

69L-22.006 Screening Process.

(1) A request for screening must be made using Form DFS-F3-DWC-23, Request for Screening, as incorporated by reference in Rule 69L-22.011, F.A.C. Before the Department will consider a request complete and initiate a screening, the injured employee must:

(a) Complete, sign and submit Form DFS-F3-DWC-23, Request for Screening;

(b) Complete, sign and submit Form DFS-F3-DWC-27, Reemployment Services Questionnaire, as incorporated by reference in Rule 69L-22.011, F.A.C.;

(c) Provide documentation to establish identity and employment eligibility. Such documentation shall be consistent with the acceptable documents for verifying identity and employment eligibility as required by the U.S. Department of Homeland Security, U.S. Citizenship and Immigration Services' Form I-9, Employment Eligibility Verification (Effective 01/20/25), which is incorporated by reference herein and available at <http://flrules.org/Gateway/reference.asp?No=Ref-19170>.

(d) Provide the most current DFS-F5-DWC-25, Florida Workers' Compensation Uniform Medical Treatment/Status Report Form, as incorporated by reference in Rule 69L-7.720, F.A.C., from all authorized treating physicians.

(2) An injured employee may submit an electronic Request for Screening and Reemployment Services Questionnaire through the Injured Employee Web Portal located on the internet at <https://wcres.fldfs.com/resportal/ieweb/ielogin.aspx>. An electronically submitted Request for Screening and Reemployment Services Questionnaire shall be considered electronically signed by the injured employee.

(3) The screening process shall consist of:

(a) A review of all available medical and vocational documentation relevant to the compensable injury to determine whether the injured employee is able to perform the duties of the pre-injury occupation;

(b) A review of the documentation which supports the payment of temporary partial disability and wage loss benefits to determine the injured employee's inability to obtain suitable gainful employment because of his or her injury;

(c) An interview with the injured employee; and,

(d) A vocational assessment. The vocational assessment shall determine the relevance and weight of the following factors in the case: the permanent physical restrictions, if any, present in the case; the availability of employment with the employer at the time of the injury; the injured employee's transferable skills and the labor market; whether the injured employee conducted an unsuccessful job search, and the reasons the job search was unsuccessful; the injured employee's education and academic skills and vocational education; the injured employee's motivation; the injured employee's financial ability to complete a training and education program; and the availability of transportation to allow the injured employee to complete a training and education program. The vocational assessment shall determine whether the injured employee is eligible or ineligible to receive reemployment services. If the injured employee is eligible to receive reemployment services, the vocational assessment shall determine which of the following shall be offered to the injured employee: job placement assistance, on-the-job training, a vocational evaluation, or a training and education program costing less than \$2,500 and lasting twelve (12) months or less.

(4) A rehabilitation provider performing vocational assessments shall:

(a) Conduct an initial interview with the injured employee within seven (7) days of accepting the referral;

(b) Submit to the Department within thirty (30) calendar days of the initial interview a written report which shall address each of the vocational assessment factors enumerated above and discuss how the provision of the recommended service(s) will facilitate reemployment;

(c) Conduct an exit interview with the injured employee; and,

(d) Submit to the Department, within ten (10) days of submission of the written report, a signed statement affirming the rehabilitation provider has discussed the results of the vocational assessment with the injured employee.

(5) The carrier shall provide, within 10 business days of receipt of a request from the Department, any medical, vocational, and other requested documents or reports related to the injured employee's workers' compensation claim.

(6) The Department may request the information directly from the authorized treating physician(s), or rehabilitation provider(s).

(7) The Department may provide the following vocational assessment services as part of the screening process to determine eligibility: orientation, employability skills training, counseling, vocational testing, transferable skills analysis, labor market surveys, vocational assessment services, job analysis and evaluation.

(8) The Department shall not provide any reemployment services, including a vocational evaluation unless the injured employee provides documentation to establish identity and employment eligibility. Such documentation shall be consistent with the acceptable

documents for verifying identity and employment eligibility as required by the Department of Homeland Security, U.S. Citizenship and Immigration Services' Form I-9, Employment Eligibility Verification, which is incorporated by reference in this Rule.

(9) The Department shall not provide a vocational evaluation or any reemployment services when form DFS-F3-DWC-23, Request for Screening, and all documents specified in subsection 69L-22.006(1), F.A.C., are received by the Department more than one (1) year from the date of last payment of indemnity benefits or the furnishing of remedial treatment, care, or attendance from the employer or carrier.

(10) Following a Department screening the Department shall not provide any additional reemployment services or refer the injured employee for a vocational evaluation:

(a) If the injured employee's medical condition is unresolved or unstable, until such time as the medical condition becomes stable;

(b) If the injured employee has reached maximum medical improvement and returned to and maintained suitable gainful employment for at least ninety (90) calendar days; or

(c) If the injured employee refuses to accept reemployment services from the Department.

(11) The Department shall not refer the injured employee for a vocational evaluation if the injured employee:

(a) Has returned to suitable gainful employment as a result of placement services provided by the Department;

(b) Has no documented permanent physical restrictions related to the injury;

(c) Has transferable skills which would allow the injured employee to return to suitable gainful employment;

(d) Was terminated by the employer for good cause unrelated to the injury or any restrictions or limitations resulting therefrom;

(e) Terminated suitable gainful employment for reasons unrelated to the injury; or

(f) Refused an offer of employment within the injured employee's functional limitations and restrictions, and such employment would pay at least eighty percent (80%) of the compensation rate.

Rulemaking Authority 440.491, 440.591 FS. Law Implemented 440.491 FS. History—New 7-1-96, Amended 6-26-01, Formerly 38F-55.009, Amended 5-5-04, 5-7-09, Formerly 6A-22.006, Amended 3-31-14, 5-9-16, 9-6-23, 9-2-26.