

Figure: 40 TAC Part 20

Ci ffYbhFi `Yg`E'8 YdUf'ha YbhcZ5 gg]ghj Y'UbX Rehabilitative Services Title 40, Part 2				Duplicated Rules – Texas Workforce Commission Title 40, Part 20			
Chapter 101. Administrative Rules and Procedures				Chapter 850. Vocational Rehabilitation Services Administrative Rules and Procedures			
Subch	Div	Rule Number	Heading	Subch	Div	Heading	Rule Number
Subchapter A. General Rules				Subchapter A. Vocational Rehabilitation General Rules			
A		§101.101	Purpose	A		Purpose	§850.1
A		§101.103	Legal Authority	A		Legal Authority	§850.2
A		§101.105	Definitions	A		Definitions	§850.3
A		§101.107	Opportunities for Citizen Participation	A		Opportunities for Citizen Participation	§850.4
A		§101.109	Complaints	A		Complaints	§850.5
A		§101.111	Cooperation with Other Public Agencies	A		Cooperation with Other Public Agencies	§850.6
A		§101.113	Criminal History Information on Applicants for Employment	A		Criminal History Information on Applicants for Employment	§850.7
A		§101.115	Use of Criminal History in Contracting	A		Use of Criminal History in Contracting	§850.8
A		§101.117	Fees for Department Publications	A		Fees for Department Publications	§850.9
A		§101.119	Gifts and Donations to DARS	A		Gifts and Donations to TWC	§850.10
A		§101.121	Qualified Vocational Rehabilitation Counselor (QVRC)	A		Qualified Vocational Rehabilitation Counselor (QVRC)	§850.11
Subchapter B. Historically Underutilized Businesses				Subchapter B. Historically Underutilized Businesses			
B		§101.201	Purpose	B		Purpose	§850.20
B		§101.203	Legal Authority	B		Legal Authority	§850.21
B		§101.205	Definitions	B		Definitions	§850.22
B		§101.207	Adoption of Rules	B		Adoption of Rules	§850.23
Subchapter C. Councils, Boards and Committees				Subchapter C. Councils, Boards and Committees			
C	Division 1. Rehabilitation Council of Texas			C	Division 1. Rehabilitation Council of Texas		
C	1	§101.301	Purpose	C	1	Purpose	§850.30
C	1	§101.303	Legal Authority	C	1	Legal Authority	§850.31
C	1	§101.305	Definitions	C	1	Definitions	§850.32
C	1	§101.307	Tasks	C	1	Tasks	§850.33
C	1	§101.309	Reports	C	1	Reports	§850.34
C	1	§101.311	Funding	C	1	Funding	§850.35
C	Division 5. BET Elected Committee of Managers (ECM)			C	Division 2. BET Elected Committee of Managers (ECM)		
C	5	§101.701	Purpose	C	2	Purpose	§850.40
C	5	§101.703	Legal Authority	C	2	Legal Authority	§850.41
C	5	§101.705	Definitions	C	2	Definitions	§850.42
C	5	§101.707	Substantive Rules	C	2	Substantive Rules	§850.43
Subchapter D. Privacy and Confidentiality				Subchapter D. Privacy and Confidentiality			
D		§101.807	Privacy Policies	D		Privacy Policies	§850.50
D		§101.809	Confidentiality of Consumer Information in VR Program	D		Confidentiality of Consumer Information in Vocational Rehabilitation Services Program	§850.51

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Subchapter E. Appeals and Hearing Procedures				Subchapter E. Vocational Rehabilitation Services Appeals and Hearing Procedures			
E	Division 1. General Rules			E	Division 1. General Rules		
E	1	§101.901	Purpose	E	1	Purpose	§850.60
E	1	§101.903	Legal Authority	E	1	Legal Authority	§850.61
E	1	§101.905	Definitions	E	1	Definitions	§850.62
E	1	§101.907	Filing a Request for Review	E	1	Filing a Request for Review	§850.63
E	1	§101.909	Time for Hearing	E	1	Time for Hearing	§850.64
E	1	§101.911	Assignment of Impartial Hearing Officer	E	1	Assignment of Impartial Hearing Officer	§850.65
