What is an IPR?

Our country, as a full-fledged member of international organizations, has naturally been called upon to observe the regulations of such organizations, concerning the lives of the disabled—primarily, the Standard Rules on the Equalization of Opportunities for Persons with Disabilities, of the United Nations Organization. In doing so, the state recognizes the right of persons with disabilities to fully participate in public life, and has begun work on their integration and adaptation into modern life.

Nevertheless, it is entirely natural that all people with physical restrictions or limited intellectual development, despite the general [Russian] term *invalid* [=disabled person], have various, different opportunities to perform active and independent lives. It is impossible to compare the needs of, for example, a wheelchair-bound disabled person, with those of an unseeing person. And even within a single category of physical disabilities, the interests, desires and day-to-day aspirations of specific people can differ widely. Therefore, the restoration of each *disabled person* to a full life is a unique process for each individual. The Individual Rehabilitation Program (IPR) was invented to take into consideration all the unique characteristics of rehabilitation of each individual with disabilities.

The Federal Law On Social Protection of Disabled Persons (article 11) defines IPR as follows: “medical and social expert assessment of the set of optimal rehabilitative measures for a disabled person, developed on the basis of a decision by an authorized agency responsible for management of federal establishments, and including specific types, forms, amounts, schedules and procedures of medical, professional and other rehabilitative measures, aimed at restoring or compensating for disrupted or absent functions of the organism, and restoration or compensation of the abilities of a disabled person to perform specific types of activity.”

What does a disabled person get from filling out an IPR?

A disabled person’s Individual Rehabilitation Program is the main mechanism for performing the rehabilitation of disabled persons.

At the current time, many aspects of the rehabilitation process are resolved more effectively, and regulated together with representatives of the authorities at all levels, where a disabled person possesses an IPR. One can cite the example of arranging employment—currently, no disabled person can be registered as unemployed at labor exchanges without filling out an IPR for this purpose. Without an IPR, it is difficult to gain an education (higher and secondary special educational establishments require disabled persons to provide an Individual Rehabilitation Program when submitting their application documents, or to acquire a new profession without paying fees, and then to secure employment. Using the IPR you can gain access to the technical rehabilitation resources you need, and to rehabilitation services; special conditions can be stipulated in the IPR, which must then be provided for you in the academic institution where you study, or in the organization where you work.

It should be noted that the state can not always provide the rehabilitation service you require. The IPR contains both rehabilitation measures, provided for a disabled person for free, in compliance with the Federal List of Technical Resources and Services Provided to Disabled Persons, and rehabilitation measures, which are partly paid for by the disabled person himself or other persons or organizations, of any organizational or legal status, or type of ownership.

For this reason, IPR cards may indicate not just a state organization as the executor. Moreover, the organization indicated as executor must be that organization, which will provide the necessary rehabilitation services in the optimal manner. If you have already paid for rehabilitation services or acquired technical rehabilitation resources listed in an IPR card, the state must compensate those expenses to you.
Thus, the creation of a personalized IPR is a means of resolving your problems, related to your disability and the opportunity to fulfill your life goals and desires with the help of the state authorities.

How is an IPR card filled out?

IPR cards are compiled on the basis of a decision by a federal medical and social expert agency. Therefore, a request to complete an IPR should be made at the location where you received or will receive your disability certificate [svidetelstvo ob invalidnosti], specifically, the local branch of the Medical and Social Expert Office (BMSE or MSE office, previously known as VTEKs, before restructuring). You can find a BMSE at your local district polyclinic, although they are subordinate to the RF Ministry for Healthcare and Social Development.

However, not all disabled people are registered by district with their local MSE offices. As a rule, those with visual impairments are registered with the specialist eye MSE, and must obtain IPRs there.

To obtain an IPR, you must contact your attending physician, and request a referral to a BMSE. Then you need to apply to the BMSE, submitting the referral from your attending physician and two copies of an application following the below template:

SAMPLE APPLICATION

To the Medical and Social Expert Office in _ district
In the name of ______________________________________________
(Surname, first name, middle name, unabbreviated)
Of disability group ________,
Residing at the address:____________________________
____________________________________________________________________
(the mailing code and address must not be abbreviated)
telephone: ______________

APPLICATION

Please compile an individual rehabilitation program for me.

