IDAPA 15 – OFFICE OF THE GOVERNOR

IDAHO COMMISSION FOR THE BLIND AND VISUALLY IMPAIRED

15.02.04 – Rules Governing the Prevention of Blindness and Sight Restoration Program

Who does this rule apply to?
All individuals who apply for and are receiving services in the Prevention of Blindness and Sight Restoration program.

What is the purpose of this rule?
This rule governs the administration of the Prevention of Blindness and Sight Restoration program.

What is the legal authority for the agency to promulgate this rule?
This rule implements the following statute passed by the Idaho Legislature:

State Government and State Affairs -
Commission for the Blind and Visually Impaired:
- Section 67-5407, Idaho Code - Duties

Who do I contact for more information on this rule?

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Table of Contents

15.02.04 – Rules Governing the Prevention of Blindness and Sight Restoration Program

000. Legal Authority. 3
001. Title and Scope. 3
002. -- 009. (Reserved) 3
010. Definitions. 3
011. -- 099. (Reserved) 3
100. Provision Of Services On A Statewide Basis. 3
101. -- 109. (Reserved) 3
110. Eligibility. 3
112 -- 199. (Reserved) 4
200. Payment For Necessary Expenses. 4
201. -- 999. (Reserved) 4

15.02.04 – RULES GOVERNING THE PREVENTION OF BLINDNESS AND SIGHT RESTORATION PROGRAM

000. LEGAL AUTHORITY.
This chapter is adopted in accordance with Section 67-5407(d) and (e), Idaho Code. (4-2-08)

001. TITLE AND SCOPE.

01. Title. These rules are titled IDAPA 15.02.04, "Rules Governing the Prevention of Blindness and Sight Restoration Program." (4-2-08)

02. Scope. These rules include, but are not limited to, the procedure and practice requirements governing the provision of services under the Prevention of Blindness and Sight Restoration Program. (4-2-08)

002. -- 009. (RESERVED)

010. DEFINITIONS.

01. Blind or Visually Impaired. A person whose visual acuity with correcting lenses is not better than twenty/two hundred (20/200) in the better eye; or a person whose vision in the better eye is restricted to a field that subtends an angle of not greater than twenty (20) degrees; or a person who is functionally blind; or a person who is without any sight. (4-2-08)

02. Comparable Benefits or Services. Any benefit or service that exists under any other programs that is available to the client. Examples are, but not limited to, Medicaid, Medicare, private health insurance, and medical indigence programs for medication. (4-2-08)

03. Functionally Blind. A person with a visual impairment that constitutes or results in a substantial impediment to employment or substantially limits one (1) or more major life activities. (4-2-08)

04. Immediate Danger of Blindness. The status of an individual or client who is in danger of becoming blind or visually impaired within two (2) years. (4-2-08)

05. Prevention of Blindness and Sight Restoration Services. Treatment or surgery to prevent blindness or restore vision to clients without financial resources to procure such services for themselves. (4-2-08)

011. -- 099. (RESERVED)

100. PROVISION OF SERVICES ON A STATEWIDE BASIS.
Prevention of Blindness and Sight Restoration Services are offered on a statewide basis to individuals who are Blind or Visually Impaired or who are in immediate danger of Blindness, subject to eligibility and available funding. To apply, individuals must meet with a vocational rehabilitation assistant from the Commission to complete and sign an application. (4-2-08)

101. -- 109. (RESERVED)

110. ELIGIBILITY.
Eligibility of a client for Prevention of Blindness and Sight Restoration Services is based upon a determination by the Commission that a client is blind or visually impaired, functionally blind, or in immediate danger of blindness and that the client is without financial resources to procure services for themselves. Clients must also meet residency requirements as set forth in Subsection 110.02 of these rules. (4-2-08)

01. Demonstration of Financial Need. Only clients without financial resources to procure Services for themselves are eligible for Prevention of Blindness and Sight Restoration Services. Clients will undergo a financial needs assessment with Commission staff to determine whether financial eligibility requirements are met. (4-2-08)

02. Residency Requirements. In order to be eligible for Prevention of Blindness and Sight Restoration Services, a client must demonstrate the following residency requirements: (4-2-08)

a. If client is not a United States citizen, client must provide proof of his legal presence as a registered alien in the United States. (4-2-08)

b. Residence in the state of Idaho for a minimum of six (6) months; and (4-2-08)

c. Presence in the state of Idaho at the time of provision of Prevention of Blindness and Sight Restoration Services. (4-2-08)

112 -- 199. (RESERVED)

200. PAYMENT FOR NECESSARY EXPENSES.
The Commission's payment of necessary expenses associated with provision of Prevention of Blindness and Sight Restoration Services to eligible clients is subject to availability of funds during any single state fiscal year. In the event available funds for Prevention of Blindness and Sight Restoration Services are exhausted prior to the end of any single state fiscal year, eligible clients are placed on a waiting list until such time as funding is available to resume Prevention of Blindness and Sight Restoration Services. (4-2-08)

01. Upper Limits. Subject to Subsection 200.03 of these rules, the Commission will pay no more than five thousand dollars ($5,000) per eligible client for necessary expenses incurred for Prevention of Blindness and Sight Restoration Services during each eligible client's lifetime participation in the Blind Prevention and Sight Restoration Program. (4-2-08)

02. Comparable Benefits and Services. Eligible clients must apply for and secure any comparable benefits and services which shall be applied towards payment of necessary expenses incurred for Prevention of Blindness and Sight Restoration Services before any expenditure of Commission funds. (4-2-08)

03. Exceptions. Any exceptions to the individual lifetime limit per eligible client set forth in Subsection 200.01 of these rules are only granted upon approval of the Commission rehabilitation services chief. (4-2-08)

201. -- 999. (RESERVED)

Subject Index

D

Definitions 3
- Blind or Visually Impaired 3
- Comparable Benefits or Services 3
- Functionally Blind 3
- Immediate Danger of Blindness 3
- Prevention of Blindness & Sight Restoration Services 3

E

Eligibility 3
- Demonstration of Financial Need 3
- Residency Requirements 3

L

Legal Authority 3

P

Payment For Necessary Expenses 4
- Comparable Benefits & Services 4
- Exceptions 4
- Upper Limits 4

Provision of Services on a Statewide Basis 3

T

Title & Scope 3