



# Risk Management JPA Fringe Benefits Consortium



## SAN DIEGO COUNTY AND IMPERIAL COUNTY SCHOOLS

### EMPLOYEE NOTICE WORKERS' COMPENSATION BENEFITS

This is to notify you of benefits, available to you through the California Workers' Compensation system.

Almost every employee in California is protected by workers' compensation laws, but there are a few exceptions. People in business for themselves, independent contractors, and unpaid volunteers may not be covered. Maritime workers and federal employees are covered by similar laws. These benefits are paid for by your employer, who is permissibly self-insured. You may be entitled to workers' compensation benefits if you are injured or become ill because of your job. Workers' compensation covers most work-related physical or mental injuries and illnesses. An injury or illness can be caused by one event (such as hurting your back in a fall) or by repeated exposures, such as repetitive motion over time. Everything from first-aid type injuries to serious accidents are covered. Some injuries from voluntary, off-duty recreational, social or athletic activity may not be covered. There is no qualifying period. Coverage begins the first minute you are on the job.

#### What you have to do

If you have a work injury or illness always report it immediately to your supervisor. Your employer will provide you with a claim form (DWC1). Complete the "Employee" section of the claim form, keep one copy for yourself and give it to your employer, who will complete the "Employer" section of the form and give you a signed and dated copy as well as provide one copy to the claims administrator, who is responsible for handling your claim and notifying you about your eligibility for benefits. State law requires employers to authorize medical treatment within one working day of receiving a claim form, and employers may be liable for as much as \$10,000 in treatment until a claim is accepted or rejected. Delays in reporting may delay workers' compensation benefits and you may not be able to receive benefits if you don't file a claim within one year of the date of injury, the same date you knew the injury was work related, or the date benefits were last provided.

#### 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 test, x-rays, physical therapy, and medication. State law makes non-emergency medical services subject to preauthorization and limits some medical services.
- Tax-free payments to help replace lost wages while you are temporarily disabled. Additional payments are made if the injury causes permanent disability or death.

**Medical Care**-All medical expenses for reasonable and necessary treatment will be paid directly by the claims administrator, so you should never see a bill. The name and address of the claims administrator are at the end of this document and are posted at your workplace. Your employer has a Medical Provider Network (MPN), which will be explained further in this document.

**Temporary Disability**-If you are unable to work for more than three days, including weekends, you are entitled to temporary (TD) payments to help replace your lost wages. However, most of the districts have a return-to-work program, so check with your district to see if they have any transitional work that you can do with physical restrictions. Some positions with school districts have an industrial leave benefit. Check with your employer to see if you are entitled to those benefits. If you are entitled to receive TD directly, payments will begin approximately 14 days from the reported date of the injury. Payments won't be made for the first three days unless you are hospitalized or off work more than 14 days. The amount of these checks will be

two-thirds your average wage, subject to minimums and maximums set by the state legislature. TD payments for a single injury may not extend for more than 104 compensable weeks within two years from the date of the first payment; or for more than 240 weeks within five years from the date of injury for a few long-term injuries such as severe burns or chronic lung disease.

**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, how much of the permanent disability was directly caused by your work, and factors such as your age, occupation, type of injury, and date of injury. Your benefit payment also may be affected by whether or not your employer makes a suitable return-to-work offer. The minimum and maximum amounts are set by state law, and may 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 and how it will be paid.

**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 for you, and explaining your potential rights to a supplemental job displacement benefit. If your employer does not offer modified or alternative work, you cannot return to work for the employer within 60 days after your temporary disability ends, and it is determined that you have a permanent disability, you may choose to receive a nontransferable voucher 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 a voucher up to a max set by state law:

- A) Up to \$4,000 for permanent disability awards of more than 0 but less than 15%
- B) Up to \$6,000 for permanent disability awards between 15% and 25%
- C) Up to \$8,000 for permanent disability awards between 26% and 49%
- D) Up to \$10,000 for permanent disability awards between 50% and 99%

#### **More about Medical Care**

- If emergency care is needed, call 911 for immediate help.
- If first-aid is available at your workplace, seek immediate treatment.
- To make sure your medical bills get paid and you get all of your benefits, report the injury immediately.
- You can be treated by your own personal physician immediately if your employer offers group health coverage, you complete a pre-designation request form (attached), and have your doctor sign the form, indicating he/she agrees to treat you for work related injuries or illnesses and follow the state reporting requirements as outlined in Rules and Regulations 9785 of the California Labor Code. The physician must have treated you previously and have your medical records.
- Your employer offers a Medical Provider Network (MPN), therefore, unless you pre-designate a treating physician, you must treat with a physician or clinic within the network. You can change doctors at any time upon notice to the claims administrator and as long as the new physician is also in the network. You will be provided with separate information regarding your rights and how to access the MPN. Since your employer has an MPN, if you have not pre-designated a physician you cannot declare a personal Chiropractor or Acupuncturist to change to after treating with the MPN physician.

#### **If you have questions**

...ask your supervisor, employer representative or contact the claims administrator directly. The claims administrator is:

**Hazelrigg Risk Management Services**  
**5694 Mission Center Road, Ste 700**  
**San Diego, CA 92108**  
**858-300-2500**

You can also contact the 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. They can be reached at:

**800-736-7401**