

# Administrative Procedures – Proposed Coversheet

## Instructions:

In accordance with Title 3 Chapter 25 of the Vermont Statutes Annotated and the “Rule on Rulemaking” adopted by the Office of the Secretary of State, this proposed filing will be considered complete upon the submission and acceptance of the following components:

- Proposed Rule Coversheet
- Adopting Page
- Economic Impact Statement
- Public Input Statement
- Scientific Information Statement (if applicable)
- Incorporated by Reference Statement (if applicable)
- Clean text of the rule (Amended text without annotation)
- Annotated text (Clearly marking changes from previous rule)

All forms requiring a signature shall be original signatures of the appropriate adopting authority or authorized person, and all filings are to be submitted at the Office of the Secretary of State, no later than 3:30 pm on the last scheduled day of the work week.

The data provided in text areas of the proposed coversheet form will be used to generate a notice of rulemaking in the newspapers of record. Publication of notices will be charged back to the promulgating agency based on the word count of the notices.

**Certification Statement:** As the adopting Authority of this rule (see 3 V.S.A. § 801 (b) (11) for a definition), I approve the contents of this filing entitled:

**Rule Title: Vermont Workers' Compensation Vocational Rehabilitation Rules.**

\_\_\_\_\_, on \_\_\_\_\_.  
(signature) (date)

Printed Name and Title:  
Lindsay H. Kurrle, Commissioner, Vermont Department of Labor

RECEIVED BY: \_\_\_\_\_

- Proposed Rule Coversheet
- Adopting Page
- Economic Impact Statement
- Public Input Statement
- Scientific Information Statement (if applicable)
- Incorporated by Reference Statement (if applicable)
- Clean text of the rule (Amended text without annotation)
- Annotated text (Clearly marking changes from previous rule)
- ICAR Approval received by E-mail.

1. TITLE OF RULE FILING:

Vermont Workers' Compensation Vocational Rehabilitation Rules.

2. ADOPTING AGENCY:

Vermont Department of Labor

3. PRIMARY CONTACT PERSON:

*(A PERSON WHO IS ABLE TO ANSWER QUESTIONS ABOUT THE CONTENT OF THE RULE).*

Name: Phyllis G. Phillips, Esq.

Agency: Vermont Department of Labor

Mailing Address: P.O. Box 488, 5 Green Mountain Drive,  
Montpelier, VT 05601-0488

Telephone: 802 828 - 4043 Fax: 802 828 - 2195

E-Mail: phyllis.phillips@vermont.gov

Web URL(*WHERE THE RULE WILL BE POSTED*):

<http://labor.vermont.gov/legal-information/proposed-rules/>

4. SECONDARY CONTACT PERSON:

*(A SPECIFIC PERSON FROM WHOM COPIES OF FILINGS MAY BE REQUESTED OR WHO MAY ANSWER QUESTIONS ABOUT FORMS SUBMITTED FOR FILING IF DIFFERENT FROM THE PRIMARY CONTACT PERSON).*

Name: J. Stephen Monahan, Esq.

Agency: Vermont Department of Labor

Mailing Address: P.O. Box 488, 5 Green Mountain Drive,  
Montpelier, VT 05601-0488

Telephone: 802 828 - 2138 Fax: 802 828 - 2195

E-Mail: stephen.monahan@vermont.gov

5. RECORDS EXEMPTION INCLUDED WITHIN RULE:

*(DOES THE RULE CONTAIN ANY PROVISION DESIGNATING INFORMATION AS CONFIDENTIAL; LIMITING ITS PUBLIC RELEASE; OR OTHERWISE EXEMPTING IT FROM INSPECTION AND COPYING?)* No

IF YES, CITE THE STATUTORY AUTHORITY FOR THE EXEMPTION:

N/A

PLEASE SUMMARIZE THE REASON FOR THE EXEMPTION:

N/A

6. LEGAL AUTHORITY / ENABLING LEGISLATION:

*(THE SPECIFIC STATUTORY OR LEGAL CITATION FROM SESSION LAW INDICATING WHO THE ADOPTING ENTITY IS AND THUS WHO THE SIGNATORY SHOULD BE. THIS SHOULD BE A SPECIFIC CITATION NOT A CHAPTER CITATION).*

21 V.S.A. §641.

**7. CONCISE SUMMARY (150 WORDS OR LESS):**

This is a comprehensive rewrite of the vocational rehabilitation rules, which have not been updated since 2007. Among the key changes:

The proposed rules clarify that the goal of vocational rehabilitation -- to restore earning skills -- should be accomplished in a timely and cost-effective manner.

