

Facts about Workers Compensation

The Way It Was

In the early 20th century, a worker injured on the job had to sue his employer to recover medical expenses and lost wages.

Lawsuits took months and sometimes years. Juries had to decide who was at fault and how much, if anything, would be paid. In most instances, the worker got nothing. It was costly, time consuming, and often unfair.

The Way It Is

Today, the California workers compensation law provides a faster, fairer way to take care of injured workers... where fault doesn't have to be proved to recover medical expenses and lost wages.

This job injury insurance is paid for by your employer and supervised by the state. If you can't work due to a job-related injury or illness, workers compensation pays your medical bills and provides money to live on until you can return to work.

Who's Covered?

Almost any employee in California is protected by workers compensation, but there are a few exceptions. People in business for themselves and unpaid volunteers may not be covered. Maritime workers and Federal employees are covered by similar laws. If you have a question about coverage, ask your employer.

What's Covered?

Any injury or illness is covered if it's due to your job. Everything from first-aid type injuries to serious accidents are covered. (Some injuries from voluntary, off-duty recreational, social or athletic activity – for example, the company bowling team – may not be covered. Check with your supervisor or the Claim Administrator listed at the end of this document if you have questions.)

Coverage is automatic and immediate. There's no qualifying period, no need to earn a certain amount in wages before you're covered... protection begins the first minute you're on the job.

What You Have to Do

Immediately notify your supervisor or the employer representative listed at the end of this document so you can get medical help right away. If it's more than a simple first-aid injury, your employer will give you a claim form so you can describe the injury and how, when and where it happened. Complete the claim form and return it to your employer as soon as possible. Prompt reporting is the key to prompt benefits.

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Benefits

The California workers compensation law guarantees you three kinds of benefits:

1. Medical treatment to cure the injury... and no deductibles.
2. Tax-free payments to help replace lost wages while you're temporarily disabled. Additional payments are made if the injury results in a permanent disability or death.
3. Rehabilitation services necessary to get you back to work. The amount of the payments, and when and how they're paid, are part of state law. Only the state legislature can change the amounts.

All doctor bills and hospital expenses will be paid directly by the claim administrator whose name and address are posted at your workplace, so you should never see a bill.

If you're unable to work for more than three days, including weekends, you are entitled to compensation to help replace your lost wages. About two weeks after reporting the injury, you'll get a check... and every two weeks after that until the doctor says you can return to work. (Payment won't be made for the first three days, however, unless you're hospitalized as an inpatient or unable to work more than 14 days.)

The amount of these checks will be two-thirds of your average wage, up to a maximum set by the state legislature. It won't be the full amount of your regular paycheck, but there are no deductions and the payments are tax free.

Other Benefits

Workers compensation sometimes is confused with State Disability Insurance (SDI). They seem similar, but there are important differences. Workers compensation covers *on-the-job* injuries and illnesses and is paid for entirely by your employer. On the other hand, SDI covers *off-the-job* injuries or sickness, and is paid for by deductions from your paycheck.

If You Have Questions...

...ask your supervisor or employer representative. Or contact your employer's workers compensation claim administrator (the name, address and phone number appear at the end of this document and are posted at your workplace). You can also contact an information and assistance officer at the State Division of Workers Compensation. Information and assistance officers are available at no charge to answer questions and review problems. The local office is listed at the end of this document, or you can call 1-800-736-7401 or check the local listing in the white pages of the phone book under State Government Offices/Industrial Relations/Workers Compensation.

WORKERS COMPENSATION FRAUD IS A FELONY

Anyone who knowingly files or assists in the filing of a false workers compensation claim may be fined up to \$50,000 and sent to prison for up to five years (Insurance Code section 1871.4).

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More about Medical Care

Good medical care is important – to you, your family and your employer. Quality medical treatment is the quickest way to recovery.

