

LRS CHAPTER 4, TECHNICAL ASSISTANCE & GUIDANCE MANUAL



Part	Name	Effective Date
412.22	Maintenance (Room and Board)	*September 14, 2020**

Authorization
Federal Register, Volume 81, Department of Education, 34 CFR 361, Part VI, State Vocational Rehabilitation Services Program, §361.48, §361.50, §361.52, §361.53 and §361.54.

The Counselor must apply all LRS Policy/Procedure relative to Consumer Participation in the Cost of Services (Section 411 Financial Status) and Comparable Services/Similar Benefits (Section 410) when providing maintenance.

I. GUIDELINES FOR ASSESSMENT OF NEED

- A. Maintenance is a supportive vocational rehabilitation service provided to eligible consumers to enable their participation in other substantial/primary vocational rehabilitation services.
- B. In accordance with the Rehabilitation Act, as amended, maintenance (room and board) can only be provided for additional costs incurred while the consumer is participating in a plan of vocational rehabilitation services, or while participating in an assessment for determining eligibility for vocational rehabilitation needs.
 - 1. Counselors cannot pay maintenance for those existing living costs that an individual would normally incur regardless of the individual’s participation in a plan of vocational rehabilitation services, including noon day meals.
 - 2. Single household [Refer to Chapter 4, Part 411(II)] can only be approved for maintenance if the record documents that the cost of maintaining the original residence (existing living cost) is necessary while the individual relocates to participate in planned services.
- C. If the substantial/primary vocational rehabilitation services outlined on the IPE are 30 miles or more of a consumer’s home, counselors can provide maintenance payments.
 - 1. The Counselor will consider commuting distance to be within approximately 30 miles of the consumer’s residence.
 - a. If the disability of the individual precludes the significantly disabled individual from being able to commute; or
 - b. The consumer who is deaf or deaf/blind is attending Gallaudet University or the National Technical Institute for the Deaf under the auspices of LRS.

- D. Maintenance payments shall not exceed the cost of a meal ticket in the school cafeteria and the cost of a room in a dormitory when room and board is available through the school. If a consumer who is determined eligible for maintenance chooses to live in a private room, the consumer will be eligible only for the standard shared dormitory room rate and the cost of a cafeteria meal ticket.

If a consumer who is determined eligible for maintenance chooses to live in an apartment rather than in the school dormitory, the consumer will be eligible only for maintenance in the amount not to exceed the cost of the standard dormitory room and the cost of a cafeteria meal ticket.

- E. Because maintenance is a support service, the beginning date of maintenance on a consumer's Plan cannot precede the beginning date of the primary vocational rehabilitation service. The ending date of maintenance cannot exceed the ending date of the primary vocational rehabilitation service.

1. Maintenance payment must end if either of the following occurs:

- a. If the primary vocational rehabilitation service is canceled; and/or
- b. The consumer completes the planned primary vocational rehabilitation service.

2. The consumer must contact the Counselor or RCA during the last week of the month to notify the agency that they continue to participate in the primary vocational rehabilitation service (such as training). If the consumer fails to contact the agency during the last week of the month, the next month's recurring payment will be canceled by the RCA. If it is determined that the consumer received payments that he/she was not entitled to receive, this must be noted on the RS-12 cancellation form that is sent to the consumer and to State Office. LWC/LRS Fiscal Section will either recoup the funds or seek reimbursement from the consumer.

- F. The Counselor must apply all LRS Policy (Chapter 7, Part 115)/Technical Assistance & Guidance (Chapter 4, Parts 411 and 410) relative to Consumer Participation in the Cost of Services and Comparable Services/Similar Benefits.

- G. The following are examples of when maintenance could be a necessary support service for a consumer who otherwise meets all pertinent financial criteria:

1. The Counselor must relocate the consumer because the consumer lives in a rural community and the planned vocational training is located in a metropolitan area. There is neither public nor private transportation available to the consumer for travel to the metropolitan area on a daily basis.

2. The Counselor initially relocated a consumer who did not live within commuting distance of the planned training program. The consumer has now completed the training program and is actively involved in a structured plan for job search. Short-term maintenance can be continued when specific services such as participation in the Job Opportunities Workshop are documented and are a part of the consumer's IPE or Plan. The Counselor will document the consumer's progress through narrative case record entries. The case will remain in Employed Status while maintenance is being provided. Maintenance will not be provided in Post Employment Services Status (PES).
- H. LRS shall no longer provide “noon day meals” as a separate part of maintenance. To be eligible for “board”, an individual must be eligible for maintenance.

II. PURCHASING GUIDELINES FOR MAINTENANCE

- A. The Counselor must use the RS-14 form as appropriate, to determine the consumer's ability to participate in the cost of maintenance. (Refer to Chapter 4, Part 411.)
- B. The Counselor must apply all Agency policy and guidelines relative to use of comparable services and similar benefits. (Refer to Chapter 4, Part 410.)
- C. The Counselor must complete the IPE/Plan. Submit to the District Supervisor for approval unless Counselor is on Independent Status. Upon approval the RCA/Counselor will enter the Authorization(s). See Chapter 4, Part 411.1 for further instructions on Secondary Approval requirements.
- D. The only exception to completion of the IPE or Plan is as follows:
 - 1. If maintenance is provided to an applicant (Application or Application-E Statuses only) to enable them to access diagnostic services, the Counselor does not complete an IPE or Plan.
 - 2. *In these instances, the Counselor authorizes payment with an AWARE Authorization.**
- E. If the total of all items/services on any IPE/ Plan is equal to or greater than \$25,000, it shall be considered "high cost." In these instances, all Counselors must have the IPE/Plan approved by both the District Supervisor and the Regional Manager.