

# **Standard Operating Procedures (SOP) Entitlement Determination & Rehabilitation Planning Accuracy (EDRPA) Review Quality Assurance (QA) Reviews**

## **Purpose**

The purpose of this document is to provide a guide for completing an EDRPA QA review.

## **Responsibilities**

Cases are randomly selected for review by the Office of Performance Analysis and Integrity (PA&I) based on business rules provided by Vocational Rehabilitation and Employment (VR&E) Service each Fiscal Year. The VR&E Service Systematic Technical Accuracy Review (STAR) Team conducts national QA reviews, and the VR&E Officer (VREO) or designee conducts the Local QA reviews for the VR&E Division. A Qualified QA Reviewer is defined as a Vocational Rehabilitation Counselor (VRC) at the journeyman level, who has a supervisory role, or whose performance level is outstanding or excellent. A designated Reviewer cannot review any of his/her assigned cases.

The review is based on the United States Code (USC), Code of Federal Regulations (CFR), VR&E Procedural Manual (M28R), and other guidance (Policy Advisories, Circulars, Letters, and emails). Due to the nature of the services provided by VR&E, professional judgement must be used in some instances.

## **Prerequisites**

The Reviewer must complete the QAWeb training before being designated as a QA Reviewer and obtaining access to the QA Web system.

## **Selection Criteria**

To be selected for an EDRPA review, the case must have exited Evaluation and Planning (EP) status in the month prior to selection for review.

## **Scope**

The EDRPA review includes all case activity from Application until the case exits Evaluation and Planning (EP) status.

## **Responses**

When reviewing a VR&E record for quality, a question has three possible responses: Yes, No, or Not Applicable (NA). Scores are calculated by dividing the number of Yes responses by the total number of Yes + No responses. NA responses are not included in the score calculation. Some questions (1, 2, 3, etc.) have reasons (1.A, 1.B, 1.C, etc.) listed to provide more specific detail on errors cited. This will help improve tracking and identify need for clarification or training.

## **Accuracy Scores**

The EDRPA reviews provide the Entitlement Determination Accuracy (EDA) score and contribute to the Evaluation, Planning, Rehabilitation Services Accuracy (EPRSA) and Overall Accuracy scores.

EDA measures the accuracy of the entitlement decision. Responses to question 10 in EDRPA reviews are used to calculate this accuracy score.

EPRSA measures the accuracy of Chapter 31 services. All applicable questions from all Chapter 31 reviews will be used to calculate the EPRSA score.

Overall Accuracy measures the accuracy of Chapter 31 and Chapter 36 cases. All applicable questions from all Chapter 31 and Chapter 36 reviews will be used to calculate the Overall Accuracy score.

### SOP Guidance

The guidance below lists the policy and procedures examined for each question. The SOP document may serve as a guide for reviewing the quality of VR&E service provision. Please note the following definitions:

- **Must:** An unconditional requirement. VR&E staff must comply with the policy or procedure when it is relevant to the case.
- **Should:** Presumptively mandatory requirement. VR&E staff must comply with the policy or procedure when relevant to the case except in rare circumstances when the policy or procedure cannot be met. Reasons for not following the guidance must be documented.

Please note, where appropriate, the term Veteran refers to Servicemembers and Veterans (SM/V).

<b>Application, Initial Evaluation, and Entitlement Determination</b>		
<b>1.</b>	<b>Was data entered correctly and consistently in the VR&amp;E record?</b>	
	<b>Considerations</b>	<b>Citations</b>
	All data must be entered accurately into the VA systems and must be consistent with the data contained in the VR&E record.	M28R.III.A.2
<b>1.A</b>	<b>Case status dates were not consistent with documentation in the record.</b>	
	An individual's rehabilitation program is assigned to appropriate statuses in order to determine progress in his/her program.  To reflect the individual's actual progress or status in the program, VR&E staff must update the case status no later than two workdays after the program status change. Employees on travel must enter their work activity within 10 workdays of their return to the RO. This delay in entering the case status movement must be documented in a case note on the date the status is changed.  The VREO must ensure strict adherence to implementing these procedures for consistency of data entry, accuracy in generated reports and safeguarding data integrity.	M28R.III.A.1 M28R.III.A.2
<b>1.B</b>	<b>SEH indicator was not consistent.</b>	
	Entry in this field is required to indicate whether or not a serious employment handicap exists. If the VRC determines that the individual has a SEH, enter "Y" in this field. Conversely, if the individual does not have a SEH, enter "N." Should the individual's employment handicap status change during the course	M28R.III.A.2

	of his or her program, the case manager must update this field accordingly. Care should be taken that the SEH status is correct.	
<b>1.C</b>	<b>Pre-Chapter 31 salary was not consistent.</b>	
	This field requires a four-digit entry. The case manager must enter the monthly salary or equivalent (at the time the entitlement decision is made) in this field upon completion of the initial evaluation. Enter only whole dollar figures of the individual's monthly wage, with no dollar sign (\$). If needed, enter leading zeros to fill the field (e.g., a salary of \$950.00 a month would be entered as 0950).  <i>Tip: If the Veteran reports yearly salary, divide by 12 to determine the monthly salary. If the Veteran reports bi-weekly salary, multiply by 26 and divide by 12 to determine the monthly salary. If the Veteran reports weekly salary, multiply by 52 and divide by 12 to determine the monthly salary.</i>	M28R.III.A.2
<b>1.D</b>	<b>Occupational code was not consistent.</b>	
	The IWRP Code field has a three-digit entry, which is the first three digits of the DOT code entered in the electronic case management system. An entry in this field is required to move a case out of EP status, with reason codes 05, 06, 07, or 08. If the program goal changes during training or employment service, the case manager must update this field. In IL cases, the correct entry in this field is 000. For EE cases, either the DOT code for the occupation being assessed, or 999 if no specific DOT code has been established, should be entered in the field.	M28R.III.A.2
<b>1.E</b>	<b>Service type and service detail type were not consistent.</b>	
	VR&E staff must add service types and service detail types to every rehabilitation plan objective in order to capture comprehensive information on the types of services that VR&E participants receive.	M28R.IV.C.2
<b>1.F</b>	<b>Selected track was not consistent</b>	
	Select the appropriate track: <ul style="list-style-type: none"> <li>• Reemployment</li> <li>• Rapid access to employment</li> <li>• Employment through long-term services</li> <li>• Self-employment</li> <li>• Independent Living</li> </ul>	M28R.III.A.1 M28R.IV.C.4
<b>1.G</b>	<b>Employment Tab was not completed when a combination IWRP/IEAP plan was developed.</b>	
	When developing a combined IWRP/IEAP, the Add Plan function on the Employment tab must be completed to ensure this information is captured in VR&E reporting tools. The basic IEAP information includes the type of plan, track selection, program cost limit, DOT code, supervision level, "yes" for self-employment, and the program goal. The intermediate objectives of the plan do not need to be re-entered under the Employment tab in the electronic case management system, as long as the employment-related objectives appear on the plan developed under the Rehabilitation tab.	M28R.IV.C.5 M28R.IV.C.6 M28R.IV.C.8
<b>2.</b>	<b>Was EP status opened when the individual reported to the initial evaluation appointment?</b>	
	<b>Considerations</b>	<b>Citations</b>
	When the individual reports to his/her initial evaluation appointment, the VRC must close APP status with RC02 using the date the individual reports to the	M28R.III.A.1

