Workers’ Compensation Overview for Administrative Staff

Presented by
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Workers’ Compensation Program Manager
Agenda

- W.C. - How does it work?
- University Program
- Cost Drivers
- Role of Administrative Staff
- Coverage
- Reporting
- Investigations
- Medical Treatment
- Compensation
- Return to Work
- Fraud
- Resources
What is Workers’ Compensation?

- Mandatory insurance
- Paid by employer
- Provides medical care
- Provides cash benefits

Due to WORK-RELATED injury or illness
What is it & how does it work?

- **AOE/COE** (Arising out of & occurring in the course & scope of employment)
- Must be caused by & happened on the job
- No fault system (few exceptions)
- Provides benefits to employees
  - Medical
  - Temporary Disability
  - Permanent Disability
  - Vouchers
  - Death
- Protects workers and employers
University Program

• Legally Uninsured (State of California)
  – No bond or certificate of insurance necessary per L.C. 3700
  – In risk pool (CSURMA)
• 2005/06: 92 claims filed
• 2006/07: 71 claims filed
• 2007/08: 75 claims filed
• Currently: 59 open claims
University Costs/Expenses

- **2004-05**: $3,000,000
- **2005-06**: $2,500,000
- **2006-07**: $3,000,000
- **2007-08**: $1,500,000
- **2008-09**: $2,000,000
- **2009-10**: $1,000,000
- **2010-11**: $0
- **2011-12**: $500,000

Legend:
- Premium/Risk Pool Contributions
- Expenses
2007/08 University Injury Chart

- Sprain/strains: 21
- Burn: 1
- Contusion: 9
- CT: 4
- Dermatology: 1
- Fracture: 3
- Internal: 7
- Puncture: 3
- Respiratory: 5
- Multi Body: 2
- Lacerture: 10
- Stress: 2

Legend:
- Burn
- Contusion
- CT
- Dermatology
- Fracture
- Internal
- Puncture
- Respiratory
- Multi Body
- Sprain/strains
- Stress
Cost Drivers

- Costs of doing business
- Deadlines
- Late Reporting
- Nature of Injuries/Illnesses
- Lost days
- Litigation
- Return to work
Role

- Call and report within 24 hours of knowledge, including international travel
- Call Risk mgmt if transportation is needed (if necessary)
- Manage forms – timelines
- Call and report any lost time
- Follow-up on signatures

Questions: Contact Risk Mgmt, extension 7346 or 2824
Role/Timelines

When injury/illness occurs:

• **Due in 24 Hours**
  – Call and report all injuries/illnesses to Risk Mgmt
  – Initiate paperwork
    • Injury/illness report
    • Claim form (always offer)
    • Medical Service Order (when necessary with map)
    • Position Description

• **Due in 48 Hours (to Risk Mgmt)**
  – Forward signed paperwork to Risk Mgmt

When employee returns to work

• Immediately obtain work status, forward to Risk Mgmt
• If work status is not provided, call Risk Mgmt immediately

*Questions: Contact Risk Mgmt, extension 7346 or 2824*
Coverage

Covered:
- Faculty, FERP’s & retired annuitants
- Staff
- Student assistants
- Graduate assistants
- Volunteers – authorized and approved

Questionable Coverage:
- Students working on stipends (per contract)
- Student interns (per contract)
- Visitors

Acceptance of coverage does not equal monetary compensation for all
Reporting

- Managers/ Supervisors Responsibilities
  - CALL & report within **24 Hours**
  - Return forms within 48 hours
  - Call for transportation
  - Report hazardous conditions or fraudulent suspicions
  - Secure defective equipment & notify EH&IS & Risk Mgmt
  - Work statuses to Risk Mgmt

*Driving injured/ill employees is prohibited*
Reporting

- Employee Responsibilities
  - CALL & report within **24 Hours**
  - Complete & return forms to mgr/supv
  - If pre-designating, return completed form to Risk Mgmt
  - Work statuses to mgr/supv
  - Report any hazardous conditions or fraudulent suspicions

*Driving injured/ill employees is prohibited*
**Reporting**

**Employee Injury/Illness Form**

- University Document
- On Risk Mgmt website
- Initiate form & circulate for signatures
- Employee/Volunteer completes part 1
- Mgrs/Supvs completes part 2 & verifies or completes part 1
Employee/ Volunteer Injury Report