E	1	§101.913	Powers and Duties of Impartial Hearing Officer	E	1	Powers and Duties of Impartial Hearing Officer	§850.66
E	1	§101.915	Substitution of Impartial Hearing Officer	E	1	Substitution of Impartial Hearing Officer	§850.67
E	1	§101.917	Reasonable Accommodations	E	1	Reasonable Accommodations	§850.68
E	1	§101.919	Appearance of Parties at Hearings; Representation	E	1	Appearance of Parties at Hearings; Representation	§850.69
E	1	§101.921	Failure to Attend Hearing and Default	E	1	Failure to Attend Hearing and Default	§850.70
E	1	§101.923	Witness Fees	E	1	Witness Fees	§850.71
E	1	§101.925	Prehearing Conferences	E	1	Prehearing Conferences	§850.72
E	1	§101.927	Dismissal Without Hearing	E	1	Dismissal Without Hearing	§850.73
E	1	§101.929	Conduct of Hearing	E	1	Conduct of Hearing	§850.74
E	1	§101.931	Order of Proceedings	E	1	Order of Proceedings	§850.75
E	1	§101.933	Rules of Evidence	E	1	Rules of Evidence	§850.76
E	1	§101.935	Transcription of Proceedings	E	1	Transcription of Proceedings	§850.77
E	1	§101.937	Prepared Testimony	E	1	Prepared Testimony	§850.78
E	1	§101.939	Pleadings	E	1	Pleadings	§850.79
E	1	§101.941	Continuance	E	1	Continuance	§850.80
E	1	§101.943	Motion for Reconsideration	E	1	Motion for Reconsideration	§850.81
E	1	§101.945	Civil Action	E	1	Civil Action	§850.82
E	1	§101.947	Mediation Procedures	E	1	Mediation Procedures	§850.83
E	1	§101.949	Computation of Time	E	1	Computation of Time	§850.84
E	Division 2. DBS and DRS			E	Division 2. Division for Blind Services and Division for Rehabilitation Services		
E	2	§101.1001	Purpose	E	2	Purpose	§850.100
E	2	§101.1003	Legal Authority	E	2	Legal Authority	§850.101
E	2	§101.1005	Definitions	E	2	Definitions	§850.102
E	2	§101.1007	Filing a Request for Review	E	2	Filing a Request for Review	§850.103
E	2	§101.1009	Filings	E	2	Filings	§850.104
E	2	§101.1011	Discovery and Mandatory Disclosures	E	2	Discovery and Mandatory Disclosures	§850.105
E	2	§101.1013	Documentary Evidence and Official Notice	E	2	Documentary Evidence and Official Notice	§850.106
E	2	§101.1015	Impartial Hearing Officer Decision	E	2	Impartial Hearing Officer Decision	§850.107
E	2	§101.1017	Finality of the Hearing Officer's Decision	E	2	Finality of the Hearing Officer's Decision	§850.108
E	2	§101.1019	Implementation of Final Decision	E	2	Implementation of Final Decision	§850.109
E	2	§101.1021	Motion for Reconsideration	E	2	Motion for Reconsideration	§850.110

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E	2	§101.1023	Appeal of Final Decision	E	2	Appeal of Final Decision	§850.111
Subchapter F. Memorandum of Understanding				Subchapter F. Memorandum of Understanding			
F		§101.1307	Memorandum of Understanding Regarding Continuity of Care for Physically Disabled Inmates	F		Memorandum of Understanding Regarding Continuity of Care for Physically Disabled Inmates	§850.130
F		§101.1309	Memorandum of Understanding Regarding the Exchange and Distribution of Public Awareness Information	F		Memorandum of Understanding Regarding the Exchange and Distribution of Public Awareness Information	§850.131
F		§101.1311	Memorandum of Understanding Concerning Coordination of Services to Disabled Persons	F		Memorandum of Understanding Concerning Coordination of Services to Disabled Persons	§850.132
Chapter 102. Purchase of Goods and Services by the Department of Assistive and Rehabilitative Services				Chapter 852. Purchase of Medical Goods and Services by the Texas Workforce Commission-Vocational Rehabilitation Services			
