

October 6, 1955

Dear Commissioner Tramburg:

Thank you for sending me the revised edition of the New Jersey State Plan for Vocational Rehabilitation of Blind Persons.

I appreciate having this material.

Sincerely,

Raymond F. Male
Executive Assistant

Commissioner John W. Tramburg
Department of Institutions and
Agencies
Trenton 7, New Jersey

RPM:g

cc: Mr. David Thompson

1. Act
2. D. Thompson
3. File



State of New Jersey
DEPARTMENT OF INSTITUTIONS AND AGENCIES
TRENTON 7

October 3, 1955

Mr. Raymond Male
Assistant to the Governor
State House
Trenton, New Jersey

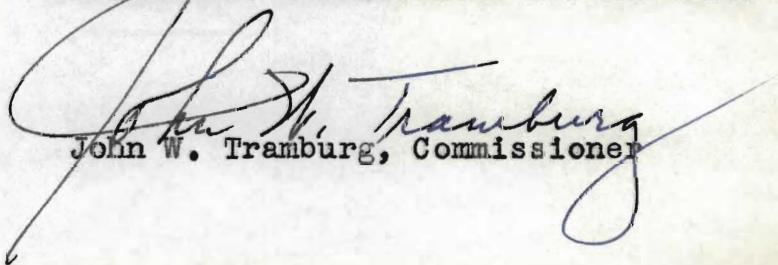
Dear Mr. Male:

In connection with the rules and regulations under the Division of Welfare of this Department I am enclosing herewith a Revision to the New Jersey State Plan for Vocational Rehabilitation of Blind Persons.

This revised edition was adopted by the Board of Managers of the State Commission for the Blind and approved by the Acting Commissioner of this Department and became effective as of June 1st, 1955. This revision includes no basic policy change but does bring the wording of the Plan up to date in accordance with operating practices and with Federal Public Law #565 of 1955.

Very truly yours,

DEPARTMENT INSTITUTIONS AND AGENCIES


John W. Tramburg, Commissioner

JWT:5

DEPARTMENT OF INSTITUTIONS AND AGENCIES

DIVISION OF Welfare

Name of Institution, Agency, etc.

New Jersey State Commission for the Blind

REGULATION #

ISSUED: (Date) 8/1/44

Rev.: (Date) 6/1/55

TITLE: New Jersey State Plan for Vocational Rehabilitation.

SUBJECT: Vocational Rehabilitation of Blind Persons.

STATUTORY REFERENCE: 30:6-11

This regulation is issued pursuant to formal resolution of the Board of Managers adopted (date). June 14, 1955. It supercedes official State Plan issued August 1, 1944 and Revised State Plan issued April 1, 1953.

(Signature of Executive)

(Name and Title



George F. Meyer
Executive Director

Approved: (Date)

by _____

President,
State Board of Control

REVISED
NEW JERSEY STATE PLAN FOR
VOCATIONAL REHABILITATION
OF BLIND PERSONS

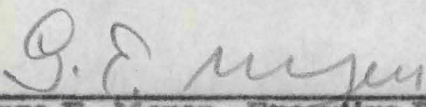
6/1/55

REVISED
NEW JERSEY STATE PLAN
FOR
VOCATIONAL REHABILITATION OF BLIND PERSONS

This plan has been prepared in accordance with the laws of the State of New Jersey and pursuant to P.L. 565 and the regulations promulgated thereunder.

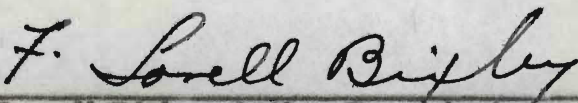
Approved by:

NEW JERSEY STATE COMMISSION FOR THE BLIND



George F. Meyer, Executive Director

DEPARTMENT INSTITUTIONS AND AGENCIES



F. Lovell Bixby, Acting Commissioner

Trenton, N. J.

Signed and Adopted: 5/24/55

Effective date: 6/1/55

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**STATE PLAN FOR ADMINISTRATION OF THE
PROGRAM OF VOCATIONAL REHABILITATION IN NEW JERSEY
VOCATIONAL REHABILITATION OF THE BLIND**

SECTION 1. GENERAL PROVISIONS

1.1 Coverage.

This Plan constitutes a description of the Vocational Rehabilitation program for blind individuals of the State of New Jersey and is submitted by the New Jersey State Commission for the Blind.

Criteria of visual disability have been established as follows. In order to be eligible for Vocational Rehabilitation service from the Commission for the Blind, an individual must fall within the following definition of blindness: central visual acuity reduced to 20/200 or less in the better eye with correction, or, visual field defect in which the peripheral field is contracted to such an extent that the widest diameter of visual field subtends an angle of no greater than 20 degrees.

Because of the individualized nature of eye conditions and their particular effect upon a given individual, the rehabilitation of individuals who are blind in one eye only or whose vision falls between 20/70 and 20/200 will be supervised either by the State Commission for the Blind or the Rehabilitation Commission in accordance with the specifications of a cooperative agreement between the two agencies. (See exhibit 4A.)

1.2 Submittal of Plan Materials.

- (a) The Executive Director of the New Jersey State Commission for the Blind is authorized to submit Plan materials to the Office of Vocational Rehabilitation.
- (b) This Plan will be amended whenever necessary to reflect a material change in any phase of State law, organization, policy or agency operations bearing on this program.

Such amendments will be submitted to the Office of Vocational Rehabilitation for approval prior to its effective date or within a reasonable time thereafter.

1.3 State-wide Application of Plan.

This Plan is in effect in all political subdivisions of the State of New Jersey.

1.4 Legal Basis.

- (a) Copies of all laws pertaining to the administration of the vocational rehabilitation program by the New Jersey State Commission for the Blind appear as attachments to the Commission's approved Plan dated 4/1/53 on file with the Office of Vocational Rehabilitation.

The legal citations are: for the Commission for the Blind, Title 30:6-11; 30:6-15.1 and 30:6-15.2 Revised Statutes of New Jersey; for the Department of Institutions and Agencies, Title 30:1 (1 to 18).

All other legal citations including copies of current appropriation laws, Civil Service, fiscal, audit and purchase laws are set forth in Section 1.6 of the State Plan for Vocational Rehabilitation submitted by the New Jersey Rehabilitation Commission.

SECTION 2. ADMINISTRATIVE ORGANIZATION

2.1 Designation of State Agency.

The New Jersey State Commission for the Blind is designated as the sole agency to administer this Plan for the vocational rehabilitation of blind persons.

The Commission's legal responsibility for this function derives from Section 30:6-11 (Revised Statutes of New Jersey) which reads in part, "The State Board of Control of Institutions and Agencies or its duly authorized representative" is "empowered to negotiate with and enter into cooperative agreements with the Federal Government for the purpose of receiving contributions therefrom for the vocational rehabilitation of the blind." Any funds so received are to be paid into the State Treasury and "held for the use of the Commission to be used, together with funds obtained from the State and from other sources for the vocational rehabilitation of the blind."

2.2 Responsibility of the State Agency.

- (a) All decisions affecting the eligibility of clients, or the nature and scope of Vocational Rehabilitation services to be provided will be made by the New Jersey State Commission for the Blind and this responsibility will not be delegated to any other agency or individual.
- (b) Does not apply.

2.3 Organization of State Agency.

- (a) The New Jersey State Commission for the Blind consists of five service departments, a Medical Consultant, and an accounting or fiscal section all responsible to the Executive Director assisted by the Assistant Executive Director. Each departmental unit has a supervisor and appropriate professional and clerical staff. The service departments are:

Vocational Rehabilitation

Aid to the Needy Blind. (A categorical Assistance program administered by local county welfare boards who are supervised by the Commission.)

Education. (A program of guidance and school placement for children who are blind or partially sighted from preschool through college.)

Home Teaching and Home Industries. (This unit carries on a program of adjustment and handwork instruction to homebound adults made available through visiting teachers. It includes a processing and sales coordination unit for articles made by blind people at home.)

Eye Health Service. (A prevention of blindness service through public and individual case contacts.)

The Vocational Rehabilitation Service is headed by a Supervisor of Vocational Services with an appropriate number of vocational counselors and intake workers under him. In addition he will supervise the Business Enterprise Specialist who will act as a consultant responsible for the development and erection of new vending stands and other business opportunities.

The V.R.S. will accept referrals from any department of the agency but in every case a counselor or similar worker will be assigned to the case and will be responsible for any and all activity including guidance, training and placement, required in processing the client toward his employment objective. In the interest of economy and optimum service, clients who are approved for higher education and similar long term educational programs will be turned over to an educational counselor specialist by the vocational counselor for the period of the training program. The vocational counselor will still retain primary responsibility for this type of case. The educational counselor will be part time under the V.R.S. program in an amount established by suitable time study.

- (1) Executive direction and coordination of the V.R.S. is the responsibility of the Executive Director assisted by the Assistant Executive Director. They will be part time under the program in an amount established by suitable time study. The Supervisor of Vocational Services is responsible to the Assistant Executive Director who in turn is responsible to the Executive Director.
- (2) Public information and program interpretation are the responsibilities of the Executive Director with appropriate delegation to the Assistant Executive Director and other staff members.
- (3) The counseling of clients is specifically the responsibility of the vocational counselor or intake worker assigned to the case. However, any member of the V.R.S. staff or special professional consultants may be asked to assist in "staffing the case".

- (4) In so far as feasible physical restoration services will be the responsibility of the counselor in charge of the case. There will be certain situations when the existing Eye Health Service may be asked to assist because of their specialized skills in this field. It is not contemplated, at this time, that there will be any charge to the V. R. S. program for this cooperative assistance. Experience may require, however, a change in this point of view at a later date.

The Commission will employ a part time medical administrative consultant. Charges will be allocated in accordance with appropriate time study but at a rate no lower than ten per cent of a full time individual in such an approved position since it would not be possible to recruit a qualified consultant under this amount. The required duties, responsibilities and minimum qualifications of the Medical Administrative Consultant follow:

Graduation from a school of medicine approved by the American Medical Association; license to practice medicine and surgery in the State; and at least three years of resident or graduate training or experience in a medical field appropriate to physical restoration.

The Medical Administrative Consultant will perform the following duties. Advise the State Director with regard to the development and application of physical restoration policies and standards; advise the State Director on the maintenance of standards of physical restoration services; assist in representing the State agency in its contacts with the medical and associated professions; assist in the training of rehabilitation case work staff with regard to physical restoration standards, policies, and services; and provide consultation at regular frequent intervals on individual cases and specific medical problems.

