVR customers.

[Statutory Authority: RCW 43.20A.310(2), 74.29.020(3) and 74.29.080(8). WSR 03-19-075, § 388-892-0300, filed 9/12/03, effective 10/13/03.]

WAC 388-892-0310 How long does an initial VR service contract last? An initial VR service contract may be granted for a period of up to two years or for a duration as announced in the RFQ.

[Statutory Authority: RCW 43.20A.310(2), 74.29.020(3) and 74.29.080(8). WSR 03-19-075, § 388-892-0310, filed 9/12/03, effective 10/13/03.]

WAC 388-892-0320 Can an initial VR service contract be granted between RFQs? DVR may add VR service contractors between RFQs if DVR determines the contract is needed and the contractor meets all uniform VR service contract qualifications outlined in this chapter.

[Statutory Authority: RCW 43.20A.310(2), 74.29.020(3) and 74.29.080(8). WSR 03-19-075, § 388-892-0320, filed 9/12/03, effective 10/13/03.]

SUBSEQUENT DVR VOCATIONAL REHABILITATION SERVICE CONTRACTS

WAC 388-892-0400 How does a contractor receive a subsequent VR service contract after completing their initial VR service contract? (1) To receive subsequent VR service contracts, a contractor must respond to each RFQ by submitting a proposal showing that they:

(a) Continue to meet all uniform VR service contract qualifications;

(b) Have met DVR's performance standards established in the prior VR service contract; and

(c) Meet the additional qualifications for each VR service to be offered.

(2) Contractors that have been granted an initial VR service contract between RFQs have two years from the effective date of their initial VR service contract to meet the additional qualifications outlined in this chapter. If the contractor fails to provide documentation of conformance to the additional qualifications within two years from the effective date of the initial contract, DVR may terminate the existing VR service contract with ten days notice to the contractor.

[Statutory Authority: RCW 43.20A.310(2), 74.29.020(3) and 74.29.080(8). WSR 03-19-075, § 388-892-0400, filed 9/12/03, effective 10/13/03.]

WAC 388-892-0410 What are the additional qualifications for VR service contracts? (1) In addition to the uniform VR service contract qualifications, additional contractor qualifications apply to each specific type of VR service contract.

(2) A separate RFQ is published for each specific type of VR service contract that outlines the additional contractor qualifications that are pertinent to that service.

[Statutory Authority: RCW 43.20A.310(2), 74.29.020(3) and 74.29.080(8). WSR 03-19-075, § 388-892-0410, filed 9/12/03, effective 10/13/03.]

WAC 388-892-0420 What are the additional qualifications for vocational evaluation services contracts? (1) Individuals or organizations providing brief vocational assessment and/or comprehensive vocational evaluation services must maintain conformance to all uniform VR service contract qualifications and be:

(a) Qualified as a certified vocational evaluator (CVE) by the commission on certification of work adjustment and vocational evaluation specialists (CCWAVES); or

(b) Accredited in comprehensive vocational evaluation services by CARF - The rehabilitation accreditation commission; or

(c) Hold a current certification as a certified rehabilitation counselor (CRC) by the commission on rehabilitation counselor certification (CRCC) and have successfully completed three graduate level courses, from an accredited college or university, in vocational evaluation; standardized assessment; psychological testing and measurement; or any combination of the above mentioned coursework.

(2) Individuals or organizations providing situational assessment services must maintain conformance to all uniform VR service contract qualifications, and be:

(a) Qualified as a certified vocational evaluator (CVE) by the commission on certification of work adjustment and vocational evaluation specialists (CCWAVES); or

(b) Accredited in employment planning services by CARF - the rehabilitation accreditation commission; or

(c) Licensed in employment services by the department of social and health services (DSHS)/mental health division (MHD); or

(d) Certified by the International Center for Clubhouse Development (ICCD); or

(e) Hold a current certification as a certified rehabilitation counselor (CRC) by the commission on rehabilitation counselor certification (CRCC) and have successfully completed three graduate level courses, from an accredited college or university, in vocational evaluation; standardized assessment; psychological testing and measurement; or any combination of the above mentioned coursework.

