**Auburn University Syllabus**

1. Course Number: RSED 7310

Course Title: Proprietary Rehabilitation

Credit Hours: 3 Semester Hours

Prerequisites: Graduate Standing / Admission into Forensic Certification Program

Instructor: Michael McClanahan Ph.D.

2. Date Syllabus

Prepared: August 2021

3. Text:

Robinson, Rick H. (2014). Foundations of Forensic Vocational Rehabilitation. New York. Springer Publishing Company, LLC

4. Course Description:

This course is an overview of private sector vocational rehabilitation – with an emphasis on vocational evaluation. The student will be acquainted with the role and function of vocational evaluation, case management, and vocational expert work in workers compensation, personal injury, social security, and other litigated cases.

5. Course Objectives

The primary objective of this class is for students to develop an understanding of the professional and business practice of being a Vocational/Rehabilitation Expert, including:

* 1. To gain a working knowledge of theoretical and practical process models of private practice in settings involving litigation.
  2. To develop a working knowledge of the disability determination process in various sectors (i.e., worker compensation, personal injury, Social Security) often found in forensic rehabilitation service delivery systems.
  3. To develop the skill of critically analyzing professional efforts of professionals in fields other than Vocational Experts while not violating the “one profession shall not serve as a conduit to another profession” rule.
  4. To develop an understanding of the Vocational Expert’s role in Social Security Disability Hearings.
  5. To understand the difference between hypothetical and fact-based questions.
  6. To develop a working knowledge of performing a transferability of skills analysis.
  7. To develop skill at performing a labor market access and wage loss analysis.
  8. To develop an appreciation and skill for conducting vocational interviews.
  9. To understand various techniques and strategies for presenting cases from the expert witness stand.

**Course Content and Tentative Course Schedule**

|  |  |  |
| --- | --- | --- |
| Week | Topic / Exams | Reading / Assignments Due |
| 1  8/18/2021 | *What is a Forensic Practice in Rehabilitation?*  A Behind the Curtain Look at the Last two Weeks of Practice  “Clean Shirts” - Economics of Forensic Private Practice  Skilltran & Oasys  Class Orientation: Goals, Objectives, Tests, Assignments, Expectations | Assignment this week:  “What I Bring to the Vocational Expert Practice.” [5 points]. Read Chapter 3 |
| 2  8/25/2021 | *Models for Forensic Vocational Evaluation*  Case Study  McClanahan’s Model  Models in Robinson Text | **“Assignment 1. What I Bring to the Vocational Expert Practice.” DUE**  **[5 points]**  Assignment:  Read Chapter 4 |
| 3  9/1/2021 | *Staying in Your Lane When Venturing Out*  Case Study  Physicians  Functional Capacity Evaluations | Assignment:  Read Chapter 14  Go to Skilltran website, review **Job Browser Pro Web:** Video   [Introduction](https://vimeo.com/549072965/34243ea8fd) (25 minutes) |
| 4  9/8/2021 | *Social Security: A Hypothetical Reality*  Skilltran & Oasys  File Review  Analyzing PRW  Transferability of Skills  Hypothetical Questions & Real Answers  Tricks of the Trade | **Assignment - 2. FCE Critique DUE [5 points]**  Assignment:  Read Chapter 14  Review VE HANDBOOK that is in Handouts File on Canvas  Log onto Skilltran; do searches |
| 5  9/15/2021 | *Social Security:* *A Hypothetical Reality* (continued )  Case Study  Demonstration | Assignment:  Read Chapter 18  Skilltran: **OASYS Web:** Video    [How to run a Transferable Skills Report](https://vimeo.com/547742939/0a69faaeb9) (18 minutes) |
| 6  9/22/2021 | *Workers Compensation: A Doctrine of Sameness*  Case Study  Alabama Model - Vocational Disability Ratings (VDR)  Rehabilitation Model  Other States | Assignment:  Read Chapter 18  **3. Job Browser & Oasys Social Security**  **Due [5 points]** |
| 7  9/29/2021 | *Workers Compensation: A Doctrine of Sameness* (continued)  Case Study  Other States | **44. Job Browser & Oasys for Work Comp Due [ 5pts]**  P  Prep for Exam #1 |
| 8  10/6/2021 | **EXAM #1 [25 points]** | Assignment:  Read Chapter 15, 20 |
| 9  10/13/2021 | *Personal Injury: Jury Deliberation*  Case Study  Worklife Expectancy / Unemployment Rates  Wages  Benefits | Assignment:  Read Chapter 15, 20  Log onto Oasys program. Run searches |
| 10  10/20/2021 | *Personal Injury: Jury Deliberation*  Case Study  Worklife Expectancy  Wages  Benefits | Assignment:  Read Chapter 12, 9, 6 |
| 11  10/27/2021 | *Wrongful Death from the Insured’s POV*  Case Study  Rehabilitation Research  Hypothetical Approach | Assignment:  Read Chapter 12, 9, 6  **6. Job Browser & Oasys for Personal Injury Assignment Due [5 pts]** |
| 12  11/3/2021 | *Wrongful Death from the Insured’s POV*  Case Study  Rehabilitation Research  Hypothetical Approach | Assignment:  Read Chapter 13, |
| 13  11/10/2021 | *The Vocational Expert in the Courtroom*  Pre-trial preparation  Prepping the Lawyer - List of questions  Accommodation strategies | Assignment:  Read Chapters 16, 17 |
| 14  11/17/2021 | *Hanging Up Your Shingle: Forensic Markets beyond “The Big Three”*  LTD  Divorce  Employment Law  VA  Corrections  Other | **7. How Much am I Worth? [25 pts] Assignment Due**  Assignment:  Enjoy Thanksgiving Holidays |
| 15  11/24/2021 | NO CLASS - THANKSGIVING WEEK | Prep for Exam #2 |
| 16  12/1/2021 | **EXAM # 2 [25 points]** |  |