- (5) Other consultative services including psychiatric consultation will be purchased as needed on a fee basis.
- (6) The Commission for the Blind maintains a program for the operation, supervision and development of vending stand placements and other business enterprise opportunities for blind people. The Business Enterprise Specialist is specifically responsible for finding, erecting and promoting vending stand locations and other business sites. Supervision of the vending stand program is considered essential to program operations and will be carried on by Stand Inspectors who will be an all State charge under this Plan.

The Commission operates a specialized prevocational, adjustment and evaluation center for vocational rehabilitation clients. This is a State operated center and the charge to the V.R. program is on a fee basis. The Commission's Vocational Rehabilitation program will be integrated with its Home Industries program for the purpose of developing homebound employment opportunities for blind people. In addition, it will seek to develop employment opportunities in the home or in one or more workshops operating on a sub-contract work basis and related endeavors.

The Commission will be responsible for making disability determinations with reference to the preservation of Old Age and Survivor's Insurance benefits for all clients in the State claiming disability on the basis of blindness or severe visual loss.

- (7) The Commission has no district offices at this time but it is possible that this will become necessary in the future.
- (8) Such research and statistics as may be necessary will be carried on by the Vocational Rehabilitation Service.
- (9) Suitable accounting, budgeting and fiscal records and controls will be maintained by the Commission's fiscal and accounting department, the head of which is responsible to the Executive. Under the Executive's direction the Assistant Executive Director will be responsible for developing the Vocational Rehabilitation annual budget and projected budget estimates.

(b) Does not apply.

(c) An organizational chart showing the Commission's structure is attached as Exhibit 5.

2.4 Local Rehabilitation Agencies.

(a) Does not apply.

2.5 State Director.

The Executive Director has primary responsibility for the direction and administration of the Commission's Vocational Rehabilitation program. He has similar responsibility for all departments of the Commission (See item 2.3 (a)).

He will be part time in the Vocational Rehabilitation program in accordance

with suitable time study. However, the scope of the Director's responsibilities will not interfere with the effective administration of the Commission's Vocational Rehabilitation plan.

2.6 Medical Consultation.

Adequate medical consultation is available to the Commission through weekly conferences with the Medical Consultant who visits the State office to review all medical, eye and other specialists' reports as well as to discuss individual cases with counselors. Whenever necessary, the Medical Consultant for the New Jersey State Rehabilitation Commission, or medical authorities in other State departments, are consulted on specialized medical problems. (See Section 2.3 for a summary of the Medical Consultant's responsibilities.)

2.7 Staff Development.

The Commission will conduct a program of staff development, providing for in-service training of all agency personnel.

This will include:

- (1) Induction and orientation training of new workers, including professional and clerical personnel.
- (2) In-service training for all staff members. The training of new workers seeks to provide the basic understandings, knowledge and skills required for efficient performance in their respective jobs. In-service training includes professional growth experiences for all workers which will enhance their value to the program and is related to their individual interests.

The Assistant Director is responsible for planning the staff development program assisted by other staff members. However, all staff members may participate in determining the nature and the scope of the program. Whatever, methods, material or personnel required for an effective training job will be employed.

Professional workers will be assigned to courses of training of not more than six weeks' duration when such courses are necessary and are available. Extension courses at nearby schools or colleges may be included whenever desirable on any program of in-service training.

2.8 Cooperation with other Agencies.

- (a) Specified agencies.

- (1) Through the New Jersey State Rehabilitation Commission, the Commission for the Blind has established and will maintain a cooperative working relationship with the New Jersey Workman's Compensation Bureau.
- (2) The Commission for the Blind operates both the Vocational Rehabilitation program for the blind as well as the "Aid to the Blind" program and close cooperation is maintained.
- (3 & 4) The Commission has established and will maintain cooperative working relationships with the Federal Bureau of Employee's Compensation and the Federal Bureau of Old Age and Survivor's Insurance.
- (5) The Commission has established and will maintain a cooperative working relationship with the New Jersey State Employment Service. The Commission has a written agreement with the New Jersey State Employment Service. This provides, among other things for reciprocal referral services, exchange of reports of service, joint service programs, continuing liaison, and maximum utilization of the job placement and employment counseling services and other services and facilities of the employment service.

(b) Other Agencies.

The Commission has established and will maintain working relationships with other public and voluntary agencies such as TB sanatoria, crippled children's services, Veterans' Administration facilities, hospitals, health departments, as well as public and voluntary social and health agencies in order to insure maximum utilization of services available in the State to handicapped people.

- (c) The Commission has established and will continue to maintain and develop with the New Jersey State Rehabilitation Commission reciprocal referral services, practical methods for using each other's services and facilities, joint plans of activity which will improve services to handicapped individuals in the State, and will otherwise cooperate in the interest of providing more effective service.

2.9 The Commission does not have a V. R. S. advisory committee.

SECTION 3. PERSONNEL ADMINISTRATION

3.1, 2, 3 Policies Relating to Employment of Qualified Personnel.

All employees of the New Jersey State Commission for the Blind are employed through the New Jersey Department of Civil Service in accordance with the laws, rules and regulations governing the employment of State personnel which has been approved by the Department of Health, Education and Welfare. By law the Executive Director must notify the Department of Civil Service of his intention to employ any individual in the service of the Commission, or of his desire to create a new position in order that the need therefor may be investigated and certified in accordance with prescribed procedures.

Positions are classified by Civil Service which by law must establish lists of eligible persons after job classifications have been set up showing duties to be performed, responsibilities exercised, together with minimum and desirable qualifications, and after this information has been published in at least three daily newspapers circulating in this State. All employees of the Commission are appointed by the Executive Director under Civil Service rules and regulations.

3.4 Maintenance of Written Policies and Records.

The Commission for the Blind will maintain such written personnel policies, records and other data as are necessary to permit an evaluation of the operations of the system of personnel administration in relation to the standards of the agency.

3.5 Participation in Political Activity.

Any personnel employed in the day to day administration and operation of the program will be prohibited from participation in political activity except that an employee shall have the right to express his views and to cast his vote as a citizen.

SECTION 4. FISCAL ADMINISTRATION

4.1 Source of Funds.

Annual appropriations are made by the State Legislature to the Commission. The Commission also receives contributions from public and private agencies as well as from individuals.

4.2 Custody of Funds.

The State Treasurer receives and provides for the custody of all funds paid to the State under the Act subject to requisition or disbursement thereof by the Commission for Plan purposes.

4.3 Disbursement Procedures.

- (a & b) All financial expenditures, administrative and service for the vocational rehabilitation and placement of blind individuals are approved by the Executive Director of the Commission and signed by the approval officer of the Board of Managers. All bills must be submitted on a State bill form and signed by the vendor.

After approval by the chief executive and approval officer of the Board bills covering administrative expenditures together with a summary schedule are forwarded to the administrative offices of the Department of Institutions and Agencies; thence to the State Finance Commissioner, and finally, to the Comptroller who signs the warrant which the State Treasurer draws for payment. Expenditures for diagnostic purposes and for services are handled in substantially the same way. However, personnel pay rolls must pass through the Civil Service Commission prior to acceptance by the Comptroller.

The following is the procedure for requisitioning funds and effecting disbursements. After the Commission's appropriation has been passed financial expenditure programs (sometimes known as work programs) are drawn up on a quarterly basis. This represents a breakdown of the appropriation into various accounts. The program is submitted to the State Finance Department through the Department of Institutions and Agencies for approval as to availability and distribution of funds. Once these are confirmed, requisitions are drawn prior to each quarter upon the Comptroller for the amounts approved on the expenditure program involving service items. Requests for such tangibles as equipment and supplies are forwarded to the State Purchase Department and this department forwards requisitions to the Comptroller for items requested.

If the required expenditure of funds turns out to be different from the anticipated expenditure a procedure is provided, through application to the State House Commission, whereby funds may be transferred from one expenditure account to another as may be indicated. These requests are approved by the Department of Institutions and Agencies, the State Finance Commission, the State Budget Commission and the State House Commission.

All bills clear through the Department of Institutions and Agencies thence to the Comptroller for service items, and to the Purchase Department for supplies and equipment. These bills are checked for accuracy and the Commission is informed of any contingency involving the likelihood of overspending.

The review of expenditures by the Department of Institutions and Agencies and the Civil Service Commission, and the procedure for requisitioning quarterly allotments for rehabilitation and other expenditures under the Commission's program, serves the essential end of preaudit. However, this does not impair or prejudice in any way the responsibility for administrative decision which rests with the Executive Director of the Commission.

In accordance with Section 30:6-11 Revised Statutes, Federal grants for the rehabilitation of blind people are received by the State Treasurer and the Commission for the Blind is advised as to the amount available for its rehabilitation program.

The Commission for the Blind sets up a statement of disbursements for the prior quarter together with a request for payment for the current quarter. This statement is signed by the Executive Director on an appropriate form and will be supplemented by such data concerning the nature and direction of the program as requested by the Federal Director. A covering invoice, State bill form 100, is attached to these documents, signed by the Executive Director and forwarded to the Department of Institutions and Agencies. Form 100 is reviewed by the Commissioner of Institutions and Agencies and recorded by the administration and accounting section of that department. It is then forwarded to the Comptroller where it is recorded and checks drawn against Federal and State funds allocated to the Commission for the Blind under this program. The checks are signed by the State Comptroller and sent to the State Treasurer where they are countersigned and deposited to the credit of the Commission in accordance with law. The Commission is thereupon advised by the State Treasurer of the funds placed to its credit.

- (c) Expenditure of State funds are chargeable to the year in which the expenditures are incurred. Payments must be made no later than

two months after the close of the fiscal year (June 30) with the following exceptions.

- a. Where contractual commitments have been made.
- b. Where purchase orders have been issued but have not been completed.
- c. Where expenditures of special nature have been incurred but for some reason billing is impossible within the two months' grace period. Special permission must be obtained for this.

4.4 Accounting and Auditing System.

The Commission's rehabilitation expenditures are entered daily. The invoices are grouped together and listed on a schedule which is entered in our register of schedules. Each invoice on schedule is classified as to type of expenditure. The schedules are then submitted to the State Treasurer for payment. At the close of the month the books are totalled. A card file of all case service commitments and disbursements made for each client is also maintained. The books of the Department of the Treasury are kept upon a monthly basis and a balance may therefore be struck at any time. The Department of the Treasury accounts for the receipt and disbursement of both State and Federal Rehabilitation funds.

The State Auditor is authorized by law to examine and audit all of the accounts, reports and statements of the Commission and make independent verifications of all assets, liabilities, revenues and expenditures. He is by law required to report in writing to the Governor his findings of any special conditions disclosed by his audit at least once in every two years. The Commission keeps a record of encumbrances and knows definitely at any given time the total amount of funds encumbered to be spent within the current fiscal year.