	<p>scheduled appointment and open EP status using the same date APP status is closed.</p> <p>Note: If the individual does not meet with the VRC on the date of Group Orientation, the case status should not be moved to EP status until the individual meets with the VRC for the initial counseling appointment. The orientation gives the individual information about VR&amp;E to allow them to make an informed decision as to whether they would like to participate in an evaluation, or if they are not interested in services. The evaluation begins when the individual meets with a VRC.</p> <p><i>Tip: If the case is moved to EP status, there must be a 28-1902b in the record to document a positive or negative entitlement decision.</i></p>	
<b>3.</b>	<b>Was VR&amp;E Program Orientation (VAF 28-0800) signed?</b>	
	<b>Considerations</b>	<b>Citations</b>
	When the individual reports to the appointment, he/she must be provided with a thorough understanding of the VR&E program. The individual must sign VAF 28-0800, VR&E Program Orientation. The VRC must give one copy to the individual and a copy must be included in the VR&E record.	M28R.III.A.1 M28R.III.C.2 M28R.IV.B.2
<b>4.</b>	<b>Was VAF 28-1902w, Rehabilitation Needs Inventory and Protection of Privacy Information Statement, signed?</b>	
	<b>Considerations</b>	<b>Citations</b>
	<p>The information in the RNI is necessary in assisting the VRC in making a determination for the individual's entitlement to VR&amp;E benefits and services. The information that must be recorded in the form includes the following:</p> <ul style="list-style-type: none"> <li>• Personal Data</li> <li>• Military History</li> <li>• Civilian Employment</li> <li>• Education and Training History</li> <li>• Medical and Disability Conditions</li> </ul> <p>Note: The 28-1902w includes the Protection of Privacy Information Statement and must be signed and dated by the Veteran and the VRC.</p>	M28R.III.A.1 M28R.IV.B.2
<b>5.</b>	<b>Did the 28-1902b contain all required elements to document the entitlement determination?</b>	
	<b>Considerations</b>	<b>Citations</b>
<b>5.A</b>	<b>28-1902b was not present in the record.</b>	
	Comprehensive evaluations and entitlement determinations are documented on VAF 28-1902b. This form is mandatory, and must be signed and filed in the VR&E record prior to service delivery.	M28R.III.A.1
<b>5.B</b>	<b>28-1902b was not signed by the VRC.</b>	
	This form is mandatory, and must be signed and filed in VR&E record prior to service delivery.	M28R.IV.B.2
	<i>Tip: The 28-1902b documents legal determinations of entitlement, and must be signed by the VRC. If not signed, the determinations are not complete.</i>	
<b>5.C</b>	<b>28-1902b did not document the entitlement decision.</b>	

	An official entitlement determination is required for all claims for Chapter 31 benefits and services if the individual attends the initial evaluation with the VRC. Comprehensive evaluations and entitlement determinations are documented on VAF 28-1902b. This form is mandatory, and must be signed and filed in the VR&E record prior to service delivery.	M28R.III.A.1
<b>5.D</b>	<b>Automatic entitlement under NDAA was not documented for the Servicemember.</b>	
	<p>As a result of the enactment of Public Law 110-181, a Servicemember who incurs a serious illness or injury that may render him/her unable to perform his/her military duties is determined eligible and entitled to Chapter 31 services without regard to a VA SCD rating, memorandum rating, or a determination of an EH.</p> <p>Although entitlement is automatic if the Servicemember provides VAF 28-1900, qualifying documentation, and attends the initial appointment with the VRC, VR&amp;E must still provide the Servicemember with a comprehensive initial evaluation in order to identify the extent of services available to, and most appropriate for, the Servicemember. The VRC will document the determination of EH, SEH and/or the feasibility of achieving a vocational goal on VAF 28-1902b.</p> <p>It is important to note that if the Servicemember separates from the military prior to reporting for the initial appointment with VR&amp;E, the Servicemember may not be found eligible and entitled under PL 110-181. The individual no longer meets the criteria of being a Servicemember and the application must be processed as a Veteran. An IDES proposed rating, a VA memorandum rating, or a final VA rating would be needed for eligibility purposes, and an entitlement decision must be made if the individual is not a Servicemember when reporting for the initial appointment.</p>	<p>M28R.IV.B.2 PL 110-181</p> <p>September 2018 Hotline Bulletin</p> <p>Department of Veterans Affairs Expiring Authorities Act of 2018</p>
<b>5.E</b>	<b>Existence of a vocational impairment was not documented, justified, and/or consistent with evidence.</b>	
	<p>The term Vocational Impairment refers to restrictions on employability. The effects of the SCDs on the vocational impairment must be identifiable, measurable and/or observable.</p> <p><i>Tip: Simply listing the service-connected and/or non-service connected disabilities is not sufficient and will result in an error. The decision must be documented in Part I and II of the 28-1902b and both parts must be consistent.</i></p>	<p>38 CFR 21.51 M28R.IV.B.2</p>
<b>5.F</b>	<b>Contribution of the SCD to the vocational impairment was not documented, justified, and/or consistent with evidence.</b>	
	<p>Documentation must clearly show how the SCD impacts the Veteran or Servicemember's ability to prepare for, obtain or maintain employment consistent with his/her abilities, aptitudes and pattern of interests. The SCD need not be the sole cause of the vocational impairment, but must contribute to the vocational impairment in more than a trivial or technical manner. VA has a legal duty to assist the Veteran in developing evidence for entitlement.</p> <p><i>Tip: Simply listing the service-connected and/or non-service connected disabilities is not sufficient and will result in an error. The decision must be</i></p>	<p>38 CFR 21.51 M28R.IV.B.2</p>

	<i>documented in Part I and II of the 28-1902b and both parts must be consistent.</i>	
<b>5.G</b>	<b>Overcoming the effects of the impairment was not documented, justified, and/or consistent with evidence.</b>	
	<p>An individual may overcome the effects of the impairment of employability through employment in, or qualifying for employment in, an occupation consistent with his/her abilities, aptitudes and pattern of interests. This situation includes an individual who qualifies for a suitable job, but who does not obtain or maintain the job for reasons within his/her control.</p> <p>1. If the Veteran or Servicemember is not prepared and/or qualified for employment in a suitable occupation, or the individual is prepared and/or qualified for employment in a suitable occupation but has failed to obtain or retain employment for reasons beyond his/her control, the individual has not overcome the effects of the impairment.</p> <p>2. If the individual is prepared and/or qualified for employment in a suitable occupation, but has failed to obtain or retain employment for reasons within his/her control, he/she has overcome the effects of the impairment. This determination will be made on a case-by-case basis and will be based on the preponderance of evidence that leads the VRC to believe that the Veteran chooses not to be employed.</p> <p>3. If the Veteran is employed, address employment stability, compatibility with Veteran's disability conditions and consistency with Veteran's pattern of interests, aptitudes and abilities.</p> <p>4. If the Veteran is unemployed, address qualifications for suitable employment, efforts to seek employment and whether the unemployment is outside of the Veteran's control. Significant justification is required if the Veteran is not employed, yet found to have overcome the impairment.</p> <p><i>Tip: Simply checking the employed or unemployed box with no explanation will result in an error. The decision must be documented in Part I and II of the 28-1902b and both parts must be consistent.</i></p>	<p>38 USC 3102 38 CFR 21.51 M28R.IV.B.2</p>
<b>5.H</b>	<b>EH determination was not documented, justified, and/or consistent with evidence.</b>	
	<p>An EH is present when all of the following exist:</p> <ul style="list-style-type: none"> <li>• The Veteran or Servicemember has a vocational impairment.</li> <li>• The Veteran or Servicemember's SCD contributes in substantial part to the impairment.</li> <li>• The Veteran or Servicemember has not overcome the effects of his/her impairment of employability.</li> </ul> <p><i>Tip: Select the appropriate explanation on the 28-1902b. The decision must be documented in Part I and II of the 28-1902b and both parts must be consistent.</i></p>	<p>38 CFR 21.51 M28R.IV.B.2</p>
<b>5.I</b>	<b>SEH determination (including how SCD contributes in substantial part) was not documented, justified, and/or consistent with evidence.</b>	

