

ENGLAND & ASSOCIATES

Office: (727) 347-0386 Web Site: <http://www.breaREHAB.com> E-Mail: EAssociates@TampaBay.RR.Com

'EXPERIENCE IS NOT EXPENSIVE.....IT IS PRICELESS'



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EASSOCIATES REHAB NEWS

Professional Developments:

We Moved!! Our entire office moved from Suite 202 to Suite 101. We now have a downstairs Suite with 5 offices and a conference training room for our Clients and staff. Vocational Case Managers now occupy 4 of the new offices. The expanded space provides more room for Testing, software training and conference meetings. While we remain in the same building, this move is the second time in three years that we have had to expand to a larger office suite.

England & Associates is now a contract Employment Network with the Social Security Administration. We are an Employment Network (EN) that provides services under the new Social Security Administration's "Ticket to Work" program. We provide Direct Placement Services for part-time or full-time work in Hillsborough, Pinellas, Pasco, Manatee, Citrus, Hernando, Lee, Sarasota, and Marion counties. Target Clients are Social Security Disability (SSD) and Social Security Insurance (SSI) recipients. The Social Se-

curity Administration provides outcome payments for successful placement. This provides an opportunity to apply our Evaluation, Labor Market Survey and Placement expertise.

and **Daniel Giles** have both worked as Graduate Student Interns at our office for over 1 1/2 years each while completing their MA in Rehabilitation. They will become Florida BRRS QRP's this spring.

Two More Certified Rehabilitation Counselors on Staff: Since our last news letter our USF Interns have both taken their CRC Exams and passed. They have also completed their final comprehensive exams at USF. They will receive their MA in Rehabilitation & Counseling degrees in May 2009. **Susie Alarie**

BRRS Evaluations & Reemployment Services referrals continue to be accepted by our Nurse Case Manager, Phyllis Rothman, RN; Certified Vocational Evaluator, Adam Ells and Vocational Counselor, Bill England. Our two MA Rehabilitation graduates expect to soon work with BRRS as well.

Medical & Vocational Rehabilitation Professionals

England & Associates Professional Team Members

Phyllis Rothman, RN, MS, CDMS, CCM, CLCP
Bill R. England, MS, CRC, CDMS, CCM, OWCP RCC
Adam M. Ellis, MS, CRC, Certified Vocational Evaluator
Daniel Giles, MA, CRC, Vocational Case Manager
Susie Alarie, MA, CRC, Vocational Case Manager
Pamela Barnette, MA, Labor Market Survey Analyst
Elizabeth England, MA, Labor Market Survey Specialist
Ethel Schwartz, Rehabilitation Administrative Assistant
Danny Kessie, Case Management Software Programmer

Rehabilitation Services & Expertise

Certified Life Care Plans, TBI Case Management, Work Injury Medical Case Management, Medical Cost Analysis, Vocational Evaluation, Vocational Testing, Job Analysis, Job Modification, Reemployment Services, Labor Market Survey Research, Placement Services, Direct Placement, Medical Actuarial Cost Projections, Wage & Salary Analysis, Occupational Analysis, OJT Plan Development, Vocational Training Plan Development, Vocational Expert Witness, Medical Expert Witness, & Trial Consultants.

Reemployment Services & Labor Market Survey Research

Vocational Case Managers at England & Associates are qualified to provide a range of Reemployment Services. The Florida Statute 449.491 (1) (f) has defined WC **“Reemployment Services”** as including: vocational counseling, job-seeking skills training, ergonomic job analysis, transferable skills analysis, selective job placement, labor market surveys and arranging other services such as education or training,

vocational and on-the-job, which may be needed by the employee to secure suitable gainful employment. Our **Qualified Rehabilitation Providers (QRPs)** may provide any of these services upon request. We specialize in the development of **Labor Market Survey (LMS) Research** that will document Rehabilitation Plan feasibility. When authorized our Reemployment Services include weekly **LMS Research**

to identify current Job Openings and provide this information to Injured Workers in writing via Certified Mail and Regular Mail. Our Vocational Case Managers and Nurse obtain **medical approval** from Treating Physicians for **Job Descriptions** confirmed by employers. Our LMS Research methods include **weekly contact with employers** to identify Job Openings. We will evaluate the **status of Job Applications**

submitted by the Injured Worker. Our LMS resources include local employers, Florida Work Force data bases, internet Job Postings, Employer Web Sites and direct contact with employers. We specialize in the identification of **Sedentary Job Openings** and **Light-Duty Job Openings** that match Vocational Profiles developed through **Vocational Evaluations, Vocational Testing** and **Reemployment Assessments.**

