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# **A Handbook for Consumers**

## **CLIENT ASSISTANCE PROJECT**

**How to get the best out of the  
Massachusetts Rehabilitation Commission**



**A Demonstration Program of Assistance to the Severely Handicapped**

**In Cooperation With  
MASSACHUSETTS REHABILITATION COMMISSION**

**and**

**EASTER SEAL SOCIETY FOR  
CRIPPLED CHILDREN AND  
ADULTS OF MASSACHUSETTS, INC.**

**Funded under the Vocational Rehabilitation Act of 1973**

CLIENT ASSISTANCE PROJECT

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"Services of the  
Massachusetts  
Rehabilitation  
Commission are provided  
on a non-discriminatory  
basis without regard to  
race, creed or national  
origin".

## INTRODUCTION

The Massachusetts Rehabilitation Commission helps disabled people get ready to work and get jobs.

Right now, you may be considering applying for services offered by "Mass Rehab". Perhaps you are already a client or have received services from Mass Rehab in the past. This handbook tells you your rights.

Don't be afraid to enforce your rights. You will get better services if you understand your rights and you are ready to question "the system".

## HOW TO USE THE HANDBOOK

The Handbook is a collection of answers to questions you may have. You only need to read the parts that answer your questions. However, you may have more questions later on, so keep the Handbook where you can refer to it. The questions are numbered to make them easy to refer to.

## BASIC CONSUMER TIPS

Keep all the letters on other materials you get from Mass Rehab in one place where you can find them easily.

When you ask for information, be sure you understand the answer. If you don't, ask for an explanation. Be sure you know the name and title of any person who gives you information.

You can ask who is responsible for any decision that affects you. You can then ask that person for the basis of the decision. Perhaps there is an agency policy which governs the situation; perhaps the person is making a

personal judgment. Most decisions are a combination of agency policy and someone's judgment on how to apply that policy. You can ask to see any regulations which govern your case.

You should always request that a decision made in your case be given to you in writing. This is especially important if you disagree with the decision and plan to see if it can be changed.

You will get the best services if you participate fully in your own vocational program.

#### LIST OF QUESTIONS ANSWERED IN THIS HANDBOOK

##### GENERAL

1. What kinds of services are offered by Mass Rehab?
2. How long does a vocational rehabilitation program take?

##### ELIGIBILITY

3. Am I eligible for services?
4. Who decides whether I have a disability which is a handicap to employment?
5. Who decides whether vocational rehabilitation services will help me?
6. Do I have to live in the state for any particular length of time before I apply for services?
7. Is there an age requirement? Can someone be too young or too old for services?
8. Will Mass Rehab help children?

AREA OFFICES AND REGIONAL JURISDICTION CONT'

|                                                                                |            |
|--------------------------------------------------------------------------------|------------|
| Southbridge Area Office<br>922 West Main Street<br>Southbridge, Ma. 01550      | 1-765-5968 |
| Worcester Area City Office<br>75 B Grove Street<br>Worcester, Ma. 01605        | 1-754-1757 |
| Worcester Area Suburban Office<br>110 Lancaster Street<br>Worcester, Ma. 01609 | 1-791-6301 |

9. Will Mass Rehab help a child who is covered by a special education program under Chapter 766?
10. Are there some disabilities which make people automatically eligible or automatically ineligible?
11. Do I have to be unemployed to be eligible?
12. What is extended evaluation?
13. I think I am eligible for vocational rehabilitation services, but I have been told by a Mass Rehab counselor I am not. What can I do?

THE REFERRAL PROCESS

14. I cannot work because I am disabled. So I went to my Social Security office for cash benefits. Then I got a letter saying I should go for vocational rehabilitation. Why did I get this letter?
15. If I have gotten a letter asking me to see a Mass Rehab counselor after applying for SSI or SSDI, what should I do? Should I go in for the appointment?
16. How do people get referred to Mass Rehab if they are not sent by Social Security?

THE VOCATIONAL REHABILITATION PROCESS

17. What should I expect from my first visit to Mass Rehab?
18. Why does the counselor have to know so much about me?

19. What will I have to sign?
20. After my first visit, lots of doctor's appointments were made for me. Why do I have to see these doctors?
21. Why do I have to have psychological tests? What are they like?
22. I have been given an appointment to see a psychiatrist. Why? What will it be like?
23. Why does it take so long from the time that I applied for services before Mass Rehab actually provides any services?
24. What are all the services Mass Rehab can provide?
25. I don't need all of these services at once, so who decides which services I get?
26. What if I disagree with my counselor about what program is best for me?
27. Why do I have to keep seeing the counselor once I am in school or in a training program?
28. What if I complete a vocational rehabilitation program and Mass Rehab helps me get a job but I lose it? Or what if I think I am about to lose the job?

MONEY

29. Does Mass Rehab pay for everything? If not, what will I have to pay for?
30. If the amount each client has to pay is different, who decides? How can I be sure the decision in my case is fair?

AREA OFFICES AND REGIONAL JURISDICTION CONT'

South Shore Alcoholism Rehabilitation Program  
P O Box 317  
Medfield, Ma. 02052

1-359-8584

SPRINGFIELD REGIONAL OFFICE

16 Fort Street  
Springfield, Ma. 01103

1-413-781-7420

Greenfield Area Office  
324 Main Street  
Greenfield, Ma. 01301

1-413-774-2326

Holyoke Area Office  
560 Dwight Street  
Holyoke, Ma. 01040

1-413-536-8200

North Adams Area Office  
85 Main Street  
North Adams, Ma. 01247

1-413-663-7065

Pittsfield Area Office  
6 Clinton Avenue  
Pittsfield, Ma. 01201

1-413-499-2720

Springfield Area Office  
16 Fort Street  
Springfield, Ma. 01103

1-413-736-7296

WORCESTER REGIONAL OFFICE

10 Faraday Street  
Worcester, Ma. 01605

1-791-3355

Fitchburg Area Office  
76 Summer Street  
Fitchburg, Ma. 01430

1-345-1713

Milford Area Office  
3 Fayette Street  
Milford, Ma. 01757

1-478-0700

AREA OFFICES AND REGIONAL JURISDICTION CONT'

