

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

Program Guide  
DRS/DSBVI 2008-01  
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TO: ALL DRS/SBVI Staff

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

SUBJECT: Residency Requirement for VR Applicants and Individuals being Served by Multiple State Public VR Agencies.

This Program Guide is effective immediately and provides policy and clarification on the requirement that eligible Division of Rehabilitation Services (DRS) or Service to the Blind and Visually Impaired (SBVI), VR clients can receive Vocational Rehabilitation services from multiple state public vocational rehabilitation programs.. Also added to this policy is the requirement that applicants of vocational rehabilitation are able to be authorized to work in the United States.

### **Residency Requirement for VR Applicants**

An application for vocational rehabilitation does not need to meet the South Dakota residency requirement. However, the applicant must be present and available for services.

### **Individuals Receiving Services from Multiple State Public Vocational Rehabilitation Programs**

In certain instances, individuals with disabilities can receive services at the same time from more than one State public vocational rehabilitation program. Individuals with disabilities can also have an open case at the same time between DRS, SBVI or another State VR agency. Individuals can be served by DRS or SBVI if their previous case is closed with another State VR agency. In these situations, the appropriate DRS Assistant Director or SBVI Director needs to be contacted to help arrange coordination of services from the other State VR Agency. Rehabilitation Services Administration has issued additional guidance in [TAC 24-02](#).

### **Individuals Receiving Services from 121 Native American VR Projects**

Individuals with disabilities may have an open case jointly with a 121 Native American VR Program and either DRS or SBVI.

### **Individuals Who Are Unauthorized to Work in the United States**

Applicants who apply for vocational rehabilitation services will be found ineligible if they are unable to be authorized to work in the United States, as this means that they will be unable to benefit in terms of an employment outcome from vocational rehabilitation services. To be

authorized to work in the United States, an individual must meet the requirements outlined in the US Citizenship and Immigration Services I-9 "Employment Eligibility Verification" form.

### **Exceptions and handling these cases**

Individuals interested and applying for vocational rehabilitation services cannot be denied an application. If the individual is not present and available, the case should be closed from application as "All other Reasons". If a unique situation arises when applying this policy to an individual's situation, clarification and requests for approval would be submitted to the DRS or Assistant Director or SBVI Director.

If you have any questions on the content of this policy, please contact the State Office.