

**Private Sector
Vocational Technical Stakeholder Group (VTSG)
January 12, 2014 Tumwater
Minutes**

VOCATIONAL REHABILITATION PROVIDERS

Attendees

Kimberly North, Achieve Consulting Team
Robert Gaffney, Gaffney Consulting
Brad Reckord, Rainier/Vocational Options Inc.
April Poier, Ability Vocational Consulting
Todd Gendreau, Strategic Consulting Services Inc.
Cory Turner, Vocational Connections
Nicole Hernandez, Advanced Vocational Solutions

Absent

Todd Martin, Martin Consulting
Jan Veling, Pacific Rehabilitation Centers
Bradley Ehrlich, Career Opportunities Group
Jennifer Bowes, Bowes Vocational LLC
Scott Whitmer, Whitmer & Associates

DEPARTMENT OF LABOR AND INDUSTRIES/RETURN TO WORK SERVICES

Attendees

Ryan Guppy, RTW Partnerships Chief
Richard Wilson, RTW Program Manager
Rheo Aieta, Private Sector Rehabilitation Services Supervisor
Debra Hatzialexiou, Legal Services Program Manager
Donna Spencer, RTW Services Management Consultant
Kristine Ostler, Vocational Service Specialist Supervisor
Melissa Sutherland, Vocational Service Specialist Supervisor
Laurinda Grytness, Policy & Education Coordinator
Mary McEvoy, PSRS Customer Service Specialist II

Absent

Jody Witham, Vocational Performance Measure Administrator

Audience Members

Kaethe Long, Grant & Associates
Lisa Skinner, Precisionary
Kari D'Aboy, D'Aboy Career Horizons
Cathy Cottingham, People Systems
Coreen Urrutia, People Systems
Cleo Risser, Ability Vocational Consulting
Richard McAliley, Peninsula Vocational Services

Patti Kacz, J. Donley & Associates
Kevin Leneker, Single Hand Consulting
Zachary Smulski, Zale Technico
Joseph Young, Ability Vocational Consulting

Welcome & Review Minutes and Announcements

The VTSG meeting minutes from November 17, 2014 were reviewed and approved.

Nicole Hernandez —Safety Tip

The Insurance Institute for Highway Safety reports that 40 percent of all automobile accidents involve tailgating. Strategies to avoid tailgating accidents include:

- Don't be pressured into speeding.
- When road conditions allow, pull over and let the tailgater pass.
- Don't drive considerably under the speed limit.
- To avoid tailgating, use the standard rule of thumb of two seconds worth of distance between your car and the one in front of you (four seconds in rainy weather) for a reasonable and safe distance between you and the driver ahead.

Erich Hahn Announcements

Twenty additional Claim Managers started the Early AWA On-the-Job Training Project on 1/7/15.

The most recent early referral data revealed that as of the end of November 384 Early AWA referrals have been made and 172 have been closed.

The vocational outcomes of closed early referrals were compared to the outcomes of other AWA referrals closed during the same time period. The Early AWA referrals showed an increased return to work rate and a significantly decreased amount of administrative closures that do not resolve the vocational issues on the claims.

When comparing 2011 data to the current early AWA results, the average number of days from when a worker starts receiving time loss benefits to when their AWA was completed had decreased by approximately 260 days.

Kristine Ostler and Melissa Sutherland Announcement

Claims VSS have been receiving Good Cause Extension Requests on the new format. Initial reaction from staff is that they are receiving good information, yet would appreciate justification for the length of extension

Rich Wilson's Announcement

Jason Parker is providing RTW Toolkit Training for L&I ONC and VSS staff. All of the L&I claim managers and ERTW staff have already received the training. Jason is a

disability management consultant and owner of Centrix Disability Management Services Inc. Jason's evidence based approach includes teaching effective techniques on assessing an injured worker's motivation to RTW, getting the worker to identify barriers so that they can be dealt with, and getting a return-to-work commitment from the worker.

How Firms Can Use E-Correspondence to Manage Referrals – Todd Gendreau

In some cases a firm may not be aware of referral-related correspondence sent by the department to one of the firm's VRCs in a timely manner. This problem can be solved by signing up for E-correspondence. The program allows users to adjust the settings for both the individual and firm, allowing parties to be copied electronically on all referral-related correspondence.

Instructions to Show or Hide eCorrespondence can be found by signing in at My Secure L&I: <https://secure.Lni.wa.gov/home>, going to your dashboard and clicking on "View your claims correspondence online". You may have to click on "All tasks" (top middle tab) to see this option.

Small Business Liaison Program – Celia Nightingale

This is a Director's office program, created in recognition of the many programs L&I administer that affect small businesses.

Of 240,728 Washington firms:

- 16% have no employees
- 68% have less than 5 employees
- 82% have less than 10 employees
- 90% have less than 20 employees
- 96% have less than 50 employees

Small business owners and managers tend to be generalists rather than specialists. They lack the knowledge and specialized resources to deal with a myriad of laws and requirements, and often do not take the time to deal with things that aren't urgent (but become urgent because they weren't addressed earlier). Small business owners often have the perception the workers compensation system is unfair to them.

