

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 compensation 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 the total of six months of temporary total disability compensation based on the amount in effect the date the Option 2 benefit is granted. The award will be paid to the worker in biweekly payments according to their schedule of temporary total disability payments until the award is paid in full. The temporary total disability amount used will not include any adjustments for the worker's receipt of Social Security benefits. Any overpayments the worker owes to the department or to a self-insurer will be deducted 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 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.

The amount of training funds available is adjusted effective July 1st of each year, based on the average percentage change in tuition for the next fall quarter for all Washington state community colleges. Eligible workers are notified of the amount available to them by department order issued at the time of their Option 2 election. They can also view the current balance of funds through the department's on-line claim and account center.

NEW SECTION

WAC 296-19A-630 Can a worker change their option election? Changes to the election decision cannot be made beyond fifteen days of 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 the costs of 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 Option 2 training funds if confined in an institution and under sentence? Yes. These 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 workers' **beneficiaries?** No. This award is not payable to the worker's beneficiaries or estate.