

# NC DIVISION OF SERVICES FOR THE BLIND POLICIES AND PROCEDURES VOCATIONAL REHABILITATION

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<b>Section:</b>	<b>M</b>
<b>Title:</b>	<b>Maintenance Issuance and Billing</b>
<b>Current Effective Date:</b>	<b>03/23</b>
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The NC Division of Services for the Blind maintenance policy is based on the below federal regulations:

**Maintenance** means monetary support provided to an individual for expenses, such as food, shelter, and clothing, that are in excess of the normal expenses of the individual and that are necessitated by the individual's participation in an assessment for determining eligibility and vocational rehabilitation needs or the individual's receipt of vocational rehabilitation services under an individualized plan for employment. (Authority: Sections 12(c) and 103(a)(7) of the Rehabilitation Act of 1973, as amended; 29 U.S.C. 709(c) and 723(a)(7))

(i) Examples: The following are examples of expenses that would meet the definition of *maintenance*. The examples are illustrative, do not address all possible circumstances, and are not intended to substitute for individual counselor judgment.

Example 1: The cost of a uniform or other suitable clothing that is required for an individual's job placement or job-seeking activities.

Example 2: The cost of short-term shelter that is required in order for an individual to participate in assessment activities or vocational training at a site that is not within commuting distance of an individual's home.

Example 3: The initial one-time costs, such as a security deposit or charges for the initiation of utilities, that are required in order for an individual to relocate for a job placement. (ii) [Reserved]

## **Guidelines for Issuance of Maintenance and Billing of Maintenance and Tuition for Individuals Served within Community Rehabilitation Programs**

### **Maintenance**

Maintenance means monetary support provided to an eligible individual or an individual receiving Trial Work Experiences (TWE) or Extended Evaluation (EE) services for those living expenses, such as food, shelter, and clothing that are in excess of the normal living expenses of the individual and that are necessitated by the individual's participation in a program of Vocational Rehabilitation (VR) Services.

In order that an individual might assume the financial independence required after training has terminated and placement within the facility or within the community has taken place, a prorated reduction of that individual's maintenance check is to be made in the following manner during the training period.

At such time that an individual, whether in evaluation, vocational training, or work adjustment, begins to receive a check for the production of goods within the facility, his or her maintenance check will be reduced by \$1.00 for every \$1.00 of **NET** production earnings. Example: An individual's **NET** production check is in the amount of \$30.00 and the rate of maintenance is set at \$50.00. The individual's maintenance check would then be reduced by \$30.00 and the person would receive \$20.00 in maintenance benefits.

When an individual who is in training, whether it be in evaluation, work adjustment, or vocational training misses time from this activity, maintenance should **not** be reduced if the absence is excused. Excused absences are usually granted for the following reasons: sickness, medical appointments, death in the immediate family, and inclement weather.

For unexcused absences while the individual is in one of the above training programs, the maintenance will be reduced. An example of an unexcused absence would be if an individual states that just did not feel like coming to work. The amount of maintenance reduction will be determined by using each full day as 1/5 of his total weekly maintenance allowance. **Under no circumstances** should the maintenance allowance be reduced to less than the weekly cost of that individual's room.

If an individual misses one week or more because of hospitalization and/or surgery, the Vocational Rehabilitation Counselor assigned to the Community Rehabilitation Program (CRP) will submit a plan for medical maintenance.

### **Tuition**

As previously mentioned, when an individual misses one week or more because of hospitalization and/or surgery, tuition will not be paid for this interruption of the training period.

The CRP will be authorized to bill for tuition for a full week when the individual is present for training services for more than 1/2 of that scheduled week, whether such absences by the individual are excused or unexcused by the workshop.

There will be instances in which the facility will bill for tuition but not for maintenance.

### **Termination of Maintenance and Tuition Reimbursement**

There will be two instances in which facilities will terminate maintenance and cease billing the State Agency for tuition.

At such a point in the training period when an individual's productivity, for a 30-day period, provides hourly wages which are equal to the prevailing Federal minimum wage, **OR** for those individuals whose level of productivity remains consistent for a period of 30 days, this productivity level may be equal to or less than the industrial norm for a particular operation, the facility is to then advise the appropriate Vocational Rehabilitation Counselor whose responsibility it will be to place the individual in competitive employment or workshop employment to carry out this responsibility, and the individual may remain in the training situation while placement efforts are being made in order to insure that the individual maintains maximum productivity.

During this 90-day period, the individual will receive the appropriate level of maintenance, and the facility will be authorized to bill for tuition. At the end of the 90 days, the CRP will cease to provide maintenance and will not be authorized to bill the Agency for tuition.

In order to alleviate any misunderstandings as to the reasons for maintenance reduction, a clear and complete explanation should be given to each individual prior to entrance into the facility's program of services.