[Statutory Authority: RCW 43.20A.310(2), 74.29.020(3) and 74.29.080(8). WSR 03-19-075, § 388-892-0420, filed 9/12/03, effective 10/13/03.]

WAC 388-892-0430 What are the additional qualifications for job placement/retention services contracts? (1) Organizations that provide any job placement/retention service must maintain conformance to all uniform VR service contract qualifications.

(2) There are no additional qualifications for organizations that provide general job placement/retention services.

(3) Organizations that provide levels 1 or 2 specialized job placement/retention services must also be:

(a) Accredited in community employment services by CARF - The rehabilitation accreditation commission; or

(b) Licensed in employment services by the department of social and health services (DSHS)/mental health division (MHD); or

(c) Certified by the International Center for Clubhouse Development (ICCD).

[Statutory Authority: RCW 43.20A.310(2), 74.29.020(3) and 74.29.080(8). WSR 03-19-075, § 388-892-0430, filed 9/12/03, effective 10/13/03.]

WAC 388-892-0440 What are the additional qualifications for a transitional employment services contract? Organizations that provide transitional employment services contracts must:

(1) Maintain conformance to all uniform VR service contract qualifications; and

(2) Be certified by the International Center for Clubhouse Development (ICCD).

[Statutory Authority: RCW 43.20A.310(2), 74.29.020(3) and 74.29.080(8). WSR 03-19-075, § 388-892-0440, filed 9/12/03, effective 10/13/03.]

WAC 388-892-0450 How long does a subsequent VR service contract last? All DVR VR service contracts may be granted for a period of up to two years or for a duration as announced in the RFQ.

[Statutory Authority: RCW 43.20A.310(2), 74.29.020(3) and 74.29.080(8). WSR 03-19-075, § 388-892-0450, filed 9/12/03, effective 10/13/03.]

DVR VOCATIONAL REHABILITATION SERVICE CONTRACTS—GENERAL OPERATIONS

WAC 388-892-0500 What is DVR's payment system for VR service contracts? DVR establishes fixed fees for VR contract services as follows:

(1) DVR identifies geographic VR service delivery areas based on economic cost of living data.

(2) Every two years or on an interval as announced in the contract RFQ, with input received from the service providers, DVR will establish and publish a scheduled of fixed payment fee for each contracted VR service.

(3) All VR service contractors, within each geographic VR service delivery area, are paid the fixed payment fee for each contracted VR service.

[Statutory Authority: RCW 43.20A.310(2), 74.29.020(3) and 74.29.080(8). WSR 03-19-075, § 388-892-0500, filed 9/12/03, effective 10/13/03.]

WAC 388-892-0510 Can VR service contracts be denied or terminated? (1) DVR may decide not to accept a bid or an offer by a person or organization seeking to provide contracted VR services if the bid or offer does not meet minimum RFQ requirements. The DSHS bid protest procedures set forth in the request for qualifications shall be the exclusive administrative remedy for refusal to accept a bid or offer.

(2) VR service contracts may be terminated for cause or convenience at any time by DVR or the contractor in accordance with the terms of the contract. The contractor's administrative remedies shall be limited to those specified in the contract.

(3) Additionally, DVR may terminate all DVR individual case service delivery plans that are open with the contractor at the time their VR service contract is terminated. Termination provisions are outlined in the VR service contracts.

[Statutory Authority: RCW 43.20A.310(2), 74.29.020(3) and 74.29.080(8). WSR 03-19-075, § 388-892-0510, filed 9/12/03, effective 10/13/03.]

WAC 388-892-0520 What exceptions does DVR have to contract for vocational evaluation, job placement/retention and/or transitional employment services outside of these rules? DVR may define and contract for the purchase of any vocational rehabilitation services outside of these rules if necessary to meet the vocational rehabilitation needs of any individual or group of DVR customers.

[Statutory Authority: RCW 43.20A.310(2), 74.29.020(3) and 74.29.080(8). WSR 03-19-075, § 388-892-0520, filed 9/12/03, effective 10/13/03.]