

Helping injured workers heal and return to work – the “vocational recovery” approach

L&I is working closely with members of the vocational provider community to identify ways we can increase the likelihood of a return-to-work outcome from their interventions and partnership with L&I claim managers, medical providers, workers, and employers. In order to develop and analyze data connected to best practices, a representative group of claim managers and VRCs are using Early Intervention, or EI, referrals. The need for these referrals is triggered by the same information that would bring a claim to the CM’s attention for an initial Ability-to-Work Assessment.

To ensure the “vocational recovery”, or EI referral process is working smoothly, we are revisiting communications from December 2016. Based on feedback from external stakeholders and staff, the information has been changed to improve clarity:

Employers play an important role in return to work. An active employer can help mitigate unnecessary work disability or absenteeism by consistently ensuring their injured workers remain connected to their workforce and to their co-workers, including those kept on salary.

L&I continues to exceed historical benchmarks in the early timing of referrals for vocational assistance, reducing the number of workers suffering unnecessary work disability and lowering claim costs as a result. We also recognize that early services can overlap or be redundant with those provided by Retro groups.

The **employer of record** (EOR), third party administrators (TPAs) and Retrospective Rating groups can (and often do) facilitate return to work with the EOR, particularly transitional or light-duty opportunities. These return-to-work (RTW) services are sometimes provided by vocational providers you have on staff. We have reminded claim managers (CMs) of these services. In general, we’ve told them to anticipate RTW services with the EOR are provided within 30 days of claim allowance and are likely to be completed or pending resolution within 90

days of allowance. To ensure coordination of services and reduce the risk of overlap with ERTW and department-assigned private sector vocational providers, you must notify our CMs, and document the claim file with regular updates on progress. Services may include facilitation of light-duty or transitional jobs, permanent jobs and/or job-of-injury job analysis/descriptions with the EOR.

As a reminder, return-to-work staff or private sector vocational providers hired by employers or their representatives such as TPAs or Retro group administrators do not provide ability-to-work assessment (AWA) services, labor market surveys, transferable skills analysis, plan development or retraining services. This work is done by private sector vocational providers in response to referrals from the department.

A claim can initially be considered for vocational services as early as 40 days after receipt, or even earlier under some circumstances. Unless the employer or representative (TPA or Retro administrator) has documented their initiation and progress for RTW services in the claim file, you should expect that a referral to a vocational provider will be made. If the claim file reflects appropriate RTW progress, the CM will monitor the claim for continued updates, but **may** make a referral for vocational services if they feel it is needed.

Below are the steps our CMs have been instructed to follow:

- Review the file for evidence of RTW services by the employer or Retro group/TPA. If there is no evidence of RTW services, consider assigning to a private sector vocational provider.
- After making the referral to the VRC, during the call to the employer or TPA/Retro administrator if there is one, explain vocational services, give the vocational provider's contact information, ask whether there are concerns about RTW and explain how a willing employer can help in the process.
- If the employer or TPA/Retro administrator reports they are developing a RTW plan, take the time to set expectations, including the need for regular updates to the claim file. Submitting these work products as soon as completed can avoid unnecessary delays. Do not cancel the referral to the vocational provider.

- Ensure the private sector vocational provider is aware that services are being provided to the worker so that they can appropriately partner with the TPA/Retro administrator.
- Review the file at the next tickler to verify documentation of progress. Concerns should be staffed with an internal vocational specialist.

Remember, also, the important role of a vocational professional for employers and workers interested in participating in the new Preferred Worker incentives.

The **Preferred Worker Program** information can be found here:

<http://www.Lni.wa.gov/ClaimsIns/Voc/BackToWork/PrefWkr/Guides/default.asp#1>

Finally, we support a collaborative approach between the department-assigned provider and the employer representative once services are initiated.

Thank you.