

Vocational Rehabilitation

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*Work Related Injuries Workshop
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Vocational Rehabilitation begins with the Employer

Vocational Tools

- Job Analysis
- Transitional Return to Work
- Vocational Rehabilitation Services
- Employability Evaluations



Job Analysis

- Identify specific job functions
- Objectively measure physical demands of the job
- Provide a concise, written document
- Identify skills required of the worker that are transferable to other jobs
- Separate the essential and non-essential job functions to assist with ADA Compliance

Job Analysis

A job analysis can be multi-functional

- Establish causality
- Forward to the treating physician
- Provide to physical therapist for a customized program
- Provide to work hardening facility to ensure the job demands are described accurately
- Submit to Independent Medical Examiner for comment

Transitional RTW

There are several approaches to developing modified work programs including:

- Temporary Alternative Jobs
- Restructuring of Job Tasks
- Identification of Adaptive Equipment
- On the Job Training / Skills Enhancement

Transitional RTW

Instances when a TRTW may be most useful

- Employers with frequent claims
- Employers who are receptive to consideration of “light” duty but are uncertain how to implement this concept
- Employers who consistently provide job offers and want clear documentation of their RTW policies



Vocational Rehabilitation

Office of Education and Vocational Rehabilitation

- OEVR is the overseeing authority for vocational rehabilitation under MGL c. 152 section 30.
- To qualify for these services, an injured worker must have residual restrictions due to their work related injury that prohibits a return to his/her pre-injury job.
- The goal of vocational rehabilitation services is to return an employee to their pre-injury average weekly wage.



Vocational Rehabilitation

Mandatory Meeting

- The employee is required to attend this meeting or may risk having benefits reduced by 15%.
- Reinstatement of these benefits is not retroactive.
- The employee's attorney may attend, however, insurance representative or VRC's may not



Vocational Rehabilitation

Determination of Suitability

- The RRO uses discretion in deciding which medicals to adopt when determining eligibility for services. Typically, OEVR will want the injured worker to be at MMI.
- Liability must be established for OEVR to make a determination of suitability.
- The injured worker must have a work capacity that prevents them from returning to their same job and there should be a reasonable expectation that the provision of services will facilitate employment
- OEVR will consider age, education, transferable skills, functional capacity and other factors including English skills and legal status to work in the United States.

Vocational Rehabilitation

Individual Written Rehabilitation Plan (Form 151)

- The goal is to return the injured worker to a comparable wage.
- IWRP will outline rationale for the job goal and level of service recommended.
- VR Hierarchy of Services

Same Employer - Same Job with modification

Similar or Different Job

Different Employer - Similar Job

Different Employer - Different Job – perhaps skills enhancement

Retraining - Up to 104 calendar weeks

Vocational Rehabilitation

Team Meetings & Trust Fund

- Team meetings are conducted when issues are impeding the rehabilitation process. Attend!
- If an insurer refuses to provide VR Services or refuses to fund the proposed IWRP, OEVR may request that the trust fund do so. If the injured worker, as a result, returns to employment in accordance with the IWRP the insurer will be charged at least 2x the cost of the plan.

Employability Evaluations

Claims Tool

- Analyzes an individual's specific vocational profile within the framework of their specific labor market to determine an individual's employability and earning capacity.
- Written report and testimony are provided to assist the trier of fact in determining an individual's ability to work and earn income.
- VRC's can not conduct a LMS and provide VR Services on the same case per OEVR regulations.
- LMS information is gathered during the VR Process and is included in an IWRP to demonstrate the feasibility of the job goal.



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Nancy L. Segreve earned her Bachelor's Degree in Psychology from Boston College and her Master's Degree in Rehabilitation Counseling from Assumption College. She is a nationally Certified Rehabilitation Counselor, Certified Case Manager and Vocational Expert with over 25 years experience working with adults who have sustained injuries or illnesses that impact their ability to work as well as providing vocational testing and career counseling. Nancy is the Secretary Elect of the New England Chapter of the International Association of Rehabilitation Professionals. She is actively engaged in the provision of rehabilitation services within the worker's compensation arena and frequently serves as a vocational expert across a number of legal systems including worker's compensation, personal injury, marital dissolution and employment law.

In 1997, Nancy L. Segreve and Stephanie Hart Nowell co-founded Occupational Resource Network, a local Massachusetts company that has become a trusted provider of medical case management, vocational rehabilitation and expert testimony for the insurance industry, employers and the legal community. The consultants at ORN are skilled in providing nurse case management, life care plans, vocational rehabilitation, ergonomic evaluations, employability evaluations and vocational expert testimony.