

What is Vocational Rehabilitation?

Vocational Rehabilitation is a process whereby a worker who cannot return to his former job as a result of an injury on the job is assisted in re-entering the workforce. A specialist in vocational rehabilitation provides services to the injured worker to enable them to return to work. Services may include testing, job placement, vocational counseling, on the job training and retraining.

Am I a candidate for vocational rehabilitation?

You may be a candidate for vocational rehabilitation if your injury is severe enough to keep you from returning to the occupation you held at the time of the injury. Your doctor may recommend that you find another occupation. You should be medically unable to continue with or return to your former job.

What happens if I need vocational rehabilitation?

Discuss your need for vocational rehabilitation with your attorney. If you do not have an attorney you can discuss it with your insurance claim representative. If they all agree you need rehabilitation you will be assigned to a vocational rehabilitation counselor.

If the insurer doesn't think that rehabilitation is necessary and has refused to provide the services, your attorney should request a hearing. Your case will be heard before a Commissioner who will listen to both sides and make a decision. If you do not have an attorney you can request a hearing by sending a letter to the Commission explaining what has happened.

In Maryland we have both public (Maryland Division of Rehabilitation Services - *DORS*) and private rehabilitation counselors. *Maryland Law* requires certification for all private Rehabilitation Services Providers serving the Maryland injured worker. *DORS* providers are exempt from this requirement. You may request a copy of the certification form if you are assigned to work with a private provider

The Division of Rehabilitation Services (*DORS*) will work with eligible Maryland residents. You may contact an office in your area to discuss possible services. Your attorney or your doctor may also refer you to a *DORS* counselor. It's important that you advise the *DORS* counselor that you have a Workers' Compensation claim. The *DORS* counselor must contact the Commission to advise that *DORS* is working with you.

The insurance carrier will usually make the selection for a private rehabilitation counselor.

In many cases the *DORS* counselor and a private counselor will work together on your case.

It's important that you first have approval from the insurer or Workers' Compensation Commission to receive your rehabilitation benefits.

Step One - Interview with the counselor. The counselor will take a complete history of your background, physical limitations and other information that might affect your employability. This other information might include questions about your prior work experience, hobbies and personal interests.

Step Two - Development of occupational goals and vocational plan. The goals and plans will be customized to your individual needs.

Step Three - Get everyone to agree to the plan.

Step Four - Put your plan into action. At this point you will begin to pursue job leads or begin training.

When am I entitled to training?

If it appears that there are no suitable jobs available in the local job market in which you may become gainfully employed you may be a candidate for retraining.

If retraining is recommended and approved there is a maximum of two years. This does not mean you will always receive two years of training, your approved course may require a shorter time period to complete.

What alternatives will be explored before it is decided that I am a candidate for retraining?

Typically, the counselor will begin the rehabilitation process by determining whether you can return to your former employer with modified duties or in a different job. If this is not feasible, other forms of job placement may be attempted in positions for which you have transferable skills. If the job search proves to be unsuccessful your counselor may then begin to develop a training plan.

What is a controversion?

If your employer or the insurance company is not satisfied that the vocational plan as developed by the counselor is suitable for you the proposal may be controverted and a hearing may be requested (controvert means to disagree). The proposal would be set for a hearing on a Commission docket. The Commissioner will hear from all parties and make a decision on the issue.

Is the counselor required to find a job making the same amount of money that I made at the time of my injury?

The goal would be to try to match you with a salary as close as possible to your current wage, but this may be difficult to achieve in some cases. For example, you may have been employed on your former job for several years and may have received pay based on seniority and other benefits. It might be difficult to achieve this benefit level in an entry-level position.

What documentation do I need to show that I am a candidate for vocational rehabilitation?

A current medical report indicating that you are unable to return to your former job duties is necessary before you may request vocational rehabilitation.

Can I pick my own school or develop my own rehabilitation plan?

You may already have an interest in a specific type of alternate employment or you may have selected a school that you would like to attend. The fact that you have thought about your interests is a positive factor in your case. However, you must work through a professional rehabilitation counselor to develop your interests and aptitudes into a final rehabilitation plan.

Will I get paid during rehabilitation services?

If you are referred for rehabilitation services you are entitled to receive your Temporary Total Disability rate as long as you actively cooperate in the entire rehabilitation process.

All necessary forms are supplied by the Workers' Compensation Commission at no charge. Please write to:

**State of Maryland
Workers' Compensation Commission
10 East Baltimore Street
Baltimore, MD 21202-1641**

(410) 864-5100 General information and Voice Response System
(410) 864- 5320 Vocational Rehabilitation
(800) 492-0479 Toll free *Outside Metro Baltimore*
(800) 735-2258 Maryland Relay for the Hearing Impaired

Email: info@wcc.state.md.us

Visit our web page at:
<http://www.wcc.state.md.us>

This brochure is intended as a general guide on Maryland Workers' Compensation Vocational Rehabilitation.

MD WCC FORM VR-5
Revised 1/2007

QUESTIONS AND ANSWERS *about*

Vocational Rehabilitation Services *for the Injured Worker in Maryland*



Martin O'Malley
Governor

Anthony G. Brown
Lt. Governor

R. Karl Aumann
Chairman