
EMPLOYMENT: Vocational Rehabilitation (VR) Services and Appeals

I don't agree with a decision my counselor made. What can I do?

You can file an appeal. Your counselor has a form you can use to file an appeal, or you can write a short note and send it to: Kevin Miller, Executive Director, OOD, 400 E. Campus View Blvd., Columbus, OH 43235 or email it to appeals@ood.ohio.gov.

What should I say in my appeal?

All you are legally required to say is that you are appealing the decision made by your counselor. You can state what the decision is (i.e., closed my case, denied me training, denied my request for a bus pass).

Is there a deadline for filing the appeal?

Yes. You **MUST** file your appeal within 30 days of learning of your counselor's decision.

Does my counselor have to give me the decision in writing?

No, it can be told to you. If your counselor tells you the decision and you disagree, it is a good idea to ask for the appeal form and file it right away.

Do any decisions need to be in writing?

You **MUST** receive the decision in writing:

- When your counselor decides if you are eligible for services;
- When they determine the category you fall into in the Order of Selection; and
- When your case is closed.

If your counselor denies a service you request, refuses to amend your Individualized Plan for Employment, or other decisions, there is no requirement that the decision be in writing.

What happens once I file an appeal?

After the appeal is received by OOD, you will receive a letter setting a date for a hearing and then canceling it. This is called a “phantom” letter and is used to alert OOD management that an appeal has been filed. Do not let it scare you.

What happens to my services once I file an appeal?

The law requires that your services continue. This includes all services listed on an Individualized Plan for Employment (IPE), assessment services to develop the IPE, and counseling and guidance.

What are the steps in the appeal process?

There are two steps in the appeals process. The first step is an informal hearing or meeting. This takes place in the local office and is an opportunity for you to discuss your case with your counselor and supervisors. Many appeals have been resolved at this meeting.

You can bring a friend, advocate or other person to assist and/or support you at this meeting.

Second, if the appeal is not resolved at this informal meeting, the next step is a formal hearing, which takes place in Columbus. This is like a mini-trial where there is a hearing officer, court reporter, and OOD, represented by an attorney from the Attorney General’s office. If you do not have an attorney, you can represent yourself at this hearing.

If the appeal is not resolved at the informal meeting, must I go to a formal hearing?

You must submit your written complaint or appeal to the supervisor or manager responsible for The OOD supervisor who conducts the informal meeting will write a letter making recommendations to resolve the appeal. You can choose to accept or reject the recommendations or to request mediation.

Mediation is a process where a neutral trained mediator works with both sides to resolve the appeal. In reality, it is hardly ever used because Opportunities for Ohioans with Disabilities (OOD) does not agree to it.

How can I prepare for the informal meeting?

You have the right to ask for a copy of your case file. This request should be in writing and given to your counselor. You also have the right to ask for copies of any policies, memos or directives that the counselor relied upon in making the decision. For example, if your counselor denies your request for car repairs, you should ask for a copy of any policy on transportation that mentions car repairs.

What if my disability interferes with my ability to participate in the informal meeting or formal hearing?

If you need any reasonable accommodations at the informal meeting or formal hearing due to a disability, you should request those accommodations. For the informal meeting, ask either your counselor or whoever contacts you about the meeting.

For the formal hearing, ask Theodore L. Klecker, OOD's general counsel. His contact information is in the "phantom" letter you will receive.

Where can I obtain more information?

You can request copies of OOD policies on the following topics:

- Assessment
- Case Handling Procedure
- Closure
- Comprehensive (Vocational) Assessment
- Confidentiality
- Consumer Appeals
- Eligibility
- Order of Selection
- Policy regarding training and paying for post-secondary education
- Informed Choice policy
- Least Cost Policy
- Self-Employment policy and procedure
- Post-Employment guidance and policy
- Individualized Plan for Employment (IPE)
- Restoration (concerns payment for medical and /or mental health treatment)
- Transition Services for Youth
- Transportation
- Use of Comparable Benefits

You can also request copies of any other policy or guideline that your counselor used in making the decision you are appealing.