<p>An SEH is defined as a significant impairment, resulting in substantial part from a SCD rated at 10 percent or more, of a Veteran's ability to prepare for, obtain, or retain employment consistent with his/her abilities, aptitudes, and pattern of interests. There are three criteria that must be met for the determination of an SEH. Those criteria are:</p> <ol style="list-style-type: none"> <li>1. The individual must have a significant vocational impairment, which is defined as a significant impairment of the ability to prepare for, obtain, or keep employment in an occupation that is consistent with his/her abilities, aptitudes, and pattern of interests.</li> <li>2. The individual has not overcome the effects of the significant vocational impairment through employment in, or qualifying for employment in, an occupation that is consistent with his/her abilities, aptitudes, and pattern of interests.</li> <li>3. The individual's service-connected disability must contribute in a substantial part to the overall significant vocational impairment. This means that the disability(ies) must have an identifiable, measurable, or observable causative effect on the overall significant vocational impairment, but need not be the sole or primary cause of the SEH determination. <ul style="list-style-type: none"> <li>• When determining if the individual has a significant vocational impairment, the VRC may look at a number of factors, such as: <ul style="list-style-type: none"> <li>• Number and severity of disabling conditions.</li> <li>• Existence of a neuropsychiatric condition.</li> <li>• Adequacy of education or training for suitable employment.</li> <li>• Number, length, and frequency of periods of unemployment or underemployment.</li> <li>• Pattern of reliance on government support systems.</li> <li>• Extent and complexity of services and assistance the individual needs to achieve rehabilitation.</li> </ul> </li> </ul> </li> </ol> <p><i>Tip: The above contributing factors may be used to determine the significance of the impairment; however, the VRC must then demonstrate how the SCD caused the contributing factor. For example, if an individual has SCD of Tinnitus and is found to have an EH, then the VRC finds that they have one of the above mentioned contributing factors (such as lack education/training, a history of substance abuse, a criminal record, etc.) the VRC can't find them to have a SEH unless they can show that the significant vocational impairment is related in substantial part to the SCD of Tinnitus. In other words, the VRC would have to demonstrate that the Tinnitus somehow has caused the individual's lack of education/training, substance abuse, and/or criminal record; in addition to impacting the individual's ability to prepare for, obtain, or keep employment in an occupation that is consistent with the individual's abilities, aptitudes, and pattern of interests.</i></p> <p><i>The decision must be documented in Part I and II of the 28-1902b and both parts must be consistent.</i></p>	<p>38 USC 3101(7) 38 CFR 21.52 M28R.IV.B.2</p>
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<b>6.</b>	<b>Was the feasibility of achieving a vocational goal documented?</b>	
	<b>Considerations</b>	<b>Citations</b>
	<p>In every case where a VRC has determined that an EH exists, the VRC must also determine whether achievement of a vocational goal is currently reasonably feasible.</p> <p>Achievement of a vocational goal is currently reasonably feasible when the following conditions exist:</p> <ul style="list-style-type: none"> <li>• One or more vocational goals have been identified.</li> <li>• The Veteran's physical, psychological and cognitive functioning permits training for the goals to begin within a reasonable period of time.</li> <li>• The Veteran either has the educational skills and background to pursue the vocational goal or will receive services through VA to develop these skills as part of his/her rehabilitation program.</li> </ul> <p>Note: The decision must be documented in Part I and II of the 28-1902b and both parts must be consistent.</p>	38 CFR 21.53 M28R.IV.B.2
<b>7.</b>	<b>Was the removal of reason(s) for prior case closure documented, justified, and consistent with evidence in the record, and, if required, was concurrence documented?</b>	
	<b>Considerations</b>	<b>Citations</b>
	<p>As part of the comprehensive entitlement assessment, the VRC will review the reasons a Veteran's or Servicemember's prior Chapter 31 case was closed, if a prior case exists.</p> <p>If the criteria for overturning the rehabilitation or MRG are met and the case has been in Rehabilitated status/Discontinued status for less than one year at date of reapplication, VR&amp;E Officer's concurrence is required prior to processing the application.</p>	M28R.IV.B.2 PA 18-03
<b>7.A</b>	<b>Removal of reason(s) for prior discontinuance was not documented, justified, and/or consistent with evidence in the record.</b>	
	For cases in Discontinued status, including cases categorized as MRG closures, the VRC must explore the reasons for prior discontinuance to determine if they have been removed.	38 CFR 21.198 M28R.III.A.1 M28R.IV.B.2 PA 18-03
<b>7.B</b>	<b>Reason(s) to overturn prior rehabilitation decision was not documented, justified, and/or consistent with evidence in the record.</b>	
	<p>For rehabilitated cases, the VRC must ensure that a determination for overturning the previous rehabilitation decision is made and explained.</p> <p>If the criteria for overturning the rehabilitation are met and the case has been in Rehabilitated status for less than one year at date of reapplication, VR&amp;E Officer's concurrence is required prior to processing the application.</p>	38 CFR 21.196 38 CFR 21.284 M28R.III.A.1 M28R.IV.B.2 PA 18-03
<b>7.C</b>	<b>Concurrence was not documented when the Veteran reapplied within one year of rehabilitation or MRG.</b>	
	If the criteria for overturning the MRG are met and the case has been in Discontinued status for less than one year at date of reapplication, VR&E Officer's concurrence is required prior to processing the application.	M28R.III.A.1 M28R.IV.A.2 M28R.VI.A.10



