

**Effective 5/12/2015**

**49-21-406 Rehabilitative employment -- Interview by disability specialist -- Maintaining eligibility -- Additional treatment and care.**

- (1)
  - (a) If an eligible employee, during a period of total disability for which the monthly disability benefit is payable, engages in approved rehabilitative employment, the monthly disability benefit otherwise payable shall be reduced:
    - (i) by an amount equal to 50% of the income to which the eligible employee is entitled for the employment during the month; and
    - (ii) so that the combined amount received from the rehabilitative employment and the monthly disability payment does not exceed 100% of the eligible employee's monthly salary prior to the employee's disability.
  - (b) This rehabilitative benefit is payable for up to two years or to the end of the maximum benefit period, whichever occurs first.
- (2)
  - (a) Each eligible employee receiving a monthly disability benefit shall be interviewed by the office.
  - (b) The office may refer the eligible employee to a rehabilitative or vocational specialist for a review of the eligible employee's condition and a written rehabilitation plan and return to work assistance.
- (3) If an eligible employee receiving a monthly disability benefit fails to participate in an office-approved rehabilitation program within the limitations set forth by a physician, the monthly disability benefit may be suspended or terminated.
- (4) The office may, as a condition of paying a monthly disability benefit, require that the eligible employee receive medical care and treatment if that treatment is reasonable or usual according to current medical practices.

Amended by Chapter 328, 2015 General Session