

## **WORKERS' COMPENSATION GUIDELINES FOR EMPLOYEES**

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## **1 REMOTE DHMC EMPLOYEES LIVING OUTSIDE OF NEW HAMPSHIRE (All other employees, skip to [Section 2](#))**

As a Dartmouth-Hitchcock permanent and remote employee, the Workers' Compensation process will be the same for you as it is for employees who work onsite and reside in New Hampshire. However, if you are a permanent and remote employee living outside of New Hampshire, your claim will be managed by another insurance carrier.

When you read the Dartmouth-Hitchcock Workers' Compensation guidelines and see Liberty Mutual/Helmsman's Management as the insurance company, please replace them with the respective insurance carrier for your state (see \*remote carrier info below). The insurance carrier for your state of residence will manage your claim.

Please note that each state has its own Workers' Compensation rules and regulations. The insurance carrier will follow the respective rules and regulations based on your state of residence. Be aware they may be different from Workers' Compensation rules and regulations in the State of New Hampshire.

### **\*DARTMOUTH HITCHCOCK REMOTE EMPLOYEE WORKERS' COMPENSATION INSURANCE CARRIERS**

#### **Claims in New Hampshire:**

Company Name: Liberty Mutual/Helmsman's Management

#### **Claims in Maine/Massachusetts/Vermont:**

Company Name: A.I.M. Mutual

#### **Claims in All Other States:**

Company Name: Hanover Insurance Group

## **2 WORKABILITY PROGRAM PHILOSOPHY**

We believe that our employees are our greatest assets and as an organization, we are committed to returning injured workers to full gainful employment as soon as is medically feasible following a work-related injury.

The following information is designed to help guide you through the Workers' Compensation process and help you understand your benefits and your responsibilities.

### **2.1 MEDICAL AND DISABILITY BENEFITS FOR INJURED WORKERS**

The insurance carrier, Liberty Mutual insurance company, has 21 days to decide if your claim will be accepted or denied. However, communication and correspondence about your claim from the insurance carrier will come from Liberty Mutual's third-party subsidiary—Helmsman Management Services. If your claim is denied, a Letter of Denial will be sent to you from Helmsman Management Services (**NOTE: If your claim is denied, you will be responsible for any medical/treatment/therapy you did or will incur**). If you have any question about either the acceptance or denial of your claim, please contact the Workability Care Manager (see [Section 6](#) for contact information).

- Once your claim is approved and accepted, Workers' Compensation insurance will begin to pay your medical bills associated with the work-related injury. If your provider has taken you out of work for more than three **calendar** days, Workers' Compensation starts paying 60% of your lost wages starting on the fourth full day out of work. Day 1 is the first full day out AFTER the injury.
- Earned time (ET) will be used for the first three days of work-related injury absence, but only if you were scheduled to work on those days. See [Section 7](#) for ET examples.
- If you are out for more than **14 calendar** days, Workers' Compensation will pay you for the first three days of your absence.
- Supervisors should use the UWC e-time code for lost days of work after the first three calendar days taken as unpaid ET.

## 2.2 LIBERTY MUTUAL/HELMSMAN MANAGEMENT SERVICES

You may be contacted by the insurance carrier, Liberty Mutual, for a recorded telephone interview. An adjuster may call and identify themselves as a Helmsman Management Service agent. Helmsman Management Services agents/adjusters are part of Liberty Mutual.

**It is important to answer all correspondence from Liberty Mutual in a timely manner to avoid disruption of your benefits.** Letters and/or correspondence will have Helmsman Management Services logo on their letterhead. Liberty Mutual ensures that you are treated in accordance with the Workers' Compensation laws of New Hampshire.

## 2.3 WORKERS' COMPENSATION COORDINATION

Dartmouth-Hitchcock provides Workers' Compensation care coordination for all injured D-H employees through the Workability Care Manager Program. Our Care Managers are dedicated to helping you through every step of the process to ensure successful recovery and return to work.

Call the Workability Care Manager after every medical appointment related to your injury:

- D-HMC Lebanon: (603) 650-7925 or [workability@hitchcock.org](mailto:workability@hitchcock.org).
- Community Group Practice (CGP): (603) 296-5547.

