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Chapter 3 CASE MANAGEMENT FOR FOREIGN CASES

3.01 Introduction

This chapter includes information on the development of Vocational Rehabilitation and Employment (VR&E) rehabilitation plans and managing cases for Veterans who reside outside the United States (U.S.) and are receiving VR&E services. It also provides information on the coordination and types of services, and procedures on fiscal responsibilities for foreign cases. Statutory and regulatory references are provided throughout the chapter.

3.02 References and Resources

Laws: 38 United States Code (U.S.C.) 3114
 38 U.S.C. 3120
 38 U.S.C. 3485

Regulations: 38 Code of Federal Regulations (CFR) 21.130

VA Forms (VAF): VAF 28-8861, Request for Medical Services-Chapter 31

Websites: www.state.gov
 www.usembassy.state.gov
 www.va.gov/hac/forbeneficiaries/fmp/fmp.asp
 www.va.gov/hac/factsheets/fmp/FactSheet01-30.pdf
 www.veterans.gc.ca/eng

3.03 Assistance for Foreign Cases

a. Available Resources

The following table provides additional sources available for assistance with foreign cases:

Source for Assistance	Contact Information
American Embassies in Foreign Countries	Varies by location. Refer to www.usembassy.state.gov for contact information of all American Embassies worldwide
Canadian Department of Veterans Affairs (CDVA)	CDVA Foreign Operations Branch P.O. Box 8476 Ottawa, Ontario, KTG 38H9 Attn: Service Director

	Telephone Number: 9-613-998-3667 www.veterans.gc.ca/eng
Department of State	Director, Office of Special Consular Services The Department of State Washington, DC 20520 Attn: Federal Agencies Section www.state.gov

b. Types of Assistance

The assistance provided by the American embassies, Department of State, and CDVA include:

- Identifying service providers
- Arranging for counseling and other services
- Following up on the status of individual Veterans with schools or other facilities

Note: In addition, the American embassies also provide general information and assistance, as well as arranging for physical examinations as requested by the Veterans Service Center (VSC) Manager at the Pittsburgh Regional Office (RO).

c. Authority for Correspondence with Sources of Assistance

Generally, the authority for correspondence with one of the sources of assistance must come from the Vocational Rehabilitation and Employment Officer (VREO) from the inquiring RO.

d. Request for Assistance from Foreign Service Posts

Requests for assistance from foreign services posts must be forwarded to the office of foreign area jurisdiction, as outlined in M28R.V.C.2.

3.04 Receiving and Processing Applications for Foreign Cases

a. Responsibility for Processing Applications

The ROs responsible for processing applications for foreign cases for VR&E services are listed in M28R.V.C.2.

b. Applications Received by ROs with no Foreign Area Jurisdiction

If a Veteran residing abroad files an application at an RO that does not have jurisdiction over his/her area of residence, the receiving RO must forward the

application and other existing document or folders to the appropriate office of jurisdiction.

If a Veteran residing in the U.S. applies for Chapter 31 benefits and requests training outside the U.S., the RO that receives the application must complete the processing of application, initial evaluation and plan development.

3.05 Determining Eligibility for Training Abroad

a. Identifying the Need for Training Abroad

Training outside the U.S. may be authorized if the Veteran's education and training is determined not available in the U. S. However, the availability of training is based on current occupation information regarding the requirements for entry into the field of the Veteran's vocational goal.

In addition, a Veteran attending a training facility in the U.S. may be authorized training outside the U.S. if the facility requires that he/she pursue a period of education or training outside the U.S.

b. Authorizing Training Abroad When Training is Available in the U.S.

A Veteran may be authorized to pursue training abroad even if the training is available in the U.S. if requiring the Veteran to pursue training in the U.S. will result in a hardship to the Veteran. However, the Veteran must have a legal basis for residence in the foreign country prior to developing of his/her rehabilitation plan.

