

# Understanding Order of Selection



## What Is Order of Selection?

When all customers eligible for the Vocational Rehabilitation (VR) program cannot be served due to limited resources, federal law requires the VR agency – in this case the Kentucky Office of Vocational Rehabilitation (OVR) – to define categories which establish the priority order in which customers will be served. This law requires OVR to give highest priority to customers with the most significant disabilities. It also requires OVR to serve customers in the other categories in priority order as funds become available. This is called an Order of Selection (OOS). The OOS categories are called priority categories. OVR opens and closes priority categories based on available resources.

## How does OOS affect services?

If you are eligible for OVR services, your Vocational Rehabilitation Counselor (VRC) assigns you to one of the priority categories based on the significance of your disability to employment. If your priority category is open, you can receive the full range of VR services. If it is closed, you will be notified that you are on a waiting list and will be provided information and referral services only. However, if you are a student receiving the five required OVR Pre-Employment Transition Services (Pre-ETS) before being determined eligible for OVR services, you can continue to receive Pre-ETS services if you are determined eligible and placed on the waiting list.

## What is functional limitation and what determines a serious functional limitation?

A functional limitation is a barrier to employment due to a disability that affects one of these functional capacity areas: mobility, self-direction, self-care, interpersonal skills, communication, work tolerance, or work skills. A serious functional limitation means the individual requires accommodations or services not typically needed by other individuals to prepare for, enter, keep or advance in employment.

## If I am placed on the OOS waiting list, when will I be served?

As funding allows, the agency may serve individuals from the waiting list based on the highest priority category and date of eligibility. When a category opens, OVR may serve all customers in that category and will do so based on date of application. OVR will notify you as soon as your assigned category opens, and when you can receive services. After 12 months, if your category remains closed, your counselor will contact you to

discuss whether you wish to stay on the waiting list. Your name may remain on the waiting list for as long as you choose.

### **Am I automatically served if I receive SSI or SSDI?**

A person who receives SSI or SSDI benefits is presumed eligible for OVR services, but their priority category is determined on an individual basis. All individuals interested in services must apply at their local OVR office and be interested in looking for competitive employment.

### **May an OVR office serve more categories than another office?**

No. OVR is required to establish a statewide Order of Selection waitlist. Individuals found eligible for services will be placed on the statewide waitlist and will be taken off the waitlist and served as soon as resources allow, based on the priority categories being served and date of application.

### **Will I receive priority with OVR if I receive services from another program or if my financial resources are limited?**

No. Priority is not based on the referral source, other services received or one's financial situation.

### **Will there be a periodic review of my functional limitations?**

If you are on the waiting list and believe your disability has become more significant, you may contact your vocational rehabilitation counselor to request a review of your priority category assignment. Supporting documentation may be requested.

### **What if I do not agree with my priority category assignment?**

You may request an informal review of the decision by contacting your counselor and/or their supervisor. You may also request a formal appeal of the decision in the form of a mediation or fair hearing. To request an appeal by phone, email or letter, please contact:

#### **KY OVR - Director of Field Services**

500 Mero Street, 159SC, Frankfort, KY 40601

1-800-372-7172

[OVRAppeals@ky.gov](mailto:OVRAppeals@ky.gov)

To contact CAP, please visit: [kypa.net/get-help](http://kypa.net/get-help) or call 1-800-372-2988

### **Where else may I seek services if I am on the waiting list?**

OVR staff in your local office will tell you about other employment-related resources in your area. You are also encouraged to visit the Kentucky Career Center website for additional information. [KCC.ky.gov](http://KCC.ky.gov)

## What are the Priority Categories?

OVR currently has four priority categories:

### Category 1:

Individual with a most significant disability is an individual with a disability who has been determined eligible for vocational rehabilitation services, requires multiple vocational rehabilitation services for a period of six (6) months or more, and experiences serious limitations in four (4) or more areas of functional capacity, in terms of an employment outcome.

### Category 2:

Individual with a significant disability is an individual with a disability who has been determined eligible for vocational rehabilitation services, requires multiple vocational rehabilitation services for a period of six (6) months or more and experiences serious limitations in three (3) areas of functional capacity, in terms of an employment outcome.

### Category 3:

Individual with a significant disability is an individual with a disability who has been determined eligible for vocational rehabilitation services, requires multiple vocational rehabilitation services for a period of six (6) months or more, and experiences serious limitations in one (1) to two (2) areas of functional capacity, in terms of employment outcome.

### Category 4:

Individual with a significant disability is an individual with a disability who has been determined eligible for vocational rehabilitation services, requires multiple vocational rehabilitation services for a period of six (6) months or more, and experiences serious limitations in one (1) to two (2) areas of functional capacity, in terms of employment outcome.



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(Document Revised February 2026)