



Frequently Asked Questions: Order of Selection

Updated: January 31, 2020

What is an order of selection?

Under federal law, state vocational rehabilitation programs that do not have sufficient funding or personnel to provide services to everyone who is eligible must set priorities to serve those with the most significant disabilities. The Department of Labor & Industry's (L&I's) Office of Vocational Rehabilitation (OVR) has been operating under this prioritization, called an order of selection, since March 1, 1994.

How is OVR funded?

OVR is funded by both state and federal funds and receives a four-to-one federal match for each state dollar awarded. OVR is currently maxed out on the amount of federal funds that can be obtained. Pennsylvania has also been able to obtain reallocation funds (federal funds unused by other states).

What is the status of the order of selection closure?

On June 13, 2019, OVR's state board approved a temporary closure of its order of selection. The U.S. Department of Education's Rehabilitation Services Administration subsequently approved OVR's request to temporarily close the order of selection and create a waiting list for new customers. The waiting list was implemented on July 1, 2019.

Services will continue for current OVR customers with an Individualized Plan for Employment (IPE), in place by July 1, 2019 as well as Pre-Employment Transition Services for students with disabilities, as required by federal law.

Effective February 1, 2020, OVR will open the order of selection on an intermittent basis and serve a set number of customers from the waiting list, starting with individuals who have been on the waiting list the longest. The number of customers served will be determined by OVR based on the availability of resources. The customers will be notified that OVR may proceed with services. All other customers will remain on the waiting list.

How will the waiting list work?

After OVR receives a referral, counselors will meet with respective applicants to complete the application, inform them about the order of selection closure, and provide them with resources that can assist them while they are on the waiting list. Eligibility will be determined within 60 days of the application date.

After eligibility determinations are made, customers will be assigned to an order of selection priority category based on their functional limitations and need for multiple vocational rehabilitation services over an extended period (currently defined as six months). Customers will be put on the waiting list based on their application date and will be notified when this occurs.

When financial resources are available, first priority will be given to customers with a most significant disability, second priority to customers with a significant disability, and third priority to customers with a non-significant disability.

How long will the waiting list be in effect?

The waiting list is expected to remain in effect temporarily. OVR will determine when to open each category based upon financial availability and will evaluate the ability to open categories on a quarterly basis.

Once funding is available, if OVR is unable to serve everyone in a specific category, customers who have been waiting the longest to receive services based on application date will be able to proceed with the development and implementation of their Individualized Plan for Employment

I've received OVR services in the past – can I reopen my case while the order of selection is closed?

Yes. Individuals applying for services after the date the order of selection is closed will be interviewed and their eligibility and order of selection determination will be made.

Will my child receiving Pre-Employment Transition Services be affected?

Students with disabilities are subject to the order of selection as VR customers, however, they can receive Pre-Employment Transition Services in certain instances:

- The student has already participated in one of the five required pre-employment transition services before receiving a determination of eligibility for VR services and being placed on the waiting list
- The student who is potentially eligible and has been determined eligible for VR services and has not been placed on the waiting list may receive pre-employment transition services that are new or continuing
- OVR staff will still be able to attend IEP meetings for potentially eligible students and students with open VR cases during the closed order of selection waiting list

If a student has not received Pre-Employment Transition Services prior to being determined eligible for VR services and placed on the waiting list that student will not be able to receive any of the five required pre-employment transition services or individualized VR services.

Does temporarily closing the order of selection impact current or future requests from existing customers?

Services will continue for all customers who are already receiving services under an approved individualized Plan for Employment prior to the date the order of selection is closed.

Will OVR be reinstating interviews of current customers to reevaluate their eligibility? Are the eligibility standards changing in any way?

Current customers already receiving services under an approved individualized Plan for Employment will not be impacted. If you are on the waiting list and believe your disability has become more significant, you may contact your counselor to request a review of your priority category assignment. Supporting documentation may be requested.

The eligibility standards are not being changed. The determination of an applicant's eligibility for services must be based only on the following requirements:

- The individual has a physical or mental impairment;
- The impairment(s) result(s) in a substantial impediment to employment;
- The individual requires vocational rehabilitation services to prepare for, secure, retain, advance in, or regain employment that is consistent with the individual's unique strengths, resources, priorities, concerns, abilities, capabilities, interest, and informed choice; and
- The individual intends to achieve an employment outcome that is consistent with their unique strengths, resources, priorities, concerns, abilities, capabilities, interests, and informed choice.

I'm an existing OVR customer. Can I still talk to my OVR contact person?

Yes.

Will this affect my grant funding/tuition reimbursement?

Services will continue for all customers who are already receiving services under an approved Individualized Plan for Employment prior to the date the order of selection is closed.

Will the Transition from School to Work or the Ticket to Work programs be impacted in any way?

Federal law allows for the continuation of the five required pre-employment transition services only for those students who received such services prior to an eligibility determination and the assignment to a closed order of selection priority category. Once an application and eligibility determination is made, that student would be subject to the order of selection for the receipt of vocational rehabilitation services, including pre-employment transition services if they had not yet begun.

Transition services are activities provided by schools and/or outside agencies which prepare a student with a disability to move from school to post-school activities, including further education and employment.

Students with disabilities will continue to receive transition services as outlined under section 614(d)(1)(A)(i)(VIII) of the Individuals with Disabilities Education Act.

The Ticket to Work program is for Social Security Administration recipients over 18 who require assistance in obtaining and maintaining employment. Individuals who are in "Plan" status will continue to receive services from OVR. Once they have successfully completed 90 days in competitive integrated employment and require no further services, the case can be closed. The individual can then transfer their Ticket to an Employment Network for further services as described at the [Ticket to Work website](http://www.choosework.ssa.gov) (www.choosework.ssa.gov).

My family member is currently enrolled at HGAC – what are the impacts to their programs and services?

None. Services will continue for all customers who are already receiving services under an approved Individualized Plan for Employment prior to the date the order of selection is closed.

I am a vendor – how does this change my contract of services for the state?

There will be no change.