



Oregon provides funds to help get injured workers back to work — Part One: EAIP

By Kelly J. Niemeyer • April 22, 2015

With all there is to remember about claims adjusting, sometimes a bit of review is helpful to avoid overlooking a benefit you can use.

The Oregon Workers' Compensation Division administers a multi-purpose fund from which the costs of several programs are paid. One such program is the Employer-At-Injury Program (EAIP). You may want to review the new administrative rules that became effective March 1, 2015.

The EAIP is an employer option/employer activated program that helps subsidize the additional costs an employer might otherwise incur when making modified employment ("transitional work") available to injured workers recovering from a compensable injury. EAIP assistance is available to employers during the course of a claimant's accepted disabling claim. This is true for both initial injury claims and aggravation claims while the worker is recovering from a compensable injury that prevents him or her from engaging in their regular work.

Benefits Available under the EAIP (OAR 436-105-0520)

- Wage Subsidy: 45 percent of gross wages for "transitional" work for a designated number of months;
- Worksite Modifications: costs of modifying worksites to meet the worker's medical restrictions (up to a fixed maximum);
- EAIP Purchases: payment for items such as books, tuition, fees or equipment (up to a fixed maximum) necessary to update the worker's skills to meet the requirements of transitional employment with the employer.

Insurer's Obligations under the EAIP

The insurer must actively participate in providing EAIP assistance to qualifying employers. This includes notifying the worker and the employer of their "rights" under the program at specified stages of the workers' compensation claim process, facilitating the necessary work releases, helping to identify appropriate transitional jobs and processing the employer's request for Wage Subsidy assistance to the Workers' Compensation Division.

Reimbursements from the Program

OAR 436-105-0540 details the procedures for applying for reimbursements

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EAIP funds to get the injured worker back to work (continued)

for EAIP expenditures. Note, the necessary forms and instructions, along with a helpful summary of EAIP procedures can be found in Bulletin No. 260. (http://www.cbs.state.or.us/wcd/policy/bulletins/docconv_12819/bul_260.pdf)

While insurers cannot be expected to know the various intricacies of the EAIP, trained staff at the Workers' Compensation Division are available to answer questions. If you have questions regarding the EAIP program, feel free to contact me directly (kellyn@rwwcomplaw.com) or any of the other attorneys at Reinisch Wilson Weier PC. ■

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