

**GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2005**

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**SENATE DRS35187-LU-79 (3/16)**

Short Title: Education Standards/Voc Rehab. Professionals. (Public)

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Sponsors: Senator Lucas.

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Referred to:

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A BILL TO BE ENTITLED

AN ACT TO PROVIDE EDUCATION STANDARDS FOR QUALIFIED PERSONNEL UNDER THE LAWS PERTAINING TO VOCATIONAL REHABILITATION SERVICES.

The General Assembly of North Carolina enacts:

**SECTION 1.** G.S. 143-545.1 reads as rewritten:

**"§ 143-545.1. Purpose, establishment and administration of program; ~~services.~~services; education standards for qualified personnel.**

(a) Policy. – Recognizing that disability is a natural part of human experience, the State establishes as its policy that individuals with physical and mental disabilities should be able to participate to the maximum extent of their abilities in the economic, educational, cultural, social, and political activities available to all citizens of the State. To implement this policy, the Department of Health and Human Services shall establish and operate comprehensive and accountable programs of vocational rehabilitation and independent living for persons with disabilities. These programs are to be administered by the Division of Vocational Rehabilitation Services in collaboration with the Division of Services for the Blind, which conducts vocational rehabilitation and independent living programs for individuals who are blind or visually impaired, pursuant to Chapter 111 of the General Statutes and the rules of the Commission for the Blind adopted pursuant to G.S. 143B-157. The programs so provided shall be administered according to the following principles:

- (1) The opportunity and ability to work and to live independently are important activities that enhance not only the lives of individuals with disabilities but also the greater society in which they live. These activities fulfill the need to be productive, promote self-esteem, and allow for participation in the full array of activities of daily living;

- 1 (2) Eligible individuals with disabilities shall be provided individualized  
2 training, independent living services, and educational and support  
3 services that prepare them for independent living and competitive  
4 employment opportunities in integrated settings with reasonable  
5 accommodations;
- 6 (3) Individuals with disabilities shall be active participants in their own  
7 vocational rehabilitation/independent living programs and shall be  
8 involved in making meaningful and informed choices about  
9 vocational/independent living goals and objectives and the related  
10 services they receive; and
- 11 (4) As full partners in their vocational rehabilitation and independent  
12 living programs, participants in the programs shall provide information  
13 required by the Department to determine eligibility and the nature of  
14 their disabilities, shall use other resources that are available to assist in  
15 their programs, and shall assume joint responsibility with departmental  
16 staff for planning and implementing their programs.
- 17 (b) Services: –
- 18 (1) Vocational rehabilitation and independent living services provided by  
19 the Department shall address comprehensively the needs of each  
20 individual to the maximum extent possible within available resources.  
21 These services shall contain labor force development and training  
22 components and services that enhance the independence and full  
23 participation of citizens with disabilities in community life. Specific  
24 services shall include assessment services to determine eligibility and  
25 rehabilitation needs; counseling, guidance, and referral services;  
26 physical and mental restoration services; reader services; vocational  
27 and other training services; job development and job placement  
28 services; interpreter services; on-the-job or other related personal  
29 assistance services including attendant care services; mobility and  
30 rehabilitation technology services; training services necessary for  
31 living in the community; and supported employment services.
- 32 (2) The Secretary of the Department of Health and Human Services shall  
33 adopt rules to establish eligibility for services, the nature and scope of  
34 services to be provided, standards for community rehabilitation  
35 programs and qualified personnel to provide services and conditions,  
36 criteria, and procedures under which services may be provided  
37 including financial need for services. Rules governing financial need  
38 for services shall meet the requirements set in federal law and  
39 regulations.
- 40 (3) The Secretary of the Department of Health and Human Services or,  
41 when appropriate, the Commission for the Blind, shall establish by  
42 rule a formula for a schedule of rates and fees to be paid by clients and  
43 other third party purchasers for services.

1 (4) The Secretary of the Department of Health and Human Services or,  
2 when appropriate, the Commission for the Blind, shall establish formal  
3 appeals procedures that are consistent with those required by federal  
4 regulations so that any applicant for or client of vocational  
5 rehabilitation or independent living services who is dissatisfied with  
6 any determinations made by rehabilitation counselors or coordinators  
7 concerning the furnishing or denial of services may request a timely  
8 review of those determinations. The appeal procedures shall be the  
9 same regardless of whether federal funds are included in the particular  
10 services.