<b>8.</b>	<b>Was the Veteran's overall pattern of interests, aptitudes and abilities assessed and documented?</b>	
	<b>Considerations</b>	<b>Citations</b>
	<p>Document the Veteran or Servicemember's overall pattern of interests, aptitudes and abilities and includes transferable skills and discuss the implications of the assessment results for rehabilitation planning. If vocational testing is not completed, a justification is documented with an explanation of how the pattern of interests, aptitudes and abilities were assessed.</p> <p>All assessment results are documented, including those from other sources, using VAF 28-1902b and/or VAF 28-1902n. The VRC will describe the assessment(s) used, perform a transferable skills analysis, and note the results of the assessment(s) and the vocational significance of the results. If no assessment(s) are administered, the VRC should explain the rationale and the alternative information used to assess abilities, aptitudes and interests. For example, school transcripts may be used in lieu of standardized tests to assess a Veteran's aptitudes and abilities.</p>	<p>M28R.IV.B.2 M28R.IV.B.3</p>
<b>9.</b>	<b>Was an assessment for basic IL needs documented?</b>	
	<b>Considerations</b>	<b>Citations</b>
	<p>Assessment for basic IL needs must be conducted during the Veteran's initial evaluation and must be documented using VAF 28-1902b. For each identified IL need, the VRC must also define the difficulties affecting the Veteran's daily living activities.</p> <p>The basic IL assessment is separate from, and not as inclusive as the preliminary and comprehensive IL assessments. Its purpose is to identify if there are IL needs that may affect the Servicemember or Veteran's ability to achieve his or her vocational goal. If an IL need is identified, corresponding IL service(s) must be included in the individualized rehabilitation plan.</p>	<p>PA 18-03</p>
<b>10.</b>	<b>Was the entitlement decision correct, based on the documented evidence?</b>	
	<b>Considerations</b>	<b>Citations</b>
	<p>The narrative synthesis provides the following:</p> <ul style="list-style-type: none"> <li>• The basis for counseling and assistance throughout the rehabilitation process.</li> <li>• Allows the VRC to revisit and review the information in order to clarify his/her understanding and implications for providing additional services.</li> <li>• Must contain reasoning which is clear to professionals and nonprofessionals.</li> <li>• Must logically support legal determinations, including EH, SEH, current, reasonable feasibility for achieving a vocational goal and how the services included in the plan will lead to rehabilitation.</li> </ul> <p><i>Tip: The last two bullets above are extremely important. Many errors cited in QA reviews are due to failure to clearly document and explain the reasoning for decisions. The decisions must be clear to anyone who reviews the file, whether they have a vocational rehabilitation background or not. The</i></p>	<p>M28R.IV.B.2</p>

	<i>decisions must be documented in Part I and II of the 28-1902b and both parts must be consistent.</i>	
<b>11.</b>	<b>Was the Veteran provided written notification of entitlement determination?</b>	
	<b>Considerations</b>	<b>Citations</b>
	<p>The VRC must promptly provide the individual with a verbal and written notification explaining the determination. As a general rule, whenever possible, provide notification within 45 days from the date of the application and immediately after the entitlement decision is made.</p> <p>Note: The written notification of entitlement must be included in the VR&amp;E record. When found not entitled, the Veteran should be referred to other resources.</p>	<p>M28R.III.A.1 M28R.IV.B.2</p>

<b>□ Evaluation and Planning</b>		
<b>12.</b>	<b>Were vocational exploration activities documented?</b>	
	<b>Considerations</b>	<b>Citations</b>
	<p>The goal of vocational exploration is for the Veteran or Servicemember and VRC to select a suitable vocational objective that is consistent with the Veteran's or Servicemember's abilities, aptitudes and interests, and that does not aggravate the Veteran's disability(ies).</p> <p>Before a Veteran or Servicemember enters into an IWRP or IEAP, or during the redevelopment of an IWRP or IEAP, he/she needs to know what his/her options are concerning identifying a suitable career.</p> <p>If the Veteran or Servicemember has transferable skills, training or experience in a suitable occupation, the same or a similar occupation should be considered prior to exploration of occupations requiring additional training.</p> <p>Vocational exploration counseling must be provided to every participant in the Chapter 31 program, even if the Veteran or Servicemember already "knows" or has already chosen his/her career. Using vocational exploration tools, resources and a systematic method to explore different careers with the Veteran or Servicemember will ensure he/she makes an informed choice when choosing a suitable career.</p> <p>VAF 28-1902n, Counseling Record-Narrative Report (Supplemental Sheet), is used to document vocational exploration and planning following the determination that a Veteran or Servicemember is entitled to VR&amp;E services and achievement of a vocational goal is currently reasonably feasible. The goal or outcome of vocational exploration activities is to select a suitable vocational goal that is consistent with the individual's abilities, aptitudes and pattern of interests, and does not aggravate the individual's disability(ies).</p> <p>The activities, assignments and results of the vocational exploration activities are documented. This may include, but is not limited to:</p>	<p>M28R.IV.B.1 M28R.IV.B.4 M28R.IV.C.3 M28R.IV.C.5 M28R.IV.C.6 M28R.IV.C.7 M28R.IV.C.8</p>

	<ul style="list-style-type: none"> <li>• Research findings, including labor market and information from OOH, O*Net and/or DOT</li> <li>• Informational interviews</li> <li>• Vocational goals considered</li> <li>• Results of any evaluations (medical, vocational, etc.) and resulting vocational considerations.</li> </ul>	
<b>12A</b>	<b>Labor market information was not documented</b>	
	<p>Labor market information gathered during vocational evaluation must be documented in the VR&amp;E record.</p> <p>During vocational exploration, the EC serves as the expert in employment information and can provide the following services:</p> <ul style="list-style-type: none"> <li>• Labor market information for a specific geographic area</li> <li>• Wage information for a specific geographic area</li> <li>• Traditional and virtual job fair information</li> <li>• Assistance in the JRL researching various occupations</li> </ul> <p>The DVOP and/or LVER can provide local and/or regional labor market information.</p>	M28R.IV.B.4
<b>12.B</b>	<b>The suitability of the selected vocational goal was not documented.</b>	
	<p>The vocational goal must be stated and the suitability of the chosen occupation must be justified and documented. This may include, but is not limited to, information pertaining to pattern of interests, aptitudes, abilities, employment outlook, sufficient training, entitlement, transferable skills, and the potential for gainful employment that will not aggravate the Veteran's disabilities.</p>	M28R.IV.B.4 M28R.IV.C.3 M28R.IV.C.5 M28R.IV.C.6 M28R.IV.C.7 M28R.IV.C.8
<b>12.C</b>	<b>Justification for the type of rehabilitation plan to be developed was not documented.</b>	
	<p>An explanation for the reason and basis for selecting the type of plan is provided.</p>	M28R.IV.B.4
<b>12.D</b>	<b>Description of how vocational goal will be achieved and planned services were not documented.</b>	
	<p>A description of how VR&amp;E services will assist the Veteran or Servicemember in achieving the selected vocational goal must be included on VAF 28-1902n. The description will include any accommodations and/or supports that will be needed or considered throughout the program. This could comprise supports outside the realm of VR&amp;E Service, such as VAMCs, Vet Centers, State vocational rehabilitation offices, independent living centers, and other community supports.</p> <p>The services necessary to assist the Veteran or Servicemember in reaching the selected occupational goal are identified. The plan should include all services that are required to reach employability in the selected vocational goal.</p> <p>Note: The plan must contain an objective for counseling/mental health treatment and/or medical treatment for a Veteran or Servicemember with an SEH.</p>	38 CFR 21.84(b)(3) M28R.IV.B.4 M28R.IV.C.3 M28R.IV.C.5 M28R.IV.C.6 M28R.IV.C.7 M28R.IV.C.8
<b>12.E</b>	<b>Consideration for retroactive induction and related information were not documented.</b>	

