

Second Regular Session
Seventieth General Assembly
STATE OF COLORADO

DRAFT
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BILL 1

LLS NO. 16-0303.01 Jane Ritter x4342

INTERIM COMMITTEE BILL

**Interim Committee to Study Vocational Rehabilitative
Services for the Blind**

BILL TOPIC: "Vocational Services Blind Visually Impaired"

A BILL FOR AN ACT

101 **CONCERNING THE CREATION OF THE DIVISION OF VOCATIONAL**
102 **REHABILITATION SERVICES FOR THE BLIND AND VISUALLY**
103 **IMPAIRED.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://www.leg.state.co.us/billsummaries>.)

Interim Committee to Study Vocational Rehabilitative Services for the Blind. The bill establishes a separate division (division) within the department of labor and employment (department) to provide specialized vocational rehabilitation services (services) to persons who

*Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.*

are eligible for vocational rehabilitation services and who are also blind or visually impaired. The division has full responsibility for providing services to persons who are blind or visually impaired, hiring and training counselors to focus on the unique needs of the population the division serves, creating and operating an up-to-date technical resource center, overseeing the duties and functions relating to home teaching of and teachers for the adult blind, and preparing and overseeing an annual budget for the division. Counselors in the division shall complete comprehensive assessments and eligibility determinations and develop individualized rehabilitation goals based on an individual's strengths, resources, priorities, concerns, abilities, capabilities, interests, and informed choice.

The department is instructed to hire a director for the division and work with the director to prepare a transition plan for the transfer of the duties and functions related to services for the blind and visually impaired from the department to the division.

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1.** In Colorado Revised Statutes, **repeal and reenact,**
3 **with amendments,** 8-84-101 as follows:

4 **8-84-101. Definitions.** AS USED IN THIS ARTICLE, UNLESS THE
5 CONTEXT OTHERWISE REQUIRES:

6 (1) "DEPARTMENT" MEANS THE DEPARTMENT OF LABOR AND
7 EMPLOYMENT CREATED IN SECTION 24-1-121, C.R.S.

8 (2) "DIRECTOR" MEANS THE DIRECTOR OF THE DIVISION FOR THE
9 BLIND AND VISUALLY IMPAIRED.

10 (3) "DIVISION FOR THE BLIND AND VISUALLY IMPAIRED" MEANS
11 THE DIVISION OF VOCATIONAL REHABILITATION SERVICES FOR THE BLIND
12 AND VISUALLY IMPAIRED ESTABLISHED PURSUANT TO SECTION 8-84-301.

13 (4) "EXECUTIVE DIRECTOR" MEANS THE EXECUTIVE DIRECTOR OF
14 THE DEPARTMENT.

15 (5) "PERSON WHO IS BLIND OR VISUALLY IMPAIRED" MEANS A
16 PERSON WHO HAS NOT MORE THAN 20/200 CENTRAL VISUAL ACUITY IN THE

1 BETTER EYE WITH CORRECTING LENSES OR AN EQUALLY DISABLING LOSS
2 OF THE VISUAL FIELD AS EVIDENCED BY A LIMITATION TO THE FIELD OF
3 VISION IN THE BETTER EYE TO SUCH A DEGREE THAT ITS WIDEST DIAMETER
4 SUBTENDS AN ANGLE OF NO GREATER THAN TWENTY DEGREES.

5 (6) "PERSON WITH A DISABILITY" MEANS A PERSON WHO HAS A
6 PHYSICAL OR MENTAL IMPAIRMENT THAT CONSTITUTES OR RESULTS IN A
7 SUBSTANTIAL IMPEDIMENT TO EMPLOYMENT AND WHO CAN BENEFIT IN
8 TERMS OF AN EMPLOYMENT OUTCOME FROM THE PROVISION OF
9 VOCATIONAL REHABILITATION SERVICES. A "PERSON WITH A DISABILITY"
10 INCLUDES, BUT IS NOT LIMITED TO, A "PERSON WHO IS BLIND OR VISUALLY
11 IMPAIRED".

