

**Law Offices Of
Bryan K. Marshall, LLC**

**(240) 547-5504
Bowie/Washington**

**Writer's E-mail:
bkm@lawmd.biz**

**Attorney At Law
14300 Gallant Fox Lane
Suite 103
Bowie, MD 20715**

www.lawmd.biz

**(443) 679-5376
Annapolis/Baltimore**

**(443) 679-5377
Facsimile**

Guidelines for Vocational Rehabilitation Managers

Vocational rehabilitation consultants, also referred to as Voc Rehab Consultants, are specially trained to help individuals identify, apply for and transition into new jobs. They are professionals and are regulated by the Workers' Compensation Commission if they assist in Workers' Compensation claims.

You should be meeting one on one with the Voc Rehab Consultant. However, I prefer to meet with you and the Voc Rehab Consultant in the initial meeting in our office. After the initial meeting, you and the Voc Rehab Consultant decide to meet on your own in a mutually agreed upon place and time. They do not have to come to your home. Sometimes the Voc Rehab Consultant will accompany you to job interviews.

Things to remember:

Of course, speak truthfully, but remember that the VC and NCM are not your representatives. They are paid by the insurance company.

1. Therefore, only discuss your medical issues pertaining to your injury and medical history.
2. Do not discuss private or personal matters. Your family or finances are not relevant.
3. Do not discuss your legal case with them. All legal questions are between you and the attorney.

Keep a positive approach to working with the Voc Rehab Consultant because he or she is there to help you. Use the services to your advantage - generally Voc Rehab Consultants will try and assist you. If there is a conflict, do not alter the plans made. Instead contact me and explain the issues. Remember, Voc Rehab Consultant report all news to the insurance company and negative actions could stop your benefits. If interviews are set up, attend dressed appropriately and do not bring family or children. Let me know if the jobs are not within your limitations, but go to the interview regardless of whether you feel it is within your limitations or not.

If you are in job search, and would like to return to your same employer, but in a lighter duty job, you can request that the Voc Rehab Consultant discuss this with the employer. However, the employer, under WC laws, does not have to accommodate you. (The employer may be violating other laws, like ADA, and you can consult an employment lawyer regarding those issues.)

If the employer does not accommodate your restrictions, the Voc Rehab Consultant may suggest vocational tests to see your skill level and then develop a plan for job search.

The last stage, if the other two stages are not successful, involves either on the job training, retraining, or schooling. This must be approved by the insurance company. If no agreement is made, a hearing before the Commissioner can be requested. It may take three to six months to get a hearing date.

If you have a Voc Rehab Consultant, you must sign an authorization for them to review your medical and employment records. You also sign a rehabilitation plan. During this time you should receive checks in the same amount weekly you received for your disability.

Once your plan ends, so do your checks.

Remember, just because you have a Voc Rehab Consultant does not mean you cannot explore job leads and options on your own. In fact you must document, in writing, all your job pursuits, interviews, and applications. If you find a job on your own, let me know first. Sometimes, I recommend you consult D.O.R.S., a free service to Maryland residents, Department of Rehabilitation Services (with regional locations). Document everything, even if the job does not meet your restrictions. Do not exclude a job out of hand because you think it does not meet your restrictions. It is much better to pursue a job lead, document it, and find that it does not meet your requirements than do nothing.

If you take a job at less pay, in resolving permanent disability awards, it can be taken into consideration and termed "industrial loss."

Before taking a job remember

1. Your doctor must approve it. Ask if it is on a trial basis.
2. The insurance company is not required to find you a job with the same salary or benefits, but the law requires all efforts be directed to bringing the worker to his previous status.