

Keep your client in the loop

L&I occasionally receives complaints from injured workers and their representatives that the worker is not kept apprised of the progress of a vocational referral. For example, a VRC recommends that a worker is employable and the worker only learns of it when their time loss is terminated. This would be inconsistent with the responsibilities that a VRC has in the client/counselor relationship.

VRCs providing vocational services in the Washington workers' compensation system are required by rule to provide copies of reports and attachments submitted to the referral source to the employer (if different than the referral source) and the worker or the worker's representative if requested. This responsibility applies to VRCs providing services to any injured worker, regardless of whether they are covered by State Fund or self-insurance (WAC 296-19A-030(5)(d)).

The Code of Professional Ethics for Rehabilitation Counselors is developed and administered by the Commission on Rehabilitation Counselor Certification (CRCC). The Code provides guidance for the ethical practice of rehabilitation counselors. Adherence to the Code is expected for Certified Rehabilitation Counselors. However, it can be argued that all rehabilitation counselors are subject to the Code, since it is widely recognized as an accepted standard of service (WAC 296-19A-230(1)).

According to the CRCC Code, vocational counselors are obligated to keep their client (the worker) apprised of the progress of a vocational referral (see Code sections A.1.a and A.3.b). Many VRCs accomplish part of these responsibilities by sending their client/attorney a copy of progress reports when they are submitted to the referral source although this does not replace regular meetings and updates to the worker. It can also be accomplished through ongoing conversations with the client, either telephonically or in person.

The responsibility for regular communication applies to VRCs providing services to any injured worker, regardless of whether they are covered by State Fund or self-insurance. While VRCs providing services to workers covered under self-insurance are not required by rule to submit progress reports to the referral source, they are still obligated to keep their client apprised of progress during a vocational referral. It is the responsibility of the VRC to let the worker know of the vocational recommendation and to undertake appropriate closure steps of the client counselor relationship.