|                                                                                              |                      |
|----------------------------------------------------------------------------------------------|----------------------|
| ** Cambridge Area Office<br>2464 Massachusetts Avenue<br>Cambridge, Ma. 02140                | 492-0360             |
| **Metropolitan State Hospital Unit<br>475 Trapelo Road<br>Waltham, Ma. 02154                 | 894-1341             |
| Concord Area Office<br>336 Baker Street<br>West Concord, Ma. 01742                           | 1-369-1963, 484-7287 |
| Natick Area Office<br>83 Speen Street<br>Natick, Ma. 01760                                   | 1-655-7500           |
| **Norwood Area Office<br>511 Washington Street<br>Norwood, Ma. 02062                         | 769-5950             |
| **Quincy Area Office<br>1431 Hancock Street<br>Quincy, Ma. 02169                             | 471-1600<br>471-1600 |
| ** <u>SPECIALTY PROJECTS DIVISION</u><br>Room 640<br>80 Boylston Street<br>Boston, Ma. 02116 | 426-3772, 727-6773   |
| **Corrections Office<br>80 Boylston Street<br>Boston, Ma. 02116                              | 426-8555, 727-7056   |
| **Rehabilitation Services for the Deaf<br>80 Boylston Street<br>Boston, Ma. 02116            | 426-7224             |
| **Severe Physical Disability Office<br>Room 645<br>80 Boylston Street<br>Boston, Ma. 02116   | 426-7250, 727-6658   |

31. What kind of a job will I get if I receive vocational rehabilitation?
32. Do I have to take any job I am offered?
33. If I am a Mass Rehab client, how will it affect the other benefits I am getting?

CONFIDENTIALITY

34. What is in my case record at Mass Rehab?
35. Who is given information about me? Who gets to see my Mass Rehab case record?
36. Can I see my own file?

GENERAL

37. I have a physical handicap. I was not able to get in and out of my house by myself and therefore couldn't get to a training program that was part of my vocational rehabilitation program. So Mass Rehab has adapted my house to remove some of the physical barriers. I don't think the work was done properly. What can I do?

THE APPEALS PROCESS

38. I am not satisfied with the action of Mass Rehab in my case. I have discussed the problem with my counselor. I have explained my reasons and I believe I understand the counselor's response. But I still disagree. What can I do?
39. What is an administrative review like?
40. What if I am dissatisfied with the outcome of an administrative review?
41. Is there someone who can help me with problems I have in connection with Mass Rehab?

QUESTION # 1

What kinds of services are offered by Mass Rehab?

ANSWER:

Almost any kind of service that will help a disabled person get a suitable job. The main services are a thorough medical and psychological evaluation, counseling and guidance, physical restoration, and vocational training. These vocational rehabilitation services can make a disabled person more employable. Job placement is the last part of the vocational rehabilitation program.

Here are some examples:

A woman who is a receptionist has lost her hearing. Mass Rehab can offer guidance and counseling by a professionally trained counselor to help her figure out what sort of job she can do in spite of the handicap. Mass Rehab can buy a hearing aid for her if she cannot afford to buy one herself. Mass Rehab can place her in a program where she learns new communication skills. Finally, her counselor will help place her in a new job.

A man who is a truck driver was injured in an accident and will have to use braces to walk. Mass Rehab can help him to get the braces and learn to use them. If he cannot go back to truck driving, Mass Rehab will supply vocational training for a different job. This might mean paying part of his tuition to go to school so that he can become a bookkeeper for the trucking company.

There are many other services which Mass Rehab can offer. See Question # 24 for a full explanation.

QUESTION # 2

How long does a vocational rehabilitation program take?

AREA OFFICES AND REGIONAL JURISDICTION CONT'

|                                                                          |            |
|--------------------------------------------------------------------------|------------|
| New Bedford Area Office<br>558 Pleasant Street<br>New Bedford, Ma. 02740 | 1-993-6256 |
| Taunton Area Office<br>30 Taunton Green<br>Taunton, Ma. 02780            | 1-823-8141 |
| Plymouth Area Office<br>Human Services Center<br>Lakeville, Ma. 02346    | 1-947-7680 |
| <b>** MALDEN REGIONAL OFFICE</b>                                         |            |
| 33 Dartmouth Street<br>Malden, Ma. 02148                                 | 324 9188   |
| Lawrence Area Office<br>46 Amesbury Street<br>Lawrence, Ma. 01840        | 1-685-1731 |
| Lowell Area Office<br>97 Central Street<br>Lowell, Ma. 01852             | 1-457-7544 |
| <b>** Lynn Area Office</b>                                               |            |
| 31-33 Exchange Street<br>Lynn, Ma. 01901                                 | 593-6604   |
| <b>** Malden Area Office</b>                                             |            |
| 33 Dartmouth Street<br>Malden, Ma. 02148                                 | 324-7160   |
| <b>** J. T. Berry Rehabilitation Center Unit</b>                         |            |
| Rte 62<br>North Reading, Ma. 01864                                       | 664-5505   |
| <b>** METROPOLITAN REGIONAL OFFICE</b>                                   |            |
| 230 Boylston Street<br>Chestnut Hill, Ma. 02167                          | 527-2990   |

AREA OFFICES AND REGIONAL JURISDICTION

|                                                                            |            |
|----------------------------------------------------------------------------|------------|
| ADMINISTRATIVE OFFICE<br>292 Boylston Street<br>Boston, Ma. 02116          | 727-2183   |
| <br>                                                                       |            |
| **BOSTON REGIONAL OFFICE<br>80 Boylston Street<br>Boston, Ma. 02116        | 426-5835   |
| <br>                                                                       |            |
| **Brookline Area Office<br>320 Washington Street<br>Brookline, Ma. 02146   | 739-9080   |
| <br>                                                                       |            |
| **Government Center Area Office<br>141 Milk Street<br>Boston, Ma 02109     | 357-8137   |
| <br>                                                                       |            |
| **Mattapan Area Office<br>591 Morton Street<br>Dorchester, Ma. 02124       | 288-4600   |
| <br>                                                                       |            |
| **Roxbury Area Office<br>55 Dimock Street<br>Roxbury, Ma. 02119            | 442-5510   |
| <br>                                                                       |            |
| **Tufts Area Office<br>141 Milk Street<br>Boston, Ma. 02109                | 357-8137   |
| <br>                                                                       |            |
| LAKEVILLE REGIONAL OFFICE<br>Human Services Center<br>Lakeville, Ma. 02346 | 1-947-7646 |
| <br>                                                                       |            |
| Brockton Area Office<br>121 Main Street<br>Brockton, Ma. 02401             | 1-583-1530 |
| <br>                                                                       |            |
| Fall River Area Office<br>10 Purchase Street<br>Fall River, Ma. 02720      | 1-678-9041 |
| <br>                                                                       |            |
| Hyannis Area Office<br>147 Falmouth Road<br>Hyannis, Ma.                   | 1-775-6131 |

ANSWER:

Anywhere from a few months up to five or six years, depending on the program. Most vocational rehabilitation programs take two years or more.

