

January 27, 2025

**INSURANCE INFORMATION NOTICE 2025-3**

**SUBJECT: Transitional Return to Work Plan**

**This notice supersedes Insurance Information Notice 2024-2 dated May 7, 2024**

In accordance with [La. R.S. 39:1547](#), the Office of Risk Management (ORM) strives to ensure workers are transitioned back to work following an on-the-job injury or illness as soon as possible within the medical restrictions set forth by their physician. This may include temporary modification to an employee's job duties, equipment, or work schedule, as appropriate. ORM requires each state agency to develop and implement a Transitional Return to Work Plan which outlines its procedure for achieving this goal.

In collaboration with the Office of the State Americans with Disabilities Act Coordinator (OSADAC), ORM has integrated the transitional return to work process into the overarching ADA accommodation process. Doing so ensures that agencies fully satisfy their legal obligation under both state and federal law to provide reasonable accommodations to employees with disabilities, regardless of the cause of the medical condition. The transitional return to work process should be considered and evaluated consistent with the same ADA procedures utilized by agencies for employees with non-work related medical conditions.

For this reason, ORM and OSADAC have updated the recommended template located on the following pages for agency use in revising their Transitional Return to Work Plan.

For any questions related to transitional return to work, please contact:

Marsha Pemble, [Marsha.Pemble@la.gov](mailto:Marsha.Pemble@la.gov), (225) 342-8500  
Rikki Nicole David, [Rikki.David@la.gov](mailto:Rikki.David@la.gov), (225) 342-1243

# TRANSITIONAL RETURN TO WORK (RTW) PLAN

## I. AUTHORITY

The Transitional Return to Work Plan for the [Insert Department Name] has been established in accordance with the following regulations:

- Office of Risk Management (ORM) [[La. R.S. 39:1547](#) and Insurance Information Notice 2025-3]
- [R.S. 23:1020.1\(B\)\(3\)](#); [R.S. 23:1020.1\(C\)\(2\)](#); [R.S. 23:1226](#) of the Louisiana Workers' Compensation Law
- Americans with Disabilities Act (ADA), as amended [[29 CFR 1630.1 – 1630.16](#)]

## II. OVERVIEW

The goal of ORM's Transitional Return to Work program is to assist an employee who is injured on-the-job return to work as soon as medically possible within the physical restrictions determined by their physician until they are capable of returning to regular duty. This may be achieved through temporary modification of the injured employee's job tasks, equipment or work schedule, as appropriate.

More expansively, the ADA requires employers, upon request, to provide workplace modifications, known as reasonable accommodations, to assist an employee with a disability in performing the essential functions of their job. The disability need not have occurred as a result of an on-the-job injury which may be compensable as a workers' compensation claim.

Thus, the [Insert Department Name] has an obligation to **all** employees, regardless of the cause of their medical condition, to provide reasonable accommodations to facilitate their expedient return to work.

## III. PROCEDURE

For the workplace injury/illness of an employee, the [Insert Department Name] shall:

1. **CLAIMS REPORTING:** Electronically report the workers' compensation claim immediately, but not later than 5 days after the injury or knowledge, via ORM's Third-Party Administrator's (TPA) [online claims management system](#).
2. **MEDICAL LIMITATIONS:** If the workplace injury/illness results in "lost time," meaning the employee is unable to work, the [Insert Department Name] shall provide the employee a Physician's Modified Work Information Sheet for completion by the employee's healthcare provider. Employees have the right to seek medical treatment from a healthcare provider of their choice for a work-related

injury/illness. Employees are required to return the Physician's Modified Information Sheet to Human Resources (HR) within 24 hours of receipt of the signed form from their treating physician.

3. ADA INTERACTIVE PROCESS: Upon receipt, the [Insert Department Name] shall consider a completed Physician's Modified Work Information Sheet to be an ADA accommodation request. Such documentation shall substitute for any department-specific Request for Accommodation and/or Medical Inquiry forms. Based on such documentation, the [Insert Department Name] shall initiate the interactive process with the employee in order to fully understand their functional limitations and to discuss possible accommodation(s), if available, that would facilitate the employee's return to duty status. The accommodation analysis and procedure shall be in accordance with the agency's ADA policy mandated by [La. R.S. 46:2594](#), which is [Insert Policy No. and Title].
4. ACCOMMODATION DETERMINATION: The final determination regarding the employee's return to duty status, consistent with identified medical restrictions, shall be made by the Appointing Authority. This determination will be made in accordance with ADA requirements and considerations including: the employee's ability to perform the essential functions of the job; the nature, extent and duration of accommodation(s) needed; and whether such accommodation(s) are reasonable or would impose an undue hardship on the [Insert Department Name].
  - NOTE: The ADA does not require the removal of essential functions, displacement of an existing employee, or the creation of a new position as a reasonable accommodation for an employee with a disability.

#### **IV. VOCATIONAL REHABILITATION**

ORM, through its TPA, provides a Return to Work Coordinator who is a licensed vocational rehabilitation specialist to serve as a liaison between employees and agencies, if warranted, on matters related to disability management and return to work planning. This RTW coordinator works with the employee (or legal representative) and agency representatives to facilitate the employee's return to work, to include communicating with medical providers and providing progress reports to agency personnel. The RTW coordinator is responsible for ensuring that vocational rehabilitation standards are adhered to as required by law.

#### **V. LOSS PREVENTION AUDITS**

For purposes of the annual loss prevention audit, the [Insert Department Name] must maintain the following documentation throughout the audit year for all work-related injuries:

1. A completed Transitional Return to Work Audit Form (DA WC4000) to record the status of its Return to Work program for each month; and
2. All completed Physician's Modified Work Information Sheets received by the department.

## **VI. QUESTIONS**

Questions regarding this Transitional Return to Work Plan should be addressed to [Insert Name and Contact Information].

Effective Date: [Insert Date]

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Agency Head Signature