

May 6, 2004

TO: Management Labor Advisor Committee – Vocational Rehabilitation Subcommittee

From: Suzanne Barr, CRC for Liberty Northwest

RE: WCD Proposals

Liberty Northwest is in accord with the principles and goals as presented by Workers' Compensation Division: to speed the delivery of RTW assistance and remove roadblocks. Changes to the current EAIP, PWP and Vocational Rehabilitation programs can result in improved RTW results for injured workers.

Liberty Northwest supports some elements of the WCD April 7, 2004 Options and Models for Return-to-Work Assistance.

- ❖ **PWP Benefits Activated by Employer at Injury** – this would enhance return-to-work efforts when the employer is capable of providing a suitable modified job, approved by the treating physician, for an injured worker.
- ❖ **Eliminate Vocational Evaluation period** – all training status for all worker who are determined to have a substantial handicap to employment is reasonable and moves the vocational services process forward quicker than the current process
- ❖ **EAIP Benefits for Skill Building** – expanding EAIP benefits to provide for Adult Basic Education and other skill building activities directly related to return to work objectives is a reasonable use of the Worker Benefit Fund money.

Liberty Northwest does not support some of the elements of the WCD Options and Models.

- ❖ **Eliminating Substantial Handicap requirement**– this change substantially affects the core of the reform effort. The increased cost to the system through any dramatic roll back of the 1989 reforms by eliminating “substantial handicap” can not be a goal for enhancing the RTW programs.
- ❖ **Vocational Assistance Timeline Reduction, eligibility evaluation must be completed upon 60 days of time loss**– Liberty endorses early intervention to assist workers in returning to work far in advance of the medially stationary date and initiated it's own program to accomplish this goal.

- Employers making legitimate efforts to return a worker to suitable modified work could have their efforts placed at risk if the worker during the process is presented with the prospect of training.
- Large numbers of cases extend beyond 60 days with doctors not able to access permanent restrictions leaving the worker and vocational counselor at a loss as to what vocational goal to select until the worker is closer to medically stationary.

Liberty proposes addressing the methods for reducing the time vocational counselors take to identify and propose a suitable training plan. Currently rules stipulate a training plan be prepared within 60 days from approval by the insurer of an Authorized Training Plan Status. This is infrequently met and the average length of plan development is closer to 120 to 180 days. Rather than a full training plan within 60 days there should be a requirement for the vocational provider and the worker to agree by signature to at least one or more suitable vocational goals. The elimination of vocational evaluations and a strong requirement for selecting a goal timely might assist in accelerating this part of the vocational service process.

❖ **Model 2**

- **All workers not able to return to regular work or other suitable employer with EAI would be eligible for vocational assistance** – currently if someone is eligible for vocational assistance the goal is to return them to work as close as possible to 100% of the worker’s wage at injury. In most cases this requires a training program and potentially a high cost issue.
- **Job placement assistance to workers not currently receiving vocational assistance** – WCD’s proposal identifies \$2,000 in cost for each worker but does not clarify how the costs will be kept at this level. OAR 436-120 sets a fee schedule for professional costs connected with Direct Employment at \$4896 and direct worker purchases at \$2448. To reduce these potential costs the types of services expected with direct employment need to be changed.

Liberty Northwest does not reject the idea of providing job search assistance to workers with no substantial handicap. Group job search classes, guidance on completing applications and developing a resume would be appropriate, instead of totally individual counseling which increases costs to the level set at the fee schedule.