	The consideration for retroactive induction to vocational rehabilitation and any related information are documented. The VREO must provide concurrence prior to approval of retroactive induction.	M28R.IV.B.4
<b>12.F</b>	<b>Estimated program charges and costs were not documented.</b>	
	As part of program planning (38 CFR 21.430), the VRC must estimate the program charges and costs (excluding subsistence allowance and Revolving Fund Loans) during a calendar year based on the services necessary to carry out the Veteran's or Servicemember's rehabilitation plan and the total cost of Self-Employment and IILP.	38 CFR 21.430 M28R.IV.B.4
<b>12.G</b>	<b>Justification for exceeding the VRC's level of approval was not documented.</b>	
	The appropriate level of authority required to approve the program costs is selected. If the level of authority exceeds the VRC's level, a description of the program charges and costs, with a justification for exceeding the VRC's level of approval, is prepared.	M28R.IV.B.4
<b>12.H</b>	<b>Level of Case Management was not documented or justified.</b>	
	The appropriate level of required case management is selected and justification for the selection is provided. The selection should be based on the type of program being pursued and the Veteran's or Servicemember's circumstances. Select Level 1, 2, or 3.	M28R.IV.B.4 M28R.IV.C.2

**□ Plan Development**

<b>13.</b>	<b>Did the rehabilitation plan include individualized services to address the identified needs?</b>	
	<b>Considerations</b>	<b>Citations</b>
	<p>The purpose of rehabilitation plan development is to structure individualized services that will enable the individual to obtain and maintain suitable employment, and/or to maximize independence in daily living. The structure of the plan allows the counselor and the individual to translate the findings of the initial evaluation into specific rehabilitation goals and objectives.</p> <p>The scope of plan development includes the services needed to accomplish the goal of the rehabilitation plan. Counseling services must be included in every rehabilitation plan. Additional services may include medical, social, psychological, independent living, economic, educational, vocational, and employment services.</p> <p>Using information gathered during the initial evaluation, the VRC conducts an analysis of the Veteran's functional capacity/limitations, job accommodations, IL needs, and education training needs to identify the services needed. All rehabilitation plans have common elements, but the VRC must individualize the elements to fit the Veteran's identified needs.</p>	<p>38 USC 3107 38 CFR 21.70 M28R.IV.B.4 M28R.IV.C.1 M28R.IV.C.2 M28R.IV.C.3 M28R.IV.C.4 M28R.IV.C.5 M28R.IV.C.6 M28R.IV.C.7 M28R.IV.C.8 M28R.IV.C.9</p>
<b>14.</b>	<b>Were the objectives observable, measurable, and designed to meet the overall goal of the rehabilitation plan?</b>	
	<b>Considerations</b>	<b>Citations</b>
	The services must be outlined on the rehabilitation plan in observable, measurable objectives designed to meet the overall goal of the rehabilitation plan.	<p>M28R.IV.C.1 M28R.IV.C.3 M28R.IV.C.5 M28R.IV.C.6 M28R.IV.C.7</p>

	Intermediate objectives identify secondary goals that contribute directly to the achievement of the program goal. The VRC must ensure that each objective: <ul style="list-style-type: none"> <li>• Is clear and easily understood</li> <li>• Relates to achieving the goal</li> <li>• Is observable and can be evaluated</li> <li>• Has a measurable outcome</li> </ul>	M28R.IV.C.8 M28R.IV.C.9
<b>15.</b>	<b>Was required concurrence documented?</b>	
	<b>Considerations</b>	<b>Citations</b>
	Concurrence must be obtained for plans including: <ul style="list-style-type: none"> <li>• Program cost above VRC level of authority</li> <li>• Retroactive Induction</li> <li>• Retroactive Reimbursement</li> <li>• Purchase of a firearm</li> </ul>	M28R.IV.C.1 M28R.IV.C.2
<b>15.A</b>	<b>Program cost concurrence was not documented.</b>	
	The VRC can approve rehabilitation plans with an annual cost of up to \$25,000, with the exception of self-employment plans and construction costs associated with independent living plans.  Concurrence must be documented for any costs above the VRC approval authority. This concurrence must be documented in the VR&E record.	M28R.IV.C.1 M28R.V.B.1
<b>15.B</b>	<b>Retroactive Induction concurrence was not documented.</b>	
	VA may authorize payment for tuition, fees, and other verifiable expenses that an individual incurred, as well as establish payment of a subsistence allowance for a period of training, when it is determined that those services and training are consistent with the individual's approved rehabilitation plan.  The VREO must concur with the retroactive induction prior to the processing of payment. This concurrence must be documented in the VR&E record.	M28R.IV.C.2
<b>15.C</b>	<b>Retroactive Reimbursement concurrence was not documented.</b>	
	Retroactive reimbursement is the authorization of benefits and services under Chapter 31 for a period previously paid under Chapter 33. It includes calculating and paying the difference between the benefits the individual received under Chapter 33 and what the individual would have received under Chapter 31 for that same period, if the individual had been determined eligible and entitled to Chapter 31 for that period.  The VREO or designee must concur with the request for reimbursement. This concurrence must be documented in the VR&E record.	M28R.IV.C.2
<b>15.D</b>	<b>Firearm purchase concurrence was not documented.</b>	
	A memorandum to the RO Director through the VREO must be prepared for review and concurrence prior to authorizing the purchase of a firearm. The VREO is responsible for reviewing the entire VR&E record, the current VA service-connected and non-service-connected disability ratings, and any pending claims for disability. The VREO must use the checklist, Review Prior to Purchase of Firearms, to identify and address any issues that could warrant disapproval of the purchase. Examples of disability conditions which warrant	M28R.IV.C.2

	sufficient documentation to resolve any doubt of the appropriateness of the handling of firearms includes neuropsychiatric conditions, such as schizophrenia, major depression, and bipolar disorder; other mental health conditions, such as post-traumatic stress disorder and anxiety disorder, and substance abuse.	
<b>16.</b>	<b>Was VAF 28-0957, Vocational Rehabilitation Guidelines and Debt Prevention, signed?</b>	
	<b>Considerations</b>	<b>Citations</b>
	<p>The VRC must provide an orientation to ensure the Veteran understands the VRC's role and his/her role in the plan and to answer any questions the Veteran may have regarding the rehabilitation process. The rehabilitation plan and VAF 28-0957 are used to guide the orientation. The orientation emphasizes the following:</p> <ul style="list-style-type: none"> <li>• Expectations for conduct and cooperation.</li> <li>• Requirement to report immediately changes in dependency, contact information, performance and rate of participation.</li> <li>• Process for obtaining supplies, medical treatment and other services outlined in the plan.</li> </ul> <p>Following orientation, the VRC and the Veteran must sign the rehabilitation plan and VAF 28-0957. The originals are included in the VR&amp;E record, and copies are provided to the Veteran.</p> <p>For IL cases, this form is only required if training is part of the IILP.</p>	M28R.IV.C.3 M28R.IV.C.5 M28R.IV.C.6 M28R.IV.C.7 M28R.IV.C.8 M28R.IV.C.9
<b>17.</b>	<b>Was the rehabilitation plan documented and signed by the Veteran and VRC?</b>	
	<b>Considerations</b>	<b>Citations</b>
<b>17.A</b>	<b>Rehabilitation plan was not included in the record.</b>	
<b>17.B</b>	<b>Rehabilitation plan was not signed by the VRC.</b>	
<b>17.C</b>	<b>Rehabilitation plan was not signed by the Veteran.</b>	
	<p>Following orientation to the rehabilitation process, the VRC and the Veteran must sign the rehabilitation plan and VAF 28-0957. The originals are included in the VR&amp;E record, and copies are provided to the Veteran.</p> <p>After signing the Rehab Plan, the VRC must close EP status using the appropriate reason code. The effective date to close the EP status is the date the VRC and the individual sign the plan. Open the appropriate case status using the same date that EP status is closed.</p> <p>Services must not be provided without a valid, signed rehabilitation plan.</p>	38 CFR 21.92 M28R.III.A.1 M28R.IV.C.3 M28R.IV.C.5 M28R.IV.C.6 M28R.IV.C.7 M28R.IV.C.8 M28R.IV.C.9

