

## **Practice Directive #53**

### **Vocational Rehabilitation - Work Assessments**

Date: November 1, 2002

---

#### **A. BACKGROUND**

Effective June 30, 2002, the *Workers Compensation Act* (the “Act”) was amended by Bill 49, *the Workers’ Compensation Amendment Act, 2002*. On October 16, 2002, the Panel of Administrators approved amendments to the Board’s policies concerning vocational rehabilitation entitlement and services.

#### **B. EFFECTIVE DATES AND TRANSITION RULES**

The policy changes are effective November 1, 2002 and apply to all decisions made on or after November 1, 2002, on claims occurring on or after June 30, 2002. For recurrences, please refer to Practice Directive #38A, *Effective Dates and Transition Rules*, and Practice Directive #38B, *Recurrences*.

#### **C. LAW**

Section 16 of the *Act* provides the rules under which vocational rehabilitation services may be provided to an injured worker.

#### **D. POLICY**

Policy item C11-88.10, *Work Assessments*, in Volume II of the *Rehabilitation Services and Claims Manual* (“RSCM”) has been amended. The amended policy specifies that all functional evaluations sponsored by Vocational Rehabilitation Services fall within the category of a work assessment.

Policy item C11-88.10 is a sub-section of Policy item C11-88.00 and as such, forms a part of the overall service provided to the worker. A work assessment may be used in a variety of ways, as outlined below.

#### **E. TEMPORARY TOTAL OR TEMPORARY PARTIAL DISABILITY**

A work assessment may be used for assessment of return to work options with the accident employer while the worker is in receipt of section 29 or section 30 benefits. This may be on a graduated return to work basis. Normally, this will occur in conjunction with the Board officer in Compensation Services.

The provision of a work assessment in this circumstance would not be considered a “vocational plan” for the worker, as detailed in Practice Directive #51, *Programs & Services*. This “plan” does not constitute the one plan specified in policy. It simply provides an outline of the action to be taken to assist the worker in a return to short-term employment under the provisions of section 29 or section 30 of the *Act*.

#### **F. ASSESSMENT FOR DEVELOPMENT OF THE VOCATIONAL PLAN**

A functional capacity evaluation may be needed to determine the worker’s physical capabilities. This is a part of the planning process and as such it will not be part of the “vocational plan” for the worker.

#### **G. WORK ASSESSMENT AS A PART OF THE VOCATIONAL PLAN**

A work assessment may be a part of the overall vocational plan developed with the worker. In these instances the terms of the work assessment (i.e. graduated return to work versus full-time, number of weeks) must be determined as a part of the overall plan, as detailed in Practice Directive #51.

The cost for the work assessment will be included in the budget for the plan and the benefits of the work assessment will be rationalized in the cost benefit analysis.