

CHAPTER 5220
DEPARTMENT OF LABOR AND INDUSTRY
COMPENSATION AND REHABILITATION

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5220.0100 DEFINITIONS.

Subpart 1. **Scope.** For the purposes of parts 5220.0100 to 5220.1900, the following terms have the meanings given them.

[For text of subs 2 to 9, see M.R. 1983]

Subp. 9a. **Rehabilitation provider.** "Rehabilitation provider" means the following four categories of rehabilitation professionals: qualified rehabilitation consultants; qualified rehabilitation consultant interns; qualified rehabilitation consultant firms; and registered rehabilitation vendors.

[For text of subp 10, see M.R. 1983]

Subp. 10a. **Rehabilitation services.** "Rehabilitation services" means the division of rehabilitation services of the Department of Labor and Industry.

[For text of subs 11 to 13, see M.R. 1983]

Statutory Authority: *MS s 176.102 subs 2,10; 176.183*

History: *8 SR 1777*

5220.1400 QUALIFYING ELIGIBILITY CRITERIA FOR REHABILITATION CONSULTANT.

Subpart 1. **Requirement.** The following eligibility criteria and procedures in subparts 2 to 5 shall be used by the commissioner in determining who is qualified for registration as a qualified rehabilitation consultant.

Subp. 2. **Educational background.** A qualified rehabilitation consultant/affiliated/independent shall possess the following credentials as applicable:

A. Holder of a masters or doctorate degree in vocational rehabilitation or related fields of counseling and guidance, psychology, social work, or physical rehabilitation (occupational therapy, physical therapy, nursing) from an accredited institution, plus a current license as appropriate, plus one year of experience in vocational rehabilitation or physical rehabilitation. At least one year shall have been spent as a qualified rehabilitation consultant intern in rehabilitation of injured workers.

B. Holder of a baccalaureate degree in vocational rehabilitation or related fields of counseling and guidance, psychology, social work, or physical rehabilitation (occupational therapy, physical therapy, nursing), from an accredited institution, plus a current license as appropriate, plus two years of experience in vocational rehabilitation or physical rehabilitation. At least one year shall have been spent as a qualified rehabilitation consultant intern in rehabilitation of injured workers.

Subp. 3. **Rehabilitation consultant intern.** An individual who meets the minimum educational requirements but does not meet the minimum experience requirements may be registered as a consultant intern. When the intern is

registered, the intern's employer shall provide the commissioner with the name of the qualified rehabilitation consultant under whose direct supervision the intern will work. The supervisor shall be considered to be directly responsible for the rehabilitation work on any case. The supervisor shall co-sign all work being done by the intern. So that all parties are aware of the intern's status, he shall be designated as an "intern." The intern may make application for "qualified" status when the minimum requirements in subpart 2, item A or B have been met.

Substantiated complaints about professional behavior or services, or failure to comply with laws, rules, or decisions and orders are grounds for denial of registration as a qualified rehabilitation consultant. The intern may appeal the denial as provided in part 5220.1500, subpart 2.

In cases where an intern has been supervised by a qualified rehabilitation consultant/affiliated who leaves the organization with which he has been affiliated and no other qualified rehabilitation consultant is available to supervise the intern, the intern may, with the approval of the commissioner, temporarily sign all required documents in the capacity of a qualified rehabilitation consultant. Past performance and overall experience will be taken into consideration for this approval.

Subp. 4. Experience criteria. The burden of proof of experience shall be on the applicant. This shall include documentation of a history of employment in a position of physical rehabilitation or vocational rehabilitation. The experience requirements of subpart 2 for qualified rehabilitation consultants can be met only by full-time paid employment. School internship and volunteer activities are not acceptable as employment experience.

Supporting documents shall consist of signed statements by present and previous employers and insurers specifying the services, caseload, and amount of time spent in rehabilitation of work-related injuries and diseases.

