

Vocational Recovery: Ushering in a Worker Centric Work Disability Prevention Model

2019 WA IARP Spring Conference



Objectives

Insurance Services Data Dashboard

Worker Centric

3 Types of Work Absence

Work Disability Prevention

Vocational Recovery Aspirations

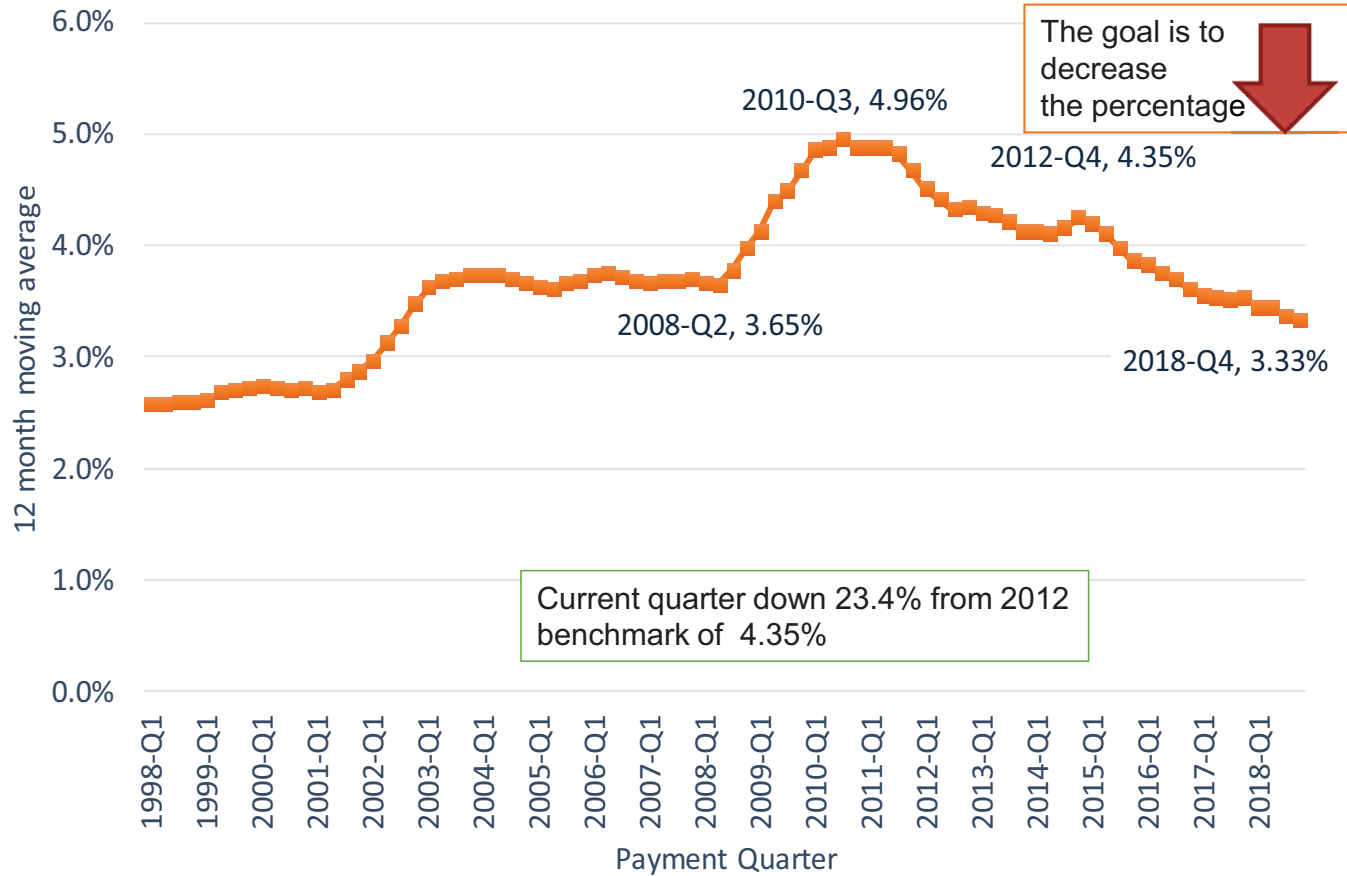
DASHBOARD SUMMARY

Measure	Change from 2012 (unless otherwise noted)	Highlights
Long Term Disability – share that received a TL payment in the 12 month post injury	Down 23.4 % ↓	Lowest since 2002
Persistency – Ratio: claims with a TL payment in the 6 th month to those with payment in the 3 rd month	Down 4.2% ↓	
Resolution rate - time-loss claims at 6 months	Up 4.7% ↑	
Auto adjudication of claims	Up 82.7% from 2014 ↑	Highest since 2002*
High risk claims – share return to work at 12 months	Up 7.3% ↑	
Median time-loss days paid at first vocational service	Down 70% ↓	Lowest since 2002*
% RTW outcomes - all first vocational service referrals	Up 132.2% ↑	
WSAW participation	Steady utilization ↔	
COHE utilization	Up 81.8% ↑	