12 (7) "RESOURCE CENTER" MEANS THE TECHNICAL RESOURCE
13 CENTER FOR THE BLIND AND VISUALLY IMPAIRED THAT IS CREATED,
14 MANAGED, AND OPERATED BY THE DIVISION FOR THE BLIND AND VISUALLY
15 IMPAIRED PURSUANT TO SECTION 8-84-303.

16 (8) "VOCATIONAL REHABILITATION SERVICES" OR
17 "REHABILITATION SERVICES" MEANS THOSE SERVICES DESCRIBED IN
18 SECTION 103 OF THE FEDERAL "REHABILITATION ACT OF 1973", PUBLIC
19 LAW 93-112, AS AMENDED.

20 **SECTION 2.** In Colorado Revised Statutes, **amend** 8-84-102 as
21 follows:

22 **8-84-102. Rehabilitation programs.** In carrying out the
23 provisions of this article, the department shall coordinate and strengthen
24 the programs of rehabilitation for persons with disabilities, INCLUDING
25 PERSONS WHO ARE BLIND OR VISUALLY IMPAIRED, to the end that they may
26 attain or maintain their maximum potential in employment,
27 self-sufficiency, and independent living. THE DEPARTMENT SHALL WORK

1 COLLABORATIVELY AS NEEDED WITH THE DIVISION FOR THE BLIND AND
2 VISUALLY IMPAIRED FOR THE PROVISION OF SPECIALIZED VOCATIONAL
3 REHABILITATION SERVICES FOR PERSONS WHO ARE BLIND OR VISUALLY
4 IMPAIRED. Nothing in this article is to be construed as an eligibility-based
5 entitlement to a vocational rehabilitation service provided by the state.

6 **SECTION 3.** In Colorado Revised Statutes, **amend** 8-84-103 as
7 follows:

8 **8-84-103. Personnel.** Subject to the availability of duly
9 appropriated funds, the executive director ~~of the department~~ may appoint
10 necessary personnel to administer rehabilitation programs in accordance
11 with this article, INCLUDING THE APPOINTMENT OF THE DIRECTOR OF THE
12 DIVISION FOR THE BLIND AND VISUALLY IMPAIRED. THE DIRECTOR SHALL
13 APPOINT THE PERSONNEL WITHIN THE DIVISION FOR THE BLIND AND
14 VISUALLY IMPAIRED.

15 **SECTION 4.** In Colorado Revised Statutes, 8-84-104, **amend** (1)
16 introductory portion; **repeal** (1) (b) and (1) (d); and **add** (2) as follows:

17 **8-84-104. Functions of the department.** (1) EXCEPT AS
18 PROVIDED FOR IN SUBSECTION (2) OF THIS SECTION, the department shall
19 manage, control, and supervise all VOCATIONAL rehabilitation programs
20 provided in this article, including:

21 ~~(b) All duties and functions previously assigned to the division of~~
22 ~~rehabilitation for the blind;~~

23 ~~(d) All duties and functions relating to home teaching of and~~
24 ~~teachers for the adult blind vested in, exercised by, or imposed upon the~~
25 ~~department of human services or its predecessors prior to July 1, 1973,~~
26 ~~whether by law, rule, or regulation; and~~

27 (2) THE DEPARTMENT SHALL NOT MANAGE, CONTROL, OR

1 SUPERVISE ANY OF THE FUNCTIONS UNDER THE PURVIEW OF THE DIVISION
2 FOR THE BLIND AND VISUALLY IMPAIRED AS SET FORTH IN PART 3 OF THIS
3 ARTICLE. THE DEPARTMENT SHALL, HOWEVER, MAINTAIN AND PROVIDE
4 ADMINISTRATIVE OVERSIGHT OF THE DIVISION FOR THE BLIND AND
5 VISUALLY IMPAIRED, INCLUDING CONTRACTUAL MATTERS, CONTROL OF
6 FUNDS, AND OTHER GENERAL ADMINISTRATIVE FUNCTIONS.