Subp. 5. General criteria. All persons who are qualified rehabilitation consultants shall be exclusively self-employed or exclusively employed by a single organization that is approved for the employment of qualified rehabilitation consultants or an employer/insurer.

All persons who are qualified rehabilitation consultants shall be residents of Minnesota. An organization authorized for the employment of qualified rehabilitation consultants may request an exception for a consultant who lives contiguous to a Minnesota catchment area if the organization and any such consultant agrees, as a condition to approval, to appear at any hearing when requested, in the same manner as if they had been subpoenaed. Failure to do so shall result in automatic revocation of the individual consultant's approval.

A qualified rehabilitation consultant operating on the effective date of this amendment who is registered is deemed to meet the standards of this part. Qualified rehabilitation consultant interns operating on the effective date of this amendment who are registered must meet the minimum requirements of this rule in order to make application for qualified rehabilitation consultant registration.

Statutory Authority: *MS s 176.102 subds 2,10; 176.183*

History: *8 SR 1777*

5220.1500 PROCEDURE FOR QUALIFYING AS REHABILITATION CONSULTANT.

Subpart 1. Application. An individual desiring to receive approval and registration as a qualified rehabilitation consultant shall submit to the commissioner, a complete application consisting of the following:

- A. completed and signed application form which is notarized;
- B. copy of current license or certification;
- C. supporting experience documentation;

- D. transcripts of all schools attended beyond high school;
- E. list of pertinent continuing education by title, location, and date;
- F. list of services and fees. This filing shall not constitute an approval or disapproval of the services or fees; and
- G. the annual registration fee, which shall consist of \$100 for qualified rehabilitation consultant firms and \$50 for each qualified rehabilitation consultant or qualified rehabilitation consultant intern.

The commissioner shall issue a notice of acceptance or rejection to the applicant within 60 days of receipt of the completed application. Acceptance will be provisional until the completion of an introductory training session.

Subp. 2. Appeal process. The appeal process provides a mechanism for applicants to request reconsideration of a rejected application for registration, renewal, and reinstatement.

A written notice of appeal shall be filed with the commissioner within 15 days of mailing of notice of disapproval.

The decision shall be reviewed by the review panel. The applicant shall be advised of the date, time, and place of the review at least ten days prior to the hearing date, and is encouraged to be present.

Subp. 3. Registration. The commissioner shall assign a registration number to each qualified rehabilitation consultant. The registration number shall be on all reports submitted by the consultant.

To retain registration, the consultant must submit satisfactory evidence of approved continuing education pertinent to the workers' compensation rehabilitation field equivalent to 15 contact hours each year at the time registration is renewed.

Subp. 4. Renewal. Registration shall be renewed annually. If an interval of one year occurs without providing direct case service or without providing supervision to qualified rehabilitation consultants or qualified rehabilitation consultant interns who provide direct case service to workers' compensation recipients, the registration and approval is automatically suspended. A qualified rehabilitation consultant or intern may apply for reinstatement by providing verification to rehabilitation services of his attendance at the annual update sessions and fulfillment of continuing education requirements as provided by parts 5220.0100 to 5220.1900. The applicant must complete an introductory training session before approval is final. The suspension may be appealed to the rehabilitation review panel in accordance with subpart 5, item B.

Services and fee schedules shall be submitted to the commissioner whenever there is a change or no less than once each calendar year. This filing shall not constitute an approval or disapproval of the services or fees.

No later than 60 days prior to expiration of registration, the consultant shall request registration renewal on a form prescribed by the commissioner.

Subp. 5. Revocation. The commissioner may review the activities of registered qualified rehabilitation consultants and vendors to determine if they are in compliance with all rehabilitation services' rules.

