



Obtaining Assistive Technology through the Department of Rehabilitation

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1. Can the Department of Rehabilitation (DOR) provide me with assistive technology?

Yes. The Rehabilitation Act defines rehabilitation technology as “the use of technology, engineering, or scientific principles to meet the needs of and address the barriers faced by people with disabilities in areas which include education, rehabilitation, employment, transportation, independent living, and recreation. 29 U.S.C. § 705(30)

Rehabilitation technology is divided into three categories: *rehabilitation engineering*, *assistive technology devices*, and *assistive technology services*. Rehabilitation technology also includes vehicular modifications, telecommunications, sensory, and other technological aids and devices and does not include the purchase and repair of a vehicle. 9 CCR § 7024.7.

2. What is an assistive technology device?

An “assistive technology device” is a term for any device or system that allows individuals to perform tasks they would otherwise be unable to do or increases the ease and safety with which tasks can be performed. The device may be purchased from a store, modified or changed to fit your specific need(s). 29 U.S.C. §§ 3001 *et seq.*, 9 CCR § 7002.

3. What is an assistive technology service?

An “assistive technology service” is a service that assists you in selecting, acquiring or using an assistive technology device, including:

- An evaluation of your needs, including a functional evaluation in your customary environment.
- Purchasing, leasing, or otherwise acquiring an assistive technology device.
- Selecting, designing, fitting, customizing, adapting, applying, maintaining, repairing, or replacing assistive technology devices.
- Coordinating and using other therapies, interventions, or services with assistive technology devices, such as those related to your current individualized plan for employment (IPE).
- Training or technical assistance for you or, if appropriate, your family members, guardians, advocates, or authorized representatives.
- Training or technical assistance for professionals (including individuals providing education and rehabilitation services), employers, or others who provide services to, employers, or are otherwise substantially involved in the area of your major life functions, to the extent that training or technical assistance is necessary for you to achieve your employment goal as written and agreed upon in your individualized plan for employment (IPE).
- .S.C. § 3002 (5), 9 CCR § 7002.5.

4. Can the DOR provide me with assistive technology when I apply for DOR services?

Yes. The DOR can provide you with assistive technology when determining your eligibility for DOR services. When existing information does not explain your current levels of functioning or the information is not available the DOR may conduct assessments, including an assessment for the need of assistive technology devices and services, and any other support services that are necessary to determine your eligibility. 9 CCR 7062 (g)(1)(a)(B).

For more information about DOR eligibility, see *Eligibility for Vocational Rehabilitation Services Fact Sheet, Pub #F066.01* at <http://www.disabilityrightsca.org/pubs/F06601.pdf>

Once you have been found eligible for services the DOR can include assistive technology in your IPE when it is needed to achieve your employment goal. 9 CCR § 7131 (a)(2)(A).

5. What is rehabilitation engineering?

Rehabilitation engineering means the systemic application of engineering sciences to design, develop, adapt, test, evaluate, apply, and distribute technical solutions to problems confronted by individuals with disabilities in functional areas such as mobility, communications, hearing, vision, cognition, and in activities associated with employment, independent living, education, and integration into the community. 29 U.S.C 723 (a)(14); 9 CCR § 7024.4.

Rehabilitation engineering services may include assessing a person's work space and finding commercially available components to set up an ergonomically accessible workstation with adjustable height desks and tables and reposition office equipment such as computers, printers, and fax machines. This type of adaptation is typically conducted by a qualified rehabilitation engineer.

6. What type of rehabilitation technology may be included in my IPE?

If you need rehabilitation technology to achieve your employment goal(s), your IPE must include:

- The specific rehabilitation technology services you need;
- How the technology will be provided to you in the most integrated setting; and
- Who will provide the technology and any services related to its acquisition and use. 29 U.S.C. 722(b)(3)(B)(i)(I).

Trial Work Experience and assistive technology. A "Trial Work Experience" (TWE) means the exploration of your abilities, capabilities, and capacity to perform work in a realistic setting and *must* be conducted prior to determining whether or not you benefit from vocational rehabilitation services. As part of the TWE, the DOR *must* include appropriate services including assistive technology and services to accommodate your rehabilitation needs during the TWE. 9 CCR § 7029.1. (For more

information about DOR eligibility, see *Eligibility for Vocational Rehabilitation Services Fact Sheet, Pub #F066.01*

7. Aside from rehabilitation technology what other services can DOR provide me?

DOR can also provide physical and mental restoration services. These services are provided when necessary to correct or substantially modify, within a reasonable period of time, a physical or mental condition that is stable or slowly progressive. They include a wide range of medical services. The type of devices and services available under this category are:

- Prosthetic, orthotic, or other assistive devices essential to obtaining or retaining employment;
- Eyeglasses and visual services;
- Physical therapy;
- Occupational therapy;
- Wheelchairs and hearing aids;
- Speech or hearing therapy; and
- Special services to treat individuals suffering from end-stage renal disease, including transplants, dialysis, artificial kidneys, and supplies. 9 C.C.R. § 7020.

8. Do I have to pay for DOR services?

The DOR can sometimes require you to contribute toward the cost of vocational rehabilitation services you need including assistive technology devices and services. The DOR will take into account your income and liquid assets, the number of members in your household, and your medical exemptions, to compute the amount you should contribute. 9 C.C.R. § 7190.

You do not have to pay if you receive SSDI, SSI/SSP, and other public assistance like general relief or general assistance, or AFDC (now called TANF - Temporary Assistance for Needy Families)

The following vocational rehabilitation services are free to every DOR client:

- Evaluation of rehabilitation potential, including diagnostic and related services;
- Counseling, guidance, and referral services;
- Job placement or assistance obtaining employment;
- Training, tutoring, books, and other training materials;
- Tools necessary to perform an occupation;
- Personal services like attendant care, deaf and language interpreter, note taker, driver, and readers;
- Transportation costs; and
- Job coaching services.
- CCR § 7191.

9. Are there times when the DOR will expect me to get rehabilitation technology from another source?

DOR will not pay for an item or service it is available through another source (comparable service). 29 U.S.C. § 721(a)(8). However, you do not need to use comparable benefits if getting those benefits would interrupt or delay progress toward achieving your employment outcome, an immediate job placement, or services if you are at extreme medical risk. 34 C.F.R. 361.53(a), 9 CCR 7198. Also, the following services do not require that you get them from another source:

- Evaluation of rehabilitation potential;
 - Counseling, guidance, and referral services;
 - Vocational and other training services including personal and vocational adjustment training, books, tools, and other training materials provided by a resource other than an institution of higher education;
 - Job placement;
 - Rehabilitation engineering services; and
 - Job coaching services.
- 9 CCR § 7196.

For more information about comparable benefits, see *Rehabilitation Services and Comparable Benefits Fact Sheet, Pub #F065.01* at <http://www.disabilityrightsca.org/pubs/F06501.pdf>

10. What Can I do if DOR denies my request for rehabilitation technology?

You can request and administrative review or request mediation and/or a fair hearing. 9 CCR §§ 7351(c), 7353.6 (b)-(c) and 7354.

For more information about DOR Appeals, see *California Department of Rehabilitation Appeals Options and Process Fact Sheet, Pub #5530.01* at <http://www.disabilityrightsca.org/pubs/553001.pdf>

Disability Rights California is funded by a variety of sources, for a complete list of funders, go to
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