

Chapter 5
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Chapter 5
OUTCOME OF INITIAL EVALUATION

5.01 Introduction

Every initial evaluation has an outcome and steps the Vocational Rehabilitation Counselor (VRC) must take based on the entitlement decision. This section contains the steps to take if the Veteran or Servicemember is found entitled to services and how to close the case if he/she is found not entitled to Chapter 31 services.

5.02 References and Resources
(Change Date February 19, 2019)

Laws: 38 United States Code (U.S.C.) 3117

Regulations: 38 Code of Federal Regulations (CFR) 21.198

VA Forms (VAF): VAF 28-1902b, Counseling Record-Narrative Report
VAF 20-0998, Your Rights to Seek Further Review of our
Decision (Note – this form replaced all versions of VAF 4107
effective February 19, 2019)

5.03 Initial Evaluation Outcomes

a. Steps to Determine Initial Evaluation Outcome
(Change Date February 19, 2019)

The following chart provides guidance on possible initial evaluation outcomes, and how to process claims properly.

The case manager must keep EP status open while conducting vocational exploration and follow-up counseling activities for items 1 through 6 listed below.

Possible Initial Evaluation Outcomes	Case Manager Activity Required
<p>Evaluation is completed. The Veteran is entitled to Chapter 31 benefits, but he/she does not pursue claim by developing a rehabilitation plan, or he/she declined services, including when the Veteran elects to use his/her Chapter 33 benefits.</p>	<p>Send the Veteran a notification letter with 30-day due process before taking the adverse action. Do not move case to Interrupted (INT) Status during due process period.</p> <p>If Veteran does not respond after the 30-day period, close EP status with Reason Code (RC) 03 using the date of the decision and open Discontinued (DIS) Status using the same date the EP status is closed.</p> <p>A Detailed Reason Code (DRC) must be selected to provide the reason for using RC 03.</p> <p>Notify applicant of the discontinuance in writing and provide VAF 20-0998 at the time of closure.</p>
<p>Individualized Written Rehabilitation Plan (IWRP) is developed and signed by the Vocational Rehabilitation Counselor (VRC) and the Veteran.</p>	<p>Close EP status with RC 05 using the date the IWRP is signed by both parties, and open Rehabilitation to the point of Employability (RTE) Status using the same date EP status is closed.</p> <p>The Corporate WINRS (CWINRS) Claims Disposition tab must be updated prior to case status movement.</p> <p>The close and open date procedures are the same in cases involving retroactive subsistence allowance payments. Therefore, the Master Record may reflect a pay status, which is earlier than the "close" or "open" case status date.</p>

Possible Initial Evaluation Outcomes	Case Manager Activity Required
<p>Individualized Extended Evaluation Plan (IEEP) is developed and signed by the VRC and the Veteran.</p>	<p>Close EP status with RC 06 using the date the IEEP is signed by both parties and open Extended Evaluation (EE) Status using the same date EP status is closed.</p> <p>The CWINRS Claims Disposition tab must be updated prior to case status movement.</p>
<p>Individualized Employment Assistance Plan (IEAP) is developed and signed by the VRC and the Veteran. This option is only available when the Veteran qualifies for employment assistance under 38 U.S.C 3117.</p>	<p>Close EP status with RC 07 using the date the IEAP is signed by both parties and open Job Ready (JR) status using the same date EP status is closed. This is the only time a case will go directly from EP status to JR status.</p> <p>If the Veteran requires services in order to become job ready, develop IWRP/IEAP combination plan. See case status movement instructions for IWRP above.</p> <p>The CWINRS Claims Disposition tab must be updated prior to case status movement.</p>
<p>Individualized Independent Living Plan (IILP) developed, approved by Vocational Rehabilitation and Employment (VR&E) Officer, and signed by the VRC and the Veteran.</p>	<p>Case remains in EP status pending approvals, including all required approvals by the Director of VR&E Service.</p> <p>Close EP status with RC 08 using the date the IILP and approval documents are signed by both parties and open Independent Living (IL) Status using the same date the EP status is closed.</p> <p>The CWINRS Claims Disposition tab must be updated prior to case status movement.</p>

