
HOW "EXPERT" IS YOUR VOCATIONAL EXPERT?

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Abstract

In the process of providing Rehabilitation Services for individuals who have Compensable Disabilities, the role of Vocational Expert has emerged. Often, the Rehabilitation Professional(s) involved with the case will be asked to develop an opinion in regard to the individual's employability and may be asked to present that opinion in court. As in most any newly created "market", there are many professionals in related (and not so related) fields who present themselves as Vocational Experts. This then creates a need to define what makes the Vocational Expert an "Expert"? This paper examines the various ingredients needed to qualify someone as a Vocational Expert. The factors considered include educational preparation, experience, professional affiliations, licenses, certifications and involvement in professional activities. Finally, this paper addresses the expectations expressed by those who hire and use the information provided by the Vocational Expert. These include Attorneys, Judges, Jurors, Rehabilitation Professionals and other Vocational Experts. It also explores the perceived credibility of the Vocational expert among those who depend on the Expert's opinion in the litigation process. The purpose of this article is to provide an organized means of examining the many facets of a Vocational Expert's qualifications to discover if they are indeed an "expert" in regard to the specific issues of litigation. This paper is also intended to be informational and used as a tool by all the professionals who find themselves involved in the litigation of Compensable Disability cases.

How "Expert" Is Your Vocational Expert?

What does make an "expert" expert? Is it determined by the number of times one has testified in court? Is it determined by the number of years one has been "in" rehabilitation? Is it determined by age and education? Is it determined by the scope of experiences one has in providing rehabilitation care and services? Is it determined by one's title?

In the 1980's, rehabilitation as it concerns testimony and professional opinions, is going through subtle but significant changes. Experts are coming from all specialties focused upon the issues of rehabilitation and the extent to which illnesses and injuries effect people's lives and their abilities to work and earn wages. Today, we have nurses, guidance counselors, psychologists, psychometrists, psychiatrists, physicians and others with "experience" playing a role in determining the extent to which a person has experienced vocational disability. The various backgrounds and areas of expertise can become mindboggling to one seeking an expert in the vocational field. This confusion often begins with the titles used which vary from Expert Witness, Rehabilitation Specialist, Rehabilitation Consultant, Rehabilitation Counselor, Vocational Consultant to Rehabilitation Case Manager.

Perhaps to adequately answer our query, we shall look at the curriculum involved in a Bachelor's Degree or Master's Degree in Rehabilitation Services/Counseling. These curricula entail vocational and aptitudinal testing and interpretation, counseling, psychological and social aspects in rehabilitation, medical information for counselors, job development and placement of the handicapped, career development, case management process, methods and materials of adjustment services, and field experience. Traditional programs require a core of 9-11 hours of foundations study, 27-32 hours of rehabilitation counseling core studies, and 3-10 hours of related subject study. Areas of advanced study which do not usually or necessarily prepare one for provision of rehabilitation services, particularly vocational expertise, are psychology, nursing, social work, sociology, occupational/physical therapies or education (teaching).

Webster's New Dictionary and Roget's Thesaurus define "vocational" as pertaining to a profession, especially one for which one is specially suited or trained. The same source defines "expert" as a person with a high degree of skill or specialized knowledge... highly skilled or knowledgeable.

Frequently, the issue of experience versus education is involved in a discussion of what constitutes a "voca-

tional expert". Education basic to a degree in rehabilitation is outlined above. What experience is acceptable to qualify one as an "expert"? Has the "expert" worked for a significant length of time providing case management; guidance and individual counseling; supervision of other professionals; development of special programs for the disabled population; working with persons interested in returning to the workforce through job determination, development, placement and follow-up; coordinating the medical services necessary for maximal recovery and maintenance; counseling and educating the families of disabled persons, assessing their level of cooperation and influence; and, last but not least, surveying the American labor market to determine the feasibility of a person returning to productive work subsequent to an impairing accident or illness? Has the "expert" actually been instrumental in testing, counseling, developing jobs for and placing individuals who are impaired to some extent or is his/her experience theoretical?

To what professional organization does your expert belong? Does he/she actively participate or only "purchase" memberships for his/her resume? Has the professional held office(s) in organizations related to rehabilitation theory and practice? What evidence exists of the professional's on-going pursuit of education and training in rehabilitation? Has the professional been a recipient of information, and, as well, a presenter of technique and information through seminars, workshops, conferences and certification maintenance? Is it essential for the expert to hold professional certification? Which certifications are most appropriately held for your expert's "area of expertise"?

