

Career Options in Private Rehabilitation

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Objectives:

- Learn about career options available in private vocational rehabilitation.
- Learn about the training and experience required to perform these jobs.
- Obtain a basic understanding of how to establish a private practice to perform these career options.

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- Forensic
- Case Management
- Disability Management
- Disability Insurance
- Social Security
- Transition
- Life Care Planning
- Private Practice

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Private sector rehabilitation. How is it different from public sector rehabilitation???

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Forensic Vocational Rehabilitation

forensic
adjective
 fo ren sic | \fe-'ren(t)-sik, -'ren-zik \
Definition of forensic
 (Entry 1 of 2)
 1: belonging to, used in, or suitable to courts of **judicature** or to public discussion and debate
 - a lawyer's forensic skills
 2: **ARGUMENTATIVE, RHETORICAL** forensic eloquence
 3: relating to or dealing with the application of scientific knowledge to legal problems

<https://www.merriam-webster.com/dictionary/forensic>

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The following are offered as core competencies for forensic vocational experts:

Experience with vocational rehabilitation service provision, including assessment/interviewing, file/record review, skill analysis, job analysis, psychometric testing, rehabilitation plan development and implementation, occupational information, job seeking skills instruction, and job placement services.

Strong understanding of physical and mental impairments and capacities and how they affect work. This includes an ongoing commitment to seek out and review current medical research.

Possess knowledge of forensic vocational evaluation methodologies and apply standard processes in a vocational evaluation.

Disclosure, orally and in writing, of the responsibilities and limits of the role of a forensic vocational rehabilitation expert.

Understand how to administer, score, interpret, and apply results of psychometric tests (e.g. achievement, aptitude, interest, personality, intelligence, values), within ranges allowable by the expert's level of education.

Effective communication skills to persuasively share opinions verbally (i.e. testimony) and in writing.

Assess transferability of skills using a researched and published method.

Use consistent methods for surveying/researching labor markets.

Understand and follow the laws and statutes of the legal jurisdiction in which they practice.

Possess relevant certifications and/or licensure recognizing standard competencies.

<https://connect.rehabpro.org/forensic/viewdocument/forensic-section-core-competencies?CommunityKey=de360835-d5ef-4260-adfa-b645b90edc9f&tab=librarydocuments>

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Forensic Service Areas

- ▶ Worker's Compensation
- ▶ Personal Injury
- ▶ Long Term Disability
- ▶ Medical Malpractice
- ▶ Family Law / Marital Dissolution
- ▶ Life Care Planning
- ▶ Education Law & Transition Plans

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Forensic Services Performed by Vocational Experts

- ▶ Vocational Expert:
 - ▶ A person who relies on graduate training in vocational rehabilitation or a related field, combined with additional training related to forensics, and skills and experience, to review medical, vocational, wage, and other records, interview and test evaluatees, analyze transferable skills, vocational feasibility, employability, and earning capacity, assess return to work efforts, develop opinions regarding pre- and post-incident employability and earning capacity, prepare comprehensive reports, and provide expert testimony at depositions and trials.

Van de Bittner, Wallace, Cottle, and Simon (2012b) (p. 101)

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Forensic Process:

Render Opinion of Employability, Placeability, and Earning Capacity:

- ▶ Perform a careful review of all records
- ▶ Conduct a very thorough Vocational Evaluation
- ▶ Conduct a Transferable Skills Analysis
- ▶ Complete Labor Market Survey and provide Labor Market Area information to support findings
- ▶ Address deficits and strengths of evaluatee
- ▶ Use standard Methodology, Research and Data to support findings
- ▶ Complete detailed Vocational Evaluation Report
- ▶ Provide Testimony/Deposition Regarding Opinion
- ▶ Be careful, discreet and confidential

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Awareness is Important The Stakes are High