7 **SECTION 5.** In Colorado Revised Statutes, 8-84-106, **amend** (1)
8 and (2) (a) introductory portion; and **repeal** (2) (f) as follows:

9 **8-84-106. Rehabilitation of persons with disabilities.**

10 (1) Except as otherwise provided by law, the department shall provide
11 VOCATIONAL rehabilitation services to persons with disabilities who the
12 department determines are eligible for the services. THE DIVISION FOR THE
13 BLIND AND VISUALLY IMPAIRED SHALL PROVIDE REHABILITATION SERVICES
14 TO THOSE PERSONS WHO ARE BLIND OR VISUALLY IMPAIRED AND WHO
15 COUNSELORS WITHIN THE DIVISION DETERMINE ARE ELIGIBLE FOR THOSE
16 SERVICES.

17 (2) The department shall:

18 (a) Cooperate with other departments, agencies, and institutions,
19 both public and private, INCLUDING THE DIVISION FOR THE BLIND AND
20 VISUALLY IMPAIRED, in:

21 (f) ~~Provide home teaching of and teachers for the adult blind; and~~

22 **SECTION 6.** In Colorado Revised Statutes, **amend** 8-84-107 as
23 follows:

24 **8-84-107. Cooperation with federal government - rules.** The
25 department shall cooperate with the federal government in carrying out
26 the purposes of any federal statutes pertaining to the purposes of this
27 article, including the licensing of ~~blind~~ persons WHO ARE BLIND OR

1 VISUALLY IMPAIRED to operate vending stands on federal property. The
2 department may adopt by rule methods of administration that are
3 reasonably required by the federal government for the proper and efficient
4 operation of the agreements with the federal government and to comply
5 with the conditions necessary to secure the full benefits of the federal
6 statutes.

7 **SECTION 7.** In Colorado Revised Statutes, 8-84-108, **amend** (1)
8 (b) and (2) (a); and **add** (1) (b.5), (2) (a.5), and (2) (c) as follows:

9 **8-84-108. Transfer of functions - transition plan - report.**

10 (1) (b) EXCEPT AS PROVIDED IN PARAGRAPH (b.5) OF THIS SUBSECTION
11 (1), by July 1, 2016, the department of ~~labor and employment~~ shall
12 execute, administer, perform, and enforce the rights, powers, duties,
13 functions, and obligations regarding vocational rehabilitation programs,
14 including the business enterprise program, that are transferred to the
15 department pursuant to this article.

16 (b.5) BY JULY 1, 2017, THE DIVISION FOR THE BLIND AND VISUALLY
17 IMPAIRED SHALL EXECUTE, ADMINISTER, AND PERFORM THE SEPARATE
18 DUTIES AND FUNCTIONS SET FORTH IN PART 3 OF THIS ARTICLE.

19 (2) (a) Starting on July 1, 2016, the department shall begin
20 working with partners, stakeholders, and respective staff from both
21 departments to transition vocational rehabilitation programs, including the
22 business enterprise program, from the department of human services to
23 the department of labor and employment. In addition to preparing and
24 presenting a detailed transition ~~plan~~ PLANS as required by ~~paragraph~~
25 PARAGRAPHS (b) AND (c) of this subsection (2), starting in September
26 2015, the department shall present quarterly reports to the joint budget
27 committee on the status of the transition of vocational rehabilitation

1 programs, including the business enterprise program AND SEPARATE
2 SERVICES FOR THE BLIND AND VISUALLY IMPAIRED, from the department
3 of human services to the department of labor and employment AND TO
4 THE DIVISION FOR THE BLIND AND VISUALLY IMPAIRED.

5 (a.5) STARTING ON JANUARY 1, 2017, IN ACCORDANCE WITH THE
6 TRANSITION PLAN DEVELOPED PURSUANT TO PARAGRAPH (c) OF THIS
7 SUBSECTION (2), THE DEPARTMENT SHALL BEGIN TO TRANSITION
8 FUNCTIONS AND DUTIES RELATED TO VOCATIONAL REHABILITATION
9 SERVICES FOR THE BLIND AND VISUALLY IMPAIRED FROM THE
10 DEPARTMENT TO THE DIVISION FOR THE BLIND AND VISUALLY IMPAIRED.