To determine the importance of the factors and considerations previous, a closer examination is needed into the qualifications and prejudices of those employing "experts." We will begin with the education and experience common to Vocational Experts.

Education and Experience

Core curriculums from several educational institutions across the United States reveal similar requirements for the pursuit of a degree in Rehabilitation Services/Counseling. At the Bachelor's level, courses in counseling theory and practice, placement of the disabled worker, testing and interpretation of test results, behavior modification, and report writing are evident. At the Master's level, research and statistics, medical aspects of disability, counseling theory and practice, placement of disabled workers, occupational information and work sample development are included. When comparing these to graduate programs in psychology, sociology and education, the vocational emphasis is not found. All address human behavior and development in depth, but do not relate these to selection of and successful participation in occupations. Further, the Rehabilitation Services degrees often include course work regarding job modification and job analysis. This is useful information in the placement of a disabled worker on the job.

Because there are no accredited educational institutions known to the authors which offer a degree in Vocational Expert Opinions, the most common degrees held by the Vocational Expert were explored. All adequately prepare the professional for work with individuals who must cope with change in their lives, but only the Rehabilitation Services/Counseling degrees address vocational issues in depth. Counseling and Guidance degrees and Nursing degrees often require a knowledge of occupational information, but still fall short of the actual placement process and requirements of sorting through transferable skills to identify appropriate alternative occupations.

It is generally accepted that education without experience provides a very good basic understanding of theory without development of the skills necessary for implementing the educationally attained information.

Field and Sink in their publication, *The Vocational Expert* (1981), suggest an appropriate combination of education and experience for the vocational expert, as listed in Table I.

TABLE I

EDUCATION

BA in Behavioral Sciences.
MA in Specific Vocational Field.
MA from a *CORE Accredited
University Program (Preferred).
PH.D. in Counseling Psychology/
Rehabilitation (Not Essential).
Related Technical Courses Which
Would Increase Skills in Field.

EXPERIENCE

Worked as a Rehabilitation Specialist.
Worked with "Similar" Clients.
Worked in Vocational Assessment.
Worked in Job Analysis and Placement.

* Council on Rehabilitation Education.

Clearly, this combination is important to the Department of Labor and the Social Security Administration as they do not hire consultants who have not completed basic educational requirements and have a minimal amount of experience working with disabled adults to place them in employment. The number of years of experience required to produce a credible Vocational Expert is minimally determined by experience requirement for licensure and certification. This will be discussed in the following section.

Licensing, Certifications and Professional Organizations

The certifications and license presented in Table II represent those which are well known among profes-

TABLE II. PROFESSIONAL Licenses and Certifications

LICENSE	EDUCATIONAL REQUIREMENTS	EXAMINATION REQUIREMENTS	EXPERIENCE REQUIREMENTS	INITIAL COST	MAINTENANCE REQUIREMENTS	RECOGNITION
LPC Licensed Professional Counselor * (1980) ** 350 - 400 ***Alabama Board of Examiners in Counseling.	Masters. Must Submit Transcripts.	Lengthy - Covering a Wide Variety of Counseling Situations.	3 Years.	\$225	2 Years - Must Submit Evidence of CEU's, Publications, etc. \$100	Required License (For Private Practices) in AL. Only (Reciprocity With Other States)
CVE Certified Vocational Evaluator * (1982) ** 2000 ***CCAVES (Commission on Certification of Work Adjustment and Vocational Evaluation Specialists).	Masters or B.S. Plus Experience. Must Submit Transcripts.	Lengthy - Specific to Skills of Vocational Evaluation in Rehabilitation.	Previous Employer Must Certify Demonstrated Competency in 10 of 12 Categories.	\$175	5 Years - Approved CEU's Only. \$75	State Professional Organizations NRA NARPPS Dept. of Labor Social Security.
CIRS Certified Insurance Rehabilitation Specialist * (1985) ** 4000 ***Commission on Counselor Certification.	Masters or Licensed Registered Nurse. Must Submit Transcripts.	Lengthy - Specific to Skills/Knowledge of Insurance Rehabilitation.	2 Years Experience in Service to Disabled Population Receiving Disability Benefits.	\$175 \$115 if CRC.	150 Contact Hours Every 5 Years - at Least 50 Must be in Disability Compensation Systems.	Social Security Dept. of Labor State Professional Organizations NRA NARPPS.
CRC Certified Rehabilitation Counselor * (1972) ** 10,000 ***Commission on Counselor Certification.	Masters or B.S. Plus Experience. Must Submit Transcripts.	Lengthy - Specific to Skills of Rehabilitation Counseling Services.	Graduation From a CORE School or 2 Years Experience With Bachelors.	\$175	150/5 Years Contact Hours.	Social Security NARPPS NRA Dept. of Labor State Professional Organizations.
NCC National Certified Counselor. * (1983) ** 16,000 ***National Board of Counselor Certification. * Year License/Certification Became Established. ** Current Number of Licensed or Certified Professionals. *** Qualifying Board.	Masters in Counseling or Related Field. Must Submit Transcripts.	Special Area: Career Counseling (Reciprocity with License States) (Exempt LPC, CRC, MFCC & CCMHC - '88).	2 Years Experience in Applying Under Option C - Masters in Related Field.	\$135 \$75 if Exempted From Examination.	5 Years - 100 CEU's.	ACDA NRA NARPPS State Professional Organizations.