## 2.4 GETTING CARE

In the State of New Hampshire, you may receive care through Occupational Medicine or with a healthcare provider of your choice. At Dartmouth-Hitchcock, the Occupational Medicine providers specialize in work-related injuries and can assess, guide, and help coordinate your care and treatment throughout the Workers' Compensation process.

Contact Dartmouth-Hitchcock Occupational Medicine Monday through Friday, 8:00am–4:30pm at (603) 650–3849.

## 2.5 AFTER-HOURS CARE AT DARTMOUTH-HITCHCOCK

If the injury occurs after hours and requires urgent or immediate attention, employees can be seen in the Emergency Department or receive care at Urgent Care locations.

- Lebanon: General Internal Medicine Urgent Care, Monday through Friday from 5:00pm–8:00pm at (603) 653-9500.
- CGP:

### Concord

Phone: (603) 226-6108

Walk-in Hours: Mon–Fri

8:00am–4:00pm

Weekend Hours: By  
appointment only.

Sat 8:00am–2:00pm

Closed Sun

### Manchester

Phone: (603) 695-2500

Walk-in Hours: Mon–Fri

8:00am–8:00pm

Weekend Hours: Sat and

Sun 8:00am–5:00pm

### Nashua

Phone: (603) 577-4188

Walk-in Hours: Mon–Fri

8:00am–8:00pm,

Weekend Hours: Sat and

Sun 8:00am–2:00pm

- Urgent appointments (Manchester and Nashua) or Primary Care in Concord: call Occupational Medicine on the next business day to follow-up and review your plan of care.

**NOTE: Liberty Mutual will only cover the services of providers within the D-H Managed Care Organization (MCO) (In-Network) for Workers' Compensation injuries. Please contact your provider to inquire if they are part of the D-HMC network.**

## 2.6 RETURNING TO WORK AND ALTERNATE DUTY

As an organization, we are committed to returning injured workers to full gainful employment status as soon as it is medically feasible after a work-related injury. Additionally, D-H Workability Care Managers will make every effort to provide Temporary Alternate Duty for employees who are able to return to work with some work capacity.

Alternate Duty opportunities are a requirement by New Hampshire law. Employees who are receiving Workers' Compensation and who can perform Alternate Duty can refuse an offer of this temporary assignment, but in doing so, may place their Workers' Compensation benefits at risk.

When the employee's home department is unable to accommodate Alternate Duty, the Workability Care Manager will try to arrange Alternate Duty work within another department. In this situation, the home department is still responsible for the salary of the employee on Alternate Duty.

## 2.7 COMMUNICATION WITH YOUR SUPERVISOR AND WORKABILITY CARE MANAGER

You must share a copy of your New Hampshire Workers' Compensation Medical Form with your supervisor after every medical appointment.

A provider's note stating 'may work with limited hours' or 'no work' 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 the Human Resources Policy Library.

### 3 YOUR RESPONSIBILITY IN THE COMMUNICATION PROCESS

When you visit a provider for your work-related injury, the care provider must give you a State of New Hampshire Workers' Compensation Medical Form for you to give to your supervisor. This form identifies a return to work date, or a recheck appointment date. **Only your provider can take you out of work or return you to work.**

When an employee loses work time due to a Workers' Compensation injury, they will be notified of their FMLA rights. FMLA runs concurrently with Workers' Compensation benefits. Please contact benefits—Shared Services at (603) 653-1400 for more information and to initiate your FMLA application.

A healthcare provider may allow you to return to work with certain restrictions. The New Hampshire Workers' Compensation 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 then contact the Workability Care Manager (D-HMC: (603) 650-7925 or (603) 653-3849, [workability@hitchcock.org](mailto:workability@hitchcock.org); or the CGP: (603) 653-6160 to discuss any accommodations in your home department.

D-H's insurance carrier, Liberty Mutual, will compensate you for lost work time if a healthcare provider has taken you out of work.

