

Memorandum

TO: Vocational Rehabilitation Counselors and Job Placement Specialists

CC: Vocational Rehabilitation Specialists, Tamra Walz, Jaqueline Boesen

FROM: Nancy Sedlacek, Vocational Rehabilitation Manager

DATE: September 27, 2016

SUBJECT: Meeting Announcement & Results of August 26, 2016 Meeting

The next informal meeting between court staff and certified vocational rehabilitation service providers was scheduled for Friday, October 28, 2016 at 10:00 am, however this meeting was cancelled due to no agenda items.

The following are the results from the August 26, 2016 meeting and following. Please bring any questions or concerns regarding the discussions or decisions to the attention of court's Vocational Rehabilitation Section and they will be considered at the next meeting.

1. Introductions: Glenn and Nancy introduced the new court administrator, Tamra Walz and vocational rehabilitation specialist Angela Lindeen to the counselors.

2. Update of VR Legislation: Glenn Morton gave an update on LR 276 after his meeting with Senator Harr with information on the newly developed case closure and employment status forms. He explained to Senator Harr the shortcomings of previous court data collection and the draft of the legislative bill to be possibly introduced in the upcoming legislative session. Glenn explained the benefits of involving the employee in vocational rehabilitation services as early as possible after the date of injury. We need this data to "fix" some underlying issues with vocational rehabilitation services.

He also discussed possible "buy out" of vocational rehabilitation services using settlements and the business side is frustrated due to no benefit/credit given to the company after the employee completes vocational rehabilitation services.

Other suggestions are: if an employee doesn't return to work within 60 days of the work injury, a vocational rehabilitation counselor would complete an initial assessment with the employee and work with the employer to return the employee back to work, in one of the three lower priorities. Educating employers on vocational rehabilitation services was also discussed.

Changing the loss of earning power evaluation to after vocational rehabilitation services are completed, would rule out the "buy out" theory of vocational rehabilitation services as well as elimination of the release of liability for only a lump sum settlement approved through the court for an employee.

Tamra will work with the chair of the legislative Business and Labor Committee on possibly introducing a vocational rehabilitation bill at the request of the court.

3. Data Collection: VR case closure data collection started on the new VR forms and all certified vocational rehabilitation counselors are reminded to submit all case closure and follow-up employment status forms for all VR cases closed on or after January 1, 2016.

This includes all plans approved through the duration of that VR case. A (VR-37E3) VR plan closure form must be filed with the court for each approved plan.

With the follow-up employment status form, this form is to be filed in any case closed on or after January 1, 2016 in which (1) the employee was unemployed at the time of case closure or the employment status was unknown, and (2) the case included an approved vocational rehabilitation plan or plans, regardless of whether a plan was successfully completed. This form shall be filed within 5 working days following 30 days, 3 months, 6 months, 9 months, and one year after case closure, so long as the employee remains unemployed. Follow-up and reporting shall cease once the employee becomes employed, whether full time or part time, and such employment is reported to the court. All of these forms should be submitted electronically into the court using the “submit” button in the upper right corner of the forms. The electronic submission currently is only successful using the Windows Explorer web browser. If you have questions or issues, please contact the court.

4. Discussion of Job Placement Plans:

It was determined the following areas are not always fully addressed and should be included in all proposed VR plans:

- *Discuss and identify the job search services and responsibilities of the VR Counselor during the proposed plan.
- *Identify the injured worker’s responsibilities and expectations during the proposed plan.
- *Identify if a certified job placement specialist will be utilized and if so, responsibilities of that person and name.
- *Identify the VR Counselor documenting and determining if injured worker is performing a diligent (satisfactory) job search.
- *Identify any barriers to employment and describe how will overcome barriers.
- *Identify VR Counselor job search services needed, when career placement services are offered by the attending school.
- *The “office will provide” does not identify the specific person by name(s), i.e. VR Counselor or Job Placement Specialist.
- * Clarify how the job goals selected qualify as suitable employment.

5. Future Meeting Schedule: Future quarterly meetings were tentatively set for January 27, 2017, April 21, 2017, July 28, 2017, and October 20, 2017. The scheduled start time these and future meetings is 10:00 am at the court offices in Lincoln.

6. Future meeting agenda items: No additional agenda items are currently identified for future meetings. Suggestions are welcome.