Subch	Div	Rule Number	Heading	Subch	Div	Heading	Rule Number
Subchapter A. Purchase of Goods and Services				Subchapter A. Purchase of Goods and Services			
A		§102.213	Alternative Purchasing Methods-Rates for Medical Services	A		Alternative Purchasing Methods-Rates for Medical Services	§852.1
Chapter 106. Division for Blind Services				Chapter 854. Division for Blind Services			
Subch	Div	Rule Number	Heading	Subch	Div	Heading	Rule Number
Subchapter A. Criss Cole Rehabilitation Center				Subchapter A. Criss Cole Rehabilitation Center			
A		§106.101	Purpose	A		Purpose	§854.1
A		§106.103	Legal Authority	A		Legal Authority	§854.2
A		§106.105	Definitions	A		Definitions	§854.3
A		§106.107	Eligibility	A		Eligibility	§854.4
A		§106.109	Services	A		Services	§854.5
A		§106.111	Consumer Participation and Comparable Services and Benefits	A		Consumer Participation and Comparable Services and Benefits	§854.6
A		§106.113	Payment of Shift Differentials	A		Payment of Shift Differentials	§854.7
Subchapter B. Vocational Rehabilitation Program				Subchapter B. Vocational Rehabilitation Program			
B	Division 1. Program and Subchapter Purpose			B	Division 1. Program and Subchapter Purpose		
B	1	§106.201	Purpose	B		Purpose	§854.20
B	1	§106.203	Legal Authority	B		Legal Authority	§854.21
B	1	§106.205	Definitions	B		Definitions	§854.22
B	Division 2. Eligibility			B	Division 2. Eligibility		
B	2	§106.307	Application	B		Application	§854.23
B	2	§106.309	Eligibility	B		Eligibility	§854.24
B	2	§106.311	Prohibited Factors	B		Prohibited Factors	§854.25
B	2	§106.313	Eligibility Determination Time Frame	B		Eligibility Determination Time Frame	§854.26
B	2	§106.315	Determination of Ineligibility	B		Determination of Ineligibility	§854.27
B	2	§106.317	Case Closure	B		Case Closure	§854.28
B	Division 3. Provision of Vocational Rehabilitation Services			B	Division 3. Provision of Vocational Rehabilitation Services		
B	3	§106.407	Provision of Services	B		Provision of Services	§854.40
B	3	§106.409	Assessment for Determining Eligibility, Vocational Rehabilitation Needs, and Rehabilitation Technology Needs	B		Assessment for Determining Eligibility, Vocational Rehabilitation Needs, and Rehabilitation Technology Needs	§854.41

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B	3	§106.411	Physical and Mental Restoration Services	B	Physical and Mental Restoration Services	§854.42
B	3	§106.413	Vocational and Other Training Services	B	Vocational and Other Training Services	§854.43
B	3	§106.415	Maintenance	B	Maintenance	§854.44
B	3	§106.417	Transportation	B	Transportation	§854.45
B	3	§106.419	Services to Family Members	B	Services to Family Members	§854.46
B	3	§106.421	Interpreter Services and Note-Taking Services for Consumers Who Are Deaf and Tactile Interpreting for Consumers Who Are Deafblind	B	Interpreter Services and Note-Taking Services for Consumers Who Are Deaf and Tactile Interpreting for Consumers Who Are Deafblind	§854.47
B	3	§106.423	Reader Services and Rehabilitation Teaching Services	B	Reader Services and Rehabilitation Teaching Services	§854.48
B	3	§106.425	Employment Assistance	B	Employment Assistance	§854.49
B	3	§106.427	Post-Employment Services	B	Post-Employment Services	§854.50
B	3	§106.429	Occupational Licenses, Tools, Equipment, and Initial Stocks and Supplies	B	Occupational Licenses, Tools, Equipment, and Initial Stocks and Supplies	§854.51
B	3	§106.431	Assistive Technology Devices	B	Assistive Technology Devices	§854.52
