

STATE ASSURANCES

CLIENT ASSISTANCE PROGRAM GRANTS

SECTION 112 OF THE REHABILITATION ACT OF 1973, AS AMENDED

1. _____
(Name of Agency)
has been designated to operate the Client Assistance Program (CAP) under Section 112 of the Rehabilitation Act of 1973, as amended (Act).
2. The governor will not redesignate the above-named agency without good cause and only in compliance with provisions of Section 112(c)(1)(B) of the Act and the implementing regulations.
3. The designated agency is independent of any agency that provides treatment, services, or rehabilitation to individuals under the Rehabilitation Act; or the state is exempt from the independence requirement under Section 112(c)(1)(A) of the Act and the implementing regulations.
4. The designated agency has the authority to pursue legal, administrative and other appropriate remedies to ensure the protection of the rights of individuals with disabilities in the state who are seeking or receiving treatment, services, or rehabilitation under the Act.
5. The authority to pursue remedies described in paragraph 4 includes the authority to pursue those remedies against the state vocational rehabilitation agency and other appropriate state agencies. The designated agency meets this requirement if it has the authority to pursue these remedies either on its own behalf or by obtaining necessary services, such as legal representation, from outside sources.
6. The state will ensure that all entities conducting, administering, operating, or carrying out programs within the Section will advise all individuals seeking or receiving services under the Act of the existence of the CAP, the services provided by the CAP, and how to contact the CAP.
7. The designated agency will submit to the Secretary an annual report on the operation of the CAP during the previous year consistent with 34 CFR 370.44, including a summary of the work done and the uniform tabulation of all cases handled by the CAP in the format prescribed by RSA.

Assurances are no longer an annual requirement

8. Pursuant to Section 21 of the Act, the designated agency will address the needs of individuals with disabilities from minority backgrounds in the manner set forth in the state's application for CAP assistance.
9. A state must provide to the Secretary, as part of its application for assistance, an assurance that direct payment to the designated agency is not prohibited by or inconsistent with state law, regulation, or policy.
10. The designated agency will meet each of the requirements set forth in Section 112 of the Act and 34 CFR Part 370.

(Signature of Governor)

Date _____

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