

September 18-19-2012

**ITEM 156-101-R0912**

**REVISION OF POLICY 713.2, WORKERS' COMPENSATION; EARLY RETURN TO WORK/MODIFIED DUTY**

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**THAT**

The Board of Regents of Higher Education hereby revises its Policy 713.2, Workers' Compensation; Early Return To Work/Modified Duty, to be consistent with changes to the Montana Workers' Compensation Act (MCA Title 39 Chapter 71 Part 10) and Administrative Rules published by the Montana Department of Labor (ARM 24.29.1801-1821), effective July 1, 2012.

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**EXPLANATION**

The Montana University System has been proactive regarding facilitating return-to-work opportunities since at least 2003 when the BOR adopted its current Early Return to Work Policy (policy 713.2) as it was preparing to self-insure its workers' compensation obligations.

As part of significant workers' compensation reform legislation, the 2011 MT Legislature passed a first-ever statutory requirement that insurers, including self-insurers, have a written "Stay-at-Work/Return-to-Work Assistance Policy that explains to the worker the process of evaluation, planning, implementation, and provisions of services to facilitate the workers' return to work as soon as possible following injury or occupational disease."

MUS Self-Insured Workers' Compensation Program has adopted compliant policy and campuses are refining their policies and procedures where necessary to comport with the new requirements. The Work Comp Committee recommends the BOR revise its current Policy 713.2 to be consistent with the new Montana Stay-at-Work/Return-to-Work Assistance statute and rules.

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**ATTACHMENTS**

Attachment #1: Revised Policy 713.2, Stay-at-Work/Return-to-Work Assistance Policy