

WISCONSIN



DWD

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# Vocational Rehabilitation

CHELSEA NEWBY

Dispute Resolution Specialist  
DWD Division of Worker's Compensation

# Initial Screening by DWC


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- Automatically screen claims with greater than 13 weeks of TTD paid
- Voluntary Employment Status Questionnaire is sent out to determine potential need for vocational rehabilitation
  - Has EOH been reached?
  - Is there a wage loss?
  - Are there permanent restrictions or permanent disability?
- Refer injured workers who potentially qualify for voc rehab to DVR



# Voc Rehab Steps

## For Worker's Compensation Claims



Permanent work restrictions signed by doctor are provided to the employer, who responds within 60 days.

If suitable employment within restrictions and paying at least 90% of AWW is not available, claimant and DVR voc counselor develop Individualized Plan for Employment (IPE).

Worker's Comp insurance adjuster reviews IPE.

Benefits paid consistent with accepted plan.



# Benefits of Retraining for WC Claims

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- Tuition, school fees, books
  - Laptop or other equipment required for program may be covered if determined necessary by IPE
- DVR requires their consumers who participate in retraining to apply for federal student aid (FAFSA)
  - Grants reduce cost of tuition paid by insurance carrier
  - Scholarships are awarded to injured worker



# Benefits of Retraining for WC Claims

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Mileage and meals are paid at state employee rate:

- Travel for school \$0.51 per mile
- Breakfast: \$8
- Lunch: \$10
- Dinner: \$20

<https://dpm.wi.gov/Documents/BCER/Compensation/PocketTravelGuide.pdf>



# Benefits of Retraining for WC Claims

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Maintenance = TTD rate

- Not to exceed 80 weeks, unless Division determines that additional school is necessary to replace Average Weekly Wage (AWW)
- PPD continues to accrue during breaks from school

Case law: Massachusetts Bonding Insurance Co. v. Industrial Commission. 275 Wis. 505 (1957)



# Poll Question

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Which of the following is **not** a reason that the Division would approve retraining benefits beyond 80 weeks?

1. Prerequisite courses are needed
2. Unexpected illness or injury results in dropped courses
3. Availability of courses (supported by documentation from school) will not allow timely completion
4. Failed coursework



# Additional Info

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- Injured worker is able to work up to 24 hours per week while participating in retraining without reducing the maintenance benefit.
- Employee can still be eligible for voc rehab benefit, even if declared PTD.
- If injured worker is residing outside of Wisconsin, they can still participate in vocational retraining by working with a private vocational counselor. Private vocational counselors should contact DWC to be certified for Wisconsin worker's compensation claims.





# Questions?

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