

Stay at Work Program

What is the Stay at Work Program?

It's a new L&I program that encourages employers to bring their injured workers quickly and safely back to light-duty, transitional jobs by helping to cover their initial costs. If eligible, they can be reimbursed for up to 50% of the injured worker's wage, and for the cost of instruction, tools and clothing the worker needs to do the transitional job.

Keeping an injured worker in a transitional, light duty job while recovering can help the employer control the cost of their L&I premiums. Also, research shows that injured workers who stay at some type of work with their employers are far less likely to become disabled in the long-term.

The program is effective June 15, 2011, and the department is working quickly to ensure accounting and technology processes are in place as soon as possible. The program is part of a larger effort to speed worker recovery, prevent long-term disability, and reduce costs for everyone. The 2011 Legislature also created [a new statewide health care provider network and expanded the Centers of Occupational Health and Education](#).

Employers – Questions you may have:

How do I know if I'm eligible for Stay at Work reimbursements?

You may be eligible if you:

- Pay workers' compensation premiums to L&I to cover your workers.
- Have an active worker-injury claim with L&I.
- Have an employee who has been released by their health care provider, with medical restrictions, for light-duty, transitional work while recovering from a workplace injury.
- Can offer light-duty or transitional work to the worker that is approved by the worker's health care provider.

How will I know if my worker can perform a transitional, light-duty job while recovering?

Your worker's *health care provider* must confirm that the job duties are within the worker's medical restrictions.

What are the benefits?

There are four basic reimbursements available to employers, depending on the job and needs of the worker and employer:

- Wage subsidies: L&I will pay for 50 percent of the worker's basic, gross wages, up to \$10,000. The subsidy is limited to 66 days within a consecutive 24-month period.
- Clothing: *If* the worker needs any specific clothing to do the job – up to \$400.

- **Tools:** *If* the worker needs any tools to do the job – up to \$2500.
- **Instruction:** Any tuition, books, or materials needed to prepare the worker for the job—up to \$1,000.

How do employers apply for Stay at Work reimbursements?

L&I's goal is to have the Stay at Work program up and running soon. To receive reimbursements, *employers* will submit an application requesting the reimbursement. In the meantime, if you have an injured worker in a transitional, light duty job and believe you may qualify for the reimbursement, be sure to save your:

- **Documentation from the worker's health care provider** showing the worker could not do the job they were doing when injured, is released for light-duty work, *and* that the transitional job is within their physical restrictions.
- **Receipts** for tools, clothing and instruction you provided.
- **All payroll records** for the period of time the injured worker is in transitional, light duty work.

How long will it take for L&I to reimburse me?

Once the program is in place, employers can expect to be reimbursed within 30-60 days of the date L&I receives a reimbursement form. Initial reimbursements should occur before the end of the year.

If I receive reimbursements, will it affect my workers' comp rates?

No

Does this program apply to workers who were injured while working part-time or at a temporary/seasonal job?

Yes.

If I already have a recovering worker on light-duty, when would my eligibility for Stay at Work reimbursements begin?

You could be eligible to receive reimbursements for any qualifying work performed, or for the cost of clothing, tools, or instruction you incur beginning June 15, 2011.

What if I'm keeping one of my injured workers on salary while she recovers?

Reimbursements can be made only when an injured worker is in a transitional or light-duty job, and only for the days actually worked. If this is the case, you could be eligible for reimbursements beginning June 15, 2011.

How is L&I paying for the Stay at Work program?

A new account will be dedicated to the program. We will assess premiums for the new account, but the net savings from the program will reduce overall costs and premiums. Employers can deduct half of the premium for the new account from workers' wages.

Retro Groups – Questions you may have:

For employers that participate in the retrospective rating program, will the Stay at Work program costs be included in the retro adjustment calculations?

The premiums and costs of the Stay at Work program will not be included in the retro adjustment calculations, and the costs are not charged to an individual employer for premium rating purposes.

Will use of this program impact the claim type code?

No.

Injured Workers – Questions you may have:

I'm an injured worker now receiving time-loss compensation as I recover. How will this affect my claim?

It won't affect the status of your claim. Your entitlement to benefits may be affected if your employer offers you a light-duty, transitional job for you to return to, with your doctor's approval.

If my employer wants me to come back to a light-duty job while I'm recovering, do I have to if I don't feel ready?

No, but your benefits won't be continued if your doctor agrees the job is within your medical restrictions.

What if I go back to work with my doctor's restrictions, and my employer changes my job duties?

Your employer may not place you in any job that requires you to perform activities that your doctor has not released you to do. As always, if this happens, you should have your doctor call your employer or contact your claim manager.

Health-Care Providers – Questions you may have:

Have any requirements or paperwork changed for health care providers as a result of the Stay at Work program?

No, there are no changes to paperwork or billing procedures. But, it will be important for you to complete the work restriction section of all Activity Prescription Forms, so you'll be prepared. Because of this new program, you may see more employers seeking your approval for your patients to be released for light-duty, transitional jobs.

If my patient thinks his employer has light-duty, transitional job, how can I help him apply for this program?

Call the employer and ask about the physical requirements for the light-duty work they may have. If the employer wants to offer the job, let the employer, worker and L&I know whether you approve the work duties for your patient. This assistance can be billed to the workers' compensation claim. For a quick reference to the appropriate billing codes, go to <http://www.lni.wa.gov/ClaimsIns/Files/ProviderPay/FeeSchedules/2011FS/QuickRefFeesJuly11.pdf>.

L&I will make sure the employer has information about how to apply for reimbursement.

I'm getting calls from an injured worker's employer, but don't think this patient can do the job they describe. Are there any new guidelines I should know about?

No.

Do I need to change the way I handle my patients' work restrictions?

No.

Are there any new billing codes associated with the Stay at Work program?

No.

Who do I contact if I have questions about Stay at Work?

Phone: Toll-free at 1-866-406-2482 or 360-902-4411

Email: PublicAffairs@Lni.wa.gov