

Maximum Rehabilitation Gain (MRG)

Understanding the two types of MRGs and the closure process.



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Hello and welcome to this microlearning about Maximum Rehabilitation Gain, commonly referred to as an MRG. Today, you will learn the requirements for closing a case as an MRG and how to determine if the closure is an MRG-1 or MRG-2. I am Tanya Lunn, Training Specialist with the VR&E service training team to guide you along this process.

Topic Objectives

- Determine Maximum Rehabilitation Gain (MRG) Closure criteria
- Identify the two types of Maximum Rehabilitation Gain (MRG) Closures
- Identify the Pre-Closure activity steps
- Identify the Post-Closure activity steps



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The learning objectives for this microlearning are to understand what an MRG is, know why MRGs are important to identify, know the two types of MRGs, and to be able to determine documentation requirements, including pre and post-closure activities.

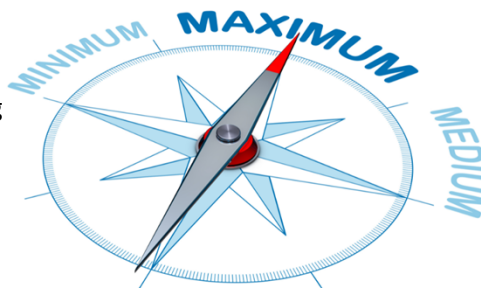
The screenshot shows the VA Intranet search results for "Maximum Rehabilitation Gain". The search bar at the top contains the text "Maximum Rehabilitation Gain" and a "Go!" button. The results are displayed in a list format, with the first result highlighted in blue. The highlighted result is "M28C.VA.6 Case Closure" with a sub-heading "b. Types of Maximum Rehabilitation Gain ... Discontinuance - Maximum Rehabilitation Gain (MRG) VR-49". The update date for this result is "Updated Dec 12, 2022". The description of this result states: "This Chapter describes the different types of case closures, the policies and procedures for each closure type to include required documentation, contact, and concurrence." Other search results include "M28C.VI.A.1 Chapter 1 Eligibility and Duration of Employment Services" (Updated Nov 18, 2022), "M28C.VIII.A.3 Workload Management" (Updated Nov 18, 2022), and "M28C Glossary of Terms" (Updated Aug 26, 2022). The page also features a "Refine your Search" sidebar with filters for Content Type, Special Benefit Group, Target Audience, and Process Stage, all set to "Any". A "Most Popular" sidebar on the right lists items like "M28C Table of Contents" and "M28C.VA.6 Case Closure". The footer includes the VA logo and the text "U.S. Department of Veterans Affairs".

Before moving on with our microlearning, I'd like to take a moment to direct your attention to our M28C manual. Please follow along with me. Since this microlearning is on Maximum Rehabilitation Gain let's do a search for it, in the search knowledge base bar. Since MRGs are a type of case closure, we can see our first search result yielded the chapter on case closures.

What is a Maximum Rehabilitation Gain

Per [M28C.V.A.6.04.a](#), an MRG closure is:

- A way we can demonstrate the positive impact our services had on the claimant,
- Appropriate for a claimant who is unable or unwilling to complete his or her planned services but nevertheless received maximum benefits, and
- Does not meet the criteria to close as rehabilitated.
- An MRG closure is not applicable for discontinuance for a case under an IWRP with a Deferred Vocational Goal since a suitable vocational goal has not been identified, as outlined in [M28C.IV.C.4](#).



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What is Maximum Rehabilitation Gain? Well, first let me just state, MRGs are positive outcomes for case managers!

Per the M28C an MRG closure is a way we can demonstrate the positive impact VR&E services had on the claimant. MRGs represent services provided to claimants that are positive, but the case cannot be closed as rehabilitated.

A case manager should always make every effort to assist the claimant toward a rehabilitation outcome; however, there are times when the claimant is unable or unwilling to continue receiving services toward their employment goal, this allows the case manager to proceed with MRG case closure.

VR&E has two types of MRGs. Maximum Rehabilitation Gain-1, and Maximum Rehabilitation Gain-2. The biggest distinction between the two types of MRGs is whether the claimant is employed or whether the claimant is employable.

It is important to note an MRG closure is not applicable for discontinuance for a case under an IWRP with a Deferred Vocational Goal since a suitable vocational goal was not identified for the claimant.

