

WISCONSIN



DWD

Vocational Rehabilitation

CHELSEA NEWBY

Dispute Resolution Specialist

DWD Division of Worker's Compensation

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



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

Worker's Comp insurance adjuster reviews IPE.

Benefits paid consistent with accepted plan.



Benefits of Retraining for WC Claims

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



Benefits of Retraining for WC Claims

Mileage and meals are paid at state employee rate:

- Travel for school \$0.51 per mile
- Breakfast: \$9
- Lunch: \$11
- Dinner: \$21

[PocketTravelGuide 2 2022.pdf \(wi.gov\)](#)

<https://dpm.wi.gov/Documents/BCER/Compensation/PocketTravelGuide 2 2022.pdf>



Benefits of Retraining for WC Claims

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)



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 voc rehab benefit, even if declared Permanent Total Disability (PTD).
- If injured worker is residing outside of Wisconsin, they 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.



Questions?

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