Medical Case Management & Life Care Plan Services

Medical Case Management is often one of the cornerstones of our Vocational Evaluations. Claim Medical Records are reviewed to obtain an outline of diagnosis, treatment and physical capacity. Our **Transferable Skills**

Analysis (TSA) requires a definition of functional capacity. Our Vocational Case Managers consult with the Nurse Case Manager when ever clinical expertise is required. Our Nurse Case Manager, Phyllis Rothman, RN,

can often obtain **clarity from physicians** that may not always understand the DOT definitions for Physical Demands. **5 Year - Medial Cost Projections** can be prepared to estimate medical “benefits secured” {FS 440.34 (2)}.

Life Care Plans (LCPs) required for significant medical claim case work are prepared by Phyllis Rothman, RN, MS, **Certified Life Care Planner.** She has experience in preparing LCPs for catastrophic WC and PI medical claims.

England & Associates - Case Management Tracking System: Version 2.0

We had originally developed our **Case Management Tracking System (CMTS)** for internal usage when we discovered the alternative would require purchasing three (3) separate software

programs to manage case notes, invoicing and case load management. CMTS was copyrighted in October of 2007. Our Case Management Programmer is now finalizing **Version 2.0** with

unique enhancements for contact tracking, case load management, DWC-21s and reporting. Current users and future purchasers of CMTS may have the benefit of a new DWC-21 file format

developed specifically to accommodate **electronic submission** of all **DWC-21s** to BRRS. CMTS will operate within XP or Vista on individual PCs or a Network multi-user environment.

CMTS Features: Case Notes, Demographics, Service Activity , Productivity Measurement, Accounts Receivable Management & Data Base Reports.

The CMTS Manual has over 42 screens that were developed through practice to facilitate user functions. CMTS tracks key case contacts:

- Attorneys
- Carriers
- Clients

- Adjusters
- Physicians
- Case Managers
- Therapists
- Employers

The CMTS Software will create date stamped case notes for electronic files.

The CMTS software will convert service contacts into line item billing for Florida DWC-21s or generic Professional Invoices that may be used in multiple systems or private pay service scenarios. Case Manager hours are tracked by the case, by the invoice, or case load.



Florida 2009 Legislative Session: Reactions To the Supreme Court Decision



Emma Murray v. Mariner Health and ACE, USA. This case, heard by the Supreme Court in April, 2008, finally resulted in an October, 2008, Decision. The Court determined that a “reasonable fee” must be awarded pursuant to F.S. 440.34 (3). The fee schedule established by the 2003 Amendments created a statutory ambiguity. The JCC had calculated a fee of **\$684.84** under the 2003 Fee Schedule. The 1st District Court of Appeal affirmed the JCC’s Decision. The Supreme Court reversed the 1st DCA Decision and Ordered payment of the

Claimant Attorney’s fee of **\$16,000** (135 hours at \$125 an hour). The result of this ruling is that Judges of Compensation Claims now have the discretion to award hourly fees that significantly exceed the 2003 Fee Schedule.

The National Council of Compensation Insurance (NCCI) estimated a 2% savings following the 2003 WC Reform Amendments. There have been 6 consecutive decreases in rates that resulted in a **60% decrease** of overall average rates. Following the

Court Decision, NCCI requested a 9% rate increase. The Office of Insurance Regulation (OIR) approved a 6.4% rate increase in January, 2009.

Legislative Activity began immediately following the October Decision and has continued through the current **Florida Legislative Session**. The House and Senate have Bills that would legislatively resolve the impact of the Murray Decision. Neither SB2072 or HB903 have passed in their original form.

Bureau of Rehabilitation & Reemployment Services

NEW —> Administrative Rules Effective March 17, 2009

Electronic Submission of the DWC-21 (Reemployment Services Billing Form) is now mandated by Rule No. 6A-22.010 for Qualified Rehabilitation Providers and Carriers. This Rule was proposed when published in the Florida Administrative Weekly on **May 16, 2008**. QRPs and Florida WC Carriers may expect to see Educational Work Shops and more information on this topic in the very near future. The Florida **Bureau for Rehabilitation & Reemployment Services (BRRS)** has been working on an electronic process to obtain DWC-21s electronically for years. A very small number of carriers submit DWC-21s electronically. The new rule proposes that **Qualified Rehabilitation Providers (QRPs)** facilitate the process by manually entering data into the BRRS electronic system. The Carrier may then, electronically approve or disapprove DWC-21s, prior to releasing them for submission to BRRS. For some QRPs this may involve a “double entry” of data by themselves or clerical support staff. Carrier’s with systems in place may require QRPs to submit through their electronic system.