4.5 Maintenance of Accounts and Supporting Documents.

The Commission will maintain such accounts and supporting documents as will serve to permit an accurate and expeditious determination to be made at any time of the status of the Federal grants including the disposition of all moneys received and the nature and amount of all charges claimed to lie against the respective Federal authorization.

4.6 Locally Administered Programs.

Does not apply.

SECTION 5. REPORTS.

The Commission will make such reports in such form and containing such information as the Director of the Office of Vocational Rehabilitation may reasonably require, and will comply with such provisions as he may find necessary to assure the correctness and verification of such reports.

SECTION 6. SCOPE OF AGENCY PROGRAM.

6.1 Objectives and Services.

The Commission's broad objective under this Plan is to make readily available to any blind person or other person with substantial visual problems preventing him from becoming employed or preventing him from engaging in his normal occupation, the opportunity to apply for any goods and services which would enable him to become remuneratively employed. The scope of Rehabilitation services will include complete diagnostic evaluation of the individual, including medical evaluation. Furthermore, the Commission will provide guidance, training, physical restoration, maintenance during rehabilitation and placement, singly or collectively, to each eligible client who is found by diagnostic study to require such services.

The types of services to be provided and for which Federal financial participation will be requested are: the cost of administration of the program including participation in the State's employee benefit system which covers retirement of state employees, hospital, insurance and health benefits, etc.; also:

- (1) diagnostic and related services including transportation required for the determination of eligibility for service and of the nature and scope of the services to be provided.
- (2) Guidance
- (3) Physical restoration services.
- (4) Training
- (5) Books and training materials
- (6) Maintenance
- (7) Placement
- (8) Tools, equipment, initial stocks and supplies, including equipment and initial stocks and supplies for vending stands;
- (9) Acquisition of vending stands or other equipment and initial stocks and supplies for small business enterprises conducted by blind individuals under the supervision of this Commission;
- (10) Transportation;
- (11) Occupational licenses;

- (12) Other goods and services necessary to render a blind individual fit to engage in a remunerative occupation. The term "services" also covers the establishment of workshops for blind individuals and the establishment of rehabilitation facilities.

6.2 Remunerative Occupation.

"Remunerative occupation" includes employment in the competitive labor market; practice of a profession; self-employment; homemaking; farm or family work (including work for which payment is in kind rather than in cash); sheltered employment; and home industries or other homebound work of a remunerative nature.

SECTION 7. CASE FINDING AND INTAKE

7.1 Case Finding.

The Commission for the Blind has maintained since 1910 a register of the blind listing all known blind persons in the State. Through publicity addressed to public and private agencies, through radio and press releases, additional names are constantly being added to this register. Referrals are received from individual citizens including employers, friends, relatives of blind people, and blind individuals themselves. Additional sources of referrals are hospitals, ophthalmologists, and medical doctors. Under Title 30:6-1 of the Revised Statutes of New Jersey, every physician must report to the Commission every case of defective vision which in his judgment may result in permanent blindness. The Commission for the Blind establishes cooperative working relationships with health, welfare, compensation, education, employment and other agencies which come in contact with visually handicapped persons, to promote case finding, and maintains an accurate program of information to familiarize representatives of interested agencies as well as the visually handicapped individual with the services of the agency.

7.2 Processing Referrals and Applications.

- (a) Every blind person who is potentially employable, referred or coming to the attention of the Commission, will be given the opportunity of applying for the various services provided under this Plan. All such blind individuals will in general be visited by a properly qualified representative to arrange for intake. A limited number of clients come directly to the Commission's offices at the time of first contact and these will be interviewed by the appropriate counselor for the district involved or by the supervisor of vocational services. The Commission will employ such intake and vocational counselor personnel as may be necessary for this purpose. The worker will fill out the intake survey form and application for vocational rehabilitation. He will initiate the procedure for determination of eligibility for vocational rehabilitation through a general medical examination and an ophthalmological examination. Additional data such as a needs test report will be submitted as required. The decision as to the individual's eligibility for rehabilitation services will be made by the intake worker or counselor. At such point as the investigation and advisement of the case indicates, a definite decision as to feasibility or non-feasibility for vocational rehabilitation will be made and a plan for vocational rehabilitation written. Cases will be assigned to workers usually on a geographical responsibility basis.
- (b) The supervisor of vocational services through periodic case reviews

and spot checks will be responsible for assuring the equitable and expeditious handling of referrals and applications.

SECTION 8. ELIGIBILITY

8.1 General Provisions.

The Commission assumes comprehensive and complete responsibility for determination of the eligibility of individuals applying for vocational rehabilitation under this Plan as well as responsibility for the determination of the nature and scope of vocational rehabilitation services to be provided to such individuals. Such responsibility is not delegated to any other agency or individual not of the agency's staff.

8.2 Basic Requirements.

Eligibility in each case will be based upon:

- (1) the presence of a physical or mental disability and the resulting functional limitations or limitations in activities;
- (2) the existence of a substantial handicap to employment caused by the limitations resulting from such disability; and
- (3) a reasonable expectation that Vocational Rehabilitation services may render the individual fit to engage in a remunerative occupation.

Eligibility will be determined without regard to sex, race, creed, color or national origin of the individual.

8.3 Other Factors.

To be eligible for service, an applicant must be over sixteen years of age and if otherwise eligible, must have a residence of one year in the State immediately preceding the date of request for such services as: physical restoration, maintenance, training, travel, training materials, occupational licenses, tools, equipment, initial stock and supplies. Residence in the State, without any time restriction, is a condition of eligibility for all other services including: diagnosis, diagnostic travel, guidance, counseling, placement and post placement supervision.

Eligibility based upon visual acuity or extent of visual loss is conditioned upon the factors set forth in Section 1. 1 of this Plan.

8.4 Certification.

- (a) Prior to or simultaneously with acceptance of the individual for Vocational Rehabilitation services, the Commission will certify

that the individual has met the basic eligibility requirements specified above. The certificate of eligibility will be dated and signed by the appropriate intake or vocational counselor and/or the supervisor of vocational services.

- (b) In the case of each individual determined to be ineligible for Vocational Rehabilitation services, a certificate of ineligibility will be executed, specifying that basic eligibility requirements have not been met. This certificate will be dated and signed by the appropriate intake or vocational counselor and/or the supervisor of vocational services.

8.5 Disabled Civilian Employees of the U.S. Government.

The same standards of eligibility are applied to employees of the U.S. Government who are disabled in line of duty.

SECTION 9. CASE STUDY AND DIAGNOSIS

9.1 Purpose.

In each case, prior to and as a basis for formulating the individual's plan of vocational rehabilitation, there will be a thorough diagnostic study, which will consist of a comprehensive evaluation of pertinent medical, social, psychological, educational, and vocational factors. Such diagnostic study will be adequate to provide the basis for: (1) establishing that a physical or mental condition is present which limits the activities the individual can perform; (2) appraising the current general health status of the individual in order to determine his limitations and capacities; (3) determining how and to what extent the disabling conditions may be expected to be removed, corrected, or minimized by physical restoration services; and (4) selecting an employment objective commensurate with the individual's capacities and limitations.

9.2 Scope of Case Study.

In each case according to the degree necessary, the diagnostic study will include an evaluation of the individual's personality, intelligence level, educational achievements, work experience, vocational aptitudes and interests, personal and social adjustments, employment opportunities, and other pertinent data helpful in determining the nature and scope of services to be provided for accomplishing the individual's vocational objective.

9.3 Medical Diagnostic Study.

The Commission's policy will be to provide in each case: (1) a complete general medical examination, providing an appraisal of the current medical status of the individual; (2) examinations by specialists in all medical specialty fields, as needed; and (3) such clinical laboratory tests, x-rays, and other indicated studies as are necessary to establish the diagnosis, to determine the extent to which the disability limits (or is likely to limit) the individual's daily living and work activities, and to estimate the probable results of physical restoration services.

9.4 General Medical Examination.

(a) Coverage

The general medical examination provided in each case will include: medical history, physical examination, and wherever possible the

following laboratory procedures: urine analysis, hemoglobin blood studies and blood serological tests.

(b) Acceptance of Medical Abstract.

The Commission will accept a medical abstract in lieu of a new medical examination whenever in the opinion of the Medical Consultant such abstract is found to be complete and adequate for determining the applicant's physical condition.

(c) Recency.

The medical examination or medical abstract for new cases or for readmitted cases may not be more than six months old. Individual situations may make examinations less than three months old inadequate in which case a second medical examination will be secured. Ophthalmological examinations will be accepted - if approved by the Medical Consultant, and providing the findings are conclusive - even though they date back a number of years. However, if the adequacy of the eye report is questionable a new one will be secured.

9.5 Medical Specialty Examination.

- (1) An eye report will be secured if not already available and found adequate for every applicant for Vocational Rehabilitation services.**
- (2) Optometric examinations will not be accepted for diagnosis but will be for case situations requiring lens refraction.**
- (3) Psychiatric evaluations will be secured whenever in the opinion of the counselor and/or the Medical Consultant such a course of action appears desirable.**
- (4) Other specialty examinations will be secured whenever the case situation warrants and/or at the suggestion of the Medical Consultant.**

9.6 Diagnostic Evaluation.

Hospitalization for diagnostic purposes will be provided as needed and prior approval by the Medical Consultant will be required.

9.7 Psychological Evaluation in Mental Retardation Cases.

The Commission will secure psychological evaluation in all cases of mental retardation.

SECTION 10. REHABILITATION PLAN FOR THE INDIVIDUAL

10.1 Content of Plan.

An individual plan of vocational rehabilitation will be formulated for each eligible client accepted for service. The plan (1) will be based upon data secured in the diagnostic study; (2) will specify the vocational rehabilitation objective (or tentative objective where the ultimate objective cannot be determined at that time), the services necessary to accomplish the client's vocational rehabilitation, and the plan for providing (or otherwise securing) such necessary services; and (3) will be formulated with the client's participation.

10.2 Services to Be Provided.

The Rehabilitation plan for the individual will specify all the services needed to achieve his vocational rehabilitation and such services will be carried to completion in so far as possible.

10.3 Termination or Revision of Plan.

The plan may be revised or terminated when it becomes evident that a client's vocational rehabilitation cannot be attained, that services cannot be completed, or that the client's needs have changed.

SECTION 11. ORDER OF SELECTION FOR SERVICES

- (a) Does not apply.
- (b) All necessary Vocational Rehabilitation services will be provided without delay to all handicapped individuals determined to be eligible for services; however, if a situation should develop under which vocational rehabilitation services cannot be extended without delay to all eligible clients, a plan amendment will be submitted, setting forth criteria for order of selection of eligible clients for provision of services.

