

REHB 670 Foundations of Forensic Rehabilitation Consultation (REVISED - 01/20/08)

Instructor: Gerald R. Schneck, Ph.D., CRC-MAC FVE NCC

Office: 182 Highland North, MSU, Mankato

Phone: (507) 389-5438 (office) (507) 389-1414 (dept.)

Fax: (507) 389-2821 (dept. fax)

Email: gerald.schneck@mnsu.edu or
gschneck@hickorytech.net

Credits: 3 semester hours (Grad.)

Online Class Hours:

5:00 - 7:00 p.m. (CST); on dates
specified in schedule

Online Office Hours:

Monday & Tuesday:

11:00 a.m. – 12:00 p.m. (CDT);

1:00 – 2:00 p.m. (CDT);

Thursday: 1:00 – 3:00 p.m. (CDT)

In-Office Hours:

Monday & Tuesday:

10:00 – 11:00 a.m. (CDT);

Thursday:

10:00 a.m. – 12:00 p.m. (CDT)

THINGS TO REVIEW PRIOR TO OUR FIRST CLASS SESSION:

Be sure to take a look at the following webpage's which have information and links to other websites that will assist you in becoming oriented to the online resources that we will be using and which are available at MSU, Mankato:

Extended Learning: <http://www.mnsu.edu/ext/>

Online Learning/Getting Started: <http://www.mnsu.edu/ext/online/>

Be sure to review the Topics that are linked to this webpage. The topic areas are located in the menu on the left side of the webpage. Included are a Demo of a D2L course, information about technical requirements for your computer, some ideas as to what you need to prepare yourself for online learning (including skills and practical hints like how much time should you set aside for work during and outside of classes).

Online Student Resources: <http://www.mnsu.edu/ext/students/>

MSU Library Electronic Resources for Online Learners: <http://lib.mnsu.edu/distlearn/>

COMPUTER EQUIPMENT TECHNICAL REQUIREMENTS AND LOG-IN SITES:

DESIRE2LEARN (D2L)

Desire2Learn Course Log-In:

<https://d2l.mnsu.edu/>

D2L Compatibility Check:

This site will automatically analyze your computer system and tell you if you pass all tests for hardware, software, and browser add-ins, as well as what you need to do if you don't have what is needed) Please note that it is

preferable for users to have a DSL, Cable, or direct line to the Internet, although a dial-in modem (56K) can be used, however, you will run into problems with video-streaming, response time during web-conferencing/class sessions, downloading, etc.

The **D2L Compatibility Check** can be access by clicking on the appropriate link located in the top right-hand corner of the D2L Log-In page:

<https://d2l.mnsu.edu>

Self-Paced Tutorials on D2L are available online for your use. I would encourage you to review some of this material prior to our first class session, so that you will understand what I am sharing with you regarding our use of this resource:

<http://ets.mnsu.edu/d2l/tutorials/student/>

If you have any questions about connection speed or have problems with the D2L system, please contact the **MnSCU D2L Help Desk** at:

http://d2l.custhelp.com/cgibin/d2l.cfg/php/enduser/std_alp.php

Or, you can also contact the **MSU, Mankato Support Desk** through a remote assistance chat by following the instructions on the following webpage:

<http://helpdesk.mnsu.edu/remote/>

Or, you can still use the standard telephone: **(507) 389-6654** and e-mail options: helpdesk@mnsu.edu

ADOBE CONNECT:

Adobe Connect Compatibility Checker:

The following link will take you to the Adobe Connect Compatibility Checker and will test your equipment and Internet connection to see if they will work appropriately with the web conferencing server and software. Be sure to check your hardware, software and connection speed prior to the start of our first meeting, so that you will be ready to participate fully.

https://breeze5.metnet.edu/common/help/en/support/meeting_test.htm

Adobe Connect Log-In:

This link will be used at least for our first class session; subsequent sessions will be announced on D2L and a link will be provided:

<https://breeze5.metnet.edu/rehb670mod1/> (Note: The mod# will change to the # of the module that is listed for the day of our class meetings (e.g., for our second meeting during the 2nd week of class, the Module is #1, so the end of the above link would change to <https://breeze5.metnet.edu/rehb670mod2/>)).