sionals who work specifically with injured or disabled workers. There may be additional certifications/licenses specific to state or region which are not known to this author.

A brief description of each of these certifications and the license will reveal that each one specifically addresses an area of specialty. While several may overlap in some areas, all remain uniquely specialized. Attending to individual specialty areas can result in a clearer understanding of the professional's specific areas of knowledge and expertise.

Licensed Professional Counselor (LPC) Specialization-Counseling. This license is required in the State of Alabama for private practitioners who are engaged in counseling activities. This includes Psychologists and Private Rehabilitation Consultants. It is meant to signify that these professionals have met a standard minimal set of qualifications and agree to uphold a Code of Ethics (Code of Alabama, 1975, V.18, Title 34, Chapter 8A, Section 34-8A-7). Similar licenses are required in many other states.

Certified Vocational Evaluator (CVE) Specialization-Testing. This certification attests to one's qualifications in regard to selection, administration, scoring and interpretation of Vocational testing. It includes a unique category involving work Sample testing which is not certified by any other body and requires specialized training to reliably perform.

Certified Insurance Rehabilitation Specialist (CIRS) Specialization-Insurance. The holder of this credential has by its possession, demonstrated a minimally acceptable level of knowledge pertaining to disability compensation systems as determined by CIRS. The CIRS designation, in and of itself, however neither implies nor represents that its holder possesses knowledge and skills in a specific discipline (e.g., Administration, Counseling, Nursing, Vocational Evaluation, Work Adjustment, Job Placement) necessary to provide rehabilitation services to eligible disabled insurance recipients.

Certified Rehabilitation Counselor (CRC) Specialization-Rehabilitation Counseling. The primary purpose of this certification is to provide assurance that professionals engaged in rehabilitation counseling will meet acceptable standards of quality in practice. The intent is to establish a national professional scale which any interested group, agency or individual may use as a measure.

National Certified Counselor (NCC) Specialization-Counseling. This certification assures minimal educational and experience standards have been met in the field of counseling. Specialty areas such as Career Counselor are also offered but only after first qualifying for the NCC credential.

OWCP-Certified Rehabilitation Counselor for Department of Labor. To qualify for selection by the

Department of Labor, the Rehabilitation Counselor must meet the following minimal qualifications: (1) a Bachelor's degree in Education, Psychology, Sociology, Social Work, Guidance or Counseling or Vocational Rehabilitation with three years of experience in Vocational Rehabilitation Counseling; or (2) a Master's or Doctorate degree in Education, Psychology, Sociology, Social Work or Guidance and Counseling with two years of experience in Vocational Rehabilitation Counseling; or (3) a Master's or Doctorate degree in Vocational Rehabilitation Counseling. All Rehabilitation Counselors meeting the educational and experience requirements cited above must have an additional two years of experience in Worker's Compensation Vocational Rehabilitation Counseling. Qualified and selected Rehabilitation Counselors are then required to complete an intensive two day workshop (at their own expense) to receive certification. Certified Counselors agree to uphold a Code of Ethics. This is a competitive process, as acceptance is based on need. Certification must be renewed periodically.

Social Security Vocational Expert. To qualify as a Vocational Expert for the Social Security Administration, the professional must submit evidence of college education in Rehabilitation Services, or a related field and experience with placement of disabled adults. Knowledge of transferability of skills, the local labor market, physical demands of work, medical aspects of disability, educational attainment, and age as it relates to performing work is required. Selected applicants must complete a comprehensive self-study guide to learn specific procedures followed by the Social Security system.

Assuming that licenses and/or certifications are a reliable representation of one's educational and experiential background, it would follow that a combination of these could reliably identify individuals with at least minimal qualifications that would prepare them for the task of a Vocational Expert (Deutsch, 1985).

