

## **Vocational Rehabilitation Practitioners Regulation Amendments**

### **Definitions:**

**Provider** – the enrolled vocational rehabilitation organization that provides vocational rehabilitation services to a claimant through a registered vocational rehabilitation practitioner including DORS (Division of Rehabilitation).

**Rehabilitation practitioner** means an individual who provides vocational rehabilitation services including:

- a nurse certified by the State Board of Nursing as a nurse case manager;
- a rehabilitation counselor;
- a vocational evaluator
- a physical therapist
- an occupational therapist

### **Procedures for Referral by Agreement Order (COMAR 14.09.05.09E):**

- If parties reach an agreement on:
  - Vocational rehabilitation services; and
  - The registered provider/practitioner to provide the vocational rehabilitation services.
- The parties must submit MD WCC Form VR06 "Agreement on the Propriety of Services and Selection of Practitioner" to the Commission and send a copy of the form to the selected practitioner.
- The selected practitioner may not initiate vocational rehabilitation services, or contact the disabled covered employee directly or through an agent unless the practitioner has received a copy of the selection agreement.

### **Procedures for Referral without Agreement (COMAR 14.09.05.09F):**

If the parties agree that vocational rehabilitation services are appropriate, or the Commission has determined that the services are appropriate, but the parties cannot agree on a practitioner, each party has five (5) business days from the date that the parties were unable to reach agreement to:

- Submit Section I of MD WCC Form VR05 "Disputed Provider/Practitioner Selection" to the Commission ELECTRONICALLY identifying three providers/practitioners;
- Within 5 days of submitting Section I, the parties must print Form VR05 and in Section II identify two (2) providers/practitioners from the other party's choices to strike and submit the form via HAND-DELIVERY or FAX to 410-864-5321, Attn: Regina Brown, Director of Support Services.
- Once both sides have submitted Section II, the Commission will randomly select the providers/practitioners with the highest priority on a rolling provider list – this provider will be one of the two providers still remaining after the strikes have been made.
  - The parties will be bound by the Commission's selection.
  - If a party fails to submit three registered providers/practitioners or submit two strikes, the Commission shall select a practitioner from the opposing party's list.
  - The Commission will generate an order specifying the name of the provider/practitioner and send the order to all parties.

### **Proposed Rehab Plan (COMAR 14.09.05.11B)**

- Practitioners must develop a proposed rehabilitation plan on MD WCC Form VR01 – "Proposed Vocational Rehabilitation Plan."
- The Practitioner must submit the plan to all parties for agreement.
- Within 15 days after receipt of a proposed rehabilitation plan, a party may sign as being in agreement and submit the plan to the Commission.
- The parties shall attempt to resolve any disagreement concerning the recommendations contained in the proposed vocational rehabilitation plan.
- If a party disagrees with the proposed plan, the party shall submit MD WCC Form VR13 – "Disagreement with Proposed Vocational Rehabilitation Plan."
- The dispute shall be resolved through the normal dispute resolution process with a Commissioner.

### **30-day Progress Report (COMAR 14.09.5.10B)**

- Practitioners must provide a progress report every 30 days showing the activity and type of vocational rehabilitation services provided on MD WCC Form VR03 – "Vocational Rehabilitation Provider 30-Day Progress Report."
- A copy of the report must be submitted to the Commission, the employer/insurer, and the claimant's attorney.

### **Expiration of Vocational Rehabilitation Plan (COMAR 14.09.05.11C(9))**

- Practitioners shall contact all parties fifteen (15) days prior to the expiration date of the completion of the vocational rehab plan with recommendations to:
  - Discontinuation/termination of services;
  - Extension of services; or
  - Development of a new plan.
- If the parties cannot reach agreement on the recommendations the dispute shall be resolved through the dispute resolution process with a Commissioner.

### **Application Procedures for Enrollment of Providers (COMAR 14.09.05.08)**

- To apply for enrollment with the Commission, the provider shall submit to the Commission:
  - Form VR-45R Provider Enrollment form, which is available on the Commission's website; and
  - Provide complete listing of all registered practitioners employed by the Provider.
- Upon approval of the application, the Commission shall promptly enroll the provider as authorized to provide vocational rehabilitation services.
- **Term and Renewal of Enrollment.**
  - Valid for 2 years from the date of issuance.
  - Notice of renewal and a renewal application shall be:
    - Submitted to each enrolled provider 30-days prior to the expiration date; and
    - The application for renewal must be returned to the Director by the specified deadline.