11 (c) BY DECEMBER 1, 2016, THE DEPARTMENT, IN CONJUNCTION
12 WITH THE DIRECTOR OF THE DIVISION FOR THE BLIND AND VISUALLY
13 IMPAIRED APPOINTED PURSUANT TO SECTION 8-84-301, SHALL PREPARE A
14 DETAILED TRANSITION PLAN, INCLUDING BUDGETARY RECOMMENDATIONS,
15 FOR THE TRANSFER OF DUTIES AND FUNCTIONS SET FORTH IN SECTION
16 8-84-301 RELATED TO VOCATIONAL REHABILITATION SERVICES FOR THE
17 BLIND AND VISUALLY IMPAIRED TO THE DIVISION FOR THE BLIND AND
18 VISUALLY IMPAIRED. IN DEVELOPING THE TRANSITION PLAN, THE
19 DEPARTMENT AND THE DIRECTOR OF THE DIVISION FOR THE BLIND AND
20 VISUALLY IMPAIRED SHALL SEEK AND INCLUDE INPUT AND
21 RECOMMENDATIONS FROM AFFECTED INDIVIDUALS AND INTERESTED
22 STAKEHOLDERS.

23 **SECTION 8.** In Colorado Revised Statutes, **add** part 3 to article
24 84 of title 8 as follows:

25 PART 3
26 DIVISION OF VOCATIONAL REHABILITATION SERVICES
27 FOR THE BLIND AND VISUALLY IMPAIRED

1 **8-84-301. Established - duties and functions.** (1) (a) THE
2 DIVISION OF VOCATIONAL REHABILITATION SERVICES FOR THE BLIND AND
3 VISUALLY IMPAIRED, REFERRED TO IN THIS PART 3 AS "DIVISION", IS
4 ESTABLISHED IN THE DEPARTMENT. THE PURPOSE OF THE DIVISION IS TO
5 SERVE AS AN INDEPENDENT UNIT WITHIN THE DEPARTMENT THAT IS
6 DEDICATED TO SERVING THE UNIQUE VOCATIONAL REHABILITATION NEEDS
7 OF PERSONS WHO ARE BLIND OR VISUALLY IMPAIRED. THOSE UNIQUE
8 NEEDS INCLUDE SPECIALIZED COUNSELING, PERSONAL ADJUSTMENT AND
9 VOCATIONAL TRAINING, SKILLS AND NEEDS ASSESSMENT, AND
10 INFORMATION ABOUT AND ACCESS TO THE MOST CURRENT TECHNOLOGY
11 AVAILABLE FOR PERSONS WHO ARE BLIND OR VISUALLY IMPAIRED.

12 (b) BY SEPTEMBER 1, 2016, THE DEPARTMENT SHALL HIRE A
13 DIRECTOR FOR THE DIVISION. PURSUANT TO SECTION 8-84-108 (2) (c), THE
14 DEPARTMENT SHALL WORK COLLABORATIVELY WITH THE DIRECTOR TO
15 ESTABLISH A TRANSITION PLAN, BUDGET, AND ADMINISTRATIVE
16 STRUCTURE FOR THE DIVISION NO LATER THAN DECEMBER 15, 2016. THE
17 DIVISION MUST BE OPERATIONAL BY JULY 1, 2017. PRIOR TO THE
18 COMPLETION OF THE TRANSITION, ELIGIBLE PERSONS WHO ARE BLIND OR
19 VISUALLY IMPAIRED MAY CONTINUE TO RECEIVE SERVICES THROUGH THE
20 DEPARTMENT PURSUANT TO PART 1 OF THIS ARTICLE.

