

OVERVIEW OF AMENDMENTS TO VOCATIONAL REHABILITATION SERVICES POLICY

Effective Date: November 1, 2002

A. BACKGROUND

Effective June 30, 2002, the *Workers Compensation Act* (the "Act") was amended by Bill 49, the *Workers Compensation Amendment Act, 2002*. On October 16, 2002, the Panel of Administrators approved amendments to the Board's policies concerning vocational rehabilitation entitlement and services.

The amendments approved by the Panel apply to the Board's policies concerning the following topics:

1. Principles & Goals
2. Eligibility Criteria
3. Referral Guidelines
4. Programs & Services
5. Extent of Service
6. Relocation

B. PURPOSE

This practice directive provides a general overview of the significant amendments and related directives. Please refer to the topic specific practice directives for further information:

- Practice Directive #51, *Programs & Services*
- Practice Directive #52, *Extent of Service*
- Practice Directive #53, *Work Assessments*
- Practice Directive #54, *Relocation*

C. EFFECTIVE DATES AND TRANSITION RULES

The policy changes are effective November 1, 2002 and apply to all decisions made on or after November 1, 2002, on claims occurring on or after June 30, 2002. For recurrences, please refer to Practice Directive #38A, *Effective Dates and Transition Rules*, and Practice Directive #38B, *Recurrences*.

D. OVERVIEW OF POLICY AMENDMENTS

1. Principles, Service Objectives & Goals

The amendments in RSCM Vol. II, Policy item C11-85.00, *Principles and Goals*, highlight the need for early intervention and the provision of cost-effective service. The goals focus on return to work as the primary objective and start to delineate the nature and extent of service to be provided based on the assessment of the worker's disability.

Please see Practice Directive # 52, *Extent of Service*.

2. Eligibility Criteria

The amendments in RSCM Vol. II, Policy item C11-86.00, *Eligibility Criteria*, provide a clear definition as to when vocational rehabilitation services may be provided to injured workers. It outlines the benefits a worker may be receiving and the extent of their eligibility to vocational rehabilitation services.

Please see Practice Directive # 51, *Programs & Services*.

3. Referral Guidelines

The amendments in RSCM Vol. II, Policy item C11-86.10, *Referral Guidelines*, correlate the referral guidelines with the eligibility criteria specified in RSCM Vol. II, Policy item C11-86.00 and with other amendments in the RSCM.

4. Programs & Services

The amendments in RSCM Vol. II, Policy item C11-88.00, *Nature and Extent of Programs and Services*, outline the nature and extent of service entitlement according to the level and extent of disability. The amended policy specifies that vocational rehabilitation should be initiated on an early intervention basis. It further outlines the requirements for a vocational rehabilitation plan, including the provision of a cost benefit analysis.

Please see Practice Directive # 51, *Programs & Services*.

5. Extent of Service

The amendments in RSCM Vol. II, Policy items C11-88.30 through C11-88.50 provide specific timelines for job search, training on the job, and formal training. It also provides specific criteria for consideration of extensions. The amendments to Policy item C11-88.60, *Business Start-ups*, provide new criteria for consideration of business start-up requests.

Please see Practice Directive # 52, *Extent of Service*.

6. *Work Assessments*

The amendments in RSCM Vol. II, Policy item C11-88.10, *Work Assessments*, specifies that all functional evaluations sponsored by Vocational Rehabilitation Services fall within the category of a work assessment. The Policy item further outlines a variety of ways in which to use a work assessment.

Please see Practice Directive # 53, *Work Assessments*.

7. *Relocation*

RSCM Vol. II, Policy item C11-88.90, *Vocational Rehabilitation Relocation*, is an addition to the RSCM. Previously the policy on relocation was only addressed in Policy item #40.12, *Suitable Occupation*. Policy item C11-88.90 states that relocation will only be considered when all other return to work within a reasonable commuting distance has been considered. It outlines specific factors that may be taken into account in determining whether or not relocation is a reasonable option.

Please see Practice Directive # 54, *Relocation*.