**VRE-NCT-04-Vocational Feasibility Script**

Slide 1:

Welcome to the VR&E Vocational Feasibility training. The training is designed to introduce the integral concept of Vocational Feasibility and its documentation using VA Form 28-1902f. Understanding this is pivotal to assist and guide claimants efficiently.

Slide 2:

The objectives of the training include the following:

1. Identify the criteria to determine feasibility
2. Determine if achievement of a vocational goal is currently reasonably feasible
3. Describe actions to take after determining feasibility
4. Complete VA Form 28-1902f, Feasibility Determination – Narrative Report

Slide 3:

There are several resources VRCs may need to use or reference when determining feasibility. Key references include VAF 28-1902f, Feasibility Determination – Narrative Report and VAF 20-0998, Your Right to Seek Review of Our Decision. Familiarity with these forms, VR-58, Ch31 Adverse Decision Letter, VR-64, Ch31 Positive Decision Letter, VR-66, General Proposed Adverse Action Letter and M28C procedures, not only ensures efficiency but also ensures claimants receive accurate and timely support.

Slide 4:

At its core, vocational feasibility evaluates an individual's potential, considering their current circumstances and disabilities, to pursue a vocational goal. Remember, feasibility is not part of the entitlement decision. Feasibility is ideally made during the initial evaluation while interviewing and reviewing documentation. However, there are times when it may not be a one-time assessment. It's an evolving measure based on the claimant's situation. An essential step in this process is to consistently document decisions on VA Form 28-1902f. Updates are crucial; VR&E records must reflect the current situation as stipulated in M28C.IV.B.1 .08b.

Slide 5:

What is vocational feasibility? Vocational feasibility is a process that helps VRCs determine whether achievement of a vocational goal is currently reasonably feasible and if the claimant is ultimately capable of obtaining suitable employment. Again, feasibility is not part of an entitlement decision, it is first assessed during the initial evaluation appointment. Feasibility should be assessed as soon as possible so that VRCs can properly plan Veteran readiness services. The VRC should determine whether the claimant has an employment handicap (EH) and a serious employment handicap (SEH). The VRC must then determine the question “is achievement of a vocational goal reasonably feasible?”. There are three basic determinations that can be made when answering this question: 1. Achievement of a vocational goal is reasonably feasible 2. Achievement of a vocational goal is not reasonably feasible. 3. Achievement of a vocational goal cannot be determined. If the VRC cannot resolve the issue of current reasonable feasibility during the initial evaluation, the VRC may authorize an extended evaluation for claimants with an SEH. For an EH, any reasonable doubt shall be resolved in favor of a finding of feasibility. A finding that achievement of a vocational goal is infeasible without a period of extended evaluation requires compelling evidence which establishes infeasibility beyond any reasonable doubt.

Slide 6:

Determining feasibility isn't arbitrary. It requires an in-depth examination of the claimant's disabilities and life circumstances and the impact on his or her present circumstances. When reviewing existing documentation for feasibility, you are considering three criteria:

1. One or more vocational goals have been identified.
2. The claimant’s physical, psychological, and cognitive functioning permits training for the goal to begin within a reasonable period.
3. The claimant 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 or her rehabilitation program.

If the claimant’s disabilities or life circumstances impact his or her current vocational goals or are projected to worsen, making the goal unattainable, a determination of 'not feasible' is reached. In such cases, it's mandatory for the VRC to send VR-58 and VAF 20-0998 to the claimant.

Slide 7:

Assess the impact of the claimant’s circumstances on feasibility of his or her vocational goal. Ask: how does the claimant’s disabilities, both service-connected disabilities (SCD) and non-service-connected disabilities, affect the feasibility of achieving the vocational goal? What about the deficiencies of their education or training?

Slide 8:

Documentation sources that help VRCs locate critical information in support of a feasibility determination include the following: CAPRI, VBMS and Share. Capri stores medical reports which have information on the severity of disability, current prognosis, whether the disability is progressive, stable, or improving, and treatment compliance. Alternatively, VBMS contains Rating sheets and narratives that have information the claimant has previously provided to the VRC. Finally, Share holds disability ratings and diagnostic codes for each disability.

Slide 9:

Not reasonably feasible means the effects of the claimant’s disability (service-connected and non-service-connected), when considered in relation to the claimant’s circumstances at the time of the determination, prevent the claimant from successfully achieving a vocational goal at the time; or are expected to worsen within the period needed to achieve a vocational goal and would, therefore, make achievement of a vocational goal not reasonably feasible.

