

111TH CONGRESS
2^D SESSION

H. R. 5630

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 29, 2010

Received; read twice and referred to the Committee on Veterans' Affairs

AN ACT

To amend title 38, United States Code, to provide for qualifications for vocational rehabilitation counselors and vocational rehabilitation employment coordinators employed by the Department of Veterans Affairs.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. QUALIFICATIONS FOR VOCATIONAL REHABILITATION COUNSELORS AND VOCATIONAL REHABILITATION EMPLOYMENT COORDINATORS EMPLOYED BY THE DEPARTMENT OF VETERANS AFFAIRS.**

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6 (a) IN GENERAL.—Chapter 31 of title 38, United
7 States Code, is amended by adding at the end the fol-
8 lowing new section:

9 **“§ 3123. Qualifications for vocational rehabilitation**
10 **counselors and vocational rehabilitation**
11 **employment coordinators**

12 “(a) VOCATIONAL REHABILITATION COUNSELORS.—
13 Each individual employed by the Department as a voca-
14 tional rehabilitation counselor shall—

15 “(1) have completed a masters degree in voca-
16 tional rehabilitation counseling before being so em-
17 ployed;

18 “(2) by not later than five years after the indi-
19 vidual is first so employed, obtain certification by an
20 accredited certifying body recognized by the National
21 Commission for Certifying Agencies; and

22 “(3) as a condition of continued employment,
23 maintain such certification.

24 “(b) VOCATIONAL REHABILITATION EMPLOYMENT
25 COORDINATORS.—Each individual employed by the De-

1 partment as a vocational rehabilitation employment coor-
2 dinator shall—

3 “(1) have completed a bachelors degree in the
4 relevant field, as designated by the Secretary, before
5 being so employed;

6 “(2) by not later than five years after the indi-
7 vidual is first so employed, obtain certification by an
8 accredited certifying body recognized by the National
9 Commission for Certifying Agencies; and

10 “(3) as a condition of continued employment,
11 maintain such certification.

12 “(c) REMEDIATION PLAN.—If an individual employed
13 by the Department as a vocational rehabilitation counselor
14 or a vocational rehabilitation employment coordinator fails
15 to meet a condition of employment applicable to such indi-
16 vidual under subsection (a) or (b), the Director of the Vo-
17 cational Rehabilitation and Employment Service shall de-
18 velop a remediation plan for such individual. If the indi-
19 vidual fails to complete the remediation plan, such failure
20 shall be cause for termination.”.

21 (b) CLERICAL AMENDMENT.—The table of sections
22 at the beginning of such chapter is amended by adding
23 at the end the following new item:

“3123. Qualifications for vocational rehabilitation counselors and vocational re-
habilitation employment coordinators.”.

24 (c) APPLICABILITY.—

1 (1) INDIVIDUALS HIRED AFTER DATE OF EN-
2 ACTMENT.—Section 3123 of title 38, United States
3 Code, as added by subsection (a), shall apply with
4 respect to an individual hired by the Department of
5 Veterans Affairs after the date of the enactment of
6 this Act.

7 (2) INDIVIDUALS HIRED BEFORE DATE OF EN-
8 ACTMENT.—In the case of an individual hired as a
9 vocational rehabilitation counselor or a vocational re-
10 habilitation employment coordinator by the Depart-
11 ment of Veterans Affairs before the date of the en-
12 actment of this Act, such individual is required to
13 have the qualifications described in section 3123 of
14 title 38, United States Code, as added by subsection
15 (a), for the position held by the individual by not
16 later than 5 years after the date of the enactment
17 of this Act.

Passed the House of Representatives September 28,
2010.

Attest:

LORRAINE C. MILLER,

Clerk.