

ALABAMA DEPARTMENT OF REHABILITATION SERVICES
STATE OF ALABAMA INDEPENDENT LIVING (SAIL) PROGRAM
ADMINISTRATIVE CODE

CHAPTER 795-9-1
COMMUNITY SUPPORT SERVICES PROGRAM (NEW CHAPTER)

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795-9-1-.01 General Information.

(1) The Community Support Services program assists eligible individuals with significant physical and mental disabilities to prepare for and live independently at home in the community. The Community Support Services program serves individuals with disabilities who, at time of application, do not have the ability to function independently in the community or to engage or continue in employment.

(2) Eligibility for Community Support Services is determined without regard to sex, race, creed, age, color or national origin; nor will an individual be excluded from participation in, be denied the benefits of, or be otherwise subject to discrimination under the Community Support Services program. The applicant must be available for services in Alabama.

(3) It is the policy of the Community Support Services program to ensure that an individual with a significant disability is provided the services they need to live independently in the community and to respect the right of an individual with a disability to be treated with respect and dignity.

(4) Community Support Services are not an entitlement but are based on the needs of the individual with a significant disability.

Author: Alabama Board of Rehabilitation Services

Statutory Authority: Code of Ala. 1975, § 21-9-9(1); 29 U.S.C. § 796, *et seq.*

History: Emergency adoption filed January 17, 1995; effective January 18, 1995. New

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795-9-1-.02 Definitions.

(1) Individual with a Significant Disability. An individual with a severe physical, mental, cognitive, or sensory impairment whose ability to function independently in the family or community or whose ability to obtain, maintain, or advance in employment is substantially limited and for whom the delivery of Community Support Services will improve the ability to function, continue to function, or move toward functioning independently in the family or community or to continue in employment.

(2) Community Support Services. A range of services to include community education, referral to needed community resources, development of soft skills for success in employment and community integration, home modification and assistive technology, as well as guidance regarding self-advocacy, rights, and responsibilities.

(3) Information and Referral Services. To assist an individual with a significant disability in securing information and services from the appropriate community resources.

(4) Soft Skill Training. Instruction to develop knowledge and skills in areas such as financial literacy, financial management, coping skills, social skills, self-direction and personal care management.

(5) Home Modification and Assistive Technology. Assessment of home accessibility needs to provide access to safe entrance and egress from the home and access bathing and toileting in the home. Assistive technology in the home may include devices to operate lights, doors, thermostats, televisions, and computers. Community resources that provide donated equipment, installation, and funding are explored and accessed.

(6) Individual and Systems Advocacy. Individual self-advocacy assists the individual with a significant disability to be able to function for themselves in the community, in their home or their workplace. Advocacy and referral to the Adult Vocational Rehabilitation Service program if those individuals, after assistance from the Community Support Services program, are deemed ready for a vocational program. The Community Support Services Specialist provides public awareness relating to issues that affect the individual with a significant disability.

Author: Alabama Board of Rehabilitation Services

Statutory Authority: Code of Ala. 1975, § 21-9-9(1); 29 U.S.C. § 796, *et seq.*

History: New Rule: Filed July 29, 1999; effective September 2, 1999. Repeal and New filed March 18, 2021.

795-9-1-.03 Application and Eligibility.

(1) An individual with a significant disability may be referred for Community Support Services by written or verbal referral of a physician, medical institution, social agency, interested individual or by self-referral.

(2) An individual with a significant disability must make application to the Community Support Services Specialist of the State of Alabama Independent Living (SAIL) program of the Alabama Department of Rehabilitation Services. Application forms are available in all SAIL offices located throughout the State of Alabama.

(3) An individual with a significant disability is eligible for Community Support services if:

(a) The individual has a significant physical, mental, cognitive, or sensory impairment; and

(b) The individual has the potential ability to function independently in the family or community or the individual's ability to obtain, maintain, or advance in employment is substantially limited; and

(c) The delivery of Community Support Services will improve the individual's ability to function or continue functioning in the family, community, or to continue in employment; or

(d) The provision of Community Support Services to a family member will improve the individual's ability to function, continue functioning, or move towards functioning independently in the family, community, or to continue in employment.

(4) The Community Support Services Specialist shall determine eligibility and maintain documentation that the applicant has met the basic requirements as set out in Rule 795-9-1-.03(3).

Author: Alabama Board of Rehabilitation Services

Statutory Authority: Code of Ala. 1975, § 21-9-9(1); 29 U.S.C. § 796, *et seq.*

History: New Rule: Filed July 29, 1999; effective September 2, 1999. Repeal and New filed March 18, 2021.

795-9-1-.04 Ineligibility.

(1) An individual with a significant disability may be determined ineligible for Community Support Services if:

(a) A determination is made that the applicant for Community Support Services is not an individual with a significant disability, or

(b) It is determined that the individual does not have a reasonable expectation of improving their independence.

