



**The Nuts and Bolts of
Workers' Compensation**




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Agenda: Nuts & Bolts of WC

- Employer Date of Knowledge (EDOK)
- Time Loss
- Compensability Determination
- Medical Benefits
- Claim Closure
- Post-Closure Benefits
- Litigation and Settlement

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**Employer Date
of Knowledge
(EDOK)**



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Employer Date of Knowledge (EDOK)

All initial claim processing deadlines are based on the EDOK.

- EDOK: date employer first has notice/knowledge that the worker is filing a WC claim
 - **Note:** The notice of claim may be different from the notice of incident.
 - Notice of claim occurs when the employer first becomes aware that a worker has lost time from work or is seeking medical treatment for a work-related event.



Time Loss



Time Loss

- First time loss payment is due within 14 days from the EDOK
 - TTD: Temporary Total Disability
 - TPD: Temporary Partial Disability
- TTD/TPD is paid one week in arrears, and every 14 days thereafter
- TTD/TPD is calculated based on $66^{2/3}$ of a worker's Average Weekly Wage
 - **Note:** Average Weekly Wage is dependent on accurate wage information from members



Three Day Wait

- No time loss is due for the first 3 calendar days after the worker first misses time from work
- Exception: If completely disabled from work for 14 consecutive days with no release to work, then the 3-day wait period is due



Member may elect to pay Salary Continuation in lieu of time loss payments being issued.

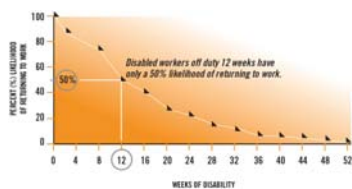
- | Step 1 | Step 2 | Step 3 |
|--|---|--|
| Member continues the worker's salary at the same pay rate with no disruption in deductions or benefits | CIS will calculate the TTD benefits which would have been due and report this to the Workers' Compensation Division | CIS mails a check for the amount of the TTD due to the member as salary continuation |



Return to Work (RTW)

Moira Przybylowski, CIS RTW Specialist

- Works directly with our members to assist with returning workers to work
- Helps reduce claim costs



Employer at Injury Program (EAIP)

- CIS assists with obtaining reimbursement through the EAIP
 - 50% reimbursement of wages paid to worker while working light duty
 - CIS can assist with the Direct Worker Purchases (chairs, laptops, etc.) through the EAIP Program, and can provide work site modifications (new work stations, etc.)



Compensability Determination



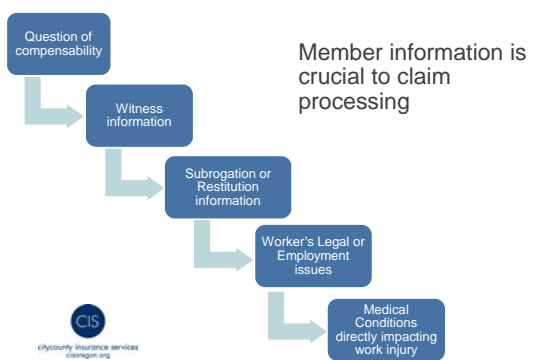
Compensability Determination

Accept/Deny

- CIS has 14 days to issue a denial of benefits
- If a 14 day denial is not issued, worker receives interim benefits until the Accept/Deny decision is made
 - Time loss benefits paid within this time period are not recoverable from the worker if the claim is later denied
- Accept/Deny Decision is due within 60 days from the EDOK

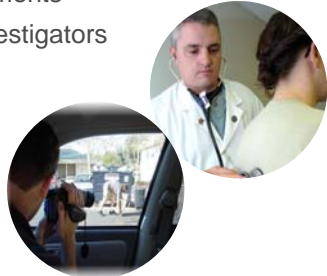


Compensability Determination



Tools used by CIS

- Independent Medical Examination (IME)
- Recorded Statements
- Surveillance/Investigators



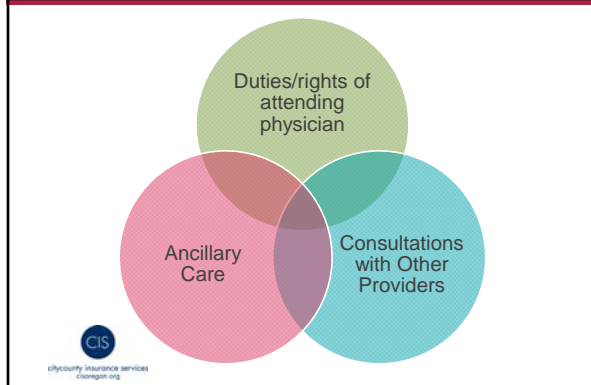
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Medical Benefits

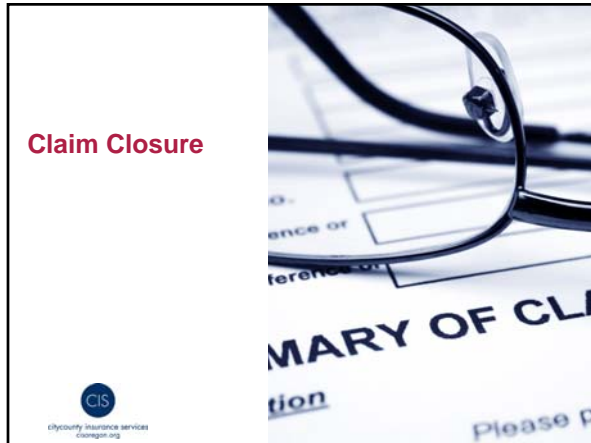


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Medical Benefits



Claim Closure



Claim Closure

Notice of Closure is issued once a worker is Medically Stationary:

- "Medically Stationary" is the date the attending physician determines that passage of time or treatment will not improve a condition



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Claim Closure

Worker may be eligible for:

- Permanent Partial Disability award
- Work Disability award

Note: The work disability award is very expensive and based on whether or not a worker can return to the job at injury without restrictions.

Therefore, an accurate job description and TTD rate is crucial.



Post-Closure Processing



Closure



Post-Closure Processing



Litigation and Settlement



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Litigation Issues

Initial claim denial	Partial denial of a condition after acceptance
Medical services	Time Loss
Claim closure	Aggravation

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Litigation Process

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    graph TD
      A[Administrative hearing] --> B[No jury - Administrative Law Judge]
      B --> C[Relaxed rules of evidence]
      C --> D[Appeals to Workers' Compensation Board]
  
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Settlement

CDA – Claims Disposition Agreement

- Worker settles all future Indemnity benefits on claim

DCS – Disputed Claims Settlement

- Claim is denied and worker settles all rights for the claimed condition

Global – CDA, DCS and Employment Release

- Worker settles all future Indemnity benefits for accepted conditions; the claim is denied; and worker releases employment rights





THANK YOU!



Contact Information

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