A. When the commissioner becomes aware of an alleged violation concerning a qualified rehabilitation consultant or vendor he shall notify in writing the qualified rehabilitation consultant or vendor. The qualified rehabilitation consultant or vendor may then respond by letter or by requesting an administrative conference. If the qualified rehabilitation consultant or vendor does not request an administrative conference, the commissioner shall order that a conference occur unless the complaint is found to be frivolous or without merit. After the administrative conference, the commissioner shall determine if he should discipline the individual or firm based upon applicable rules and statutes and all evidence gathered by the conference. Regardless of the commissioner's decision, he shall issue an order setting forth the reasons for

his actions. If discipline is decided on by the commissioner, it shall consist of one or more of the following:

(1) a written reprimand requesting the individual or firm to cease actions which resulted in the lack of compliance with rehabilitation services' rules;

(2) a full restitution of improperly charged fees and services by the individual or firm to the insurance carrier;

(3) an extension of intern status for up to six months beyond part 5220 1400 requirements for application;

(4) a restriction or prohibition on accepting new cases for up to six months.

If the commissioner imposes discipline twice in five years upon an individual or firm, the next alleged violation shall be referred to the rehabilitation review panel for review. An individual's discipline shall not be attributed to his employing firm unless the violation for which discipline is imposed also constitutes a violation by the firm and results in discipline to the firm.

B. An individual or firm may appeal the commissioner's disciplinary action to the rehabilitation review panel by requesting a hearing in writing to the director of rehabilitation services within 30 calendar days of the commissioner's determination.

C. Upon the commissioner's referral of a third alleged violation, the firm or individual shall be given written notice of the referral and grounds for the review.

D. The rehabilitation review panel shall follow the hearing procedures set forth in Minnesota Statutes, section 176.102, subdivision 3a. The panel shall take one or more of the following actions in reviewing rehabilitation providers alleged violations such as:

(1) absolving the individual or firm of any alleged rehabilitation rule violation;

(2) written reprimand;

(3) demotion of a qualified rehabilitation consultant to qualified rehabilitation consultant intern status;

(4) probation of a qualified rehabilitation consultant, qualified rehabilitation consultant intern, or vendor;

(5) revocation of qualified rehabilitation consultant, qualified rehabilitation consultant intern, or registered vendor status.

E. Procedures to appeal the determination of the review panel shall be as follows:

(1) The panel's written decision and order shall act as a final order for purposes of implementing discipline. The decision is appealable to the Workers' Compensation Court of Appeals and must be filed in accordance with its rules; and

(2) Unless otherwise ordered by the panel, an individual or firm whose registration has been revoked must wait at least one year from the effective date of revocation to reapply for a registered status.

Statutory Authority: *MS s 176.102 subds 2,10; 176.183*

History: *8 SR 1777*

5220.1700 PROCEDURE FOR APPROVAL AS REGISTERED REHABILITATION VENDOR.

Subpart 1. **Application.** A private or public entity desiring to be approved as a registered rehabilitation vendor shall submit to the commissioner a complete application consisting of all of the following:

A. A completed and signed application.

B. Any data or information attached to support an application.

C. A list of services and fees. This filing shall not constitute an approval or disapproval of the services or fees.

D. The annual registration fee of \$100 for each registered vendor.

Subp. 2. **Appeal process.** The appeal process herein shall be conducted the same as that provided in part 5220.1500, subpart 2.

Subp. 3. **Renewal.** The renewal process herein shall be conducted the same as that provided in part 5220.1500, subpart 4.

Subp. 4. **Revocation.** The revocation process herein shall be conducted the same as that provided in part 5220.1500, subpart 5.

Statutory Authority: *MS s 176.102 subds 2,10; 176.183*

History: *8 SR 1777*

5220.1800 STANDARDS OF PERFORMANCE.

The standards of conduct described in parts 5220.1801 to 5220.1805 establish minimum standards concerning the professional activities of qualified rehabilitation consultants and rehabilitation vendors in Minnesota. The performance evaluations by rehabilitation services of qualified rehabilitation consultants and vendors will be based upon these standards, as well as on the adherence to Minnesota Statutes, section 176.102 and rules adopted to administer it.

