

Title 9: Chapter 1.7. Rights and Responsibilities of Individuals with Disabilities; Applicants; Eligible Individuals

§ 7029.7. Rights of Individuals with Disabilities; Applicants; Eligible Individuals.

(a) Any individual with a disability shall have a right to:

- (1) Be treated with respect for individual dignity, personal responsibility, self-determination, and pursuit of a meaningful career based on informed choice, consistent with principles established in Section 2 of the Act.
- (2) Apply for services from the Department in accordance with Section 7041 of these regulations.
- (3) Be referred by the Department to other appropriate Federal and State programs, including other components of the workforce investment system, under conditions specified in Section 7037 of these regulations, or be referred to a local extended employment provider under conditions specified in Section 7038 of these regulations.

(b) Any applicant or eligible individual, as appropriate, shall have a right to:

- (1) Be an active and full partner in the vocational rehabilitation process and exercise informed choice throughout the vocational rehabilitation process in accordance with Section 7029.6 of these regulations.
- (2) Have his or her eligibility determined within 60 days of the date of application, under conditions specified in Section 7060 of these regulations.
- (3) If determined to be eligible, have his or her priority category determined for the purposes of an Order of Selection in accordance with Chapter 2, Article 2 of these regulations.
- (4) Have personal information collected and maintained by the Department kept confidential and request that documentation in his or her record of services be amended in accordance with the requirements of Chapter 2, Article 6 of these regulations. The right to confidentiality shall continue after the record of services is closed.
- (5) If determined to be eligible, develop all or part of his or her Individualized Plan for Employment (IPE) in accordance with Chapter 2, Article 5 of these regulations and receive a periodic, but at least annual, review of his or her IPE in accordance with Section 7133 of these regulations.

(6) Receive appropriate services without undue delay, except where the delay results from circumstances beyond the Department's control, such as the absence of training openings at schools or facilities, or unanticipated changes in the program due to new information or conditions.

(7) Appeal any determination made by the Department that affects the provision of vocational rehabilitation services through administrative review, mediation, and fair hearing under conditions specified in Chapter 12 of these regulations. Determinations that may be appealed include a determination that an applicant is ineligible for services or that an individual who was previously eligible is no longer eligible for services.

NOTE: Authority cited: Sections 19006 and 19016, Welfare and Institutions Code. Reference: 29 USC Sections 701(a) and (c), 720, 721(a)(5), (19), and (20), and 722; 34 CFR Sections 361.36, 361.37, 361.38, 361.41, 361.42, 361.43, 361.45, 361.50, 361.52, and 361.57; Sections 1798.1, 1798.21, and 1798.35, Civil Code; and Sections 19000(d) and (e), 19011, and 19102, Welfare and Institutions Code.

Consumer Name

Consumer Signature

Date