

WAC 388-891A-0707 When may DVR require that I participate in a risk assessment, and how are the results of a risk assessment used by DVR? If a DVR counselor receives information or records that reasonably lead the DVR counselor to believe you have a history of violent or predatory behavior:

(1) A DVR counselor will discuss your history with you to better understand your situation.

(2) You must participate in a risk assessment conducted by a licensed psychiatrist, psychologist, counselor, certified sex offender treatment provider, or other qualified professional prior to developing a plan for employment. The risk assessment is for the purpose of determining the level of risk you present to yourself, members of the community, or others in an employment situation.

(a) DVR must consider the results and recommendations of the risk assessment in developing the plan for employment, including any restrictions relating to employment outcome or employment setting.

(b) If the results of the risk assessment indicate a potential risk to individuals you may encounter while receiving services or working, you must consent to release information about the behavior to a potential service provider or potential employer prior to referral for services.

(3) If the results and recommendations of a current risk assessment are available, the DVR counselor must consider those results and recommendations when developing the plan for employment, including any restrictions relating to employment outcome or setting.

(a) For the purposes of determining a current risk, the DVR counselor must use assessments conducted within the previous two years.

(b) If any information becomes available that would require a reevaluation of a previous assessment, you must participate in a new risk assessment.

(c) If the results of a current risk assessment indicate a potential risk to individuals you may encounter while receiving services or working, you must consent to release information about the behavior to a potential service provider or potential employer prior to referral for services.

(4) If you are currently participating in a treatment plan and you and your provider agree to release reports to DVR that demonstrate your current status, the DVR counselor must consider that information when developing the plan for employment, including any restrictions relating to employment outcome or setting. If the information contained in your provider's reports indicates a potential risk to individuals you may encounter while receiving services or working, you must consent to release information about the behavior to a potential service provider or potential employer prior to referral for services.

[Statutory Authority: RCW 74.29.020(8) and 34 C.F.R., Parts 361, 363, 397. WSR 18-12-035, § 388-891A-0707, filed 5/29/18, effective 6/30/18.]