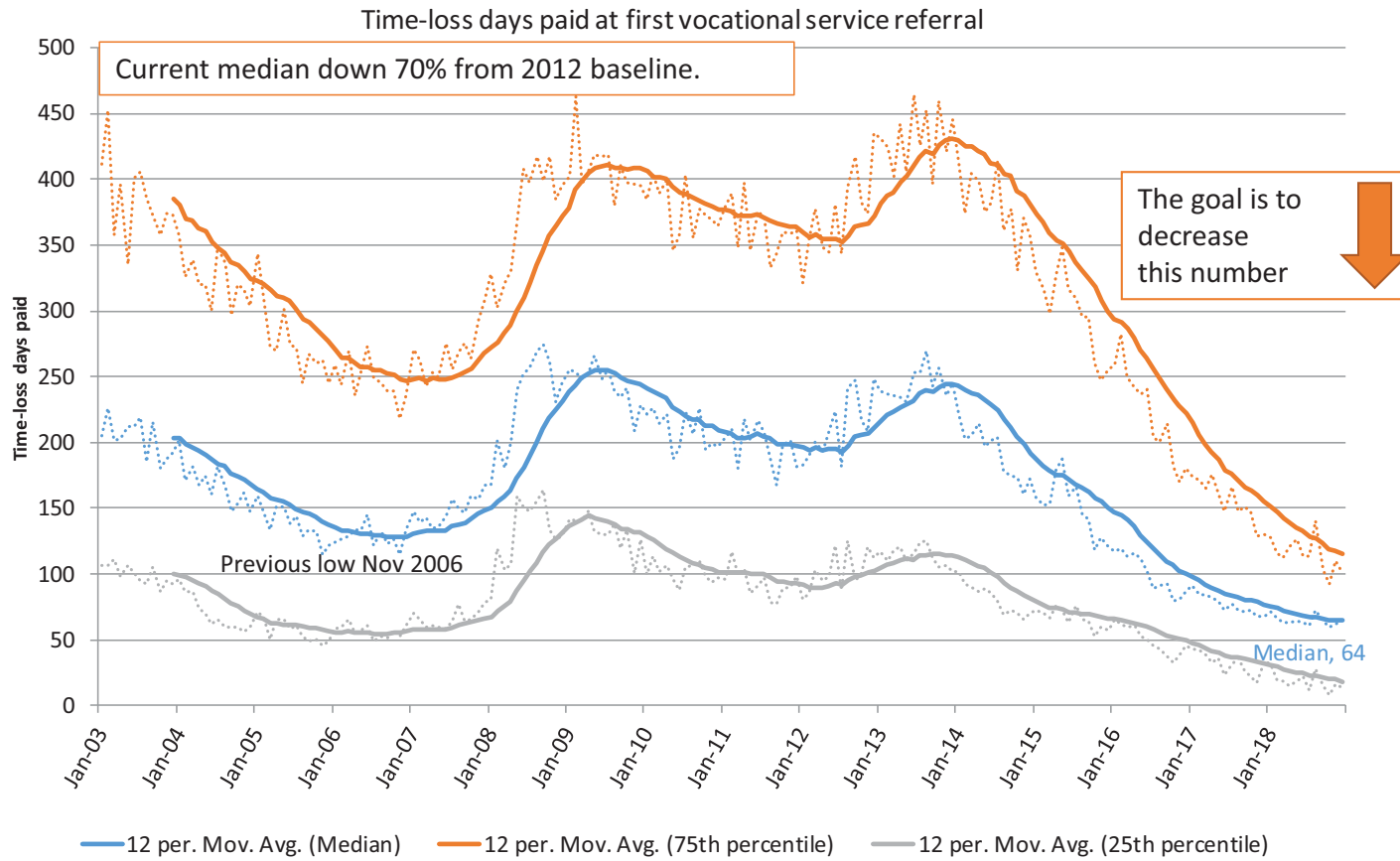
* Earliest year for which measurement is available