(in the application, it is a good idea to indicate the measures, resources and services for all three forms of rehabilitation (medical, vocational and social) which you require to ensure that you have opportunities, equal to those of other citizens. Often, MSE agencies use a standard application form that does not leave room to add information. If this is the case, it is worthwhile writing down all your requests in an appendix, and adding to the application the words “Please consider the appended recommendations”).

Date________________               Signature _________________

Deliver one copy of the application to the BMSE together with the referral, insisting that the second copy is signed (that is, the registrar must make a note, stating that documents have been received, indicating the date and his or her position, and sign), which you are to keep, in order to later, in case you need to check up on the process later.

In order for an IPR to be developed for you, together with the referral of your attending physician, it is also necessary to submit a copy of your proof of disability note [spravka ob
invalidnosti], and two copies of the application to the BSME. An appendix to the application can include recommendations from independent experts who have rendered rehabilitative assistance to the disabled person, as MSE experts often do not possess the complete set of information about your needs, or sufficient qualifications to determine your rehabilitation potential.

It should be remembered that an application for an IPR to be developed can be made at an MSE office not only during the period of re-assessment of certification. An IPR card is made up each year, including in those cases, where a disability is identified and no certification re-assessment period is set.

An IPR must be developed no later than one month after the submission of the written application.

In compliance with RF Government Decree No. 965, dated August 13, 1996, the MSE is bound to compile IPRs for every disabled person. However, BMSE experts sometimes suggest that the parents of disabled children (or adult disabled people themselves) sign a statement declining an individual rehabilitation program, claiming that this step is not worth taking, that rehabilitation is ineffective, or claiming an absence of technical devices, services, or material resources, necessary to fulfill an IPR. Such a request by a BSE is illegal.

What can be included in a completed IPR card?

By order of the RF Ministry of Health care and Social Development No. 287 of November 29, 2004, a universal IPR form was adopted, which can be divided into several sections. It begins with detailed personal information about the disabled person. This section, apart from standard personal data, includes the following information:

- level of education (general and vocational);
- professions and specialties, qualifications and work record at time of re-assessment (if any);
- disability group and the reason for the disability; the degree of limitation of the ability to work.

Based on objective data, a rehabilitation program is compiled. The IPR card consists of four rehabilitation programs:

- a medical rehabilitation program;
- a social rehabilitation program;
- a vocational rehabilitation program;
- a psychological/pedagogical rehabilitation program for disabled children.

Medical rehabilitation of disabled people is performed with the goal of restoring or compensating for absent or disrupted functions, to return them to a socially-valuable level. The rehabilitation process includes more than just medical assistance.

Medical rehabilitation includes:

1. **Restorative therapy:**
   - mechanotherapy
   - physiotherapy
   - kinesitherapy
   - massage
   - acupuncture
   - mud and bath therapy
   - traditional therapy
   - occupational therapy
   - speech therapy training, etc.

2. **Reconstructive surgery:**
   Cosmetology, organ-protecting and organ-restorative surgery methods.
3. **Prosthetic-orthopedic assistance**, including provision of prosthetics, orthopedic and other auxiliary devices, including any necessary adjustment, repair and replacement, as well as training in their use.

4. **Provision of technical devices for medical rehabilitation:**
   - urinals
   - colostomy bags
   - hearing aids
   - provision of information services on medical rehabilitation issues.

5. **Treatment at sanatoria and health resorts** for non-working disabled people is offered by the public social protection agencies; for disabled people requiring treatment in specialized TB clinics—by healthcare agencies; for working disabled people—from the Social Insurance Fund by place of employment.

6. **Medical and social patronage of families of disabled people.** The legend “required” or “not required” is entered, in compliance with the conclusion of the federal BMSE.