21 (2) THE DIVISION HAS THE FOLLOWING DUTIES AND FUNCTIONS:

22 (a) TO PROVIDE REHABILITATION SERVICES TO PERSONS WHO ARE
23 BLIND OR VISUALLY IMPAIRED IN ACCORDANCE WITH SECTION 8-84-302;

24 (b) TO HIRE AND TRAIN COUNSELORS TO PROVIDE SPECIALIZED
25 VOCATIONAL REHABILITATION SERVICES TO PERSONS WHO ARE BLIND OR
26 VISUALLY IMPAIRED. THE TRAINING MUST INCLUDE EMPHASIS ON THE
27 UNIQUE NEEDS OF THE PERSONS SERVED BY THE DIVISION, SKILLS AND

1 NEEDS ASSESSMENTS, MOBILITY RESOURCES AND TRAINING, PERSONAL
2 ADJUSTMENT AND VOCATIONAL TRAINING, CURRENT TECHNOLOGY, AND
3 OTHER OPPORTUNITIES AVAILABLE TO PERSONS WHO ARE BLIND OR
4 VISUALLY IMPAIRED;

5 (c) TO OPERATE AND MANAGE THE RESOURCE CENTER CREATED IN
6 SECTION 8-84-303;

7 (d) TO OVERSEE THE DUTIES AND FUNCTIONS RELATING TO HOME
8 TEACHING OF AND TEACHERS FOR THE ADULT BLIND; AND

9 (e) TO PREPARE AN ANNUAL BUDGET FOR THE DIVISION FOR
10 SUBMISSION TO THE DEPARTMENT AND TO OVERSEE THE IMPLEMENTATION
11 OF SUCH BUDGET.

12 **8-84-302. Rehabilitation of persons who are blind or visually**
13 **impaired.** (1) EXCEPT AS OTHERWISE PROVIDED BY LAW, THE DIVISION
14 SHALL PROVIDE REHABILITATION SERVICES TO PERSONS WHO ARE BLIND
15 OR VISUALLY IMPAIRED AND WHO COUNSELORS WITHIN THE DIVISION HAVE
16 DETERMINED ARE ELIGIBLE FOR THE SERVICES.

17 (2) THE DIVISION AND COUNSELORS WITHIN THE DIVISION SHALL:

18 (a) COOPERATE WITH THE DEPARTMENT, OTHER DEPARTMENTS,
19 AGENCIES, SCHOOL DISTRICTS, THE REHABILITATION ADVISORY
20 COMMITTEE, THE STATEWIDE INDEPENDENT LIVING COUNCIL, AND OTHER
21 PUBLIC AND PRIVATE INSTITUTIONS IN:

22 (I) COLLABORATING WITH OTHER COUNSELORS TO DETERMINE THE
23 STRENGTHS AND NEEDS OF EACH INDIVIDUAL;

24 (II) PROVIDING THE SERVICES AUTHORIZED BY THIS ARTICLE TO
25 PERSONS WHO ARE BLIND OR VISUALLY IMPAIRED;

26 (III) STUDYING THE PROBLEMS INVOLVED IN PROVIDING THE
27 SERVICES; AND

1 (IV) ESTABLISHING, DEVELOPING, AND PROVIDING, IN
2 CONFORMITY WITH THE PURPOSES OF THIS PART 3, PROGRAMS, FACILITIES,
3 AND SERVICES THAT ARE NECESSARY;

4 (b) PROVIDE SERVICES AND TECHNICAL ASSISTANCE OR GUIDANCE
5 TO OTHER GOVERNMENT AGENCIES, INCLUDING REPRESENTATION ON
6 STATEWIDE AGENCIES FOR PERSONS WITH DISABILITIES, WITH RESPECT TO
7 THE NEEDS RELATED TO PERSONS WHO ARE BLIND OR VISUALLY IMPAIRED;
8 AND

9 (c) PROVIDE HOME TEACHING OF AND TEACHERS FOR THE ADULT
10 BLIND.

11 (3) (a) THE DIVISION SHALL PROVIDE VOCATIONAL
12 REHABILITATION SERVICES DIRECTLY OR THROUGH PUBLIC OR PRIVATE
13 INSTRUMENTALITIES FOR A PERSON WHO IS BLIND OR VISUALLY IMPAIRED
14 WHO:

15 (I) RESIDES IN THE STATE AT THE TIME HE OR SHE FILES AN
16 APPLICATION FOR THE SERVICES; AND

17 (II) (A) AFTER FULL INVESTIGATION, A COUNSELOR WITHIN THE
18 DIVISION DETERMINES CAN SATISFACTORILY ACHIEVE REHABILITATION; OR

19 (B) IS ELIGIBLE FOR VOCATIONAL REHABILITATION SERVICES
20 UNDER THE TERMS OF AN AGREEMENT WITH ANOTHER STATE OR THE
21 FEDERAL GOVERNMENT.

