

Funding of Assistive Technology through State Vocational Rehabilitation Agencies

December 18, 2013

2:00 - 3:45 p.m.

(Eastern Standard Time) (See registration form below)

***This Free 105-Minute Teleconference** is for attorneys, advocates, assistive technology (AT) specialists, and others. The presenters will provide a general overview of the federal criteria that governs the delivery of services by state vocational rehabilitation (VR) agencies to individuals with disabilities. The presenters will then explore the specific provisions in the federal Rehabilitation Act and the implementing regulations that describe when AT devices and services are available to allow an individual to participate in a VR program or allow an individual to achieve an employment outcome. Finally, the presenters will describe the appeals system that is available to challenge any denial of services, including the right to pursue a case in court following an adverse hearing decision. Trainees will be offered the opportunity to ask questions during the presentation at specific times. Both presenters have extensive expertise related to this topic and have written and lectured on the topic extensively to audiences throughout the country.*

SPONSORED BY:

**The National Assistive Technology Advocacy Project
A Project of Neighborhood Legal Services, Buffalo, NY**

**The Advocacy Center
New Orleans, Louisiana**

Funding of Assistive Technology through State Vocational Rehabilitation Agencies

Presenters

Ronald M. Hager, Senior Staff Attorney
National Disability Rights Network
Washington, D.C.

James R. Sheldon, Jr., Supervising Attorney
National Assistive Technology Advocacy Project
Neighborhood Legal Services, Inc.
Buffalo, NY

The presenters each have more than 20 years experience on issues related to funding of a range of services, including assistive technology (AT), through state vocational rehabilitation (VR) agencies. Both have lectured extensively on this and related topics at events throughout New York State and at national conferences.

Attendance Free, But Pre-Registration Required

There will be no registration fee. However, since we are charged for each open phone line, we ask that two or more individuals attending from the same location listen from the same phone line, if possible.

Phone Connection, Handouts:

Handouts and a telephone call-in number will be emailed to participants one day before the event.

CLE Credits

This event is approved for 1.5 hours (90 minutes instructional time) in Continuing Legal Education (CLE) credits by the Louisiana MCLE Committee. Check your state CLE rules to determine if they will recognize these credits (e.g., the NY bar recognizes Louisiana CLE credits; see www.nycourts.gov/attorneys/cle/approvedjurisdictions.shtml for details).

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Program Objective: Trainees will learn about the federal law, regulations, and policy that govern the delivery of services by state VR agencies. Trainees will then be introduced to the specific provisions of law, regulation and policy that govern the approval of AT devices and services to allow an individual with a disability to pursue a vocational goal. Trainees will thereby be better equipped to: counsel clients with disabilities about the AT devices and services that may be available to them from a state VR agency; and represent clients at administrative hearings and in litigation if a request for an AT device or service is denied.

Agenda

(A brief period for participant questions, submitted to a designated email address, will be provided at least twice during the presentation.)

Introduction

The presenter(s) will explain the federal law criteria, for funding AT, under Title I of the Rehabilitation Act and its implementing regulations.

Available VR Agency Services, the Individualized Plan of Employment (IPE)

The presenter(s) will review the services, including AT, available through state VR agencies. They will explain how AT devices and services are defined and the criteria for approving them and making them a part of an individual's IPE. They will explain federal policy that would support a "maximization of employment" standard for approval of services and the limited success maximization has had in the courts.

Financial Need Criteria and the Comparable Services Requirement

The presenter(s) will review the core VR services that may not be subject to financial need and then discuss the wide range of services that most state VR agencies can be expected to limit to individuals who meet financial need criteria. The presenter(s) will explain the special rules that apply when an individual receives Social Security or SSI disability benefits. They will also explain the requirement that individuals seek out "comparable services" or other payment sources for the items they want funded.

Hearing and Appeal Rights

The presenter(s) will explain the rights of an individual who is dissatisfied with a VR agency decision, including the right to mediation, an administrative hearing, and court review. They will explain the obligations of the agency to explain these rights in a written notice and the right to seek assistance through the Client Assistance Program in your state.

Time for Participant Questions

We will pause at least twice during the presentation to take audience questions which have been sent in through email. If time permits, we will continue to take questions at the end of the presentation.

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Registration

Name: Agency:

Address:.....

City/State/Zip:

Phone: Fax:..... Email:.....

Session is Free, But Registration is Required:

Continuing legal education (CLE) credits are also free, but attorneys must be registered to obtain CLE credits.

Please Email/Fax Registration (by 12/10/13 at 5:00 p.m. Eastern Time) to:

Lynn Urquhart • Neighborhood Legal Services, Inc.

Phone: (716) 847-0650 ext. 271 • Fax: (716) 847-0227 • lurquhart@nls.org

Reasonable Accommodation Requests (DEADLINE: 12/10/13)

Reasonable Accommodation Requested:.....

Please list any attorneys who will need CLE certificates (include e-mail addresses):

NOTE: Members of the Louisiana Bar are limited to one CLE certificate per phone line unless an attorney from the Advocacy Center is present.

Other Continuing Education Credits: We will not have any additional accreditation but can provide certificates of attendance if that will help.