

STATE OF WISCONSIN



Department of Workforce Development

Vocational Rehabilitation

Chelsea Newby
Dispute Resolution Specialist

Initial Screening by WCD

- Automatically screen claims with greater than 13 weeks of Temporary Total Disability (TTD) paid
- Voluntary employment status questionnaire is sent out to determine potential need for vocational rehabilitation
 - Has end of healing (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



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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 wages at least 90% of AWW is not available, claimant and DVR counselor develop Individualized Plan for Employment (IPE).

Worker's Comp insurance adjuster reviews IPE.

Benefits paid consistent with accepted plan.



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Benefits During Retraining

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



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Benefits During Retraining

- Mileage and meals are paid at state employee rate:
 - Travel for school \$0.51 per mile
 - Breakfast: \$10
 - Lunch: \$12
 - Dinner: \$23

Pocket Travel Guide



<https://dpmw.gov/Document/BCER/Comparisons/PocketTravelGuide.pdf>



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Benefits During Retraining

- Maintenance = TTD rate
 - Not to exceed 80 weeks, unless WCD determines that additional school is necessary to replace average weekly wage (AWW)
 - Permanent Partial Disability (PPD) continues to accrue during breaks from school

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



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Additional Info

- Injured worker can work up to 24 hours per week while participating in retraining without reducing the maintenance benefit.
- Employee can still be eligible for VR benefit, even if declared Permanent Total Disability (PTD).
- If injured worker resides outside of Wisconsin, can still participate in vocational retraining by working with a private vocational counselor. Private vocational counselors should contact WCD to be certified for Wisconsin worker's compensation claims.



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Questions?

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 <https://dwd.wisconsin.gov/wc/voc-rehab/vr-guide.htm>



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