

**4123-18-14 Injured workers suffering compensable injuries, occupational diseases or death while in an approved vocational rehabilitation plan.**

- (A) Claims for injury, occupational disease or death incurred in the course of and arising out of participation in an approved vocational rehabilitation plan may be filed for compensation and benefits as if the injured worker's employer were the bureau of workers' compensation.
- (B) The full or average weekly wage for the rehabilitation injury, occupational disease, or death claim shall be calculated using the full or average weekly wage information in the original claim pursuant to which the injured worker undertook participation in the prescribed rehabilitation program; provided, that if the statewide average weekly wage in the year of the rehabilitation injury, occupational disease or death is different from that applicable to the original claim, the injured worker's full or average weekly wage shall be calculated using the original wage information but subject to the maximum compensation rate in such subsequent year.
- (C) All compensation and benefit awards arising out of such a claim shall be charged to the surplus fund account established by section 4123.34 of the Revised Code, and not charged through the state insurance fund to the employer against which the claim was allowed so long as the employer pays assessments into the surplus fund account for the payment of such compensation and benefits.

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Prior Effective Dates: 7/10/80, 2/3/92, 1/1/01, 11/5/09