Long term disability percent

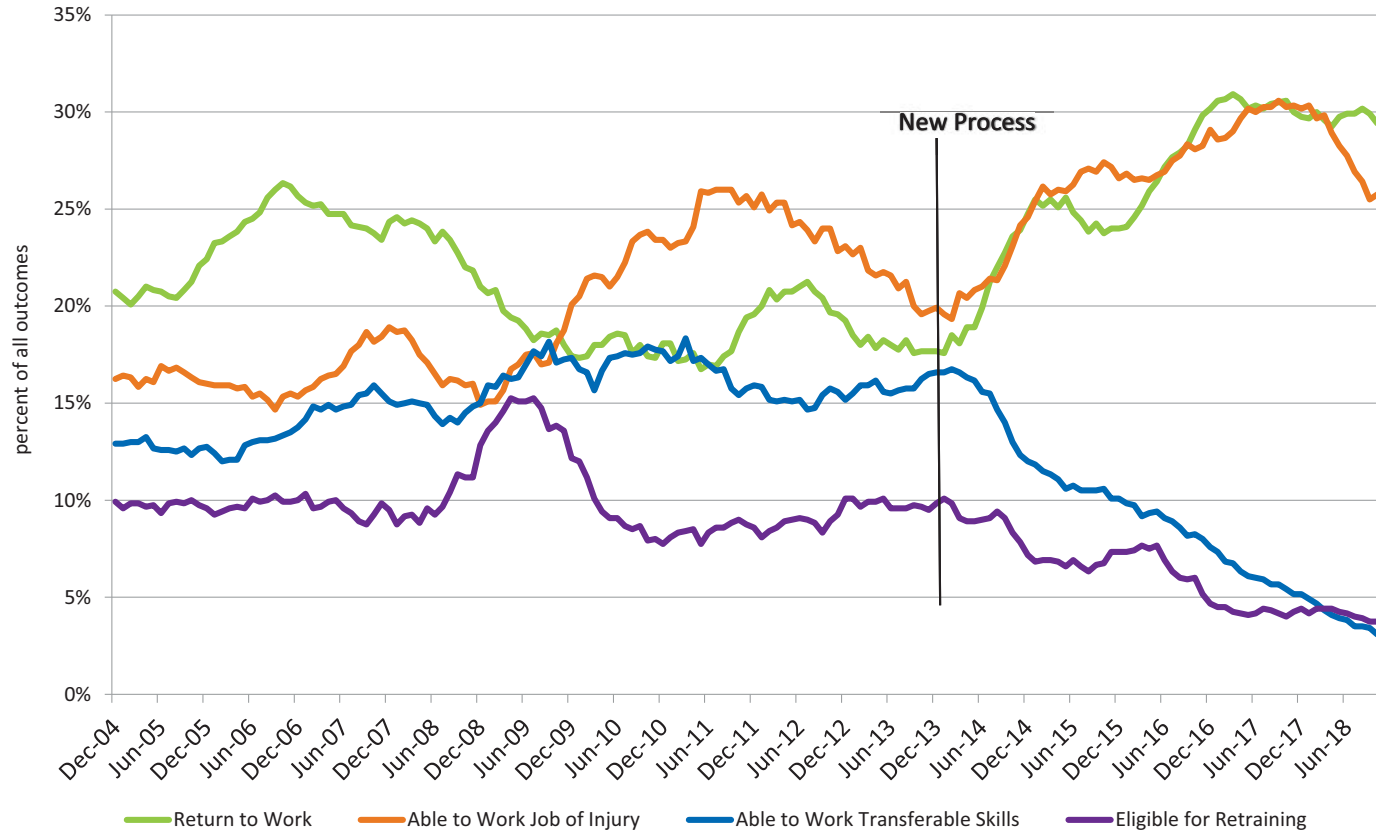
Share of injured workers with time-loss paid in the 12th month post injury: *smaller percentage indicates less long-term disability*



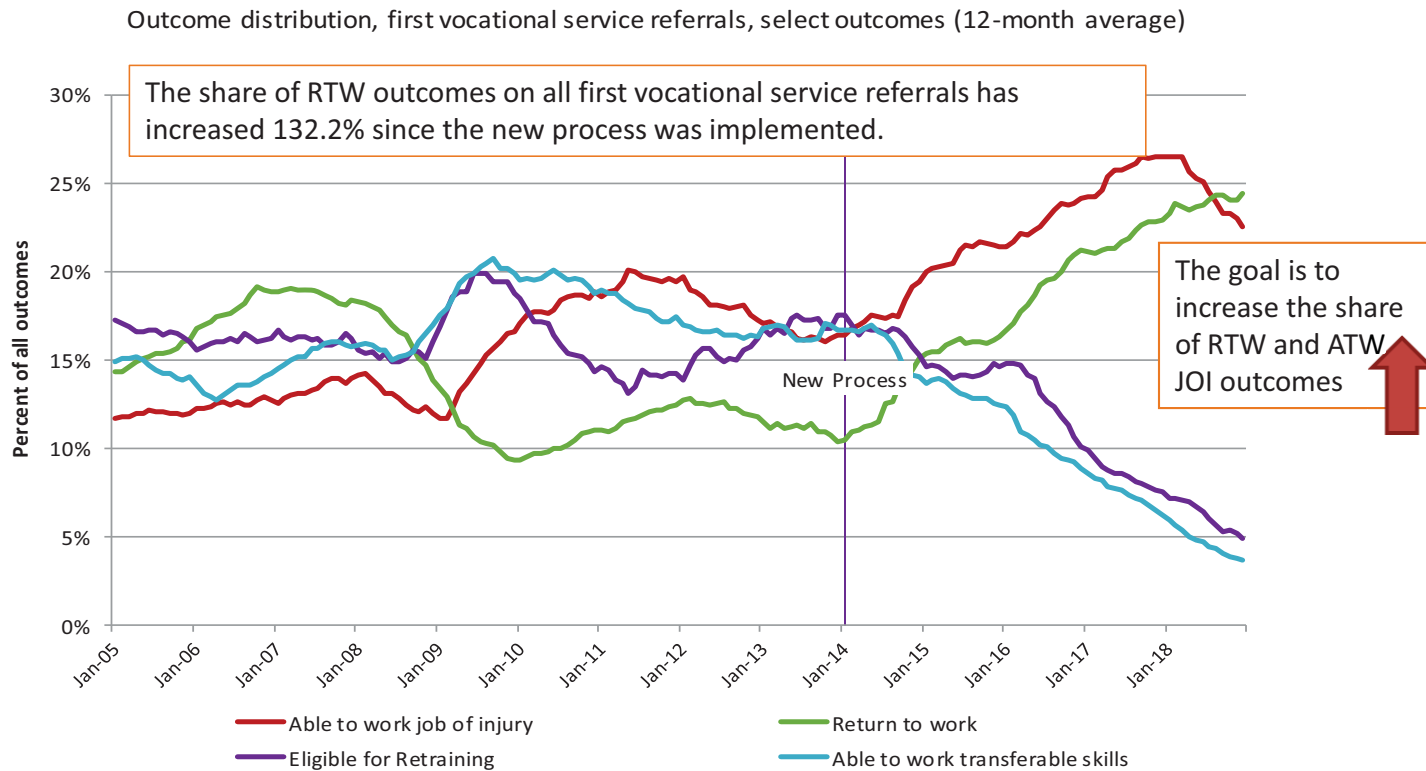
Referrals are now targeted to address the onset of disability