Under proposed Rules 51.2100 and 51.2403, an injured worker with a part-time work release may be entitled to vocational rehabilitation services. This will not be the case if the injured worker voluntarily limits himself to part-time work for Social Security Disability purposes.

Proposed Rule 53.0000 eliminates the Department of Aging and Disabilities screening process. Instead, adjusters will screen injured workers for vocational rehabilitation entitlement based on easily verifiable responses to two questions.

Proposed Rule 51.2206 discourages Return to Work Plans that will take more than 52 weeks to complete. Proposed Rules 55.8000 and 57.2100 discourage excessive plan amendments and suspensions.

**8. EXPLANATION OF WHY THE RULE IS NECESSARY:**

The current vocational rehabilitation screening, entitlement and planning process is time-consuming, unwieldy and, in many instances, ineffective. A major goal of the proposed rules is to streamline the process so that injured workers can regain the earning skills they need to return to suitable work as quickly and cost-effectively as possible.

The current process by which injured workers are screened by the Department of Aging and Independent Living's (DAIL) Division of Vocational Rehabilitation (DVR) for possible entitlement to vocational rehabilitation services has proven to be particularly inefficient. As a result, many insurance adjusters have chosen to bypass screening and instead refer the injured worker directly to a vocational rehabilitation counselor for entitlement assessment. Doing so can be unnecessarily costly.

The proposed rule eliminates DAIL's screening role and assigns responsibility instead to the insurance adjuster. At the same time, recognizing the importance of early -- and accurate -- screening, the proposed rule requires the adjuster to provide easily verifiable, written documentation in support of his or her screening determination.

Another goal of the proposed rules is to assist injured workers who are medically restricted as a consequence of their injury from returning to full-time work, but still have a part-time work capacity. Under the current rules, part-time work is not "suitable employment," and thus does not trigger entitlement to vocational rehabilitation services. However, part-time work may still qualify as "regular gainful work," which is the standard under Vermont law for determining permanent total disability. It is possible under the current rules for an injured worker to be deemed ineligible for permanent total disability benefits at the same time that he or she is denied access to vocational rehabilitation services, therefore. The proposed rules will close this benefit/service gap, which works a hardship on a vulnerable yet deserving subset of workers' compensation claimants.

## 9. LIST OF PEOPLE, ENTERPRISES AND GOVERNMENT ENTITIES AFFECTED BY THIS RULE:

Injured workers, employers, workers' compensation insurance carriers and adjusters, attorneys and

vocational rehabilitation counselors. Other affected groups may include the Vermont Association for Justice, Lake Champlain Chamber of Commerce, AFL-CIO, Vermont State Employees Association, Vermont Chamber of Commerce, Vermont-National Education Association, State of Vermont Risk Management Division, American Insurance Association, Associated Industries of Vermont and Associated General Contractors of Vermont, as well as the attorneys, insurance adjusters and vocational rehabilitation counselors on the Department's workers' compensation list serve and other workers' compensation insurance and vocational rehabilitation provider interest groups.

The proposed change in the vocational rehabilitation screening requirement will also affect the Department of Aging and Independent Living's (DAIL) Division of Vocational Rehabilitation (DVR).

**10. BRIEF SUMMARY OF ECONOMIC IMPACT (150 WORDS OR LESS):**

By eliminating DAIL's role in screening injured workers for possible entitlement to vocational rehabilitation services, the proposed rule will result in a slight decrease in DVR revenues. In 2017, DVR conducted only 99 screenings, which, at \$160.00 per screening, generated revenues totaling \$15,840.00. Notably, the number of screening referrals received was far less than the number of entitlement assessments actually performed, meaning that, as noted above, most adjusters opted simply to bypass the unwieldy process.

By facilitating more cost-effective and timely return to work processes, the proposed rule will likely have a positive economic effect on injured workers, employers and insurance carriers.

The National Council on Compensation Insurance (NCCI) estimates that vocational rehabilitation benefits account for less than 2% of workers' compensation benefit costs in Vermont. It is thus reasonable to assume that the proposed changes will have a negligible impact on insurance premium rates.

11. A HEARING IS SCHEDULED .

12. HEARING INFORMATION

(THE FIRST HEARING SHALL BE NO SOONER THAN 30 DAYS FOLLOWING THE POSTING OF NOTICES ONLINE).

