

STATE OF TENNESSEE

SENATE JOINT RESOLUTION NO. 201

By Senator Berke, Overbey, Ford, Marrero, Watson, Burks

and

Representative John Deberry

A RESOLUTION to direct the Department of Human Services to review the impact of the Vocational Rehabilitation Order of Selection on individuals with mental illness.

WHEREAS, Vocational Rehabilitation is a federal/state program that provides services and support to enable individuals with disabilities to enter, maintain, or return to employment; and

WHEREAS, Vocational Rehabilitation is intended to help those individuals achieve and maintain meaningful work; and

WHEREAS, those individuals with a physical or mental disability that makes it difficult to obtain or maintain a competitive job may be eligible for Vocational Rehabilitation services; and

WHEREAS, because current funding levels are not adequate to provide Vocational Rehabilitation services to all persons who are eligible, the state has elected to institute an Order of Selection to establish priority for services based on the significance of disability; and

WHEREAS, the Federal Rehabilitation Act of 1973 prohibits an eligible individual from being assigned to a priority category based on type of disability alone and requires assignment to a priority category to be based on functional limitations that prohibit a person from working; and

WHEREAS, Priority Category 1 in Tennessee's current Order of Selection specifically requires two (2) functional limitations; and

WHEREAS, those Tennesseans with Severe and Persistent Mental Illness (SPMI) are not included in the Order of Selection Priority Category 1 based on that condition alone, and they may not receive the services and support through Vocational Rehabilitation if the condition does not create at least two (2) functional limitations; and

WHEREAS, the American Recovery and Reinvestment Act will provide approximately \$12 million in federal stimulus money specifically for the expansion of Vocational Rehabilitation services; and

WHEREAS, stimulus money can benefit clients with mental illness by paying wage reimbursement to get employers to hire ("risk free") clients with mental illness; and

WHEREAS, stimulus money can benefit clients with mental illness by paying for job coaches and other supports to help clients with SPMI get and retain jobs; and

WHEREAS, stimulus money can benefit clients with mental illness by releasing clients from the waiting list according to date of application, but not disability type; and

WHEREAS, stimulus money can benefit clients with mental illness by targeted training to counselors on evaluating the functional limitations of clients with mental illness; and

WHEREAS, these additional funds afford the State of Tennessee an unusual opportunity to target services and support to individuals with SPMI who heretofore have had difficulty qualifying for Priority Category 1 in Vocational Rehabilitation's Order of Selection; and

WHEREAS, those individuals with SPMI can benefit from Vocational Rehabilitation services and be successfully employed in the competitive job marketplace; and

WHEREAS, a person cannot automatically be designated as Priority Category I based on a diagnosis of serious mental illness alone; now, therefore,

BE IT RESOLVED BY THE SENATE OF THE ONE HUNDRED SIXTH GENERAL ASSEMBLY OF THE STATE OF TENNESSEE, THE HOUSE OF REPRESENTATIVES CONCURRING, that the Department of Human Services is hereby directed to consider the number and severity of functional limitations that arise from mental illness in determining the eligibility and priority category for Vocational Rehabilitation services, rather than the feasibility of basing eligibility on disability alone, as determined by a Clinically Related Group (CRG) assessment.

BE IT FURTHER RESOLVED, that an appropriate copy of this resolution be transmitted to the Commissioner of the Department of Human Services.

ADOPTED: May 18, 2009



RON RAMSEY
SPEAKER OF THE SENATE



KENT WILLIAMS, SPEAKER
HOUSE OF REPRESENTATIVES

APPROVED: May 27, 2009



PHIL BREDESEN, GOVERNOR