#### 3.1 WORKERS' COMPENSATION PAYMENTS

##### 3.1.1 Lost Wage Calculation

Workers' Compensation pays for lost wages at the rate of 60% of the average gross (before taxes or deductions) wages. The insurance carrier is given gross (including overtime) earnings for 52 weeks prior to your date of injury. The wage is calculated by averaging 52 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 Form, nor will you have to include them on your annual income tax filing.

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If you have any questions about this process, please contact the Workability Care Manager.

## 4 START OF WAGE REPLACEMENT

Workers' Compensation starts on the **fourth day of disability** (subject to a three calendar 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.

### 4.1 SECOND JOB

If you have a second job that is also affected by the injury, you may get paid additional lost wages. Please notify the Liberty Mutual adjuster and the Workability Care Manager ([Section 3](#)) if you do have a second job.

### 4.2 PARTIAL DUTY

Your provider 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/adjuster with a copy of your paystub every pay period so your wages can be calculated.** To do this, go directly to the Employee Self-Service page on the intranet as follows:

1. Go to D-H Intranet or D-H Today page – hyperlinked.
2. Pay and Benefits.
3. Pay and Personal Info/Employee Self Service.
4. Payroll, and then click on corresponding pay period. Once open, you can save as an attachment or print.
5. Send to the adjuster either by email as an attachment, print and fax, or print and send via USPS. Be certain to include your Workers' Compensation number.

Please call the Workability Care Manager for details.

### 4.3 PRESCRIPTIONS

You can receive prescriptions related to the work injury at *no upfront charge* to you by using the D-HMC pharmacy. Be sure your healthcare provider writes "W/C" on the prescription. You should also receive an OPTUM prescription card in the mail even if you choose not to use D-H pharmacy services.

You may also use any other pharmacy, but you will be responsible for the prescription payment at the time of pickup and can claim reimbursement from the insurance carrier. To receive reimbursement, submit the receipt and a copy of the prescription to the assigned adjuster with your claim number or contact the Workability Care Manager. Over-the-counter items, even if prescribed by your healthcare provider for your injury, are not reimbursed by Workers' Compensation.

### 4.4 MILEAGE

All mileage to and from your appointments is reimbursable by the insurance carrier based on current national rates. Liberty Mutual will send a mileage log in the mail. Please keep a log of

your trips to your provider and treatment appointments while you are being treated for the work-related injury. The log should include the (1) name of the care provider, (2) date of the appointment, and (3) round trip distance from your home to the care provider. You may submit the completed log directly to Liberty Mutual.

#### 4.5 MEDICAL BILLS

If your claim is accepted and approved, all of applicable medical bills will be covered by Workers' Compensation. When you call to make an appointment, please be sure to state that your visit is a result of a work injury and should be billed under Dartmouth-Hitchcock Workers' Compensation.

When you check into your appointment(s), it is important to again state that the appointment is for a Workers' Compensation injury. If you receive any bills for treatment of your injury that have been paid by your regular health insurance company, contact the Workability Care Manager by email or telephone.

### 5 FAQs

<b>Q</b>	<i><b>I am back to work and I have Workers' Compensation-related medical appointments to attend. Now what?</b></i>
<b>A</b>	<p>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.*</p> <p><b>*There exists a Workers' Compensation Appeals Board decision which states that 'indemnity benefits are for a disability that prevents a claimant from working and that at the time the claimant was undergoing medical treatment she was not disabled.' There is no statute to support compensation for medical appointments, even from an employer's perspective.</b></p> <p><a href="http://www.courts.state.nh.us/supreme/opinions/2001/gagno217.htm">http://www.courts.state.nh.us/supreme/opinions/2001/gagno217.htm</a></p>
<b>Q</b>	<i><b>Is my job protected while I am out on Workers' Compensation?</b></i>
<b>A</b>	<p>The Family and Medical Leave Act (FMLA) requires that employees who have worked at Dartmouth-Hitchcock for at least 12 months and have worked at least 1,250 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 due to a Workers' Compensation injury, they will be notified of their FMLA rights. FMLA runs concurrently with Workers' Compensation benefits. Please contact Benefits – Shared Services at (603) 653-1400 for more information and to initiate your FMLA application. 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. New Hampshire Workers' Compensation rule Section 281-A:25-a states, "the injured employee will be reinstated by the employer to the employee's former position of employment upon request for such reinstatement, if the position exists and is available and the employee is not disabled from performing the duties of such</p>

