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

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

* 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*

The goal is to decrease the percentage

Current quarter down 23.4% from 2012 benchmark of 4.35%
Referrals are now targeted to address the onset of disability

The graph shows the time-loss days paid at first vocational service referral over time. The current median is down 70% from the 2012 baseline. The goal is to decrease this number.

- Median: 64
- 12 per. Mov. Avg. (Median)
- 12 per. Mov. Avg. (75th percentile)
- 12 per. Mov. Avg. (25th percentile)
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

Outcome distribution, first vocational service referrals, select outcomes (12-month average)

The share of RTW outcomes on all first vocational service referrals has increased 132.2% since the new process was implemented.

The goal is to increase the share of RTW and ATW JOI outcomes
Percent of injured workers who RTW within 9 months of injury, compensable claims

Highest percentage recorded in 2017Q4

Note: Measurement quarter is the 3rd qrtr following injury qrtr. Example the measurement quarter for those injured in 2014Q1 is 2014Q4. The measurement quarter represents the last wage quarter required for the measure for each injury quarter cohort.
Earlier referrals are producing positive results.
We are seeing indications of less disability
ADMX rose with the process change in March 18

ADMX Count by month

Apr-18, 332
ADMX Status

AWA ADMX Outcomes by month

Dec-18 273

Jan-19 2
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.

<table>
<thead>
<tr>
<th>Escalation Level</th>
<th>Who is involved?</th>
<th>How is current work capacity determined?</th>
<th>How are job demands determined (both usual job and alternatives)?</th>
<th>What triggers the actual return to work?</th>
</tr>
</thead>
<tbody>
<tr>
<td>0</td>
<td>Worker</td>
<td>Personal knowledge</td>
<td>Personal knowledge</td>
<td>Personal decision</td>
</tr>
<tr>
<td>1</td>
<td>Worker and Supervisor</td>
<td>Discussion</td>
<td>Discussion</td>
<td>Discussion</td>
</tr>
<tr>
<td></td>
<td>Worker and Physician</td>
<td>Discussion</td>
<td>Verbal description of usual job</td>
<td>Discussion</td>
</tr>
<tr>
<td></td>
<td>Worker, Physician, Claims adjuster/case manager</td>
<td>Formal inquiry Simple physical capacities form completed by MD</td>
<td>List of job’s functional demands</td>
<td>Discussion</td>
</tr>
<tr>
<td>3</td>
<td>Worker, Physician, Claims adjuster/case manager</td>
<td>Objective testing Functional capacity evaluation Independent medical opinion</td>
<td>Video of job Ergonomic analysis of job On-site workplace visit</td>
<td>Written offer of employment Formal return to work plan Sign-off by all parties</td>
</tr>
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</table>
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.

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