- ▶ Understand your role as Vocational Expert vs Vocational Counselor
- ▶ Educate your referral sources to maintain best practices
- ▶ Understand and comply with legal aspects, professional standards, time lines, and billing requirements.
- ▶ Understand Evaluatee vs Client
- ▶ Evaluating the Evaluatee in Forensic vs Advocating for your Client in Case Management
- ▶ Know what is confidential (to the evaluatee, the customer, the attorney and the account)
- ▶ Time Management/Stress Management/Self Management
- ▶ Accountability is always yours

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Best Practices:

- ▶ Join an organization that represents private rehabilitation professionals such as IARP
- ▶ Stay current on legislative/industry changes
- ▶ Update business forms and professional practices
- ▶ Review publications, research, reports and opinions from other VE's and experts in the field
- ▶ Network with colleagues
- ▶ Attend conferences, seminars, and continuing education

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Best Practices Continued:

- ▶ Document everything
- ▶ Track all time and activities
- ▶ Identify specific expectations for all parties
- ▶ Provide expectations in writing
- ▶ Use Professional Disclosure Forms and Release of Information Forms
- ▶ Commission on Rehabilitation Counseling Certification (CRCC) <https://www.crccertification.com/>
- ▶ Obtain and Keep your certifications and licensures current - Certified Rehabilitation Counselor (CRC), Licensed Professional Counselor (LPC)
- ▶ Review and Practice within CRCC Code of Ethics
 - Section F: Forensic and Indirect Services
 - ▶ F.1. Client or Evaluatee Rights
 - ▶ F.2. Rehabilitation Counselor Forensic Competency and Conduct
 - ▶ F.3. Forensic Practices
 - ▶ F.4. Forensic Business Practices

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Case Management / Vocational Rehabilitation Counselor Role in WC, LTD, Other

- ▶ Conduct Vocational Assessment
- ▶ Develop Rehabilitation Plan
- ▶ Provide ongoing vocational services, planning, case management, and report updates
- ▶ Vocational Preparation Services
- ▶ Vocational Placement Services
- ▶ Job Seeking Skills Training
- ▶ Job Development
- ▶ Job Placement Assistance
- ▶ Labor Market Survey
- ▶ Job Analysis
- ▶ Ergonomic Assessment

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Workers' Compensation

- ▶ Can be performed as a Vocational Rehabilitation Counselor/Case Manager or as a Vocational Expert
- ▶ Each state establishes laws to govern Workers Compensation. Therefore, WC laws vary from state to state.
- ▶ All states have medical provisions under the law, some states also have vocational rehabilitation written into WC law (such as Illinois).
- ▶ WC Case Management has historically been a training ground for voc rehab counselors to gain knowledge and experience to prepare for transition into other areas of private rehab and Forensic Services.

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Job Seeking Skills/ Development/ Placement:

- ▶ Prepare clients to re-enter the labor force
- ▶ Assist clients in finding and applying to appropriate jobs
- ▶ Prepare clients to address disability appropriately
- ▶ Instruct clients to appropriately complete applications
- ▶ Teach and practice interview skills
- ▶ Conduct mock interviews with clients and record client answers
- ▶ Structure resumes to highlight strengths
- ▶ Provide general and occupation specific resumes
- ▶ Send clients to individual employers, job fairs, and hiring events

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Disability Management

Job accommodations,
navigating the return-to-work
process, assistive technology,
ergonomic evaluations.

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Disability Insurance

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Short Term Disability

What is it?

- Income protection insurance that pays a percentage of your salary if you become disabled due to sickness or injury.
- Pays a percentage of you salary (typically 50%-70%)
- Lasts a specified period of time (typically 10-26 weeks)

Definition of Disability

You are generally eligible for STD if you are unable to perform the duties of your own occupation.

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Long Term Disability

What is it?

- Income protection insurance that pays a percentage of your salary if you become disabled (typically 50%-70% of salary)
- Lasts a specified period of time (2 to 10 years, or to age 65)

Definition of Disability

- Eligible for Long Term Disability if you are unable to perform the duties of your own occupation (typically for a specified period such as 2 years)

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LTD/STD

Vocational Rehabilitation Counselor Role?

Claim Handler Consultation (disability determination)

Initial liability decision. Own occ review.

Occupational Identification – Assisting the claims professional to determine if the claimant meets the definition of disability.

