

5220.0110 REHABILITATION REQUEST; DISABILITY STATUS REPORT.

Subpart 1. [Repealed, 17 SR 3361]

Subp. 2. [Repealed, 17 SR 3361]

Subp. 3. [Repealed, 17 SR 3361]

Subp. 4. [Repealed, 17 SR 3361]

Subp. 5. **Rehabilitation consultation request.** The rehabilitation consultation may be requested by the employee, employer, or commissioner. A disability status report is used by the insurer to report rehabilitation consultation referral status.

Subp. 6. **Employee request for consultation.** The employee may request a rehabilitation consultation by giving written notice to the insurer requesting a rehabilitation consultation. Notification of the request shall be filed with the commissioner.

Subp. 7. **Disability status report.** The insurer shall file a disability status report to notify the commissioner of a referral for a rehabilitation consultation or to request a waiver of rehabilitation services.

A. The insurer shall complete a disability status report, file it with the commissioner, and serve a copy on the employee:

(1) within 14 calendar days after it becomes known that the temporary total disability will likely exceed 13 cumulative weeks;

(2) within 90 calendar days of the date of injury when the employee has not returned to work following a work injury; or

(3) within 14 calendar days after receiving a request for rehabilitation consultation, whichever is earlier.

When a waiver of rehabilitation services has been granted under part 5220.0120, the insurer shall complete, serve, and file another disability status report within 14 calendar days of the expiration of the waiver. A disability status report is also required following each request for rehabilitation consultation.

B. The disability status report shall contain the following:

(1) identifying information on the employee, employer, and insurer;

(2) information about the duration of disability and the likelihood that the disability will extend beyond 13 weeks;

(3) the current work status of the employee;

(4) an indication of whether the employer will return the employee to work;

(5) information about accommodations or services being provided to the employee to assist in the return to the date-of-injury employer;

(6) an indication of whether a rehabilitation consultation is occurring or a request for a waiver of consultation is being made under part 5220.0120;

(7) if rehabilitation consultation is indicated, the name of the qualified rehabilitation consultant who will conduct the rehabilitation consultation; and

(8) a current treating physician's work ability report must be attached to the form.

C. The employee may object to the insurer's recommendation by filing a rehabilitation request for assistance with the commissioner.

Subp. 8. **Commissioner's authority.** If a disability status report is not filed according to this part, the commissioner may order a rehabilitation consultation by a qualified rehabilitation consultant at the insurer's expense, according to Minnesota Statutes, section 176.102, subdivision 4, paragraphs (b) and (f).

Statutory Authority: *MS s 176.102; 176.83*

History: *16 SR 2520; 17 SR 3361; 29 SR 1480*

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