<b>□ Fast Track</b>		
<b>18.</b>	<b>Were the criteria for provision of services under a Fast Track plan met?</b>	
	<b>Considerations</b>	<b>Citations</b>
<b>18.A</b>	<b>Training was not limited to the completion of remedial and/or general education coursework.</b>	
	The goal of Fast Track planning is to expedite services to the Veteran or Servicemember, while providing a longer period for vocational exploration.	M28R.IV.B.4



	Training is limited to the completion of remedial and/or general education coursework.	
<b>18.B</b>	<b>The Fast Track IWRP was not limited to 12 months or three consecutive terms, or there was no VREO approved extension up to 6 months or two consecutive terms.</b>	
	The maximum duration for a Fast Track IWRP is 12 months or three consecutive terms, whichever is longer. The VREO can approve an extension up to six months or two consecutive terms of training, whichever is longer, if it is determined that this extended period is needed and will result in the identification of a vocational goal.	M28R.IV.B.4
<b>18.C</b>	<b>The Fast Track IEEP was not limited to 12 months, exceeds one term of training, or there was no VREO approved extension up to 6 months or one additional term.</b>	
	The maximum duration for a fast track IEEP is 12 months, but may not exceed one term of training. The VREO can approve an extension up to six months or one additional term of training, whichever is longer, if it is determined that this extended period will result in both the identification of a vocational goal and the determination of feasibility to achieve a vocational goal.	M28R.IV.B.4

<b>Extended Evaluation</b>		
<b>19.</b>	<b>Are services outlined in the IEEP designed to resolve the question of feasibility?</b>	
	<b>Considerations</b>	<b>Citations</b>
	<p>Services approved under an extended evaluation plan must logically contribute to determining whether the Veteran meets the conditions of feasibility.</p> <p><i>Tip: The services provided must help answer the question of the feasibility of the achievement of a vocational goal. Services should help answer questions such as:</i></p> <ul style="list-style-type: none"> <li>• <i>Is the Veteran physically and mentally stable?</i></li> <li>• <i>Have suitable vocational goals been identified?</i></li> <li>• <i>Has or will the Veteran receive educational skills to pursue a vocational goal?</i></li> <li>• <i>Will use of reduced work tolerance enable completion of a program?</i></li> </ul>	M28R.IV.C.3
<b>20.</b>	<b>Was the duration of the IEEP appropriate?</b>	
	<b>Considerations</b>	<b>Citations</b>
<b>20.A</b>	<b>The duration of the IEEP was less than two weeks.</b>	
<b>20.B</b>	<b>The duration of the IEEP exceeded 12 months.</b>	
<b>20.C</b>	<b>VREO concurrence was not obtained for an IEEP in excess of 12 months.</b>	
	<p>Extended evaluations must be at least two weeks long, but may not exceed 12 months unless a longer period is necessary to determine whether achievement of a vocational goal is reasonably feasible.</p> <p>The VRC can approve the initial 12-month extended evaluation period, but the VREO must approve any extensions of that period. Up to two additional six-month periods of extended evaluation may be approved if there is reasonable certainty that the feasibility of achieving a vocational goal can be determined during this period. Any request for an extension beyond the basic period of 12 months must be justified by a discussion of the Veteran's</p>	<p>38 USC 3105 38 CFR 21.74 M28R.IV.C.3</p>



	<p>circumstances and the issues related to the feasibility of achieving a vocational goal. This justification must be documented in narrative form on VAF 28-1902b, Counseling Record - Narrative Report, or VAF 28-1902n, Counseling Record - Narrative Report (Supplemental Sheet) and included in the VR&amp;E record.</p> <p>It is important to note that Veterans who served during Operation Iraqi Freedom (OIF) and/or Operation Enduring Freedom (OEF) can be provided with an initial extended evaluation plan of 18 months if the severity of the Veteran's disabilities warrants additional time to make the determination of feasibility. VREO concurrence is required.</p>	
<b>21.</b>	<b>Did the IEEP consist of no more than one academic term?</b>	
	<b>Considerations</b>	<b>Citations</b>
	<p>Academic coursework may be an appropriate part of an extended evaluation plan, but services cannot consist solely of academic programs. In general, the IEEP should consist of no more than one term of academic coursework. However, one additional academic term may be approved if the reason for the additional term is not solely for the purpose of determining academic potential. VREO concurrence is required for approval of more than one term.</p> <p>When considering if an additional academic term is appropriate, the VRC must:</p> <ul style="list-style-type: none"> <li>• Determine that additional diagnostic and/or evaluative services are needed</li> <li>• Ensure that the second academic term is authorized in conjunction with these additional diagnostic and/or evaluative services</li> <li>• Address all feasibility concerns during the second academic term</li> <li>• Submit written documentation regarding the need for additional services that specifies how the additional services will assist in the determination of feasibility</li> <li>• Obtain concurrence from the VR&amp;E Officer</li> </ul>	<p>38 USC 3105 38 CFR 21.74 M28R.IV.C.3</p>

<b><input type="checkbox"/> Independent Living</b>		
<b>22.</b>	<b>Was a Preliminary IL Assessment complete and documented?</b>	
	<b>Considerations</b>	<b>Citations</b>
	<p>In every case where a VRC has determined that an EH exists, the VRC must also determine whether achievement of a vocational goal is currently reasonably feasible.</p> <p>If the VRC determines that achievement of a vocational goal is not currently reasonably feasible, and the Veteran has an SEH, the VRC will evaluate the Veteran for an IILP.</p> <p>The Preliminary Independent Living Assessment, VAF 28-0791, is designed to determine if the individual has any impairments to activities of daily living. The questionnaire focuses on 25 specific activities of daily living and is designed to ascertain in which of those activities the individual's independence is limited.</p>	<p>M28R.IV.B.2 M28R.IV.C.9</p>