Statutory Authority: *MS s 176.102 subds 2,10; 176.183*

History: *8 SR 1777*

5220.1801 PROFESSIONAL CONDUCT.

Subpart 1. **Services provided under the plan.** In accord with part 5220.0100, subpart 9, the qualified rehabilitation consultant or vendor shall provide rehabilitation services under a rehabilitation plan. The qualified rehabilitation consultant or vendor shall implement only those rehabilitation plans with which the employee, the employer/insurer, and the qualified rehabilitation consultant agree.

Subp. 2. **Assigned qualified rehabilitation consultant.** Only the assigned qualified rehabilitation consultant, or a qualified rehabilitation consultant designated by the assigned qualified rehabilitation consultant, shall be involved at any given time in the employee's rehabilitation effort, except as stated in subparts 4 and 5. The assigned qualified rehabilitation consultant must submit the rehabilitation plan within 30 days of referral and must submit subsequent rehabilitation progress reports every 30 days to the office of rehabilitation services and the other parties. This part shall not apply to a qualified rehabilitation consultant acting on behalf of the reinsurance association in a monitoring or advisory capacity on a reinsurance claim file.

Subp. 3. **Approved change of consultant.** A qualified rehabilitation consultant shall not provide services to any parties after there has been an approved change of qualified rehabilitation consultant except as provided in subparts 4 and 5.

Subp. 4. **Transfer of information.** A qualified rehabilitation consultant shall cooperate in transferring to a newly approved qualified rehabilitation consultant all data, reports, and relevant information within 15 days from the receipt of rehabilitation services letter approving the new qualified rehabilitation consultant.

Subp. 5. **Evaluation of employee.** If a hearing has been scheduled before a judge or a judicial body, a qualified rehabilitation consultant who is not the approved qualified rehabilitation consultant may perform an evaluation of the employee at the request of one of the parties. Rehabilitation services shall be notified in writing of the qualified rehabilitation consultant requested to do the

evaluation. A copy of the evaluation report, if developed, shall be sent to rehabilitation services.

Subp. 6. **Consultant as witness.** A qualified rehabilitation consultant who has testified as an expert witness for any party in a judicial hearing may not function as the ongoing qualified rehabilitation consultant on the case unless agreed to by the employee.

Subp. 7. **Referrals.** A qualified rehabilitation consultant or vendor may make recommendations for referrals to appropriate resources.

Subp. 8. **Separate roles and functions.** The roles and functions of a claims agent and a qualified rehabilitation consultant or vendor are separate. A qualified rehabilitation consultant or vendor, or an agent of a rehabilitation provider, shall engage only in those activities designated in Minnesota Statutes, section 176.102, and its rules. Claims adjustment and claims investigation activities such as unilaterally providing for an adverse medical, vocational, or rehabilitation examination except as provided for in subpart 5, aiding insurers in determining monetary workers' compensation benefits, or determining the reasonableness of medical or rehabilitation service are prohibited for a rehabilitation provider. This subpart shall not prohibit a qualified rehabilitation consultant acting on behalf of the reinsurance association from consulting with the primary qualified rehabilitation consultant regarding the rehabilitation plan.

Statutory Authority: *MS s 176.102 subds 2,10; 176.183*

History: *8 SR 1777*

5220.1802 COMMUNICATIONS.

Subpart 1. **Legibility and content of reports.** All reports submitted by a qualified rehabilitation consultant or vendor shall be legible and show the employee's name, social security number, date of injury, street address, county, zip code of residence, and legal representative, if any.

Subp. 2. **Submission of reports.** All reports shall be submitted in accordance with rehabilitation services' forms as prescribed by the commissioner under Minnesota Statutes, section 176.165.

Subp. 3. **Copies to employer.** The employer shall be provided with copies of all reporting forms.

Subp. 4. **Submission by vendor.** Vendors are to submit all reports directly to the qualified rehabilitation consultant.

