**Department of Rehabilitation**

**Guidelines for Procuring Assistive**

**Technologies, Goods, and Services**

**(December 2021)**

The goal of the Department of Rehabilitation (DOR), as well as the California Assistive Technologies, Services, and Devices (Cal-ATSD) Suppliers Program, is to promote the timely delivery of assistive technology and related services by qualified suppliers/evaluators so that state employees with disabilities and DOR consumers can gain the benefits of reasonable accommodation through very specialized products and services designed to meet their individual needs with the least associated processes and steps possible.

Consumer Participation in Evaluation - To ensure that each individual has the opportunity to exercise Informed Choice (34 CFR §361.52),participation of the consumer in the evaluation process is paramount and consumers should play an active role in the selection of devices.

It is the internal policy of the Department of Rehabilitation (DOR) to use Community Rehabilitation Programs (CRPs) and existing community resources to meet the service needs of our consumers, with CRPs being the primary and preferred providers. This rule is in place based on the stringent accreditation, certification, and documentation that CRPs undergo before providing quality services to DOR consumers in a timely and cost-effective manner.

While it is DOR’s internal policy to use CRP’s and other community resources first, DOR employees are not able to receive services from CRPs, and there are situations where a CRP or community resource partner may not offer the vocational rehabilitation services or have the ability to provide timely services needed by DOR consumers in a specific geographic area of the state. In such situations, DOR may use non-CRPs to provide assessments (i.e., Cal-ATSD suppliers). However, in no case shall multiple service providers be authorized to concurrently provide the same service to a single consumer.

Non-CRPs may be used in instances such as the following:

1. There is a specific need for a service not offered by a CRP.

2. The needed service is not available from other community resources.

3. There will be a significant delay in the delivery of service from a CRP or other community resource.

Set forth below are guidelines established by DOR governing assistive technology evaluations for DOR consumers or employees.

1. An assistive technology evaluation or assessment means a comprehensive and impartial review of the assistive technology products and services which might help meet the disability-related needs of an employee with a disability or DOR consumer and a recommendation as to which of those products and/or services should be purchased by DOR.
2. An evaluation must include a review of available products which might meet the needs of the consumer or employee. Where more than one possible solution exists consumers and employees must be afforded the opportunity to try out multiple alternatives. These alternatives should be documented in the evaluation report.
3. Demonstrating a particular product or determining whether a person with a disability could benefit from the use of such a product is not considered an assistive technology evaluation. The rules set forth below do not apply to product demonstrations since a vendor does not submit an evaluation report or make recommendations to DOR on products or services after providing a demonstration.
4. It is DOR’s practice not to use organizations for evaluations if:
   1. The evaluator, organization, or group has a connection or relationship with another vendor/supplier of such a kind that it would be reasonable to believe that the relationship might influence the evaluator’s ability to remain impartial or result in a financial benefit from the recommendation of a product.
   2. An evaluator, organization, or group who conducts an evaluation recommends products for which they will receive a “finder’s fee” or other direct financial compensation as a result of the recommendation.
5. It is DOR’s practice not to purchase equipment or software from the same vendor who conducted the evaluation of the consumer or employee’s needs.

These practices are intended to avoid financial conflicts of interests prohibited by California state law.

1. The practices set forth in Section D and Section E may not be applied when doing so would:
2. Jeopardize timely provision of reasonable accommodation for a DOR employee as required by state and federal law; or
3. Make it difficult or impossible to meet a consumer or employee’s needs, given the circumstances of a particular case.
4. Should DOR encounter a situation where an evaluation is received recommending equipment or software that the purchase of poses a potential financial conflict of interest, DOR may conduct an additional evaluation, as appropriate to meet the needs of DOR and the consumer consistent with informed choice, or the employee consistent with their reasonable accommodation needs. An additional evaluation may include, but may not be limited to, a second full or partial evaluation by another vendor or a documentary review by an individual or entity knowledgeable with the equipment, services, or needs involved. The DOR will base its purchase on the information received from the additional evaluation and by the initial evaluation, as well as other information. A detailed description of the situation must be provided in the consumer’s case notes or the reasonable accommodation file.

If the DOR Contracts and Procurement Section Chief determines that a vendor has failed to comply with this requirement, DOR may cancel the authorization or contract.