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WELFARE AND INSTITUTIONS CODE - WIC

DIVISION 10. STATE DEPARTMENT OF REHABILITATION [19000 - 19806] (*Division 10 added by Stats. 1969, Ch. 1107.*)

PART 2. REHABILITATION SERVICES, PROGRAMS, AND FACILITIES [19100 - 19806] (*Part 2 added by Stats. 1969, Ch. 1107.*)

CHAPTER 1. General Provisions [19100 - 19104.5] (*Chapter 1 added by Stats. 1969, Ch. 1107.*)

19100. (a) The department shall provide the services defined and authorized by this part to individuals with physical or mental disabilities who are found to be eligible therefor.

(b) To the maximum extent appropriate, and consistent with federal law, existing information available from other programs and providers, particularly information used by education officials and the United States Social Security Administration, and information that can be provided by the individual with a disability or the family of the individual, may be used for purposes of determining eligibility for vocational rehabilitation services and for choosing rehabilitation goals, objectives, and services.

(Amended by Stats. 1993, Ch. 937, Sec. 14. Effective October 8, 1993.)

19101. Pursuant to federal law, the department may conduct an evaluation, when necessary, including, but not limited to, diagnostic and related services, necessary to determine eligibility for vocational rehabilitation services and for choosing rehabilitation goals, objectives, and services.

(Added by Stats. 1993, Ch. 937, Sec. 14.5. Effective October 8, 1993.)

19102. Pursuant to federal law, the department shall establish a priority order to be followed in selecting individuals to whom vocational rehabilitation services will be provided.

(Added by Stats. 1993, Ch. 937, Sec. 15. Effective October 8, 1993.)

19103. (a) Any individual with a disability, as defined in Section 19151, who requires vocational rehabilitation services to prepare for, enter, engage in, or retain gainful employment, is eligible for services under this chapter.

(b) For the purposes of Section 19151, it shall be presumed that an individual can benefit in terms of an employment outcome from vocational rehabilitation services unless it can be demonstrated by clear and convincing evidence that the individual is incapable of doing so.

(c) Eligibility determinations for vocational rehabilitation services shall be completed within the timeframes specified in federal law and, to the extent possible, shall rely upon the information specified in Section 19100.

(Added by Stats. 1993, Ch. 937, Sec. 16. Effective October 8, 1993.)

19104. (a) Subject to the limitation of Section 19102 and to the extent federal funds are available, an individualized plan for employment shall be developed for each individual determined to be eligible under this chapter.

(b) The individualized plan for employment shall do all of the following:

(1) Be designed to achieve the employment objective of the individual, consistent with the unique strengths, resources, priorities, concerns, abilities, and capabilities of the individual, and, to the maximum extent appropriate, to include placement in integrated settings.

(2) Be jointly developed and agreed upon by the eligible individual, or when appropriate the individual's parent, family member, guardian, advocate, or authorized representative, and the department. In developing the program, the department shall inform the individual about and involve the individual in choosing among alternative goals, objectives, available services, entities providing the services, and the methods used to provide or procure the services.

(3) Contain all of the information required by federal law and regulations, including a statement of the specific vocational goods and services, as defined in Section 19150, to be provided and the terms and conditions under which available goods and services will be provided, to the extent federal funds are available, to the individual in the most integrated setting.

(4) To the extent possible, utilize the information specified in Section 19100.

(Amended by Stats. 2016, Ch. 190, Sec. 4. (AB 2877) Effective January 1, 2017.)

19104.5. (a) For the purpose of ensuring, consistent with federal law, that eligible individuals are given meaningful, informed, and increased choices in the rehabilitation process, identification of all of the following shall occur for each eligible individual with the full participation of that individual:

(1) Possible alternative employment goals and outcomes that are consistent with the unique strengths, resources, priorities, concerns, abilities, and capabilities of the individual.

(2) The service options that are available to achieve the employment goals and outcomes selected by the individual.

(3) For each service selected by the individual, the entities available to provide those services.

(b) Choices made by the eligible individual in accordance with subdivision (a) shall be incorporated into the individualized plan for employment.

(Amended by Stats. 2016, Ch. 190, Sec. 5. (AB 2877) Effective January 1, 2017.)