Subp. 5. **Data privacy.** A qualified rehabilitation consultant or vendor must comply with all applicable data privacy acts.

Subp. 6. **Contact with physicians.** A qualified rehabilitation consultant or vendor shall not engage in communications with a physician concerning an employee without a release of information form from the employee.

Subp. 7. **Retirement.** A qualified rehabilitation consultant or vendor shall not make recommendations concerning an intent to or date of retirement but may assist an employee in contacting resources concerning a choice of retirement or return to work.

Subp. 8. **Settlements.** A qualified rehabilitation consultant or vendor shall not recommend entering into settlement agreements.

Subp. 9. **Limited requests for information.** A qualified rehabilitation consultant or vendor shall request only that information and data which will assist the parties in developing and carrying out the rehabilitation plan.

Subp. 10. **Providing reports.** The qualified rehabilitation consultant or vendor assigned to a case shall provide all reports written by all parties regarding a case to rehabilitation services. This subpart shall not apply to the reinsurance association, unless the reinsurance association has assumed primary responsibility for the claim pursuant to Minnesota Statutes, section 79.35, clause (g).

Subp 11 **Access to medical and rehabilitation reports.** A qualified rehabilitation consultant shall provide a vendor access to all appropriate medical and rehabilitation reports relating to a case.

Statutory Authority: *MS s 176.102 subds 2,10; 176.183*

History: 8 SR 1777

5220.1803 RESPONSIBILITIES.

Subpart 1 **Instruction by consultant.** A qualified rehabilitation consultant is to instruct the employee of his rights and responsibilities by reviewing with him the purpose of rehabilitation services and the rights and responsibilities of the injured workers.

Subp. 2. **Knowledge of laws and rules.** A qualified rehabilitation consultant or vendor shall be knowledgeable and informed regarding portions of the workers' compensation law and rules that directly relate to the provision of rehabilitation services. If a qualified rehabilitation consultant or vendor communicates inaccurate information regarding workers' compensation not directly related to rehabilitation services, the rehabilitation provider is subject to discipline.

Subp. 3 **Clarification of issues.** A qualified rehabilitation consultant or vendor may contact rehabilitation services to clarify any rehabilitation issues or problems.

Subp. 4. **Disciplinary action.** A qualified rehabilitation consultant or vendor's registration is subject to disciplinary action up to and including revocation based on substantiated complaints about professional behavior, or services which show noncompliance with established laws, rules, decisions, or orders.

Statutory Authority: *MS s 176.102 subds 2,10; 176.183*

History: 8 SR 1777

5220.1804 CONTINUING EDUCATION AND COMPETENCIES.

Subpart 1. **Training sessions.** A qualified rehabilitation consultant or vendor shall attend at least one introductory training session provided by rehabilitation services within six months of being registered.

Subp. 2. **Update sessions.** Rehabilitation services annual update sessions are mandatory for all qualified rehabilitation consultants, qualified rehabilitation consultant interns, and all registered vendors.

Statutory Authority: *MS s 176.102 subds 2,10; 176.183*

History: 8 SR 1777

5220.1805 BUSINESS PRACTICES.

All registered qualified rehabilitation consultants, qualified rehabilitation consultant interns, and vendors shall abide by the following rules concerning a provider's business practices:

A. Rehabilitation providers shall adhere to all applicable federal, state, and local laws regulating business practices.

B. Rehabilitation providers shall not misrepresent themselves, their duties, or credentials. A rehabilitation provider must not promise or offer services or results he cannot deliver or has reason to believe he cannot provide. Competitive advertising must be factually accurate and must avoid exaggerating claims as to costs, results, and endorsements by other parties.

C. If a fellow rehabilitation provider violates parts 5220.0100 to 5220.1900, a rehabilitation provider having actual personal knowledge about the violation must direct the information to rehabilitation services.