22 (b) THE DIVISION AND COUNSELORS WITHIN THE DIVISION SHALL:

23 (I) COMPLETE A COMPREHENSIVE ASSESSMENT AND WORK WITH
24 THE PERSON WHO IS BLIND OR VISUALLY IMPAIRED TO DEVELOP
25 REHABILITATION GOALS BASED ON THE PERSON'S STRENGTHS, RESOURCES,
26 PRIORITIES, CONCERNS, ABILITIES, CAPABILITIES, INTERESTS, AND
27 INFORMED CHOICE;

1 (II) AUTHORIZE THOSE SERVICES THAT ARE APPROPRIATE AND
2 NECESSARY TO ADDRESS THE REHABILITATION NEEDS OF THE PERSON WHO
3 IS BLIND OR VISUALLY IMPAIRED, BASED ON HIS OR HER DOCUMENTED
4 STRENGTHS AND CAPABILITIES, SO THAT HE OR SHE MIGHT ACHIEVE HIS OR
5 HER REHABILITATION GOALS;

6 (III) GIVE PREFERENCE TO COST-EFFECTIVE SERVICES PROVIDED
7 IN THE STATE OF COLORADO, BUT THE COUNSELOR, WITH DIRECTOR
8 APPROVAL, MAY AUTHORIZE PAYMENT FOR OUT-OF-STATE SERVICES ON A
9 CASE-BY-CASE BASIS. THE DIVISION SHALL NOT PAY FOR ANY SERVICES
10 PROVIDED OUTSIDE THE UNITED STATES.

11 (IV) ESTABLISH REASONABLE TIME FRAMES WITHIN EACH
12 REHABILITATION PLAN FOR INDIVIDUALS TO ATTAIN THE ESTABLISHED
13 REHABILITATION GOALS; AND

14 (V) CLOSE THE RECORD OF SERVICES IN A TIMELY MANNER AND IN
15 ACCORDANCE WITH FEDERAL GUIDELINES FOR A PERSON WHO IS BLIND OR
16 VISUALLY IMPAIRED WHO HAS ACHIEVED HIS OR HER REHABILITATION
17 GOALS.

18 (c) (I) EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS
19 PARAGRAPH (c), THE DIVISION SHALL PROVIDE GOODS OR SERVICES TO A
20 PERSON WHO IS BLIND OR VISUALLY IMPAIRED ONLY TO THE EXTENT THAT
21 A COUNSELOR WITHIN THE DIVISION DETERMINES, IN ACCORDANCE WITH
22 PARAGRAPH (d) OF THIS SUBSECTION (3) AND DEPARTMENT RULES, THAT
23 THE PERSON WHO IS BLIND OR VISUALLY IMPAIRED REQUIRES FINANCIAL
24 ASSISTANCE.

25 (II) THE DIVISION SHALL PROVIDE THE FOLLOWING SERVICES AT
26 PUBLIC COST WITHOUT CONSIDERATION OF FINANCIAL NEED:

27 (A) DIAGNOSTIC AND RELATED ASSESSMENTS, INCLUDING

1 TRANSPORTATION NECESSARY TO OBTAIN THE ASSESSMENT, THAT ARE
2 REQUIRED TO DETERMINE ELIGIBILITY FOR SERVICES AND THE NATURE AND
3 SCOPE OF THE SERVICES TO BE PROVIDED;

4 (B) VOCATIONAL REHABILITATION GUIDANCE;

5 (C) REFERRAL;

6 (D) PERSONAL ASSISTANCE TRAINING;

7 (E) INTERPRETER SERVICES;

8 (F) JOB PLACEMENT; AND

9 (G) JOB RETENTION.