IF THIS FORM IS INSUFFICIENT TO LIST THE INFORMATION FOR EACH HEARING PLEASE ATTACH A SEPARATE SHEET TO COMPLETE THE HEARING INFORMATION NEEDED FOR THE NOTICE OF RULEMAKING.

Date: 7/9/2018

Time: 09:00 AM

Street Address: Vt. Dept. of Labor, 5 Green Mountain Drive, Montpelier, VT

Zip Code: 05601

Date: 7/11/2018

Time: 10:00 AM

Street Address: Vt. Dept. of Labor, 200 Asa Bloomer Building, Rutland, VT

Zip Code: 05701

Date: 7/13/2018

Time: 09:00 AM

Street Address: Vt. Dept. of Labor, 63 Pearl St., Burlington, VT

Zip Code: 05401

Date:

Time: AM

Street Address:

Zip Code:

13. DEADLINE FOR COMMENT (NO EARLIER THAN 7 DAYS FOLLOWING LAST HEARING):

7/20/2018

14. KEYWORDS (PLEASE PROVIDE AT LEAST 3 KEYWORDS OR PHRASES TO AID IN THE SEARCHABILITY OF THE RULE NOTICE ONLINE).

Workers' compensation

Workers' compensation proposed rules

Vermont Department of Labor proposed rules

Vocational rehabilitation

Vocational rehabilitation proposed rules

# Administrative Procedures – Adopting Page

## Instructions:

This form must be completed for each filing made during the rulemaking process:

- Proposed Rule Filing
- Final Proposed Filing
- Adopted Rule Filing
- Emergency Rule Filing

Note: To satisfy the requirement for an annotated text, an agency must submit the entire rule in annotated form with proposed and final proposed filings. Filing an annotated paragraph or page of a larger rule is not sufficient. Annotation must clearly show the changes to the rule.

When possible the agency shall file the annotated text, using the appropriate page or pages from the Code of Vermont Rules as a basis for the annotated version. New rules need not be accompanied by an annotated text.

1. TITLE OF RULE FILING:

Vermont Workers' Compensation Vocational Rehabilitation Rules.

2. ADOPTING AGENCY:

Vermont Department of Labor

3. AGENCY REFERENCE NUMBER, IF ANY:

N/A

4. TYPE OF FILING (*PLEASE CHOOSE THE TYPE OF FILING FROM THE DROPDOWN MENU BASED ON THE DEFINITIONS PROVIDED BELOW*):

- **AMENDMENT** - Any change to an already existing rule, even if it is a complete rewrite of the rule, it is considered an amendment as long as the rule is replaced with other text.
- **NEW RULE** - A rule that did not previously exist even under a different name.
- **REPEAL** - The removal of a rule in its entirety, without replacing it with other text.

This filing is **AN AMENDMENT OF AN EXISTING RULE** .

5. LAST ADOPTED (*PLEASE PROVIDE THE SOS LOG#, TITLE AND LAST DATE OF ADOPTION FOR THE EXISTING RULE*):

SOS Log #16-041, Vermont Workers' Compensation Vocational Rehabilitation Rules 58.3000, 58.4000, 58.5000 and 58.5500, adopted 11/1/2016.

SOS Log #07-002, Vermont Workers' Compensation Vocational Rehabilitation Rules, adopted 3/5/2007.



# Administrative Procedures – Economic Impact Statement

## Instructions:

In completing the economic impact statement, an agency analyzes and evaluates the anticipated costs and benefits to be expected from adoption of the rule. This form must be completed for the following filings made during the rulemaking process:

- Proposed Rule Filing
- Final Proposed Filing
- Adopted Rule Filing
- Emergency Rule Filing

Rules affecting or regulating public education and public schools must include cost implications to local school districts and taxpayers in the impact statement (see 3 V.S.A. § 832b for details).

The economic impact statement also contains a section relating to the impact of the rule on greenhouse gases. Agencies are required to explain how the rule has been crafted to reduce the extent to which greenhouse gases are emitted (see 3 V.S.A. § 838(c)(4) for details).

All forms requiring a signature shall be original signatures of the appropriate adopting authority or authorized person.