The social rehabilitation section can include:

1. Information and consultation on rehabilitation issues.
2. Offering legal aid.
4. Adaptive training for domestic and public activities:
   - When performing personal hygiene tasks
   - Clothing and footwear devices that allow independent dressing
   - When preparing and consuming food
   - When tidying premises, washing dishes, or washing clothes
   - Self-care skills
   - Movement skills
   - Skills of orientation in one’s habitat
   - Personal safety and security skills
   - Communication skills, including with the help of technical devices
   - The ability to independently perform measures to prevent the development of one’s illness, to correctly use medical devices for self-monitoring, and to restore functions
     - Help in starting a family, training in family and marital relations
     - Training in food preparation (including for individual diets)
     - Provision of information on vitally-important issues
     - others

5. Need for technical rehabilitation resources:
   - Personal devices for movement (walking sticks, crutches, wheelchairs, vehicles, etc.)
     - Technical devices and equipment for self-care
     - Technical devices and equipment for the preparation of food
     - Technical devices for training and vocational classes (special furniture, manipulators, devices and equipment)
   - others

6. **Psychological rehabilitation:** aimed at promoting confidence in one’s abilities, focusing goals, enhancing positive qualities, an optimistic look-out on life, as well as psychotherapeutic assistance, aimed at correcting the subject’s relationships.

7. **Sociocultural rehabilitation:**
• Visiting friends, relatives, acquaintances, places of recreation and entertainment, and cultural sites
• provision of special devices for leisure activities (devices for reading, computer games, special developmental games, etc.)
• other

8. Rehabilitation using physical culture and sports resources:
• classes in sports the individual can play;
• rendering assistance in interacting with sports organizations;
• other

Vocational/professional rehabilitation of a disabled person is the process and system of restoring the ability of a disabled person to compete on the labor market.

The vocational rehabilitation program includes the following measures and services:
1. professional orientation
2. recommendations on the working conditions and types of labor, that are appropriate for the individual, and those that are contraindicated
3. professional training (retraining)
4. help in securing employment
5. rehabilitation devices for vocational training (retraining) or labor

Psychological/pedagogical rehabilitation. This new section of the IPR is for children aged under 18, to include interventional recommendations for pre-school education, basic education and vocational education. This is a very important change, as when a record is made about the need to receive one or other type of education, and the executor is indicated, the parents may find it easier to defend their child’s right to an education. The school or kindergarten indicated in the IPR must accept the child. This section includes the following measures and services:
1. Obtaining pre-school up-bringing and education. A record is made of the specific type (form) of pre-school educational institution.
2. Obtaining general education. The level (primary or secondary) and type of educational institution is indicated (regular, general education, special group of regular general educational institution, special (interventional) general educational) and the form of education.
3. Psychological/pedagogical interventional work. A record is made of the types of psychological/pedagogical correction (correction of speech impairments, emotional-volitional disorders, etc.)
4. Technical rehabilitation resources for training. A list of technical rehabilitation devices is indicated.
5. Social-pedagogical patronage of families with disabled children.

Any rehabilitation program contains information about the executor of the rehabilitation measure, and the period of time, in which the recommended measure is to be executed. In addition, there must also be notes confirming implementation, in the corresponding sections.

Upon completion of the IPR fulfillment period, a written conclusion is drawn up, assessing the results for all of the rehabilitation programs thus compiled:
1. Assessment of the results of medical rehabilitation.
2. Assessment of the results of vocational rehabilitation.
3. Assessment of the results of social rehabilitation.
4. Assessment of the results of psychological/pedagogical rehabilitation.
5. Special notes on the implementation of the IPR.

What to do if there are disagreements with the medical and social expert assessment office on how to fill out the IPR card?

The IPR is considered to have been completed when it is signed by the disabled person or his/her legal representative. In the old form of IPRs, the disabled person had to sign each page, confirming his or her agreement with the contents of each section of the IPR, whereas in
the new form of the IPR only one signature is needed. In case of disagreement with the contents of the IPR (not all recommendations were taken into account, or there is disagreement with certain recommendations), the disabled person can appeal by submitting an application to the Head MSE office for the region, and then to the Federal MSE office, which is managed by the RF Ministry for Healthcare and Social Development. A copy of the IPR is to be appended to the application. Based on an examination and discussions with the disabled person, a conclusion is made on the disputed issues. If the claims are justified, then a new IPR card is compiled, with new recommendations, which is signed by the chair of the expert committee and certified by a stamp of the regional MSE head office.

The next level of appeal for those who disagree with the conclusions of the experts is a court of law.