D. A provider shall not solicit referrals directly or indirectly by offering money or gifts. De minimis gifts are not considered the offering of

money or gifts. De minimis gifts are those that have a fair market value of less than \$25

E. A rehabilitation provider shall advise the referral source and payer of its fee structure in advance of rendering any services and shall also furnish upon request, detailed and accurate time records regarding any bills in question.

F. Any fee arrangement which prevents individual assessment and services for each employee shall subject the providers to discipline. Any fee arrangement which provides employees with standardized services whether or not the services are necessary shall also subject the rehabilitation providers to discipline.

G. A rehabilitation provider shall not incur profit, split fees, or have an ownership interest with another rehabilitation provider outside of his or her own firm

H. Qualified rehabilitation consultants shall not incur profit, split fees, or have an ownership interest with health care providers. "Health care providers" means those defined in Minnesota Statutes, section 176.011, subdivision 24.

I. The prohibitions of items F, G, and H shall not be construed to prevent married couples or family members from engaging simultaneously in rehabilitation or health care.

Statutory Authority: *MS s 176.102 subds 2,10; 176.183*

History: *8 SR 1777*

5220.1900 REHABILITATION SERVICES AND FEES.

Subpart 1. **Fee monitoring.** Rehabilitation services has the responsibility and jurisdiction under Minnesota Statutes, section 176.102, subdivisions 2 and 9 to monitor and determine reasonable rehabilitation costs, the necessity of services provided, and to resolve any disputes that may arise between the parties according to part 5220.1300.

The employer/insurer has the primary responsibility for monitoring and paying the cost of necessary rehabilitation services provided. Either the employer/insurer or a rehabilitation provider may request rehabilitation services to make a determination of reasonable costs and necessity of services.

Rehabilitation services shall conduct periodic audits of costs and services. The employer/insurer and the rehabilitation provider shall provide rehabilitation services with itemized services and costs upon request. Rehabilitation services must contact the parties to discuss costs and services deemed questionable by rehabilitation services or one of the parties. Rehabilitation services may order an administrative conference to discuss services and fee disputes, whether initiated by one of the parties or by rehabilitation services.

Subp. 2. **Reasonable and necessary services.** A qualified rehabilitation consultant or vendor shall bill for only those necessary and reasonable services which are rendered in accordance with rehabilitation services rules during completion of a plan. Reasonable and necessary services and fees shall be determined by the commissioner. The commissioner's review must include all the following factors:

A. the employee's unique disabilities and assets in relation to the goals, objectives, and timetable of the rehabilitation plan,

B. the type of rehabilitation services provided and the actual amount of time and expense incurred in providing the service;

C. the rehabilitation providers' fee schedules on file with rehabilitation services and other fee schedules of providers on file with rehabilitation services;

D. an evaluation of whether services provided were unnecessary, duplicated other services, available at no charge to public, or were excessively sophisticated for the actual needs of the employee;

E. an evaluation of whether services rendered were expressly authorized by either the employer, insurer, or rehabilitation services;

F. an evaluation of whether Minnesota Statutes, chapter 176, and rehabilitation services' parts 5220.0100 to 5220.1900 have been followed by the provider.

No registered qualified rehabilitation consultant, qualified rehabilitation consultant intern, or registered vendor shall attempt to collect reimbursement for an unnecessary or unreasonable procedure, service, or cost from any other source, including the employee, another insurer, the special compensation fund, or any government program.

Subp. 3. Reporting requirements. The qualified rehabilitation consultant assigned to an employee must provide rehabilitation services with the following information regarding an employee's case for purposes of rehabilitation services' monitoring of services and overall record keeping requirements. This subpart shall not apply to the reinsurance association, unless the reinsurance association has assumed primary responsibility for the claim pursuant to Minnesota Statutes, section 79.35, clause (g).

The qualified rehabilitation consultant shall provide rehabilitation services with an initial evaluation narrative report concerning the employee which will include the following information in summary fashion: medical status, vocational history, educational history, social and economic status, transferable skills, employment barriers, and recommendations.

