

Case Study – Question from a School Psychologist

I'm working with a student who is on a 504 plan, and we are now considering evaluation to move her into special education eligibility under Other Health Impaired (OHI). Does the eligibility category matter? So much testing is required for the TBI eligibility. Although I am more than happy to conduct an extensive evaluation, I am wondering if there are any real, long-term benefits or differences between these eligibilities.

Answer — *Yes, there is a difference, and the eligibility category does matter. Here's why:*

- Access to services as an adult differs under different eligibility categories. For example, with an eligibility other than TBI, the student could have reduced access to Developmental Disability Assistance and [Social Security Insurance](#).
- A Vocational Rehabilitation counselor could develop a plan for the student based on an inaccurate eligibility category. Without the correct eligibility category, the brain injury causing the disability could be forgotten in the official record, especially if it occurred years ago.
- With a TBI eligibility, parents have access to respite care through the National Health Care Act.
- When a child is found eligible under the TBI category, the school team can provide more appropriate services for the student. Students with TBI have specific, unique needs that might not be captured under OHI (e.g., variability in learning, challenges with memory). That is the purpose of specific IDEA eligibility categories – to directly link the student's needs to the services provided. Just as a child with learning disabilities would not be well served under a speech impairment eligibility, a child with TBI will not be well served under OHI.
- A TBI eligibility provides better protection for the student with a brain injury because it documents the injury and ensures that it is not forgotten as years pass. This is especially important for TBI because new problems related to the brain injury can arise as the student ages.
- If the school team suspects a student sustained a TBI, it is obligated to assess all areas of disability to meet the child-find requirement ([Child Find Regulation](#)).
- Legally, the team opens itself to liability if team members know that there was a brain injury and nonetheless decide to place the child in another eligibility because it is easier ([case law](#)).
- If the child is placed in OHI and moves, the receiving team would have incomplete information about the student's needs, including not knowing that the child had a TBI.
- Depending on the state, a TBI eligibility could bring a greater funding formula.