Workers Compensation Policies and Procedures: An Overview for Staff

Presented by
Alisha Brown
Workers’ Compensation Program Manager
Agenda

- W.C. - How does it work?
- University Program
- Cost Drivers
- Responsibilities
- 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: 81 open claims, up from 59 in 2/09
University Costs/Expenses

Premium/Risk Pool Contributions

Expenses
Cost Drivers

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

Staff
- Call and report within 24 hours of knowledge, including international travel
- Call Risk mgmt if transportation is needed (if necessary)
- If pre-designating, return completed form to Risk mgmt
- Call and report any lost time
- Follow-up on paperwork and signatures

Managers
- Designate individual in department
- Return signed forms within 48 hours
- Familiarize staff with procedures
- Encourage communication
- Send employees to St Jude or Saddleback
- Call Risk mgmt immediately if employee wants to treat elsewhere
- Become familiar with accounting for time off work
- Return all work statuses to Risk Mgmt

Driving injured/ill employees is prohibited
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)
• 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
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

#### Personal information
- Verify all information (e.g. Division)

#### Indicate the first day of knowledge & time of injury
- Check for incident only
- Note: These also require timely reporting

#### List any witnesses

#### List work schedule

#### Please follow-up on all signatures
- Please write legibly
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

Personal information

Top: DO NOT Include the Social Security number

Bottom: Completed by risk management
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
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

Claims Administrator

Contact: Megan Warren

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

*Sedgwick will call to discuss all claims*

*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**

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<td>Med appt set for:</td>
<td>3-20-09</td>
</tr>
<tr>
<td>Med report rcvd:</td>
<td>4-15-09</td>
</tr>
</tbody>
</table>
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
  - Pre-Designated physician
- Use available leave 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
**Medical Treatment**

**Pre-Designation Form**

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

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

If you wish to pre-designate your personal physician, this form must be completed and signed by you and your personal physician. Please send the completed form to University Risk Management, UCI-500.

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**Employee’s Name**:  

**Employee Signature**: __________

**Personal Physician Pre-Designation**

If an injury or illness occurs while I am employed at Cal State Fullerton, I hereby elect to be treated by my personal physician (M.D. or D.O.), named below, from the date of injury.

- **Name**: __________
- **Address**: __________
- **Phone Number**: __________

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**Personal Physician Acceptance of Employee Pre-Designation**

I agree to be the pre-designated personal physician for the regular appointment or my primary care physician (M.D. or D.O.) and I accept this designation. A copy of this form must be given to my employer. I certify that I am a licensed physician and that I will comply with all laws and regulations pertaining to the Practice of Medicine in the State of California.  

- **Physician’s Name**: __________
- **Address**: __________
- **Phone Number**: __________

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**Return this form to:**  

University Risk Management, Cal State Fullerton  

691 N. State College Blvd., Fullerton, California 92831

*Revised 2007*
Compensation

Accepted claims

- Industrial Disability Leave (IDL) – Benefit provided by CSUF, Eligibility depends on participation in PERS retirement system. EIDL for Unit 8 employees.

- 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. *(EIDL differs)*
- Full pay first 22 days, then 2/3 of salary
- 3 day waiting period (WP)
  - Use available leave credits (sick, comp time or vacation)
  - 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

• Department should get paperwork to Risk mgmt asap
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: (657) 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?