

(1) REFER A COVERED EMPLOYEE WHO IS ENTITLED TO VOCATIONAL REHABILITATION SERVICES UNDER § 9-672 OF THIS PART XI OF THIS SUBTITLE TO AN APPROPRIATE VOCATIONAL REHABILITATION PROVIDER; AND

(2) OBTAIN FROM THE PROVIDER A VOCATIONAL REHABILITATION PLAN THAT INCLUDES:

(I) A VOCATIONAL ASSESSMENT; AND

(II) RECOMMENDATIONS FOR VOCATIONAL REHABILITATION SERVICES REASONABLY NECESSARY TO RETURN THE INJURED EMPLOYEE TO SUITABLE GAINFUL EMPLOYMENT.

(B) SUITABLE GAINFUL EMPLOYMENT.

IN DETERMINING WHETHER EMPLOYMENT IS SUITABLE GAINFUL EMPLOYMENT, CONSIDERATION SHALL BE GIVEN TO:

(1) THE QUALIFICATIONS, INTERESTS, INCENTIVES, PREDISABILITY EARNINGS, AND FUTURE EARNING CAPACITY OF THE COVERED EMPLOYEE;

(2) THE NATURE AND EXTENT OF THE DISABILITY OF THE COVERED EMPLOYEE; AND

(3) THE CURRENT AND FUTURE CONDITION OF THE LABOR MARKET.

(C) NOTICE.

ON RECEIPT OF A VOCATIONAL REHABILITATION PLAN, THE COMMISSION PROMPTLY SHALL GIVE WRITTEN NOTICE OF THE CONTENTS OF THE PLAN TO EACH PARTY.

(D) HEARING.

(1) WITHIN 15 DAYS AFTER THE DAY OF WRITTEN NOTIFICATION BY THE COMMISSION OF THE CONTENTS OF THE VOCATIONAL REHABILITATION PLAN, ANY PARTY IN INTEREST MAY REQUEST A HEARING TO CONTEST THE PLAN.

(2) AT THE HEARING, THE PARTIES MAY PRESENT ADDITIONAL EVIDENCE AS NECESSARY.

(3) AFTER THE HEARING, THE COMMISSION SHALL:

(I) WHOLLY OR PARTLY ACCEPT OR REJECT THE VOCATIONAL REHABILITATION PLAN; AND

(II) PASS AN APPROPRIATE ORDER ABOUT VOCATIONAL REHABILITATION OF THE COVERED EMPLOYEE.