<b>23.</b>	<b>Was a Comprehensive IL assessment complete and documented?</b>	
	<b>Considerations</b>	<b>Citations</b>
	<p>If the preliminary independent living assessment indicates that the individual has impairments in activities of daily living, the VRC must coordinate the completion of a comprehensive evaluation. It is imperative that the evaluation be completed by a person who is trained to evaluate independent living needs. 38 U.S.C. 3120 and 38 CFR 21.294 reiterate this point by stating that the person or facility that is conducting the evaluation must have a “demonstrated capability” in provision of independent living services. This is customarily evidenced by specialized IL experience and/or training.</p> <p>The comprehensive evaluation is designed to delve deeper into the issues identified on the preliminary assessment, as well as any other issues that were not identified during the assessment process. It is designed to identify issues that may cause potential barriers to living independently. Where feasible, the comprehensive evaluation should also address issues that could increase the potential for the individual to obtain and maintain suitable employment. This assessment is generally conducted in the individual’s home, and includes an assessment of: mobility, communication, self-care, self-direction, interpersonal skills, productive activities, and future goals.</p> <p>Note: To provide an objective assessment of the Veteran’s needs, the Comprehensive IL Assessment must not be completed by the VRC who completed the Preliminary IL Assessment.</p>	<p>38 U.S.C. 3120 38 CFR 21.294 M28R.IV.C.9</p>
<b>24.</b>	<b>Was service coordination with other VA programs/grants or community-based resources documented?</b>	
	<b>Considerations</b>	<b>Citations</b>
	<p>The VRC must coordinate services with other VA entities and community based resources. The individual must be found ineligible for needed special equipment, such as home modification to improve access, under other programs and benefits administered by VA before any services can be authorized and provided by VR&amp;E.</p>	<p>38 CFR 21.216 PA 19-01 Circular 26-18-21 M28R.IV.C.9</p>
<b>25.</b>	<b>Was assistance with applying for VA housing grants documented when home modifications are an identified need and it appears the individual may qualify?</b>	
	<b>Considerations</b>	<b>Citations</b>
	<p>The VRC must help the individual apply for VA housing grants when home modifications are an identified need and it appears the individual qualifies for such grants.</p> <p>The individual must be found ineligible for needed special equipment, such as home modification to improve access, under other programs and benefits administered by VA before any services can be authorized and provided by VR&amp;E.</p>	<p>38 CFR 21.216 M28R.IV.C.9</p>
<b>26.</b>	<b>Did avocational services included on the plan meet criteria?</b>	
	<b>Considerations</b>	<b>Citations</b>
	<p>The following criteria must be met before providing services designed to support the pursuit of an avocational interest:</p>	<p>M28R.IV.C.9</p>

	<ol style="list-style-type: none"> <li>1. The disability condition(s) limits or prevents participation in the avocational interest.</li> <li>2. The activity must have been previously performed for a significant amount of time, defined as over a twelve-month period.</li> <li>3. A medical and/or mental health provider must provide documentation that continued support of the activity is not contraindicated.</li> <li>4. An expert consultation to identify accommodations required to enable continued support of the activity must be completed by a qualified person, such as an occupational therapist.</li> <li>5. The pursuit of the avocational interest must improve the individual's independence in daily living in a measurable and verifiable manner.</li> <li>6. The individual must have the ability and resources to sustain the activity or pursuit after the period of rehabilitation services are completed.</li> </ol> <p>The VRC must document this information on VAF 28-1902b, VAF 28-1902n, or in a case note.</p>	
<b>26.A</b>	<b>The record did not document that the disability condition(s) limits or prevents participation in the avocational activity previously performed.</b>	
	Before providing services designed to support the pursuit of an avocational interest, documentation must show that the disability condition(s) limit or prevent participation in the avocational interest. Documentation must also show that the Veteran previously performed the activity for a significant amount of time, defined as over a twelve-month period.	M28R.IV.C.9
<b>26.B</b>	<b>Documentation did not explain how the avocational interest will improve independence.</b>	
	The pursuit of the avocational interest must improve the individual's independence in daily living in a measurable and verifiable manner.	M28R.IV.C.9
<b>26.C</b>	<b>The plan included more than one avocational activity.</b>	
	Services related to an avocational activity should not expand to more than one type of activity.	M28R.IV.C.9
<b>26.D</b>	<b>The services were provided to update or replace existing equipment.</b>	
	The VRC should not update or replace existing equipment that enables participation in an avocational activity.	M28R.IV.C.9
<b>27.</b>	<b>Was appropriate Independent Living plan concurrence documented?</b>	
	<b>Considerations</b>	<b>Citations</b>
	<p>All IILPs, VAF 28-0814, Checklist for Independent Living Plan Approval, including the analysis of the home modification plan and professional drawings of the proposed modification if modifications are part of the proposed plan, must be approved before the VRC and individual sign the plan. There are various levels of approval based on the type of service included in the IILP.</p> <ol style="list-style-type: none"> <li>1. The VREO may approve: <ul style="list-style-type: none"> <li>• IILPs with annual cost up to \$75,000 that do not contain construction.</li> <li>• IILPs that contain construction costs up to \$2,000.</li> </ul> </li> <li>2. The Director of the Regional Office must approve the following:</li> </ol>	M28R.IV.C.2 M28R.IV.C.9

	<ul style="list-style-type: none"> <li>• IILPs with an annual cost of \$75,000-\$100,000 that do not contain construction.</li> <li>• IILPs that contain construction costs between \$2,000 and \$15,000.</li> </ul> <p>3. The Director of VR&amp;E Service must approve the following:</p> <ul style="list-style-type: none"> <li>• IILPs with an annual cost that exceeds \$100,000 that do not contain construction.</li> <li>• IILPs with construction costs that exceed \$15,000.</li> </ul>	
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<b>☐ Self-Employment</b>		
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<b>28</b>	<b>Was self-employment orientation completed and documented?</b>	
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	<b>Considerations</b>	<b>Citations</b>
	<p>If the Veteran expresses an interest in self-employment during the initial evaluation, the VRC must orient the Veteran to the self-employment process. During this time, the Self-Employment Fact Sheet must be provided to the Veteran, along with the link to the “Operation Boots to Business” video. This video can be accessed online at the Veterans Entrepreneurship Portal website by using the following link and clicking on Operation Boots to Business found under Training and Employment at <a href="http://www.va.gov/osdbu/veteran/vep">http://www.va.gov/osdbu/veteran/vep</a>.</p> <p>The Veteran must sign VAF 28-0800, VR&amp;E Program Orientation to verify that the link to the video was provided. The VRC must provide the Veteran a copy of the form and include the original in the VR&amp;E record.</p> <p>NOTE: The Self-Employment Fact Sheet must be given to the Veteran whenever he/she expresses an interest in self-employment at any point in the rehabilitation process.</p>	M28R.IV.C.8

<b>29.</b>	<b>Was the Preliminary Evaluation Self-Employment Checklist completed and documented?</b>	
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	<b>Considerations</b>	<b>Citations</b>
	<p>As part of the vocational exploration process, the VRC must utilize the Preliminary Evaluation Self-Employment Checklist to determine if self-employment is appropriate for the Veteran. The Preliminary Evaluation Self-Employment checklist assesses the Veteran’s needs, potential, suitability and readiness to start a business. The checklist also identifies and addresses all issues or barriers to the successful pursuit of a self-employment plan. At this point, the VRC must have a clear understanding of the Veteran’s motivation, functional abilities, and interests since self-employment is one of the most demanding tracks to employment.</p>	M28R.IV.C.8

<b>30.</b>	<b>Was self-employment plan concurrence documented?</b>	
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	<b>Considerations</b>	<b>Citations</b>
	<p>The VREO must approve a self-employment plan with an estimated or actual cost of up to \$25,000. The VR&amp;E Service Director must approve a self-employment plan with an estimated or actual cost of \$25,000 or more.</p>	M28R.IV.C.2

<b>31.</b>	<b>Was assignment to Category I or II documented along with appropriate concurrence?</b>	
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	<b>Considerations</b>	<b>Citations</b>
	<p>If the VRC suspects a Category I assignment is appropriate, the case must go through extended evaluation under an IEEP first to demonstrate that due to</p>	M28R.IV.C.8