**Once more about IPRs.**

An important change in the rehabilitation of disabled people consists in the fact that there is only the federal list of rehabilitation measures, technical rehabilitation devices and services, provided to a disabled person free of charge, on the condition that these measures are included in the IPR. The disabled person and his sponsors are to pay for all other measures included in the IPR.

The RF Government passed Decree No. 1343-r on October 21, 2004, ‘On the approval of a federal list of rehabilitation measures, technical rehabilitation devices and services, provided to disabled people’. The RF Government Decree of December 30, 2005 contains an additional list of technical rehabilitation devices and services.

The procedure for provision of technical rehabilitation devices was determined by RF Government Decree No. 771 of December 12, 2004, ‘On approval of the Rules for the provision in 2005 of technical rehabilitation devices to disabled people, and prosthetics (excluding dental prosthetics), and orthopedic prosthetic devices to certain categories of citizens, qualifying as veterans, at the expense of the federal budget.’

Order No. 287 of the RF Ministry for Healthcare and Social Development of 11/29/2004 approved the ‘Individual disabled person rehabilitation program form, issued by federal medical and social expert assessment agencies.’

The volume of rehabilitation measures stipulated by an individual disabled person rehabilitation program cannot be less than that, established by the Federal List of Technical Devices Provided to Disabled People.

In compliance with the Law On Social Protection of Disabled People in the Russian Federation (article 11), an IPR “is subject to mandatory execution by the appropriate agencies of state authority, agencies of local self-government, and other organizations of any organizational and legal status, or form of ownership.” This means that state organizations and establishments, the status of which means that they can assist in implementing an IPR, do not have the right to refuse to fulfill an IPR.

However, for the disabled person himself, under article 11 of the Law, the IPR only has the status of a recommendation. A disabled person (or person representing the disabled person’s interests) may decline an entire individual rehabilitation program, or decline the implementation of specific parts thereof. But this exempts the corresponding state agencies and organs of local self-government, as well as other organizations of any organizational and legal status, and form of ownership, from responsibility for the implementation of the IPR, and does not give the disabled person the right to compensation, equal to the cost of rehabilitation measures provided free-of-charge.

**Actions to be taken by a disabled person after completing an IPR card.**

After an IPR card has been filled out for you, and you agree with all the contents of the card, you and the head of the BMSE must sign three copies of the compiled IPR card and certify them with a stamp. One copy remains at the BMSE, the second is issued to you personally, and the third is sent to the local agency of public social protection to monitor IPR implementation. In addition, in certain regions (such as Samara Oblast) you will be personally
issued with a tear-off coupon for the employment service, which you can take to the local Employment Center, to be registered as unemployed at the labor exchange. If such coupons are not provided in your area, then you can contact the above office with your copy of the IPR card. Many disabled people are concerned about registering at labor exchanges, as they may lose local additions to their pension (if there are such in your area) by doing so, but after registration they can receive unemployment benefit, which more than compensates their financial losses. However, the issue of unemployment benefit is not a simple matter, so you should try to become familiar with the whole mechanism for accrual of unemployment benefits for your individual case. In addition, having the corresponding record in the vocational rehabilitation section, you will be able to receive retraining, and then secure employment via the labor exchange in a field of interest to you (for example, such popular professions as web designer or office manager). Moreover, if you require, the unemployment office must create a special position for you.

In addition, the IPR card contains a space, near each measure included, entitled “responsible for implementation”, which must in all cases be filled out and, most likely, one of the state agencies will be indicated. This will be the agency that you need to contact, to ensure that the measure is implemented.

Choosing an IPR executor.

A key factor when filling out an IPR card is the choice of executors. The executor is indicated in the space opposite each rehabilitation measure. Due to the new IPR form, the procedure for indicating the executor of one or other rehabilitation measure has slightly changed. Previously, the executor was always indicated by the BMSE, but now that agency only appoints some of the executors, for example, when providing technical rehabilitation devices, the executor is indicated by the executive agency of the social insurance fund, while the executors of certain measures are appointed by the local social protection agency.