As you will note, many of the certification and licensing procedures require one to submit transcripts as proof of educational preparation. Often the content of these transcripts must show evidence of specific course work. Course work of value to a Vocational Expert should include: medical aspects of disability, job placement, occupational information, and theories of vocational development (Deutsch, 1985). In addition, there are minimal experience requirements to certify that one does indeed possess the skills necessary to successfully apply the knowledge attested to by the transcripts. Further, many require periodic renewal. This serves to document an individual's efforts to remain informed of changes and trends affecting rehabilitation and legal issues (Matkin, 1986).

If there is concern about the Vocational Expert's knowledge of contemporary events and how they might affect legal issues, as well as rehabilitation issues, you might look to the organizations with which this individual chooses to associate. A well-rounded professional will often remain active in local, state, regional

TABLE III. PROFESSIONAL Organizations

	MEMBERSHIP	PUBLICATIONS
NATIONAL PROFESSIONAL ORGANIZATIONS		
NRA - National Rehabilitation Association	17,000	Newsletter Journal of Rehabilitation
VEAA* - Vocational Evaluation and Work Adjustment Association	1,500	Newsletter Vocational Evaluation and Work Adjustment Bulletin
NRCA* - National Association of Rehabilitation Counselors	4,025	Newsletter Journal of Rehabilitation Counseling
JPD* - Job Placement Division	1,400	Newsletter Journal
NARPPS - National Association of Rehabilitation Professionals in the Private Sector	1,763	Newsletter Journal of Private Sector Rehabilitation
STATE PROFESSIONAL ORGANIZATIONS		
ARPPS - Alabama Association of Rehabilitation Professionals in the Private Sector	29	Newsletter Monthly Meetings in Birmingham
ARA - Alabama Rehabilitation Association	80	Newsletter Annual Conference
WCCAA - Workmen's Compensation Claims Association of Alabama	300	Meetings in Birmingham Annual Conference in Mobile, Alabama
ACA - Alabama Claims Association	200	Monthly Meetings in Birmingham

* Divisions of NRA

All of the above organizations host regular meetings and conventions for the purpose of providing continuing education opportunities and exchange of information.

and national professional organizations (NARPPS News, 1986). Particularly in the field of rehabilitation, these are the best sources of current information and trends. Table III lists the better known professional organizations available. Others may exist, particularly on the local level, which are equally valuable to professional growth and development.

Last, but not least, in choosing a Vocational Expert, consideration of the expert's participation in workshops, training programs and Publishing could lend insight into the expert's specific areas of interest and recent special training (Deutsch, 1985).

A well-rounded Vocational Expert will have some combination of education, license/certification and experience intertwined with a knowledge of and active interest in current rehabilitation, legal developments and employment trends. In this age of specialization, there has been a proliferation of licenses and certification. Obviously, all these are not necessary to determine qualification as a Vocational Expert. Careful scrutiny of those credentials held by your expert will, however, provide a reliable knowledge of his or her education and experience (Deutsch, Sawyer, 1986; Chan, Parker, Lam, 1986).

Survey

A limited survey was conducted to collect opinions and attitudes regarding the Vocational Expert. Attorneys, Judges, Rehabilitation Consultants and Psychologists were interviewed. Each subject area previously discussed in this paper was discussed during the interview and for simplicity will be treated separately here as well.

Education

- Q: In your opinion what makes someone qualified to testify as a Vocational Expert?
- A: 40% of all respondents identified education. 40% focused on experience. The remaining 20% discussed supervisory positions and credentials.
- Q: What educational background have you most often seen in regard to Vocational Expert?
- A: 66% = Masters Degree in "human services", "rehabilitation", and/or "nursing".
27% = Ph.D. in a "human services field" or "psychology" when asked about minimally acceptable educational qualifications, the respondents closely matched the above figures.

Certifications/Licenses/Professional Organization

- Q: What certifications or licenses do Vocational Experts you are familiar with have?
- A: 33% named CVE 6% named CIRS
46% named CRC 53% named LPC
27% of the respondents indicated that they consider membership in professional organizations an important aspect of the Vocational Expert's qualifications.

Q: Which professional organizations do you look for or see most often?

A: 33% NARPPS/AARPPS
46% NRA
27% VEWA

Credibility and Function of the Vocational Expert

Q: How often do you request the services of a Vocational Expert?

A: The average response was on 57.5% of all cases where such services would be appropriate. Responses ranged from 15% to 100%.

Q: In your opinion what is the most important information provided by the Vocational Expert?