- If first-aid is available at your workplace, get immediate treatment and report where, when and how the accident happened. If it's an emergency, get the best treatment available, then report the injury to your employer. If it's more than a simple first-aid injury, your employer will give you a claim form.
- To make sure you get all your benefits, complete the claim form and return it to your employer as soon as possible.
- If additional medical care is necessary, and you haven't selected a physician or Medical Provider Network (MPN) prior to the injury, your claim administrator will arrange appropriate treatment. The doctor will be familiar with workers compensation requirements and will report promptly so benefits can be paid.
- If you want to change doctors for any reason, ask your employer or claims administrator. They're as interested as you are in your prompt recovery and return to work and will give you a list of other qualified doctors to choose from.
- You're entitled to be treated by your own person physician if you've notified your employer of the doctor's name and address in writing *before* the injury. For further information, ask your employer.

This document is available in Spanish. For a free copy, please write or call:

California Workers Compensation Institute
1111 Broadway, Suite 2350
Oakland, CA 94607
Telephone 510-663-1063

Este folleto está traducido al español. Para conseguir una copia, favor de escribir o llamar a:

CWCI
1111 Broadway, Suite 2350
Oakland, CA 94601
Teléfono 510-663-1063

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In an Emergency...

1. Be sure first aid is given.
2. See that the insured employee is taken to a doctor or hospital, if necessary.
3. Report all injuries immediately to your supervisor or employer representative at _____ (telephone number) and request a claim form if it's more than a simple first-aid injury.

Any delay in reporting an injury may delay workers compensation benefits.

4. Call your employer representative or claim administrator if you have questions. Free help and information also is available by contacting a Division of Workers Compensation information and assistance officer at 1-800-736-7401 or at the local office listed below.

Street Address _____

City _____ Telephone _____

Emergency Phone Numbers

Doctor	_____	Police	_____
Hospital	_____	Fire	_____
Ambulance	_____		

Claims Administered by



Name _____

Address _____

City, State, Zip _____

Telephone _____

The information in this document has been approved by the administrative director of the Division of Workers Compensation.

Prepared and published as a community service by

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Medical Provider Networks (MPNs) What Are They?

An MPN is an entity or group of health care providers set up by your workers compensation insurance company and approved by the Division of Workers Compensation (DWC) Administrative Director to treat workers injured on the job. Each MPN must include a mix of doctors specializing in work-related injuries and doctors with expertise in general areas of medicine. MPNs are required to meet access to care standards for common occupational injuries and work-related illnesses.

The regulations require MPNs to follow all medical treatment guidelines established by the DWC, and must allow employees a choice of provider(s) in the network after their first visit. MPNs also must offer an opportunity for injured employees to get second and third opinions if they disagree with the diagnosis or the treatment offered.

Benefits of MPNs

1. By directing injured employees to an insurance company-approved MPN, medical control shifts from 30 days to the “life of the claim” if employees pre-designate the MPN as their doctor to handle work related injuries.
2. MPNs will save 15-30% in medical costs.
3. MPNs have agreed to comply with Early Return To Work (ERTW) guidelines.
4. Some insurance companies offer a premium discount if you use their approved networks.

Letter to All of Our Clients

The goal is to provide injured workers with quality medical care. A MPN is designed to allow for better management of medical care by ensuring that treatment is appropriate, prompt, and provided by quality practitioners.

Insurance companies are asking their clients take full advantage of the MPNs they provide. The following steps are intended to ensure employees are aware of their rights under the new regulations. Many of these notifications are required by state statute.

What Must You Do to Comply?

- Provide a copy of the MPN Employee Notice letter and list of facilities to your employees
- If you offer health insurance to your employees and you have not previously advised them of their right to “pre-designate” a physician, you must do so by providing enclosed “Physician Pre-designation Form”

What Must You Do after an Injury Occurs?

- In the event of an emergency, direct your injured employee to the nearest medical provider or hospital (emergency situations do not require treatment from a provider in the MPN)
- After the employee is stabilized, he or she should be re-directed into the MPN

If you have any questions, please contact Stuart Nakutin, Director of Claims and Loss Control.