Possible Initial Evaluation Outcomes	Case Manager Activity Required
<p>Veteran's achievement of a vocational goal is determined not currently reasonably feasible and he/she does not need, is not eligible for, or cannot participate in a plan of IL services at this time.</p>	<p>Notify the Veteran of the adverse action (denial of any plan of services) in writing and provide VAF 20-0998. Case must remain in EP status during due process period.</p> <p>VR&E Officer approval is required prior to closure of case. After 30 days, close status with RC 09 using the date of the decision and open DIS status using the same date the EP status is closed. Notify applicant of the discontinuance in writing and provide VAF 20-0998 at the time of closure.</p> <p>After discontinuance, provide Veteran with the required follow up at 6 months and 12 months to evaluate if his/her circumstances have changed sufficiently to warrant a re-evaluation of feasibility. Follow-up can be done via phone or letter and documented in a CWINRS note.</p>
<p>Veteran is determined to have no employment handicap (EH).</p>	<p>Close EP status with RC 10 using the date of the decision and open DIS status using the same date EP status is closed.</p> <p>Notify the Veteran of the discontinuance in writing and provide VAF 20-0998.</p>

Possible Initial Evaluation Outcomes	Case Manager Activity Required
<p>Veteran is determined to have an EH, but no serious employment handicap (SEH) and his/her 48-month entitlement has been exhausted.</p>	<p>Close EP status with RC 11 using the date of the decision and open DIS status using the same date EP status is closed.</p> <p>Notify the Veteran of the discontinuance and provide VAF 20-0998.</p>
<p>Veteran is determined to have an EH, but no SEH and his/her 12-year eligibility period has expired.</p> <p>Or, Veteran has been granted 10% combined SCD rating, but he/she does not meet the criteria for SEH.</p>	<p>Close EP status with RC 12 using the date of the decision and open DIS status using the same date EP status is closed.</p> <p>Notify Veteran of the discontinuance in writing and provide VAF 20-0998.</p>
<p>Veteran is a reapplicant with a prior case closed in discontinued status. VRC determines that reasons for prior discontinuance have not been removed in accordance with 38 CFR 21.198(c).</p>	<p>Close EP status with RC 21 using the date of the decision and open DIS status using the same date EP status is closed.</p> <p>Notify the Veteran of the discontinuance in writing and provide VAF 20-0998.</p>
<p>Veteran's SCD rating is reduced to a non-compensable level, or severed, or Veteran is found to otherwise be ineligible such as in the event that the GED processing incorrectly granted eligibility.</p>	<p>Close EP status with RC 39 using effective date of the severance of service-connection and open DIS status using the same date EP status is closed.</p> <p>Notify the Veteran of the discontinuance in writing and provide VAF 20-0998.</p>
<p>Veteran's death is confirmed, and date of death appears on the M32 screen.</p>	<p>Close EP status with RC 99 using date the Veteran's death is verified and open DIS status using the same date the EP status is closed.</p>

For some selected RC, users are required to select an additional DRC that provides more specific information on the selected reason for claim

processing. The following chart provides additional guidance on how to process claims from EP status properly using DRC.

SELECTED RC	DRC
03 – Non-pursuit from APPL or entitled	03A Medical Issues 03B Financial Issues 03C Elects GI Bill (not CH33), Does Not Want VR&E to Monitor 03D Refusal to Participate 03E Reactivated into the Service 03F Disappeared/Unable to Locate 03G Incarcerated 03H Family Illness 03I No Response After Due Process 03J Other 03K Elected CH33

b. Documenting the Entitlement Determination

The VRC documents the entitlement determination using VAF 28-1902b, Counseling Record – Narrative Report, (see Appendix O, VA Forms). Refer to M28R.IV.B.2 for guidance on completing VAF 28-1902b.

The VRC must also provide verbal and written notification of the entitlement determination to the Veteran. A copy of the written notice will be filed in the VR&E record. Refer to M28R.IV.B.2 for guidance on providing written notification of the entitlement determination.

c. Potential Sources of Assistance Following Denial

When entitlement to VR&E services is denied, the VRC and Veteran or Servicemember should explore alternative resources, such as job placement assistance through the Disabled Veteran’s Outreach Program (DVOP) or Local Veterans’ Employment Representative (LVER) staff, educational assistance through other Department of Veterans Affairs (VA) programs, educational assistance through grant and scholarship programs and rehabilitation or related assistance through State agencies.

d. Election of Another VA Benefit

If eligible, an individual may choose to train under another VA program. The VRC will provide the individual with information to assist him/her in the decision making process.