

Memorandum

TO: Vocational Rehabilitation Counselors
CC: Vocational Rehabilitation Specialists, Kris Peterson
FROM: Glenn Morton
DATE: September 1, 2006
SUBJECT: Meeting Announcement & Results of August 21, 2006 Meeting

The next informal meeting between court staff and certified vocational rehabilitation counselors is scheduled for Friday, September 22, 2006, at 2:00 pm. The meeting will be held at the court's administrative offices at 1221 "N" Street, Suite 402, in Lincoln (TierOne Center). The final regularly scheduled quarterly meeting for this year is set for December 15, 2006.

The August 21, 2006 meeting was specially scheduled to continue discussions of possible VR rule changes for consideration at a public hearing set for November 16, 2006. The meeting was originally scheduled for August 4, 2006, but was moved to August 21, 2006 to allow more time for consideration of possible rule changes prior to the meeting. The attached agenda was circulated to all certified counselors in advance of the meeting,

1. Draft VR Rule Changes. Draft rule change proposals were also circulated to all certified counselors in advance of the meeting. These were reviewed and discussed at the meeting, and revisions to the drafts were identified and agreed to. The revisions have now been incorporated into the updated drafts, which are attached. The revisions are shown in red, for the benefit of those who participated in the discussions.

For the benefit of those who did not attend the meeting, notable changes to the rules as reflected in these drafts are the elimination of the monthly activity report in Rule 37 (in favor of the court receiving copies of reports sent to the parties) and the deletion of Rule 42,A,5. There are certainly others, however, so please review these drafts closely. Additional revisions can be considered at the September 22, 2006 meeting, but the "final" draft proposals must be made available to public shortly after that meeting, along with official notice of the November 16, 2006 hearing.

2. Other Agenda Items. Not all items shown on the attached agenda were addressed in the draft rules. Additional items were discussed, with the following outcomes:

- a. LOE certification. This received extensive discussion, along with the possibility of requiring a set number of CEU hours in forensic rehabilitation for counselor certification. However, there was no final resolution, and the staff will seek input from the judges on this issue.
- b. Provisional certification. Will not be addressed in the recommended changes.

- c. Response to LOE rebuttals by the counselor of record (who pays?). Will not be addressed in the recommended changes.
- d. Plan implementation without MMI (can it be done?). No need for change – is adequately addressed in Rule 36,A.
- e. Plan justification and plan approval/denial process – Rule 44. Will be held for further discussion.
- f. 14 day provision – Rule 36,B,2. Will be addressed administratively.
- g. Disciplinary procedures – Rule 39,F. Will not be addressed in the recommended changes.

3. Next meeting agenda items. At the next meeting on September 22, we will address the following items as time permits:

- a. Draft VR rule changes. Finalize discussion of draft VR rule changes to be considered at the November 16, 2006 public hearing.
- b. Plan justification and plan approval/denial process. Address any questions or issues relating to plan justification and the plan approval/denial process. If changes to Rule 44 are needed there may still be time for these to be considered at the November 16, 2006 hearing.

4. Future meeting agenda items. The following topics will likely be addressed at future meetings, not necessarily in this order. Any suggestions for additional agenda items are welcome.

- a. Changes to VR Plan Form.
- b. Changes to Case Closure Form. The legislature is increasingly requesting information regarding the vocational rehabilitation program and the success of vocational rehabilitation plans. However, existing data is insufficient to allow the court to respond fully to these requests. Could the Case Closure Form be amended to provide the necessary data, and if so, what data should be collected?
- c. Job Placement Plans. What is the counselor's role and what are the counselor's obligations in a job placement plan?