

**WAC 296-19A-210 What are the qualifications to provide vocational rehabilitation services to industrially injured or ill workers?** Provider community commentary, expert opinion and best practices suggest that there is a correlation between a higher quality level of vocational rehabilitation services and higher qualifications of vocational rehabilitation providers. To ensure the provision of the highest possible quality of vocational rehabilitation services, the department shall only issue a provider number to persons, firms, partnerships, corporations, and other legal entities that meet the following qualification requirements:

(1) Vocational rehabilitation counselor (VRC).

(a) VRCs not registered with the department and applying for a provider number with the department effective on or after December 1, 2000, must meet the following minimum qualifications:

Education Masters Degree	Experience 1 year full-time industrial insurance experience	Certification and CRC or CDMS or ABVE
OR		
Bachelors Degree	2 years full-time industrial insurance experience	and CRC or CDMS

CRC = Certified Rehabilitation Counselor

CDMS = Certified Disability Management Specialist

ABVE = American Board of Vocational Experts

(b) VRCs registered with the department as of November 30, 2000, will be required to meet the qualification criteria in (a) of this subsection no later than November 30, 2010.

(c) The VRC assigned to or directly receiving the referral from the referral source is responsible for all work performed by any vocational provider on that referral.

(2) VRC supervisor of interns (supervisor).

(a) The supervisor must meet the qualification requirements for a VRC in subsection (1) (a) and (b) of this section.

(b) The supervisor must provide proof of a total of five years full-time experience providing, evaluating, analyzing and/or assessing vocational services. For the purposes of this rule, "vocational services" are those defined in WAC 296-19A-010(2). At least three of the five years must be under Title 51 RCW.

(c) A maximum of thirty-six months in intern status may be counted toward the five years of experience needed to become a supervisor.

(d) Supervisors are expected to monitor and assist in the training and professional development of interns under their supervision, in order to ensure that interns develop the requisite knowledge and professional skills to become competent VRCs. A supervisor's responsibilities include, but are not limited to:

(i) Monitoring billing;

(ii) Monitoring work;

(iii) Monitoring professional behavior;

(iv) Promoting professional development and assisting the intern in meeting the department's requirements to become a VRC; and

(v) Communicating statute, rule and policy.

(3) Forensic services—In order to provide forensic services to the department, on or after the effective date of this rule, a VRC must provide proof of five years full-time experience providing direct

vocational services to Washington state industrially injured or ill workers, and must possess a CRC or ABVE certification. Vocational providers previously approved to provide this service, under chapter 296-19A WAC, will retain that status.

(4) Intern.

(a) Interns not registered with the department and applying for a provider number with the department on or after December 1, 2000, must meet the following minimum qualifications:

Degree	Internship Length
Masters Degree in field acceptable to CRC or CDMS or ABVE	Equal to required experience to obtain CRC or CDMS or ABVE certification including at least 1 year working with industrially injured or ill workers.
OR	
Bachelors Degree in field acceptable by CDMS	Equal to required experience to obtain CDMS certification including at least 2 years working with industrially injured or ill workers.

(b) Interns not registered with the department and applying for a provider number with the department on or after December 1, 2000, must obtain one of the required VRC certifications within one year of completing their required internship. Interns will remain in internship status during this time frame.

(c) Interns registered with the department as of November 30, 2000, will be required to apply for a provider number with the department and may work as an intern until the end of their current internship. Upon completion of the internship the intern may submit an application to the department as a VRC. These providers must obtain one of the required VRC certifications by November 30, 2010.

(d) All interns are required to conform to Title 51 RCW, department rules, and department policies. All interns granted a provider number by the department must be supervised by a VRC supervisor.

(e) No person shall serve as an intern under these rules for more than seventy-two months of full-time experience, or its equivalent, working with industrially injured or ill workers. The intern must notify the department when there is a change in the status of an internship.

(5) Interns may not receive referrals directly from the department or self-insured employers. Interns may perform aspects of vocational rehabilitation services under the supervision of a VRC supervisor.

(6) Providers who receive or are assigned referrals must comply with all electronic security requirements in place for accessing department files.

(7) Providers registered with the department as of November 30, 2000, who do not meet the above qualification requirements within the ten-year period will no longer be eligible to provide vocational rehabilitation services to industrially injured or ill workers and the department will terminate their provider number(s).

(8) Business requirements for vocational rehabilitation firms.

(a) Vocational rehabilitation firms must comply with all federal and state laws, regulations and other requirements with regard to

business operations. This includes, but is not limited to, a unique federal tax identification number (federal employer identification number, individual tax identification number, or Social Security number) and, if hiring employees or opting for coverage as a self-employed sole proprietor, a unified business identifier and industrial insurance account in good standing. In order to be eligible to receive referrals from the department, firms must satisfy the requirements set forth in this subsection in every service location in which they wish to operate.

(b) Providers must be covered by general liability insurance, automobile liability insurance, errors and omission insurance, malpractice insurance, and industrial insurance if required by Title 51 RCW.

(c) Vocational rehabilitation firms may be partnerships, corporation, sole proprietors, or other legal entities. The firms must have services and facilities that provide injured workers a private and professionally suitable location in which to discuss vocational rehabilitation services issues. In order to be eligible to receive referrals from the department, firms must satisfy the requirements set forth in this subsection in every service location in which they wish to operate.

(d) Vocational rehabilitation firms and providers must have telephone-answering capability during regular business hours, Monday through Friday. In order to be eligible to receive referrals from the department, firms must satisfy the requirements set forth in (c) and (d) of this subsection in every service location in which they wish to operate.

(e) In order to receive referrals made by the department, firms must maintain or have access to equipment that can utilize the department's remote access system for transmitting vocational referrals.

(9) In order to receive referrals from the department, vocational rehabilitation firms must first:

(a) Complete the vocational rehabilitation firm provider agreement, attesting to and providing documentation required by the department of adherence to the requirements in subsection (8) of this section;

(b) Submit an updated firm provider agreement at least annually;

(c) Adhere to the guideline for distribution of unassigned firm vocational referrals as signed by the firm owner or manager;

(d) Submit, implement, and periodically report on a department approved quality assurance plan at intervals determined by the department. For purposes of this section, "quality assurance plans" document the process the vocational firm will use to ensure certain services or tasks are completed consistent with statutory requirements, rules, and department policies. Examples of possible quality assurance elements that would be reported on and addressed in a firm's plan include completion and submission of a vocational recovery plan, face-to-face meetings with workers and other claim parties under certain circumstances, and contacting the worker every fourteen days during a re-training plan.

(e) Results and remedial actions as outlined in the department approved quality assurance plan must be provided to the department at intervals set forth in the policy. Elements of quality assurance plans may be periodically updated by the department. Vocational rehabilitation firms will be given at least sixty days' notice of changes in quality assurance elements, reporting frequency, or other intended updates to quality assurance expectations.

(10) The department may make referrals to a vocational rehabilitation firm, partnership, corporation, sole proprietor, or other legal entity so long as substantial control over the daily management of the entity is performed by a VRC that satisfies the qualifications set forth in this rule.

[Statutory Authority: RCW 51.04.020, 51.04.030, 51.32.095, 51.36.100, and 51.36.110. WSR 19-21-149, § 296-19A-210, filed 10/22/19, effective 1/1/20; WSR 04-08-045, § 296-19A-210, filed 3/31/04, effective 7/1/04; WSR 03-11-009, § 296-19A-210, filed 5/12/03, effective 2/1/04; WSR 00-18-078, § 296-19A-210, filed 9/1/00, effective 12/1/00.]