Maximum Rehabilitation Gain-1, Reason Code (RC) 35 (Employed)

The use of MRG-1 is appropriate if **all** the following circumstances are present:

- The claimant is employed,
- VR&E services contributed to the claimant obtaining or maintaining current employment, and
- The claimant does not meet the criteria for rehabilitation as outlined in [38 CFR 21.283](#).



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The first MRG we will look at is the MRG-1, RC 35 Employed. If the answer to each of the three questions is “yes”, then the use of MRG-1 is appropriate.

- Is the claimant currently employed?
- Did the services provided by VR&E contribute to the claimant obtaining and maintaining the current employment?
- Does the current employment benefit the claimant, but not meet the criteria for closure as “rehabilitated” in accordance with [38 CFR 21.283](#)?

A case can be closed if all three of the requirements on this slide are met.

Maximum Rehabilitation Gain-2, Reason Code 37 (Employable)

The use of MRG-2 RC 37 is appropriate if the claimant:

- Completed all or some of the planned services leading toward a suitable vocational goal,
- Is currently employable in a suitable job, and
- The services provided by VR&E enable the claimant to qualify for suitable employment.

Note: A case may be closed using MRG-2, Employable Rehab Criteria not met, for a claimant who is employed in any marijuana-related industry if all the criteria for MRG-2 have been met.



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This slide outlines the requirements for using MRG-2 RC 37, Employable. MRG-2 includes instances where the claimant chooses to remain in the same unsuitable position that led to the finding of entitlement if the criteria above are met. Again, please pause and take the time you need to review this slide.

It is also important to note that MRG-2, RC 37 may be used for a claimant who is employed in any marijuana related industry if all the criteria for MRG-2 has been met.

Questions to Consider for Maximum Rehabilitation Gain-2, Reason Code 37 (Employable)

Per [M28C.V.A.6.04.b](#), if the answer to each of the following questions is “Yes”, then use of MRG-2 is appropriate:

- Have the claimant’s circumstances in the period following application for VR&E services improved?
- Did the services provided by VR&E contribute to the improvement in the claimant’s circumstances?
- Has the claimant overcome the impairments to employment noted during the initial evaluation?
- Is the claimant currently qualified and capable of obtaining employment in a suitable occupation?
- Did the services provided by VR&E contribute to the claimant’s employability?



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If the answer to each of the five questions on this slide can be answered with a “yes”, the use of MRG-2 is appropriate.

- Have the claimant’s circumstances in the period following application for VR&E services improved?
- Did the services provided by VR&E contribute to the improvement in the claimant’s circumstances?
- Has the claimant overcome the impairments to employment noted during the initial evaluation?
- Is the claimant currently qualified and capable of obtaining employment in a suitable occupation?
- Did the services provided by VR&E contribute to the claimant’s employability?

Remember, the type or duration of services provided by VR&E alone is not sufficient to justify the use of MRG-2. Meaning, the services must have contributed to the claimant’s employability.

Pre-Closure Activities

When the case manager determines that a case is appropriate for MRG closure, the following actions must be completed:

- Interrupt the case, and
- Send the appropriate due process letter

EXCEPTION for due process - If the claimant requests closure of his or her case.



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When closing a case in a MRG status the case manager must move the case to an interrupted status and provide due process. The appropriate due process letter to send prior to an MRG discontinuance is VR-48, Proposed Discontinuance-Maximum Rehabilitation Gain.

It is important to note there is an exception to due process, and that is, if a claimant requests closure of his or her case. The case manager must clearly document the claimant's request in an electronic case note. The documented contact must include the following:

- The claimant has been informed of the proposed adverse action and the claimant waives the due process period and his or her appellate rights.