A: 53% responded with lost earning capacity. The meaning of "lost wages" or "lost wage earning capacity" was well understood by the majority of respondents and frequently defined as the difference between pre and post injury earnings or wages.

Q: In your opinion, how much weight should be given to the Vocational Expert's opinion when deciding the award to be given a claimant?

A: The average response was 64%. Responses ranged from 25% - 90%.

When asked whether a Vocational Expert should be involved in all aspects of providing rehabilitation services to be credible, most respondents said it was not necessary but would be preferable.

In discussion regarding disability ratings, considerable confusion was evident. Many respondents were unable to distinguish the differences between a disability rating (vocational) and an impairment rating (medical). Further many respondents were uncertain on what information a disability rating was based. Most answers were vague and generalized.

Q: Should computer analysis of possible jobs carry the same weight as actual labor market contact and job investigation in considering a claimant's ability to find, qualify for and get jobs?

A: 20% answered yes, they should carry the same weight.
20% answered no, actual contact is best.
40% answered that both methods should be used.

Q: Finally, we asked our respondents what their general perception of Vocational Experts and their credibility was.

A: 66% good
20% fair
27% skeptical

*Note: These percentages add up to more and sometimes less than 100% because some respondents wanted to include two answers and some did not answer all questions.

Summary/Implications

There are several points of interest which have emerged as a result of our research and limited survey.

The role of Vocational Expert appears to be loosely defined. This is significantly contributed to by the diver-

TABLE IV. CHECKLIST for Evaluation of How "Expert" Your Vocational Expert Is

1. Education: (Check One)
 - Master's degree in Rehabilitation or related field from an accredited institution.
 - Doctorate in Rehabilitation or related field from an accredited institution.
 - Average number of hours of formal continuing education attended annually.

2. Experience: (Fill in Number of Years)
 - Years in rehabilitation of disabled individuals.
 - Years in placement of disabled individuals on jobs.
 - Approximate number of disabled persons placed on jobs.
 - Years experience testifying for Social Security and/or civil court.

3. Professional Affiliation: (Check All That Apply)
 - National Rehabilitation Association; Offices Held: _____
 - Division Member? _____; Offices Held: _____
 - National Association of Rehabilitation Professionals in the Private Sector; Offices Held: _____
 - Workman's Compensation Claims Association of Alabama.
 - Others _____; Offices Held: _____

4. Certifications: (Check All That Apply)
 - CRC - Certified Rehabilitation Counselor
 - CVE - Certified Vocational Evaluator
 - CIRS - Certified Insurance Rehabilitation Specialist
 - NCC - National Certified Counselor
 - LPC - Licensed Professional Counselor (Alabama)
*Many other states require similar licensure.
 - OWCP - Certified Rehabilitation Counselor
 - Social Security Vocational Expert
 - Others _____

There should be at least one mark for each section of the checklist. Use the tables to evaluate the depth of your expert's education, certifications/ license and affiliations.

sity of individual qualifications and methods used to arrive at the Expert Opinion. General agreement was found on basic factors such as the minimal educational requirement of a Master's degree and lost capacity to earn as being the most important information provided by the Vocational Expert.

As a result of our limited survey and research, we have developed a brief checklist for use in analyzing the qualifications of a Vocational Expert (Table IV). It is our hope that this will provide a means of sorting out all the information available about the Vocational Expert and organizing it into a meaningful and useful format.

Our brief treatment of this subject has explored many areas which need further and more indepth study and investigation:

1. If the Vocational Expert is to become more credible and therefore reliable in the opinion rendered, a standard must be identified, at the least, in regard to the information used to arrive at the expert opinion.

2. It would appear logical to deduce that two experts who have similar educational background and experience will arrive at a similar expert opinion. This is not necessarily the case, however. For this reason, a standard must be agreed upon which identifies a process by which the professional synthesizes information to arrive at the expert opinion and Vocational Disability Rating.

3. Educational institutions which offer degrees in Rehabilitation Services must recognize that their graduates will in all probability be asked to serve as Vocational Experts and must therefore begin to offer course work regarding forensic protocol and how to structure and arrive at an expert opinion.

4. The demand for continuing education opportunities for the Vocational Expert will likely grow even further beyond the current supply.

It is our hope in producing this article that others will be stimulated to take up study of the situation and help define the role and function of the Vocational Expert.

Resources

Board for Rehabilitation Certification, (1984).

Guide to Insurance Rehabilitation Specialists Certification

Chan, Fong; Parker, Harry; Lam, Chows, (1986)

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