

NEW MEXICO PROTECTION AND ADVOCACY SYSTEM INC.
1720 LOUISIANA BLVD. NE, STE. 204
ALBUQUERQUE, NM 87110
(505) 256-3100
1-800-432-4682

ELIGIBILITY FOR VOCATIONAL REHABILITATION SERVICES

The mission of the public vocational rehabilitation program is to provide the needed vocational rehabilitation services to help you get or keep a job. In order to get vocational rehabilitation services from the public program, you **MUST** meet the following criteria: You must have a physical or mental disability that prevents you from getting or keeping a job

You must be able to benefit by getting and keeping a job during and/or after receiving vocational rehabilitation services. The vocational rehabilitation program can deny you services if the program can prove with clear and convincing evidence that you are not able to benefit from vocational rehabilitation services, in terms of getting and/or keeping a job

You absolutely need vocational rehabilitation services in order to prepare for, enter into, engage in, and/or retain gainful employment consistent with your strengths, priorities, concerns, abilities, capabilities, and informed choices

The decision about your eligibility for the public vocational rehabilitation program will be made without regard to your age, gender, creed, color, financial situation, religious affiliation (or lack of), or your disability. Your vocational rehabilitation counselor will make the decision of eligibility based on the criteria listed above, and the decision will be made within sixty days (60 days). The public vocational rehabilitation counselor is required by law to make this decision within the sixty days, unless you and the counselor **AGREE** to waive the sixty day requirement. If a decision between you and your counselor is made to waive or extend the sixty days, that decision should be put in writing and signed by both you and the counselor. In addition, the written decision must include a specific time line for how long the period of eligibility determination will be extended.

The law requires the public vocational rehabilitation counselor to make the decision of eligibility within the sixty days, unless you receive social security benefits in the form of SSI or SSDI. If you receive SSI or SSDI, then by law, you are automatically be presumed eligible for vocational rehabilitation services. This eligibility process is known as presumptive eligibility and is designed to speed up the time for making an eligibility decision by the vocational rehabilitation counselor.