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**Certification Statement:** As the adopting Authority of this rule (see 3 V.S.A. § 801 (b) (11) for a definition), I conclude that this rule is the most appropriate method of achieving the regulatory purpose. In support of this conclusion I have attached all findings required by 3 V.S.A. §§ 832a, 832b, and 838(c) for the filing of the rule entitled:

**Rule Title: Vermont Workers' Compensation Vocational Rehabilitation Rules.**

\_\_\_\_\_, on \_\_\_\_\_.  
(signature) (date)

Printed Name and Title:

Lindsay H. Kurrle, Commissioner, Vermont Department of Labor

*BE AS SPECIFIC AS POSSIBLE IN THE COMPLETION OF THIS FORM, GIVING FULL INFORMATION ON YOUR ASSUMPTIONS, DATABASES, AND ATTEMPTS TO GATHER OTHER INFORMATION ON THE NATURE OF THE COSTS AND BENEFITS INVOLVED. COSTS AND BENEFITS CAN INCLUDE ANY TANGIBLE OR INTANGIBLE ENTITIES OR FORCES WHICH WILL MAKE AN IMPACT ON LIFE WITHOUT THIS RULE.*

1. TITLE OF RULE FILING:

Vermont Workers' Compensation Vocational Rehabilitation Rules.

2. ADOPTING AGENCY:

Vermont Department of Labor

3. CATEGORY OF AFFECTED PARTIES:

*LIST CATEGORIES OF PEOPLE, ENTERPRISES, AND GOVERNMENTAL ENTITIES POTENTIALLY AFFECTED BY THE ADOPTION OF THIS RULE AND THE ESTIMATED COSTS AND BENEFITS ANTICIPATED:*

Injured workers, employers, workers' compensation insurance carriers and adjusters, attorneys and vocational rehabilitation counselors. Other affected groups may include the Vermont Association for Justice, Lake Champlain Chamber of Commerce, AFL-CIO, Vermont State Employees Association, Vermont Chamber of Commerce, Vermont-National Education Association, State of Vermont Risk Management Division, American Insurance Association, Associated Industries of Vermont and Associated General Contractors of Vermont, as well as the attorneys, insurance adjusters and agents and vocational rehabilitation counselors on the Department's workers' compensation list serve and other workers' compensation insurance and vocational rehabilitation provider interest groups.

By streamlining the vocational rehabilitation process so that injured workers can regain the earning skills they need to return to work as quickly and cost-effectively as possible, the proposed rules will benefit injured workers, employer and workers' compensation insurers alike. Vocational rehabilitation providers will also benefit from the more specific

direction that the proposed rules offer, particularly as to assistance with part-time employment.

More specifically, the National Council on Compensation Insurance (NCCI) has suggested that streamlining the entitlement process could result in more injured workers utilizing vocational rehabilitation services, which might lead to higher vocational rehabilitation benefit costs. NCCI anticipates that any such increase will likely be offset, at least in part, by proposed Rule 51.2200, which encourages the use of cost-effective Return to Work Plans that can be completed in 52 weeks or less. Given that vocational rehabilitation benefit costs account for less than 2% of total workers' compensation benefit costs in Vermont (\$151 million in 2015), the overall impact of the proposed rules on workers' compensation insurance premium rates will likely be negligible.

By eliminating the Department of Aging and Independent Living's Division of Vocational Rehabilitation's (DVR) role in screening injured workers for possible entitlement to vocational rehabilitation services, the proposed rule will result in a slight decrease in DVR revenues. In 2017, DVR conducted only 99 screenings, which, at \$160.00 per screening, generated revenues totaling \$15,840.00. Notably, the number of screening referrals received was far less than the number of entitlement assessments actually performed, meaning that most adjusters opted simply to bypass the unwieldy process and make direct referrals for entitlement assessments. This likely resulted in unnecessary claim expenses.

#### 4. IMPACT ON SCHOOLS:

*INDICATE ANY IMPACT THAT THE RULE WILL HAVE ON PUBLIC EDUCATION, PUBLIC SCHOOLS, LOCAL SCHOOL DISTRICTS AND/OR TAXPAYERS:*

None anticipated.

#### 5. COMPARISON:

*COMPARE THE ECONOMIC IMPACT OF THE RULE WITH THE ECONOMIC IMPACT OF OTHER ALTERNATIVES TO THE RULE, INCLUDING NO RULE ON THE SUBJECT OR A RULE HAVING SEPARATE REQUIREMENTS FOR SMALL BUSINESS:*

The workers' compensation statute applies equally to all employers in Vermont, and thus does not permit separate requirements for small business.