SECTION 12. GUIDANCE

12.1 Policies for Guidance of Clients.

Systematic and adequate counseling and guidance are provided each client from acceptance to completion of all services included in the individual's plan to the end that he may attain the rehabilitation objective. In addition, appropriate guidance will be given so that the client may develop an understanding of his capacities and limitations, in selecting a suitable occupational goal and in properly using the medical, training, and other rehabilitative services necessary for his optimum vocational adjustment.

12.2 Methods for Evaluating Progress of Client.

The Commission will secure pertinent reports from professional personnel or agencies providing vocational rehabilitation services to clients, and from the client whenever desirable as a basis for evaluating the client's progress or for determining need for revising his Rehabilitation plan.

SECTION 13. ECONOMIC NEED

13.1 Economic Need Policies.

- (a) The economic need of each client will be established either simultaneously with or within a reasonable time prior to the provision of those services for which the agency requires a needs test.
- (b) The following services will be supplied conditioned on the establishment of economic need:
 - (1) Physical restoration services.
 - (2) Maintenance except that maintenance will not be paid after the client is placed and actually receiving remuneration for his employment, or, in the case of self-employment, maintenance will not be paid after 30 days from the time the client is so placed. Maintenance expenditures will be made to, or in behalf of client, for short periods of medical care for acute conditions arising during the course of vocational rehabilitation, which, if not cared for, would constitute a hazard for the achievement of the vocational rehabilitation objective. These will be available for a period not to exceed 30 days in the case of any one illness.
 - (3) Transportation, except where necessary in connection with determination of eligibility or nature and scope of services.
 - (4) Occupational licenses.
 - (5) Books and training materials.
 - (6) Tools, equipment, and initial stocks (including livestock) and supplies; equipment and initial stocks and supplies for vending stands; and necessary shelters in connection with the foregoing items.
 - (7) Other goods and services (such as business licenses and reader or attendant services), not contra-indicated by the act and this part, necessary to render a handicapped individual fit to engage in a remunerative occupation.
- (c) The Commission maintains a written standard for measuring the financial need of clients' requirements and for determining their financial ability to meet the cost of necessary Rehabilitation services.
- (d) In the determination of economic need, the Commission will secure

data regarding the financial circumstances of the client, including his resources, living requirements, and obligations. The client (or a responsible relative or guardian) will be regarded as the primary source of information about his needs, although information from other reliable sources may be obtained, if necessary.

- (e) The Commission will take into account all consequential resources available to the individual in calculating his financial need, with the exception of certain resources defined in the following section on methods of determining economic need.

13.2 Methods of Determining Economic Need.

(a) Need Standard.

The Commission maintains a written standard for measuring financial need of clients in terms of normal living requirements. This standard is determined, following consideration of available information on the current cost of living, on the basis of the usual requirements which would provide the elements of living essential to the maintenance of the client's morale, and to permit the effective successful undertaking of his vocational rehabilitation.

This standard consists of a basic standard for determining normal living requirements for all clients and is based upon the Exemption Schedule used uniformly in the State categorical assistance programs for determining the requirements and needs of legally responsible relatives not living on public assistance standards. This standard is subject to change from time to time on the basis of cost of living studies. Such changes will be reflected in the Commission's standard for determining need.

This standard will also be adapted to meet the need for short periods of medical care for acute conditions arising during the course of vocational rehabilitation.

(b) Client Resources.

In determining the financial circumstances of the individual, the agency will identify all consequential resources actually available to him, however derived, including all resources of the client, his spouse and, if the client is a minor, the resources of his parents. These three sources consist of:

- (1) current income, including remuneration in kind and remuneration from on-the-job training.

- (2) any benefits to which the individual may be entitled by way of pension, compensation or insurance.
- (3) capital assets including both real and personal property.

The Commission has established policies regarding conditions under which resources are considered "actually available" to the client. Only those resources which are actually available to him for use during the period of his rehabilitation will be taken into account.

The Commission has established policies providing that certain defined resources of the client may be retained by him and need not be used in procuring rehabilitation services. Resources which the client will not be expected to apply toward the cost of services are:

- (1) real estate owned in part or in whole by the client will not be considered in evaluating his resources except in so far as it exceeds an equity to him of \$10,000. in assessed valuation. In addition, net income from such property will be considered a resource except as it is needed in whole or in part for the care of dependents.
- (2) Liquid assets including cash on hand, savings, bonds, stocks, etc. - aside from a necessary cash reserve to meet contingencies of \$600.00 for single clients and \$1,200.00 for clients with dependents - will be considered in establishing need; provided, however, that in every case the continuing moral and financial obligation and responsibilities of the individual will be given due consideration in arriving at a constructive long term plan for him and the resources available for his support.

(The \$600.00 base figure is chosen as being consistent with current income tax exemption policy for a single individual.)
- (3) In view of the difficulty experienced by a blind person in securing adequate insurance coverage and the part which insurance plays as a morale factor in the rehabilitative process, existing policies of the client, in general, will not be considered as a factor in the establishment of need.
- (4) Except for items involving unusual intrinsic value, or of such a nature as to warrant special consideration for recommended liquidation, personal apparel and household effects, etc. will be disregarded in determining need.
- (5) Resources of any type needed to meet the client's obligations for:

- (a) support of dependents (including only persons in the home for whom the client has assumed responsibility, and other persons for whose support he is legally responsible) will be recognized. The standard for such support will be the same standard as is described in Section 13.2 (a). This standard is determined on the basis of the usual requirements which would provide the elements of living deemed essential to the adequate maintenance of the health of the client's dependents for their participation in ordinary activities.
- (b) Obligations which the client is required by legal process to pay or which, if not recognized, would constitute a substantial obstacle to achievement of his rehabilitation objective.
- (c) Amount of Supplementation.

The total consequential resources actually available to the client, minus capital assets disregarded, and minus the amounts needed to meet obligations in accordance with applicable policies, will be considered to constitute the client's resources. In each case the amount of Commission supplementation will be the amount by which the individual's requirements, plus the cost of services to be purchased exceed his resources for the vocational rehabilitation services planned.

13.3 Uniform Application and Equitability of Standards.

Agency staff will be provided with written standards and instructions, and such training and supervision in their use as are necessary to achieve uniformity in applying them. Instructions as to monetary amounts for measuring the individual's normal living requirements, for recognizing obligations for support of dependents, for amounts of capital assets that may be disregarded in calculating resources, will be included in such instructions. Standards and policies on determining financial requirements and consideration of resources will provide for equitable treatment of all clients.

SECTION 14. CASE RECORDING

14.1 General Provisions.

The agency will maintain a record for each case that will contain pertinent information about the individual and the services.

14.2 Accepted Cases.

In the case of each individual accepted for Vocational Rehabilitation Services, the case record will include at least the following information: (1) data supporting the determination of eligibility and pertinent information secured in the diagnostic study; (2) data supporting the establishment of the client's need for financial assistance in the event services conditioned upon economic need are provided; (3) a plan of vocational rehabilitation, setting forth the vocational rehabilitation objective of the individual, the services needed for his vocational rehabilitation as determined through the case study, and the way in which such services will be provided; (4) the reason and justification for closing the case, including the employment status of the client and, if the case is closed as employed, the basis on which the employment was determined to be suitable.

14.3 Cases Not Accepted.

For those individuals not accepted for service, the case record will include data supporting the finding of ineligibility.

SECTION 15. CONFIDENTIAL INFORMATION

15.1 Agency Regulations.

The Commission has adopted regulations and policies to assure that:

- (1) All information as to personal facts given or made available to the Commission, its representatives or its employees, in the course of administration of the Vocational Rehabilitation program, including lists of names and addresses and records of agency evaluation, will be held to be confidential.
- (2) The use of such information and records is limited to purposes directly connected with the administration of the Vocational Rehabilitation Program and may not be disclosed, directly or indirectly, other than in the administration thereof, unless the consent of the client to such release has been obtained either expressly or by necessary implication. Release of information to employers in connection with the placement of the client may be considered as release of information in connection with the administration of the Vocational Rehabilitation program. Such information may, however, be released to welfare agencies or programs for which the client has requested certain services under circumstances from which his consent may be presumed, provided such agencies have adopted regulations which will assure that the information will be held confidential, and can assure that the information will be used only for the purposes for which it is provided.
- (3) All such information is the property of the Commission and may be used only in accordance with the Commission's regulations.

15.2 Agency Procedures.

The Commission has adopted standards and operating procedures necessary to: (1) give effect to its regulations; (2) assure that all Rehabilitation clients and interested persons will be informed as to the confidentiality of Vocational Rehabilitation information; (3) assure the adoption of such office practices and the availability of such office facilities and equipment as will assure the adequate protection of the confidentiality of such records. In this connection the Commission's policy has been set by its Board of Managers who went on record as follows, on March 23, 1939:

"On motion duly seconded, the following Resolution was adopted:

'Whereas, the New Jersey Commission for the Blind has in its files much confidential information regarding the blind

people of the State; and

'Whereas, the release to the general public of such information might cause unnecessary embarrassment, annoyance and personal inconvenience for certain blind persons; be it

'Resolved, that the Commission shall exercise every reasonable precaution to keep the confidential character of such information inviolable. To this end no one except the members of the Board of Managers, and others designated by said Board, whose duties make knowledge of the contents of the Commission's files necessary, shall have access to such files; nor shall any lists of blind persons be sent or taken from the office of the Commission except for purposes approved by the Board of Managers of said Commission. Members of the Board of Managers, however, may receive such lists upon written application, stating the use to which they will be put.

'No lists of blind persons, containing or accompanied by information regarding their social or economic status, or the cause of their blindness, shall be issued except by special permission of the Board. In case of emergency the members of the Board may register their approval or disapproval by communicating directly with the Chief Executive Officer.

'It shall further be the duty of the Chief Executive Officer to take effective steps to see to it that the confidential nature of these records is fully protected and to limit access to the files, upon the part of employees of the Commission to only those employees whose work requires the use of such case records in line with their duties; and be it further

'Resolved, that this Resolution be placed in the hands of any new members of the Board or a new employee'".

SECTION 16. STANDARDS FOR FACILITIES

16.1 General Purposes of Standards.

The Commission has established and will maintain standards for the selection of facilities utilized in providing services to eligible clients that will assure a high quality of service.

16.2 Types of Facilities.

(a) General Standards.

It is the policy of the Commission to use whenever feasible, facilities which are accredited by the appropriate public authority or professional organization. In other cases, facilities are selected on the condition that, whether public or private, they appear upon investigation by the Commission to be the best adapted to render the specific service required. The basis of such selection of facilities in all cases is:

- (1) the professional and technical qualifications of personnel;
- (2) adequacy of equipment; and
- (3) the scope and adequacy of services rendered.