QUESTION # 3

Am I eligible for services?

ANSWER:

There are three conditions you must meet to be eligible for vocational rehabilitation services offered by Mass Rehab.

First, you must have a physical or mental disability. This includes conditions such as arthritis, heart disease, amputation, mental disorders, and deafness. There are many other examples. If you are legally blind, however, you should apply to the Massachusetts Commission for the Blind in order to receive vocational rehabilitation services.

Second, the physical or mental disability must be a substantial handicap to employment. In other words, your disability must interfere with your potential for getting or keeping a job which suits your interests and abilities.

The third condition is that there must be a reasonable expectation that vocational rehabilitation services will increase your chances of getting or keeping an appropriate job. You must be able to form a vocational goal to be eligible for services. In other words, it must be likely that some kind of service that Mass Rehab offers will make you employable, or make you better able to perform the job of homemaker.

If this explanation is not clear, here are some examples:

A man is in a wheelchair because he had polio as a child. He has a physical disability. But in spite of this disability, he went through college and law school and is now a successful lawyer. His disability is not a handicap to employment. He does not need services offered by Mass Rehab because he already has a job which is suited to his abilities.

A woman is 55 and is emotionally disturbed. She was working as a clerk in a store but lost her job because she didn't go to work regularly. Her condition became more serious and she had to go to a hospital for treatment. The first time that she had an interview with a Mass Rehab counselor, she and the counselor both agreed that she was still too disturbed to be able to benefit from vocational rehabilitation services. She could not realistically form a vocational goal at this point. But she continued with medical care and in about eight months she saw the Mass Rehab counselor again. By this time, her emotional disturbance was under much better control. She and her counselor were able to work out a vocational rehabilitation plan which would help her get ready to go back to work.

QUESTION # 4

Who decides whether I have a disability which is a handicap to employment?

ANSWER:

A Mass Rehab doctor decides if you have a physical or mental disability. In order to make this decision, Mass Rehab will want to collect your medical records from the doctors, hospitals, or clinics you have been to recently. Mass Rehab will send you for a general medical exam and perhaps to one or more specialists as well in order to have you evaluated. You have a right to decide which doctor you want to see.

ANSWER:

The Client Assistance Project is a group of client advocates who can help you if you live within the geographical area they serve. Here is their address:

CLIENT ASSISTANCE PROJECT  
EASTER SEAL SOCIETY  
14 SOMERSET STREET  
BOSTON, MASSACHUSETTS 02108

The telephone number is (617) 9608-09

If you do not live within the geographical area served by the Client Assistance Project, you may get help from the Ombudsman of Mass Rehab (another client advocate). His address is 296 Boylston Street, Boston, Mass. 02118). The phone number is (617) 727-2184. You may also be able to get help from a local legal services group if you have a legal problem and if your income makes you eligible for their services. You may want to consult a private attorney if you can afford it. If you don't know who to ask for help, call or write the Client Assistance Project and they will try to refer you to someone who can assist you.

Beginning on the following page is a list of the area offices and regional offices of Mass Rehab. The asterisk (\*\*) identifies the offices which are serviced by the Client Assistance Project.

The review officer is probably a Mass Rehab supervisor, but not one involved with your case. She or he will try to understand both sides of the issue. There are no formal requirements for how you must present your case. You should simply explain what the problem is and support your position with witnesses or documents.

Within 20 days of the review, the review officer will render a written decision. It will explain the issues involved and the basis of the decision.

If you want to have an administrative review but you have more questions about what to expect, you can ask your counselor or your counselor's supervisor. If you want to speak with someone else who can explain the process, ask your counselor for the name of the Ombudsman (the Mass Rehab employee who acts as a client advocate) or call the Client Assistance Project. See Question # 41.

QUESTION # 40

What if I am dissatisfied with the outcome of the administrative review?

ANSWER:

The review officer will explain how you can request a fair hearing. This is the next step of the complaint procedure. If the decision of the administrative review is against you, the letter you receive will include a statement of your right to a fair hearing and the time limit within which you must exercise that right.

If you are dissatisfied with the outcome of the fair hearing, you may take your case to court.

QUESTION # 41

Is there someone who can help me with problems I have in connection with Mass Rehab?

A rehabilitation counselor with the assistance of a Mass Rehab medical or psychiatric consultant and a supervisor, is the person who decides if the disability is a substantial handicap to employment in your case.

QUESTION # 5

Who decides whether vocational rehabilitation services will help me?

ANSWER:

You and a vocational rehabilitation counselor who works for Mass Rehab decide. The counselor should understand the exact nature of your disability. She or he knows what services Mass Rehab offers and what sort of work these services might be able to prepare you for. Considering these factors, the vocational counselor decides if there is a reasonable expectation you will be able to engage in a suitable occupation after rehabilitation services are provided. You should participate fully in this decision. Remember that you can ask for an administrative review if you disagree with your counselor. See Question # 38.

QUESTION # 6

Do I have to live in the state for any particular length of time before I apply for services?

ANSWER:

No. You must simply live in the state of Massachusetts when you apply. Even if you are disabled because of an accident which occurred elsewhere, you can get services from Mass Rehab if you are in Massachusetts, and will be here long enough to benefit from the services.

QUESTION # 7

Is there an age requirement? Can someone be too young or too old for services?

ANSWER:

There are no age limits or requirements. But remember that Mass Rehab exists to help disabled people work. A very young person or a person who is near 65 might be unlikely to get a job after rehabilitation services and may not be considered eligible. If you are under 18 and you need services, Mass Rehab will require the cooperation of your parent or guardian.

QUESTION # 8

Will Mass Rehab help children?

ANSWER:

Since a person must be able to form a vocational goal in order for Mass Rehab to help them, children are usually not eligible for Mass Rehab services. A child who can form a vocational goal - even if it is a few years in the future - may be eligible. See Question # 3.