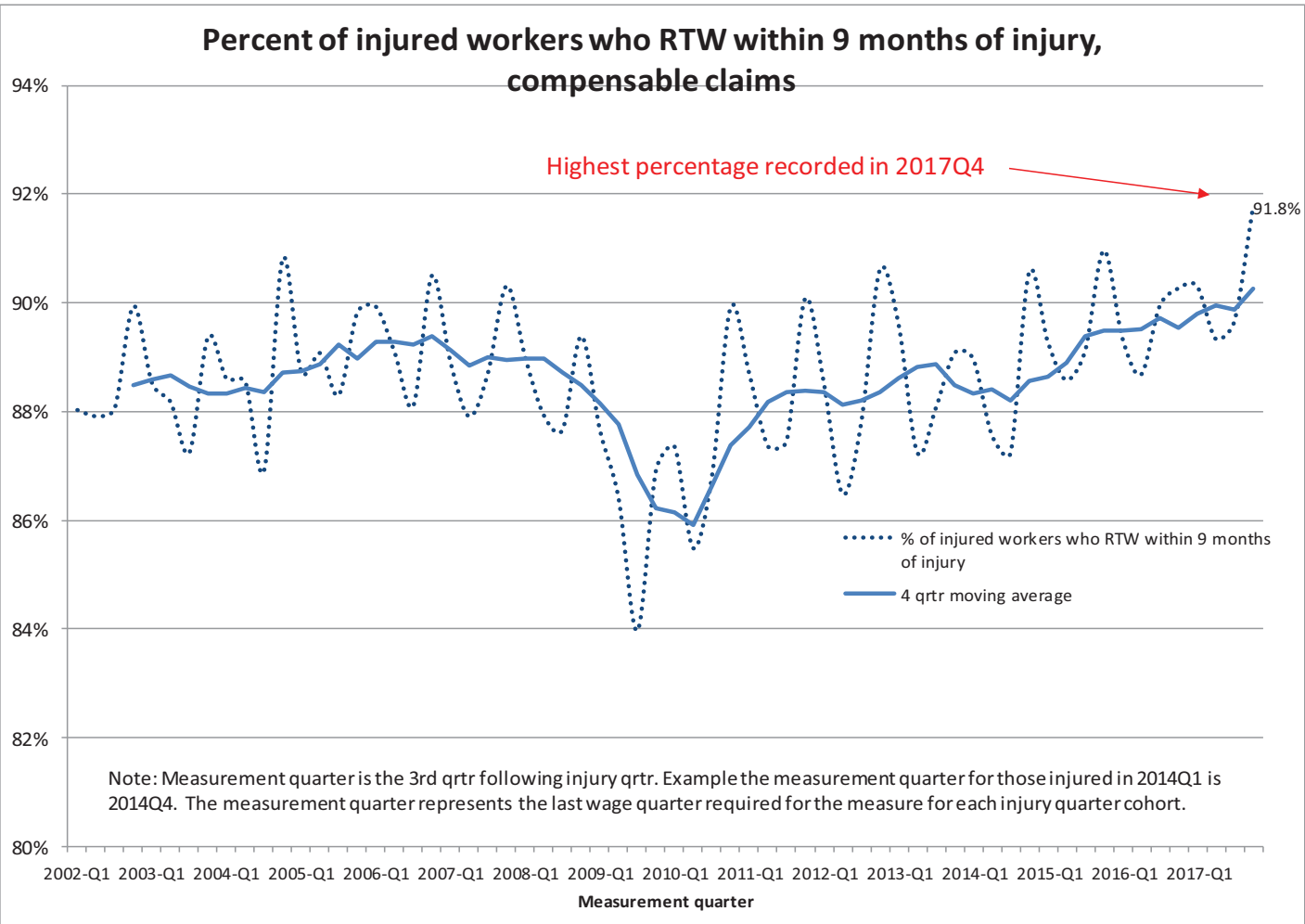
Outcome distribution when first VR/AWA referral made with **less** than 90 days of time-loss (12 month moving average)