Adobe Connect System Requirements:

Although Adobe Connect can be used in settings in which all participants have live webcam's connected at the same time, it is a tremendous drain on the broadband resources of the system. So, at this time, you will not have to have a webcam in order to participate in our online class sessions or for using D2L. In fact, the only people that will be using webcams will be the instructor and any presenters that are participating in the class sessions. Some of the lectures and panel presentations may be pre-recorded so that you can either view them online or download the file(s) to your own computer in order to watch them. In the cases where pre-recorded lectures or presentations are

available, they will usually be followed by a live discussion session using Adobe Connect (day and time will be announced on the D2L website and a link will be provided for you to follow).

The following information pertains to the needs of your computer system in order to participate in our Adobe Connect online class sessions:

Windows 98 SE, 2000, XP

- Internet Explorer 5.0 or higher
- Mozilla Firefox 1.5
- Netscape Navigator 7.1
- AOL 9

Mac OS X 10.2, 10.3, 10.4

- Safari 1.1 or higher
- Mozilla Firefox 1.5

Linux

- Mozilla Firefox 1.5

Solaris

- Mozilla 1.7

Additional requirements

These add-on's to your browser can be downloaded for free from either the Adobe website or the MSU, Mankato ITS Download site at:

<http://www.mnsu.edu/its/academic/tools/downloads.html>

<http://www.adobe.com/>

- Adobe's Macromedia Flash Player 6.0.79 or higher
- Adobe's Macromedia Flash Player 7 or higher for Linux and Solaris
- Minimum bandwidth requirement is 56 kb/sec

Course Description

Overview of the roles and functions of rehabilitation professionals who provide services in matters of litigation, such as worker's compensation, personal injury, product liability, medical/professional malpractice, catastrophic injury, and others. Ethical standards, practices, and common situations found in the litigation process. Business aspects of establishing a professional forensic vocational rehabilitation practice.

Student Learning Outcomes

As a result of instruction in this course, the student will:

1. Demonstrate their knowledge of the roles and functions that vocational rehabilitation professionals fill within the legal system;
2. Demonstrate knowledge and understanding of the different characteristics and needs which vocational rehabilitation professionals can address in each of the various legal venues in which they may serve;
3. Demonstrate knowledge and understanding of the ethical standards of professional practice that vocational rehabilitation professionals follow in their work as testifying experts or consultants within the legal system;
4. Discern and state appropriate actions that the professional should make when confronted by unethical and/or illegal practices, in conjunction with their service as a testifying expert or consultant;
5. Demonstrate knowledge of what are appropriate and inappropriate relationships between attorneys and vocational rehabilitation consultants;
6. Demonstrate their knowledge, understanding, and the application of outcomes of key cases and precedents governing the admissibility of testimony and evidence that affect professionals in the role of testifying expert or consultant;
7. Demonstrate an understanding of the processes followed for a case from the point at which the rehabilitation professional is retained through the delivery of their expert opinion, dismissal, or settlement, within any type of litigation in which their background is appropriate within Federal or state court jurisdictions; and
8. Demonstrate an understanding of the components of the *art* and *business* aspects of a forensic vocational rehabilitation consultant's work that are necessary to achieve success in this area of specialization.

Text and Materials

Required Text

Advanced Issues in Forensic Rehabilitation

This two-volume set is intended to serve as both an instruction tool and a reference source. Chapters cover forensic service, the assessment process, labor market information, tools used in forensic rehabilitation, Social Security and Supplemental Security, civil suits, workers' compensation issues, ADA and the role of the VE, kife care plans, loss of earnings capacity, assistive technology, factitious disorder, federal court rules & laws, ethical issues and marketing forensic services. Potential audiences include rehabilitation professionals, attorneys, judges and lawmakers, insurance and defense agencies, economists, certified earnings analysts, VEs, and students. (Havranek, 2007, 654 pp.)

B32 \$99.95 ISBN 978-1-4243-0718-0

ORDER THIS REQUIRED TEXT DIRECTLY FROM ELLIOTT & FITZPATRICK!

Elliott & Fitzpatrick, Inc. Student Copies: (10% Discount)

<http://www.elliottfitzpatrick.com/student.html>

Elliott & Fitzpatrick, Inc. Ordering Information Link:

<http://www.elliottfitzpatrick.com/ordering.html>

Recommended - NOT REQUIRED

For those students who have limited or no knowledge and experience within litigation in which rehabilitation professionals serve as Forensic Experts, the following text may be of particular help to you in preparing for this course:

The Vocational Expert: Revised and Updated

This publication is a compilation of the best material from four previously published texts: Field & Sink (1982), *The Vocational Expert*; Blackwell (1990), *The Vocational Expert Primer*; Blackwell, Field & Field (1992), *The Vocational Expert Under Social Security*; and Field & Huberty (1995), *The Rehabilitation Consultant as a Social Security Claimant's Representative*. Material that was considered out-of-date was deleted, while new and relevant material added. An excellent resource for the beginning vocational expert, especially for guidance and information in the social security area. (Field, Kelsay, Johnson, Neulicht & Blackwell, 2005, 236 pp.) **B110 \$29.95 ISBN 0-945019-97-1**

Other Assigned Readings

Other assigned readings will be selected from full-text research articles and reports published in appropriate professional journals. Access to full-text articles is available university library services, including non-electronic resources that can be ordered for mail delivery through the Reference and Inter-Library Loan desks.