B	3	§106.433	Individualized Plan for Employment (IPE)	B	Individualized Plan for Employment (IPE)	§854.53
B	Division 4. Consumer Participation			B	Division 4. Consumer Participation	
B	4	§106.501	Purpose of Consumer Participation	B	Purpose of Consumer Participation	§854.60
B	4	§106.507	Scope of Consumer Participation	B	Scope of Consumer Participation	§854.61
B	4	§106.509	Refusal to Disclose Economic Resources	B	Refusal to Disclose Economic Resources	§854.62
B	Division 5. Comparable Benefits			B	Division 5. Comparable Benefits	
B	5	§106.607	Comparable Services and Benefits	B	Comparable Services and Benefits	§854.70
B	Division 6. Methods of Administration of Vocational Rehabilitation			B	Division 6. Methods of Administration of Vocational Rehabilitation	
B	6	§106.707	Application of an Order of Selection		Application of an Order of Selection	§854.80
B	Division 7. Certificate of Blindness for Tuition Waiver			B	Division 7. Certificate of Blindness for Tuition Waiver	
B	7	§106.801	Purpose	B	Purpose	§854.90
B	7	§106.803	Legal Authority	B	Legal Authority	§854.91
B	7	§106.805	Definitions	B	Definitions	§854.92
B	7	§106.807	Eligibility	B	Eligibility	§854.93
B	7	§106.809	Certificate of Blindness for Tuition Waiver	B	Certificate of Blindness for Tuition Waiver	§854.94
Subchapter D. Independent Living Services for Older Adults who are Blind				Division D. Independent Living Services for Older Adults who are Blind		
D	Division 1. General Rules			D	Division 1. General Rules	
D	1	§106.901	Purpose	D	Purpose	§854.110
D	1	§106.903	Legal Authority	D	Legal Authority	§854.111
D	1	§106.905	Definitions	D	Definitions	§854.112
D	Division 2. Allocation of Funds			D	Division 2. Allocation of Funds	
D	2	§106.1001	Allocation of Funds	D	Allocation of Funds	§854.120
D	Division 3. Independent Living Services for Older Individuals Who Are Blind			D	Division 3. Independent Living Services for Older Individuals Who Are Blind	
D	3	§106.1101	Purpose	D	Purpose	§854.130

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D	3	§106.1105	Eligibility	D		Eligibility	§854.131
D	3	§106.1107	Independent Living Plan	D		Independent Living Plan	§854.132
D	3	§106.1109	Waiting List	D		Waiting List	§854.133
D	3	§106.1111	Scope of Services	D		Scope of Services	§854.134
D	Division 4. Consumer Participation			D	Division 4. Consumer Participation		
D	4	§106.1201	Consumer Participation System	D		Consumer Participation System	§854.140
D	4	§106.1203	Fee Schedule Amount	D		Fee Schedule Amount	§854.141
D	4	§106.1205	Insurance Payments	D		Insurance Payments	§854.142
D	Division 5. Consumer Rights			D	Division 5. Consumer Rights		
D	5	§106.1301	Rights of Consumers	D		Rights of Consumers	§854.150
D	5	§106.1303	Complaint Process	D		Complaint Process	§854.151
D	Division 6. Technical Assistance and Training			D	Division 6. Technical Assistance and Training		
D	6	§106.1351	Administering Agency's Role In Providing Technical Assistance	D		Administering Agency's Role In Providing Technical Assistance	§854.160
D	Division 7. Referrals			D	Division 7. Referrals		
D	7	§106.1371	Expectations of Administering Agency's Employees	D		Expectations of Administering Agency's Employees	§854.170
Subchapter N. Business Enterprises of Texas				Subchapter N. Business Enterprises of Texas			
N		§106.1901	Purpose			Purpose	§854.200
N		§106.1903	Legal Authority			Legal Authority	§854.201
N		§106.1905	Definitions			Definitions	§854.202
N		§106.1907	General Policies			General Policies	§854.203