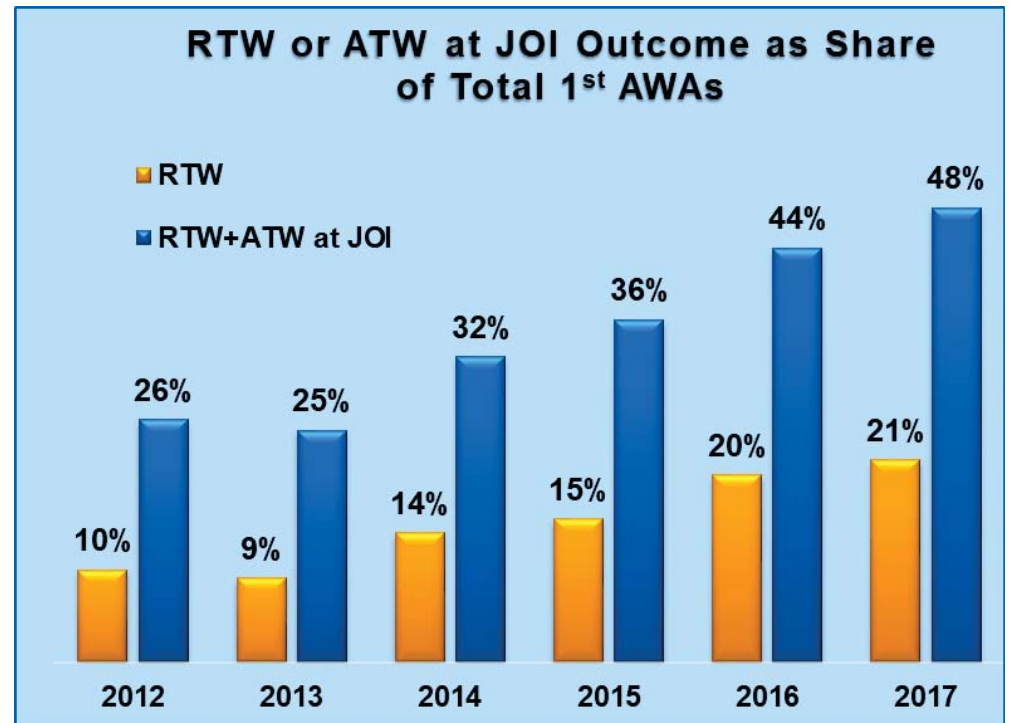
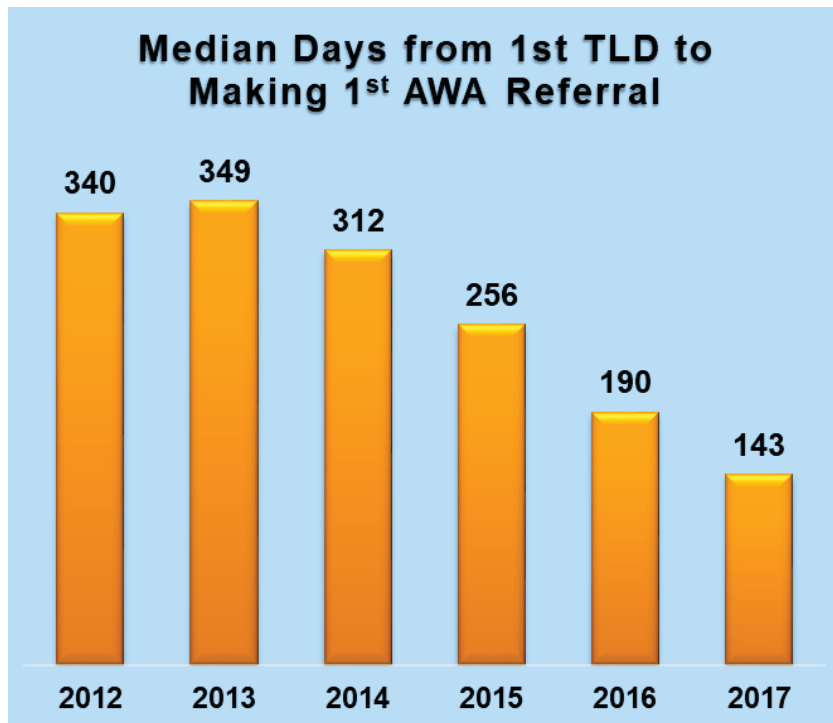
New focus on return to work has increased positive employable outcomes for all first vocational service referrals



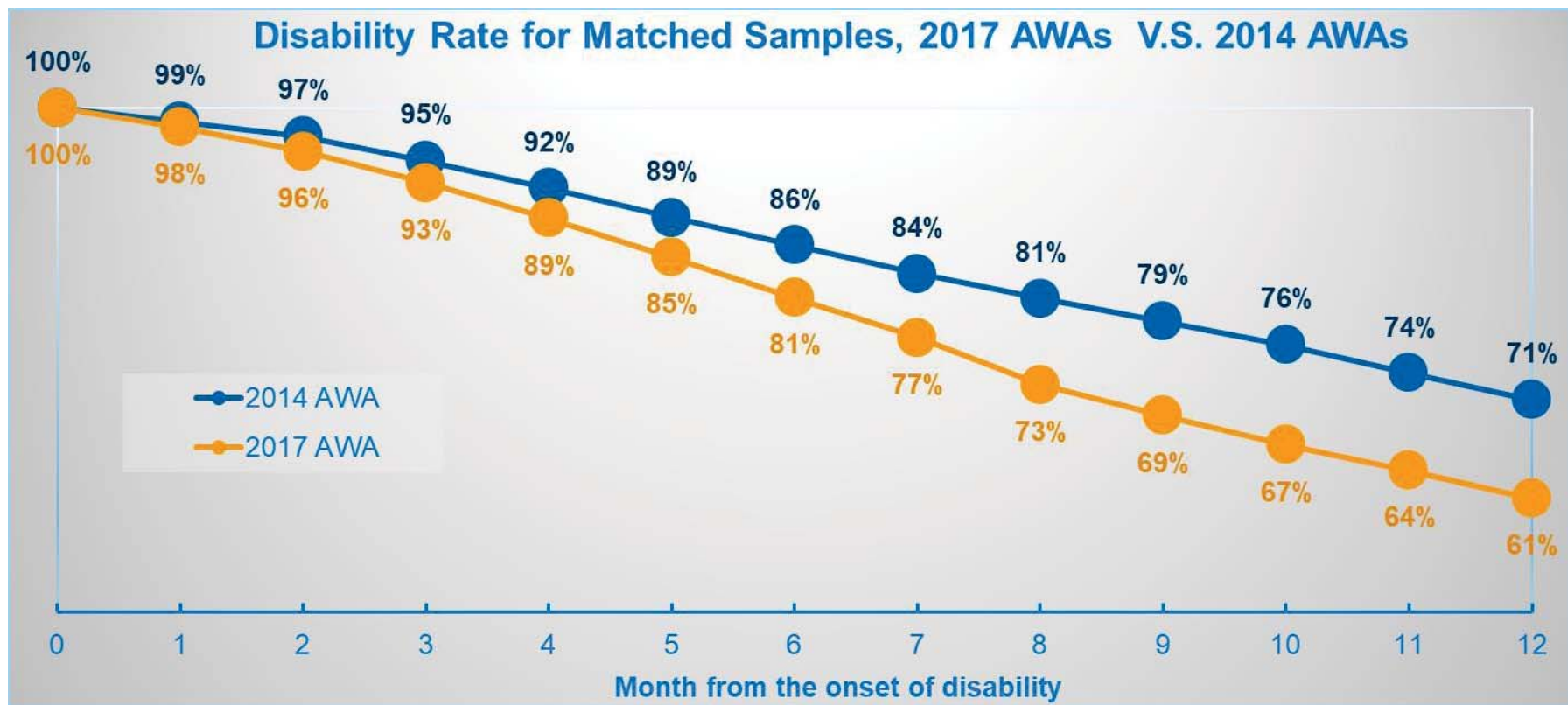
Percent of injured workers who RTW within 9 months of injury, compensable claims