QUESTION # 9

Will Mass Rehab help a child who is covered by a special education program under Chapter 766?

act on the part of Mass Rehab, you should request an administrative review. You must make the request within 30 days of the action or inaction you are complaining about. You do this by writing a letter to the local office of Mass Rehab where you have applied for services or where you are receiving services. To find the mailing address of local office, look at the last page of this booklet where the area offices are listed. Here is an example of a letter requesting an administrative review:

Dear Supervisor:

I am dissatisfied with the action of the Massachusetts Rehabilitation Commission in my case. I request an opportunity to present my case to a higher authority.

(signed by you)

The letter must be signed by you or your authorized representative. If possible, make a copy of the letter and keep the copy.

A date will be set for a review of your case. The date set must be within 45 days of the time your request is received. You will get a letter stating the date, time, and location of the review.

QUESTION # 39

What is an administrative review like?

ANSWER:

It is informal. You can bring one or more representatives to help you present your case. You can bring witnesses or submit any documents you feel are relevant. You may use relevant portions of your case record.

The counselor in charge of your case will represent Mass Rehab's side of the case. The counselor's supervisor will be there and the attorney for Mass Rehab may be there as well.

as evidence in an administrative review if you request one. You may see your file in circumstances like these.

If you need information in your record for the purpose of a proceeding for benefits or damages, you should request the information in writing. The information relevant to your needs must be released to you or your parent, guardian, or representative. If the release of medical or psychological information to you directly may be harmful to you, it will be released to your parent, guardian or authorized representative or may be released to you by a physician or licensed psychologist.

QUESTION # 37

I have a physical handicap. I was not able to get in and out of my house by myself and therefore couldn't get to a training program that was part of my vocational rehabilitation program. So Mass Rehab has adapted my house to remove some of the physical barriers. I don't think the work was done properly. What can I do?

ANSWER:

The work was requested by Mass Rehab for your benefit. Mass Rehab made a contract with the builder to do the work. Mass Rehab has the right to enforce the contract. You can explain to your counselor why the work is not satisfactory. If the counselor and other Mass Rehab staff do not resolve the problem, you can request an administrative review.

QUESTION # 38

I am not satisfied with the action of Mass Rehab in my case. I have discussed the problem with my counselor. I have explained my reasons and I believe I understand the counselor's response. But I still disagree. What can I do?

ANSWER:

If you are dissatisfied with any action or failure to

ANSWER:

Any resident of Massachusetts who is under twenty-two has not received a high school diploma and has special educational needs, has a right to an education which meets those special needs. Each school must evaluate the educational needs of disabled children. If the school decides a child has special educational needs, it must develop an educational or training program to meet these needs.

Although Mass Rehab will not usually pay for services for children who are covered by Chapter 766, they will provide free evaluation, counseling and guidance. When a child, the school or the evaluation team, begins to consider job preparation or a vocational goal, a Mass Rehab counselor may become an active member of the process. He or she can help develop a good vocational plan. If the school cannot or does not pay for something which is vocationally important for a child, like a wheelchair or private tutoring, Mass Rehab will pay for it.

If you are eligible for Chapter 766, but are not getting an education which fits your special needs, you should request assistance from Mass Rehab. It will encourage your school and the Department of Education to provide a special educational or the training services you need. Mass Rehab may pay for them until the school does so.

Even if you have dropped out of school, or have never been in school, you are covered by Chapter 766 until you are twenty-two. Mass Rehab will encourage you to get the necessary educational and vocational services through your school. If you are unwilling to work with your school or you are dissatisfied with their plan for you, Mass Rehab may assist you as if you were not covered by Chapter 766.

QUESTION # 10

Are there some disabilities which make people automatically eligible or automatically ineligible?

ANSWER:

No. Each case requires an individual decision.

QUESTION # 11

Do I have to be unemployed to be eligible?

ANSWER:

No. Maybe you feel your disability will cause you to lose your job unless you have help from Mass Rehab. Or maybe you are employed at a level far below your capacity because of your disability. Perhaps you are a disabled housewife who needs services from Mass Rehab to continue to care for your home and family. If you are in these situations, you can apply to Mass Rehab for services. Of course, you can also apply if you are unemployed.

QUESTION # 12

What is extended evaluation?

ANSWER:

Suppose there is an applicant who is disabled and whose disability is a handicap to employment, but the counselor can't decide whether the person will benefit from services in terms of employability. Such a person can receive rehabilitation services up to 18 months on a trial basis, to see if he or she is eligible. If the person is able to, he or she may be required to pay for some of the vocational rehabilitation services received under extended evaluation. See Question # 29.

can help the counselor remember important things about your case and may also justify why certain services are being provided. The counselor only needs to know information which is relevant to your vocational goals. If you are concerned with the type and extent of information gathered about you, ask the counselor to explain the reasons the information is requested.

QUESTION # 35

Who is given information about me? Who gets to see my Mass Rehab case record?

ANSWER:

Information about you is used for the benefit of your vocational rehabilitation. It can be released to appropriate people within Mass Rehab. For example, your counselor's supervisor will review your rehabilitation plan in order to approve the services requested. If your counselor leaves the agency, you will be assigned a new counselor who would have access to your file.

Mass Rehab cannot release information about you to other people or agencies without first getting your consent in writing. The purpose of sharing any information about you is to help you achieve your vocational goal. The information cannot be released for any other purpose. You have a right to know exactly who receives information about you and why they need it.

QUESTION # 36

Can I see my own file?

ANSWER:

You or your authorized representative will be supplied with information in your record which is necessary for you in your relations with Mass Rehab. For example, you might need to see part of your record to understand exactly what your vocational needs are. You may need access to part of your file

place the person in the best possible job. The vocational rehabilitation process is independent of the criminal justice system. Mass Rehab is not a policing agency. The vocational counselor's only interest is in preparing the client for a good job.

If you are receiving some other type of benefit, you should ask the Mass Rehab counselor how it might be affected by your participation in vocational rehabilitation. Some examples of other benefits are: veterans' benefits, black lung benefits, annuities, railroad retirement benefits, a court order, alimony.

QUESTION # 34

What is in my case record at Mass Rehab?

