

## **HURT ON THE JOB?**

This pamphlet has been sent to you because you filed for workers' compensation benefits.

Being injured on the job can affect all aspects of your life. Fortunately, California requires all employers to provide workers' compensation insurance. This is a no-fault system, paid for by employers, and supervised by the State. This pamphlet is designed to explain special benefits under the Workers' Compensation Laws available to employees of the County of Riverside.

## **WHAT IS WORKERS' COMPENSATION?**

Workers' compensation is a form of insurance designed to treat and care for employees who sustain a work-related injury/illness.

Benefits include medical treatment, temporary disability, permanent disability, return to work benefits, and in the case of a death, benefits to dependents.

## **ABOUT THE COUNTY OF RIVERSIDE PROGRAM:**

The County of Riverside is self-insured and self-administered. This means that the County of Riverside pays for workers' compensation benefits directly out of the County's budgets rather than purchasing an insurance policy from an insurance carrier.

The workers' compensation program is also self-administered and claims are handled by certified County employees

## **WHO IS COVERED?**

Any employee of the County of Riverside is covered for workers' compensation insurance. This does not apply to volunteers or independent contractors.

## **WHEN AM I COVERED?**

Coverage under workers' compensation begins when you arrive at work. If your employment causes an injury or illness while you are performing services or providing a benefit to the County, your injury is covered. There may be some exceptions to this rule.

## **HOW DO I GET BENEFITS?**

Benefits are not automatic. You must report your injury to your supervisor. It is important that you report your injury immediately as delays in reporting the injury can result in delays in your claim and your benefits.

Treatment will be provided within one working day of your reporting your claim. If your claim is delayed, workers' compensation provides for payment of treatment up to \$10,000 or until your claim is denied, whichever comes first.

## **THE DANGER OF LATE REPORTING:**

Not reporting your claim immediately can not only result in delaying your benefits; it can result in your claim and benefits being denied. You have thirty days to report your claim in writing to your employer. The DWC-1 Form is the proper form and is available from your employer. Failure to file within one year can result in your claim being denied. Failure to report your claim within five years will block your right to appeal any decision concerning your claim.

## **BENEFITS OVERVIEW:**

There are five basic benefits provided through workers' compensation. They are: medical treatment, temporary disability benefits, permanent disability benefits, supplemental job displacement benefits and in the case of the employee's death, death benefits.

## **MEDICAL TREATMENT:**

Workers' Compensation provides for all treatment reasonably necessary to cure or relieve from the effects of the industrial injury/illness. It is at no cost to you. There are no co-pays, deductibles or policy limits. You should not have to pay any money out of pocket for your medical care. You will be reimbursed mileage to and from your medical appointments.

## **EMERGENCY MEDICAL CARE:**

If you are injured and need emergency medical care, go to the nearest emergency room. If you cannot get yourself to the emergency room, call 911 immediately. Report your injury to your employer as soon as possible.

## **MEDICAL PROVIDER NETWORK PROGRAM:**

The County of Riverside uses an approved Medical Provider Network [MPN] as its exclusive source to provide medical care.

Treatment for work-related injuries will be provided through the County's MPN Program regardless of the union representation.

Once you report your injury to your supervisor, an appointment will be set for you within the MPN. After this first visit you are free to change to any other physician in the MPN if you are unhappy with the physician or the location is not convenient. Let your adjuster know of any changes.

## **THE RIGHT TO PRE-DESIGNATE YOUR PERSONAL TREATING PHYSICIAN:**

If you wish to treat with your personal physician, you have the right to do so. However, you must make this request in writing with your department prior to your date of injury. For physician must agree to this pre-designation and agree to take workers' compensation insurance.

## **UTILIZATION REVIEW:**

Workers' Compensation has adopted a Schedule [Guide] for appropriate treatment based upon a physician's evaluation and findings. This Schedule is scientific and medical-evidence based. It is designed to ensure you treatment that provides the greatest potential for full recovery.

The County employs an in-house Utilization Review program to review treatment recommendations by physicians to ensure compliance with the Schedule's standard of care.

If there is any dispute over treatment, you can appeal the decision either to the County's program, or to an Independent Medical Reviewer assigned by the State.

Requests for treatment authorization to Utilization Review must be answered within five working days, or can be delayed no more than 14 calendar days if additional information is needed.

## **INDEPENDENT MEDICAL REVIEWER (IMR):**

The State has created an Independent Medical Reviewer to provide an appeal regarding medical decisions relating to your treatment. Should your treatment be denied, you will be provided instructions and forms to request the matter be referred to this resource.

