# Vocational Rehabilitation Services Manual D-200: Purchasing Goods and Services

Revised November 2, 2021

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## D-203: Purchasing Decisions

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### D-203-3: Comparable Services and Benefits

Comparable services and benefits, including accommodations and auxiliary aids and services, are resources that are provided or paid for, in whole or in part, by other Federal, State, or local public agencies, by health insurance, or by employee benefits. These resources must be available to VR customer at the time needed and they must be commensurate to the services that the customer would otherwise receive from the TWC-VR. (Based on 34 CFR §361.5(c)(8).)

Comparable services and benefits do not include:

* scholarships or other awards of merit;
* student loans;
* personal loans; or
* customer contributions to the cost of services.

Requirement to Use Comparable Services and Benefits

When a customer is determined eligible for VR services, 34 CFR §361.53 requires that prior providing any VR service, TWC-VR must determine whether comparable services and benefits exist under any other program and whether those services and benefits are available to the customer. When comparable services benefits are available, these resources must be used for planned services before using VR funds.

Exceptions for Use of Comparable Services and Benefits

Comparable services and benefits must be utilized unless doing so would significantly interrupt or delay:

* the progress of the customer toward achieving the employment outcome identified in the IPE;
* an immediate job placement; or
* the provision of VR services to any individual who is determined to be at extreme medical risk, based on medical evidence provided by an appropriate qualified medical professional.

The VR Manager must approve any exceptions to the use of available comparable benefits for the above reasons. Otherwise, no exceptions are allowed to this policy.

While all available resources should be utilized to ensure compliance with [D-203-2: Best Value Purchasing](https://twc.texas.gov/vr-services-manual/vrsm-d-200#d203), the requirement to use comparable services and benefits does not apply to the following goods and services:

* Assessments for determining eligibility and VR needs;
* Counseling and guidance;
* Referral and other services to secure needed services from other agencies;
* Job-related services, including job search and placement assistance, job retention services, follow-up services, and follow-along services; and
* Rehabilitation technology, including telecommunications, sensory, and other technological aids and devices.

Federal Financial Aid

If the customer needs postsecondary training to reach the IPE goal, the customer must be informed that he or she is required to apply for and use, if granted, support from the Federal Financial Student Aid Program that does not include a payback requirement. When applicable, include this requirement on the IPE. Refer to [VRSM C-405: Financial Aid and Comparable Benefits](https://twc.texas.gov/vr-services-manual/vrsm-c-400#c405) for additional information.

Services and Benefits for Veterans

The US Department of Veterans Affairs has a range of benefits available to veterans of the military, naval, and air services, and to certain members of their families. Among the benefits available to service-disabled veterans and their families are several types of financial assistance, including monthly cash payments, health care, housing benefits, and educational benefits.

In addition, additional resources for veterans are:

* Centers for Independent Living;
* Community Services for the Blind;
* TWC's Texas Veterans Leadership Program;
* Texas Veterans Commission; and
* the Hazelwood Act.

For additional information, refer to [A-304: Veterans with Disabilities](https://twc.texas.gov/vr-services-manual/vrsm-a-300#a304).

Insurance as a Comparable Benefit

VR is the payor of last resort. Comparable benefits and the customer's required participation in the cost of services must be applied before VR funds are spent.

After the customer's primary and/or secondary benefit coverage has been applied and the customer's ability to pay has been determined, if VR is paying a portion of the total owed to the provider, VR may pay an amount equal to the customer's copayment, coinsurance, or deductible due.

VR payment must not exceed:

* the amount allowed by the customer's insurance;
* the allowable VR rate; or
* the VR contract rate, whichever is less.

Documenting Use of Comparable Services and Benefits

The exploration of and use and non-use of comparable services and benefits must be thoroughly documented in the customer's case file. This includes documentation in ReHabWorks (RHW):

* Case notes
* Service records
* IPE or IPE amendments
* Closure Services page.

Copies of documents related to approval or denial of comparable benefits must be filed in the customer's paper case file.

Substantial or supportive goods and services that are necessary for the customer to reach the identified employment goal and are arranged by a comparable benefit must be documented by an arranged service record in RHW. For additional information on creating service records, refer to [RUG E-200: Case Service Records](https://twcgov.sharepoint.com/sites/ws/vr/co/RHWUserGuide/RUG%20E-200%20Case%20Service%20Record-12102020.docx). For additional information on planned services, refer to [VRSM B-504-5: Planned Services](https://twc.texas.gov/vr-services-manual/vrsm-b-500#b504-5).

Documenting Comparable Benefits in ReHabWorks

The following comparable benefits selections can be selected to document the use of comparable benefits when service records, IPEs, and Closure Services pages are developed in ReHabWorks:

* Centers for Independent Living
* Child Protective Services
* Educational Institutions (elementary and secondary)
* Educational Institutions (postsecondary)
* Educational Service Center
* Employers
* Employment Networks (not otherwise specified)
* Federal Student Aid (such as Pell grants, SEOP (Supplemental Educational Opportunity Grant), work study, etc.)
* Intellectual and Developmental Disabilities Agencies
* Lion's Club
* Medicaid Programs
* Medicaid Waiver
* Medical Health Provider (public or private)
* Medicare
* Mental Health Provider (public or private)
* One-Stop Employment and Training Centers
* Other Sources
* Other State Agencies
* Other VR State Agencies
* Public Housing Authority
* Scholarship
* Social Security Administration (Disability Determination Services or District office)
* State Department of Correction and Juvenile Justice
* State Employment Service Agency
* Tuition Waiver (non-blind, non-deaf)
* Tuition Waiver Blind
* Tuition Waiver Deaf
* Veteran's Administration
* Waiver Programs—MDCP In-Home, CLASS & Family Support Class
* Welfare Agency (state or local government)
* Worker's Compensation

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