ANSWER:

Your file contains the results of diagnosis and evaluation to determine your eligibility and the type of services that are appropriate in your case. The file will contain records from other sources if you have consented to have them released to Mass Rehab. If you have been determined ineligible, your case record contains the reasons for this determination. If you are engaged in a rehabilitation program, the file will contain a copy of your individualized written rehabilitation program. Your case record will contain information you have given on your financial resources. The selection of services to be provided in your case and the reasons that these services are appropriate are documented in your case record. If you are eligible for benefits under another program as well, this is documented. The reasons for closing your case must be documented in your case record. If you agree to let Mass Rehab release information about you for purposes connected with your vocational rehabilitation, this agreement must be in writing and will be kept in your case record. There must be documentation that you have been told that information Mass Rehab has about you is otherwise confidential.

In addition to all these things, the counselor may make notes about conversations with you. These notes can

QUESTION # 13

I think I am eligible for vocational rehabilitation services, but I have been told by a Mass Rehab counselor I am not. What can I do?

ANSWER:

You have a right to be notified in writing of the decision to deny you services. Be sure you understand the reasons. If you still disagree with the decision to deny you vocational rehabilitation services, ask for an administrative review. See Question # 38. (Also, if you are denied services because you are not expected to achieve a vocational goal, you have a right in most cases to an automatic re-assessment of this decision after twelve months.)

QUESTION # 14

I cannot work because I am disabled. So I went to my Social Security Office to apply for cash benefits. Then I got a letter saying I should go to Mass Rehab for vocational rehabilitation. Why did I get this letter?

ANSWER:

There are two cash assistance programs run by the federal Social Security Administration. One is called Supplemental Security Income, or SSI, to assist people who are elderly, blind, or disabled. People who receive SSI get a gold colored check. The other is called Social Security Disability Insurance, or SSDI. People who have had Social Security payments taken out of their paychecks when they were working may be entitled to SSDI benefits if they become disabled. People who receive SSDI get a green colored check.

Under either program, you must be disabled before you receive checks. When Social Security uses the word "disabled", they mean unable to do any work. Your Social

Security claims representative asks about your work history when you apply. Information about your medical condition goes to the Disability Determination Service where a decision is made on your eligibility for SSI or SSDI. The Disability Determination Service is one branch of the Massachusetts Rehabilitation Commission. Therefore, the letter informing you whether your SSI or SSDI claim has been allowed will come from Mass Rehab. But the Disability Determination Service is not the same branch of Mass Rehab that supplies vocational rehabilitation services.

While information about your medical condition is at the Disability Determination Service, it is also reviewed by a vocational rehabilitation counselor to see if you might be a person who would benefit from services offered by Mass Rehab. If your records indicate that you are a person who might be vocationally rehabilitated and eventually get a job, you will get a letter asking you to come to Mass Rehab to talk to a vocational counselor.

QUESTION # 15

If I have gotten a letter asking me to see a Mass Rehab counselor after applying for SSI or SSDI, what should I do? Should I go in for the appointment?

ANSWER:

By the time you get a letter referring you for vocational rehabilitation, you probably have been told whether your SSI or SSDI claim had been allowed or denied.

If the claim has been denied, and you are not receiving any money from Social Security, you have nothing to lose by going to Mass Rehab. You may be eligible for some of the services, if you go. It is to your advantage to keep the first appointment, to talk to the vocational rehabilitation counselor and to find out more about what Mass Rehab can offer you.

Compensation Act or another federal program, you may also apply to Mass Rehab for services.

Workmen's Compensation is a very complicated subject. If you want to learn more about and how it can be tied in with vocational rehabilitation, you should call the staff assistant at the Industrial Accident Board in Boston. The telephone number is 727-3664.

If you have been a public offender, you may be eligible for vocational rehabilitation services if you have a physical or emotional disability. You are not automatically eligible because you have been convicted of a crime. Each case is decided on an individual basis.

Mass Rehab will not usually accept as a client a person who is awaiting trial. The rehabilitation process is not designed to affect the decision of a person's guilt or innocence. Nor will Mass Rehab become involved in a case for the purpose of affecting the sentence.

Mass Rehab will consider referrals from pre-trial diversion programs. Prisoners can apply to become Mass Rehab clients as the parole date approaches. Also, anyone on probation or parole who has an interest in the vocational rehabilitation process will be considered for eligibility. An individual can request referral through the probation or parole officer. Even if a person on probation or parole comes directly to Mass Rehab, the counselor will probably want to let the probation or parole officer know the individual is involved in vocational rehabilitation.

Criminal justice data is not released to Mass Rehab. Therefore, the vocational counselor will ask the applicant questions about his or her background. A thorough understanding of a person's education, social history, physical and emotional health is necessary in order to determine eligibility and to develop an appropriate vocational goal. The information that Mass Rehab collects is not released to the criminal justice system, except pursuant to a court order.

It is important to realize the purpose of vocational rehabilitation. The vocational counselor will identify the offender's problems and capabilities and will use resources in the community to help the person prepare for work and to

or on the job training, the first eleven (\$11) per month which you earn is not deducted from your grant. Your taxes are not deducted and child care should be paid by welfare. If you receive a stipend (a small grant instead of wages) this whole amount is disregarded in determining your eligibility for GR and the amount of your grant. Ask your counselor if your training program is one which gives a stipend which is disregarded for purposes of the GR program.

If you are receiving unemployment, you are probably aware that these benefits continue for only a certain length of time after you are no longer working, regardless of your need. In order to receive unemployment you must be willing, able and available for work. If you are also considering participating in vocational rehabilitation, it may be because your handicap prevented you from getting a suitable job. In other words, you were "underemployed" when you were working. If you are considering becoming a full-time student under a rehabilitation program, this will probably affect your unemployment compensation by making you unavailable for work. If your disability prevents you from working at all, the Division of Employment Security may deny you unemployment benefits but the evaluations made by Mass Rehab are independent and will not affect this decision.

At the initial interview, before you have committed yourself to participating in a vocational rehabilitation plan, the counselor can explain to you how becoming a Mass Rehab client could affect your unemployment benefits.

If you are receiving Workmen's Compensation, you can also apply for vocational rehabilitation services with Mass Rehab and this will not affect your weekly compensation. It is to your advantage to become a Mass Rehab client if there is any chance that your disability will make it difficult for you to return to work. Your counselor will help you to work out a plan which would enable you to earn a living after your Workmen's Compensation benefits stop. Since there are no further benefits if you obtain a lump sum settlement, it is important to become involved in vocational rehabilitation as soon as possible.

