

## More About Medical Care

- Good medical care is important - to you, your family and your employer. Quality medical treatment is the quickest way to recovery
- If first-aid is available at your workplace, seek immediate treatment. Report to your employer where, when and how the accident happened. If it's more than a simple first-aid injury, ask your employer for a claim form.
- If emergency medical care is needed, call for help immediately and get the best treatment available until emergency personnel arrive. Emergency phone numbers are listed on the back of this pamphlet.
- If additional medical care is necessary, and you haven't given your employer the name and address of a personal doctor or health care organization in writing prior to the injury, your claims administrator will arrange appropriate treatment. The doctor may be a specialist for your particular type of injury, and he or she will be familiar with workers' compensation requirements and will report promptly so your benefits can be paid.
- To make sure your medical bills get paid and you get all of your benefits, complete the "Employee" section of the claim form and return it to your employer as soon as possible. Get a signed and dated copy of the claim form back from your employer and keep it with all the other paperwork related to your claim.
- The doctor with overall responsibility for treating your injury or illness is your "primary treating physician" (PTP). The PTP decides what kind of medical care you need and when you can return to work. If necessary, he or she will review your job description with you and your employer to define any limitations or restrictions that you may have when you go back to work. This doctor also is responsible for coordinating care between other medical providers, and if it is a serious injury, will write reports about any permanent disability or the need for future medical care. Generally your employer selects the PTP, you will see for the first 30 days, but if you want to change doctors for any reason, ask your employer or claims administrator. They're as interested as you are in your prompt recovery and return to work and will select a different doctor for you.
- You can be treated right away by your personal doctor if you notify your employer of the doctor's name and address in writing before the injury. If you give the name of your personal chiropractor or acupuncturist, special rules apply, and you may need to see an employer-selected doctor first. If you decide to give your employer the name of a doctor to be your primary treating physician, he or she must be someone who has treated you before and who has your medical records. You can use the form inside this pamphlet to give your employer the information about your doctor.
- If you haven't given your employer the name of your personal physician before the injury, you can switch to your own doctor 30 days after the injury is reported. (Special rules apply if you are a member of a Health Care Organization, so check with your claims administrator if that's the case.) If you switch, choose your doctor carefully - most people don't have a family surgeon, for example. If you want advice about specialists, talk to your claims administrator.
- In any event, report your choice as soon as you make it so the bills will be paid for you. Above all, don't treat yourself. Even minor injuries need expert care. Prompt, quality medical care is the best investment you and your employer can make.

## In An Emergency...

1. Seek first aid.
  2. If emergency medical care is needed, call for help immediately (see emergency telephone numbers below) and get the best available treatment until emergency personnel arrive.
  3. Go to a doctor, clinic or hospital if necessary.
  4. Report all injuries immediately to your supervisor or \_\_\_\_\_ (employer representative) at \_\_\_\_\_ (telephone) and request a claim form if it's more than a simple first-aid injury. Any delay in reporting an injury may delay workers' compensation benefits. If your claim or benefits are denied, you have a right to challenge the decision, but there are deadlines for filing the necessary papers at the Workers' Compensation Appeals Board, so don't delay.
  5. Call your employer representative or claims administrator if you have questions or problems. It is illegal for an employer to fire or discriminate against you just because you file, intend to file, or settle a workers' compensation claim, or because you testify for a co-worker who was injured. If you prove this kind of discrimination, you will be entitled to job reinstatement, lost wages and increased benefits, plus costs and expenses up to a maximum set by the state legislature.
- Free help and information are available by contacting a Division of Workers' Compensation information and assistance officer at the local office listed below. You can hear recorded information and get a list of local offices by calling (800-736-7401), or you can get additional written information about workers' compensation by going to the Division of Workers' Compensation web site at <http://www.dir.ca.gov/dwc>.

## DWC Information & Assistance Office

Street Address \_\_\_\_\_

City \_\_\_\_\_

Telephone \_\_\_\_\_

### Emergency Telephone Numbers

Doctor \_\_\_\_\_

Police \_\_\_\_\_

Hospital \_\_\_\_\_

Fire \_\_\_\_\_

Ambulance \_\_\_\_\_

### Claims Administered By:

Name \_\_\_\_\_  
 check if company is self-insured

Address \_\_\_\_\_

City, State, ZIP \_\_\_\_\_

Telephone \_\_\_\_\_

# Facts about Workers' Compensation

## Benefits

The California workers' compensation law guarantees you three kinds of benefits:

- 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, and medicines. Medical benefits may also include physical therapy and chiropractic care, with the number of chiropractic and physical therapy visits subject to limits set by state law.
- Tax-free payments to help replace lost wages while you are temporarily disabled. Additional payments are made if the injury results in a permanent disability or death.
- If your injury or illness results in a permanent disability, you don't return to work for the employer within 60 days after your temporary disability ends, and your employer doesn't offer modified or alternative work, you will be eligible for a supplemental job displacement benefit. This is a nontransferable voucher for education-related retraining and/or skill enhancement at state-approved schools. The amount ranges from \$4,000 to \$10,000 in vouchers, depending on the level of permanent disability.