## **ADDITIONAL RESOURCES:**

The State also offers an Information and Assistance Officer free of charge to help you in answering questions or filling out forms should there be any problems with your case. The Riverside Information and Assistance Officer can be reached at 951-782-4347 or you may receive recorded information by calling 1-800-736-7401. You can also visit the State's website at:

[www.dwc.ca.gov](http://www.dwc.ca.gov)

## RETURN TO WORK PROGRAM:

The County of Riverside offers a Return to Work program to provide appropriate modified or alternate employment during your recovery period if you are unable to return to your regular job after your injury/illness. This is a 90-day program, monitored by your treating physician.

## WAGE CONTINUATION:

Although not a regular benefit under workers' compensation, the County does offer wage continuation in cases where you cannot return to work due to your injury. The length of this benefit varies based upon your union affiliation.

## TEMPORARY DISABILITY:

If you are unable to perform modified or alternative work as you are recovering from your injury, workers' compensation provides Temporary Disability benefits. This benefit is paid out every two weeks just like your normal pay period schedule.

This benefit is tax free and pays two-thirds of your average weekly earnings up to a maximum amount set by state law.

For an injury on or after January 1, 2013, the maximum disability rate is \$1,066.72. The minimum rate is \$160. If two thirds of your Average Weekly Earnings are greater than \$1,066.72 you will get the \$1,066.72. If two-thirds of your Average Weekly Earnings is less than \$1,066.72 and more than \$160, you will receive two-thirds of your Average Weekly Earnings.

Temporary Disability benefits are limited to 104 weeks, and in some cases can be extended to 240 weeks based upon the kind of injury sustained. These benefits normally continue until you are either released from care or returned back to work.

## PERMANENT DISABILITY:

Once your physician determines your condition is permanent your physician will perform a final evaluation and issue a report.

In this report your physician will discuss his/her findings and their recommendation for any future medical care – if needed. This report will be sent to the Disability Evaluation Unit at the Division of Workers' Compensation where Disability Evaluation Experts will take the information provided by your physician and convert it into a percentage of disability. Based upon the level of disability, an Award may be provided.

## QUALIFIED MEDICAL EVALUATIONS:

If you disagree with the findings of your physician, you have the right to request an additional evaluation from a state Qualified Medical Evaluation. The evaluation is free to you and will be paid by the County.

## SUPPLEMENTAL JOB DISPLACEMENT BENEFITS [SJDB]:

If you are unable to return to your regular job due to permanent restrictions from your injury/illness, workers' compensation provides a Supplemental Job Displacement Benefit [SJDB]. This is a voucher. Based upon your date of injury this voucher can be anywhere between \$4,000 up to \$10,000. For injuries on or after January 1, 2013, the voucher is for \$6,000. This voucher can be used for schooling, counseling and supplies to train for a new occupation.

## DEATH BENEFITS:

Should this claim be for the fatality of a family member due to a work-related injury/illness, Death Benefits may be available. Death Benefits provide for up to \$10,000 to cover funeral costs.

Qualified dependents [minor children, spouses who make less than \$30,000 in the 12 months before the death and some family members] will be awarded benefits set by the WCAB. These would be paid out every two weeks in an amount and for a length of time determined by a workers' compensation judge.

## DELAYED CLAIMS:

Your employer has the right to delay your claim up to 90 days and conduct an investigation.

Failure to cooperate with the investigation can result in your claim being denied. If your claim is not denied within the 90 days, it is presumed to be compensable.

## AWARDS/SETTLEMENTS:

Any Award providing permanent disability or future medical care must be submitted to the Workers' Compensation Appeals Board [WCAB] for approval. Unless your Award is approved by the WCAB it is not protected and unless you take action to protect your benefits within five years of your date of injury, future benefits may be barred by the Statute of Limitations.

## ATTORNEYS:

It is not necessary to be represented by an attorney to receive these benefits. However, you do have the right to consult with an attorney of your choice. Should you decide to be represented by an attorney, you may or may not receive a larger award, but, unless you are determined to be ineligible for an award, the attorney's fee will be deducted from any award you might receive for disability benefits.

The decision to be represented by an attorney is yours to make, but it is voluntary and may not be necessary for you to receive your benefits.

## FRAUD LAW:

**Any person who makes or causes to be made any knowingly false or fraudulent material statement or material representation for the purpose of obtaining or denying workers' compensation benefits or payments is guilty of a felony.**

## DISCRIMINATION:

It is illegal for your employer to terminate you or punish you for filing a workers' compensation claim. Discrimination can result in increased benefits and reimbursement of lost wages and/or benefits.

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## FACTS CONCERNING WORKERS' COMPENSATION FOR INJURED COUNTY EMPLOYEES

County of Riverside  
Workers' Compensation Division  
P.O. Box 1120  
Riverside CA 92502

FOR MORE INFORMATION VISIT:

<http://www.workforceexchange.net>

Or contact us at:  
(951) 955-3530  
or  
(951) 955-5864