If you are receiving money under the Federal Employees'

If your claim was for SSI and it has been denied because you have too much income or too many resources, you should know about a special program called a "plan for self-support". Read the answer to Question # 33.

If your claim has been allowed, and you are eligible for checks from Social Security, you must see a Mass Rehab counselor if you are asked to do so. If you fail to see a counselor or if you refuse services without a good reason, Social Security has the right to stop your payments. When you go in for the appointment, you can find out more about the vocational rehabilitation process and what it can offer you. If the services offered are not what you think you need or desire, you always have the right to appeal. See Question # 38.

#### QUESTION #16

How do people get referred to Mass Rehab if they are not sent by Social Security?

#### ANSWER:

Anyone can call or write to make an appointment. The last page of this Handbook lists all the offices. Sometimes a social worker at a hospital or at the Welfare Department might refer a client for services. A person might be referred by a friend or a member of the family. Unless you have applied for yourself, the first letter you get from Mass Rehab will say who has referred you as a person who might be interested in vocational rehabilitation.

#### QUESTION # 17

What should I expect from my first visit to Mass Rehab?

ANSWER:

You will meet with a professionally trained vocational counselor. The counselor should first explain the vocational rehabilitation process and answer any questions you may have. You do not have to fill out any forms before you ask the counselor questions and discuss what Mass Rehab might be able to do for you. Tell the counselor what you expect from vocational rehabilitation services and what sort of program you think would be best. If you have fears about working, this is a good time to discuss them. You can ask about services offered by Mass Rehab without committing yourself to anything. It is your right to have anything you don't understand explained.

To understand what your limitations are and how Mass Rehab can help you, the counselor will ask you questions about your education, your work history, and your health. You will be asked about your income and resources. Remember you can ask your counselor why the information is needed if you don't believe it is relevant. Also you should feel free to bring up subjects you think are important even if the counselor has not mentioned them.

There will be many forms to fill out. The counselor will fill these out for you or offer you help in filling them out yourself. You will be asked to sign several things (See Question # 19). Make sure you understand what you are signing and why. If you don't understand, ask the counselor to explain. It is important to realize that there are many more steps to go through before you can be put into a rehabilitation plan. Don't expect services to begin right after the first visit.

QUESTION # 18

Why does the counselor have to know so much about me?

the sort of work you do, the amount of your salary and whether you are a one or two parent family.

If you receive a stipend (a small grant instead of wages) as part of a training program, AFDC may disregard your stipend and your work expenses in determining your eligibility for AFDC. Ask your counselor if your training program is one which gives a stipend which is disregarded by AFDC.

If you are a single parent - - that is, if the other parent is disabled or absent - - there is another provision designed to give you more money if you work. For earnings from any source, a certain amount of your take-home salary will be disregarded in determining the amount of your AFDC grant. Thirty (\$30.) per month and 1/3 of the remainder is disregarded. Any expenses you incur as a result of working, such as transportation, child care, union dues, and so forth, will be disregarded as well. Your welfare social worker or your rehabilitation counselor should be able to explain to you all the consequences of going to work.

If you are a two parent family (AFDC-UF) and the father begins to work more than 100 hours a month, the family becomes ineligible for AFDC. However, it may still be eligible for General Relief as a family.

If you were on AFDC and become ineligible because you are earning too much or working too much, your medical assistance and some other benefits that go along with AFDC will continue for a period of four months after you stop getting your AFDC check. When you know that you will no longer be eligible for AFDC, you should reapply for food stamps and medicaid. You or your children may still be eligible for these valuable benefits although you are not on AFDC.

In order to receive General Relief (GR), you must be considered unemployable. Mass Rehab clients who are determined eligible for vocational rehabilitation but have not yet completed their vocational rehabilitation plan are automatically considered unemployable by the Welfare Department.

If you are participating in a vocational rehabilitation program as a Mass Rehab client and earning money in a workshop

### TRIAL WORK UNDER SSDI

Once you are receiving the SSDI benefits, you can begin working under a trial work period. This is a provision which allows you to work for nine months without having your disability re-assessed on the basis of your ability to work. You are allowed a total of nine months even if the periods of work are interrupted. But if you have a different disability later, you will have another nine month trial work period. You only need to earn \$50 or more a month to have the work counted as trial work. The earnings may come from regular employment, or a workshop or on-the-job training. Earnings under a trial work period will not cause your SSDI check to be reduced.

The trial work period does not prevent on independent finding of medical recovery at anytime. Trial work only provides that, while you are working under a trial work program, your ability to work will not be the basis of a determination that you are no longer disabled. After the trial work period is used up, your disability can be re-assessed. Social Security will look back at the work you have done and the salary you earned as one factor in the re-assessment. Even if Social Security decides at this point that you are no longer disabled and therefore ineligible for SSDI, you are entitled to receive checks during the month your condition improves and for two additional months. Ask your counselor to explain the details of the trial work period.

If you are receiving Aid to Families with Dependent Children (AFDC), you are probably aware of the WIN program a government program which helps people on AFDC get jobs. As an AFDC applicant or recipient, you are required to register for WIN unless you are prevented from working by certain special circumstances. People who are sick or disabled are not required to participate in the WIN program but must be referred to Mass Rehab. you will lose nothing by coming in to talk with a counselor to find out what Mass Rehab has to offer.

If you decide to become a Mass Rehab client and begin to work in a training program, a workshop or a regular job your earnings will affect your continued eligibility for AFDC and the amount of your grant. The effect depends upon

### ANSWER:

The counselor should know everything that is relevant to getting you the job that's best for you. This includes a description of your skills and your education. Your interests or your hobbies can be important. You should also explain problems you have had in getting or keeping a job. The counselor will have to use this information to figure out what kind of job to prepare you for.

### QUESTIONS # 19

What will I have to sign?

### ANSWER:

If you decide you want to apply for services, you will sign an application. At the same time, you will be asked to give Mass Rehab permission to collect medical information about you from doctors or hospitals. The counselor will need this information to determine the type of disability you have and how serious it is. You will also be asked your permission to let Mass Rehab share information about you with anyone who is directly concerned with your vocational rehabilitation. Question # 35 explains this.

