

WAC 296-19A-130 What are the requirements for a forensic evaluation? (1) A forensic evaluation constitutes an analysis of prior vocational services and the medical conditions of an injured worker, including pre and post injury, to determine whether any further vocational services are necessary and likely to enable the injured worker to become employable at gainful employment. Services that may be conducted in order to make a recommendation to the department may include, but are not limited to:

- (a) Reviewing medical and vocational records;
- (b) Obtaining, clarifying, and/or evaluating an industrially injured or ill worker's:
 - (i) Work and/or education history;
 - (ii) Skills, knowledge and aptitudes;
 - (iii) Physical capacities information related to the injury or other medical conditions;
- (c) Identifying barriers to employment and possibilities for resolving the barriers;
- (d) Identifying potential training needs and resources;
- (e) Performing recommended services as needed to make a recommendation. These services may include conducting and writing job analyses, conducting labor market surveys, performing transferable skills analysis and performing occupational research.

(2) Recommendations must address the return to work priorities in RCW 51.32.095(3) and be documented by providing evidence of previous services and/or services performed under this referral.

(3) Development of a vocational rehabilitation plan is specifically precluded during a forensic evaluation.

(4) Any vocational provider that has provided any vocational rehabilitation services to the industrially injured or ill worker may not receive a referral for a forensic evaluation of that industrially injured or ill worker. Any vocational provider who begins a forensic evaluation cannot receive further vocational referrals for that worker.

[Statutory Authority: RCW 51.04.020, 51.04.030, 51.32.095, 51.32.096, and 51.32.250. WSR 24-23-082, s 296-19A-130, filed 11/19/24, effective 1/1/25. Statutory Authority: RCW 51.04.020, 51.04.030, 51.32.095, 51.36.100, 51.36.110. WSR 03-11-009, § 296-19A-130, filed 5/12/03, effective 2/1/04; WSR 00-18-078, § 296-19A-130, filed 9/1/00, effective 6/1/01.]