



WORKERS' COMPENSATION GUIDELINES FOR EMPLOYEES

Workability Program Philosophy:

We believe that our employees are our greatest assets. We are committed to returning injured workers to full gainful employment as soon as is medically feasible after a work-related injury.

To help you understand your responsibility to and benefits of Workers' Compensation, please read the following information.

* **Medical and Disability Benefits for Injured Workers**

-The insurance carrier, Liberty Mutual, has 21 days to decide if your claim will be accepted or denied.

-When your claim is accepted, workers' compensation (or "workers' comp") pays your medical bills.

-If your provider has taken you out of work for more than three calendar days, Workers' Comp starts paying 60% of your lost wages starting on day four. If you are out for more than 14 calendar days, Workers' Comp will pay you for the first three days of your absence. Workers' compensation is a type of insurance that all employers MUST provide.

- * **Liberty Mutual:** You may be contacted by the insurance carrier, Liberty Mutual Insurance Company, for a recorded telephone interview. It is important to answer all correspondence from Liberty, or your benefits may be affected. Liberty Mutual ensures that you are treated in accordance with the Workers' Compensation laws of New Hampshire.

* **Workers Compensation Coordination:**

The DHMC Workability Care Manager will help you access the care you need for a successful recovery and return to work.

Call the Workability Care Manager after every appointment—650.4999.

* **Getting Care:**

In the State of New Hampshire, you may receive care with any health care provider that you choose. DHMC offers the services of Occupational Medicine (Occ Med) as a convenient choice and has health care providers who specialize in occupational injuries (603.650.4850; Hours M-F 0700-1700). The Emergency Department is available to treat and document an injury when Occupational Medicine is closed.

****You must get a NH Workers' Compensation Medical Form describing your work capability from your provider. Only your provider can take you out of work or return you to work.

- * **Returning to work:** D-H is committed to returning injured workers to full gainful employment as soon as is medically feasible after a work-related injury. D-H will make every effort to provide Temporary Alternate Duty for employees who are able to return to work with some work capacity. D-H is required to provide temporary alternate duty opportunities by New Hampshire law. Employees who are receiving Workers' Compensation can refuse an offer of temporary alternate duty but, in doing so, may endanger their Workers' Compensation benefits.

- * **Communication with your Supervisor and Workability Care Manager:**
 You must share a copy of your NH Workers Compensation Medical Form with your supervisor after every medical appointment.
 - * A provider's note indicating 'no work capability' is required for Workers' Compensation-related partial day or full day work absence; otherwise absence will be noted as "unplanned". For more information, please see HR Policy Library.

- * **If you lose time at work:**
 - (1) When you visit a provider for your work-related injury, the care provider must give you a State of NH Workers Comp Medical for you to give to your supervisor. This form identifies a return to work date, or a recheck appointment date.

 - (2) A health care provider may allow you to return to work with certain restrictions. The NH Workers' Comp Medical Form will list any restrictions your provider feels will help you to safely return to work. This form will also provide follow up appointment information. This form **must** be given to your supervisor. Your supervisor should contact Amy Eilertsen, the Workability Care Manager (5-4999), to discuss accommodations in your home department.

 - (3) DH's insurance carrier, Liberty Mutual, will compensate you for lost work time if a health care provider has taken you out of work.

- * **Workers' Compensation Payments**
 Lost wage calculation: Workers' compensation pays you for lost wages at the rate of 60% of your average gross (before taxes or deductions) wages. The insurance carrier is given your gross (including overtime) earnings for the 26 weeks (six months) prior to your injury. The wage is calculated by averaging 26 weeks of pay and multiplying by 60%. You will receive a "memo of payment" from the insurance carrier informing you of the final average weekly wage calculation. It is important to note that these wages are not taxed, you will not receive a W2 nor will you have to include them on your annual income tax filing. If you have questions about this process, please contact the Workability Care Manager.

- Start of wage replacement: Workers' compensation starts on the **fourth day of disability** (subject to a three day 'wait' period). The waiting period is waived if your provider keeps you out of work for 14 days or longer or if an employee returns to temporary alternative employment within five days. The insurance carrier must issue payment or deny the case within 21 days.