You will be asked to sign something about the order of selection. In case Mass Rehab doesn't have the funds to serve everyone who is eligible, the order of selection provides that clients who are the most severely disabled receive paid services first. (All clients will receive diagnostic evaluation as well as guidance and counseling regardless of the order of selection). It is in your interest to be placed in the category which gets the most services even if funds are limited. Category I is the highest priority group and Category IV is the lowest. Make sure you understand why you have been placed in a category. The form explains what to do if you disagree. Ask the counselor to go over it with you. Also,

read Question # 38. If you wait longer than thirty days, you lose your chance to disagree.

You may keep a copy of anything you sign.

QUESTION # 20

After my first visit, lots of doctor's appointments were made for me. Why do I have to see these doctors?

ANSWER:

All client applicants are asked to have a general medical examination unless very recent medical records are available. Many are asked to see medical specialists as well. The doctors must examine you to find out exactly what your disability is. You may have more than one disability. Perhaps there is a particular kind of care or medication you need. Medical examinations and tests are the only way a counselor can decide whether you are eligible for services and what kind of services will be most helpful to you. You will not have to pay for these examinations and tests.

QUESTION # 21:

Why do I have to have psychological tests? What are they like?

ANSWER:

This is another way for the counselor to learn about your aptitudes and interests. The results of these tests can give the counselor a better idea of what kind of job you could do after you have received vocational rehabilitation. Ask the counselor to explain exactly what to expect from each test.

earn will be counted as income and may reduce your check. Here are some important facts about the trial work period.

The trial work period does not prevent an independent finding of medical recovery. Trial work only prevents the fact that you are working from being the basis of the determination that you are no longer disabled.

If you begin a trial work period while you are disabled, the fact that you are working will not cause your case to be reviewed during the trial work period. At the end of the trial work period, the Social Security Administration will look back at the work you performed and the salary you earned to determine the extent of your disability.

A trial work period is nine months per period of disability. This means you can work up to nine months without being determined ineligible just because you are working. If you should have a different disability or your same disability stops and then recurs at another time, you become entitled to another nine month period.

The nine months do not have to be consecutive. If you work for a while, stop working, and then go back to work, all the time that you work is added up as part of your trial work period.

If, after the trial work period is over, you are determined no longer disabled and therefore ineligible for SSI, you still have a two month period before your SSI checks stop coming. Ask your counselor to explain the trial work period to make sure you understand it.

If you are receiving Social Security Disability Insurance (SSDI) - green check, the amount that you receive depends on your work history and not on your need. Still, you must be determined disabled to receive these benefits. You begin to receive benefits after a waiting period of five months. If you are receiving SSDI, you may be required to participate in vocational rehabilitation if you are eligible, but people are almost never cut off for failure to participate.

QUESTION # 33

If I am a Mass Rehab client, how will it affect the other benefits I am getting?

ANSWER:

This depends on the type of benefits you are receiving or the type of benefits you have applied for.

If you are receiving Supplemental Security Income (SSI - gold check), you may be required to participate in vocational rehabilitation if you are eligible and if you do not have a good reason for refusing service.

If you have applied for SSI but your claim was not allowed because you have too much income or resources (savings), you should ask the vocational counselor about a "plan for self-support". In some cases, the handicapped person and the counselor should work out a plan for saving money to be used for equipment or training which will eventually help the handicapped person become gainfully employed. If a plan for self-support is drawn up in writing and signed by the counselor, it is submitted to the Social Security office for approval. If it is approved the income or resources set aside under the plan will not be considered in determining eligibility or the amount of your grant.

If you are eligible for SSI and you have some income beside your SSI checks, an approved plan for self-support might allow you to accumulate money which will go toward equipment or training to help you achieve a specific vocational goal. If you put aside money for this purpose under an approved plan for self-support, the difference will be made up in your SSI check.

TRIAL WORK UNDER SSI

If you are receiving SSI and want to test your ability to work, you are entitled to a nine month trial work period. If you tell the Social Security Administration that you want a trial work period, you may work without having your disability redetermined on the basis of your work during that time. It does not affect the way your income is treated, so any money you

QUESTION # 22

I have been given an appointment to see a psychiatrist. Why? What will it be like?

ANSWER:

Many client applicants and clients are asked to have an interview with a psychiatrist. A psychiatrist can help the counselor understand what your emotional or psychological reactions might be to services you will receive under the vocational rehabilitation plan or to a job. If you have a mental illness, a psychiatrist can diagnose the problem. A psychiatric examination is just an interview or a conversation with the doctor. If you have any questions or are worried about the appointment, be sure to ask your counselor more about it.

QUESTION # 23

Why does it take so long from the time I applied for services before Mass Rahab actually provides any services?

ANSWER:

First, you are being evaluated to decide whether you are eligible and to find out what sort of vocational rehabilitation is appropriate in your case. It usually takes a few weeks to get a doctor's appointment or arrange for a test. If you miss the appointment, you will have to wait another few weeks to get a second appointment. The process will go faster if you keep all your appointments, and you maintain contact with your counselor.

After you go for a doctor's appointment, it may take the doctor a while to complete the report. If you call your counselor to ask about delays in your case, and the counselor is waiting for a doctor to send in a report, you may be able to speed things up by calling the doctor yourself if it is someone you know.

Your rehabilitation plan may involve training or a workshop which doesn't have an opening right away. There are many forms for the counselor to fill out in each case and

most counselors have over 100 cases, so it takes time to process your case. Be realistic: vocational rehabilitation takes time.

But there are many delays which should not happen. Sometimes a counselor will forget to process necessary forms. Sometimes counselors just accept the slowness of the system when they should be trying to speed things up on the client's behalf. If you think any stage of your rehabilitation is taking too long, call your counselor and ask for an explanation. Ask the counselor how long each step of the process should take, and if it takes longer than the promised time, find out why. It may be hard to get the counselor on the phone, but be persistent. If the counselor continually fails to return calls, call the supervisor.

QUESTION # 24

What are all the services which Mass Rehab can provide?

ANSWER:

Mass Rehab will provide diagnosis and evaluation of your disability. This is to determine if you are eligible for services and to decide which services will be most useful in your case.

All clients receive counseling and guidance. This includes referring the client for services which other agencies provide and helping the client get those services which are necessary. Counseling and guidance continues throughout the vocational rehabilitation process so that your progress can be monitored and the counselor can help deal with any problems that come up.

Mass Rehab can provide surgery and hospital or nursing care; hearing aids; artificial limbs or braces; short-term psychotherapy to help with emotional problems; physical or occupational therapy. These are some examples of physical and mental restoration.

