176.104 REHABILITATION PRIOR TO DETERMINATION OF LIABILITY.

Subdivision 1. **Dispute.** If there exists a dispute regarding medical causation or whether an injury arose out of and in the course and scope of employment and an employee is otherwise eligible for rehabilitation services under section 176.102 prior to determination of liability, the employee shall be referred by the commissioner to the department's Vocational Rehabilitation Unit which shall provide rehabilitation consultation if appropriate. If the sole dispute is regarding discontinuance of compensation, an employee eligible for rehabilitation services may be referred to the Vocational Rehabilitation Unit only after the employee or employer has filed an objection under section 176.238, subdivision 6, to the administrative decision on discontinuance. The services provided by the department's Vocational Rehabilitation Unit and the scope and term of the rehabilitation are governed by section 176.102 and rules adopted pursuant to that section. Rehabilitation costs and services under this subdivision shall be monitored by the commissioner.

Subd. 2. **Liability for rehabilitation; lien.** (a) If liability is determined after the employee has commenced rehabilitation under this section the liable party is responsible for the cost of rehabilitation provided. Future rehabilitation after liability is established is governed by section 176.102.

(b) If the employer, insurer, or defendant is given written notice by the department of a claim for rehabilitation services or disbursements, the claim is a lien against the amount paid or payable as compensation.

Subd. 3. **Reimbursements.** All money received under this section must be credited to the special compensation fund.

Subd. 4. **Vocational Rehabilitation Unit funding.** The cost of the Vocational Rehabilitation Unit shall be financed by the special compensation fund beginning July 1, 1992.

History: *1983 c 290 s 85; 1984 c 432 art 2 s 17,18; 1986 c 461 s 11; 1991 c 292 art 10 s 2; 1992 c 513 art 3 s 34-36; 1995 c 231 art 2 s 54; 2024 c 97 s 8*