

100-630, title II, §207(d), Nov. 7, 1988, 102 Stat. 3313; Pub. L. 102-52, §7(b), June 6, 1991, 105 Stat. 262; renumbered §622 and amended Pub. L. 102-569, title VI, §613(a), Oct. 29, 1992, 106 Stat. 4439, authorized appropriations, prior to the general amendment of this subchapter by Pub. L. 105-220.

§ 795j. Eligibility

An individual, including a youth with a disability, shall be eligible under this subchapter to receive supported employment services authorized under this chapter if—

(1) the individual is eligible for vocational rehabilitation services under subchapter I;

(2) the individual is determined to be an individual with a most significant disability;

(3) for purposes of activities carried out with funds described in section 795h(d) of this title, the individual is a youth with a disability, as defined in section 705(42) of this title;¹ and

(4) a comprehensive assessment of the rehabilitation needs of the individual described in section 705(2)(B) of this title, including an evaluation of rehabilitation, career, and job needs, identifies supported employment as the appropriate employment outcome for the individual.

(Pub. L. 93-112, title VI, §605, formerly §624, as added Pub. L. 105-220, title IV, §409, Aug. 7, 1998, 112 Stat. 1215; amended Pub. L. 105-277, div. A, §101(f) [title VIII, §402(b)(15)], Oct. 21, 1998, 112 Stat. 2681-337, 2681-414; renumbered §605 and amended Pub. L. 113-128, title IV, §461(3), (7), July 22, 2014, 128 Stat. 1679, 1680.)

REFERENCES IN TEXT

Section 705(42) of this title, referred to in par. (3), was in the original “section (7)(42)”, and was translated as meaning section 7(42) of the Rehabilitation Act of 1973, which is classified to section 705(42) of this title, to reflect the probable intent of Congress.

PRIOR PROVISIONS

Provisions similar to this section were contained in section 795m of this title prior to the general amendment of this subchapter by Pub. L. 105-220.

A prior section 795j, Pub. L. 93-112, title VI, §631, as added Pub. L. 102-569, title VI, §621(a), Oct. 29, 1992, 106 Stat. 4439, stated purpose of program for supported employment services for individuals with severe disabilities, prior to the general amendment of this subchapter by Pub. L. 105-220. See section 795g of this title.

Another prior section 795j, Pub. L. 93-112, title VI, §631, as added Pub. L. 99-506, title VII, §704(a)(1), Oct. 21, 1986, 100 Stat. 1834, outlined the purpose of former part C of this subchapter, prior to repeal by Pub. L. 102-569, §621(a).

AMENDMENTS

2014—Pub. L. 113-128, §461(7)(A), in introductory provisions, inserted “, including a youth with a disability,” after “An individual” and substituted “this subchapter” for “this part”.

Par. (1). Pub. L. 113-128, §461(7)(B), inserted “under subchapter I” after “rehabilitation services”.

Pars. (3), (4). Pub. L. 113-128, §461(7)(C)–(F), added par. (3), redesignated former par. (3) as (4), and, in par. (4), substituted “assessment of the rehabilitation needs” for “assessment of rehabilitation needs”.

1998—Pub. L. 105-277 made technical amendment to section designation and catchline in original.

¹ See References in Text note below.

§ 795k. State plan

(a) State plan supplements

To be eligible for an allotment under this subchapter, a State shall submit to the Commissioner, as part of the State plan under section 721 of this title, a State plan supplement for providing supported employment services authorized under this chapter to individuals, including youth with the most significant disabilities, who are eligible under this chapter to receive the services. Each State shall make such annual revisions in the plan supplement as may be necessary.

(b) Contents

Each such plan supplement shall—

(1) designate each designated State agency as the agency to administer the program assisted under this subchapter;

(2) summarize the results of the comprehensive, statewide assessment conducted under section 721(a)(15)(A)(i) of this title, with respect to the rehabilitation needs of individuals, including youth, with significant disabilities and the need for supported employment services, including needs related to coordination;

(3) describe the quality, scope, and extent of supported employment services authorized under this chapter to be provided to individuals, including youth with the most significant disabilities, who are eligible under this chapter to receive the services and specify the goals and plans of the State with respect to the distribution of funds received under section 795h of this title;

(4) demonstrate evidence of the efforts of the designated State agency to identify and make arrangements (including entering into cooperative agreements) with other State agencies and other appropriate entities to assist in the provision of supported employment services;

(5) demonstrate evidence of the efforts of the designated State agency to identify and make arrangements (including entering into cooperative agreements) with other public or non-profit agencies or organizations within the State, employers, natural supports, and other entities with respect to the provision of extended services;

(6) describe the activities to be conducted pursuant to section 795h(d) of this title for youth with the most significant disabilities, including—

(A) the provision of extended services for a period not to exceed 4 years; and

(B) how the State will use the funds reserved in section 795h(d) of this title to leverage other public and private funds to increase resources for extended services and expand supported employment opportunities for youth with the most significant disabilities;

(7) provide assurances that—

(A) funds made available under this subchapter will only be used to provide supported employment services authorized under this chapter to individuals who are eligible under this subchapter to receive the services;