

CHAPTER 6
WORKERS' COMPENSATION PROGRAM

Section 1. Authority.

(a) This chapter of the Rules is promulgated pursuant to Wyoming State Statute 27-14-408, in cooperation with the Worker Safety and Compensation Division, Department of Employment.

Section 2. Purpose.

(a) This chapter of the Rules is adopted to promote the employment of eligible workers compensation recipients, who do not meet the eligibility requirements of the Federally funded vocational rehabilitation program.

Section 3. Application and Eligibility.

(a) Eligibility for this program shall be determined by the Division of Worker Safety and Compensation, Department of Employment.

(b) Upon receipt of the determination of eligibility, the DVR Counselor will provide the applicant with a written explanation of the services available, and the procedures for developing and supervising an ~~individual written rehabilitation plan (IWRP)~~ Individualized plan for employment (IPE).

(c) The DVR Counselor will determine if the injured worker is eligible for the Federally funded vocational rehabilitation program. If not eligible for that program, the injured worker is eligible for the State funded program.

(d) All DVR Rules and Regulations apply to the State funded program, except as noted in this chapter.

Section 4. Financial Policies.

(a) Provision of services shall not exceed ~~four~~ five years or a total cost of \$30,000 unless extended or increased for extenuating circumstances agreed upon by the client, the Division of Vocational Rehabilitation and the Division of Worker Safety and Compensation.

(b) The least costly feasible plan for services will be developed, consistent with the client's rehabilitation goals.

Section 5. Cost of Services.

(a) Under the State funded Workers' Compensation/Vocational

Rehabilitation program, vocational rehabilitation services will be provided without reference to the financial needs of the individual.

Section 6. Limitation of Services.

(a) Maintenance (living expenses) may be provided as a part of the [IWRP](#) IPE if the client is not receiving payments for living expenses from any other government benefit program including Workers' Compensation, and any other sources of household income are insufficient to pay minimally necessary living expenses, provided the vocational rehabilitation program is pursued as rapidly as possible.

Section 7. Case Closure.

[\(a\)](#) The client's counselor with approval of the DVR Area Manager, shall recommend to the Division of Worker Safety and Compensation that an individual's case be closed when it has been determined that:

[\(a\)](#) The client has failed to cooperate, or

[\(b\)](#) The client has failed to maintain satisfactory progress toward the mutually agreed upon rehabilitation plan goals, or

[\(c\)](#) Planned services have been completed, and additional vocational rehabilitation services are either unnecessary or inappropriate.

Section 8. Rehabilitation Expenses--Funds Transfer.

[\(a\)](#) Expenses incurred for administrative and program costs under W.S. 27-14-408 shall be paid by the Division of Vocational Rehabilitation. The funds for these expenses shall be advanced by the Division of Worker Safety and Compensation on not more than a quarterly basis. The amount to be advanced shall be determined by the established caseload average expenses. If the client is eligible under State criteria the Division of Worker Safety and Compensation will advance the total expenses incurred within the limits allowed under W.S. 27-14-408(e)(ii). If the client meets federal criteria, the Division of Worker Safety and Compensation will advance the nonfederal share of expenses up to the required state matching rate under the Federal Rehabilitation Act within the limits allowed under 27-14-408(e)(ii).