

**RULES
OF
TENNESSEE DEPARTMENT OF HUMAN SERVICES
REHABILITATION SERVICES DIVISION**

**CHAPTER 1240-08-06
SERVICES TO GROUPS**

TABLE OF CONTENTS

1240-08-06-.01	Repealed	1240-08-06-.03	Establishment of Rehabilitation Facilities
1240-08-06-.02	Construction of Rehabilitation Facilities		

1240-08-06-.01 REPEALED.

Authority: T.C.A. §§ 4-5-202, 49-11-604(b), 71-1-105(12), 71-4-607(b)(2), and 71-4-1201, et seq.; 29 U.S.C. §§ 720, et seq.; 34 C.F.R. §§ 361.22, 361.49, and 361.53; and Executive Order No. 43.

Administrative History: Original rule filed September 30, 1985; effective October 30, 1985. Amendment filed July 12, 2002; effective September 25, 2002. Repeal and new rule filed June 30, 2009; effective September 13, 2009. Repeal filed October 5, 2017; effective January 3, 2018.

1240-08-06-.02 CONSTRUCTION OF REHABILITATION FACILITIES.

- (1) DRS provides construction of public or other non-profit rehabilitation facilities in conformity with federal and state law and regulations.
- (2) DRS maintains a State Rehabilitation Facilities Plan, which includes an inventory of rehabilitation facilities and services available within the State and a description of the utilization patterns of the facilities and their utilization potential. Any construction of rehabilitation facilities will be in conformity with this Facilities Plan.

Authority: T.C.A. §§ 4-5-202, 49-11-601, et seq., 71-1-104, 71-1-105(12), and 71-4-1201, et seq.; 29 U.S.C. §§ 720, et seq.; 34 C.F.R. §§ 361.60 and 361.61; and Executive Order No. 43. **Administrative History:** Original rule filed September 30, 1985; effective October 30, 1985. Amendment filed July 12, 2002; effective September 25, 2002. Repeal and new rule filed June 30, 2009; effective September 13, 2009.

1240-08-06-.03 ESTABLISHMENT OF REHABILITATION FACILITIES.

- (1) DRS will determine that need for the establishment of any rehabilitation facility has been demonstrated in the inventory of rehabilitation facilities contained in the State Facility Plan.
- (2) Facilities will meet any departmental standards, provide primarily vocational rehabilitation services to applicants or eligible individuals, and take affirmative action to employ or advance in employment qualified individuals with disabilities.
- (3) Establishment grants to facilities (public or non-profit) may be used to provide initial or additional staffing, expansion, remodeling, or alteration of existing buildings and initial equipment.

Authority: T.C.A. §§ 4-5-202, 49-11-602(4), 49-11-607(b)(1), 71-1-105(12), 71-4-602(13), 71-4-607, and 71-4-1201, et seq.; 29 U.S.C. §§ 720, et seq.; 34 CFR § 361.33; and Executive Order No. 43.

Administrative History: Original rule filed September 30, 1985; effective October 30, 1985. Amendment filed July 12, 2002; effective September 25, 2002. Repeal and new rule filed June 30, 2009; effective September 13, 2009.