

Sources of Information for Eligibility Determination

(Revised 11/19)

The Rehabilitation Counselor will identify sources of information to determine an applicant's eligibility, as appropriate to the individual case.

Qualified Department of Rehabilitation (DOR) personnel (Rehabilitation Counselor, Team Manager, District Administrator, and the Regional Director) are authorized to confirm the existence of a diagnosed impairment when determining eligibility, and they may base their determination on direct observation of an apparent impairment and/or sufficient information obtained through a skilled interview. In addition, the Rehabilitation Counselor may consult with a DOR Medical Consultant or a Consulting Psychologist to clarify any information received.

Other Qualified Professionals from agencies other than DOR may determine the existence of an impairment within the appropriate area and scope of their expertise, including the following:

- SSA officials.
- Special education officials.
- Disabled Student Services professional staff from colleges and universities.
- Professional staff from community-based organizations whose primary mission is to serve individuals with disabilities.
- Other federal or state officials qualified to make such determinations.
- Counselors certified by the California Association of Alcoholism and Drug Abuse Counselors (CAADAC) or by the California Association of Addiction Recovery Resources (CAARR). They must be under the supervision of a physician, clinical psychologist, or other licensed professional trained or experienced in diagnosing and treating individuals with alcohol and substance use conditions.

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Qualified health care providers are physicians and allied health professionals who may determine the existence of an impairment and provide medical information of record (MIOR) or written medical assessments/evaluations based on the appropriate area and scope of their expertise.

If sufficient information is not available to determine eligibility, the Rehabilitation Counselor may conduct assessments to the extent needed to determine eligibility.

The Rehabilitation Counselor may also request more data from a source of information if the documentation/assessment is inadequate or incomplete to determine eligibility.

In all cases, the Rehabilitation Counselor will consider the following professionals to be qualified to provide documentation/assessments, within the scope of licensure and area of their expertise, skill, and training, to determine the existence of impairment:

- Physicians and surgeons.
- Doctor of osteopathy.
- Physician's assistant under the supervision of a licensed physician.
- Registered nurse under the supervision of a licensed physician.
- Nurse practitioner under the supervision of a licensed physician.

List of Qualified Professionals

Additionally, the Rehabilitation Counselor will consider the professionals listed in each of the four respective categories itemized below (physical conditions, mental/emotional conditions, learning disabilities, and alcohol or substance abuse disorders), to be qualified:

1. Documentation/assessment of physical conditions within the scope of licensure and area of professional expertise, skill, and training:
 - DOR Rehabilitation Counselor (observable impairment, e.g., amputation, or impairments that are not physically

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observable, but can be detailed by the applicant: description of the disability/condition and the functional impairments that result from that disability/condition).

- Physician and surgeon.
 - Physical therapist under the supervision of a licensed physician.
 - Occupational therapist under the supervision of a licensed physician.
 - Speech therapist.
 - Audiologist.
 - Optometrist
2. Documentation/assessment of mental/emotional conditions within the scope of licensure and area of professional expertise, skill, and training:
- Physician and surgeon (usually a psychiatrist).
 - Clinical psychologist.
 - Licensed clinical social worker (LCSW).
 - Marriage and family therapist (MFT).
3. Documentation/assessment of learning disabilities within the scope of licensure and area of professional expertise, skill, and training:
- Clinical psychologist.
 - Licensed educational psychologist.
 - Learning disability specialist employed by public education agencies at the secondary and postsecondary levels and trained to administer and interpret the assessment instruments to verify a learning disability.
4. Documentation/assessment of an alcohol or substance use disorder within the scope of licensure and area of professional expertise, skill, and training:
- Clinical psychologist.

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- Licensed clinical social worker (LCSW).
- Marriage and family therapist (MFT).
- Substance abuse counselor certified by the CAADAC and under the supervision of a physician, clinical psychologist, or other licensed professional trained or experienced in diagnosing and treating individuals with substance abuse conditions.
- Substance abuse counselor certified by the CAARR and under the supervision of a physician, clinical psychologist, or other licensed professional trained or experienced in diagnosing and treating individuals with substance abuse conditions.

The sources of information that may be used in the eligibility determination process may include, but are not limited to, the following:

- Documentation used to establish presumptive eligibility.
- Observations, both visible and nonvisible disabilities, resulting from a skilled interview by the Rehabilitation Counselor (including, but not limited to, the existence of an obvious impairment, such as the loss of a limb or information obtained through the individual or family participating in the initial interview).
- SSA, medical, and educational records.
- Documentation provided by the applicant or the applicant's family.
- Existing data from other qualified sources.

Prohibited Factors

Certain types of existing information are not sufficient to establish the presence of a disability and cannot be used in the eligibility determination process. This may include, but is not limited to, information documenting the following:

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- Limited fluency in English.
- Differences in cultural practices.
- Optometric or ophthalmologic diagnosis of a refractive error that can be corrected with lenses.
- History of expulsions, arrests, convictions, or incarcerations.
- Letters indicating participation in a recovery program such as Alcoholics Anonymous, or referrals to a residential or outpatient rehabilitation facility for alcohol or substance use.

Moreover, a history of social problems, without a history of obtaining or retaining employment, resulting from the impairment does not constitute a substantial impediment for purposes of determining eligibility.

Information that is not sufficient to establish the presence of a disability, by itself, may still be used to assess an individual's VR needs overall for the development of an IPE.