**Course Requirements, Assignments, & Grading:**

Course assignments are due on the dates specified. When assignments are turned in late without an approved absence/excuse, scores for the assignments(s) will be reduced by two (2) points per day with no assignments accepted more than one week past the due date (refer to the Class Policy Statements in this syllabus for information about excused absences and make-up assignments). Students in this course are required to complete the specified course requirements.

|  |  |
| --- | --- |
| **Assignments:** | Points |
| 1 . What I Bring to the Vocational Expert Practice | 5 |
| 2. FCE Critique | 5 |
| 3. Job Browser & Oasys for Social Security | 5 |
| 4. Job Browser & Oasys for Work Comp | 5 |
| 5. Exam #1 | 25 |
| 6. Job Browser & Oasys for Personal Injury | 5 |
| 7. Exam #2 | 25 |
| 8. How Much am I Worth? | 25 |
| **Total** | **100** |

**Grading Scale**

|  |  |
| --- | --- |
| A 90-100% |  |
| B 80-89% |  |
| C 70-79% |  |
| D 60-69% |  |
| F Below 60% |  |

**Course Assignments, Requirements, & Evaluation:**

**[All of the assignments listed in this syllabus are subject to further development. What is included here is a synopsis]**

**1.**What I Bring to the Vocational Expert Practice [5 pts]

This is my opportunity to get a first impression of you. Please write a single-spaced, one-page paper (no more than one page, please) and respond to the following questions:

1. Please give a brief description of your education and work experience. Please do not attach a CV. I would like a thumbnail sketch in narrative form.

2. Why are you taking this course? What do you hope to get out of this course?

3. Have you worked as a Vocational Expert?

4. Are you familiar with transferability of skills? To what extent?

5. Have you used job search software?

6. Are you familiar with Department of Labor exertional categories, skill levels, and worker trait factors?

7. Where in the world of work do you see yourself in five years? Ten years?

8. Identify three things that you bring to the table that would help you as a forensic rehabilitation professional.

9. Make sure to include your name!

**2. Functional Capacity Critique [5 pts]**

There is a Functional Capacity Evaluation attached. It has identifying information of the patient and provider blocked out. It looks rough, but most of them that are forwarded in referral packets are at least this rough or rougher. If you spot anything onthe FCE that identifies the provider or the patient, please notify me right away.

Your assignment is to review the attached FCE and critique it in a specific way. There are to be two pages of your critique. The first page is to tell me what about the FCE makes it valid. The second page is for you to tell me why it is not valid.

Please use 12 point font, Times New Roman. Single spaced. This is not a term paper. I do not care about margins, but I will count off if either page is more than one page. I recommend a series of bulleted statements that summarize your assessment. This is as if you are collecting notes to yourself to either write about the FCE in a report or to testify as a witness at a hearing or deposition.

There needs to be at least 3 peer reviewed references; at least one each for the pro and con argument.

In either or both sides of the argument, please determine if there is normative data on the FCE instruments. Also, speak to Waddell's and Korban's protocols and what they mean. Are the exertional determinations correct? Why / Why not? What are the scales or techniques used to detect malingering? How did they rate the pain? How was pain considered in their findings?

