

## Policies and Procedures # HR 30



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### Subject: Workers Compensation (Administrative)

Department: HR

Approved/Amended On: 5/22/2012

Approved By: Riggs/Abney, Legal Counsel

Effective Date: 5/22/2012

This policy/procedure supersedes all other policies/procedures of the same subject.

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#### PURPOSE:

To educate employees regarding the specifics of injury reporting and workman's compensation benefits.

#### BACKGROUND:

It is important for employees to know what their rights and responsibilities are under Workman's Compensation law and EMSA policies.

#### POLICY:

##### Forms and Reporting

Any injury that occurs in the work place should be reported to your supervisor as soon as possible. Failure to timely report an injury ~~within 30 days~~ may result in the loss of benefits or the presumption that the injury is not work-related. Reporting the injury is the employee's responsibility. Once reported, ~~a Form 2~~ the necessary documentation will be completed and sent to the CFO COO, who will send a copy to the Workman's Compensation Court in Oklahoma City and to EMSA's private workman's compensation insurance carrier.

##### Medical Benefits

Under the Oklahoma Worker's Compensation Law you are typically entitled to receive ~~immediate and continuing~~ all reasonable and necessary medical attention for your work-related injury. ~~A person can go to their own primary care physician or a specialist as they see fit.~~ Although EMSA has the right to select the medical provider, your input, preferences and suggestions are welcome. Insurance will pay 100% of all necessary medical treatment related to the injury with no deductibles or co-payments. This includes doctor's visits, x-rays and other diagnostic testing, medical equipment, physical therapy, prescription drugs and second opinions before surgery. In addition, if your medical treatment requires you to travel over twenty (20) miles to receive, you will be entitled to recover mileage reimbursement at the statutory rate.

##### Salary Implications

Under state law, a person covered under workman's comp may be entitled to temporary compensation benefits (70% of the average weekly salary up to the State's maximum for temporary total disability, or TTD, benefits) for the time the treating physician verifies you are

unable to work. Sick leave and vacation, in that order, can be used to augment the 70% to bring it to 100% if so desired. If this is desired, please contact the HR Department so that the necessary payroll related adjustments can be made.

Sometimes during treatment, an injured worker may receive a medical release with temporary restrictions that would enable the worker to perform light duty work; however, there is no statutory right to be assigned light duty and such assignment will depend on several factors, including, but not limited to, availability and suitability, and will remain within the sole discretion of EMSA.

### **Other Benefits**

Some injuries (usually those requiring surgical repair) result in permanent partial disability or PPD. PPD is just what it says – a partial disability that is permanent in nature due to the work-related injury. This does not necessarily mean you cannot perform the essential functions of the job, but simply that, as a result of the injury, the affected body part(s) have suffered some degree of permanent damage for which the employee should be compensated. If you have PPD as a result of your injury, ~~your treating physician will address it and notify the Worker's Compensation carrier in the final report at the time you are released from medical care. Once notified, WC will contact you to discuss possible settlement of your claim within statutory guidelines.~~ Settlements for the degree of PPD will be determined by your medical providers and will be compensated for as set forth in the Worker's Compensation Act and according to statutory guidelines. Determinations of PPD occur after you have reached maximum medical improvement (MMI). MMI means the doctor states you are no longer in need of treatment and you have recovered to the fullest extent expected.

### **Key Things to Remember**

- Report all workplace injuries immediately
- Keep appointments made with your doctor
- Follow your doctor's instructions and treatment plan
- Contact your supervisor immediately when your doctor releases you for work