The following are samples of hardship conditions:

1. The Veteran is married to a foreign national and his or her family resides in a foreign country.
2. The Veteran's spouse is transferred to a military or civilian job in a foreign country and the Veteran accompanies his/her spouse to that foreign country.
3. The Veteran is employed in a foreign country.

It is important to note that the Veteran's desire to study abroad for personal reasons is not considered a hardship condition.

c. Denying Request to Train Abroad

A Veteran who requires continuing treatment in the U.S. while residing abroad may not be approved for a Chapter 31 program. The Veteran's travel

to the U.S. to secure ongoing treatment for a serious medical condition is generally contraindicated for medical reasons and the disruptive effect of his/her absences would prevent the Veteran from successfully pursuing a rehabilitation plan. Other arrangements must be made to provide training in the proposed program or in a different program in the U.S.

d. Extended Evaluation

A Veteran, who is determined in need of an extended evaluation to determine the reasonable feasibility of a vocational goal, must be provided with the extended evaluation services in the U.S.

If the Veteran does not wish to participate in the extended evaluation or disagrees with the determination for extended evaluation, he/she will be provided with due process.

3.06 Developing a Rehabilitation Plan

a. When to Develop a Plan

The development of a rehabilitation plan for a foreign case must be initiated as soon as the Veteran has been determined entitled to vocational rehabilitation services. Since obtaining agreement and signature on the plan remotely can delay the progress of the Veteran's rehabilitation program, attempts must be made to expedite completion of the plan prior to the Veteran's returning to his/her residence abroad.

b. Extension of the Veteran's Stay in the U.S. for Plan Development

A Veteran's stay in the U.S. may be extended to complete the development of his/her plan. For information on extending the Veteran's stay in the U.S. to complete the development of his/her plan, refer to M28R.V.C.2.

c. Identification of Issues in Providing Rehabilitation Services Abroad

The Veteran's rehabilitation plan and supporting documentation must clearly detail and address the professional and administrative issues involved in providing rehabilitation services out the U.S.

The detailed documentation is required when the training outside the U.S. is the whole, or only a part, of the Chapter 31 program.

d. Inclusion of Employment Services in the Plan

Employment services must be included as part of the Veteran's rehabilitation plan in the same manner that the employment services is incorporated in a

rehabilitation plan for a Veteran residing in the U.S. Additionally, a determination must be made whether the Department of Veterans Affairs (VA) can reasonably provide or coordinate with other agencies or organizations to provide the necessary employment services.

e. Limitations on Types of Services

1. The type of services allowed for foreign cases is limited. Rehabilitation services will not be provided under the following:
 - A plan for independent living services
 - A self-employment plan
 - A plan for extended evaluation services, which include special rehabilitation services for a period of work adjustment training to improve the Veteran's rehabilitation potential
2. If a Veteran needs an excluded service, the Veteran must agree to receive the services in the U.S. However, if the Veteran does not agree to receive the identified services in the U.S., the Veteran must be provided with the proper due process and his/her claim must be disallowed.
3. A plan for self-employment services may be provided outside the U.S. if approved by the VREO only on a case-by-case basis. The VREO must ensure that proper support and resources are available in the foreign area jurisdiction in which the Veteran resides.

Prior to approval of the self-employment plan, the Veteran must provide documentation from the government of the foreign area jurisdiction that allows him/her to engage in self-employment. In addition, the VREO must ensure that strict compliance with all aspects of the Self-employment Standards of Practice is maintained.

3.07 Case Management of Foreign Cases

a. Requirements for Face-to-Face Contact

The general requirements for frequency and face-to-face contact do not apply to Veterans training outside the U.S., including the U.S. Territories. However, Veterans abroad must adhere to the established standards of conduct and cooperation and progress toward the planned goals and objectives.

