

MEMORANDUM OF AGREEMENT

BETWEEN THE NORTH CAROLINA DEPARTMENT
OF HEALTH AND HUMAN SERVICES

DIVISION OF VOCATIONAL REHABILITATION SERVICES

AND

DIVISION OF SOCIAL SERVICES

I. Introduction

- 1.1. This Memorandum of Agreement (MOA) is entered by and between the Department of Health and Human Services, Division of Vocational Rehabilitation Services (hereinafter referred to as "NCDVRS"), and Division of Social Services (hereinafter referred to as "NCDSS"), for the purpose of providing vocational rehabilitation services for eligible customers with disabilities in the preparation for obtaining employment and reaching self-sufficiency. This MOA is subject to the provisions of all applicable Federal and State laws, regulations, policies and standards.
- 1.2. The administrator for the NCDVRS will be Jim Swain, Program Specialist; 2801 Mail Service Center, Raleigh, NC, 27699-2801; 919-855-3598. The administrator for the NCDSS will be Dean Simpson, Chief, Economic and Family Services, 2420 Mail Service Center, Raleigh, NC, 27699-2420; 919-334 -1234.
- 1.3. This MOA may be terminated by either party upon at least 30 days written notice or immediately upon notice for cause. This MOA may be amended, if mutually agreed upon, to change scope and terms of the MOA. Such changes shall be incorporated as a written amendment to this MOA.
- 1.4. The legal authority for this agreement is based upon the 1998 amendments to the Rehabilitation Act (P.L. 105-220); G.S. 143-545A through 143-548; G.S. 143-10; and G.S. 143 Article 3.
- 1.5. Both parties attest that they do not discriminate on the basis of race, color, national origin, sex, religion, age, political beliefs, or disability in employment of the provision of services as required by 34 CFR 76.500. Both parties to this agreement are currently in compliance with Title VI of the Civil Rights Act of 1964 and comply with the provisions of the Rehabilitation Act of 1973, as amended through 1998, the Workforce Investment Act (P.L. 105-220) including Sections 501, 503, and 504 to the extent applicable; the Individuals with Disabilities Education Act (P.L. 105-17); the Vocational Education Amendments (P.L. 101-392); and the Americans with Disabilities Act (P.L. 101-336). Both parties comply with wage and hour regulations.

II. Mutual Responsibilities

A. Interagency Collaboration

- 2.1. Maintain open communication and annual meetings on the state level to review the status of the goals as stipulated within this agreement. Scheduling of collaborative meetings at the local level will be determined by the appropriate representatives of those parties to discuss the delivery of appropriate services for customers with physical or mental disabilities receiving Social Services and to clarify state policies and procedures to eliminate barriers to the effective provision of services and successful outcomes.
- 2.2. Each local agency should exchange information regarding the referral processes and mutual understanding of each agency's roles, services, vocabulary usage, limitations, and resources available to serve this population. Mutual presentations on an occasional basis would be beneficial to allow for educating new staff and providing any relevant updates, if appropriate.
- 2.3. Encourage relevant staff from both agencies locally to meet as needed to staff cases. As previously noted, scheduling of additional meetings to discuss ongoing inter-relationship issues, and continue the process for ongoing improvements in the delivery of services to customers shall be at the discretion of local parties. It is recommended that attendance in these joint meetings should include staff from all applicable program areas, including Work First, Food and Nutrition Services, Child Welfare, LINKS, Independent Living, and Assistive Technology. The joint meetings should focus on what customers can do in order to open up the realm of possibilities and outcomes that are more successful. These local collaborative groups should add other disciplines to their workgroups as needed, including Local Management Entities, Community Colleges, Community Rehabilitation Programs, Social Security, Medicaid, and any other local resources when deemed necessary.

B. Referral Process

- 2.2.1 Referrals can flow from the local Department of Social Services (hereinafter referred to as "DSS"), to the local Vocational Rehabilitation Office (hereinafter referred to as "VR"), or vice versa, as needs are identified. Referral forms from each agency should be provided to relevant staff to expedite the process as much as possible.
- 2.2.2 Development of a formal referral process should be in place, which includes feedback to the referring agency.
- 2.2.3. DSS will make utilization of assessment tools that focus on what the customer can do in relation to potential employment based on their skills and abilities. All customers who present a diagnosed or undiagnosed functional limitation (areas of communication, interpersonal skills, mobility, self-care, self-direction, work skills, or work tolerance) that may be a barrier to employment should be referred to the VR for services.

- 2.2.4. Referrals to VR may occur at any time from the point of intake throughout the customer's involvement with the DSS. It is strongly advised that the DSS refer customers to VR prior to any referral to the Social Security Administration or to any provider for a vocational assessment or functional evaluation.
- 2.2.5. Referral by VR staff to DSS should be made as soon as the need is identified. The VR staff may assess and refer a customer to DSS to make an application for Food and Nutrition Services, Work First or other DSS services, including the LINKS program. If VR staff suspects that a child may be abused or neglected, a mandatory Child Protective Services Report should be made to the DSS.