	<p>position, with reasonable accommodations for the employee’s limitations. For the purposes of this section an employee’s former position is “available” even if that position has been filled by a replacement while the injured employee was absent. If the former position has been eliminated, the employee shall be reinstated in any other existing position which is vacant and suitable with reasonable accommodations for the employee’s limitations. A certificate by the employee’s attending physician that the physician approves the employee’s return to the employee’s regular employment with reasonable accommodations for the employee’s limitations, shall be prima facie evidence that the employee is able to perform such duties. Reinstatement under this section shall be subject to the provisions for seniority rights and other employment restrictions contained in a valid collective bargaining agreement between the employer and a representative of the employer’s employees.</p> <p>II. Notwithstanding paragraph I of this section:</p> <p>(a)The right to reinstatement to the employee’s former position under this section terminates when any one of the following events occurs:</p> <ol style="list-style-type: none"> <li>(1) A medical determination by the attending physician or finding by the commissioner that the employee cannot return to the former position of employment.</li> <li>(2) The employee accepts employment with another employer.</li> <li>(3) Eighteen months from the date of injury.</li> </ol>
<b>Q</b>	<b><i>What happens to my D-H benefits while I am out of work? How do my medical premiums get paid?</i></b>
<b>A</b>	<p>If you have health insurance through D-H, those benefits will continue while you are out of work due to a Workers’ Compensation absence. Your premiums and other deductions will be suspended during your time out and resume when you return to work. The premiums will reflect both the retroactive and current payment amount until premium payments are caught up from the suspension during your absence.</p>
<b>Q</b>	<b><i>My claim was denied. What can I do?</i></b>
<b>A</b>	<p>If Liberty Mutual denies your claim for Workers’ Compensation benefits and you disagree with the decision, you may contact the New Hampshire 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 four 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 at (603) 271-3176.</p>

If you have any questions, please contact the Workability Care Manager for more information.

## **6 IMPORTANT CONTACT INFORMATION**

- Olga Sobko, RN BSN, Workability Care Coordinator: (603) 650-7925 or D-HMC Occupational Medicine: (603) 653-3849.
- Shana Fowler, Workability Care Coordinator, [workability@hitchcock.org](mailto:workability@hitchcock.org) or Nashua Occupational Medicine: at (603) 577-4166.

- Liberty Mutual: (800) 300-4472 (Insurance carrier for Dartmouth-Hitchcock).
- National Market Claims, P.O. Box 3634, Bala Cynwyd, PA 19004-0634.
- NH Department of Labor: (603) 271-3176 (Labor and WC-related questions).
- Website: <http://www.labor.state.nh.us/>.

New Hampshire General Court rules can be found at [http://www.gencourt.state.nh.us/rules/state\\_agencies/lab500.htm](http://www.gencourt.state.nh.us/rules/state_agencies/lab500.htm).

## 7 ET EXAMPLES

- *Example 1.* An employee works from 8:00am–5:00pm Monday through Friday and was hurt on Tuesday afternoon = they could use ET for the hours missed on Tuesday, Wednesday, Thursday, and Friday. Workers' Compensation would start paying on Saturday.
- *Example 2.* A person who works 36 hours a week is scheduled for Monday, Tuesday, and Saturday of a week, gets hurt on Tuesday afternoon = they could use ET for hours missed on Tuesday, but no other ET used because they were not scheduled to work on Wednesday through Friday and Workers' Compensation starts paying on Saturday.
- *Example 3.* An employee hurts their back badly and is put out of work for a week with no lifting capacity. Their unit requires a 35 lb. lift/carry minimum for the employee. It is unlikely that this employee is going to be returning to work in 14 CALENDAR days or fewer, so they do not need to use ET as Workers' Compensation will start paying from the first full day out.