

# *Nevada* Workers' Compensation Law Blog

NEWS & UPDATES ON WORKERS' COMPENSATION LAWS & HELPFUL INFORMATION ON THE CLAIMS PROCESS

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## Will You Need Retraining?

If you are seriously hurt on the job, and think that you might not be able to return to your old occupation, you may need to be retrained to do a different kind of work. Under Nevada workers' compensation law, you may qualify for vocational rehabilitation services and benefits if your treating doctor gives you permanent work restrictions that prevent you from returning to your old line of work, and your employer does not offer a permanent light duty job. ( Read more about permanent light duty job offers [here](#).)

If you do qualify for retraining, the adjuster will assign you a vocational rehab counselor to work with you to find a suitable retraining program. While the vocational rehabilitation counselor is not an employee of the insurance company or the TPA managing the claim, the counselor usually has some type of formal or informal contractual relationship with the insurer or TPA. Counselors vary in personality, in their knowledge of the local labor market, and in their awareness of the best vocational schools in the area. Some are better than others about finding the best retraining option for the injured worker while reporting to an insurer who is focused on keeping costs to a minimum.

Unfortunately, not much progress has been made in the past 25 years when it comes to successfully returning injured workers to the work force according to recent [research](#) by the Workers Compensation Research Institute. The current

economy, and Las Vegas' staggering unemployment statistics in particular, make it particularly challenging to find retraining programs that will actually result in a job with decent wages for an injured worker starting his or her career over again. However, **it can be done, and an injured worker who is willing to put effort into the process can have a successful second career!**

Many injured workers are shocked to learn that the voc rehab counselor expects the claimant to do most of the research on retraining options, and that only 60 days is allowed to do this research program. I like for my clients who know they are likely to need retraining, to begin thinking and planning about retraining immediately. While an injured worker won't know how much retraining he or she may be entitled to until after the impairment evaluation, the worker can still get started on researching possible options. **An injured worker will only receive an additional 28 days of benefits to look for a job after schools ends. It is therefore crucial that the retraining program be suited to the individual and that it result in an actual job in the future.**