Facts About Workers’ Compensation

The Way It Was
In the early 20th century, workers injured on the job had to sue their 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. 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-boring, state-boring, employer-boring process is handled by the state. It pays your bills and if you can’t work due to a job-related injury or illness, provides money to help replace lost wages until you can return to work.

What’s Covered?
All reasonable and necessary medical care for your injury or illness... with no deductibles. Medical benefits may include treatment by a doctor, hospital services, lab tests, x-rays, physical therapy, medicines, medical equipment, and transportation costs to and from appointments. Workers’ compensation medical services are subject to authorization for medical necessity and there are limits on the number of chiropractic, physical therapy, and occupational therapy treatments allowed. Access to specialists, surgeons, therapists, or other resources that can help you find a new job. There are limits on how much you can spend for any item, but if you qualify, you’ll get information on what and when you can spend. The limits, documentation requirements, and deadlines for using this benefit.

Workers’ Compensation is sometimes confused with State Disability Insurance (SDI). They seem similar, but there are important differences. Workers’ compensation covers job-related 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 are not receiving workers’ compensation benefits, you may be able to receive SDI benefits by calling the local office of the state Employment Development Department listed in the government pages of your phone book, or learn more at www.edd.ca.gov/disability/.

If you receive a Supplemental Job Displacement Benefit, you may qualify for additional money from the “Return-to-Work Supplement Program.” This program is administered by the California Department of Industrial Relations, so if you qualify, a check will be sent directly to you. Workers’ compensation claims administrators are not a workers’ compensation benefit. For details on eligibility and how to apply, visit the Return to Work Supplement Program section of the Department of Industrial Relations website at www.dir.ca.gov/RTWSP/RTWSP.html for contact the local DMC Information and Assistance office listed in the back of this document.

If You Have Questions
Ask your supervisor or employer representative. Or contact the workers’ compensation claims administrator (the name and phone number are listed at the end of this document and are posted in the workplace). In addition, you can contact an information and assistance officer at the Department of Industrial Relations website at www.dir.ca.gov/RTWSP/RTWSP.html. Information and assistance officers are available at no charge to answer questions: review problem and provide additional written information about workers’ compensation. The local office is listed at the end of the “Checklist of Workers’ Compensation Benefits.”

Supplemental Job Displacement Benefit
If the claims administrator receives a discharge notice, and the claims administrator gives you a discharge notice, and the claims administrator has 20 days to provide you a Supplemental Job Displacement Benefit. This is a voucher for up to $10,000 that can be used for retraining or skill enhancement. You will pay for expenses up to the limits and deadlines for using this benefit.

If your or injury or illness causes permanent disability that prevents you from returning to work and your employer doesn’t offer an alternative workplace or retraining, you may be eligible for a supplemental job displacement benefit. This is a nontaxable voucher of up to $10,000 for education-related retraining and/or skill enhancement at state-approved schools and other resources and help you get back to work.

Temporary Disability
If you are unable to work for more than three days, including weekends, you are entitled to temporary disability (TD) payments to help replace your lost wages. About two weeks after reporting the injury, you’ll get a check from the claims administrator. You will continue to receive TD checks every two weeks until that date (plus any additional TD payments) to continue the “permanent disability (PD)” payments. (Payment won’t be made for the first three days, however, unless you’re hospitalized as an inpatient or unable to work for more than 4 days.) The amount of these temporary payments is determined by state law, which changes from time to time as the number of people applying for temporary disability payments increases. If your medical condition becomes permanent and stationary, you may be able to obtain State Disability benefits through the California Employment Development Department (EDD). You also may qualify for the benefits if you qualify for TD to be determined is here. There are limits on how much you can spend for any item, but if you qualify, you’ll get information on what and when you can spend. The limits, documentation requirements, and deadlines for using this benefit.

The amount paid to your employer the necessary information. You can use the optional (DMC Form 37S) to name a personal chiropractor or acupuncturist. Other rules apply, and you may need to see an employer-selected doctor first.

• If you have a paid, but you prediagnosed a personal physician prior to the injury, you may be eligible for a temporary disability (TD) payment for up to 30 days. If your employer, but you also receive a Personal Physician form (optional DWC form 9783) included in this document to give your personal physician the necessary information. You can use the optional (DMC Form 37S) to name a personal chiropractor or acupuncturist. Other rules apply, and you may need to see an employer-selected doctor first.

• You have a work injury or illness, immediately notify your supervisor or call the phone number of employer representative listed on the back of this document so you can get medical help right away. If it’s more than a minor injury requiring only first aid, you should file a claim, complete the “Employee” form of the claim, keep a copy and return the next to your employer. Your employer will then complete the “Employer” section, give you a signed and dated copy back from your employer the necessary information. You can use the optional (DMC Form 37S) to name a personal chiropractor or acupuncturist. Other rules apply, and you may need to see an employer-selected doctor first.

• If your injury or illness results in a permanent loss of physical or mental function, you may qualify for a permanent disability benefit. Additionally, you may qualify for a permanent injury, and any related retraining and/or skill enhancement at state-approved schools and other resources and help you find a new job. There are limits on how much you can spend for any item, but if you qualify, you’ll get information on what and when you can spend. The limits, documentation requirements, and deadlines for using this benefit.

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Workers' compensation fraud is a felony. Anyone who makes or causes to be made any knowingly false or fraudulent material statement for the purpose of obtaining or denying workers' compensation benefit or payments is guilty of a felony and may be fined and imprisoned.

When a work injury or illness occurs...
1. If emergency medical care is needed, call 911 or go to the nearest hospital emergency room.
2. Report injuries immediately to your supervisor or employer representative at (800) 225-3850. For nonemergency medical care, go to the clinic or doctor's office that is listed below on the workers' compensation provider list. Your employer or the employer's insurance carrier pays for the medical care. If you feel that your medical care is not being handled properly, you may file a complaint with the Division of Workers' Compensation. Your records will be confidential.

Workers' Compensation Provider List:

Physician: I agree to this Predesignation:

Date: __________

Employee Signature: ___________________________________________________________

Employee Name (please print): ____________________________________________________

Date: __________

Note to Physician: California workers' compensation medical services are subject to utilization review for medical necessity, reporting requirements, and the California Official Medical Fee Schedule. The following optional information may assist communication and facilitate the authorization, recoupment and payment processes.

Office Manager/Billing Contact: ____________________________________________

Phone: ____________________

Making Address (if different from street address):

Fax: ______________________

Physician License #:

Physician Tax I.D. #:

Optional Form

NOTICE OF PERSONAL PHYSICIAN

If you are self-employed, you may not have a personal physician. In that event, you may select any physician for your medical treatment. Your employer also is required to provide any necessary travel, food and lodging expenses. Any delay in reporting an injury may delay your worker's compensation benefits if you do not know of the injury within 30 days of the injury date. If you become ill because of a work-related injury or illness, you have a right to appeal that decision, but if you choose to appeal, don't delay because there is a deadline.

If you learn it was caused by your job. If a requested medical examination is medically necessary, you will receive information on how to appeal the decision, but it may be too late if you delay. If you feel that your medical care is not being handled properly, you may file a complaint with the Division of Workers' Compensation. Your records will be confidential.

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