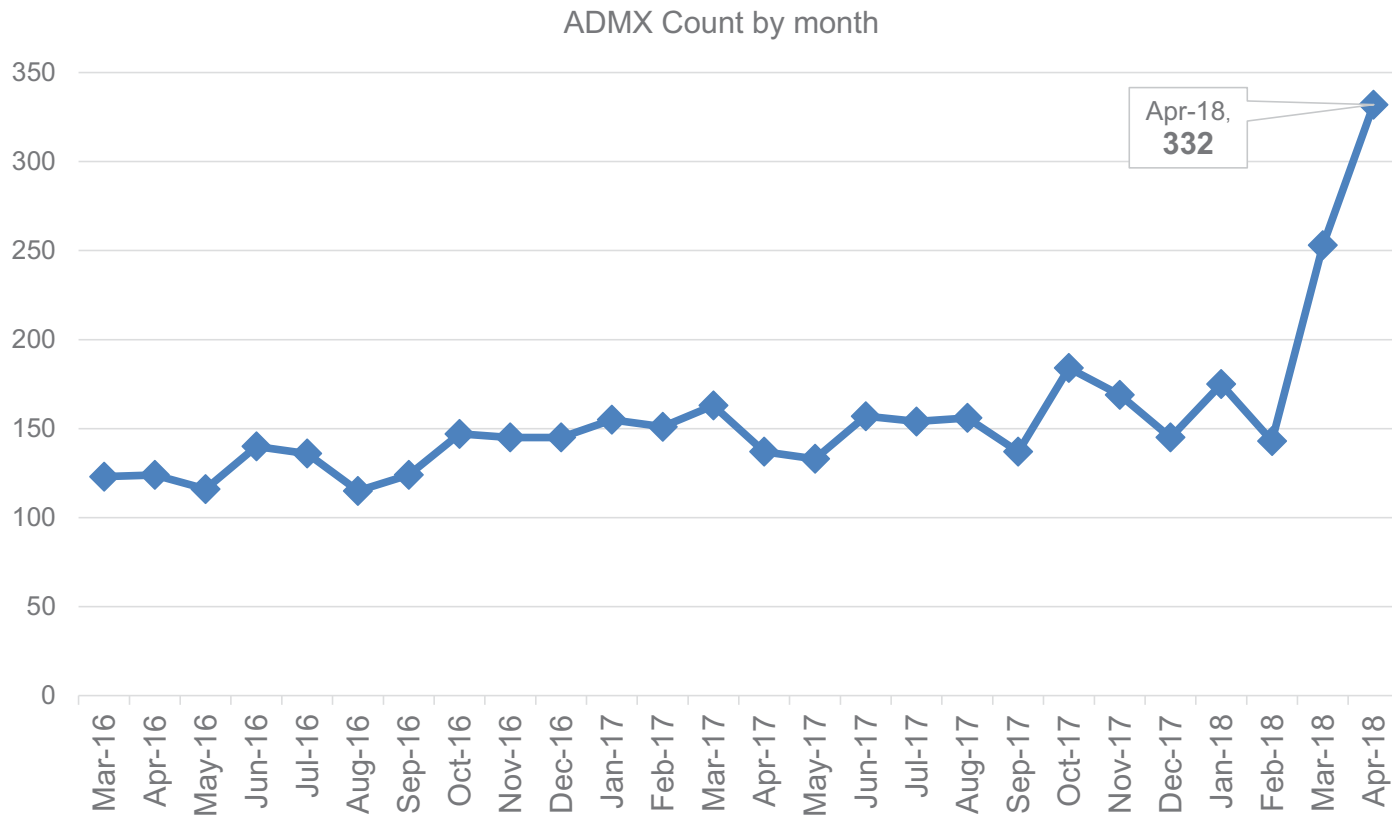
Earlier referrals are producing positive results.