(b) Standards for Hospitals.

In purchasing hospital service the Commission will utilize those hospitals in the State which have been approved by the Joint Commission on Accreditation of Hospitals and/or the appropriate State licensing authority with due consideration for: the quality of services offered, conveniences of the facility to the individual case, economy in purchasing price for required service, and the recommendations of the physician attending the case.

When available, preference will be given to public or private hospitals with well developed surgical and specialty services, medical social services and physical and occupational therapy departments. If practicable, preference will be given to hospitals which afford residency training in the specialty for which the patient is seeking treatment or other service.

(c) Standards for Facilities Providing Specialized Training or Other Services.

Training facilities both academic and industrial, are selected by the Commission on the basis of meeting State Board requirements. Only recognized colleges and universities are used. For specialized schools and workshops specifically adapted to training the blind, the Commission sets the highest necessary standards of selection. In addition, the Commission will feel free to use other schools of like classification or equal merit that may be required to meet particular needs of individual clients. For those feasible blind people who cannot accept employment outside the home, arrangements will be made to train them at home, generally through a tutor or through the Commission's home teaching department or other instructional service, or at some suitable training facility. Where home teachers are used the cost of service will be paid on a fee basis.

(1) Tutorial Training.

The Commission uses this type of training only in exceptional circumstances and then only because the service is not readily available in a recognized school or center, or is best suited to the needs of the individual. The standards of selection of tutors are based upon training and experience in the field in which instruction is to be given.

(2) On-the-Job Training.

The standards of selection of facilities for on-the-job training are primarily based upon the ability of the Commission or the facility to provide an instructor in instructors who have trade competency and experience in training other workers in the operations to be performed. Other factors are adequate equipment and instructional material, provision for a plan of graduated progress in the job to be learned, and an efficiently organized instructional schedule.

(3) Prevocational Training.

If a blind person has aptitudes indicating feasibility for employment, but is not sufficiently adjusted to his blindness to be considered for immediate vocational training or employment, he may be given a short period of prevocational adjustment or training in order to develop proper work habits and personal independence. Facilities, such as training shops, workshops, rehabilitation centers, businesses operated by other blind individuals, the Commission's home teaching staff, etc. will be used. The standard set for selection of facilities for personal adjustment training is the special fitness of the individual or facility for the work plus the requirements set forth under item (2) above.

16.3 Maintenance of Standards.

The Commission will conduct a continuing evaluation of the quality of services provided by various types of facilities to agency clients through:

- (a) **Supervisory case conferences with staff.**
- (b) **Discussion with appropriate consultants such as the Medical Consultant, hospital licensing authority, professional societies including ophthalmological, medical, dental, optometric, etc. as deemed necessary.**
- (c) **Visitation and inspection of facilities whenever this appears desirable.**

16.4 Guides for Agency Personnel.

The Commission will keep its staff currently informed of standards for selection of facilities of each type utilized in providing rehabilitative services to clients through:

- (a) **a continuing program of in-service training with suitable material presented in staff meetings and supervisory conferences.**
- (b) **written notification of specific standards whenever deemed necessary.**

SECTION 17. STANDARDS FOR PERSONNEL PROVIDING SERVICES

17.1 General Provisions.

The Commission has established and will maintain standards for the selection of professional and other personnel utilized in providing rehabilitation services to clients. The aim of such standards will be to assure a high quality of service.

It will be the policy of the agency to allow the client free choice of physician for diagnostic and treatment services wherever possible and desirable.

17.2 Standards for Specific Types of Personnel.

The following are the minimum qualifications established for personnel providing professional or specialized services in treatment and/or training areas. These standards were developed in consultation with the Commission's medical administrative consultant on the basis of State licensing requirements and/or practices considered desirable and followed by other public agencies.

(a) Physical Restoration.

(1) Physicians.

The State agency will utilize exclusively physicians (including medical specialists) who are licensed by the State Board of Medical Examiners to practice medicine and surgery in the State.

The Commission will consider as specialty services all medical fields in which specialty boards have been established. Specialty services may be rendered only by those physicians determined by the Commission to be qualified to perform the particular specialty required.

Specialty services will be rendered only by physicians who are certified by the appropriate American specialty board or who meet the training and experience requirements for admission to such board. In individual instances, or in specialty fields where there are shortages of qualified specialists, or in fields in which no American medical specialty board exists, physicians will be designated as specialists upon the advice and recommendation of the Commission's medical consultant and/or medical advisory committee. In designating physicians as specialists on an individual

basis, the Commission will, wherever possible, develop objective criteria for evaluating qualifications.

(2) Dentists.

Dental diagnosis and dental treatment will be provided only by dentists who are licensed to practice dental surgery and who are otherwise qualified by training and experience to perform the specific dental services required.

(3) Nurses.

The standards of qualification of personnel providing nursing service are registration with an appropriate board of examiners, or eligibility for registration as a graduate nurse, or registration or eligibility for registration as a practical nurse. In the event personnel with the foregoing qualifications are not available, an experienced practical nurse will be employed provided this is recommended by the attending physician under whose supervision she will work.

(4) Standards for Optometrists.

The minimum standards for optometrists is licensing by the appropriate State licensing authority and the meeting of standards of performance set by the Commission and/or the Commission's ophthalmological Advisory Committee.

(5) Therapists and Prosthetists.

The standards of qualification of personnel providing physical or occupational therapy service are registry, or graduation from a school for the training of therapists accepted by the Council on Medical Education and Hospitals of the American Medical Association. When personnel of such qualification are not available, other experienced therapists may be used. Prosthetists accepted by the State Rehabilitation Commission will be used by the Commission.

The Commission will use the services of the home teaching department of the agency for occupational therapy and adjustment purposes whenever this is deemed necessary for an individual's plan of rehabilitation. These services will be purchased on a fee basis.

(6) Speech and Hearing Therapists.

The standards for such personnel are licensing where a licensing agency exists or recognition in practice that the therapist is competent by reason of training and experience.

(7) The standards for osteopaths is the same as for physicians.

(b) Psychologists.

The standards for psychologists will be appropriate training with specialization sufficient for the individual to meet Civil Service requirements and employment with such title by a public agency. Or, for psychologists in private practice: appropriate training with specialization and experience either as a psychological consultant, psychologist employed by a private testing service, or as instructor and/or counselor in the psychology department of a recognized educational institution.

(c) Training Personnel.

Standards for training personnel and others will be the minimum required to perform the tasks involved in a satisfactory and skillful manner. State educational standards and requirements will be observed. The standards set by recognized training institutions serving all individuals or specifically organized to serve blind people will be accepted.

17.3 Maintenance of Standards.

The Commission will assure compliance with prescribed standards through:

- (1) Communication with appropriate licensing authorities whenever this is required.**
- (2) Consultation with the Commission's medical consultant or ophthalmological advisory committee.**
- (3) Appropriate verification whenever necessary of the training and experience of personnel.**

17.4 Guides for Agency Personnel.

The Commission will keep its staff currently informed of the standards

required for selecting personnel to render Vocational Rehabilitation services to clients through:

- (a) Written or oral instruction
- (b) Training programs
- (c) Supervisory conferences

SECTION 18. RATES OF PAYMENT

18.1 Establishment of Rates of Payment.

- (a) The Commission has established rates of payment for diagnostic services, training, and physical restoration services purchased for clients. Such rates of payment are intended to procure a high quality of services and to achieve efficient administration.
- (b) For unusual items of services not covered in the agency's fee schedules, the appropriate amount of payment will be determined by consultation with the Commission's medical consultant, Business Enterprise specialist, or educational and training specialist.
- (c) The Commission will maintain in convenient and accessible form these fee schedules and all necessary information justifying its established rates of payment.

18.2 Rates of Payment for Specific Types of Services.

(a & b) Medical diagnostic services; medical and surgical treatment.

The Commission has established a fee schedule including the maximum payments which may be made for physical restoration services and medical examinations. These in general follow the schedules set by the State Veterans Administration or the State Rehabilitation Commission and are comparable to those paid by other public agencies operating in the State for equivalent services or examinations of like character or quality.

When medical personnel or facilities located in another state are utilized the Commission's customary rates or the rates of payment of the vocational rehabilitation agency of the other state will be observed in so far as this is practicable and provided there is a state fee schedule or cooperative agreement in existence. If these are not acceptable, then the lowest class of rates consistent with the needs of the client will be sought.

Diagnostic services other than medical, such as psychological testing, and evaluation will be based upon the established rates of the vendor, provided these are comparable to the rates customarily required for such services.

(c) Hospitalization.

- (1) In general and in so far as possible, the Commission will utilize the reimbursible cost method in purchasing necessary in-patient or out-patient hospital services for its clients. Payment will be on an inclusive basis, using the average cost per patient day or average cost per out-patient visit, as calculated by each hospital on joint hospital form 1, "Hospital Statement of Reimbursible Costs," and supplied to the Commission by the individual hospital or the New Jersey Hospital Association.

- (2) Hospital cost statements.

The Commission will secure at least annually from each hospital from which it purchases services, a statement of its actual operating expenses related to care of patients and its calculation of the average cost of inclusive services (Joint Hospital form 1). Each statement will be reviewed for accuracy by the Commission or by the New Jersey Hospital Association.

- (3) Agreements with hospitals.

The Commission will submit a written authorization to each hospital to be used in providing hospital services to Vocational Rehabilitation clients. The authorization will cover such items as rates of payment and their effective dates; enumeration of materials, supplies and hospital services that are covered by the inclusive rates; and where necessary, a listing of the services which the State agency will pay for separately, since they were not provided by the hospital during the most recent accounting period.

- (4) Payment for additional services.

Materials or services needed by hospitalized clients but which are not included in the inclusive average cost (examples are special nursing services, blood purchase from donors, and unusual drugs not stocked by the hospital) will be paid for at rates not to exceed those in the Commission's fee schedule.

- (5) Exceptions to Use of Reimbursible Cost Method.

The Commission will pay for hospital care for its clients on the basis of the hospital's regular charges for room, board, and nursing care, plus additional charges for special services rendered to the individual client, under the following conditions, and provided that the rates of payment are comparable to those of other

public agencies in the State:

- (a) When hospital care is not procurable under reimbursible cost method, that is, when a hospital has refused to sell care at an inclusive rate based on average cost or when a hospital has declined to submit joint hospital form 1.
 - (b) When hospitals have been in operation for less than twelve months and therefore do not have valid figures.
 - (c) When hospitals have rates which are established by law; or, when it is the considered judgment of the Commission that the inclusive cost rates appear excessive.
- (6) Purchase of care from out-of-state hospitals.

