

# Memorandum

**TO:** Vocational Rehabilitation Counselors and Job Placement Specialists  
**CC:** Vocational Rehabilitation Specialists, Nancy Sedlacek  
**FROM:** Glenn Morton  
**DATE:** January 13, 2014  
**SUBJECT:** Meeting Cancellation & Results of October 25, 2013 meeting

The next informal meeting between court staff and certified vocational rehabilitation service providers was tentatively scheduled for Friday, January 31, 2013. However, the meeting has been cancelled due to a lack of agenda items.

The court staff is closely reviewing legislative bills currently being introduced in the Nebraska Legislature for potential impact on the vocational rehabilitation system. If necessary, a special meeting will be scheduled. Regular meetings are typically held on a quarterly basis, with future meetings tentatively scheduled for April 18, 2014, July 25, 2014, and October 24, 2014.

The following are the results from the October 25, 2013 meeting.

- 1. Future Meeting Schedule:** Future quarterly meetings were tentatively set for January 31, 2014, April 18, 2014, July 25, 2014, and October 24, 2014. As noted above, the January 31, 2014 meeting has been cancelled.
- 2. LOE Evaluations:** There was continuing discussion regarding options for improving the quality of loss of earning power (LOEP) evaluations, including the possibility of a rule change to require training for counselors wishing to perform such evaluations. Previous discussions had focused on requiring two to four hours of such training, with an emphasis on Nebraska law governing loss of earning power determinations. However, after careful consideration it was decided that such a change would not be appropriate at this time. This was due to several factors, including the limitations imposed by the statute (§48-162.01) with regard to certification of counselors, and a recognition that short term training by itself would not qualify a counselor to perform LOEP evaluations.

Nevertheless, it was agreed that a short term training program would be beneficial, especially for educating counselors on the requirements of Nebraska law. There was discussion that NE IARP is developing a presentation which could be made available online and which could be considered for CEU credit. It was also decided that the court's Vocational Rehabilitation Section will send an email "blast" to all certified counselors notifying them of any new appellate court case substantially impacting LOEP evaluations. The section will also continue to explore ways to better identify counselors with the ability to perform LOEP evaluations and to improve the process by which LOEP appointments are made.

**3. Supplemental Services Instruction Sheet:** Counselors were asked for input on the desirability of a separate student instruction sheet for supplemental services. It was suggested that the current Job Placement Information and Instructions sheet is insufficient in that it addresses only job search activities and not supplemental services (such as English language learning or GED training) which may occur as part of a job placement plan. Likewise, the Formal Training Student Information and Instructions sheet may be insufficient in that it largely addresses coursework in a formal program of study rather than supplemental services. It was also noted that supplemental services may occur before the beginning of a formal program of study or job search activities, and that having appropriate instructions in a more timely fashion would be beneficial to the employee. The counselors in attendance saw no problem with providing clients different instruction sheets at different points in a plan.

After discussion it was agreed that the court staff will produce a draft of a supplemental services instruction sheet for future consideration.

**4. Future meeting agenda items:** No additional agenda items are currently identified for future meetings. Suggestions are welcome.