Supplemental References (NOT REQUIRED)

Havranek, J., Blackwell, T., Dillman, E., Field, T., Grimes, R., & Weed, R. (1997).

Forensic rehabilitation: a resource for vocational experts. Athens, GA: Elliott & Fitzpatrick. ISBN: 0-945019-57-2.

Field, T., Kelsay, Johnson, Neulicht, A., and Blackwell, T. (2005). *The vocational expert: revised and updated*. Athens, GA: Elliott & Fitzpatrick. ISBN: 0-945019-97-1.

Matson, J., Daou, S., and Soper, J. (2004). *Effective expert witnessing: practices for the 21st century*. (4th Ed.) Boca Raton, FL: CRC Press, L.L.C. ISBN: 0-8493-1301-5.
Includes CD-ROM with video clips and supplemental information.

Shahnasarian, M. (2001). *Assessment of earning capacity*. Tucson, AZ: Lawyers & Judges Publishing Company Inc. ISBN: 1-930056-07-9

Course Format

Regularly scheduled real-time (synchronous) online class meetings will make use of Adobe Connect, a web-conferencing platform. These sessions (only 1 meeting will be taking place that includes all members) will include: online lectures (live and recorded); panel or guest presentations (live or recorded); discussions; and question and answer period with outside presenters. Lecture outlines, links to outside articles, and other information will be placed on D2L for each module of the course. Readings within each module/session of the course will include those from the required course text and may include supplemental documents. Transcripts of recorded lectures will be made where possible and made available online for those students desiring or needing such a backup for study or as an accommodation.

For those activities in which delayed responses (asynchronous) to topics and questions posed by the instructor or another class participant would be conducted through the Discussion tool within the Desire2Learn (D2L) course

management platform. Available technologies will be utilized for group or individual communications between student(s) and the instructor.

When using e-mail to communicate with the instructor or other students in the course, you are to use the e-mail capabilities that are within the D2L course website. This is to aid in screening of communications for adware, viruses, and other pesky little critters. The instructor will attempt to respond to student e-mail msgs. as soon as possible, typically within 24-hours, unless circumstances prevent this.

Maximum participation of all students is essential, and all class members are expected to complete readings, analyze and synthesize ideas and materials presented or which grow out of the student's or class member's discernment, by contributing to discussions in a timely, meaningful and respectful manner.

Written assignments will be submitted, reviewed, and graded through the Drop Box feature of the D2L case management platform. Grading rubric(s) will serve as a tool to provide student's with a guide to the expectations of the instructor for each of the individual or group assignments identified, and subsequently as a tool for the instructor to give prompt, useful, and targeted feedback to each student.

Examinations will take place online through D2L; and will include varying types of items as appropriate to the content covered by each exam. Exams and written assignments will require students to actively exhibit their writing and critical thinking skills, their knowledge and understanding of vocational rehabilitation and related specializations, expert consultation concepts and issues, and the discernment of ethical challenges as they exist within various litigation-related situations.

Course Requirements and Grading Methods

A. Requirements

Task	Percentage of Grade	Points
1. Develop 2 topical threads (for initiating a Threaded Discussion in real time) and 1 multiple-choice, fill-in the blank, short answer, or matching question (with correct answers included) for each of the 15 Modules that correspond to the Chapters in our course textbook. In developing your questions or threads, try to incorporate the concepts, information, resources, etc., that were included in the Chapter and Module at a level that would require a person to go beyond what was in the text (e.g. critical thinking related to applications of tools or information, impact of particular policies on persons concerned and the field, etc.). (50 points/set of questions x 15 modules/sets = 750 pts.) (Student Outcomes: 1, 2, 6, 7, 8)	55.67%	750
2. Participation and contribution to up to 3 threaded discussions That address specific issues or situations which impact or are of concern to forensic vocational rehabilitation experts and consultants. (Critical Thinking; Understanding of Concepts, Approaches and Procedures)(300 pts.)(Student Outcomes: 3, 4, 5)	22.22%	300

3. Completion of either a written term paper addressing a selected issue or topic in the specialty of forensic vocational rehabilitation or a PowerPoint presentation with narrative attached to the slides so that it can be run on its own. These projects can be completed by an individual or a two-person team, if you wish. (Writing Skills)(200 pts.)(Student Outcomes: 6, 7)	14.82%	200
4. Participation and contribution to a live discussion with a rehabilitation consultant within the specialized area of forensics. (assessment by rubric)(100 pts.)	7.41%	100
Total of Tasks:	100.00%	1,350 pts.

