

**§ 416.2203 Definitions.**

For purposes of this subpart:

*Accept the recipient as a client for VR services* means that the State VR agency determines that the individual is eligible for VR services and places the individual into an active caseload status for development of an individualized written rehabilitation program.

*Act* means the Social Security Act, as amended.

*Alternate participants* means any public or private agencies (except participating State VR agencies (see § 416.2204)), organizations, institutions, or individuals with whom the Commissioner has entered into an agreement or contract to provide VR services.

*Blindness* means “blindness” as defined in section 1614(a)(2) of the Act.

*Commissioner* means the Commissioner of Social Security or the Commissioner’s designee.

*Disability* means “disability” as defined in section 1614(a)(3) of the Act.

*Disability or blindness benefits*, as defined for this subpart only, refers to regular SSI benefits under section 1611 of the Act (see § 416.202), special SSI cash benefits under section 1619(a) of the Act (see § 416.261), special SSI eligibility status under section 1619(b) of the Act (see § 416.264), and/or a federally administered State supplementary payment under section 1616 of the Act or section 212(b) of Public Law 93-66 (see § 416.2001), for which an individual is eligible based on disability or blindness, as appropriate.

*Good cause* for VR refusal (as described in § 416.2213) is defined in § 416.1715 of this part.

*Medical recovery* for purposes of this subpart is established when a disabled or blind recipient’s eligibility ceases for any medical reason (other than death). The determination of medical recovery is made by the Commissioner in deciding a recipient’s continuing eligibility for benefits.

*Place the recipient into an extended evaluation process* means that the State VR agency determines that an extended evaluation of the individual’s VR potential is necessary to determine whether the individual is eligible for VR services and places the individual into an extended evaluation status.

*SGA* means substantial gainful activity performed by an individual as defined in §§ 416.971 through 416.975 of this subpart or § 404.1584 of this chapter.

*Special SSI eligibility status* refers to the special status described in §§ 416.264 through 416.269 relating to eligibility for Medicaid.

*State* means any of the 50 States of the United States, the District of Columbia, or the Northern Mariana Islands. It includes the State VR agency.

*Vocational rehabilitation services* has the meaning assigned to it under title I of the Rehabilitation Act of 1973.

*VR agency* means an agency of the State which has been designated by the State to provide vocational rehabilitation services under title I of the Rehabilitation Act of 1973.

*We, us, and our* refer to the Social Security Administration (SSA).

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**§ 416.2204 Participation by State VR agencies or alternate participants.**

(a) *General.* In order to participate in the payment program under this subpart through its VR agency(ies), a State must have a plan which meets the requirements of title I of the Rehabilitation Act of 1973, as amended. An alternate participant must have a similar plan and otherwise qualify under § 416.2206.

(b) *Participation by States.* (1) The opportunity to participate through its VR agency(ies) with respect to disabled or blind recipients in the State will be offered first to the State in accordance with paragraph (c) of this section, unless the State has notified us in advance under paragraph (e)(1) of this section of its decision not to participate or to limit such participation.

(2) A State with one or more approved VR agencies may choose to limit participation of those agencies to a certain class(es) of disabled or blind recipients. For example, a State with separate VR agencies for the blind and disabled may choose to limit participation to the VR agency for the blind. In such a case, we would give the State, through its VR agency for the blind,