

**Department of Human Services
Division of Rehabilitation Services
Division of Service to the Blind and Visually Impaired**

**PROGRAM GUIDE
DRS/DSBVI 04-03
November 22, 2004
Revised: April 29, 2026**

FROM: Eric Weiss, DRS Director
Ronda Williams, SBVI Director

TO: All DRS Staff
All SBVI Staff

SUBJECT: Applicant for Vocational Rehabilitation Services and Availability for the Assessment Process.

This Program Guide clarifies the definition and requirements of an applicant for Vocational Rehabilitation Services for the Division of Rehabilitation Services and Service to the Blind and Visually Impaired. This policy revision is effective immediately and supersedes any prior versions.

Applicant for Vocational Rehabilitation Services is defined in the Code of Federal Regulations §361.5 (b)(4) as follows:

***Applicant* means an individual who submits an application for vocational rehabilitation services in accordance with §361.41 (2).**

§361.41 (2) An individual is considered to have submitted an application when the individual or the individual's representative, as appropriate,--

(i)

(A) Has completed and signed an agency application form;

(B) Has completed a common intake application form in a One-Stop center requesting vocational rehabilitation services; or

(C) Has otherwise requested services from the designated State unit;

(ii) Has provided to the designated State unit information necessary to initiate an assessment to determine eligibility and priority for services; and

(iii) Is available to complete the assessment process.

An individual can be considered an applicant for the Vocational Rehabilitation Services if they

- complete the agency's VR application;
- completed a common intake form from a One Stop Center requesting Vocational Rehabilitation Services; or

- contacted the VR office in person, by email, phone or virtual meeting where they have provided the VR staff adequate information to determine eligibility and the priority of services.

The individual applying for services must also be able to participate in the assessment to determine eligibility or priority of services at the time of application. Below are examples of when an individual is not available to participate in this assessment process:

1. Individuals who are incarcerated in the correctional system do not meet this requirement of being an applicant until they are released from the correctional facility and available for the assessment process.
2. Individuals who are court ordered not to have contact with DRS or SBVI are considered as not being available for the assessment process.
3. Individuals who are not currently present in South Dakota and do not plan on being in South Dakota.

For the purposes of expediting the application process and obtaining records necessary for eligibility determination, DRS/SBVI will accept an application from individuals who are incarcerated in the correctional system 30 days prior to their release date. Accepting an application and documentation of a confirmed release date will begin the 60 day eligibility determination period. Release dates must be confirmed in writing by a representative in the correctional system. Individuals meeting this requirement will also complete a release of information at the time of application where medical records can be obtained. The Department of Corrections (DOC) Transition Case Managers (TCM) will be the link for applicants in the correction system. These TCMs are located in Sioux Falls, Springfield and Pierre. These applicants should schedule their appointment to complete the intake and assessment process within a week of their release date.

If an individual submits the VR application form and it is later determined that the individual is not available for the assessment process, the individual will be notified in writing that their application is not considered valid and the reason stated. The individual will be notified of due process and be encouraged to apply when available for services.

DRS/SBVI places a priority on timely eligibility determinations. An eligibility determination can be determined as early as the date the individual applies for services. In no circumstance should the eligibility determination take more than 60 days without the agreement of and extension from the applicant.

If you have any questions on this Program Guide, please contact the DRS Assistant Director or the SBVI Director.