



What to Do in the Event of a Workers Compensation Claim

A. Post Injury Procedures

1. Provide First Aid

Provide first aid when necessary if trained staff is available. You should have a relationship with a specified Preferred Medical Provider, and preferably a specific physician at that clinic in the Medical Provider Network (MPN). You should consult the medical provider if there are any questions at all about the injury.

Recognize that minor injuries can become major injuries if not properly treated. You also need to encourage your employees to report injuries to you or their supervisor as soon as possible.

2. After an Injury Occurs

Take or send the injured worker to your designated Preferred Medical Provider with a copy of the first aid letter. Everyone in your office should know where the Preferred Medical Provider is located, and all non-emergency employee injuries should be treated at the selected clinic.

If your operation requires your employees to be in the field at different locations (construction risks, as an example), each supervisor should have a list of Preferred Medical Providers closest to their current project.

Ideally, the employee should be driven to the clinic either by his/her supervisor or another company representative. Show your employees that you care.

3. Call Cavignac & Associates

Please contact:

Meghan Bankhead
Claim Specialist and Loss Control Services Assistant
Direct line: 619-744-0571
E-mail: mbankhead@cavignac.com

If Meghan Bankhead is not available, contact:

Bettye A. McLaurin, CRIS
Claim Coordinator
Direct line: 619-744-0556
E-mail: bmclaurin@cavignac.com



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A. Post Injury Procedures (continued)

4. Equipment-Related Injuries

Investigate the circumstances of injury, and if equipment malfunction contributed to the injury, prevent further use of the equipment until full repair and a safety check have been completed. **Do not repair or dispose of the malfunctioning equipment** until it has been inspected by the insurance company.

Don't hesitate to consult with your workers compensation Loss Control Department and/or the original equipment manufacturer.

5. Provide the Employee with an 'Employee's Claim for Workers Compensation Benefits' Form (DWC-1)*

State law requires that the **Employee's Claim for Workers Compensation Benefits (Form DWC-1)** be given to the employee within one (1) working day of notice of injury. This does not include minor injuries such as first aid.

If possible, you should have your employee complete and return the form to you immediately (on the spot). You should send the original of the employee claim form directly to your insurance company, keep a copy for yourself, and also provide a copy to the injured worker.

6. Prepare an 'Employer's Report of Occupational Injury or Illness' Form 5020*

Prepare an **Employer's Report of Occupational Injury or Illness (Form 5020)**. The law requires you to send the Employer's Report of Occupational Injury or Illness form to your insurance company within five (5) days after you have knowledge of the injury.

However, **we recommend that you report it within 24 hours** if possible. This will assist with the prompt delivery of benefits. Note that some insurance companies will allow you to complete this form either online or via an 800 number. If you are uncertain as to whether or not this is an option, contact your insurance agent, who will be able to help you.

Promptly return the Employer's Report of Occupational Injury or Illness to your insurance company. An employer's report should be sent even when a claim seems extremely doubtful. Sending an employer's report does not constitute an admission of liability. However, delays in reporting might make it more difficult to investigate the validity of a claim and control costs.

The report should include a complete explanation of the injury and the circumstances surrounding the accident. As a side note, don't wait to hear from the doctor before reporting a claim. The doctor will report his/her findings directly to your insurance company.



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A. Post Injury Procedures (continued)

7. Provide Modified Duty

The doctor should give your employee a notice stating when he/she can return to work. Occasionally, the doctor will recommend light or modified work. Ideally, you will have a Return to Work Program (see 'Workers Compensation: Providing an Effective Return to Work Program' in the Addendum), which makes available modified work that might be appropriate for the injured worker. It has been proven that modified work can speed recovery to full duty and reduce long-term workers compensation expenses.

8. Stay in Touch with Your Employees

Injured employees are often confused about the workers compensation process. They don't understand the benefits, and they may even feel that their job is in jeopardy. It is imperative to stay in touch with injured employees, explain their benefits, and address any questions or concerns that they may have.

9. Summary

The 24 hours immediately following an employee injury are critical when it comes to managing and controlling your workers compensation costs. In the event of employee injury, it is imperative that everyone in your firm who is responsible for employees be familiar with the process of how to report, evaluate, and monitor a workers compensation claim.



Post Accident Response Tools Workers Compensation Accident

B. Post Accident Response Checklist

Description	Yes	No	Comments
Report claims as soon as possible to Meghan Bankhead (619-744-0571) to develop claim management strategy, and then, if appropriate, to your insurance carrier.			
<ul style="list-style-type: none"> • Provide the injured employee with an employee claim form, Order for Treatment letter, Physician Return to Work Authorization form, and prepare your Employer's Report of Occupational Injury (DWC-1) 			
<ul style="list-style-type: none"> • Utilize the job description and 'Safe Room Job Analysis' to assist in expediting Early Return to Work. 			
<ul style="list-style-type: none"> • Send employee return to work letter. 			
<ul style="list-style-type: none"> • The most important step that you can take to lower your costs and manage your workers compensation claims is to report claims within 24 hours of injury. 			
Direct and control medical care by sending employee to insurance company's Medical Provider Network (MPN) Preferred Medical Provider or the pre-designated HMO doctor.			
Conduct detailed interviews and onsite investigations according to your Injury and Illness Prevention Program (IIPP) guidelines.			
Give injured employee the Injured Worker Checklist (see page 14) to promote the Early Return to Work culture.			
If the employee is taken off work, send the job description and letter to the medical clinic regarding Early Return to Work and your commitment to this program.			
Send a get-well card, and use a diary system to stay in touch with your injured employees as appropriate.			