



ADMINISTRATIVE RULES OF MONTANA



37.30.2510 ISSUANCE AND CONDITIONS OF CERTIFICATION

- (1) In order to be eligible to be a certified blind person for the purposes of this subchapter, one has to be an accepted client of the vocational rehabilitation program.
- (2) Criteria in the issuance of certification. Preference will be given to blind persons who are in need of employment for economic reasons and who are residents of the state of Montana, but in all instances certifications will be issued only to persons who meet the following criteria:
 - (a) the person has been determined to be blind as defined in ARM 37.30.2501(2) by the department;
 - (b) the person is a citizen of the United States;
 - (c) the person is at least 18 years of age;
 - (d) the person is determined by the department to be qualified to operate a business enterprise facility; and
 - (e) the person is determined by the department to be in need of vocational opportunities.
- (3) List of eligibles for placement:
 - (a) Applications for a position as a blind vendor will be accepted from anyone who meets the cited criteria. A record will be maintained of those applying. From this list of applications the department will select those suitable for training.
 - (b) Applicants who have successfully completed the training program or who have otherwise been certified as qualified blind vendors will be placed on the eligible list for placement in the following order:
 - (i) applicants who reside in the geographical area where a vacancy occurs or a new facility is being established;
 - (ii) substitute vendors who merit being placed as regular managers;
 - (iii) newly trained vendors; these persons will be placed on the list in order of their certification for the program;
 - (iv) former blind vendors who desire to return to the program and whose previous records do not preclude their return.
 - (c) The final selection for placement of blind vendors will be the decision of the department.
- (4) Initial placement to be probationary:

- (a) An applicant selected for placement as a blind vendor will initially be on probationary placement for a period of 6 months.
 - (b) The probationary placement is to provide for:
 - (i) adjustment of the blind vendor to the requirements of the physical environment;
 - (ii) adjustment of the blind vendor to the mental and physical requirements of a continuous work situation;
 - (iii) amelioration of any training deficiencies;
 - (iv) insuring that requirements of the building management can be satisfactorily filled.
 - (c) If during the probationary period the department determines that the probationary blind vendor is not successfully meeting the duties of facility operation or is unable to meet the requirements of the building management, the probationary appointment will be terminated unless extended at the discretion of the department.
- (5) Contracting:
- (a) The department will contract with certified blind vendors placed by the department for performance of their services.
 - (i) The contracts will be on an annual basis.
 - (b) Contract provisions will be in accord with these rules and may include other provisions as the department determines may be necessary for the conduct of the program, the furtherance of the services provided by the department to the vendor, and the assurance of the quality of services provided by the vendor.

Authorizing statute(s): Sec. 18-5-414, MCA

Implementing statute(s): Sec. 18-5-403, MCA

History: NEW, 1983 MAR p. 657, Eff. 6/17/83; AMD, 1984 MAR p. 991, Eff. 6/29/84; TRANS, from SRS, 1998 MAR p. 2040.