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Workers' Compensation Claims Reporting Procedures

The Claims Investigation Packet is to be used as a tool for the purpose of investigating an alleged incident and potential workers' compensation claim. The Incident Report, Supervisor's Report and Witness Statement should be copied onto company letterhead, which gives the forms a more "official" look. Please discard any other injury reporting forms in your possession and begin using the enclosed Claims Investigation Packet immediately. Packets should be distributed to all supervisors to allow employees easy access to the forms and promote prompt reporting of an injury. While it may seem as though there are numerous forms to be completed for an injury, it has been our experience that use of these forms (and the details they elicit) often discourages the filing of bogus claims.

Below is a description of each form and its purpose. Instructions are also outlined on each form individually.

1. The New Claim Checklist is the first form in the Claims Investigation Packet. This is an easy one page reference sheet where received reports can be checked off.

2. The Incident Report is to be completed and signed by the injured employee immediately after the injury occurs. If the injured employee waits to seek outside medical treatment, he or she may complete the bottom half of the second page at a later time. However, it is important that the first page and the top half of the second page be filled out as soon after the accident as possible.

3. The Authorization for Release of Medical Information should be signed by the employee as soon as possible after the incident. This form allows the employer, through WHPCB, to obtain medical records regarding claimant's medical treatment, either past or present.

4. The Physician's Report of Work Ability should be given to any employee who seeks outside medical treatment. When presenting for treatment, the injured worker should give this form to the medical personnel and ask them to complete it. The injured worker should then return this form to the employer prior the employee's return to work.

5. The Supervisor's Report of Incident is to be completed by the employee's supervisor after an initial investigation into the alleged incident. Typically, this form should be completed within twenty-four hours of the incident.

6. The Witness Statement is to be completed by all individuals who witnessed the accident. If possible, witnesses should not discuss the incident amongst themselves prior to completing this form.

7. The BWC First Report of Injury (FROI-1) is generally completed by the medical provider when the employee presents for treatment. However, in the event that a FROI-1 is not prepared by the medical provider, the employer should complete the form.

Medical Records

In the administration of a workers' compensation case, our office will need to request complete medical records from the medical providers an injured worker has seen for his or her claim. Costs for obtaining these medical records will be billed to you directly. However, we will attempt to keep the requests to a minimum. Additionally, we will not provide you with copies of the medical records we obtain, unless specifically asked. Any medical information received from our office is to be treated as Confidential.

Please also note that all workers' compensation records and/or documents including medical records and reports must be kept in a file that is separate and distinct from an employees personnel file. We further suggest that medical information be kept in its own medical file, to which only you and/or the person who handles your in-house workers' compensation matters have access. Separation and confidentiality of medical records has become increasingly important in light of the Americans with Disabilities Act requirements. Please give us a call if you have additional questions regarding this issue.

Independent Medical Examinations

In further defense of your claims, our office will occasionally need to have the claimant examined on your behalf by an independent physician. Costs for this examination will be billed to you directly and can range between \$250-\$1000. However, please note that we will always contact you prior to scheduling an examination to discuss why we believe it is necessary.

Managed Care Organization

In 1997, the BWC required all companies to select a Managed Care Organization (MCO) to provide medical case management of all workers' compensation claims. **Please contact our office with the name of your MCO.** We will then contact your MCO to ensure that our office is copied on medical decisions made in your claims.