Slide 10:

If the VRC determines the achievement of a vocational goal is currently not feasible, the VRC must notify the claimant of the decision. The VRC is also required to document the decision with a case note and upload the VR-58 and VAF 20-0998 into VBMS. If the claimant has an SEH & 20% SCD rating, the VRC should conduct an independent living assessment. If the claimant is a Service member, then independent living services are automatically entitled but the focus is on transitioning to civilian life. VRC’s must also take certain actions for claimants who do not possess an SEH or 20% SCD rating. First, the VRC must determine if services can be provided to improve the potential to make the claimant’s pursuit of a vocational goal feasible. Secondly, if the claimant’s case is discontinued if it is determined that a claimant is not feasible, but the claimant’s condition can improve within 12 months, the VRC must follow up at 6 and 12-month intervals. If the claimant gets better, the VRC must reassess whether the claimant’s pursuit of a vocational goal is currently feasible. If the claimant’s situation worsens, the VRC must determine if the claimant meets the criteria for an SEH.

Slide 11:

Feasibility determination isn't always black and white. Sometimes, the evidence at hand might be insufficient. A VRC may need more time to gather additional evidence to make an informed decision. In these gray areas, diving deeper into the individual’s situation is warranted. An Individualized Extended Evaluation Plan is appropriate in these circumstances if the claimant has an SEH. This is a temporary plan that provides additional time to research and determine the claimant’s ability to work.

Slide 12:

If a VRC determines that a vocational goal is not feasible at this time and the claimant has at least a 20% SCD rating and an SEH, the VRC will review the Preliminary Independent Living (IL) assessment with the claimant and conduct a Comprehensive IL assessment. The IEEP is then utilized to extend the initial evaluation. Its primary purpose is to extend the evaluation of vocational feasibility to factor in additional information obtained from further evidence. This additional information can help a VRC determine whether achievement of a vocational goal is currently reasonably feasible. Remember a VRC can only develop an IEEP if the claimant has an SEH. Using information from the entitlement decision and feasibility determination, the VRC will develop an IEEP with the claimant to determine the feasibility for a vocational goal.

Slide 13:

The feasibility determination is fluid throughout the life of the claimant's case. A claimant’s circumstances may change and result in a change in his or her ability to work. Life happens, things change, therefore feasibility can be redetermined. This must be documented on the 1902f form when changes occur.

Slide 14:

The feasibility determination must be documented. This is the case no matter what decision the VRC makes based on the claimant’s circumstances. VAF 28-1902f is the official form used to document feasibility determinations.

Slide 15:

Documentation is the cornerstone of the feasibility determination process. Using VA Form 28-1902f, the VRC should capture every facet of the vocational feasibility determination. Starting from the EH and SEH decisions made via VA Form 28-1902b, the focus then shifts to the feasibility of the vocational goal. This entails a detailed narrative that documents current feasibility, the influencing factors and the VRC’s assessment. The VRC is also required to upload the forms to the claimant’s VBMS eFolder.

Slide 16:

VA Form 28-1902f is used to document the feasibility determination. Within this form, a narrative is developed that documents the feasibility finding. The Narrative report consists of three sections or options that are contingent on the VRC’s decision. 1. Achievement of a vocational goal is feasible. 2. Achievement of a vocational goal is not feasible. 3. Feasibility cannot currently be determined. Feasibility cannot currently be determined. VRCs only fill out the section that is based on the decision. In all three instances counselors must clearly explain the decision, provide supporting evidence and outline the evaluation methods for reaching the decision.

Slide 17:

When the assessment concludes that a vocational goal is feasible, to the VRC should properly document this on VA Form 28-1902f. The VRC will check “achievement of a vocational goal is currently reasonably feasible” and fill out the corresponding narrative field. This slide reflects an effective assessment that concludes that the vocational goal is currently feasible: The Veteran has a promising interest in pursuing an occupation in the field of computers. The Veteran has a significant amount of military experience working in computers making it a promising opportunity for stable, suitable and continuing employment. In a review of the individual’s disabilities, both her service and non-service disabilities will not be aggravated in this type of occupation. Providing the Veteran professional training and a degree in this program will allow her to be competitive in finding employment. It is therefore determined that a vocational goal can be achieved, and that employment is feasible. Initial exploration will include the occupation of a computer related field.

Slide 18:

If a vocational goal is deemed not feasible, this conclusion is recorded on VA Form 28-1902f. The VRC will check “achievement of a vocational goal is not currently reasonably feasible” and fill out the corresponding narrative field. It's critical that this decision is clear, as it can significantly shape the claimant's vocational journey. This slide reflects an effective assessment that concludes that the vocation goal is not currently feasible: Abraham was a dental technician in the military for 10 years. While stationed overseas he was struck by a military bus that left him paralyzed from the hip down and limited mobility in upper extremities. He continues to experience severe pain and is still learning how to function with his disabilities. He has not worked since being discharged from the military and is currently entitled to 100% Individual Unemployability compensation. Veteran’s medical reports indicate regular, weekly medical appointments to attempt to resolve the stated issues. In addition to the medical problems from the accident, he is unmotivated at this time to return to work and would rather focus on his recovery. As a result of his accident, SCD’s and current medical status requirements, Veteran is unable to return to work and will be evaluated for independent living services.