Note: Foreign cases in Canada and Mexico may allow for direct case management based on their proximity to a VR&E office. Veterans are scheduled for case management appointments in the same manner as Veterans residing in the U.S.

b. Using a Facility's Special Services

Monitoring the progress of a Veteran training abroad often requires special arrangements due to the limited and indirect contact with the Veteran. As a result, it may be necessary to coordinate for special services with the training facility to secure additional information beyond what is generally provided by the school.

c. Contracting Services

Contracting for case management services may be authorized for Veterans training outside the U.S. Contracting activities are conducted in the same manner as those services provided to Veterans residing in the U.S. under the VetSuccess contracts. Refer to M28R.V.B.4 on guidelines for establishing and implementing contracted services.

The Pittsburgh and Honolulu offices are responsible for contracting services provided in Germany and Honolulu, respectively. These are the only two countries that have contract services.

d. Amending the Rehabilitation Plan

A Veteran may be authorized to travel to the U.S. or to the nearest VR&E office when an amendment of the vocational goal or intermediate objectives of the rehabilitation are required or necessary. This required face-to-face contact is charged at VA expense and the VR&E office arranges and pays for the travel in the same manner as the beneficiary travel in the U.S.

3.08 Employment Services for Foreign Cases

a. Policy

Employment services are provided routinely to a Veteran training abroad as part of his/her rehabilitation plan.

b. Feasibility of Employment Services

The case manager must make a determination whether employment services can be reasonably provided or arranged by other agencies and organizations for a Veteran training abroad. This ensures identifying and utilizing necessary resources to assist the Veteran, residing outside the U.S., in obtaining suitable employment.

c. Potential Resources for Employment Services

If the Veteran will be returning to the U.S. following training, or resides in a country bordering the U.S., then the VRC must consider using resources in the country in which the Veteran is training, as well as in the U.S. It may be feasible to use agencies and organizations in the U.S. to assist Veterans seeking employment in countries bordering the U.S.

If the Veteran plans to reside outside the U.S. indefinitely following the completion of his/her training program, then the VRC must consider contracting with the private nonprofit agencies, and/or for-profit agencies in the foreign country.

3.09 Financial Responsibility and Accountability for Foreign Cases

a. Agencies Used to Coordinate Payments for Service Providers Outside U.S.

VA coordinates reimbursement with other federal agencies in paying service providers abroad. These include the Department of Treasury and the Department of State. When coordinating payments for service providers within Canada, the VRC should work with the CDVA. When coordinating payments for service providers in all other countries, the VRC should work with the U.S. Embassy in that country.

b. Reimbursement Processing for Service Providers Outside U.S.

The process for reimbursing service providers outside the U.S. is as follows:

1. The service provider submits a receipt for services to either CDVA or U.S. Embassy in the country.
2. The CDVA or U.S. Embassy reimburses the service provider for incurred expenses and forwards the receipt for services to the applicable RO for reimbursement.
3. The VR&E office receives, approves, and forwards the receipt for service to Finance activity for reimbursement.
4. Finance then reimburses either the CDVA or U.S. Embassy for the services paid.

c. Direct Reimbursement for Service Foreign Branch of College or University

The foreign college or university must be a VA approved facility to be directly reimbursed and must submit a request for direct reimbursement to the VR&E office. Once the request is approved, the foreign college or university must submit the voucher directly to the VR&E office who reviews and approves the voucher in the same manner as for schools in the U.S. Once approved, the voucher is forwarded to Finance for payment.

Unlike the U.S. training facilities, which are paid through the Finance Management System (FMS), all foreign training facilities are paid manually through the Benefits Delivery Network (BDN) by the Finance section at the Support Services Division of the RO of jurisdiction. The foreign facilities cannot be vendorized as their banking system differs from the U.S. bank system. However, all payments must be entered in Corporate WINRS (CWINRS) for proper tracking and auditing.

