Closing a case as Rehabilitated Script

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Hello, my name is Jessica Brietzke and I am a Procedures Analyst for Central Office. I want to welcome you to today’s microlearning. Today we will be learning how to close a case as rehabilitated.

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After this microlearning, you will be able to identify the different types of rehabilitation closures as well as the closure requirements.

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The definition of rehabilitation can be found in 38 CFR 21.283. This regulation provides you with guidance on determining the 3 instances when a claimant may be determined rehabilitated. Some questions to keep in mind regarding rehabilitation include: Is the Claimant “suitably employed”? Is the employment consistent with aptitudes, interests, and abilities? Is the employment related to the occupational objective? Has the claimant overcome their impairment? I encourage you to take the time to read through the entire 38 CFR 21.283 Regulation. More information can be found on rehabilitation in M28C.V.A.6 (Case Closure).

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The proposed rehabilitation for further education is the only time a due process letter for rehabilitation closure is required. The case manager sends the VR-49 in this instance. Be mindful of exceptions to the rule and in this case, an exception is when the Veteran requests case closure, in this instance the case manager may immediately close the case. In other instances, such as when the claimant is suitably employed, has completed services under 38 U.S.C. 3117 or when the claimant has completed most of an IL plan and has demonstrated an increased level of independence a VR-49 is not needed.

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The case manager must make every attempt to reach the Veteran prior to closure. Generally, a case manager must have contact with a claimant within 90 days of case closure however, when this is not possible third-party information can be used as long as the information is obtained within 120 days prior to closure.

Examples of third-party sources include but are not limited to contract counselors, DVOP’s, LVER’s, SCOs, VSO’s and CAPRI records. It is important to remember if neither direct contact or third-party information is obtained prior to case closure, cases must not be closed using Reason Codes for Rehabilitation or Discontinuance for Maximum Rehabilitation Gain (MRG). Claimants may post information on social media platforms, including Facebook, Instagram, and LinkedIn. However, the information posted to these platforms is not always accurate. Therefore, precautions must be taken when using information posted to social media.

Remember, the case manager makes the final determination regarding appropriate action to be taken on a case, even when a claimant does not agree with case closure.

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Prior to closing the case, the Case Manager must document and justify the decision for closure. Per M28C.V.A.6.01.b.3 **all** 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, overview of the rehabilitation plan, including the services provided and how the services impacted the claimant’s ability to overcome the vocational impairment, reason(s) for the decision to close the case and the regulatory guidelines that support the decision such as [**38 CFR 21.283**](https://www.ecfr.gov/cgi-bin/text-idx?SID=5c9424c3adb53f441b778b2e88fca430&mc=true&node=se38.2.21_1283&rgn=div8) and [**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.

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In addition to the previously reviewed closure statement requirements, rehabilitation for suitable employment requires additional information on the closure statement. The documentation requirements include the type and description of degree or training completed, beginning and ending dates for training, cumulative grade point average, beginning date of employment, place of employment, title of position, supervisor’s name and contact information, work requirements, and wage information. This information can be found in M28C.V.A.6.01.b.3

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[There are eleven types of rehabilitation closures.](https://vaww.vrm.km.va.gov/system/templates/selfservice/va_kanew/help/agent/locale/en-US/portal/554400000001050/content/554400000149185/M28C.V.A.6%20%20Case%20Closure) They are suitable employment, temporary employment, term employment, seasonal employment, self-employment, independent living, volunteer employment, the claimant is employable and elects to pursue further education, the claimant does not complete the vocational objectives on the rehabilitation plan, the claimant’s employment is closely related to the planned goal, claimant’s employment is unrelated to the planned goal. M28C.V.A.6.01.b.3 is your manual reference for these rehabilitation closures.

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The case manager is required to include supporting documentation in the claimant’s VR&E record prior to obtaining concurrence. Supporting documentation includes but is not limited to, a copy of the claimant’s diploma or certificate and transcript, a declaration of the claimant’s job readiness, the current rehabilitation plan, verification of employment assistance allowance (EAA) payments, and a completed VAF 28-0851, Activities of Daily Living Checklist.

The case manager must provide the information above to the VR&E Officer or designee to obtain concurrence prior to closing the claimant’s case. If the VR&E Officer or designee does not concur with the proposed closure, he or she must explain the decision in an electronic case note for the case manager’s review. The case manager must either take the recommended action(s) to obtain concurrence to close the case or consider alternative rehabilitation options if the recommended action will not result in concurrence to close the case.

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Depending on the type of closure one of the following must be completed. For Proposed Rehabilitation complete VAF 28-0850, Checklist for Proposed Rehabilitation. For Independent Living, complete VAF 28-0851, Activities of Daily Living Checklist.

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The case manager is responsible for ensuring CWINRS reflects the accurate RC and DRC, if applicable, for the closure, the effective date of a claimant’s closure in CWINRS is not earlier than the date the VR&E Officer or designee concurred with the closure decision, the closure date in CWINRS matches the date on the final closure notification letter and if applicable the claimant’s employment data is correctly entered in CWINRS.

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Upon receipt of concurrence from the VREO or designee, the case manager must send the VR-64, Chapter 31 Positive Decision Letter and 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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Thank you for attending this microlearning on rehabilitation closures. Please refer to M28C.V.A.6 Case Closures for guidance as needed when closing plans of service in rehabilitated status.

It has been my pleasure presenting this information to you. I hope you enjoy the rest of your day!