Slide 19:

At times, it is unclear and uncertain what the feasibility status should be. More evidence may be necessary to make an accurate determination. In such instances, it's important that this 'Uncertain' determination is explicitly documented on VA Form 28-1902f, paving the way for potential further evaluations. You will check “achievement of a vocational goal cannot currently be determined” and fill out the corresponding narrative field. This slide reflects an effective assessment that concludes that the vocational goal cannot currently be determined: Roger recently medically retired from the military and is excited to find civilian employment. He is rated 70% for back pain, 40% for migraines and 40% for depression. He continues to work with his medical doctors to address his medical concerns. He was a Navy Diver for 17 years until he was injured during a diving training event. He spent his time in recovery completing his degree in management. He has not dived since the accident but insists to make diving his career post-military. He is not interested in any other career. Medical records show multiple inpatient substance abuse treatments as a result of substance abuse, which do not appear to be stabilized. Furthermore, he currently does not have stable housing and is residing at various friends' homes. Veteran is also awaiting legal ramification for driving under the influence and currently does not have transportation. As a result of his substance use, housing situation and legal status, it cannot be determined whether employment is feasible.

Slide 20:

After determining feasibility, a host of subsequent actions are activated based on the outcome. For VR&E counselors, it's essential to be attuned to these steps. This ensures not just procedural adherence but also fosters a clear pathway for our claimants. The following steps are:

1. If the VRC determines that achievement of a vocational goal is currently reasonably feasible, the VRC will proceed with the rehabilitation process to the development of a suitable vocational goal.
2. If the VRC cannot determine if achievement of a vocational goal is currently reasonably feasible and the claimant has a SEH, the VRC will proceed with the rehabilitation process to develop an IEEP.  For more information on IEEPs, see [**M28C.IV.C.3**](https://vaww.vrm.km.va.gov/system/templates/selfservice/va_ssnew/help/agent/locale/en-US/portal/554400000001050/content/554400000143054/M28C.IV.C.3--Extended-Evaluation-Plan).
3. If the VRC cannot determine if achievement of a vocational goal is currently reasonably feasible and the claimant does not have a SEH, the VRC will resolve reasonable doubt in favor of a finding of feasibility, in accordance with [**38 CFR 21.53.**](https://www.ecfr.gov/cgi-bin/text-idx?SID=80044dfd9bf3d44cd826b7c01cc5a22e&mc=true&node=se38.2.21_153&rgn=div8)
4. If the VRC determines that the achievement of a vocational goal is not currently reasonably feasible and the claimant does not have a SEH, the VRC must work with the claimant to determine if services can be provided which improve the claimant's potential to participate in a program of services designed to achieve a vocational goal, in accordance with [**38 CFR 21.35(i).**](https://www.ecfr.gov/cgi-bin/text-idx?SID=80044dfd9bf3d44cd826b7c01cc5a22e&mc=true&node=se38.2.21_135&rgn=div8)
5. If the claimant's case is discontinued for infeasibility and the VRC expects the claimant’s condition to improve within 12 months from the date of the determination of infeasibility, the VRC will diary the case to follow-up at six and 12-month intervals to ascertain if the claimant’s condition has improved to the point that achievement of a vocational goal is currently reasonably feasible.  If the claimant's situation has worsened, however, the VRC must determine if he or she now meets the criteria for an SEH.
6. If the VRC determines that achievement of a vocational goal is not currently reasonably feasible and the claimant has a SEH, the VRC will conduct an IL assessment, as outlined in [**M28C.IV.C.6**](https://vaww.vrm.km.va.gov/system/templates/selfservice/va_ssnew/help/agent/locale/en-US/portal/554400000001050/content/554400000150252/M28C.IV.C.6--Independent-Living-Plan).  If the claimant is a Service member, he or she can receive IL services under [**Pub. L. 110-181**](https://www.congress.gov/bill/110th-congress/house-bill/4986/text/pl?overview=closed), NDAA; however, IL services must focus on the transition from military to civilian life while the Service member is on active duty.

**Note:** The VRC must send [**VR-58**](https://www.knowva.ebenefits.va.gov/img/vre/VR-58.docx)and [**VAF 20-0998**](https://vbaw.vba.va.gov/bl/20/cio/20s5/forms/VBA-20-0998-ARE.pdf)to the claimant stating that a determination has been made that the achievement of a vocational goal is not currently reasonably feasible.

Slide 21

To recap, you should now be able to identify the criteria to determine if achievement of a vocational goal is currently reasonably feasible, determine if achievement of a vocational goal is currently reasonably feasible, describe actions to take after determining if achievement of a vocational goal is currently reasonably feasible, and complete VA Form 28-1902f which is the Feasibility Determination Narrative Report.

Slide 22:

For a more in-depth exploration, reference VR&E manual [M28C.IV.B.1 Evaluation Process.](https://vaww.vrm.km.va.gov/system/templates/selfservice/va_ssnew/help/agent/locale/en-US/portal/554400000001050/content/554400000144554/M28CIVB1-Evaluation-Process)

Slide 23:

Your dedication and commitment to the VR&E mission and understanding of the feasibility process will provide better services to Veterans and Service members.