

### **3304-2-65 Order of selection.**

(A) RSGOOD shall implement an order of selection when RSGOOD determines that, based on projected fiscal and personnel resources, that it will not be able to provide services to all individuals who are expected to be found eligible in the next fiscal year.

(B) Individuals who have begun to receive services under an individualized plan for employment prior to the effective date or modification of implementation of order of selection shall continue to receive services.

(C) To implement an order of selection RSGOOD shall first determine an individual's eligibility pursuant to rule 3304-2-54 of the Administrative Code. Eligible individuals shall then be assigned to one of three order of selection priority categories, defined as follows:

(1) Most significant disability (MSD) - an individual who meets the definition of "significant disability" as defined in paragraph (C)(2) of this rule, but whose disability seriously limits three or more functional capacities.

(2) Significant disability (SD) - an individual who has a physical, mental or cognitive disability that seriously limits one or two functional capacities (such as mobility, communication, self-care, self-direction, interpersonal skills, work tolerance, and work skills) in terms of an employment outcome; and who is expected to need multiple vocational rehabilitation services over an extended period of time.

(3) Other eligible individuals - an individual who meets the definition of eligible per rule 3304-2-54 of the Administrative Code but whose impairment does not rise to the level of a significant disability.

(D) An individual who has been determined eligible for social security benefits under Title II or Title XVI of the Social Security Act, shall, at a minimum, be assigned an order of selection priority category of significant disability; the individual may be assigned an order of selection priority category of most significant disability if there is documentation of limitations in three or more functional areas.

(E) When an order of selection is in effect, individuals with the most significant disabilities will be selected first for the provision of vocational rehabilitation services; individuals with significant disabilities shall be the next highest priority for services, followed by all other eligible individuals.

(F) Eligible individuals shall be notified in writing of their assignment to an order of selection priority category and their right to appeal their category assignment.

(G) A determination of an individual's assignment to an order of selection priority category shall not be based on: source of referral; type of expected employment

outcome; the need for specific services or anticipated cost of services required; or the income level of the individual or the individual's family.

(H) Individuals with disabilities, including eligible individuals who do not meet the agency's order of selection criteria for receiving vocational rehabilitation services, when an order of selection is in effect, shall be provided vocational rehabilitation information and guidance, including referral to other components of the statewide workforce investment system and other appropriate federal and state programs.

(I) RSCOOD shall end an order of selection when:

(1) Projections indicate there are sufficient resources in the current federal fiscal year to provide services to all individuals who are found eligible; or

(2) Projections for a new federal fiscal year indicate that there will be adequate resources to serve all individuals who are found eligible.