**6. FLEXIBILITY STATEMENT:**

*COMPARE THE BURDEN IMPOSED ON SMALL BUSINESS BY COMPLIANCE WITH THE RULE TO THE BURDEN WHICH WOULD BE IMPOSED BY ALTERNATIVES CONSIDERED IN 3 V.S.A. § 832a:*

The rules are required by statute, 21 V.S.A. §641(a)(3) and (5), §641(d) and §641(e)(2). Given that virtually 100 percent of small businesses are required by statute to purchase workers' compensation insurance from insurance carriers, none of the alternatives considered in 3 V.S.A. §832a could be applied here.

**7. GREENHOUSE GAS IMPACT: EXPLAIN HOW THE RULE WAS CRAFTED TO REDUCE THE EXTENT TO WHICH GREENHOUSE GASES ARE EMITTED, EITHER DIRECTLY OR INDIRECTLY, FROM THE FOLLOWING SECTORS OF ACTIVITIES:**

**a. TRANSPORTATION —**

*IMPACTS BASED ON THE TRANSPORTATION OF PEOPLE OR PRODUCTS (e.g., “THE RULE HAS PROVISIONS FOR CONFERENCE CALLS INSTEAD OF TRAVEL TO MEETINGS” OR “LOCAL PRODUCTS ARE PREFERENTIALLY PURCHASED TO REDUCE SHIPPING DISTANCE.”):*

No impact anticipated.

**b. LAND USE AND DEVELOPMENT —**

*IMPACTS BASED ON LAND USE AND DEVELOPMENT, FORESTRY, AGRICULTURE ETC. (e.g., “THE RULE WILL RESULT IN ENHANCED, HIGHER DENSITY DOWNTOWN DEVELOPMENT.” OR “THE RULE MAINTAINS OPEN SPACE, FORESTED LAND AND /OR AGRICULTURAL LAND.”):*

No impact anticipated.

**c. BUILDING INFRASTRUCTURE —**

*IMPACTS BASED ON THE HEATING, COOLING AND ELECTRICITY CONSUMPTION NEEDS (e.g., “THE RULE PROMOTES WEATHERIZATION TO REDUCE BUILDING HEATING AND COOLING DEMANDS.” OR “THE PURCHASE AND USE OF EFFICIENT ENERGY STAR APPLIANCES IS REQUIRED TO REDUCE ELECTRICITY CONSUMPTION.”):*

No impact anticipated.

d. WASTE GENERATION / REDUCTION —

*IMPACTS BASED ON THE GENERATION OF WASTE OR THE REDUCTION, REUSE, AND RECYCLING OPPORTUNITIES AVAILABLE (e.g., “THE RULE WILL RESULT IN REUSE OF PACKING MATERIALS.” OR “AS A RESULT OF THE RULE, FOOD AND OTHER ORGANIC WASTE WILL BE COMPOSTED OR DIVERTED TO A ‘METHANE TO ENERGY PROJECT’.”):*

No impact anticipated.

e. OTHER —

*IMPACTS BASED ON OTHER CRITERIA NOT PREVIOUSLY LISTED:*

No other impacts anticipated.

# Administrative Procedures – Public Input Statement

## Instructions:

In completing the public input statement, an agency describes what it did do, or will do to maximize the involvement of the public in the development of the rule. This form must be completed for the following filings made during the rulemaking process:

- Proposed Rule Filing
- Final Proposed Filing
- Adopted Rule Filing
- Emergency Rule Filing

### 1. TITLE OF RULE FILING:

Vermont Workers' Compensation Vocational Rehabilitation Rules.

### 2. ADOPTING AGENCY:

Vermont Department of Labor

### 3. PLEASE LIST THE STEPS THAT HAVE BEEN OR WILL BE TAKEN TO MAXIMIZE PUBLIC INVOLVEMENT IN THE DEVELOPMENT OF THE PROPOSED RULE:

The Department already has solicited and considered input from vocational rehabilitation counselors, workers' compensation insurance adjusters and workers' compensation claimant and defense attorneys.

Following ICAR approval, the Department will post the proposed rules on its website. It also will send an email notification to solicit input from various interest groups whose members are likely to be affected. These include the Vermont Association for Justice, Lake Champlain Chamber of Commerce, AFL-CIO, Vermont State Employees Association, Vermont Chamber of Commerce, Vermont-National Education Association, State of Vermont Risk Management Division, American Insurance Association, Associated Industries of Vermont and Associated General Contractors of Vermont, and Vermont League of Cities and Towns, as well as the attorneys, insurance adjusters and vocational rehabilitation counselors on the Department's workers' compensation list serve and other workers' compensation insurance and vocational rehabilitation provider interest groups.

