

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

Effective through 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

OJT Position Must be
Transferable to Job Market G

Short-Term Training (One Year
Or Less – Must Meet Income Test) H

Long-Term Training (Two Years
Or Less – Must Meet Income Test) I

Self-Employment (Only if
Employee has Viable Plan) J

Consider Job Goals at Wage -
Minimum hourly 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
(\$648/\$16.20);
Whichever is less

EFFECTIVE = SAWW

07/01/2015 = \$650

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

(Paragraph 6)

INCOME TEST: 90% of pre-injury wage or minimum wage (\$7.25 X 40 hrs = \$290), whichever is less. *(The dollar amount used is directed by the date the VCR is written and not the date of the claim.)*

July 01, 2016

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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
(\$648/\$16.20 per hour);
whichever is less.

EFFECTIVE = SAWW

07/01/2015 = \$650
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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 01, 2016