In buying hospital care from hospitals located in other states, the agency will follow the rates and methods of payment established in the state vocational rehabilitation agency in which the hospital is located. However, in emergency situations or instances where a hospital is likely to be used only once or twice over a period of years, the lowest class of rates consistent with the needs of the client may be followed.

(d) Prosthetic Appliances.

In no case will the amount paid for prosthetic devices exceed the published rate for such devices, or, if there are no published rates, the amount paid for prosthetic devices will not exceed the amount generally paid by other public agencies such as the State Rehabilitation Commission, etc.

(e & f) Training and Rehabilitation Center Care.

In no case does the amount paid a training facility exceed the rate published by that facility for the type of training purchased. In the case of facilities not having published rates, the amount paid the facility is comparable to the amount paid by other public agencies for similar services.

Maximum fees for various types of training are not set because the specialized nature of training facilities for blind people makes it impossible to standardize these at this time. Fees for services from other departments of the Commission will be made on an actual

cost basis whenever possible. For example, the cost for prevocational training through the home teaching department will be a fee based upon the ratio of total calls made during the preceding year against the total cost of operating the department. In every case the fees will be set at the lowest possible level commensurate with quality of service, and the level of charges made in similar training institutions.

SECTION 19. AUTHORIZATION OF SERVICES

19.1 Policies on Authorization of Services.

- (a) The Commission will authorize in writing all services purchased for clients, either simultaneously with or prior to such purchase. A written record of each such authorization will be retained.**
- (b) All authorizations for services to be rendered by a vendor are based upon the individual client's approved plan. Every authorization other than diagnostic medical and ophthalmological which are authorized by the counselor is submitted by the counselor and must be approved by the Supervisor of Vocational Services as to plan and technical eligibility. Authorization requests are then submitted to the Assistant Executive Director for review as to standards and appropriateness following which he prepares a written authorization with explanatory comment to the Executive Director for approval and signature.**

19.2 Oral Authorizations.

Oral authorization by the Executive Director or Assistant Executive Director are granted in emergency situations pending written authorization which must be submitted at once. A record of such oral authorizations will be made and retained in the case record. However, no payment to vendors will be made without a written authorization properly signed by the Executive Director.

SECTION 20. SERVICES TO INDIVIDUALS

20.1

(a) Training.

The Commission will endeavor to make available to every eligible client whatever training he requires to the extent that this is available and necessary to achieve his Vocational Rehabilitation goal.

The training includes personal adjustment training, prevocational, vocational, and other rehabilitation training which contributes to the individual's vocational adjustment. It covers training provided directly by the Commission or procured from other public or private training facilities.

(b) Training Materials.

The Commission will provide books and other training materials to eligible clients who are found to be in need whenever such items are considered necessary for him to successfully undertake a planned course of instruction, training or education.

20.2 Physical Restoration Services.

The Commission will provide all necessary physical restoration services to an eligible client to the extent needed to rehabilitate him so that he may achieve his vocational rehabilitation goal.

Physical restoration services include: those medical and medically related services which are necessary to correct or substantially modify within a reasonable period of time a physical or mental condition which is stable or slowly progressive and includes:

- (1) Medical or surgical treatment by general practitioners or medical specialists;**
- (2) Psychiatric treatment;**
- (3) Dentistry**
- (4) Nursing services**
- (5) Hospitalization (either in-patient or out-patient care) and clinic services**

- (6) Convalescent, nursing or rest home care
- (7) Drugs and supplies
- (8) Prosthetic devices essential to obtaining or retaining employment
- (9) Physical therapy
- (10) Occupational therapy
- (11) Medically directed speech or hearing therapy
- (12) Physical rehabilitation in a Rehabilitation facility
- (13) Treatment of medical complications and emergencies, either acute or chronic, which are associated with or arise out of the provision of physical restoration services, or are inherent in the condition under treatment;
- (14) Other medical or medically related rehabilitation services.

Physical restoration services will be furnished to an eligible client only if the following criteria are met:

- (a) The clinical status of the individual's condition must be stable or slowly progressive (i. e., the condition must not be acute or transitory, or of so recent an origin that the resulting functional limitation and the extent to which such limitations affect occupational performance cannot be identified);
- (b) physical restoration services may be expected to eliminate or substantially reduce the handicapping condition within a reasonable period of time;
- and (c) the individual must be found to be in need of financial assistance in meeting the cost of the services.

The Commission assumes responsibility for providing short periods of medical care for acute conditions arising in the course of rehabilitation which, if not cared for, would constitute a hazard to the achievement of the rehabilitation objective.

20.3 Transportation.

The Commission will furnish the cost of all necessary transportation required by an eligible client in connection with necessary training, counseling, medical services, provided the client is found to be "in need." Travel costs incurred as part of diagnosis and diagnostic evaluation will be paid for by the Commission without a "needs test" requirement.

Transportation includes costs of travel and subsistence during travel (or per diem allowance in lieu of subsistence) for handicapped individuals and their attendants or escorts, where such assistance is needed.

20.4 Maintenance.

- (a) Maintenance will be provided only in order to enable an individual to derive the full benefit of other vocational rehabilitation services that he is receiving.
- (b) "Maintenance" means payments to cover the handicapped individual's basic expenses, such as food, shelter, clothing, health maintenance, and other subsistence expenses essential to achieving the individual's Vocational Rehabilitation objective.
- (c) The Commission will provide maintenance to clients except in connection with the placement of a handicapped person after he actually receives remuneration for his employment or, in the case of a handicapped person placed in self-employment, after thirty days from the time the person is so placed.
- (d) The Commission will assume responsibility for providing, as a part of maintenance, amounts to cover the cost of medical care for short periods (not exceeding 30 days in the case of any one illness) necessary to treat conditions arising in the course of vocational rehabilitation which, if not cared for, would constitute a hazard to achieving the individual's vocational rehabilitation objective.

20.5 Placement.

The Commission will assume responsibility for the placement of all visually handicapped individuals accepted for vocational rehabilitation services.

A client is considered suitably placed provided he meets all of the following characteristics:

- (a) He has completed his probationary period of employment successfully.
- (b) He is no longer in need of on-the-job training or information to complete his knowledge of or skills in the job to be performed.
- (c) He is achieving production standards set by management or his level of achievement in relation to such standards.

- (d) He has been found to be acceptable to his employer.
- (e) He is adjusted to the personal requirements of the job involving acceptable methods for travel to and from and on the job; has suitable communication and writing controls, specialized tools and equipment required if any, etc.

There will be a reasonable period of follow-up after placement to assure that the vocational rehabilitation of the client has been successfully achieved.

20.6 Tools, Equipment, Initial Stocks and Supplies, Occupational Licenses.

Tools, equipment, initial stocks and supplies, including livestock and feed for livestock will be provided, as needed, in the individual case for the operation of a business or agricultural enterprise or the pursuit of a trade, occupation, or profession by eligible clients. Tools, equipment, initial stocks and supplies will be provided in such quantity and will be of such quality so as to give reasonable assurance of successful operation of the enterprise, performance in the occupation, or practice of the profession.

Guides and standards governing quality and quantity are developed, as necessary, with appropriate professional, trade, business, training, and other organizations and institutions. Occupational licenses will be supplied, as required, in the individual case.

20.7 Other Goods and Services.

The Commission will provide to eligible clients other goods and services necessary to achieve the rehabilitation objective, such as: attendant or reader service, business licenses, and utility deposits.

SECTION 21. VENDING STANDS AND OTHER SMALL BUSINESSES FOR SEVERELY HANDICAPPED INDIVIDUALS

21.1 Legal Authority.

The New Jersey State Commission for the Blind is authorized by law to establish blind people in vending stands and small businesses operated under the management and supervision of the Commission. Reference is made to Chapter 30:6-15. 1 Revised Statutes of New Jersey which provide that the Commission shall administer and control the operation of vending stands by blind people in public and other buildings. In addition, reference is made to Section 30:6-2 which authorizes the Commission to secure employment opportunities for the blind and to lend encouragement by providing capital, stock in trade, equipment, fixtures, etc. to those desirous of earning a living by conducting any form of business or productive activity. In addition, Chapter 30:6-11 empowers the Commission to negotiate with the Federal Government for the purpose of receiving funds for the vocational rehabilitation of the blind as well as to promulgate necessary standards, rules and regulations for that purpose. This citation is interpreted to give to the Commission a clear legal basis for the promulgation and issuance of rules and regulations affecting the vending stand program.

21.2 Persons to Be Served.

Only those clients who are classified as "blind" under the Commission's definition of blindness, cited elsewhere, in the Plan, will be established in a vending stand or small business enterprise to be managed and supervised by the Commission.

21.3 Policies Governing the Acquisition of Equipment and Initial Stocks and Supplies.

Whatever necessary equipment, initial stocks (including livestock) and supplies are considered essential by the counselor or B.E.P. specialist to initiate a vending stand or small business enterprise will be acquired by the Commission for that purpose and made available to the client. All equipment and fixtures purchased by the Commission in the establishment of a commercial enterprise are owned and kept by the Commission. Personal property may not be used by the operator in the business.

Maintenance, replacement, and supplementation of necessary equipment will be a responsibility of the Commission (from program proceeds, if any, or from budgeted funds). Maintenance and replacement of initial stocks

and supplies will be a responsibility of the operator of the business.

- (a) The broad categories of Business Enterprises which will be established include:
 - (1) vending stands in or at Government buildings, private buildings, industrial plants, parks, hospitals, highway sites, etc.
 - (2) retail stores which sell confectionery and soft drinks, etc.; grocery or general stores; craft or handwork shops; and other related establishments.
 - (3) gas stations, repair shops, small sub-contract shops and other self-contained and self-supporting operations which afford employment opportunities for one or more blind persons.
- (b) The Commission will adhere to the following policies, procedures and standards in selecting vending stand locations and other Business Enterprise opportunities:
 - (1) Each location for a vending stand or other business enterprise will be selected only after it has been determined that the establishment of a business at that particular location will contribute to the maximum development of economic opportunities for the blind and will provide for the most productive utilization of program assets.
 - (2) This determination will be made only upon the basis of established criteria and after an evaluation of all relevant factors disclosed and recorded as the result of a comprehensive survey of the particular location.
 - (3) The criteria established for the evaluation of location for vending stands and other business enterprises will take into consideration such factors as population, traffic, competition, continued availability and type of premises, potential return upon investment, and other applicable items.
- (c) Monetary Maxima on items of equipment (including livestock) and supplies have not been established at this time.

21.4 Policies Relating to Management and Supervision.

- (a) Responsibility for the management and supervision of each business enterprise established will be vested in the New Jersey State Commis-

sion for the Blind.

