

DISABILITY JUSTICE

WORKING WITH THE DIVISION OF VOCATIONAL REHABILITATION (DVR)

The Client Assistance Program (CAP) at Disability Justice assists people with issues they have with DVR. Please review the general information below and feel free to contact the CAP program if you need further assistance.

Who may be eligible for services through the Division of Vocational Rehabilitation (DVR)?

- Individuals who have a (1) documented disability which creates a substantial barrier to employment, (2) need vocational rehabilitation services to achieve employment, and (3) intend to achieve an employment outcome, may be eligible for services.

How long does it take for eligibility to be determined?

- An eligibility determination will be made within 60 days of the application being signed.
 - Extensions and Trial Work Experience (TWE) may be recommended.

What is the next step after I am determined to be eligible for DVR services?

- Assignment to a DVR counselor.
- Development of an Individualized Plan for Employment with your counselor.
 - IPE created within 90 days unless extensions requested and accepted.



What can I do if I do not agree with a decision made by DVR?

- Individuals who disagree with decisions about services are entitled to an appeal to resolve those disagreements. Two processes are available:
 - **Informal Review:**
 - Allows individual to discuss concerns with DVR staff with or without mediation or prior to or instead of a formal appeal.
 - Step 1: Request your counselor's supervisor (Supervisor I) to review a decision concerning vocational rehabilitation services.
 - Step 2: If not satisfied, submit a written request for review to the Deputy Director for Field Services or designee for review.
 - If issues not resolved informally, individual may request a formal appeal.
 - **Formal Appeal:**
 - Initiate by requesting an impartial due process hearing.
 - Submit the request in writing to the Colorado Department of Personnel and Administration, Office of Administrative Courts within **90 calendar days** of the decision that affects the provision of a DVR service.
 - Hearing will occur within 60 days of the informal pre-hearing conference.
 - Decision and written report within 30 calendar days of the hearing.

*Mediation may be requested at any stage in the process (except after 60th day after request for formal appeal).

FAQs

Q: How do I get the DVR counselor to return my phone calls or emails?

- **A:** If a DVR counselor has not returned your many calls or emails, contact that counselor's supervisor and explain the situation. The supervisor can direct the counselor to respond to you. Keep copies of emails sent to or from your counselor. If you do not use email, then always leave a voice message for your counselor when you call. Also, keep a list of the dates and times DVR calls occurred for your records.

Q: Can I request a different DVR counselor?

- **A:** There can be a variety of reasons you may wish to work with a different counselor. If you wish to change counselors, contact your counselor's supervisor and request to be reassigned. The supervisor will consider the request, and may or may not agree to a reassignment. To increase your chance for success, state specific, objective problems and reasons that have led to your request. Nonspecific, vague or highly emotional arguments may not be persuasive.

Q: Why won't DVR pay for my college degree?

- **A:** A college degree is worthwhile to achieve; however, DVR's purpose is getting people employed – first and foremost. If a specific college degree is absolutely necessary in order for you to obtain an agreed upon job, then DVR can decide to fund, fully or partially, a college education. However, if the job you are interested in does not require a specific college degree, then DVR will likely not consider paying for one.



Q: Why won't DVR pay or reimburse me for money I spent for something they "agreed" to?

- **A:** This can be a complicated conversation. You are not cleared to make a purchase simply because you and your counselor discussed it – or because it appears on your plan (IPE). Did the DVR counselor complete a form called an "Authorization" prior to your spending the money? Whether you are in a plan or not, if no "Authorization" was completed prior to purchase, then you likely will not be reimbursed. Also, as a client of DVR, you signed DVR's Client Fiscal Responsibility form. Read it and know it, as that form explains how DVR deals with financial situations and what your obligations are in order to participate.

Q: How do I get DVR to take my desired job goal seriously?

- **A:** Do your research on the job you desire. Take printed copies of job opportunities that show duties expected, qualifications required, and typical pay range. Be prepared to discuss in an informed way the reasons the job will suit you and your interests. Also, be prepared to discuss how the job will work successfully in terms of your disabilities, your strengths, and your capacities and abilities. Use www.onetonline.org as a resource for job descriptions and qualifications.

References:

Disability Justice – www.disabilityjustice.co
Division of Vocational Rehabilitation – www.colorado.gov/pacific/dvr
Division of Vocational Rehabilitation Client Handbook –
<https://drive.google.com/file/d/1q9kDb3gdgBshWVdXZgPPRUIInXkDRKjE/view>

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www.DisabilityJustice.co