So what can a VRC do to help? They can make a referral to L&I's Small Business Liaison when the employer:

- Employer isn't taking RTW actions that are clearly in their best interest
- Employer has high rates and doesn't seem to understand that even higher rates, due to their inaction could affect their business sustainability
- Employer is concerned about:
 - Rates; sustainability of his/her company

- Having “no rights”
- Issues with other L&I divisions or “The Government”
- Employer can’t understand claims decisions
- Employer threatens to call director, governor, legislator, etc.
- Employer is confused and overwhelmed

For more information, visit www.SmallBusiness.LNI.wa.gov or contact Celia Nightingale or Aaron Hoffman at (800) 987-0145

Testing Reports -- Kristine Ostler and Melissa Sutherland

The Vocational Services Specialist Supervisors presented concerns the Claims VSSs have with testing. With the use of standard AWA and Plan formats, the VSSs have been able to streamline and standardize their review process. This has led the Claims VSS staff to notice that testing results/reports can sometimes be problematic in moving a claim forward. In further breaking down the problem, the following current state was noted:

- Testing administrators use a variety of formats to convey testing information.
- Testing administrators use a variety of methods for testing.
- Claims VSS staff receives testing results/reports with no explanation of how it relates to the worker or an analysis as it relates to the recommendation.
- Testing results/reports that are not useful can create delays in reviewing and moving the claim forward and exhausts fee cap.

As the customer, the Claims VSS staff has developed our desired state: Test findings are clear, concise, and relevant to the worker and the analysis supports the recommendation.

VTSG members and audience participants were asked to identify the root causes for the problems as well as possible solutions.

Root Causes

- Variety of Tests
- No crossover between DOT recommended aptitudes/GED etc. and available testing
- No clear guidelines from the Department / VRCs individually trying to determine what info the Department wants
- No guidance on preferred format
- Subjective analysis and conclusions without expertise or training
- No standardized tool

- Not all VRCs want an analysis
- Limited “specialized” testing (illiterate, ESL, etc.)
- Limited requirements/regulations on who can/should administer and use/interpret tests
- Direct request from the VRC to the testing vendor needs more detail
- Testing performed in prior referrals is not useful and no funding remaining on fee cap
- VRCs are not sure of the weight and acceptability of demonstrated versus tested aptitudes
- Testing provided is not relevant to worker
- No analysis from test administrator
- VRC should have flexibility to decide best format for client

Testing Solutions

- Clear guidance from department-What exactly are you looking for
- Narrow down “acceptable or “preferred” tests/tools i.e. clear “tool box”
- Establish clear qualification for administering/interpreting and enforce
- Use standardized reporting/ summary sheet.
- AWA & Plan Forms to include a section for VRC rationale to support recommendations/goals (Synthesis)
- VRC needs to write a concise and data supported rationale using persuasive writing
- VRCs may include full reports, but should do a summary sheet of relative findings specific to worker and recommendations
- Possible fee cap exception for testing when previous testing no longer useful/relevant
- LNI create a checklist for content of testing reports:
 - Aptitudes
 - LD/Accommodations
 - Interest
 - Demonstrated aptitudes
 - Ability to participate in formal/OJT
- Streamline/provide neuropsych codes and what can be done, i.e. learning disabilities, head injury etc.

The department will work to analyze the root causes and solutions in an effort to address the issues identified and will report back to VTSG.

New Approaches to Early Return to Work — Rich Wilson

The department has been re-evaluating the question. “Are we helping workers at the right time?” In the future, ERTW assignments will be identified by potential risk for long

term disability by using a predictive analytics model. The results of a pilot using this model have been positive.

Features of upcoming change:

- Claims identified at 40 days for LTD risk
- Claims staffing that includes unit VSS, ONC, and CM
- If appropriate, claim is assigned to ERTW
- A new RTW Action Plan will be added to ORION so anyone can access it
- ERTW progress report will be shown “real time” on the Claims Detail screen
- Collaborative work screen and space for an action plan on the screen
- New ERTW referral type codes to track referrals
- By spring 2015 changes will be adopted system wide

Plan Approval Request Report – Donna Spencer

With the help of VTSG and VSS staff, we designed and piloted a new plan approval request report and new encumbrance forms for state fund referrals. We recently finished data collection. We believe the pilot was successful in increasing approvable plans when submitted, as well as significantly reducing the time that it takes claims VSSs to review plan requests. The pre-pilot data was collected between April and June of 2013, while the post-pilot data was collected between June and December of 2014.

Before the pilot, 48% of plan requests were approved as submitted and 29% needed a call first before approving the plan. Once the information was organized and targeted, the first time approval increased to 64% while those plans needing a call first dropped slightly to 26%. The overall first time plan approval rate jumped from 77% pre-pilot to 90% after the pilot, while the temporarily denied rate dropped from 23% to 10%.

We had a target in the project A-3 to create a Plan Approval Request Report that would take no more than 45 minutes to review. Our post-pilot data showed the pilot reports took an average of 27 minutes to review.

We are planning to use the same process we had for rolling out the Eligible AWA Report statewide: We will create a training film along with a 12 question quiz, for preapproved credit. We hope to roll out the new report by the end of February. We'll post an announcement on what's New when we go statewide. A special thank you to our VTSG volunteers: Todd Gendreau, Cory Turner, Bradly Ehrlich, Earl Shimogawa, Gail Vogel, April Poier, Lisa Skinner, Coreen Urrutia and Cathy Cottingham.