[RSED 7310 - Second Assignment FCE.pdf](https://auburn.instructure.com/courses/1379952/files/182786392?wrap=1)[Download RSED 7310 - Second Assignment FCE.pdf](https://auburn.instructure.com/courses/1379952/files/182786392/download?download_frd=1)

This is a 5 point assignment.

1. **Job Browser & Oasys for Social Security**

For this assignment, you are to prepare one case for VE testimony. To accomplish this, make a 6x8 (6 across, 8 down) table. Across the top of the table, left to right, the labels should be: Job Title, Dot number, Exertion, SVP, Skill, Claimant Exertion.

Now, insert the job titles from the attached SSA-3369-BK. In the last column, put the exertional level at which the claimant performed the job. This will be one of: S, L, M, H, V. The amount the claimant lifted on the job is described on each page describing the job. Notice that there is no description for one of the jobs. List it on the form anyway (this happens a lot).

Next, go to Skilltran.com. Your ID or Username is Auburn2, and PW is WarEagle1. When you need to do the transferability of skills, your user name is Auburn1. PW is same.

Locate each job using the search engine on the Skilltran website. Fill in the table with the information required. Assume that the last job listed was performed as described in the DOT. Also assume that the server is server, informal.

Respond, in writing to the following hypothetical questions:

H1 Assume a hypothetical individual who is 47 years old with a HS Diploma. This person can perform Medium work, unskilled. Can the person perform past relevant work. If so, which jobs? For the jobs eliminated, please explain why.

H2 Assume the same hypothetical individual who can perform Light work, unskilled. Can the person perform past relevant work. If so, which jobs? For the jobs eliminated, please explain why.

H3 Assume the same hypothetical individual who can perform Sedentary work, unskilled. Can the person perform past relevant work. If so, which jobs? For the jobs eliminated, please explain why.

H4 Assume the same hypothetical individual who can perform Light work, unskilled. In addition, this person can occasionally squat, stoop, kneel, crouch and crawl. In addition, this person cannot work in environments where there is more than Moderate background noise. Can the person perform past relevant work. If so, which jobs? For the jobs eliminated, please explain why.

H5 Assume the same hypothetical individual who can perform Medium work, unskilled. In addition, this person can occasionally squat, stoop, kneel, crouch and crawl. In addition, this person cannot work in environments where there is more than Moderate background noise. Can the person perform past relevant work. If so, which jobs? For the jobs eliminated, please explain why.

H6 Assume the same hypothetical individual and the assessment of the PRW you described. Are there transferrable skills that transfer to Light work? If so, identify 1 to 3 jobs that each of the jobs in this claimant’s PRW would transfer to. In your answer, make sure that the SVP of the jobs in the claimant’s PRW is at least a 4.

H7 Now reconsider H4. List three DOT job titles that are consistent with this hypothetical. Then give the incidences in the U.S. economy of each of the jobs. Make sure that the incidences reference full time employment only.

H8 In all of your answers above that you said the person could work, could that hypothetical individual work if she was absent 4 days per month?  
   
H9 In all of your answers above that you said the person could work, could that hypothetical individual work if she was off task 20% of the work day?

Please use 12 point font, single spaced. No more than 4 pages. I will count off if you go beyond the page limit. Grammar, syntax, etc. not an issue here.

[AU SSA-3369 Forensic Class Assignment.pdf](https://auburn.instructure.com/courses/1379952/files/183032071?wrap=1)[Download AU SSA-3369 Forensic Class Assignment.pdf](https://auburn.instructure.com/courses/1379952/files/183032071/download?download_frd=1)

**4. Job Browser & Oasys for Work Comp** [5 points] THIS ASSIGNMENT WILL HAVE ADDITIONAL DETAILS PROVIDED AT A LATER DATE

You will be provided with a work history, a description of functional limitations, and demographic information. Your task will be to assign a Vocational Disability Rating based on diminution of wage-earning capacity.

Oasys: ID- Auburn1 PW- WarEagle1

Job Browser Pro: Auburn2 PW- WarEagle1

**5. Exam #1 & Exam #2 (25 points & 25 points)**

There will be two exams this semester. The second exam will be comprehensive, with approximately 25% coming from information covered prior to Exam #1. The exams will cover instructor presented material, reading assignments from the text, guest lectures, and assignments. Tests will be multiple choice, true/false, short answer, and matching. Tests are online through Canvas and will require Respondus LockDown Browser or proctor.