	<p>the severity of disability, even with accommodations, the only way to achieve a suitable vocational goal is through self-employment. VREO or VR&amp;E Service approval is not required for this IEEP. However, both VREO and VR&amp;E Service approval are required for a Category I designation.</p> <p>Veterans designated as Category I must meet all of the following conditions:</p> <ul style="list-style-type: none"> <li>• Serious employment handicap.</li> <li>• Most-severe service-connected disabilities.</li> <li>• Employability limitations are so severe that self-employment is the only option to achieve the rehabilitation goal.</li> <li>• All other reasonable vocational goals are unsuitable due to the severity of the Veteran's service connected disability(ies).</li> </ul> <p>Category II assignment is appropriate for Veterans who request assistance to start a business during the rehabilitation process and do not meet Category I criteria.</p> <p>Veterans designated as Category II must have one of the following:</p> <ul style="list-style-type: none"> <li>• Employment handicap, or</li> <li>• SEH, but the service-connected disability(ies) is not considered most severe.</li> </ul> <p>IWRP/IEAP self-employment plan approval is required at the VREO level and appropriate signature levels must be obtained based on cost limits of the plan.</p>	
<b>32.</b>	<b>Was a proposed business plan documented?</b>	
	<b>Considerations</b>	<b>Citations</b>
	The Veteran is responsible for developing the written business plan for VR&E's consideration. The VRC will ensure that the Veteran is referred to a professional business consultant, either on a voluntary or contractual basis, as a guide in this process.	M28R.IV.C.8
<b>33.</b>	<b>Was a summation of business plan analysis documented?</b>	
	<b>Considerations</b>	<b>Citations</b>
	<p>The VRC, in conjunction with the business consultant, must complete a summation of the business plan feasibility analysis. This summation must address all required areas, as well as any additional supporting documentation relevant to the self-employment process. The summation should clearly identify the feasibility of the business plan and rehabilitation services needed. The VRC must:</p> <p>(a) Summarize information from the business plan analysis into a written report, either on VAF 28-1902n or in a case note.</p> <p>(b) Obtain a written report from the contractor/vendor who assisted in completing the evaluation of feasibility for a proposed business plan, if applicable. A copy of this report must be included in the Veteran's VR&amp;E record.</p>	M28R.IV.C.8

34.	<b>Was the requested Higher-Level Review completed in an accurate and timely manner?</b>	
	<b>Considerations</b>	<b>Citations</b>
<b>34.A</b>	<b>The requested review was not completed accurately.</b>	
	<p>The QA review will assess the accuracy of the decision and compliance with procedures outlined in M28R.III.C.3, including:</p> <ul style="list-style-type: none"> <li>• Only information in the record at the time of the decision is reviewed during the higher-level review (HLR). No new evidence is reviewed.</li> <li>• The SM/V submitted VAF 20-0996 to the RO of jurisdiction within one year of the date listed on the decision letter.</li> <li>• If more than one year has elapsed, the VR&amp;E staff member must inform the SM/V in writing that he/she is outside the time limit to request an HLR, but may submit new evidence, if available, for a supplemental claim review (SCR).</li> <li>• VAF 20-0996 is date stamped as soon as it is received, and information is entered into Caseflow.</li> <li>• If an informal conference is requested, the higher-level reviewer must document the completion of the informal conference in a case note.</li> <li>• If the SM/V requests the HLR be completed at another RO, the HLR was complete at the alternate RO, as identified in M28R.Appendix T.</li> <li>• Three possible outcomes: uphold the decision, overturn the decision, or identify a duty to assist error.</li> </ul>	38 CFR 21.416 M28R.III.C.3
<b>34.B</b>	<b>The review was not completed in a timely manner (90 days or less from date of request).</b>	
	<p>All HLRs must be completed; a decision rendered; and the SM/V informed of the decision in writing within 90 days from the receipt of VAF 20-0996.</p> <p>It is important to note that even if the SM/V requests the HLR be completed at an alternate RO, the timeliness requirements to complete the HLR within 90 days from receipt of the request for a HLR remain in place. The requirement to complete the HLR within the required timeframe will transfer to the RO completing the HLR. Therefore, it is imperative that the coordination between the two ROs occur as soon as possible to ensure the alternate RO has appropriate time to complete the HLR.</p>	38 CFR 21.416 M28R.III.C.3
<b>34.C</b>	<b>The review was not completed by a more experienced VRC than the individual who made the decision.</b>	
	An HLR is a review of a decision that is completed by a more experienced VRC than the individual who made the decision. For VR&E, this duty may be assigned to lead or Supervisory VRC; the Assistant VR&E Officer; or the VR&E Officer. The higher-level reviewer must be someone that was not involved in the original decision-making process.	38 CFR 21.416 M28R.III.C.3
<b>34.D</b>	<b>The review indicated a Duty to Assist error, but a Supplemental Claim Review was not initiated.</b>	
	If during a HLR, the reviewer identifies a duty to assist error, meaning that the reviewer determined by a review of the case that additional information is available that may likely impact the decision that was not considered in the original decision, he/she will return the case to the assigned VRC. The VRC must immediately contact the SM/V to initiate the process to obtain the new evidence. The VRC has 30 days from the time the reviewer returns the case to obtain the new information and readjudicate the claim.	38 CFR 21.416 M28R.III.C.3



	It is important to note that the identification of a duty to assist error automatically triggers a SCR. Therefore, as soon as the duty to assist error is identified, Caseflow must be updated.	
<b>34.E</b>	<b>The requested informal conference was not provided.</b>	
	The SM/V has the right to one informal conference per issue during the HLR. Due to the timeliness requirements for completing the HLR, rescheduling the informal conference may not be an option if the request to reschedule is not made in a timely manner. Therefore, if the SM/V does not attend the informal conference and/or requests to reschedule the conference, it must be made in a timely manner that allows sufficient time to complete the HLR. Best practice is to reschedule the conference one time to ensure that VR&E provides every opportunity for the SM/V to be heard. If the request to reschedule the informal conference is not timely and will impede the reviewer's ability to complete the HLR within the 90/125-day period, then the reviewer is not required to reschedule the conference.	38 CFR 21.416 M28R.III.C.3
<b>35.</b>	<b>Was the requested Supplemental Claim Review completed in an accurate and timely manner?</b>	
	<b>Considerations</b>	<b>Citations</b>
<b>35.A</b>	<b>The requested review was not completed accurately.</b>	
	The QA review will assess the accuracy of the decision and compliance with procedures outlined in M28R.III.C.3, including: <ul style="list-style-type: none"> <li>• The review includes new and relevant evidence that was not considered when the original decision was made.</li> <li>• The SM/V submitted VAF 20-0995 to the RO of jurisdiction</li> <li>• VAF 20-0995 is date stamped as soon as it is received, and information is entered into Caseflow.</li> <li>• Two possible outcomes: uphold the decision or overturn the decision.</li> </ul>	38 CFR 21.416 M28R.III.C.3
<b>35.B</b>	<b>The review was not completed in a timely manner (125 days or less from date of request or identification of a Duty to Assist error).</b>	
	All SCRs must be completed; a decision rendered; and the SM/V informed of the decision in writing within 125 days from the receipt of VAF 20-0995.	38 CFR 21.416 M28R.III.C.3

**General Comments**

This section is used to note any other issues in the case that are not addressed above. This section does not count as an error, but analysis of noted issues may lead to additional items being added to the review instrument.