- (1) The Commission assumes responsibility for providing to the vending stand operator such supervision and assistance as may be necessary to insure the operating of each vending stand in the most productive and efficient manner possible, and the Commission will provide to all operators in-service training designed to improve their proficiency.
- (2) The extent to which, and the manner in which the Commission will exercise control over operations of the vending stand program are set forth in the attached Exhibit 2, "Regulations for the Administration of Vending Stands Licensed by the New Jersey Commission for the Blind". Operator privileges and benefits are set forth in detail in the attached "Regulations for Vending Stands" referred to above as Exhibit 2. In addition:
 - (a) The Commission does not designate the suppliers from whom merchandise may be purchased;
 - (b) Operators' hours for stand operation are determined by the nature of the location and the customary business hours maintained at the site.
- (3) The following requirements will be made of operators:
 - (a) To perform faithfully and to the best of his ability the necessary duties in connection with the operation of a vending stand, in accordance with the standards prescribed by the Commission;
 - (b) The paramount right, title and interest to all vending stand equipment is vested in the Commission;
 - (c) To take no action in derogation of, or inconsistent with such paramount right, title and interest;
 - (d) To furnish such reports as the Commission may from time to time require;
 - (e) The Commission will explain to each operator its regulations and the standards issued pursuant thereto (including any pertinent regulations or instructions from agencies controlling the buildings in which the stand is located) which govern the relationships existing between the operators and the Commission, and shall describe the methods which will be adopted for assuring that the operator understands and accepts these relationships.

- (b) If a private agency is used by the Commission in the management and supervision of the B. E. program, this plan will be further amended.
- (c) If any charges for management and supervision are made against the operation of the business enterprises controlled and operated by the Commission, this plan will be further amended.

SECTION 22. ESTABLISHMENT OF WORKSHOPS

22.1 Legal Authority.

Under Chapter 30:6-1 Revised Statutes of New Jersey, the Commission is empowered to "provide all means which it deems feasible for ameliorating the condition of the blind." Under Chapter 30:6-2 of the Revised Statutes, the Commission is empowered to "expend such sums as shall be appropriated, for the practical encouragement, by loans of capital, of stock in trade, or of tools and apparatus, to blind persons desirous of earning a living by any form of business or productive activity." In addition, under Chapter 30:6-11 of the Revised Statutes, the Commission is empowered to set up courses of special instruction or training and to supply all necessary costs including tools and equipment designed to render an individual vocationally rehabilitated.

These citations collectively are interpreted to give the Commission authority to set up any proper procedures and facilities including workshops which will enable blind people to become sufficiently trained to the point where they can be considered partially or completely self-supporting.

22.2 Policies on Establishment of Workshops.

- (a) For the purpose of this activity, a workshop is considered to mean a place where any manufacture or handwork is carried on, and which is operated for the primary purpose of providing remunerative employment to severely handicapped individuals; (1) as an interim step in the rehabilitation process for those who cannot be readily absorbed in the competitive labor market, or (2) during such time as employment opportunities for them in the competitive labor market do not exist, and which is operated by a public agency or other non-profit agency.
- (b) By "establishment" of a workshop is meant the (1) expansion, remodeling, or alteration of existing buildings, necessary to adapt such buildings to workshop purposes or to increase the employment opportunities in such workshops, and (2) the acquisition of initial equipment necessary for new workshops or to increase the employment opportunities of workshops, and (3) the payment of rent for such buildings and facilities.
- (c) Prior to the establishment of a workshop, the Commission will determine that need for such workshop exists.

22.3 Criteria and Standards for Workshops.

- (a) Conditions for providing assistance.

- (1) The "establishment" of workshops by the Commission will be guided by the following standards and criteria. The Commission will develop one or more workshops (of a sub-contract or related nature) for the purpose of assisting eligible clients for whom work opportunities are very limited, not available, or for whom such an experience is necessary as an interim step for entering the competitive labor market. The criteria and standards for providing funds to establish such workshops are:
 - (a) the extent to which there is a considerable number of individuals who fall into the category set forth in (1) above who are seeking employment and for whom work opportunities are not readily available;
 - (b) the extent to which these individuals form a group in a relatively concentrated geographical area so that they are within reasonable transportation distance of the workshop;
 - (c) the extent to which suitable articles are available for manufacture, sub-contract, packaging, etc. so that the workshop has reasonable assurance of consistent contractual work;
 - (d) a reasonable assurance that a workshop project once organized with sufficient and appropriate tools, equipment and supplies can be made reasonably self-sufficient.
- (2) Characteristics of the Workshop.
 - (a) Physical Plant - The physical plant of the workshop will meet, or through financial assistance provided under this section of the Plan, will be altered to meet, applicable local and State building codes and regulations.
 - (b) Equipment - The workshop will be adequately equipped to carry out its functions, or through the provision of financial assistance under this section of the Plan, will secure adequate equipment for the performance of its functions. In the selection and purchase of new equipment, the Commission will utilize the technical advice of persons skilled in workshop administration or operations.
 - (c) Personnel - The workshop will be adequately staffed with personnel qualified to carry out its functions.

- (d) Administrative and Management Standards - The workshop will observe sound administrative and management standards in its operations.

(3) Controls of Expenditures.

All expenditures will be made and accounted for in accordance with appropriate State laws and regulations for a Commission operated workshop. Where financial assistance is given to other public or non-profit agencies for the establishment of a workshop the Commission will require such reports of expenditures and will conduct such inspections as may be necessary to assure that the expenditures were made for the purposes for which financial assistance was provided to the workshop.

(4) Workshop Standards.

- (a) In order to receive financial assistance for establishment of a workshop, the workshop will meet the following standards:

- a. Health - The workshop will comply with applicable local and State laws and regulations relating to sanitation, and will provide medical supervision of workshop employees, including necessary first aid or other emergency health services.
- b. Safety - The workshop will comply with applicable local and State laws with respect to fire protection, safety devices or guards on machinery and other items to avoid accident hazards.
- c. Wages - The workshop will comply with State and local minimum wage laws.
- d. Hours and working conditions - The workshop will comply with State laws regarding hours of work and will make provision for adjustment of hours on an individual basis in accordance with the work tolerance of the individual employee and his rehabilitation plan. The workshop will provide for rest periods and facilities, and other services to employees designed to further the rehabilitation objective.
- e. Workman's Compensation - The workshop will comply with applicable State laws relating to work accidents and occupational diseases.

SECTION 23. ESTABLISHMENT OF REHABILITATION FACILITIES

The Commission operates a rehabilitation and adjustment training center as a State-operated entity. In the event of change, expansion, or development of this or other rehabilitation facilities, this section of the Plan will be amended if considered necessary.

NEW JERSEY STATE COMMISSION FOR THE BLIND
REGULATIONS FOR THE ADMINISTRATION OF VENDING
STANDS LICENSED BY THE NEW JERSEY COMMISSION FOR THE BLIND

Revised as of February 15, 1940

The regulations governing the administration of vending stands under the New Jersey Commission for the Blind are designed to:

- A. Establish and extend employment opportunities for the blind;
- B. Maintain uniform standards of service and management that will build up public confidence in the capabilities of blind people and will at the same time protect employment opportunities for them;
- C. Effect such "supervision and control" over vending stands as will insure:
 - 1. A high standard of service to the public;
 - 2. The minimum of complications for the owners or the managements of buildings in which stands may be located;
 - 3. Freedom from fiscal embarrassments and involvements on the part of the State and the individual;
 - 4. The successful operation of vending stands from the standpoint of both the operator and the State of New Jersey, represented by the Commission for the Blind.

It is recognized by the Commission that the achievement of these objectives depends in a large measure upon the spirit of cooperation and mutual confidence maintained by all parties concerned. It is in this spirit that these regulations have been set up. In their administration the Commission will make every effort, consistent with its responsibilities and facilities, to serve the interests of the public, building managements, and operators.

Any blind person desiring to secure the privilege of operating a vending stand that is under the control and supervision of the Commission shall make written application for such privilege on blanks provided therefor, and such application shall be prima facie evidence of his knowledge of, and his willingness to abide by, the rules and regulations governing their administration. In order to be eligible for consideration, an applicant must be blind, at least twenty-one years of age, and shall have resided within the State for at least one year immediately previous to date of application.

Such applicant, when duly approved, shall be granted a license for the operation of a vending stand under the supervision and control of the Commission for the Blind, and shall hereinafter

be known as Licensee. His relationship with the New Jersey State Commission for the Blind, hereinafter referred to as the Commission, shall be governed by the following regulations:

1. The Licensee shall personally conduct the business of the stand. He shall devote his best energies and full time to the conduct of the business and shall not be absent therefrom for any reason whatsoever without due notice to the Commission.

2. All stock to the extent not yet purchased from the Commission, equipment, all cash whether from sales or as petty cash advanced by the Commission, to the extent that the Commission shall still retain interest therein in accordance with the provisions of paragraphs 4 and 5 are the property of the Commission, said equipment, stock, and all other property of the Commission shall be surrendered to the Commission in good order and condition, except for reasonable wear and tear, whenever the Commission shall, for just cause, call on him to do so.

3. The Licensee shall pay cash for all supplies and shall not purchase on credit except as may be approved by the Commission.

4. Any Licensee may become the owner of his stock by cash payment or by making a minimum regular weekly payment to the Commission of 3% of the gross sales of the stand, until such payments shall equal the outlay of the Commission as represented by stock and petty cash. Such ownership whether partial or complete will not relieve the Licensee from any obligations imposed by the several subsections of paragraph 5 hereafter except for the item of the bond requirements which shall terminate when the money represented by stock and petty cash have been fully repaid to the Commission.

5-A. Any Licensee who has not acquired ownership of his stock as provided in paragraph 4 may at his own expense; procure and file with the Commission a fidelity bond in the sum of \$500.00 duly executed by a surety company authorized to do business within the State of New Jersey. Such bond shall run to the Commission. The Licensee shall:

1. Set aside from time to time as sales are made from the moneys received from such sales, sufficient cash to renew the stock depleted by such sales.
2. Devote the cash thus set aside exclusively to the purchase of renewal stock.
3. Make such purchases often enough continuously to maintain a substantially undepleted stock.

4. Report once a week, in such detail and on such forms as the Commission shall prescribe, to the Commission the business of the preceding week showing at least the amount of cash sales, the cost of renewal stock purchased with receipts, bills therefor, the price of goods on order not yet received and the cash set aside for payment thereof.