11 (c) The State education standard for qualified personnel to provide services and  
12 the conditions, criteria, and procedures under which those services may be provided  
13 shall be as follows:

14 (1) To satisfy the State education standard for a rehabilitation counselor,  
15 an individual shall meet one of the following criteria:

- 16 a. Have a masters degree in rehabilitation counseling.  
17 b. Have a masters degree in counseling, which included a graduate  
18 course in Theories and Techniques of Counseling.  
19 c. Have a masters degree in a closely related human service  
20 discipline with at least 18 documented credit hours of course  
21 work at the masters level or above in the following three  
22 categories:  
23 1. One graduate course with a primary focus on Theories  
24 and Techniques of Counseling.  
25 2. Three graduate courses, each with a primary focus in  
26 occupational information, job development and  
27 placement, medical aspects of disability, foundations of  
28 rehabilitation, psychological aspects of disabilities, or  
29 personal and vocational adjustment.  
30 3. Two graduate courses, each with a primary focus in  
31 assessment, research methodology, vocational and career  
32 development, community resources, case management,  
33 or delivery of rehabilitation services.

34 For purposes of this sub-subdivision, the 18 credit hours of course  
35 work shall be documented by transcript and submitted at the time of  
36 hire or obtained within 30 months from the date of hire.

37 d. Have a current certified rehabilitation counselor (CRC)  
38 certificate, regardless of degree.

39 (2) To satisfy the State education standard for a vocational evaluator, an  
40 individual shall meet one of the following criteria:

- 41 a. Have a masters degree in vocational evaluation.  
42 b. Have a masters degree in rehabilitation counseling, counseling,  
43 or a closely related human service discipline, with completion  
44 of four of the five following courses:

- 1                   1.     Principles of Vocational Rehabilitation.
- 2                   2.     Standardized Assessment.
- 3                   3.     Occupational Information.
- 4                   4.     Implications of Disability.
- 5                   5.     Professional Communication.
- 6                   c.     Have a current certified vocational evaluator (CVE) certificate,  
7                   regardless of degree.
- 8           (3)   For purposes of this subsection, the following definitions shall apply:
- 9                   a.     Certified rehabilitation counselor. – A person certified to  
10                   practice rehabilitation counseling by the Commission on  
11                   Rehabilitation Counselor Certification (CRCC).
- 12                   b.     Certified vocational evaluator. – A person certified to practice  
13                   vocational evaluation by the Commission on the Certification of  
14                   Work Adjustment and Vocational Evaluation Specialists  
15                   (CWAVES).
- 16                   c.     Closely related human service discipline. – Discipline degrees  
17                   approved by the Office of State Personnel for consideration,  
18                   including psychology, social work, special education,  
19                   therapeutic recreation, child development and family relations,  
20                   criminal justice, education, health education, nursing,  
21                   occupational therapy, physical therapy, religion, social sciences,  
22                   sociology, and anthropology.
- 23                   d.     Commission on the Certification of Work Adjustment and  
24                   Vocational Evaluation Specialists. – The national credentialing  
25                   organization for work adjustment and vocational evaluation  
26                   specialists serving persons with disabilities.
- 27                   e.     Commission on Rehabilitation Counselor Certification. – The  
28                   national credentialing organization for rehabilitation counselors  
29                   serving persons with disabilities.
- 30                   f.     Masters of rehabilitation counseling. – A specialty degree  
31                   awarded by a college or university approved by a recognized  
32                   accrediting body.
- 33                   g.     Rehabilitation counseling practice. – The professional  
34                   application of rehabilitation counseling theory and methods in  
35                   the delivery of vocational rehabilitation services.
- 36                   h.     Rehabilitation counselor. – A person who is employed by the  
37                   Division of Vocational Rehabilitation Services and the Division  
38                   of Services for the Blind pursuant to the standards identified in  
39                   subdivision (1) of this subsection and engaged in the practice of  
40                   rehabilitation counseling.
- 41                   i.     Vocational evaluation practice. – The professional application  
42                   of vocational evaluation theory and methods in the delivery of  
43                   vocational evaluation services.

- 1                   j.       Vocational evaluator. – A person employed by the Division of  
2                               Vocational Rehabilitation Services and the Division of Services  
3                               for the Blind pursuant to the standards identified in subdivision  
4                               (2) of this subsection and engaged in the practice of vocational  
5                               evaluation."

6       **SECTION 2.** This act is effective when it becomes law.