Actions after Notification of Proposed Closure



The case manager may do the following after the initial 30-day due process period:

- Close the case even if the claimant disagrees with case closure
 - For example, when the claimant requested additional training, but the case manager determined that additional training is not necessary, and the claimant had already been informed of the adverse action for denial of additional training.
- Close the case even if the claimant does not respond during the due process period



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The case manager may take the following actions after the initial 30-day due process period:

1. Is to close the case even if the claimant disagrees with case closure. For example, a claimant may have requested additional training, but the case manager determined additional training is not necessary, and the claimant had already been informed of the adverse action for denial for additional training.
2. Is to close the case even if the claimant does not respond after the 30-day due process period. The case manager makes the final determination regarding the closure.
3. If the claimant fails to respond to the case manager or loses contact, a third-party information may be used.
4. Some examples of acceptable third-party sources include:
 - Contract Counselors
 - DVOPs, LVERs,
 - School Certifying Officials,
 - VSOs,
 - and CAPRI records.

This information must be obtained no later than 120 days prior to case closure. A best practice to consider is if you are making valid attempts at contacts in JR status and the claimant is not responding, and in your professional judgment further motivational attempts will not result in contact, you may want to consider the MRG sooner rather than later.

Actions after Notification of Proposed Closure (Continued)

It's important to note the following:

- The case may be closed after 30 days but no later than 180 days from the date of the proposed adverse action letter.
- If the closure was not taken after 180 days, the claimant must be provided another proposed adverse action letter with a 30-day due process period.



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The purpose of notification of proposed closure and due process is to provide the claimant a written notification, which explains the reason(s) for the proposed closure and to provide the required steps to continue receiving VR&E services. The due process period provides the claimant with an opportunity to dispute the decision prior to the case closure. The due process period must be at least 30 days, but no more than 180 days, from the date on the notification letter.

If the closure was not taken before 180 days, the claimant must be provided another proposed adverse action letter with an additional 30-day due process period.

MRG Closure Statement Requirements

Per [M28C.V.A.6.01.b.3](#) all closure statements for cases being closed from a plan of service must include nine required items. Please review this section of the manual.

Additional requirements for MRG closure statements are detailed in [M28C.V.A.6.04.c](#).

They are as follows:

- A description of the need for services that was based on the initial evaluation of the claimant's impairment of employability.
- Services that were actually provided, summarizing whether objectives were completed.



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MRG Closure statement requirements, **all** closure statements for cases being closed from a plan of services must include nine required items. Please review those items in the Case Closure chapter of the M28C.

There are additional requirements for MRG closure statements which are detailed in the manual and are as follows:

1. A description of the need for services that was based on the initial evaluation of the claimant's impairment of employability.
2. What services were provided and summarizing whether objectives were completed.

MRG Closure Statement Requirements (Continued)

- An explanation of whether the claimant is currently qualified for and capable of obtaining employment in a suitable occupation.
- A synthesis of how the claimant meets the criteria for MRG-1 or MRG-2 and how specific VR&E services contributed to current circumstances to include the claimant's employment or employability in a suitable job, and how services improved the claimant's circumstances.
- After writing the closure statement the case manager must complete [VAF 28-0853](#), Checklist for Proposed Discontinuance, and have the VR&E Officer or designee concur, sign and date.



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Continuing with MRG Closure statement requirements

3. An explanation of whether the claimant is currently qualified for and capable of obtaining employment in a suitable occupation.

4. A synthesis of how the claimant meets the criteria for either MRG-1 or MRG-2 and how specific VR&E services contributed to the improvement of the claimant's current circumstances to include employment or employability in a suitable occupation. Additionally, when closing a case in either MRG-1 or MRG-2 status the case manager should also verify how the claimant's current health and personal circumstances allow for employment.

5. After writing the closure statement the case manager must complete VAF 28-0853, Checklist for Proposed Discontinuance, and request concurrence from the VREO or designee.

Closure Activities



- For MRG closures the VR-64, Chapter 31 Positive Decision Letter must be sent to the claimant.
- The effective date of a claimant's closure in CWINRS is not earlier than the date of the VR&E Officer or designee's concurrence with the closure decision.
- The closure date in CWINRS must match the date on the final closure notification letter.



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Closure activities include sending VR-64, Chapter 31 Positive Decision Letter to the claimant, documenting the closure in case management system, ensuring the closure is no earlier than the date of the VREO or designee's concurrence with the closure decision, and the closure date in system matches the date on the VR-64.



This concludes our microlearning on maximum rehabilitation gain, thank you for your time and attention today, we hope this training helps you in making appropriate determinations for using MRG closures, which represents the positive impact of VR&E services received by claimants who do not meet the criteria for rehabilitation. Have a good day, bye.