Also following ICAR approval, the Department will schedule and convene public hearings in Burlington, Montpelier, and Rutland, Vermont.

4. BEYOND GENERAL ADVERTISEMENTS, PLEASE LIST THE PEOPLE AND ORGANIZATIONS THAT HAVE BEEN OR WILL BE INVOLVED IN THE DEVELOPMENT OF THE PROPOSED RULE:

Vermont Association for Justice, Lake Champlain Chamber of Commerce, AFL-CIO, Vermont State Employees Association, Vermont Chamber of Commerce, Vermont-National Education Association, State of Vermont Risk Management Division, American Insurance Association, Associated Industries of Vermont and Associated General Contractors of Vermont, and Vermont League of Cities and Towns, as well as the attorneys, insurance adjusters and vocational rehabilitation counselors on the Department's workers' compensation list serve and other workers' compensation insurance and vocational rehabilitation provider interest groups.

# Administrative Procedures – Incorporation by Reference Statement

## Instructions:

In completing the incorporation by reference statement, an agency describes any materials that are incorporated into the rule by reference and why the full text was not reproduced within the rule.

This form is only required when a rule incorporates materials by referencing another source without reproducing the text within the rule itself (e.g. federal or national standards, or regulations).

Copies of incorporated materials will be held by the Office of the Secretary of State until adoption or formal withdrawal of the rule is complete. Materials will be returned to the agency upon completion of the rule.

All forms requiring a signature shall be original signatures of the appropriate adopting authority or authorized person.

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**Certification Statement:** As the adopting Authority of this rule (see 3 V.S.A. § 801 (b) (11) for a definition), I certify that the text of the matter incorporated has been reviewed by an official of the agency. I further certify that the agency has the capacity and intent to enforce the rule entitled:

**Rule Title: Vermont Workers' Compensation Vocational Rehabilitation Rules.**

\_\_\_\_\_, on \_\_\_\_\_.  
(signature) (date)

Printed Name and Title:

Lindsay H. Kurrle, Commissioner, Vermont Department of Labor



## 1. TITLE OF RULE FILING:

Vermont Workers' Compensation Vocational Rehabilitation Rules.

## 2. ADOPTING AGENCY:

Vermont Department of Labor

3. DESCRIPTION (*DESCRIBE THE MATERIALS INCORPORATED BY REFERENCE*):

Consumer Price Index, CPI-U, U.S. city average, not seasonally adjusted, or successor index, as calculated periodically by the U.S. Department of Labor, Bureau of Labor Statistics.

4. OBTAINING COPIES: (*EXPLAIN HOW THE MATERIAL(S) CAN BE OBTAINED BY THE PUBLIC, AND AT WHAT COST*):

The incorporated materials are available online at the U.S. Department of Labor, Bureau of Labor Statistics, [www.bls.gov/cpi](http://www.bls.gov/cpi).

5. MODIFICATIONS (*PLEASE EXPLAIN ANY MODIFICATION TO THE INCORPORATED MATERIALS E.G., WHETHER ONLY PART OF THE MATERIAL IS ADOPTED AND IF SO, WHICH PART(S) ARE MODIFIED*):

The incorporated materials have not been modified in any respect.

6. REASONS FOR INCORPORATION BY REFERENCE (*EXPLAIN WHY THE AGENCY DECIDED TO INCORPORATE THE MATERIALS RATHER THAN REPRODUCE THE MATERIAL IN FULL WITHIN THE TEXT OF THE RULE*):

The incorporated materials change monthly, such that it would be impractical to reproduce them in full within the text of the rule.

## 7. THE INCORPORATED MATERIALS HAVE BEEN REVIEWED BY THE FOLLOWING OFFICIAL OF THE AGENCY:

Phyllis G. Phillips, Esq., Workers' Compensation Administrative Law Judge, Vermont Department of Labor

J. Stephen Monahan, Esq., Director, Workers' Compensation and Safety Division, Vermont Department of Labor

## 8. THE ADOPTING AGENCY REQUESTS THAT ALL COPIES OF INCORPORATED MATERIALS BE KEPT WITH THE RULE FILING .

Run Spell Check