**Section 567.20 Definition of Comparable Benefits**

a) Comparable benefits means benefits that are:

1) Provided or paid for, in whole or in part, by other federal, State, or local public agencies, by health insurance, or by employee benefits;

2) Available to the individual at the time needed to ensure the progress of the individual toward achieving the employment outcome in the individual's individualized plan for employment in accordance with 34 CFR 361.53; and

3) Commensurate to the services that the individual would otherwise receive from DHS-DRS.

b) Comparable services and benefits do not include awards and scholarships based on merit.

c) DHS-DRS customers pursuing post-secondary education and training at an institution of higher education shall comply with Section 22-87 of the Illinois School Code (105 ILCS 5/22-87). Customers not eligible to receive benefits under the Free Application for Federal Student Aid (FAFSA) are not required to apply. Customers must also comply with 89 Ill. Adm. Code 567.100.

d) Customers requesting medical services or physical restoration services shall, unless there is clear evidence of ineligibility, make formal application for Medicaid benefits and complete the process to determine Medicaid eligibility. Eligibility or ineligibility for Medicaid benefits shall not, in any way, affect the eligibility for Vocational Rehabilitation services from DHS-DRS. Clear evidence of ineligibility includes, but is not limited to, a service that is not covered under the Medicaid program, a customer whose income/assets would exceed the Medicaid limit, or a customer who does not meet categorical eligibility for Medicaid. Counselors must document instances where customers are not eligible to receive Medicaid benefits.

e) Monetary awards, contributions and gifts that are specific or restricted as to use shall be used as intended (e.g., scholarships earmarked for use for college tuition costs or general college expenses) and are an available comparable benefit or service that reduces the customer's need for those services from DHS-DRS. Unrestricted scholarships and awards based on merit do not constitute comparable benefits.

f) Student loans are not considered a source of comparable benefits.

(Source: Amended at 47 Ill. Reg. 13555, effective September 7, 2023)