

REHABILITATION HIERARCHY OPTIONS
(We Must Identify the Highest Option Possible)

Effective after December 31, 2005

Return to Same
Position, Same Employer A

Return to Same
Occupation (any employer) B

Return to Modified
Position (same employer) C

Return to Modified or Alternative
Occupation (any employer) D

Assess Employability Local
Labor Market (35 mile radius) E

Assess Employability
Statewide Labor Market F

Retraining (104 weeks max) G

Paragraph 6

Criteria for Options:

1. Consider transferable skills & education
2. Physically appropriate
3. Viable labor market
4. Must meet income test

INCOME TEST:

90% of Pre-Injury Wage
 or 66 2/3 of SAWW
 (\$650/\$16.25 per hour);
 whichever is less.

EFFECTIVE = SAWW

07/01/2014 = \$610
 07/01/2013 = \$586
 07/01/2012 = \$531
 07/01/2011 = \$482
 07/01/2010 = \$455
 07/01/2009 = \$443
 07/01/2008 = \$418
 07/01/2007 = \$396
 07/01/2006 = \$378
 07/01/2005 = \$366

Paragraph 6 (Retained Earnings Capacity) *Statute: 65-05.1-01(6):*

Calculation of earnings based on the greater of the state's hourly minimum wage (\$7.25) times the hours of release based on a valid functional capacities examination or the wages payable within the appropriate labor market. Maximum benefit is five (5) years.

July 07, 2015