N		§106.1909	BET Administration			BET Administration	§854.204
N		§106.1911	Training of Potential Applicants and Licensees			Training of Potential Applicants and Licensees	§854.205
N		§106.1913	BET Licenses			BET Licenses	§854.206
N		§106.1915	Initial and Career Advancement Assignment Procedures			Initial and Career Advancement Assignment Procedures	§854.207
N		§106.1917	Fixtures, Furnishings, and Equipment; Initial Inventory; and Expendables			Fixtures, Furnishings, and Equipment; Initial Inventory; and Expendables	§854.208
N		§106.1919	Set-Aside Fees			Set-Aside Fees	§854.209
N		§106.1921	Duties and Responsibilities of Managers			Duties and Responsibilities of Managers	§854.210
N		§106.1923	Responsibilities of the Department of Assistive and Rehabilitative Services, Division for Blind Services			Responsibilities of the Texas Workforce Commission, Division for Blind Services	§854.211
N		§106.1925	BET Elected Committee of Managers			BET Elected Committee of Managers	§854.212
N		§106.1927	Termination of License for Reasons Other Than Unsatisfactory Performance			Termination of License for Reasons Other Than Unsatisfactory Performance	§854.213
N		§106.1929	Administrative Action Based on Unsatisfactory Performance			Administrative Action Based on Unsatisfactory Performance	§854.214
N		§106.1931	Procedures for Resolution of Manager's Dissatisfaction			Procedures for Resolution of Manager's Dissatisfaction	854.215
N		§106.1933	Establishing and Closing Facilities			Establishing and Closing Facilities	854.216
N		§106.1935	Forms			Forms	854.217
Chapter 107. Division for Rehabilitation Services				Chapter 856. Division for Rehabilitation Services			

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Subch	Div	Rule Number	Heading	Subch	Div	Heading	Rule Number
Subchapter A. Vocational Rehabilitation Service Program				Subchapter A. Vocational Rehabilitation Service Program			
A	Division 1. Program and Subchapter Purpose				Division 1. Program and Subchapter Purpose		
A	1	§107.101	Purpose	A	1	Purpose	§856.1
A	1	§107.103	Legal Authority	A	1	Legal Authority	§856.2
A	1	§107.105	Definitions	A	1	Definitions	§856.3
A	1	§107.107	Statewideness	A	1	Statewideness	§856.4
A	1	§107.109	Consultation Regarding the Administration of the State Plan	A	1	Consultation Regarding the Administration of the State Plan	§856.5
A	Division 2. Eligibility				Division 2. Eligibility		
A	2	§107.207	Eligibility	A	2	Eligibility	§856.20
A	2	§107.209	Prohibited Factors	A	2	Prohibited Factors	§856.21
A	2	§107.211	Extended Evaluation	A	2	Extended Evaluation	§856.22
A	2	§107.213	Determination of Ineligibility	A	2	Determination of Ineligibility	§856.23
A	2	§107.215	Case Closure	A	2	Case Closure	§856.24
A	Division 3. Provision of Vocational Rehabilitation Services				Division 3. Provision of Vocational Rehabilitation Services		
A	3	§107.307	Provision of Services	A	3	Provision of Services	§856.40
A	3	§107.309	Assessment	A	3	Assessment	§856.41
A	3	§107.311	Counseling, Guidance, and Referral	A	3	Counseling, Guidance, and Referral	§856.42
A	3	§107.313	Physical Restoration Services	A	3	Physical Restoration Services	§856.43
A	3	§107.315	Mental Restoration Services	A	3	Mental Restoration Services	§856.44
A	3	§107.317	Vocational and Other Training Services	A	3	Vocational and Other Training Services	§856.45
A	3	§107.319	Maintenance	A	3	Maintenance	§856.46
A	3	§107.321	Transportation	A	3	Transportation	§856.47