B. Grading Scheme

<u>Grade</u>	=	<u>Percent of Possible</u>	<u>Range of Points</u>
A	=	90.0% and above	1,035 - 1,150 points
B	=	80.0% to 89.9%	920 - 1,034.9
C	=	70.0% to 79.9%	805 - 919.9
D	=	60.0% to 69.9%	690 - 804.9
F	=	< 60.0%	689.9 and below

Course Content and Tentative Schedule

A Specific Calendar of class meetings, assignment due dates, and other important dates during the semester will be sent to each student enrolled, prior to the first online meeting of the course. Due to participants being in a variety of time zones, several duplicate sessions will likely be held to accommodate those who reside east of the Mississippi River and another for those residing to the West of it (each class session will be recorded and available to any student enrolled, as a study aid or to aid in obtaining the information covered during each session – more discussion of this during our first meeting.

<u>Date/Module</u>	<u>Type Session</u>	<u>Content</u>	<u>Readings:</u> <u>Textbook</u>	<u>Other</u>	<u>Activities &</u> <u>Assignments</u>
01/15/08	Module 1	Orientation to Course Organization and Technology			<u>Online Mtg</u>
	<u>Online</u>	Foundations of Forensic Rehabilitation	Chap. 1		
		Definitions What is a Vocational Expert? Historical Background Overview of the Litigation Process Review of Several Tools and Lawsuits & Verdicts Summary			
01/22/08	Module 2	Assessment	Chap. 2		<u>Online Mtg</u>
		Review and Use of: Medical Information Psychological Information Vocational Information Overview of the VDARE Process			

Discussion of Exhibits: Errors Found in Various Types of Reports: Independent Medical Exams (IMEs); Sources of Information (by Age group); Medical statements; Psychological Occupational Activity Assessment; Psychological Evaluation; Clinical Psychologist Report; Psychiatric Report.
Discussion of Forms and Tables
Summary

01/29/08
Module 3

Labor Market Information and the Web

Chap. 3

Sources of Labor Market Information (LMI)
Discussion of Strengths, Limitations and Applicability of LMI in a Litigation Setting
Summary

02/05/08

NO EVENING CLASSES (after 4:00 p.m. CDT) – CAUCUS NIGHT // SUPER TUESDAY

02/12/08
Module 4

Tools of Forensic Rehabilitation

Chap. 4

Online Mtg.

Overview
Transferability of Skills and Their Assessment (TSAs)
Occupational Information Network (O*NET)
Computer-Based Job Matching Programs: How they work; strengths; limitations; reliability; validity; applicability and usability in Transferable Skills Assessment (TSA), job search, career decision-making, and other vocational rehabilitation areas of concern and services offered.
Summarization of TSA Results – Validity, reliability, applicability, usability, appropriateness to
Direct Services and Litigation Settings
Military Service Information for Veterans
Job Analysis: Methods, applications, reliability and validity, usability, and strengths/limitations of use in direct services and litigation settings.
Additional Tools used by vocational rehabilitation professionals in direct services and litigation.
Review of some forms regarding information disclosure and a fee agreement
Summary

02/19/08
Module 5

Social Security Disability Insurance (SSDI)/Supplemental Income (SSI) Cases

Chap. 5

**Start Thread.
Discuss.
Part#1**

Overview of SSDI and SSI Disability Determination Process and Use of a Vocational Expert (VE).
Definitions of Disability used within Social Security.
Levels of Review.
Becoming a Vocational Expert for Social Security.
Pre-Hearing Preparation
The Hearing
Vocational Expert Testimony

Post-Hearing Contact
Issues for Claimant's Attorney/Representative
Disability Service Improvement Initiative
Recommendations and Criticisms
Review of Figures and Exhibits
Summary