Change in Definition – the Definition of Disability may change to the inability perform the duties of any occupation for which you are reasonably fitted by training, education or experience.

Transferable skills analysis.

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LTD/STD

Vocational Rehabilitation Counselor Role?

Return to Work

Assisting the claimant with the RTW process.

Process involves having a discussion with the claimant. Understand restrictions and limitations.

Create a Vocational Rehabilitation Plan considering individual's functional capacity level, interests and desired earnings level.

Goal is to assist claimant with return to work that provides at least gainful earnings, but hopefully closer to prior earnings.

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Life Care Planning

Life care planners are a multidisciplinary group of rehabilitation professionals that include but not limited to nurses, rehabilitation counselors, occupational therapists, physical therapists, social workers, physicians, and psychologists. Life care plans identify current and future needs with associated costs for individuals who have experienced catastrophic injury or have chronic health care needs. Life Care Plans are utilized in case management and resolution of workers' compensation claims, civil litigation, mediation, trust funding, reserve setting for insurance companies, discharge planning, Medicare set-asides, elder care, and other arenas. Life care planning is an established field with national certifications, and published standards of practice. Use this community to learn, exchange ideas, and make connections with other life care planning professionals.

<https://rehabpro.org/page/sections>

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Social Security Vocational Expert

A VE is a vocational professional who provides impartial expert opinion evidence that an ALJ considers when making a decision about disability. As a VE, you will usually testify in person at a hearing, although you may be asked to testify by video teleconferencing (VTC) technology or by telephone, and sometimes you may provide opinions in writing by answering written questions called *interrogatories*.

Vocational Expert Handbook, November 2010, Social Security Administration, Office of Disability Adjudication and Review, Office of the Chief Administrative Law Judge

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Social Security Vocational Expert

- All interested vendors must register and apply through FedConnect in order to be considered for a Blanket Purchase Agreement (BPA) with the Social Security Administration. The website address is www.fedconnect.net.
- Or work under a BPA holder

<https://www.ssa.gov/appeals/ve.html>

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Vocational Rehabilitation Transition Services

Providing vocational rehabilitation related services to students, schools, parents, and advocates. They may work in a variety of settings including private rehabilitation, schools, law firms, advocacy organizations, health care, as well as public sector rehabilitation.

<https://connect.rehabpro.org/vrts/home>

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Working for yourself. Hanging a shingle. Self-employment. Be the boss of you.

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It's Your Business to Know Your Business

- ▶ Building a business takes information, vision, patience, goal setting, drive, detail, planning, marketing and EXECUTION
- ▶ Set goals – short, medium, and long-range
- ▶ Know what you want to do and what services are in demand
- ▶ Match your strengths and interests with services in demand
 - ▶ Know what expertise you have and what you don't – Do not misrepresent your expertise
- ▶ Expanding your business is possible. It takes time, planning and marketing.
 - ▶ Build your scope of expertise and expand your business service delivery, or expand your geographic area of coverage.
- ▶ Do your homework
 - ▶ Sole proprietor vs LLC vs Other forms of Incorporation

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Business Practices

- ▶ Retainer Agreement/Fee Agreement
- ▶ Provide a Fee Schedule listing billable services and rates
- ▶ Professional Disclosure Form / Release of Information Forms
- ▶ Tracking time/billable hours
- ▶ Billing/Invoicing
 - ▶ Case Management (monthly)
 - ▶ Forensic (upon completion of task)
- ▶ Tracking Income
 - ▶ Track per Account/Customer
 - ▶ Track per month and year

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Business Taxes & Insurance

- ▶ Tax Accountability
 - ▶ Know your state and federal tax code
 - ▶ Quarterly payments/yearly payment
 - ▶ Speak with a professional tax preparer and accountant
- ▶ Professional Insurance
 - ▶ Liability Insurance
 - ▶ Such as Healthcare Providers Service Organization Purchasing Group, or Marsh Affinity Group Services
 - ▶ Health Insurance

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Questions & Comments?

Contact:

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▶ THANK YOU!

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