A	3	§107.323	Interpreter Services for the Deaf and Hard of Hearing	A	3	Interpreter Services for the Deaf and Hard of Hearing	§856.48
A	3	§107.325	Job Development, Placement and Retention	A	3	Job Development, Placement and Retention	§856.49
A	3	§107.327	Post-Employment Services	A	3	Post-Employment Services	§856.50
A	3	§107.329	Occupational Licenses, Tools, Equipment, and Training Supplies	A	3	Occupational Licenses, Tools, Equipment, and Training Supplies	§856.51
A	3	§107.331	Individualized Plan for Employment (IPE)	A	3	Individualized Plan for Employment (IPE)	§856.52
A	3	§107.333	Consumers Determined to Have Achieved Employment Outcome	A	3	Consumers Determined to Have Achieved Employment Outcome	§856.53
A	Division 4. Consumer Participation			A	Division 4. Consumer Participation		
A	4	§107.407	Basic Living Requirements (BLR)	A	4	Basic Living Requirements (BLR)	§856.60
A	Division 5. Comparable Benefits			A	Division 5. Comparable Benefits		
A	5	§107.507	Comparable Services and Benefits	A	5	Comparable Services and Benefits	§856.70
A	5	§107.509	Availability of Comparable Services and Benefits	A	5	Availability of Comparable Services and Benefits	§856.71
A	Division 6. Methods of Administration of Vocational Rehabilitation			A	Division 6. Methods of Administration of Vocational Rehabilitation		
A	6	§107.607	Statewide Studies and Program Evaluation	A	6	Statewide Studies and Program Evaluation	§856.80
A	6	§107.609	Annual Evaluation	A	6	Annual Evaluation	§856.81

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A	6	§107.611	Order of Selection	A	6	Order of Selection	§856.82
Chapter 391. Purchase of Goods and Services by the Texas Health and Human Services Commission				Chapter 857. Purchase of Goods and Services for Vocational Rehabilitation Services by Texas Workforce Commission			
Subch	Div	Rule Number	Heading	Subch	Div	Heading	Rule Number
B		§391.205	Noncompetitive Procurement			Noncompetitive Procurement	§857.1
Chapter 392. Purchase of Goods and Services for Specific Health and Human Services Commission Programs				Chapter 858. Vocational Rehabilitation Services Contract Management			
Subchapter D. DARS Contract Management Requirement				Subchapter D. Vocational Rehabilitation Services Contract Management Requirement			
D		§392.301	Purpose and Applicability	D		Purpose and Applicability	§858.1
D		§392.303	Definitions	D		Definitions	§858.2
D		§392.305	General Requirements for Contracting	D		General Requirements for Contracting	§858.3
D		§392.307	Complaints	D		Complaints	§858.4
D		§392.309	Record Requirements	D		Record Requirements	§858.5
D		§392.311	Access to Contractor Facilities and Records	D		Access to Contractor Facilities and Records	§858.6
D		§392.313	Contract Monitoring	D		Contract Monitoring	§858.7
D		§392.315	Corrective Action Plan	D		Corrective Action Plan	§858.8
D		§392.317	Adverse Actions	D		Adverse Actions	§858.9
D		§392.319	Debarment and Suspension of Current and Potential Contractor Rights	D		Debarment and Suspension of Current and Potential Contractor Rights	§858.10
D		§392.321	Causes and Conditions of Debarment	D		Causes and Conditions of Debarment	§858.11
D		§392.323	Causes and Conditions of Suspension	D		Causes and Conditions of Suspension	§858.12
D		§392.325	Evidence for Debarment or Suspension	D		Evidence for Debarment or Suspension	§858.13
D		§392.327	Notice for Debarment or Suspension	D		Notice for Debarment or Suspension	§858.14
D		§392.329	Appeals	D		Appeals	§858.15
D		§392.331	Request for Reconsideration	D		Request for Reconsideration	§858.16