10 (d) (I) A COUNSELOR WITHIN THE DIVISION SHALL DETERMINE THE
11 NEED FOR FINANCIAL ASSISTANCE OF A PERSON WHO IS BLIND OR VISUALLY
12 IMPAIRED BASED ON THE PERSON'S NEED AND INCOME, OR THE INCOME OF
13 THE PERSON'S LEGALLY AND FINANCIALLY RESPONSIBLE RELATIVE. THE
14 COUNSELOR SHALL DETERMINE THE NEED FOR FINANCIAL ASSISTANCE FOR
15 A PERSON WHO IS BLIND OR VISUALLY IMPAIRED, OR FOR THE PERSON'S
16 LEGALLY AND FINANCIALLY RESPONSIBLE RELATIVE, PRIOR TO PROVIDING
17 VOCATIONAL REHABILITATION SERVICES, EXCEPT FOR DIAGNOSTIC,
18 GUIDANCE, JOB PLACEMENT, AND RELATED SERVICES. THE PERSON WHO
19 IS BLIND OR VISUALLY IMPAIRED, OR THE PERSON'S LEGALLY AND
20 FINANCIALLY RESPONSIBLE RELATIVE, SHALL CONTRIBUTE TOWARD THE
21 COST OF HIS OR HER VOCATIONAL REHABILITATION SERVICES TO THE
22 EXTENT THAT THE COUNSELOR DETERMINES THAT HE OR SHE IS
23 FINANCIALLY ABLE; EXCEPT THAT, IF THE PERSON WHO IS BLIND OR
24 VISUALLY IMPAIRED HAS BEEN DETERMINED ELIGIBLE FOR SOCIAL
25 SECURITY BENEFITS UNDER TITLE II OR XVI OF THE FEDERAL "SOCIAL
26 SECURITY ACT", 42 U.S.C. SEC. 301 ET SEQ., AS AMENDED, HE OR SHE IS
27 NOT REQUIRED TO FURTHER CONTRIBUTE TO THE COSTS OF ANY SERVICES

1 PROVIDED.

2 (II) AS USED IN THIS PARAGRAPH (d), A "PERSON'S LEGALLY AND
3 FINANCIALLY RESPONSIBLE RELATIVE" MEANS THE RELATIVE WHO
4 IDENTIFIES THE PERSON AS A DEPENDANT FOR FEDERAL INCOME TAX
5 PURPOSES.

6 (4) IF A COUNSELOR WITHIN THE DIVISION DETERMINES THAT ANY
7 GOODS OR SERVICES RECEIVED BY THE PERSON WHO IS BLIND OR VISUALLY
8 IMPAIRED WERE ACQUIRED THROUGH MISREPRESENTATION, FRAUD,
9 COLLUSION, OR CRIMINAL CONDUCT, THE DIRECTOR SHALL REPORT THE
10 FRAUDULENT ACTIVITY TO THE APPROPRIATE AGENCY FOR INVESTIGATION.
11 PAYMENT FOR THOSE GOODS AND SERVICES MAY BE RECOVERED BY THE
12 DIVISION FROM THE PERSON WHO IS BLIND OR VISUALLY IMPAIRED OR HIS
13 OR HER LEGALLY OR FINANCIALLY RESPONSIBLE RELATIVE.

14 **8-84-303. Technical resource center for the blind and visually**
15 **impaired.** THE DIVISION SHALL CREATE, MANAGE, AND OPERATE A
16 TECHNICAL RESOURCE CENTER FOR THE BLIND AND VISUALLY IMPAIRED.
17 THE RESOURCE CENTER SHALL PROVIDE INFORMATION, TRAINING, AND
18 ACCESS RELATED TO THE MOST CURRENT TECHNOLOGY AND MOBILITY
19 OPTIONS FOR PERSONS WHO ARE BLIND OR VISUALLY IMPAIRED.

20 **SECTION 9. Safety clause.** The general assembly hereby finds,
21 determines, and declares that this act is necessary for the immediate
22 preservation of the public peace, health, and safety.