Part I

**Personal information:**
Home address etc.

Date of birth must be completed

Indicate division, see drop down menu

Anyone can complete, just print the name of the person completing this section in signature box

Indicate start time

Indicate employment status
Employee/ Volunteer Injury Report
Part II

Top: Part 1
Verify all information (e.g. Division)

Indicate the first day of knowledge & time of injury

List any witnesses

List work schedule

Please follow-up on all signatures

Please write legibly

Check for incident only
Note: These also require timely reporting
Workers’ Compensation Claim Form

- State document
- Offer to employee
- On Risk Mgmt website
- Employee/ Volunteer completes top portion
- Risk Mgmt completes bottom portion
- Do not include Social Security number
Workers’ Compensation Claim Form (DWC1)

Top:
- Completed by employee

Bottom:
- DO NOT Include the Social Security number

Personal information
Reporting

Medical Form (Fullerton)

- Complete when medical is needed
- On Risk Mgmt website
- Mgrs/Supvs completes form
- Employee must bring to medical appointment
Medical Service Order Form

Top: Completed By manager/Supervisor only

Bottom: Completed by medical facility only
Reporting

Medical Form (Irvine)

- Complete when medical is needed
- On Risk Mgmt website
- Mgrs/Supvs completes form
- Employee must bring to medical appointment
Medical Service Order Form

Top:
Completed
By manager/
Supervisor
only

Bottom:
Completed by
medical facility
only
Reporting

Position Description

Signed by Employee
Reporting

Claims Administrator

Contact: Megan Warren

Sedgwick CMS
P.O. Box 3170
Rancho Cordova, CA 95740
(916) 851-8057
(866) 766-1115 (toll free)

Sedgwick does NOT handle International Claims
Reporting
Employees on International Travel

• For Employees:
  – Call and report within 24 hours
  – Call (800) 766-8206 within USA or Canada or call collect (202) 659-7777 outside of USA or Canada and please follow the instructions
  – Contact Risk Mgmt & manager immediately while still overseas
  – Seek treatment while overseas

• For Managers:
  – Call Risk Management immediately for instructions on forms
  – Encourage employee to seek treatment while still overseas

Questions: Contact Risk Mgmt, extension 7346 or 2824
Investigations

• **90 day discovery period**
• Statements
  – In-house
  – Off campus personnel
• Immediately notify EH&IS and Risk Mgmt of hazardous conditions or defective equipment
• Isolate defective equipment
Why first 90 days is crucial?

Non-litigated delayed claim
Reported **LATE**

- Date of Injury: 1-15-08
- **Decision date:** 4-14-08
- Manager DOK: 1-15-08
- WC Mgr DOK: 1-22-08
- Med requested: 1-30-08
- Investigation assignment rcvd: 2-05-08
- Investigation completed: 3-05-08
- Med appt set for: 3-20-08
- Med report rcvd: 4-15-08
Medical Treatment

- No out of pocket costs
- Transportation provided if necessary
- Treatment:
  - **Minor First Aid treatment** - By Department
  - St. Jude Heritage Medical Group (Occupational Health Svcs)
  - Saddleback Family and Urgent Care
    - Lake Forest, CA
    - Mission Viejo, CA
  or
  - Pre-Designated physician
- Use available eave credits - Appointments & PT
- Follow-up with treatment
- Treatment – Internationally
  - Seek treatment as directed unless there is an emergency

*Effective July 1, 2008: Student Health Center is no longer providing treatment for work-related injuries or illnesses*
St. Jude
2720 N. Harbor Blvd, #130
Fullerton, CA 92835

(714) 449-6200
Hours: 24 hours, 7 days a week
Saddleback Family & Urgent Care
22855 Lake Forest Drive
Lake Forest, CA 92630
(949) 452-7544
Hours: Mon-Fri 8am-8pm
Sat-Sun 8am-4pm

Saddleback Family & Urgent Care/ Mission Viejo Center
23962 Alicia Parkway
Mission Viejo, CA 92691
(949) 452-7699
Hours: Mon-Fri 7am-10pm
Sat-Sun 8am-8pm
Medical Treatment