The qualified rehabilitation consultant shall provide narrative progress reports, if needed, of up to one page.

The qualified rehabilitation consultant shall send, attached to the narrative progress reports, completed copies of all vendor reports, medical, psychological, and vocational reports regarding an employee's case.

The qualified rehabilitation consultant shall also forward to rehabilitation services copies of completed reports prepared for other parties by him or her.

The requesting party shall pay for all costs incurred by a rehabilitation provider in creating a report not required by rehabilitation services.

Subp. 4. Estimated goal dates and costs. When developing the rehabilitation plan and progress reports, the qualified rehabilitation consultant must make a professional judgment regarding any projected goal date and estimated costs. This shall include projected goal date and estimated costs submitted by any vendor. When the date or cost has been exceeded, the qualified rehabilitation consultant and any rehabilitation vendor must submit to rehabilitation services an itemized billing and no more than a one page rationale regarding continued provision of rehabilitation services. The rehabilitation provider is to submit the rationale to the employer/insurer. If the parties are unable to agree about continued rehabilitation services, any party may request a review by rehabilitation services.

Subp. 5. Invoices. Invoices are to be attached to all plan completion forms.

Subp. 6. Consent of employer/insurer; exceptions. A qualified rehabilitation consultant or vendor shall obtain the express consent of the employer/insurer before providing the following services, however, the presence or the absence of express consent shall not preclude rehabilitation services from determining the reasonable value or necessity of these services:

A. when not directed to plan objectives, costs for physician visits, phone calls to physicians, accompanying employee to appointments or examinations;

B. follow-up activity with employers during job placement services to verify employee applications not arranged by qualified rehabilitation consultant or vendor;

C. phone calls to rehabilitation services regarding general procedures on questions or rehabilitation direction, not related to a specific rehabilitation plan;

D. unanswered attempted phone calls;

E. time spent for report writing not requested by a party beyond items indicated in the reporting guidelines of subpart 3,

F. qualified rehabilitation consultant billings during vendor activity periods beyond required reporting or specific problem solving activity;

G. time for attendance at an administrative conference by the supervisor of the qualified rehabilitation consultant who is providing services to the employee;

H. any services rendered prior to the acceptance of eligibility for rehabilitation by an insurer or determination of eligibility by rehabilitation services;

I. time spent reviewing the file and initial contact to establish rapport with interested parties by a qualified rehabilitation consultant or vendor when a case has been transferred from another qualified rehabilitation consultant or vendor within the same rehabilitation firm;

J. time spent by a supervisor, another qualified rehabilitation consultant, or support staff in addition to the qualified rehabilitation consultant of record except as provided for in part 5220.1801, subpart 2,

K. job placement activities beyond 90 days from the start of the job placement effort without a plan review;

L. wait time for a visit without a prearranged meeting or early arrival for a prearranged appointment;

M. time spent by a qualified rehabilitation consultant selected by the employee before approval of a qualified rehabilitation consultant change has been issued by rehabilitation services;

N. services that are not needed or repeat services already done;

O. charges beyond the hourly fee for testimony at a judicial hearing when the qualified rehabilitation consultant or vendor has provided rehabilitation service under the plan;

P. travel costs beyond those needed to develop or complete a plan; or

Q. any disputed services and fees in regard to rehabilitation provided.

Statutory Authority: *MS s 176.102 subds 2,10; 176.183*

History: *8 SR 1777*

5220.3100 [Repealed, 9 SR 333]

5220.3300 [Repealed, 9 SR 333]

5220.3400 [Repealed, 9 SR 333]

5220.3500 [Repealed, 9 SR 333]

5220.3700 [Repealed, 9 SR 333]

5220.3800 [Repealed, 9 SR 333]

5220.3900 [Repealed, 9 SR 333]

5220.4000 [Repealed, 9 SR 333]

5220.4100 [Repealed, 9 SR 333]

5220.4200 [Repealed, 9 SR 333]

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