02/26/08
Module 6

Civil Suits

Chap. 6

Online Mtg

Case Management
Personal Injury Cases
Employment Discrimination
Divorce
Public Education
Premise Security Liability
Special Disability Benefits Programs
Long Term Disability (LTD)
Family and Medical Leave Act (FMLA)
Other types of suits
Review and Discussion of Related Exhibits, Tables, and
Court Decisions
Summary

03/05/08
Module 7

Worker's Compensation

Chap. 7

**End of Thread
Discuss.
Part#1**

Overview
Worker's Compensation Benefits
Relationship Between Residual Functional Capacity (RFC)
and Earnings
Forensic Applications in Worker's Compensation
Review and Discussion of Figures and Exhibits
Summary

Exam #7: Worker's Compensation

03/11/08

NO CLASSES – SPRING BREAK

03/18/08
Module 8

The Americans with Disabilities Act

Chap. 8

**Online Mtg.
Start
Threaded
Discussion,
Part#2**

Definitions Used Within the ADA
Putting ADA Practices to Work
Related Issues
Review and Discussion of Exhibits
Summary

03/25/08
Module 9

Life Care Plans

Chap. 9

Overview of Life Care Plans
Goals of Life Care Plans
Role and Functions of Life Care Planners

LCP Use with Children and Young Adults
The Defense and Life Care Planning
Ethical Issues and the Daubert Test
Ageing
Academic Preparation, Associations and Certification
Role of the Economist in Life Care Planning
Online Resources
Review and Discussion of Appendices, Exhibits, and Tables
Summary

04/01/08
Module 10

Loss of Earning Capacity

Chap. 10

Online Mtg.

Overview
Definitions of Terms
The Process
Federal Rules of Evidence
Transferable Skills and Labor Market Access Programs
Earning Capacity Assessment
Sources of Loss of Earning Capacity Information
Worklife Expectancy
Role and Functions of the Economist
Worklife Expectancy
Economic Analysis
Review and Discussion of Exhibits and Tables
Summary

04/08/08
Module 11

Assistive Technology

Chap. 11

Legislative History
Customer-Focus Model for Assistive Technology
Members of the Assistive Technology Team
Key Components in Matching the Person with the Device
High Technology versus Low Technology
Fundamental Principles in Determining Appropriate Assistive Technology
Wheelchair Safety Issues
Selection Criteria for Modified Vehicles
Telecommunications Relay Services
Myths About Assistive Technology
Assistive Technology Resources
Funding Alternatives for Assistive Technology
Review and Discussion of Tables and Other Concerns About AT
Summary

04/15/08
Module 12

Counseling and Forensic Issues: Identification & Intervention in Fictitious Disorders, Munchausen Syndrome and Malingering

Chap. 12

Online Mtg.

**End Thread.
Discuss.
Part #2**

Overview
Fabricated Symptoms
Presentation
Medical/Legal Pitfalls
Munchausen's Syndrome
Special Populations

Review of Related Materials/Alternative Methods
Summary

04/22/08

Module 13

Federal Court Rules and Laws

Chap. 13

**Start Thread.
Discuss. Part #3**

Uniform Rules
Major Disability-Related Legislation
Selected Federal Statutes Affecting People
with Disabilities

04/29/08

Module 14

Ethical Issues in Forensic Rehabilitation

Chap. 14

Online Mtg.

**Term Paper
Due - Use
Drop-Box on
D2L**

Functions of Ethics
Ethics and the Vocational Expert
Multicultural Issues
Malpractice
Court Decisions Regarding Appropriate and
Ethical Behaviors
Review of Related Materials
Summary

05/06/08

Module 15

FINALS WEEK – ON-CAMPUS

Business Aspects of Forensic Rehabilitation Practice Chap. 15

**Online Mtg.
(Backup if
needed)
End Thread.
Discuss. Part #3**

Deciding to Establish a Forensic Practice
Establishing a Practice: Forms of Business Available
Daily Operations
Protection of Image and Assets
Management of Accounts
Marketing
Formal Preparation for the Forensic Expert

Course Evaluation (Online: D2L-Survey Section; Anonymous)

University Policies

All students are held responsible for knowing and understanding the following university policies, among others. Click on the link to be taken to the official policy statement(s):

Accommodations for Students with Disabilities: <http://www.mnsu.edu/acadaf/policies/AccessforStudentswithDisabilities.pdf>

Academic Honesty/Plagiarism: <http://www.mnsu.edu/acadaf/policies/AcademicHonesty.pdf>

Non-Discrimination in Employment and Education (MnSCU): <http://www.mnscu.edu/board/policy/1b01.html>

University Policies and Procedures: <http://www.mnsu.edu/acadaf/policies/>