Pre-Designation Form

- **Must** be on file prior to injury/illness
- On Risk Mgmt website
- Completed by employee & physician
- Physician must sign

**NOTICE OF PRE-DESIGNATION OF PERSONAL PHYSICIAN**

If you wish to pre-designate your personal physician, this form must be completed and signed by your personal physician. Failure to complete the form may result in liability for medical expenses.
Compensation

Accepted claims

– Industrial Disability Leave (IDL) – *Benefit provided by CSUF, Eligibility depends on participation in PERS retirement system*

– Temporary Disability (TD)

– Permanent Disability (PD)

– Supplemental Displacement Vouchers

*WC Benefits can affect FMLA (Family Medical Leave Act) WC & FMLA benefits run concurrently!*
Compensation

Industrial Disability Leave (IDL)

– Benefit meeting
– Must be PERS eligible
– Paid for 52 weeks over a 2 yr period beginning with first date of lost time
– Full pay first 22 days, then 2/3 of salary
– 3 day waiting period (WP)
  • Use available leave credits
  • Holidays = work days
– WP reversed at 14th day off

Not eligible for IDL

– FERP’s, retired annuitants, student workers, volunteers

WC Benefits can affect FMLA (Family Medical Leave Act)
WC & FMLA benefits run concurrently!
Compensation

Lost Time Examples

- Employee injured today
- Leaves work today because of injury/illness  
  REMAINDER OF DAY IS PAID AS AN ADMIN DAY IF ELIGIBLE.

- Employee injured today & continues working
- Comes in next day & leaves early  
  MUST USE AVAILABLE LEAVE CREDITS OR COMP TIME
Compensation

Delayed/ Denied claims

– Sedgwick CMS has **90 days** to accept/deny claim

– Medical treatment paid up to $10,000

– May receive non-industrial disability leave benefits

Questions: Please contact Angelica Perez (HR – Benefit Specialist/Leave Coordinator) x 5311

*WC Benefits can affect FMLA (Family Medical Leave Act)*

*WC & FMLA benefits run concurrently!*
Return to Work

Physician Driven

• Job description

• Physician evaluates ability to return to work

• Physician provides written restrictions

• Employee’s responsibility to bring RTW paperwork to department
Return to Work Process

Transitional return to work
• Temporary Restrictions

Permanent return to work
• Permanent Restrictions

Interactive Process
• Informal open discussions
Transitional Return to Work

In the Past…
- Maximum 90 days

Going Forward...
- Case by case
- Keep working as long as progress is made towards returning to full duty
Return to Work Process

Mgrs/Supvs determines if the department can **reasonably accommodate** the restrictions

- Department *can* accommodate
  - Meet with employee discuss restrictions
  - Periodic progress meetings

- Department *cannot* reasonably accommodate
  - Interactive process. Meetings with department/ employee
  - Findings presented
  - Still no work, Return to Work Committee convenes
  - Work search
  - Nothing available, employee remains off work
Fraud

- Reduced
- Penalties increased
- 20-25% of all claims are inappropriate
- Annual cost $5 billion
- Punishable by up to 5 years in prison and/or up to $50,000 in fines
- Results of prosecutions & convictions
  - Community Service
  - Fines
  - Probations
  - Jail
  - Restitution
Recap

WORKERS’ COMPENSATION = $$$$$$

Timely reporting
+ Timely & effective investigations
+ Timely medical treatment
+ Early Return to Work
= lower Workers’ Compensation Costs
Resources

• **Workers’ Compensation Program Manager**
  Name: Alisha Brown
  Phone: (714) 278-2824
  Loc: CP-700 (HR-Risk Mgmt Dept)

• **All information is available in your department office, on the University’s website under the heading “Risk Mgmt” or by calling extension 7346 or 2824.**

• **Information & Assistance Officer**
  (800) 736-7401 - recorded information
  Anaheim: (714) 414-1800
  Santa Ana: (714) 558-4597
  Long Beach: (562) 590-5240
  Los Angeles: (213) 576-7389
  Pomona: (909) 623-8568
  Riverside: (951) 782-4347
• Questions?