Electronic Submission of the DWC-22 (Reemployment Status Review Form) is also mandated by Rule No. 6A-22.010 for Carriers. The DWC-22 was originally created with the 1994 WC Reform Legislation. This form requires the Claim Adjuster to report any and all cases to BRRS that involve Claimants expected to have difficulty with returning to work. The form has never been used extensively by Carriers. The form has the potential of identifying “**red flag**” cases that would require Medical and Vocational Rehabilitation Services to facilitate return to work. The DWC-21 was originally thought to have the potential of expediting **early referrals** for necessary services. Claim Adjusters not familiar with this form may expect to see BRRS and DWC Work Shops that address its use in general and specifically the new Electronic Submission mandate.

More New Rules Effective March 17, 2009 have addressed Rehabilitation Provider Qualifications, Vocational Assessments, BRRS Screening Process, Reemployment Services, and BRRS Fee Rates paid to Qualified Rehabilitation Providers. If you have not read the Florida Administrative Weekly, you may expect to see the Final Rules on the BRRS Web Site and distributed electronically. These Administrative Rules are implemented under the Department of Education (BRRS) authority of Section 440.491 (1) (b) of the Florida Statutes. Administrative Rules have the effect of Law to implement Statutes.

IARP - Florida Chapter - Legislative Committee Activity

Our Director of Rehabilitation Services, Bill R. England, MS, CRC, CDMS, has been actively involved with IARP-Florida for the last 10 years. He has been a member of IARP National since 1982. In 2008 he was recognized at the IARP National Conference in Los Angeles as the Outstanding Individual Rehabilitation Professional of the year. In 2008 and 2009 he has continued his involvement with IARP-Florida as the Co-Chair of the Legislative Committee with Gil Spruance, President of Spruance & Associates in Jacksonville, Florida. They both traveled to Tallahassee this year to meet with Senator, Jim King, and Representative, David Rivera. They promoted IARP’s Legislative Agenda and concerns about Non-QRP Providers in Florida. They met with BRRS Bureau Chief, Reggie Watkins, and his staff to review the impact of New Rules on QRPs.

England & Associates

3901 66th Street North, Suite 101
St. Petersburg, Florida 33709

Phone: (727) 347-0386

Fax: (727) 345-6126

E-mail: EAssociates@TampaBay.RR.com

<http://www.breaREHAB.com>

England & Associates - Rehabilitation Services



England & Associates is centrally located in the city of St. Petersburg, Florida. We provide Vocational and Medical Rehabilitation Case Management and Evaluation Services primarily in an area surrounding Tampa Bay in Central Florida. We serve the

entire State of Florida and provide out-of-state case services upon request from our referral sources.

Rehabilitation Service Venues include: Florida Workers Compensation, Family Law, Dissolution, Auto Injury, Personal Injury, Longshore & Harbor Workers Act, Federal Employees Compensation Act (FECA), Jones Act, Social Security, Florida and out-of-state Workers' Compensation. Our primary referral sources are Attorneys and Insurance Carriers. We have expanded to provide services to the Social Security Administration, Department of Vocational

Rehabilitation (DVR), and the Bureau of Rehabilitation and Reemployment Services (BRRS).

Medical Case Management Services are provided within all venues upon request. Our Nurse Case Manager has specialized professional expertise in TBI Case Management and Life Care Plans. She is a **Certified Life Care Planner**, who has provided Life Care Plans and cost projections ranging from several thousand to over four million dollars on WC and PI case work. Phyllis Rothman, RN, MS, CLCP, is an experienced Medical Rehabilitation Case Man-

ager, who will **expedite return to work** when obtaining reviews of Job Descriptions, Work Capacity, Work Releases, and documentation of Functional Capacity Evaluations.

Vocational Rehabilitation Services are provided by **Certified Rehabilitation Counselors**, who manage case work in the most cost effective manner concluding evaluations expeditiously to provide Reemployment Assessments, Vocational Evaluations and Testing that will objectively document the Client's Reemployment status, Employability, and wage earning capacity.