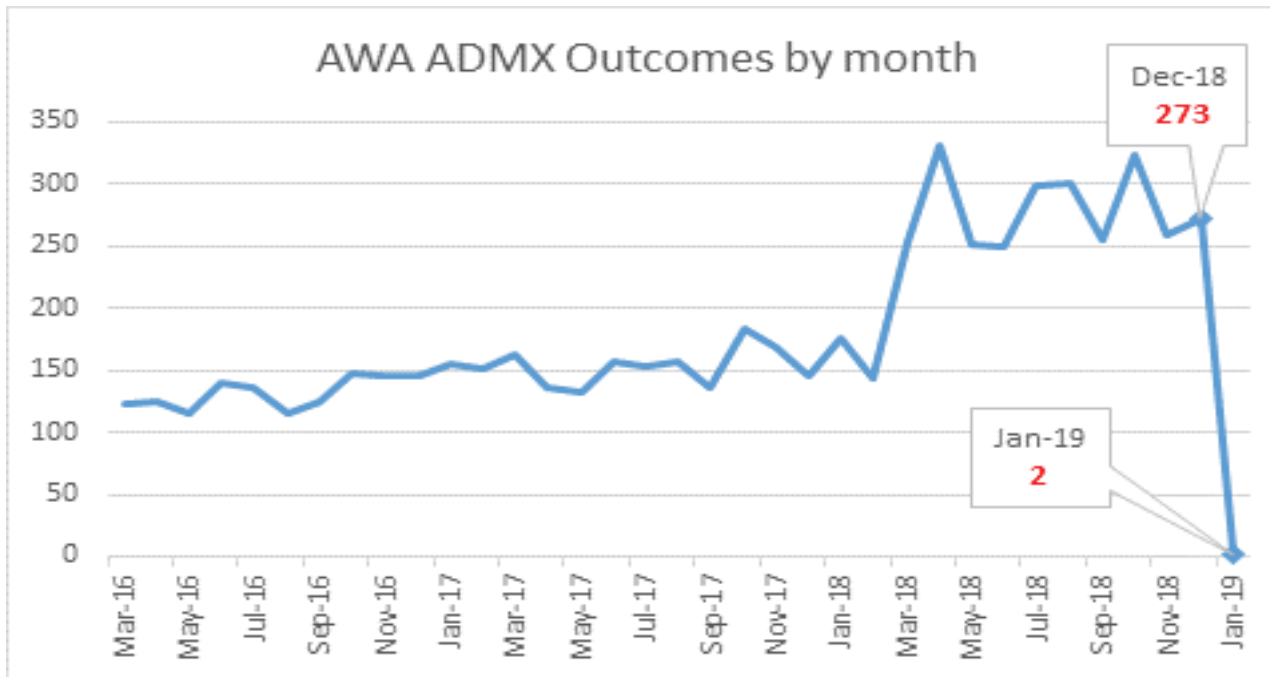
We are seeing indications of less disability



ADMX rose with the process change in March 18



ADMX Status



Worker Centric

Work Disability Definition:

Work disability occurs “when a worker is unable to stay at work or return to work because of an injury or disease. Work disability is the result of a decision by a worker who for potential physical, psychological, social, administrative, or cultural reasons does not return to work...”

Handbook of Work Disability Prevention and Management – Loisel and Anema 2013

Compounding the Work Disability Problem: 3 Types of Work Absence

- **Medically Necessary**
- **Medically Discretionary**
- **Medically Unnecessary**

*Preventing Needless Work Disability by Helping People Stay
Employed American College Of Occupational And Environment Medicine, 2006*

Compounding the Work Disability Problem: Terminology Confusion

- **Risk**
- **Capacity**
- **Tolerance**

*AMA Guides to the Evaluation of Work Ability and
Return to Work, Second Edition
2011*

Table 1 – The Stay at Work/Return to Work Process Escalation Levels

The process triggers when a precipitating event, usually health-related, raises the question whether a worker can/should remain at work.

Escalation Level	Who is involved?	How is current work capacity determined?	How are job demands determined (both usual job and alternatives)?	What triggers the actual return to work?
0	Worker	Personal knowledge	Personal knowledge	Personal decision
1	Worker and Supervisor	Discussion	Discussion	Discussion
	Worker and Physician	Discussion RTW note from physician	Verbal description of usual job	Discussion
2	Worker Physician Claims adjuster/case manager	Formal inquiry Simple physical capacities form completed by MD	List of job's functional demands	Discussion
3	Worker Physician Claims adjuster/case manager Physical therapist Ergonomist or vocational consultant IME examiner Union steward Lawyer	Objective testing Functional capacity evaluation Independent medical opinion	Video of job Ergonomic analysis of job On-site workplace visit	Written offer of employment Formal return to work plan Sign-off by all parties

Work Disability Prevention

Workers talk about WDP principles

In the summer of 2017, Jason Parker, of CentriX Disability Management Services, facilitated two focus groups. One was in Tukwila and the second in Tumwater. His voice is off-camera.

Preventing Unnecessary Delays

After Debra's rotator cuff surgery, she waited to receive approval for physical therapy. Her VRC helped her get the physical therapy appointments authorized by her claim manager.

Preventing a Confusing Process

George's VRC took the time to explain everything to him. The VRC refrained from using abbreviations so that George knew exactly what the VRC was talking about.

