

Texas Workforce Commission Vocational Rehabilitation Division

Temporary Exceptions to Certain Requirements in the Vocational Rehabilitation Standards for Providers Manual

Issued September 16, 2020

Reissued March 09, 2021

Note: A VR3472, Contracted Service Modification Request **must** be approved by the VR Director, for each customer, **before** services being provided.

This temporary exception is intended to support safe and continued service delivery to Texas Workforce Commission Vocational Rehabilitation Division (TWC-VR) customers in response to the COVID-19 pandemic. The following exception to the Vocational Rehabilitation Standards for Providers (VR-SFP) enables VR service providers to continue to provide essential services to TWC-VR customers during the COVID-19 pandemic. TWC-VR service providers must continue to refer to the VR-SFP for all other policies and procedures, which remain in effect and unchanged.

Please submit questions to VR.Standards@twc.state.tx.us.

Authority to Issue a Temporary Exception to Policy

On April 27, 2020, Governor Abbott issued the Governor's Report to Open Texas. The report and subsequent updates to the guidance therein emphasize the need for continued implementation of certain COVID-19 mitigation strategies by individuals, organizations, and businesses to ensure that Texas reopens safely and strategically. Furthermore, the Centers for Disease Control and Prevention continue to emphasize the importance of COVID-19 mitigation measures, including handwashing, practicing respiratory hygiene, maintaining at least six feet social distance, wearing cloth face coverings when social distance cannot be maintained, refraining from gathering in large groups, and staying home when feeling ill.

These orders instituted social distancing and other COVID-19 containment measures on a statewide basis.

March 9, 2021 Update

On March 2, 2021, [Executive Order GA-34](#) (EO-34) was issued by Governor Greg Abbott relating to the opening of Texas in response to the COVID-19 disaster. EO-34 removes operating limits for local businesses and other establishments and rescinds EO-29 which instituted a statewide order requiring mask-wearing. EO-34 is in effect beginning March 10, 2021.

While EO-34 rescinds the statewide mask-wearing mandate, it also strongly encourages Texans to continue to wear masks and follow safety protocols, including:

- Individuals are strongly encouraged to wear face coverings over the nose and mouth wherever it is not feasible to maintain six feet of social distancing from another person not

in the same household, but no person may be required by any jurisdiction to wear or mandate the wearing of a face covering.

- In providing or obtaining services, every person (including individuals, businesses, and other legal entities) is strongly encouraged to use good-faith efforts and available resources to follow the Texas Department of Health Services (DSHS) health recommendations.

In addition, EO-34 provides that:

- County judges may institute local orders, including mask-wearing, in counties that are part of a Trauma Service Region that has had seven consecutive days in which the number of COVID-19 hospitalized patients as a percentage of total hospital capacity exceeds 15 percent.
- Nothing in the executive order precludes businesses or other establishments from requiring employees or customers to follow additional hygiene measures, including the wearing of a face covering.

Therefore, VR providers are not required by the TWC VRD to wear a face covering while serving VR customers; however, VRD strongly encourages providers to continue to wear masks when serving VR customers to minimize risk to both provider staff and VR customers. Finally, nothing in EO-34 precludes VR providers from requiring mask-wearing by their employees and their customers, including VR customers.

Providers must continue to follow all other guidelines established by the CDC, federal, state, and/or local governments regarding COVID-19 health and safety protocols, such as social distancing. The COVID-19 temporary exceptions to the VRSM and VR SFP will remain in place until the valid through date, including the following exception regarding trainer-to-customer ratios.

Temporary Exception Period

Exception initially effective September 16, 2020, through December 31, 2020, and subsequently **extended January 1, 2021 through May 31, 2021**

VR-SFP Temporary Exception for Trainer-to-Customer Ratios

For the services listed in the table below, the trainer-to-customer ratio outlined in the VR-SFP may increase—to one trainer to eight customers—when the VR Director approves a COVID-19 Trainer-to-Customer Ratio VR3472, Contracted Service Modification Request. Keep the following in mind regarding the COVID-19 Trainer-to-Customer Ratio VR3472:

- The COVID-19 Trainer-to-Customer Ratio VR3472 must be approved before the service is provided.
- The VR counselor must indicate on the COVID-19 Trainer-to-Customer Ratio VR3472 that he or she has evaluated each customer's individual learning style and accommodation needs to determine whether the customer's needs can be met with the increased staff-to-customer ratio.
- VR-SFP contractors must conduct the training, meeting all requirements outlined in the VR-SFP for the service, including completing the required form documenting

the customer's abilities as it relates to the service definition.

- The approved COVID-19 Trainer-to-Customer Ratio VR3472 for the customer must be included when invoicing.

Note: If a contractor determines that a customer is unable to effectively learn and demonstrate the required skills, the contractor must contact the customer's VR counselor immediately.

Standards for Providers Service	Current Ratio	Temporarily Revised Ratio
Chapter 13, Section 13.3: Personal Social Adjustment Training Evaluation	1 trainer to no more than 6 customers	1 trainer to no more than 8 customers
Chapter 13, Section 13.4: Personal Social Adjustment Training	1 trainer to no more than 6 customers	1 trainer to no more than 8 customers
Chapter 13, Section 13.7: VAT Explore the "You" in Work	1 trainer to no more than 6 customers	1 trainer to no more than 8 customers
Chapter 13, Section 13.8: VAT Skills to Pay the Bills—Mastering Soft Skills for Workplace Success	1 trainer to no more than 6 customers	1 trainer to no more than 8 customers
Chapter 13, Section 13.9: VAT Soft Skills for Work Success	1 trainer to no more than 6 customers	1 trainer to no more than 8 customers
Chapter 13, Section 13.10: VAT Entering the World of Work	1 trainer to no more than 6 customers	1 trainer to no more than 8 customers
Chapter 13, Section 13.11: VAT Job Search Training—for Pre-Employment Transitional Services Only	1 trainer to no more than 6 customers	1 trainer to no more than 8 customers
Chapter 13, Section 13.12: VAT Disability Disclosure Training	1 trainer to no more than 6 customers	1 trainer to no more than 8 customers
Chapter 13, Section 13.13: VAT Money Smart—A Financial Education Training	1 trainer to no more than 6 customers	1 trainer to no more than 8 customers
Chapter 13, 13.15: VAT Specialized Evaluation	1 trainer to no more than 6 customers	1 trainer to no more than 8 customers
Chapter 13, 13.16: Vocational Adjustment Training Specialized	1 trainer to no more than 6 customers	1 trainer to no more than 8 customers
Chapter 13, 13.17: VAT Exploring Postsecondary Education and Training	1 trainer to no more than 6 customers	1 trainer to no more than 8 customers
Chapter 15: Pre-Employment Transition Services as described on the VR1825, Pre-ETS Curriculum Checklist	1 trainer to no more than 6 customers	1 trainer to no more than 8 customers