## Benefit Payments

- **Medical Care:** All medical expenses will be paid directly by the claims administrator, so you should never see a bill. The name and address of the claims administrator are on the back of this pamphlet and are posted at your workplace.
- **Temporary Disability:** If you are unable to work for more than three days, including weekends, you are entitled to temporary disability payments to help replace your lost wages. About two weeks after reporting the injury, you'll get a check... and every two weeks after that until the doctor says you can return to work. (Payments won't be made for the first three days, however, unless you're hospitalized as an inpatient or unable to work more than 14 days.) The amount of these checks will be two-thirds of your average wage, subject to minimums and maximums set by the state legislature. It probably won't be the full amount of your regular paycheck, but there are no deductions and the payments are tax free.
- **Permanent Disability:** If your doctor says your injury or illness will always leave you somewhat limited in your ability to work, you may receive permanent disability payments. The amount depends on the doctor's report and factors such as your age, occupation, type of injury and date of injury. The minimum and maximum amounts are set by state law, and vary by injury date, but if you have a permanent disability, your claims administrator will send you a letter explaining how the benefit was calculated. In general, the total amount is set at a weekly rate spread over a fixed number of weeks. The first payment is due within 14 days after the final temporary disability payment, or if you were not receiving temporary disability, 14 days after your doctor says your condition is permanent and stationary. After that, the benefit will be paid every 14 days until you reach the maximum or you settle your case and receive a lump sum.
- **Death Benefits:** If the injury or illness causes death, payments may be made to your relatives or household members who were financially dependent on you. These benefits are set by state law and the amount depends on the number of dependents. The payments are made at the same rate as temporary disability payments. In addition, workers' compensation provides a burial allowance.

- **Supplemental Job Displacement Benefits** If you receive temporary disability payments within 30 days after that benefit ends, your claims administrator will send a letter advising whether your employer has a modified job or alternative work available for you, and explaining your potential rights to a supplemental job displacement benefit. If you don't return to work for the employer within 60 days after your temporary disability ends, your employer does not offer modified or alternative work, and it is determined that you have a permanent disability, you may choose to receive nontransferable vouchers to use at a state accredited school for education-related retraining or skill enhancement. If you qualify for the supplemental job displacement benefit, your claims administrator will provide vouchers up to a maximum set by state law.
  - A) Up to \$4,000 for permanent disability awards of less than 15 percent.
  - B) Up to \$6,000 for permanent disability awards between 15 percent and 25 percent.
  - C) Up to \$8,000 for permanent disability awards between 26 percent and 49 percent.
  - D) Up to \$10,000 for permanent disability awards between 50 percent and 99 percent.

## Other Benefits

Workers' compensation is sometimes confused with State Disability Insurance (SDI). They seem similar, but there are important differences. Workers' compensation insurance covers on-the-job 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 get State Disability benefits. For information, call the local office of the state Employment Development Department listed in the government pages of your phone book.

## If You Have Questions

... ask your supervisor or employer representative. Or contact the workers' compensation claims administrator (the name, address and phone number are on the back of this pamphlet and are posted at your workplace). You also can contact an information and assistance officer at the State Division of Workers' Compensation (DWC). Information and assistance officers are available at no charge to answer questions, review problems and provide additional written information about workers' compensation. The local office is listed on the back of this pamphlet and posted at your workplace, or you can call 800-736-7401, check the local listing in the white pages of the phone book under State Government Offices/Industrial Relations/Workers' Compensation, or go to the DWC web site at <http://www.dir.ca.gov/dwc>.

**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 benefits or payments is guilty of a felony.

You can be treated immediately by a personal doctor if you give your employer the name and address of a medical doctor (M.D.) or a doctor of osteopathy (D.O.) in writing prior to the injury or illness. This is called "predesignating a personal physician." If you give your employer the name and address of a chiropractor (D.C.) or acupuncturist (L.A.C.) in writing prior to the injury or illness, your claims administrator may arrange treatment with another doctor; then you may switch to the chiropractor or acupuncturist upon request during the first 30 days after your employer knows of your injury or illness. You can notify your employer by completing the following form and returning it to your employer.

## Physician Predesignation

To: \_\_\_\_\_  
(name of employer)

If I have a work-related injury or illness, I choose to be treated by:

\_\_\_\_\_  
(name of doctor) (M.D., D.O., D.C., L.A.C.)

\_\_\_\_\_  
(street address)

\_\_\_\_\_  
(city, state, ZIP)

\_\_\_\_\_  
(telephone number)

I understand that this doctor must have treated me in the past and must maintain my medical records.

Employee Name \_\_\_\_\_  
(please print)

\_\_\_\_\_  
Employee Signature

\_\_\_\_\_  
Employee I.D. Number

\_\_\_\_\_  
Date