C. Case Planning Goals and Services

- 2.3.1. Cooperation between agencies in securing coordinated services at the local levels for those customers being considered for, or recipients of, social services and vocational rehabilitation services is recommended. Case management efforts will be made to prevent the duplication of services from collaborating agencies.
- 2.3.2. Joint planning of services is a requirement for both agencies. Within the DSS, case planning processes exist in all services programs, though under different names. In Work First, the case plans are called Mutual Responsibility Agreements (MRA). In Child Welfare, these plans are referred to as Family Services Agreements (FSA). Similarly, NCDVRS has a case planning process that results in the development of the Individualized Plan for Employment (IPE). Whenever possible, joint planning with the customer should occur for all of these plans. Copies of these various plans should be shared as soon as possible with all parties involved within the policy guidelines outlined by each partner. Both agencies will comply with Federal and State laws, which restrict the use and disclosure of information about people receiving assistance to safeguard the confidentiality of all customers. A customer's Information can only be released from a family's records, except for the purposes directly connected with the administration of program of public assistance and social services.
- 2.3.3. Services should be delivered in a timely manner by all parties involved as stipulated within the policies of each agency. Each program and agency may be required to meet different time frames; however, each agency and program should communicate and coordinate their activities in service delivery on the behalf of the customer whenever possible.

III. The NCDVRS agrees to:

- 3.1. Provide a program of vocational rehabilitation services to eligible individuals with disabilities referred by the NCDSS who want to obtain or maintain competitive employment. Services are based on **individualized** needs and financial eligibility which may include but not be limited to:
Assessment outcomes
 - Evaluation of work potential and skills;
 - Guidance and Counseling;
 - Physical or mental restoration;

- Durable medical equipment;
 - Vocational or Postsecondary Training;
 - Supported Employment Services;
 - Work Adjustment Training;
 - On-the-job Training;
 - Placement Equipment and Tools;
 - Job Development and Placement;
 - Assistive Technology Aids and Devices;
 - Interpreting Services (American Sign Language & Foreign Languages);
 - Transportation;
 - Maintenance in the support of other rehabilitation services;
 - Rehabilitation Engineering; or
 - Modifications to home, vehicle, or job site.
- 3.2. Share statistical and fiscal reports with the NCDSS regarding the Vocational Rehabilitation program, as deemed necessary to maintain open communication and good administrative practices, and that are mutually agreed upon by both parties as being necessary.
 - 3.3. Provide, within the limitations of available resources, case service funds necessary to the delivery of vocational rehabilitation services.
 - 3.4. Determine the customer's eligibility for vocational rehabilitation services, including the nature and scope of those services. Eligibility will be determined as soon as there is sufficient information to decide that the person meets or does not meet the requirements for eligibility. Federal guidelines stipulate that determination of eligibility must be made within 60 days after the individual has applied for services, unless there are exceptional circumstances, or a trial work experience or extended evaluation is necessary. An eligibility decision can only be made by NCDVRS professional counseling staff and cannot be delegated.
 - 3.5. Contact referred customers within 30 days to initiate the process of providing vocational rehabilitation services. Feedback regarding the status of the referral shall be provided to the referral source as soon as possible with regular updates as needed.
 - 3.6. Use existing assessment data when appropriate. When necessary, supplementary assessments will be procured.
 - 3.7. Complete a comprehensive evaluation on each eligible individual, to the degree necessary to determine the vocational goal and scope of vocational rehabilitation services to be included in the Individual Plan for Employment.
 - 3.8. Share consumer's specific information with appropriate NCDSS personnel upon a duly executed Consent for Release of Confidential Information as specified in 34 CFR 361.38.
 - 3.9. Provide Vocational Rehabilitation Services as long as the consumer is cooperative in the completion of his/her Individualized Plan for Employment or

until the consumer has achieved a successful employment outcome by being employed for ninety (90) days or more.

4. The NCDSS agrees to:

- 4.1 Consult with the DSS agencies to assure that all eligible customers who are receiving vocational rehabilitation services are provided appropriate program services that are available without cost to NCDVRS. Services that the NCDSS oversees and that the DSS provide to families include but are not limited to:
 - Work First Monthly Cash Assistance through Temporary Assistance to Needy Families (TANF) funds
 - Food and Nutrition Services
 - Benefit Diversion Assistance
 - Work First Services to Families within the At or Below 200% of the Federal Poverty Level
 - Emergency Assistance
 - Job Bonus
 - Case Management Services
 - Low Income Energy Assistance Program (LIEAP)
 - Transportation Assistance
 - Work Related Expenses
 - Participation Expenses-For the allowance of participation in Work First work activities.
 - Referrals, including referrals to Child Care, WIC services, Community Resources such as Employment Security Commission, Consumer Credit Counseling Service, Chamber of Commerce, Community Colleges and Centers for Employment and Training, Child Support Services, housing, Social Security, Health Support, In Home Aid Services, etc.
 - Child Protective Services
 - Child Placement Services
 - Adoption Services
 - Links Services for current and former youth in the Foster Care System
 - Intensive Family Preservation, Intensive Family Reunification, Adoption Promotion and Support, Family Preservation, and Family Support Services
- 4.2. Encourage DSS agencies to share consumer's specific information with appropriate NCDVRS personnel upon a duly executed consent for release of confidential information.
- 4.3. Encourage DSS agencies to include NCDVRS staff in any Child and Family Teams or in multidisciplinary meetings that involve planning with mutual customers.
- 4.4. Involve NCDVRS in planning and policy discussions on issues that impact the population that NCDSS serves.

- 4.5. Share research of federal and state law and policy that will affect NCDVRS and NCDSS collaboration in serving mutual populations.

North Carolina Department of Health and Human Services, Division of Social Services

BY: Sherry Bradsher
Director

DATE: 3/8/12

North Carolina Department of Health and Human Services, Division of Vocational Rehabilitation Services

BY: James H. H.
Director

DATE: 3-27-12