The disabled person, or his legal representative, should remember that the tasks of rehabilitation, in compliance with article 9 of the Federal Law On Social Protection of Disabled People, is the elimination or greatest possible compensation of restrictions to day-to-day activities, caused by a disability. Therefore, IPR executors should be selected from among those organizations or persons who are able to meet the task set, in the optimal manner. These may be state or non-government organizations with any types of ownership.

Let’s look at possible options for participation by BMSE experts and persons with disabilities (or their legal representatives) in selecting IPR executors.

1. The IPR executors are specific state establishments.

Usually, MSE agencies or other agencies propose as IPR executors one or a number of specific state institutions which, in their opinion, offer the necessary services or means of rehabilitation. If you consider that the organizations proposed by the MSE can execute the IPR to the appropriate standard, you may use the opportunity thus offered.

After completing a rehabilitation course or provision of technical devices, the IPR executor organization places a note in the IPR card, reporting the implementation of measures.

IPR services are rendered to disabled people by state establishments, free-of-charge.

However, the law leaves you the right to select an IPR executor yourself, in place of the institution proposed by the MSE.

2. IPR executors are not specific organizations, but institutions of a particular type.

MSE bodies, or other agencies, may name as executors not specific organizations, but organizations of a specific type, which are responsible for training or social rehabilitation with respect to disabled people (for example, “social service center” or “____-type school”).

In practice, it is in far from all cases that such organizations agree to fulfill such rehabilitation tasks placed before them. For this reason, one can start by enquiring (by way of
registered-mail correspondence) whether potential executors are able to offer IPR services. If the organization appointed as an IPR executor is unable to offer the services you require, you may receive a rejection (preferably in the written form).

Moreover, you have the right to immediately select a different organization as an IPR executor.

3. Independent choice of an IPR executor, by the disabled person.

It is important to note that a rejection from an organization, listed in the IPR as an executor, is not a rejection of the set of measures, recommended by the individual rehabilitation program: according to article 11 of the Federal Law On Social Protection of Disabled People in the RF, “a disabled person has the right to independently resolve the question of securing a specific technical device or form of rehabilitation.” It follows from this that the disabled person (or his legal representative) may select an IPR executor at his or her discretion. The criterion for the choice of an executor of IPR measures is the possibility of the complete implementation of the program, with the help of the executor. On this basis, the IPR executor may be a state or a non-government organization, capable of most successfully implementing the program developed for you by the MSE, regardless of whether it is recorded by BMSE staff in the IPR card.

Coordination of the choice of IPR executor with MSE agencies.

The MSE agencies may agree with your arguments, use the recommendations received from independent experts, and enter the executors that you propose into the IPR card.

However, in practice BMSE experts do not agree in many cases to place responsibility for implementing an IPR on non-government organizations.

Notwithstanding a positive decision by MSE agencies, you have the right to complete the recommended IPR rehabilitation course in the institution that suits you.

Who will absorb the costs of IPR rehabilitation?

The Federal Law On Social Protection of Disabled People in the Russian Federation states the following: “If a technical rehabilitation device or service, stipulated by an individual program, cannot be provided to a disabled person, or if a disabled person has acquired the corresponding device or has paid for a service at their own expense, then he will be paid compensation, in the volume of the cost of the technical or other device or service, which was to be provided to the disabled”. This means that if the parent of a disabled child (or the disabled person himself or herself) acquired a technical device or paid for a service, entered in the IPR, then he or she has the right to receive compensation for monies spent on that device. It is worth taking a closer look at this issue.

First of all, it should be noted that the IPR is to include both rehabilitative measures that are provided free-of-charge (paid for by the state), in addition to those that are paid for by the disabled person himself. According to the law, those technical devices and services are provided free-of-charge, which are included in the federal list of technical rehabilitation devices and services, provided to the disabled person. This list was approved by the government and, unfortunately, the contents of the list are fairly scant. A look at this document shows that the state assumes payment for the very minimum set of technical devices and services. In some regions, regional rehabilitation disabled person programs have long since been established. The technical devices and services included therein are provided to disabled people free-of-charge, at the expense of the specific region. Regional programs must continue to be valid after January 1, 2005.

Receiving compensation for the costs of IPR services.

Compensation of the costs of services, received as part of the IPR, must be performed by the local branches of the social insurance fund.