(2) The applicant shall be notified in writing of the determination of ineligibility and shall be informed of their rights and the means by which the applicant may appeal the action taken.

(3) The applicant shall be provided a detailed explanation of the availability and purposes of the client assistance program, including how to contact the client assistance program. In Alabama, this program is known as the State of Alabama Client Assistance Program (SACAP).

(4) The Community Support Services Specialist shall refer the applicant, if appropriate, to other agencies and facilities, including the State Vocational Rehabilitation Service program.

(5) Review of ineligibility.

(a) If an applicant for Community Support Services has been found ineligible, the Community Support Services Specialist shall review the applicant's ineligibility at least once within 12 months after the ineligibility decision to determine if the applicant's status has materially changed.

(b) The review need not be conducted in situations where the applicant has refused the review, the applicant is no longer present in the State, the applicant's whereabouts are unknown, or the applicant has died.

Author: Alabama Board of Rehabilitation Services

Statutory Authority: Code of Ala. 1975, § 21-9-9(1); 29 U.S.C. § 796, *et seq.*

History: New Rule: Filed July 29, 1999; effective September 2, 1999. Repeal and New filed March 18, 2021.

795-9-1-.05 Services.

(1) An individual determined eligible by the Community Support Services Specialist may receive the following service(s) if the need for those services is determined to exist by the Specialist and the individual with a significant disability.

(a) Community Services:

1. Community information and referral
2. Community and systems advocacy
3. Outreach

4. Community education
5. Publications
6. Maintaining registries
7. Other
- (b) Individual Services:
 1. Advocacy
 2. Assistive devices/equipment
 3. Children's services
 4. Communication services
 5. Counseling and related services
 6. Family services (*e.g.*, moving people out of nursing homes/institutions into integrated housing)
 7. Housing and shelter services
 8. Information and referral
 9. Independent living skills and life skills training and services
 10. Mental restoration
 11. Mobility training
 12. Peer counseling (including cross disability peer counseling)
 13. Personal assistance services
 14. Preventative services
 15. Prostheses and other appliances
 16. Recreational services
 17. Rehabilitation technology
 18. Transportation services

19. Vocational services

20. Other

Author: Alabama Board of Rehabilitation Services

Statutory Authority: Code of Ala. 1975, § 21-9-9(1); 29 U.S.C. § 796, *et seq.*

History: New Rule: Filed July 29, 1999; effective September 2, 1999. Repeal and New filed March 18, 2021.

795-9-1-.06 Financial Accountability.

(1) Only those funds necessary to provide the appropriate services to an eligible individual in the Community Support Services program shall be expended.

(2) Each eligible individual may be required to contribute financial resources and in-kind services toward the cost of their services, and the individual's financial situation will be reviewed periodically to determine the extent of their participation.

(3) Parents' income is no longer considered for eligibility deeming purposes at age 18.

(4) Any vendor providing services authorized by the Community Support Services program must agree not to make any charge to or accept any payment from the individual with a disability or their family for the services provided by the Alabama Department of Rehabilitation Services.

(5) All authorizations and expenditures for services will comply with the Community Support Services program procedure manual.

(6) Community Support Services program will ensure that when an individual is eligible for similar services and benefits under any other agency or organization, those services and benefits will be utilized to meet, in whole or in part, the cost of Community Support Services.

Author: Alabama Board of Rehabilitation Services

Statutory Authority: Code of Ala. 1975, § 21-9-9(1); 29 U.S.C. § 796, *et seq.*

History: New Rule: Filed July 29, 1999; effective September 2, 1999. Repeal and New filed March 18, 2021.

795-9-1-.07 Case Closure.

(1) An individual's case shall be closed when it has been determined that:

(a) An individual's Community Support goals are met, or

- (b) An individual's Community Support goals cannot be met, or
- (c) An individual chooses to no longer participate in the Community Support Services program, or
- (d) There is an existing risk to the health and safety of the individual in their home, or
- (e) An individual becomes financially ineligible, or
- (f) An individual is placed in a nursing home, or
- (g) An individual no longer meets the definition of an individual with a significant disability, or
- (h) An individual moves out of state, or
- (i) The location of the individual is unknown, or
- (j) The individual fails to cooperate in the following or any other ways:
 - 1. Destruction, misuse or abuse of provided assistive devices and equipment.
 - 2. Refusal or failure to provide accurate financial information or providing false information, or
- (k) The health and safety of Community Support Services staff is at risk in delivery of services, or
 - 1. The individual dies.
 - 2. When a determination is made to terminate services, the Community Support Services program shall notify the individual or family member in writing that the services are terminated and the reason for termination.

Author: Alabama Board of Rehabilitation Services

Statutory Authority: Code of Ala. 1975, § 21-9-9(1); 29 U.S.C. § 796, *et seq.*

History: New Rule: Filed July 29, 1999; effective September 2, 1999. Repeal and New filed March 18, 2021.