



Ohio Administrative Code Rule 3304-2-65 Order of selection.

Effective: July 11, 2020

(A) Definitions as applied to this rule.

(1) "Individual with a disability" means an individual who has been determined eligible for vocational rehabilitation services pursuant to rule 3304-2-54 of the Administrative Code but whose physical or mental impairment does not meet the definition of a significant disability or most significant disability.

(2) "Individual with a significant disability" means an individual with a disability who has a severe physical or mental impairment that seriously limits one or two functional capacities (such as mobility, communication, self-care, self-direction, interpersonal skills, work tolerance or work skills) in terms of an employment outcome; whose vocational rehabilitation can be expected to require multiple vocational rehabilitation services over an extended period of time; and who has one or more physical or mental disabilities or a combination of disabilities determined on the basis of an assessment for determining eligibility and vocational rehabilitation needs to cause comparable substantial functional limitation.

(3) "Individual with a most significant disability" means an individual who meets the definition of an individual with a significant disability who has a severe physical or mental impairment that seriously limits at least three functional capacities as defined in paragraph (A)(2) of this rule.

(B) Individuals determined eligible for vocational rehabilitation services shall be assigned to one of the following order of selection priority categories: an individual with a disability, an individual with a significant disability, or an individual with a most significant disability.

(C) Any individual determined eligible for vocational rehabilitation services who is in jeopardy of losing employment, and who requires vocational rehabilitation services to maintain employment, shall be exempt from any delays in services as a result of an order of selection.



(D) OOD shall implement an order of selection when OOD determines, based on projected fiscal and personnel resources, that it will not be able to provide the full range of services, including pre-employment transition services, to all eligible individuals in the state.

OOD shall administer and implement the order of selection consistent with 34 CFR 361.36, except for those services provided in paragraph (C) of this rule.