



Oregon Vocational Rehabilitation Notice of Privacy Rights and Notice of Rights and Responsibilities

Consistent with federal and state law, Oregon Vocational Rehabilitation (VR) has adopted policies and procedures to safeguard the confidentiality of all personal information of applicants and program participants. (See also Code of Federal Regulations, Title 34, Section 361.38, and Oregon Revised Statutes 344.530 and 344.600). VR hereby provides notice to applicants and program participants of their privacy rights and program rights and responsibilities.

Notice of privacy rights

Confidentiality and release of information:

VR is a voluntary, eligibility-based program. If you choose to apply and participate in VR, VR will ask you for personal information needed to determine eligibility and make an individualized assessment for services. Personal information includes, but is not limited to, personal contact information, work history, work-related assessments, and medical and mental health records, including obtaining records from providers. All personal information obtained is collected under the authority of the Rehabilitation Act of 1973, as amended, and is subject to federal and state confidentiality laws that require VR to protect the personal information. Accordingly, all personal information in the possession of VR shall be kept confidential. Personal information, either verbal or written, shall be used only for purposes directly connected with the administration of the program. Except as outlined below, personal information shall be released only with the informed, written consent of the individual or the individual's representative. Written consent is voluntary, but if consent is not provided when needed VR may be limited in its ability to obtain or share records, which could result in services being limited due to a lack of information.

Federal and state confidentiality laws also recognize certain limitations to the amount of personal information shared. Medical, psychological, and other information determined to be potentially harmful to the individual shall not be directly released to the individual but shall be released to another party chosen by the individual. Additionally, information obtained from another agency shall be released to the individual only by or under the conditions established by the other agency.

Exceptions to confidentiality and release of information:

Federal and state confidentiality laws recognize limited exceptions where VR may share personal information without the informed, written consent of the individual or the individual's representative. These exceptions include:

VR program administration: VR may use or disclose personal information in its possession for purposes directly connected with the administration of the vocational rehabilitation program. Administration of the VR program consists of sharing individual case information that is necessary for the VR program or facilitation of an individual's VR case.

Safety: VR may use and disclose personal information as needed to protect the individual from physical harm to self or others.

Law enforcement: VR may use and disclose personal information in response to law enforcement investigations and investigations for program fraud or abuse, including in response to subpoenas related to such investigations.

Abuse investigations: VR may use and disclose personal information in suspected cases of abuse, neglect, exploitation, or endangerment, unless expressly prohibited by federal or state laws or regulations. All VR Personnel are mandatory reporters.

Court order: VR may use and disclose personal information in response to an order issued by a judge, magistrate, or other authorized judicial official.

Audit and evaluation: VR may use and disclose personal information for an approved audit, research, or evaluation.

Notice of rights and responsibilities

An individual or the individual's representative may request a copy of information from their record of service. An individual or an individual's representative who believes that information in the record of service is inaccurate or misleading may request VR amend the information. VR is not required to amend the information. If VR does not amend the information, the individual may prepare an amending statement and request VR insert the statement into the record.

Individuals applying for and eligible for rehabilitation services have the right to have documents and forms provided in the most effective mode of communication for the individuals understanding (e.g., translator or interpreter services, or alternate format).

All applicants and participants may choose to involve family members, advocates, and other authorized representatives throughout the rehabilitation process. VR fully

supports the use of advocates, with the expectation that interactions between advocates, participants and VR staff are respectful, constructive, and supportive of the participant's involvement in and benefit from services.

Individuals who are dissatisfied or disagree with a decision that affects the provision of VR services have available a continuum of dispute resolution options. Individuals will be informed of their rights, including the VR Discrimination, Privacy and Customer Service Complaint process, Dispute Resolution process, and availability of the Client Assistance Program (CAP) for advocacy or representation.

VR shall not deny services based on gender, race, creed, color, religion, ethnicity or national origin, nature or severity of disability, age, sexual orientation, residency, or political ideation. Only an individual legally authorized to work in the United States may be evaluated for eligibility or receive VR services. VR shall provide information to each applicant and eligible individual about the availability of and opportunity to exercise informed choice.

Individuals actively and fully participating in rehabilitation services have the opportunity to make meaningful decisions about selecting a specific employment outcome, selecting services needed to achieve the outcome, selection of VR service providers, and the method of securing services.

The applicant or the VR participant accepts the basic responsibilities of seeking employment and following through on all tasks. This includes, but is not limited to:

- Provide information and required documentation that is available at no additional cost;
- Be available to complete the assessment process for the determination of eligibility;
- Be on time and keep in-person appointments with VR staff, doctors, service providers, and others. Call or e-mail in advance, or as soon as possible, if unable to attend an appointment;
- Cooperate with medical and psychological professionals to address medical and mental health needs;
- Understand that all services require prior written approval and prior written authorization;
- Understand that VR does not pay or refinance existing debt. VR does not pay any participant incurred debt, liens or judgments;
- Understand that if you do not use VR services, funds, or both for their intended purpose, as stated and agreed to by the VR Program, you may have committed fraud;

- Participate in pre-plan activities to assist in identifying the appropriate employment goal for plan development;
- If you receive SSI, SSDI or both disability cash benefits, are between ages 18-64 and currently have an available Ticket to Work, your Ticket will automatically be put into “in-use” status with Oregon VR once you sign an individualized plan of employment with Oregon VR;
- If your Ticket to Work is currently assigned to another SSA contracted Employment Network or State Vocational Rehabilitation agency, you will need to notify your VR Counselor so that the Ticket can be un-assigned and re-assigned to Oregon VR or services can be coordinated with the other State VR agency;
- Participate with the counselor in developing the Individualized Plan for Employment (IPE), including participating in assessments needed to determine the nature and scope of services;
- Accomplish the benchmarks as identified within the IPE;
- Keep VR informed of changes of contact information (e.g., mailing and physical address and phone number), financial status, employment authorization verification status, or other situations that might change the participant’s ability to complete the rehabilitation process;
- When eligible, apply for and make appropriate use of any comparable benefits and services; and
- Obtain, maintain, regain, or advance in employment consistent with the individual’s strengths, resources, priorities, concerns, abilities, and capabilities.