

Carrying Out Your Vocational Plan: Your Rights and Responsibilities during Plan Implementation

Vocational Rehabilitation Services



Washington State Department of
Labor & Industries

Workers' Compensation Services

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Plan Implementation: Rights and Responsibilities

It's time for a decision

You and your vocational counselor have worked together to develop a retraining plan that will give you new skills for returning to the workforce. Now it's time for you to decide whether you want to proceed with your retraining plan in the next phase of vocational services, called plan implementation.

The letter approving your plan includes a Retraining Plan Option Form that you must complete and return. This form is available at www.Lni.wa.gov/FormPub.

Weigh your options carefully

Choosing between the following options is an important decision. You may want to consider talking to family members or professional consultants before making your final selection.

Vocational Option 1

You will move ahead with your retraining plan. Under Option 1, you will continue to receive time-loss and medical benefits for your injury or occupational disease during your retraining, as long as you participate and meet all the requirements in your accountability agreement.

Vocational Option 2

Your claim will close and you will receive an amount equal to nine months of time-loss compensation, less any overpayments or Division of Child Support* liens you owe. This benefit is paid bi-weekly, or, upon request and at L&I's discretion, in a lump-sum payment. If the lump sum is approved, L&I or your self-insured employer will send your payment once 70 days or more have passed from the mailing date on your claim closing order. (Because bi-weekly payments will have already begun, the remainder of your payment will be sent in a lump sum.)

Under Option 2, you can still seek training even though your claim will be closed. Training funds will be available to you, with some limits, for up to five years. Generally, these funds can be used for tuition or training and certain related costs if you pursue training or education at an accredited, licensed, or L&I-approved institution or program. The training goal or program you choose does not have to be the same as the one that L&I approved.

** Washington State Department of Social and Health Services, Division of Child Support*

How much time do you have to choose?

As soon as you have made your decision, return your Retraining Plan Option Form. If you have not made your choice before the first day of your Option 1 retraining plan, you are expected to begin your Option 1 retraining.

You can choose Option 2 after starting Option 1. You have up to 15 days after the end of the first academic quarter or three months of retraining to make your Option 2 selection. However, if you choose Option 2 after starting Option 1:

- Your training benefit will be reduced by the amount you expended during your Option 1 retraining plan.
- Your nine-month vocational award will be reduced by any time-loss received since the beginning of your Option 1 retraining plan.

What you need to do

Under Option 1, you must actively participate in the retraining plan you developed with your vocational counselor. You must meet your responsibilities in the accountability agreement that you signed.

During training

- Contact your vocational counselor at least twice a month and tell them about your progress or problems with your plan.
- Meet the training provider's attendance requirements.
- Meet the training provider's requirements for academic performance.

- Work with your instructor if you are absent or need help in class.
- Respond to contacts from your vocational counselor promptly, usually within 48 hours.
- Give your vocational counselor copies of all plan-related records, expenses, and correspondence for review and approval. This will include:
 - Class registration and schedules
 - Mileage vouchers
 - Attendance reports
 - Receipts for clothing, supplies, tools and equipment required for your training program
 - Grade reports

During absences

- Cooperate with attendance and performance standards established by the training provider.
- If you miss any scheduled activities related to your plan, contact your vocational counselor within 48 hours to explain your absences.

During any job placement portion of your plan

- Participate fully in placement activities, including contacting employers, preparing and submitting employment applications and resumes.
- Make contact with at least five employers per week.

Plan Implementation: Rights and Responsibilities

What happens if you stop participating in your vocational plan?

If you stop participating in your plan, what happens next depends on the reason.

Acceptable reasons (“Good cause”)	Unacceptable reasons
<p>L&I only accepts three good cause reasons to stop participating in your vocational plan:</p> <ul style="list-style-type: none">■ Closure of your school or program.■ Death in your immediate family.■ Changes in your medical condition related to your injury or occupational illness. (These changes must be documented by your medical provider.)	<p>L&I doesn’t accept any other reasons for stopping your vocational plan. Examples include:</p> <ul style="list-style-type: none">■ Medical conditions unrelated to your original injury or occupational illness.■ Failure to meet your accountability agreement.

If good cause is accepted by L&I:

- L&I may return you to the plan development phase of vocational services so that you can work with your counselor, when appropriate.

If you stop participating for any other reason:

- L&I or your self-insured employer may stop paying your benefits and you may no longer be eligible for vocational services.

What you can expect from your vocational counselor

Your vocational counselor is required to:

- Regularly contact you and your training institution to monitor your progress.
- Provide monthly progress reports to L&I if it is a State Fund claim.
- Work with you and your school to arrange tutors or other support if you are struggling in your vocational plan.
- Provide a closing report when you have finished your plan.

What you can expect from L&I or your self-insured employer

If you select Option 1, your claim manager will monitor your monthly progress toward successfully completing your vocational plan.

Need more information or help?

If your employer is insured by L&I, contact us at the number printed in your correspondence or by calling 1-800-547-8367.

- You can also review your information at L&I's online Claim & Account Center:
www.Lni.wa.gov/ClaimInfo
- By mail: Department of Labor & Industries
Insurance Services
P.O. Box 44291
Olympia, WA 98504-4291

If your employer is self-insured, contact your employer's claim manager, or L&I's Self-Insurance Section at 360-902-6901.

Upon request, foreign language support and formats for persons with disabilities are available. Call 1-800-547-8367. TDD users, call 360-902-5797. L&I is an equal opportunity employer.

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