- Second job: You may be get paid additional lost wages from that a second job or employer. Please notify the Workability Care Manager if you have a second job.

Partial duty: Your doctor may return you to work at less than your full regular hours. Liberty Mutual, the Workers' Compensation insurance company, will pay you for the hours that you are unable to work. You will have to provide the insurance carrier with a copy of your pay summary every pay period so your wages can be calculated. Please call the Workability Care Manager for details.

* **Prescriptions:**

You can receive prescriptions at no charge to you by using the DHMC pharmacy. Be sure your health care provider writes "W/C" on the prescription. You may use any other pharmacy but you will pay for the prescription at the time of pick-up. For reimbursement from the insurance carrier, submit the receipt to the Workability Care Manager. Liberty Mutual may send you a prescription card in some instances for your prescriptions.

Over-the-counter items, even if prescribed by your health care provider for your injury, are not reimbursed by workers' compensation.

* **Mileage:**

Keep a log of your trips to the health care provider appointments while you are out of work.

The log should include name of care provider, date of appointment, and the round trip distance from your home to the care provider. You may submit the completed log to the Workability Care Manager, or send it to Liberty Mutual directly who will reimburse mileage based on current national rates.

* **Bills:**

All of applicable medical bills will be covered by workers' compensation if your claim is accepted. When you call to make an appointment, say that the visit will be billed under Workers Compensation. When you check in to your appointments, it is important to again state that the appointment is for a Workers' Comp Injury. If you receive any bills for treatment of your injury that have been paid by your regular health insurance company, send a copy of these bills to the Workability Care Manager, Workers Comp. Center, L3.

FAQ:

* **I am back to work and I have Workers' Compensation-related medical appointments to attend. Now what?**

Medical expenses incurred in a work related injury are paid by the insurance carrier. However, in the State of New Hampshire the time lost to attend a medical appointment – including physical therapy appointments – is not compensated by the insurance carrier. The time away to attend an appointment is treated in the same manner as time away for a non-work-related injury.

* **Is my job protected while I am out on Workers' Compensation?**

The Family and Medical Leave Act (FMLA) requires that employees who have worked at DHMC for at least 12 months and have worked at least 1250 hours in the previous year are guaranteed their job for 12 weeks when they are disabled for any reason. When an employee loses work

time for due to a WC injury, they will be notified of their FMLA rights. FMLA runs concurrently with Workers Compensation benefits. Please contact Miranda Pizinger, Leave Administrator, in Benefits for more information 653-1433.

The employer may be required to reinstate the full-time employee if they are released by the treating provider within 18 months of the date of injury. A supervisor is able to replace the employee with a temporary employee if the original position remains available when the injured employee is able to return to work. Please contact the Workability Care Manager for more information.

- * **What happens to my D-H benefits while I am out of work? How do my medical premiums get paid?** If you have health insurance through D-H, the benefit will continue while you are out due to a Workers' Compensation absence. Your premiums and other deductions will occur when you return to work.

- * **My claim was denied. What can I do?**
If Liberty Mutual denies your claim for Workers' Compensation benefits and you disagree with the decision, you may contact NH Department of Labor to request a hearing. By law, this request must be in writing and should include your name and the date of your injury. You have 4 years from the date of your last payment of compensation or 18 months from date of denial to request a review of the denial. For more information, contact the Department of Labor@ 603.271.3176.

Important numbers:

- * Amy Eilertsen MN RN-BC, Workability Care Manager: 650.4999
- * DHMC Occupational Medicine 603.650.3850
- * Liberty Mutual: 800.300.4472 (Insurance carrier for DHMC)
National Market Claims
PO Box 3634
Bala Cynwyd, PA 19004-0634

- * NH Department of Labor: 1603.271.3176; (Labor and WC related questions)
Website- <http://www.labor.state.nh.us/>
NH General Court Rules : http://www.gencourt.state.nh.us/rules/state_agencies/lab500.html