Preventing Unnecessary Duration

Shawn knew what light duty options were open to him at his company. His VRC tailored her services to provide only what he needed, and didn't offer services he was not interest in receiving (for example, resume service, PGAP, job search, etc.)

Preventing Unclear RTW Expectations or Plans

Erika wanted to take some college courses to help with her future career plans. Her VRC explained that she was not eligible to go to college through L&I and informed her about other options she could use to get into college.

Vocational Recovery Aspirations

The most significant method of keeping time-loss benefits from growing to lengthy levels is through the vocational rehabilitation program.

Early and aggressive intervention by skilled VR professionals has great potential to reduce time-loss and improve return to work for injured workers.

- Washington State Pension System Review, W.E. Upjohn Institute, 2008

L&I System Support

JLARC Audit recommendation

Implement RTW standard practices:

“Some vocational service practices need to be tailored to be more effectively utilized in appropriate claims. For example, the AWA is being used as an “adjudicative” tool, but the adjudicative approach is not an effective RTW tool. New practices and interventions need to be defined and put into use, which can become part of a standard RTW practice used to manage claims towards desired outcomes”

System Support

- Cultural Shift: Vocational Recovery vs. Employability Determinations
- RCW 51.32.095: Broad language enables, in a general way, everything we are trying to do to promote vocational recovery
 - focus on enabling and returning to gainful employment vs. solely employability assessment
 - does not require medical treatment to be concluded
 - broad latitude to pay for services necessary for return to work
- The Vocational Recovery Project

The Law

RCW 51.32.095

(1) One of the primary purposes of this title is to enable the injured worker to become employable at gainful employment. To this end, the department or self-insurers must utilize the services of individuals and organizations, public or private, whose experience, training, and interests in vocational rehabilitation and retraining qualify them to lend expert assistance to the supervisor of industrial insurance in such programs of vocational rehabilitation as may be reasonable to make the worker employable consistent with his or her physical and mental status. Where, after evaluation and recommendation by such individuals or organizations and prior to final evaluation of the worker's permanent disability and in the sole opinion of the supervisor or supervisor's designee, whether or not medical treatment has been concluded, vocational rehabilitation is both necessary and likely to enable the injured worker to become employable at gainful employment.

The Law

RCW 51.32.095

(2) Vocational rehabilitation services may be provided to an injured worker when in the sole discretion of the supervisor or the supervisor's designee vocational rehabilitation is **both necessary and likely to make the worker employable at gainful employment**. In determining whether to provide vocational services **and at what level**, the following list must be used, in order of priority with **the highest priority given to returning a worker to employment** :

- (a) Return to the previous job with the same employer;
- (b) Modification of the previous job with the same employer including transitional return to work;
- (c) A new job with the same employer in keeping with any limitations or restrictions;
- (d) Modification of a new job with the same employer including transitional return to work;
- (e) Modification of the previous job with a new employer;
- (f) A new job with a new employer or self-employment based upon transferable skills;
- (g) Modification of a new job with a new employer;
- (h) A new job with a new employer or self-employment involving on-the-job training;
- (i) Short-term retraining.

The Law

RCW 51.32.095

(4) To encourage the employment of individuals who have suffered an injury or occupational disease resulting in permanent disability which may be a substantial obstacle to employment, the supervisor or supervisor's designee, **in his or her sole discretion, may provide assistance including job placement services for eligible injured workers who are receiving vocational services under the return-to-work priorities listed in subsection (2)(b) through (i) of this section** except for self-employment, and to employers that employ them.

That's WAC!

296-19A-050

What are early intervention services?

Early intervention services **are intended to help** an industrially injured or ill worker **return to work**, or **continue to work**, for the employer of injury or the current employer. These services include, but are not limited to, the following:

That's WAC!

296-19A-065

What are assessment services?

Assessment services are used by the department or self-insured employer to determine if a worker should receive vocational rehabilitation plan development services.

WAC 296-19A-050	WAC 296-19A-065
EARLY INTERVENTION: These services include, but are not limited to, the following:	ABILITY TO WORK ASSESSMENT: Assessment services may include, but are not limited to, the following:
(1) Discussing early return to work options with the employer, worker, and attending physician;	(1) Documenting work restrictions
(2) Identifying return to work goals and barriers that may interfere with or prevent the industrially injured or ill worker from returning or continuing to work;	(2) Performing job analyses;
(3) Assisting employers with offers of employment	(3) Evaluating the worker's ability to work at the job of injury;
(4) Planning and working with the referral source on necessary job modifications and pre-job accommodations	(4) Assessing transferable skills;
(5) Performing job analyses; and	(5) Conducting labor market surveys as defined in WAC 296-19A-140 ;
(6) Assessing the industrially injured or ill worker's need for preferred worker status and educating the worker on the preferred worker benefit, if appropriate.	(6) Evaluating the worker's ability to work at any other job; (7) Evaluating the worker's ability to benefit from plan development services, including vocational testing if appropriate; and (8) Assessing the worker's need for preferred worker status and when appropriate educating the worker on the preferred worker benefit.

Worker Centric

RCW 51.32.095

(1) One of the primary purposes of this title is to enable the injured worker to become employable at gainful employment.

...making it easy for the worker to choose to return to work!

What can YOU do to enable or make the injured worker employable at gainful employment?

What can YOU do to help make it easy for a worker to choose to return to work?

What can YOU do to help the injured worker heal and return to work?

“Continuous improvement is better than delayed perfection.”
~*Mark Twain*