

# 2013 BWC Policy Alert

## 2013 BWC Policy Clarification

**Date:** Feb. 14, 2013

### Clarification # 2 – 2013-02

**Clarification as to whether the vocational rehabilitation checkbox on the new *Request for Temporary Total Compensation (C-84)* completed by the injured worker should be considered an external referral and, therefore, afford due process to all parties to the claim.**

### Purpose

This BWC Policy Alert clarifies the conditions that would require BWC to provide due process to all parties to the claim when an injured worker completes the vocational rehabilitation portion of the C-84.

### Issue

BWC recently changed the C-84 used by the physician of record (POR) and the injured worker to request temporary total compensation. The old C-84 contained a box for the POR to check if he or she wanted to refer the injured worker for vocational rehabilitation. When the POR checked this box, the injured worker was referred, to vocational rehabilitation, and BWC provided due process to all parties to the claim.

The physician no longer completes the C-84. The injured worker now uses the C-84 only to request temporary total compensation. There is a box for the injured worker to complete that states: "If appropriate, would you consider participating in vocational rehabilitation? Yes or No."

There has been confusion within the managed care organizations (MCOs) and BWC since the introduction of the new C-84 as to whether the injured worker is officially referring him or herself for vocational rehabilitation services or if the injured worker is merely indicating that if these services were appropriate, he or she would consider participating.

### Conclusion

The wording on the new C-84 does not constitute an external referral to rehabilitation. Whether the injured worker checks yes or no on the form indicating a willingness to consider vocational rehabilitation, the MCO must still determine if a referral should be made. A response of no by an injured worker to vocational rehabilitation does not preclude a referral. However, the MCO should consider it in understanding and addressing the possible barriers to a successful referral.

**Reference policy:** *MCO Policy Reference Guide*, Chapter 4 and OAC 4123-18-03.

**Location:** <http://www.ohiobwc.com/downloads/brochureware/publications/MPRGch4.pdf>

<http://codes.ohio.gov/oac/4123-18-03>.