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Hello, my name is Loraine Spangler. I am a VR&E policy analyst. Welcome to today’s microlearning, where you will be learning how to close a claim as discontinued.

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After completing this microlearning, you will know how to identify the different types of discontinued closures and the closure requirements that are found in M28C.V.A.6.

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Discontinuance is the termination of all VR&E services and benefits and is best utilized as a last resort. The case manager must exhaust all possible avenues to ensure the claimant’s needs are met prior to discontinuance.   ​

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Discontinuance from applicant status requires the case to remain in APP status until closure.  The VR-15 must be sent and placed in the claimant’s record except when the claimant requests closure. Discontinuance from Evaluation and Planning occurs when the claimant is entitled but does not pursue the claim by developing a signed plan of services. A VR-47 is required with the 30-day due process and sent prior to taking the action **unless** the claimant requests closure.  The case remains in EP status during the due process period. Discontinuance from interrupt status requires sending a VR-66, with the 30-day due process prior to taking the adverse action except when the claimant requests closure.  The case remains in interrupt status during the due process period.

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Generally, when a claimant has a signed plan of services, the case must be moved to INT status before closing, but there is an exception when the claimant requests case closure. In this instance, cases in EE, RTE, IL, or JR status will not be placed in INT status prior to placing the case in DIS status. It is important to remember the due process period is not required when the claimant requests closure. The case manager must follow the case closure procedures as outlined in [M28C.V.A.6.03.b.5(b)](https://vaww.vrm.km.va.gov/system/templates/selfservice/va_kanew/help/agent/locale/en-US/portal/554400000001050/content/554400000149185/M28CVA6-Case-Closure)

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When the claimant fails to respond to the case manager or loses contact, third-party information may be used to attempt contact and validate the claimant’s status prior to case closure. Examples of acceptable types of third-party information sources include but are not limited to Contract Counselors, Disabled Veterans Outreach Program Specialists, Local Veterans’ Employment Representatives, School Certifying Officials, Veteran Service Officers, and CAPRI Records. **Please note**, if neither direct contact nor third-party information is obtained prior to case closure, the case must not be discontinued using Maximum Rehabilitation Gain closure

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Cases being closed from Applicant status require a brief electronic case note. Evaluation and Planning discontinuances require a summary of services provided and documentation of attempts at motivating continued participation that is also included in the claimant's electronic record.  Cases being closed from INT status require a well-written closure statement. ​

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Cases being closed from INT status must accurately document the history and services provided. Closure statements must include the date of closure statement, current service-connected disability conditions and rating, employment handicap or serious employment handicap determination, remaining Chapter 31 entitlement, and an overview of the rehabilitation plan, including the services provided and how the services impacted the claimant’s ability to overcome the vocational impairment.

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Closure statements must also include the reason(s) for the decision to close the case, include any applicable regulatory guidelines that support the decision, such as [**38 CFR 21.364**](https://www.ecfr.gov/cgi-bin/text-idx?SID=5c9424c3adb53f441b778b2e88fca430&mc=true&node=se38.2.21_1364&rgn=div8), specific evidence supporting the decision, accurate reason code (RC), detailed reason code (DRC), if applicable that will be used to close the case, as well as an explanation for using the specified RC and DRC, if applicable. A list of RCs and DRCs can be found in [M28C.III.A.1.02.j](https://vaww.vrm.km.va.gov/system/templates/selfservice/va_kanew/help/agent/locale/en-US/portal/554400000001050/content/554400000143787/M28CIIIA1-Case-Status-System?query=DRC).

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Discontinued closures require the VR-58 to be sent **unless** you are discontinuing as MRG. It’s important to remember a case may be closed from APP status 10 days from the date the VR-15 was sent.  All other discontinuances may be closed after 30 days but no later than 180 days from the date of the proposed adverse action letter. If the closure is not taken after 180 days, the claimant must be provided another proposed adverse action letter with a 30-day due process period. The case manager must complete the VAF 28-0853, Checklist for Proposed Discontinuance.

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The case manager must ensure the case management system reflects the accurate RC and DRC, if applicable, the effective date of a claimant’s closure in the electronic record is not earlier than the date the VR&E Officer or designee concurred with the closure decision and the closure date in the electronic record matches the date on the final closure notification letter. The case manager must review the claimant’s “Additional Rating Decisions” tab in SHARE to determine if the claimant is in receipt of Total Disability based on Individual Unemployability (TDIU). If so, the case manager must provide a copy of the claimant's closure letter to the VSC and must document in an electronic case note that notification was provided.

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This microlearning reviewed the definition and use of discontinuance, pre-closure and closure activities, procedures when the claimant requests discontinuance, use of third-party information, and requirements for documentation.

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Thank you for attending the microlearning.  I hope this has been informative and you have a clear understanding of how to properly document and discontinue cases.  Be sure to check out the next slide for a list of M28C and CFR references used in this presentation.