

Enrolled
House Bill 2633

Sponsored by Representative HUNT; Representatives BUCKLEY, CLEM, KOMP

CHAPTER

AN ACT

Relating to vocational rehabilitation services; creating new provisions; and amending ORS 344.511.

Be It Enacted by the People of the State of Oregon:

SECTION 1. Section 2 of this 2007 Act is added to and made a part of ORS 344.511 to 344.690.

SECTION 2. (1) The Department of Human Services may refer a person for vocational training only to the following schools or programs:

- (a) A school that has accreditation recognized by the United States Department of Education.**
- (b) A school that has been approved by the Oregon Student Assistance Commission through the Office of Degree Authorization to offer and confer degrees in Oregon.**
- (c) A community college.**
- (d) A state institution of higher education within the Oregon University System.**
- (e) The Oregon Health and Science University.**
- (f) A career school licensed under ORS 345.010 to 345.450.**
- (g) An apprenticeship program that is registered with the State Apprenticeship and Training Council.**

(2) This section does not apply to vocational rehabilitation training.

SECTION 3. ORS 344.511 is amended to read:

344.511. As used in ORS 344.511 to 344.690 and 344.710 to 344.730:

- (1) "Department" means the Department of Human Services.**
- (2) "Director" means the Director of Human Services.**
- (3) "Disabled individual" means any person who has a substantial occupational handicap due to a physical or mental condition except blindness.**
- (4) "Maintenance" means money payments, during vocational rehabilitation, to individuals with occupational handicaps found to require financial assistance with respect thereto in order to effectuate the vocational rehabilitation of such individuals.**
- (5) "Occupational handicap" means a physical or mental condition other than blindness which, regardless of its origin, constitutes, contributes to, or, if not corrected, will probably result in, an obstruction to occupational performance or the condition of being an untrained individual.**
- (6) "Occupational licenses" means any license, permit or other written authority required by any governmental unit to be obtained in order to engage in any occupation.**
- (7) "Occupational tools, equipment and supplies" means such customary implements, appliances, apparatus, fixtures and materials as are necessary for the successful prosecution of the employment objective of an individual with an occupational handicap.**

(8) "Physical restoration" means any medical, surgical or therapeutic treatment necessary to correct or substantially modify an individual's occupational handicap within a reasonable length of time. The term includes but is not limited to medical, psychiatric, dental and surgical treatment, nursing services, hospital and convalescent home care, medical and surgical drugs and supplies, and prosthetic appliances, excluding curative treatment for acute or transitory conditions.

(9) "Prosthetic appliance" means any artificial appliance designed to support or take the place of a part of the body or to increase the acuity of a sense organ.

(10) "Rehabilitation training" means all training provided, directly or through public or private instrumentalities, to an individual to compensate for the occupational handicap of the individual. The term includes but is not limited to manual, preconditioning, prevocational, vocational, **vocational rehabilitation** and supplementary training and training provided for the purpose of achieving broader and more remunerative skills and capacities.

(11) "Severely handicapped individual" means a disabled individual who, because of the nature of disabilities, is not able to participate fully in competitive employment, and for whom specialized employment opportunities must be provided.

(12) "Untrained individual" means any person without mental or physical disability who has a substantial occupational handicap due to lack of occupational training, experience, skills or other factors and who is receiving and, in the opinion of the Department of Human Services, probably will continue to receive public assistance because of the occupational handicap of the individual.

(13) "Vocational rehabilitation" and "vocational rehabilitation services" mean any services necessary to enable an individual with an occupational handicap to engage in a remunerative occupation and include, but are not limited to, medical and vocational diagnoses, vocational guidance, counseling and placement, rehabilitation training, physical restoration, transportation, occupational licenses, occupational tools, equipment and supplies, maintenance and training books, supplies and materials.

(14) **"Vocational rehabilitation training" means skill training in which the basis and focus of the training are individualized or customized. "Vocational rehabilitation training" may include a focus on disability-related issues as those issues impact the skill training.**

(15) **"Vocational training" means occupational or skill training.**

Passed by House April 18, 2007

Received by Governor:

.....M.,....., 2007

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Chief Clerk of House

Approved:

.....M.,....., 2007

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Speaker of House

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Governor

Passed by Senate May 14, 2007

Filed in Office of Secretary of State:

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President of Senate

.....M.,....., 2007

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Secretary of State