The following aspect is important here: the right to compensation of expenses on the implementation of the IPR is supported only by documented contractual relations with an actual IPR executor, reinforced by evidence of the fact of payment for rehabilitation devices
and services. If an organization (experts), which renders you paid rehabilitation services, prefers to receive money without formalizing such relations, and do not run that payment for classes through their bookkeeping (or do not issue payment receipts), then the question of compensation for the expenses you incurred cannot be reviewed by the social protection agencies.

Interaction with disabled people requiring lawful compensation for expenses incurred during the process of implementing an IPR, and the agencies of the Federal Social Insurance (FSS), must be proper, clear and mutually correct. After any given period of rehabilitation you can approach the local agency of the FSS, with an application for compensation, using a form similar to the one below:

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To the social insurance fund branch (name of city, district and region)

From ________________, residing at the address: (indicate mailing code and address)

Application

On the basis of article 11 of the Federal Law On Social Protection of Disabled People in the Russian Federation, I request compensation of expenses, incurred by me as part of the implementation of Individual Rehabilitation Program No. ______, issued by BMSE No. ______, on the ____th day of ______, 200_, in the sum of ___________rubles and _____ kopecks.

The recommended measures were executed at (name of organization or surname and initials of independent specialist/actual IPR executor).

Appendices:
1. Copy of the IPR card.
2. Copies of contracts to render services.
3. Copies of receipts (confirmation) for payment of services.

Date

You will keep the originals of all documents.

The application can be lodged with the chancellery office of the FSS agency, by asking the employee receiving the application to sign the second copy and inscribe the incoming reference number. It is also possible to avoid visiting the FSS agency in person, and instead send the application and all the necessary appendices by registered mail, with notification of receipt.

If you do not receive a response within a month, or you receive a response, declining to pay compensation, you can send a complaint to the superior FSS agency.

A response from the superior agencies, declining to pay compensation, concludes the interaction between the disabled person and his or her representative, with the FSS, on a voluntary basis. The next step on the path to receiving compensation for expenses to implement an IPR can be an appeal to a court, with a complaint about the inaction of agencies of the social insurance fund, and a demand to compensate, on a lawful basis, the expenses incurred by the disabled person or his parents.

The parents of a disabled child (or adults with disabilities) should understand that a court appeal is not an indication of your desire to create a conflict situation. The opposite is true: correctly-constructed arguments by the representatives of disabled people in court will help the employees of state services to pay attention to the problem, and become fully aware of all aspects of their obligations, as established by the law.

On the other hand, while we consider such activity to be a form of defending a person’s rights, at the current time there have been court rulings with the opposite viewpoint (although, in truth, the respondents were the local social protection agencies, as prior to January 1, 2005 they were responsible for issuing compensation), and for this reason, one must expect victory
but prepare for defeat. But if we do not fight for our rights, state policies concerning us will not change.

**IPRs for the parents of disabled children.**

Why do the parents of disabled children have to fill out an IPR, and how can this help with enrolment of their children at general comprehensive schools?

Unlike adult disabled people, children with physical restrictions have great difficulty getting places at general comprehensive schools. The vast majority of those running such schools strive to send disabled children for schooling at specialist institutions (mostly residential schools), or organize home schooling. Here, the situation can be changed only using IPR cards. That is, if virtually no doctors will write in a regular proof of disability note a recommendation stating that education is possible in a regular school by full-time attendance, the same doctor can place a detailed recommendation in an IPR card, as he has the opportunity to state the conditions, under which this is possible. Here, parents can also pool the resources of various agencies: departments for the social rehabilitation of disabled children, local self-government agencies and schools, as the completed IPR card is subject to mandatory implementation by all the authorities. For example, for a child with impaired vision, the main obstacle to education in a general-education school is the absence of special Braille textbooks. It is entirely possible that help could come from the disabled child social rehabilitation department, funded by the local authorities, to provide the student with the necessary study resources.

Nevertheless, when compiling an IPR card, MSE experts are reluctant to write recommendations for education in a regular school. Here, a persistent will is required, to enroll your child in a general-education school and not in home schooling.

Bear in mind, also, that as the legal representative of your child, you can participate in the compilation and implementation of the IPR.