

## OPTION 2 BENEFITS

### NEW SECTION

**WAC 296-19A-600 How does an eligible injured worker elect vocational Option 2 benefits?** Within fifteen days of the approval of a retraining plan by the department, the worker submits to the department or self-insurer the Retraining Plan Option Form indicating they select Option 2 and choose not to participate in their retraining plan. This election means the worker's claim will be closed, and the worker will receive the vocational Option 2 award and access to the Option 2 training funds.

### NEW SECTION

**WAC 296-19A-610 What is a vocational Option 2 award?** This award is equivalent to six months of temporary total disability compensation based on the worker's monthly compensation rate on the date the Option 2 benefit is granted. The award will be paid to the worker in biweekly payments until the award is paid in full. Whenever the biweekly payments are made over a period that includes July 1, the amount of the payment(s) will include any cost-of-living adjustment. The temporary total disability amount used will not include any adjustments for the worker's receipt of Social Security benefits. The department or self-insurer will deduct any overpayments owed from the vocational award.

### NEW SECTION

**WAC 296-19A-620 What are the vocational Option 2 training funds?** These training funds are available to the worker, upon application to the department or self-insurer, for a period of five years following the date of the department's order confirming the worker's Option 2 election. The funds can be used to participate in any training through an accredited, licensed, or department-

approved training program or institution.

Training fund amounts are based on tuition rates in effect on the date the worker's plan is approved. Eligible workers are notified of the amount available to them by department order issued at the time of their Option 2 election.

NEW SECTION

**WAC 296-19A-630 Can a worker change their option election?**

Changes to the election decision cannot be made beyond fifteen days from the date the department approves the worker's retraining plan.

NEW SECTION

**WAC 296-19A-640 What costs cannot be paid from the vocational Option 2 training funds?**

Training funds cannot be used for ergonomic equipment, prejob accommodations, job modifications, on-the-job training, self-employment, lodging or transportation.

NEW SECTION

**WAC 296-19A-650 Is the vocational Option 2 award paid if the worker is confined in an institution and under sentence?**

No. The department or self-insured employer will pay the balance of the Option 2 award when notified in writing the worker is no longer confined and under sentence.

NEW SECTION

**WAC 296-19A-660 Can a worker use the vocational Option 2 training funds if confined in an institution and under sentence?**

Yes. Vocational Option 2 training funds are available to the worker, upon application to the department or self-insurer.

NEW SECTION

**WAC 296-19A-670** If a worker dies while receiving the vocational Option 2 award, will the award be paid to the worker's **beneficiaries or estate?** No. The vocational Option 2 award is not payable to the worker's beneficiaries or estate.