



## **Arkansas Workers' Compensation Training Guide Return to Work (RTW) and Disability Management**

### **Purpose**

This training document explains Return to Work (RTW) and disability management principles under Arkansas workers' compensation law. It is designed for adjusters, case managers, disability managers, and claims professionals focused on timely recovery, cost containment, and defensible benefit administration.

### **1. Overview of Return to Work in Arkansas Workers' Compensation**

Return to Work refers to the coordinated process of safely returning an injured employee to productive employment as soon as medically appropriate.

#### **Key objectives:**

- Promote functional recovery and employee engagement
- Reduce indemnity exposure
- Comply with Arkansas workers' compensation statutes
- Support employer operational needs

Arkansas workers' compensation strongly favors early, medically appropriate RTW.

### **2. Legal Authority**

RTW and disability management are governed by:

- Ark. Code Ann. § 11-9-102 (definitions)
- Ark. Code Ann. § 11-9-505(a)(1) (refusal of suitable employment)
- Ark. Code Ann. § 11-9-521 and § 11-9-522 (temporary and permanent disability)

- Arkansas Workers' Compensation Commission case law

### 3. Medical Foundation for Return to Work

RTW decisions must be supported by medical evidence.

Key medical elements:

- Work status reports from the treating physician
- Functional restrictions and limitations
- Anticipated duration of restrictions
- Objective findings supporting restrictions

Restrictions should be specific, measurable, and task-oriented.

### 4. Types of Return to Work

Full Duty RTW:

- Employee returns to regular job without restrictions.
- Temporary disability benefits typically end.

Modified or Light Duty RTW:

- Employee returns with restrictions.
- Temporary Partial Disability (TPD) benefits may apply.
- Employer must provide work within medical restrictions, if possible.

Transitional Duty:

- Short-term, goal-oriented assignments.

- Designed to progress the employee toward full duty.

#### 5. Refusal of Suitable Employment (Ark. Code Ann. § 11-9-505)

If an employer offers suitable employment within medical restrictions and:

- The employee refuses without reasonable cause, or
- Voluntarily removes themselves from employment,

Temporary disability benefits may be suspended.

Documentation of the job offer and restrictions compliance is critical.

#### 6. Disability Management During the Healing Period

Disability management focuses on:

- Coordinating medical care and work capacity
- Monitoring compliance with treatment and restrictions
- Identifying barriers to RTW
- Communicating with employers and providers

TTD benefits generally apply when no suitable work is available during the healing period.

#### 7. Post-Healing Period Disability Management

Once the healing period ends:

- TTD benefits end.
- Permanent work restrictions may apply.
- RTW decisions may impact wage-loss and permanent disability exposure.

Vocational rehabilitation may be considered in appropriate cases.

## 8. Role of the Case Manager

Case managers play a key role by:

- Clarifying restrictions with providers
- Facilitating communication between stakeholders
- Supporting safe and timely RTW
- Identifying psychosocial or compliance barriers

## 9. Common RTW and Disability Management Disputes

Disputes often arise regarding:

- Ambiguous or overly restrictive work limitations
- Alleged inability to perform modified duty
- Employer compliance with restrictions
- Benefit entitlement following RTW attempts

The AWCC evaluates medical evidence, job descriptions, and credibility.

## 10. Practical Best Practices

- Obtain detailed, written work restrictions.
- Use clear job descriptions for RTW approval.
- Document all job offers and employee responses.
- Reassess restrictions regularly.
- Coordinate benefit adjustments promptly.
- Address non-medical barriers early.



## 11. Summary

Effective Return to Work and disability management are critical to successful Arkansas workers' compensation outcomes. Early coordination, medical clarity, and thorough documentation reduce claim duration, control costs, and support defensible benefit decisions.