5-B. In lieu of plan 5-A the Licensee may follow the following procedure: Once each week the Licensee shall send to the Commission a report of the business of the week in such detail as may be prescribed by blanks to be furnished for the purpose. At the same time he shall forward to the Commission by remittance or otherwise, the total net cash resulting from the week's business. In like manner, the Commission will forward to the Licensee at regular intervals, a stipulated weekly allowance, agreed upon by the Commission and the Licensee. In no case shall such weekly allowance be in excess of 15% of the lowest full week's gross business of the previous quarter, or in the case of a new stand, a conservative estimate of the week's gross business. At the close of each four week period the Commission will forward to the Licensee a check for whatever cash balance may be left to the credit of the Licensee. However, the Commission may, in its discretion, so adjust payments to the Licensee as to equalize the periodic fluctuations to which the income from certain stands may be subjected in such a manner that there may at no time be a deficit. It is understood that any Licensee working under this plan shall withdraw no cash from the business by or for the personal use of the Licensee or any one responsible to him.

5-C. A Licensee operating under plan 5-A who in the judgment of the Commission is failing in his responsibility to the business, may be required to adhere to the procedure provided for under Section 5-B or some other procedure prescribed by the Commission, irrespective of the ownership of the stock. Such Licensee may upon formal request have the circumstances of such requirement reviewed by the Stand Committee.

6. Any merchandise taken by the Licensee or any other employee of the stand shall be paid for from his personal funds at retail price.

7. The Licensee shall keep books of accounts and such other records as the Commission shall prescribe, such records and accounts at all times to be open to the inspection of the Commission; and the Licensee shall permit the taking of inventory and submit such other data as may from time to time be required by the Commission.

8. The selection and discharge of such added help as may be essential for the proper conduct of the business shall be subject to the approval of the Commission.

9. The Licensee or other employees shall not destroy, sell, or in any way alter or dispose of any part of the equipment or other property, other than stock for sale, belonging to the Commission. He shall purchase no equipment except through and on the written permission of the Commission.

10. The Licensee shall notify the Commission immediately of any attempt to dispossess him or to obtain a lien or execute a process of law upon property belonging to him or to the Commission.

11. The Licensee shall not permit the equipment or any other property belonging to the Commission to be altered without the written consent of the Commission, and he shall advise with the Commission from time to time as to the general condition of the equipment and business, and recommend any increase or change of equipment or stock that he thinks advisable.

12. The Licensee will make no changes in lines of stock provided in the initial set-up of the stand without the consent of the Commission.

13. The Licensee and his help shall be liable to the Commission for any damage whatsoever to the stock or equipment, or other loss resulting from his negligence or the negligence of those responsible to him due to failure to observe the regulations of the Commission.

14. The Licensee or his help shall extend no credit nor shall any representative of the Commission under any circumstances recommend any customer for credit dealings. Courtesies extended to customers in emergencies shall be considered the personal responsibility of the Licensee and losses therefrom must be borne personally by him.

15. The Licensee regardless of the ownership of the stock and regardless of the several plans under paragraph 5 in recognition of the Commission's inherent responsibility for the success of the business, shall at all times recognize any representative from the Commission duly authorized thereto, as an official entitled to the rights of inspection and supervision in regard to the conduct of the stand or any business connected with the stand.

16. Whenever the Commission or the management of the building in which the stand concession is located is convinced that the manner in which the business is being conducted by any Licensee, by reason of the personal habits, neglect, dishonesty or business incapacity of the Licensee, is such as to be injurious to the business or to the good repute of blind persons as such Licensees, the Commission may remove the Licensees and place in charge of the stand a temporary operator of its own choice who shall be paid from the current income of the stand. A Licensee so removed will either be returned to his stand within seven days after the date of removal or be given a hearing of his case within twelve days after removal. At such a hearing the Licensee shall be given an opportunity to appear personally. The Board or its authorized committee shall conduct the hearing and determine whether the license shall be

suspended or revoked. The decision of the Board or committee shall be rendered and the Licensee notified within five days after hearing. In the event that the Licensee under charges shall be exonerated upon such hearing, the profits of such business during the period of removal pending the hearing and decision will be paid to the exonerated Licensee. Pending the hearing the Licensee will not raise any question as to title of stock but after the decision has been rendered adjustments will be made according to equities involved in the stock.

17. It is understood that the grant of a license to a Licensee is not subject to transfer and is immediately terminated by death, revocation, or voluntary withdrawal from the business by the Licensee. In case the license is terminated the Commission will immediately take inventory of the business and will make such adjustment as may be indicated by comparing such inventory with that taken when the license was granted to the Licensee.

18. The Licensee shall carry such insurance as the Commission may, in its discretion, prescribe for the protection of himself and his business.

All Federal rulings and regulations affecting the conduct of vending stands in public buildings under Federal jurisdiction are hereby made an integral part of the Commission's regulations, insofar as they concern stands under Federal supervision only.

Pursuant to official action taken by the Board of Managers of the New Jersey State Commission for the Blind on the foregoing regulations for the control and supervision of vending stands under date June 22, 1939 as amended on February 15, 1940, they shall be deemed uniformly and impartially applicable to all persons and procedures affected by them; and all licenses issued to blind persons as Licensees are hereby made conditional upon the full acceptance and adherence to said regulations, and failure to observe them in all particulars shall in itself be deemed sufficient cause for suspension or revocation of license, in accordance with the procedure set forth in paragraph 16.

The Chief Executive Officer of the Commission may prescribe such detailed rules as may be in accord with these regulations, and as may be required for carrying out their general purpose.

AGREEMENT OF COOPERATION BETWEEN
THE
NEW JERSEY STATE COMMISSION FOR THE BLIND
THE
NEW JERSEY STATE EMPLOYMENT SERVICE
AND THE
VETERANS EMPLOYMENT SERVICE

This agreement of cooperation between the New Jersey State Commission for the Blind, the New Jersey State Employment Service, affiliated with the United States Employment Service, a division of the New Jersey Unemployment Compensation Commission, in the Veterans Employment Service is made for the purpose of coordinating and correlating parallel services undertaken by each agency in accordance with established legal procedures, and for the elimination of duplication of effort and competition of services in relation to indicated services to the blind.

By statute the New Jersey State Employment Service is responsible for maintaining complete placement service available to all eligible persons. Included in this responsibility is provision for assistance in effective placement and proper utilization of persons restricted from entering regular fields of employment or from continuing former work activity because of physical limitations. By statute the New Jersey State Commission for the Blind will provide to eligible persons in the State, indicated preparatory rehabilitation services for blind civilians and blind veterans with non-service connected disabilities, provided such services may reasonably be expected to render such persons available for remunerative employment, or more remunerative employment. The New Jersey State Commission for the Blind is also responsible, by law, for the effective placement of blind individuals who meet its eligibility requirement in remunerative employment and for adequate supervision, investigation and follow-up after placement.

All blind individuals and all individuals of apparent impaired vision registered with the New Jersey State Employment Service after interview with selected qualified New Jersey State Employment Service personnel will be advised of the rehabilitation services available to them through the New Jersey State Commission for the Blind. The New Jersey State Employment Service will furnish the Commission, in writing, the names and addresses of such individuals who have accepted referral to the Commission. The Commission will furnish the New Jersey State Employment Service office within a reasonable length of time a report stating the findings of the Commission with respect to each individual.

To enable the New Jersey State Employment Service to discharge its responsibility in the placement of the blind, the Commission will refer all persons applying to it for employment to the New Jersey State Employment Service local office nearest the individual's

residence for purposes of registration and assistance in the placement process. Notice of referral will be made in writing by the Commission to the local office having jurisdiction.

The Commission will notify the appropriate local office of the New Jersey State Employment Service of the placement of any individual referred to the Commission by the New Jersey State Employment Service.

The Commission will assume the responsibility for on-the-job training and follow-up of all blind or sight-impaired individuals placed in employment as a result of a referral by the New Jersey State Employment Service to the Commission, and will notify the appropriate local office in writing of the success or failure of the individual on the job.

The New Jersey State Employment Service personnel responsible for the placement and/or counseling of handicapped persons will establish personal relationships either by telephone, if within reasonable distance, or by letter with Mr. Carl C. Pirups-Hvarre, Supervisor of Employment, New Jersey State Commission for the Blind, 1060 Broad Street, Newark, New Jersey, telephone Market 2-0267, for discussion or development of job opportunities.

It is agreed that occupational information relating to job family studies, occupations suitable for blind workers, and all other available data in the field will be exchanged by each agency. Occupational and other research studies and projects will be undertaken jointly by selected personnel of each agency from time to time as industrial, economic or other conditions indicate the need.

It is agreed that the provisions and procedures outlined in this agreement shall be liberally construed by the administrators of each agency, in order that all available facilities may be utilized in the establishment of a service adequate to the placement of the blind.

This supersedes all previous agreements between the agencies involved.

George F. Meyer, Executive Director
New Jersey State Commission for the Blind

Harold G. Hoffman, Executive Director
New Jersey State Unemployment Compensation
Commission

Russell J. Eldridge, State Director
New Jersey State Employment Service

Thornton Webster, Veterans Employment
Representative for New Jersey
Veterans Employment Service

DATE June 30, 1947

EXHIBIT 4A
COOPERATIVE AGREEMENT BETWEEN
NEW JERSEY STATE COMMISSION FOR THE BLIND
AND
NEW JERSEY REHABILITATION COMMISSION

The cooperative agreement between the New Jersey Rehabilitation Commission and the New Jersey Commission for the Blind provides that where central vision is 20/70 or better, with or without glasses, and examination indicates there is little or no likelihood that the vision will deteriorate, that the responsibility for rehabilitation will rest with the New Jersey Rehabilitation Commission.

The Commission for the Blind will be specifically responsible for those individuals whose central vision is 20/200 or less in the better eye with correction, or, whose peripheral field is reduced to 20 degrees.

The rehabilitation of individuals who fall between this upper and lower extreme is the joint responsibility of both agencies. Experience indicates that Snellen chart measurements are not in themselves a sufficient basis for judging the seriousness of a visual handicap. Other considerations are the nature of the eye condition (e.g. Myopia, Glaucoma, etc.). The characteristics of restricted field of vision (e.g. whether all quadrants are affected, etc.). The psychological attitude of the client toward his visual disability, etc.

Under the circumstances it is agreed by the two agencies that clients who fall between the two extremes, including one-eyed individuals, may be handled by either agency provided the medical data indicates the existence of a substantial employment handicap. Wherever necessary the two agencies will consult with one another in order to clarify the status of the client so that referral can be made to the agency which can best serve him. Wherever necessary the specialized medical services of either agency will be used by the other where consultation indicates that such a procedure will best serve the needs of the client.

George F. Meyer, Executive Director
NEW JERSEY STATE COMMISSION FOR THE BLIND

Dated March 14, 1949

C. Victor Bleecker, Assistant Director
NEW JERSEY REHABILITATION COMMISSION

Exhibit 5

