

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2005

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SENATE BILL 1005

Short Title: Education Standards/Voc Rehab. Professionals.

(Public)

Sponsors: Senator Lucas.

Referred to: Education/Higher Education.

March 24, 2005

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;
- (2) Eligible individuals with disabilities shall be provided individualized training, independent living services, and educational and support services that prepare them for independent living and competitive

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

1 rehabilitation or independent living services who is dissatisfied with
2 any determinations made by rehabilitation counselors or coordinators
3 concerning the furnishing or denial of services may request a timely
4 review of those determinations. The appeal procedures shall be the
5 same regardless of whether federal funds are included in the particular
6 services.

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

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

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

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

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

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

- 37 a. Have a masters degree in vocational evaluation.
38 b. Have a masters degree in rehabilitation counseling, counseling,
39 or a closely related human service discipline, with completion
40 of four of the five following courses:
41 1. Principles of Vocational Rehabilitation.
42 2. Standardized Assessment.
43 3. Occupational Information.
44 4. Implications of Disability.

5. Professional Communication.

c. Have a current certified vocational evaluator (CVE) certificate, regardless of degree.

(3) For purposes of this subsection, the following definitions shall apply:

a. Certified rehabilitation counselor. – A person certified to practice rehabilitation counseling by the Commission on Rehabilitation Counselor Certification (CRCC).

b. Certified vocational evaluator. – A person certified to practice vocational evaluation by the Commission on the Certification of Work Adjustment and Vocational Evaluation Specialists (CWAVES).

c. Closely related human service discipline. – Discipline degrees approved by the Office of State Personnel for consideration, including psychology, social work, special education, therapeutic recreation, child development and family relations, criminal justice, education, health education, nursing, occupational therapy, physical therapy, religion, social sciences, sociology, and anthropology.

d. Commission on the Certification of Work Adjustment and Vocational Evaluation Specialists. – The national credentialing organization for work adjustment and vocational evaluation specialists serving persons with disabilities.

e. Commission on Rehabilitation Counselor Certification. – The national credentialing organization for rehabilitation counselors serving persons with disabilities.

f. Masters of rehabilitation counseling. – A specialty degree awarded by a college or university approved by a recognized accrediting body.

g. Rehabilitation counseling practice. – The professional application of rehabilitation counseling theory and methods in the delivery of vocational rehabilitation services.

h. Rehabilitation counselor. – A person who is employed by the Division of Vocational Rehabilitation Services and the Division of Services for the Blind pursuant to the standards identified in subdivision (1) of this subsection and engaged in the practice of rehabilitation counseling.

i. Vocational evaluation practice. – The professional application of vocational evaluation theory and methods in the delivery of vocational evaluation services.

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

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