**6. Job Browser & Oasys for Personal Injury** THIS ASSIGNMENT WILL HAVE ADDITIONAL DETAILS PROVIDED AT A LATER DATE

This assignment will build on prior assignments in the use of Job Browser and Oasys. In this case, you will be given the plaintiff’s work history, nature of injury, available test data, and demographics. Your job will be to determine whether or not a referral to a neuropsychologist might be in order based on available data.

Oasys: ID- Auburn1 PW- WarEagle1

Job Browser Pro: Auburn2 PW- WarEagle1

**7. How Much am I Worth? [25 points]** THIS ASSIGNMENT WILL HAVE ADDITIONAL DETAILS PROVIDED AT A LATER DATE

In this Report, you will make an honest appraisal of what your monetary worth is at the time of your writing. Your monetary worth will be based on your capacity to work and earn wages in the future.

**Class Policy Statements:**

**Participation**: Students are expected to participate in all classes and participate in all exercises. ***It is the student’s responsibility to contact the instructor if assignment deadlines are not met***. Students are responsible for initiating arrangements for missed work in advance of the due date. This syllabus is considered a contract between the instructor and student.

**Attendance/Absences**: Attendance is expected at each class meeting. If an exam is missed, a make-up exam (it may be in another format) will be given only for University-approved excuses. Arrangement to take the make-up exam must be made in advance. Students who miss an exam because of illness need a doctor’s statement for verification of sickness. Other unavoidable absences from class must be documented and cleared with the instructor in advance. See the General Counsel Policies at <https://sites.auburn.edu/admin/universitypolicies/default.aspx>.

**Accommodations**: "Students who need accommodations are asked to arrange a meeting during office hours the first week of classes, or as soon as possible if accommodations are needed immediately.” To set up this meeting, please contact me by e-mail (mcm0009@auburn.edu) If you have not established accommodations through the Office of Accessibility, but need accommodations, make an appointment with The Office of Accessibility, 1228 Haley Center, 334-844-2096 (V/TT)."

**Professionalism**: As faculty, staff, and students interact in professional settings, they are expected to demonstrate professional behaviors as defined in the College’s conceptual framework. These professional commitments or dispositions are listed below:

* + 1. Engage in responsible and ethical professional practices
    2. Contribute to collaborative learning communities
    3. Demonstrate a commitment to diversity
    4. Model and nurture intellectual vitality

**Assignments**: All written assignments are expected to conform to the current style manual of the American Psychological Association, unless otherwise specified. **Written assignments of all type are expected to be typed, grammatically accurate, free of spelling and typographical errors and of a quality expected from professionals; and according to outlines provided in class/syllabus.**

**Academic Integrity:**

As a graduate student in the Special Education, Rehabilitation, and Counseling department, you will be held to the highest standards of academic conduct. Academic misconduct will be dealt with according to General Counsel Policy.

(see <https://sites.auburn.edu/admin/universitypolicies/default.aspx>)

All your work in this class should be original to you and to this class. Of course you are expected to explore, analyze, and discuss the ideas of others, but you must give them proper credit through citations and references. Also recycling papers from other classes is not acceptable. You can certainly continue to explore an area of interest, but you must do new or additional research and writing. The bottom line is ALWAYS (on exams, on papers, on projects, on presentations) do your own, original work, give credit to others for their ideas, and, if in doubt, ask.

According to the Publication Manual of the American Psychological Association (2010), plagiarism (p. 15) involves presenting the work of another as if it were your own work. Work can refer to the written words of another, or their ideas. It is very important that you give appropriate credit to others when you use their work. If you use the exact words of an author in constructing a sentence or paragraph, you must use quotation marks around those words and give the page number in the citation. If you paraphrase someone else’s work, you must also give them credit with a citation. Paraphrasing involves rewriting someone else’s words to say what they said. It is best to use your own words when paraphrasing, but you can rearrange the order of words in an author’s sentence AND change some of the words and this would be considered paraphrasing. A good rule to follow is that any time you use more than three words in a row from an author, put those words in quotes.

**All students are expected to know what constitutes plagiarism and to avoid committing plagiarism in their written work. If plagiarism exists, it is a violation of the APA Ethical Standards, regardless of intention.**

**General Counsel Policies**

General Counsel now maintains a single website that serves as the collection of all University Policies: <https://sites.auburn.edu/admin/universitypolicies/default.aspx>. This replaces the Tiger Cub policies.

**SYLLABUS DISCLAIMER:**

***The instructor reserves the right to make changes to the syllabus as needed due to the developmental needs of the students. In the event that changes are deemed necessary, the instructor will inform students the at the earliest date possible in class, email, or Canvas.***