3.10 Foreign Medical Program (FMP)

a. Description

The FMP is a program established by VA to provide health care benefits to U.S. Veterans rated with service-connected conditions by VA who are residing or traveling abroad.

b. Responsibilities

The FMP is responsible for application processing, verification of eligibility, authorization of benefits and payment of claims. Under FMP, VA assumes the responsibility for payment of necessary medical services associated with the treatment of the service-connected conditions. For Chapter 31 participants, the treatment for non-service-connected conditions may also be paid.

c. Contact Information for the FMP Office

1. Except for the Philippines, all other assistance from FMP may be obtained in writing to the following address:

VA Health Administration Center
Foreign Medical Program (FMP)
P.O. Box 469061
Denver, CO 80246-9061
USA

Telephone Number: 303-331-7590
Fax Number: 303-331-7807

Email: hac.fmp@med.va.gov

2. Information for obtaining medical services in the Philippines, which include procedures for filing claims, may be obtained in writing to the following address:

VA Outpatient Clinic-Manila
Department of Veterans Affairs
PSC 501
DPO AP 96515

Telephone Number: 800-888-8782 or 011-632-318-8387

Fax Number: 011-632-310-5957

d. FMP Enrollment

For a Veteran to enroll in FMP, he/she must send the following information to the FMP office:

- Name
- Social Security Number
- VA Claim Number
- Residential and mailing address
- Copy of the Rating Decision

Once the FMP office verifies the information above, the Veteran will receive a benefits authorization letter that outlines the covered medical conditions.

e. Chapter 31 and the FMP

Under Chapter 31 benefits, Veterans may have potential entitlement to medical and dental services through VA. These benefits must be applied for on an "as needed basis" to determine eligibility. Medical and dental treatment may be provided to facilitate the Veteran's return to active participation in his/her Chapter 31 training program. The case manager must provide the FMP office with information at the beginning and ending date of the Veteran's Chapter 31 enrollment in order to determine eligibility.

For additional information regarding the FMP, refer to www.va.gov/hac/forbeneficiaries/fmp/fmp.asp

f. Referral to the FMP for Non-Service Connected Disability (NSCD) Treatment

A Veteran may be treated for his/her NSCD condition(s). However, the case manager must make the referral to the VA facility in order to authorize services for the NSCD treatment. The referral must be signed and dated by the case manager, and must specify the necessary treatment.

VA Form 28-8861, Request for Medical Services–Chapter 31, must be used to make the medical and/or dental treatment services for non-service-connected disability(ies). See Appendix O for information on how to access this form.

g. Submitting Claims to the FMP for Payment

The Veteran must submit the claim for payment of medical and dental treatment to the address provided in section 3.10(c)(1) or (2), as applicable.

For additional information on how to submit claims to the FMP, refer to www.va.gov/hac/factsheets/fmp/FactSheet01-30.pdf

3.11 Work Study Program Abroad

Work-study is available for Veterans participating in the Chapter 31 program and training abroad. Work assignments for work-study must be compatible with the Veteran's disability condition(s).

a. Work-Study Approval

Approval of VA work-study positions in foreign countries or overseas locations is subject to the following:

1. Work-Study Position to Assist VA Employee in Administering VA Program

Only a few VA employees administer VA programs overseas. These employees are usually assigned at specific sites, such as at military installations or at specific overseas locations. Only positions directly related to assist a VA employee in administering VA programs, such as the Transition Assistance Program (TAP), may be approved at an overseas location.

2. Work-Study Position at a Branch Facility Located Overseas

Work-study positions may be approved at a branch of a U.S. training facility located overseas. Examples of these schools include the University of Maryland European division and the University of Maryland Asian division. The limitations on the assigned duty for the work-study students overseas are the same with those work-study students in the US.

3. Work-Study Position in the Federal Benefits Unit (FBU) of a United States Embassy or Consulate

The work-study position in the FBU may be approved. However, it is restricted to performing outreach services only.

4. Work-Study Position at VA Facilities in the Philippines

This work-study position may be approved and is limited to providing administrative support at VA facilities in the Philippines.

- b. Work-Study Allowance

Refer to M28R.V.A.3, Monetary Assistance, for detailed guidelines on authorizing and processing the work-study allowance.