Mass Rehab can send a client to an educational or vocational training program such as engineering school or secretarial school. If books and supplies are needed for such a program, Mass Rehab can provide these as well.

financial need guidelines. Each counselor has a copy of the latest policy governing how much Mass Rehab will pay for. The counselor decides how these guidelines apply to your case. You can ask to see the guidelines and ask the counselor to explain how they operate in your case. If you don't think the result is fair, discuss this with your counselor and perhaps the counselor's supervisor. If you are still not satisfied, you can request an administrative review. See Question # 38.

QUESTION # 31

What kind of job will I get if I receive vocational rehabilitation?

ANSWER:

The type of job depends on your particular interests and abilities. The goal of vocational rehabilitation is to get a handicapped person into gainful occupation. However, this can be employment as a homemaker. Other vocational goals include farm or family work if the rehabilitated person is filling a pre-existing job; sheltered employment in a workshop; homebound employment; a job in the competitive labor market; the practice of a profession or self-employment.

QUESTION # 32

Do I have to take any job I am offered?

ANSWER:

No. You have a right to participate in the process of selecting a job which is appropriate for you. Of course, you should consider jobs the counselor suggests, but if you don't think the jobs are right for you, explain your reasons to the counselor.

All the other services are provided on the basis of financial need. Your counselor will ask what your income and resources are. The counselor will see if other agencies provide some of the services you need. You will be asked to apply for financial aid from other agencies because Mass Rehab funds are to be used as a last resort. After you have both agreed what services you will need from Mass Rehab, you will be asked to pay for whatever you can afford. The amount of money you are expected to contribute and the part paid for by Mass Rehab will be written down as part of your individualized written rehabilitation program. Make sure you understand your obligations and agree to them before you sign it.

Remember that each person's program is different and that each client has different resources. So Mass Rehab may pay for a service in one case and ask the client to pay in another. Here is an example:

Mrs. A's disability is heart disease. Her friend, Mrs. B., is in a wheelchair. They are both going to secretarial school as part of their vocational rehabilitation programs. Mrs. A. has some savings and she is paying half her tuition and buys all her books and supplies. Mrs. B. has less money, so Mass Rehab pays all her tuition and purchases the necessary books and supplies for her. They go to class together in Mrs. A's car until Mrs. A. finishes her course. Mrs. B. has a month of classes left, but because she is in a wheelchair, she cannot use public transportation. Suppose there is no one else who can help her get to classes at the right times and Mrs. B. doesn't have enough money to pay for the transportation herself, Mass Rehab will pay for transportation because otherwise she would have to drop out of the secretarial course.

#### QUESTION # 30

If the amount each client has to pay is different, who decides? How can I be sure the decision in my case is fair?

#### ANSWER:

The Massachusetts Rehabilitation Commission sets

If the service you need is not available within the State of Massachusetts, Mass Rehab can send you to a program in another state.

After the client has been prepared for work, the counselor will help the client get a suitable job. Even after the client has been placed in a job, Mass Rehab can provide services to help the client keep the job. Rehabilitation services are stopped when the client's employment appears to be stable - - usually after about 60 days on the job. But a person can always apply again for services if there is a need.

There may be some people who cannot benefit from the services just described because, for example, they don't have enough money to live on while they are in a training program, or because they don't have the materials needed in a new occupation, or because they can't afford to pay for transportation during the vocational rehabilitation process, or because of some other problems. Mass Rehab can supply support services to make sure the client is able to benefit from the primary services of training, counseling, physical restoration, and job placement.

Here are some examples of support services: transportation; maintenance or living expenses; interpreter services for the deaf; tools or stocks and supplies necessary for an occupation; occupational licenses; services to members of the family such as day-care for children or personal adjustment counseling; adaptations to a person's home such as a ramp for a wheelchair. The counselor will first see if there are any other agencies or individuals which can supply necessary support services. If not, Mass Rehab will provide them to a person who cannot achieve a vocational goal without them.

In summary, the scope of services is very broad and very flexible. Mass Rehab can provide almost anything which will make the disabled person more employable and place him or her in appropriate occupation.

#### QUESTION # 25

I don't need all of these services at once, so who decides which services I get?

ANSWER:

You and the counselor are supposed to decide together what you need. The services you will get and your responsibilities are written down in your "individualized written rehabilitation program" or "IWRP". It is your right and your responsibility to participate in deciding what goes into this program. Both you and your counselor sign the IWRP. Don't sign it unless you agree that it contains what you need. It is then reviewed by the counselor's supervisor who can commit Mass Rehab to its part of the bargain.

QUESTION # 26

What if I disagree with my counselor about what program is best for me?

ANSWER:

Try to resolve the disagreement with the counselor. Make sure you both understand the other's position. If you still disagree, ask for an administrative review. See Question # 38.

QUESTION # 27

Why do I have to keep seeing the counselor once I am in school or in a training program?

ANSWER:

Counseling and guidance is provided throughout the vocational rehabilitation process to make sure the plan is going well and to deal with any problems that come up before they get too serious.

QUESTION # 28

What if I complete a vocational rehabilitation program

and Mass Rehab helps me get a job but I lose it? Or what if I think I am about to lose the job?

ANSWER:

You can go back to Mass Rehab for post-employment services within 24 months of the time your case is closed as rehabilitated if you are having trouble keeping a job, or have lost a job. If you are not eligible for post-employment services, you can reapply for services under a regular vocational rehabilitation program.

QUESTION # 29

Does Mass Rehab pay for everything? If not, what will I have to pay for?

ANSWER:

There are three services Mass Rehab always pays for. First, Mass Rehab pays for evaluation of your disability and your rehabilitation potential to see if you are eligible. This includes doctors' appointments and tests that are done when you first apply for rehabilitation services. If you are asked to go for a medical examination or test, Mass Rehab has authorized payment only for the services requested. Make sure you understand what Mass Rehab has agreed to pay for. You should not accept additional services unless you understand who is responsible for paying the charges. If you have been placed in extended evaluation, you will receive rehabilitation services on a trial basis. You will be asked to pay for part of the services if you can afford to, just as if you were in a regular rehabilitation program. See Question # 12 for an explanation of extended evaluation.

Second, you will not be asked to pay for counseling and guidance and referral services you receive from your counselor.

Placement in a job or occupation is also a service you will not be asked to pay for.