

**CSJVRMA
EXECUTIVE SUMMARY
WORKERS' COMPENSATION CLAIMS PROCEDURES MANUAL
APRIL 1, 2019**

Workers' Compensation coverage provides for medical and indemnity benefits for work-related injuries and illnesses. If you are unable to determine whether an injury is work-related, report the injury to Acclamation Insurance Management Services (AIMS), the contracted firm for workers' compensation claims adjusting services by the CSJVRMA, and they will make the determination.

Immediately report all work-related injuries or illnesses sustained by employees. This information should be faxed or mailed to:

**AIMS
P.O. Box 28100
Fresno, CA 93729
Phone (800) 559-9891
Fax (559) 227-1579**

Contacts

**Ms. Jennifer White, Claims Manager
Mr. Terry Cazzell, Claims Supervisor
Ms. LaDonna Jayne, Sr. Claims Examiner
Ms. Helen Whitaker, Sr. Claims Examiner
Mr. Bobby Griffiths, Claims Examiner
Ms. Maribel Lawless, Claims Examiner
Ms. Tina Owen, Claims Examiner
Ms. Carolon Gentile, Future Medical Claims Examiner
Mr. Montana Castaneda, Future Medical/Medical Only Claims Examiner**

The following procedures must be followed when a work-related injury or illness occurs or is alleged:

1. Effective September 1, 2009, members of the CSJVRMA Workers' Compensation Program will participate in Structured Return-to-Work (SRTW) Services. Working in tandem with AIMS, a SRTW Coordinator has been assigned to coordinate this service and will periodically be in contact with members, treating physicians, and other health care providers as necessary.
2. After notifying their respective supervisor of an injury and/or illness and **BEFORE** seeking medical treatment, injured employees are to call into the telephonic Nurse Triage Call Center for treatment evaluation by a Registered Nurse (RN). Injured employees requiring **emergency** medical care are to call in **AFTER** treatment has occurred or their supervisor may call on their behalf. After speaking with the RN, the employee will either be referred for medical care or provided home health care instructions and not referred for medical care. Regardless of the RN's recommendation, the employee retains the right whether or not to seek medical care. As appropriate, AIMS' Medical Director may also provide oversight.

3. After an injured employee or supervisor has placed a call into Allied Managed Care's Nurse Triage Center (844-691-4111), an immediate notification will be emailed to the member, the SRTW Coordinator, and to AIMS. This may be the first notification to the employer or AIMS that an injury or illness has occurred and provides a window of opportunity to provide early claim intervention.
4. Regardless if the employee seeks medical treatment, the employer shall give the employee a Division of Workers' Compensation Form (DWC 1 Form) **within 1 working day**. If the employee is unavailable to receive the form, the form should be mail via certified mail within one working day and document if a form was mailed to the employee.
5. If the employee seeks medical care, prepare Form 5020, Employer's Report of Occupational Injury or Illness **within 5 days**, and send it via mail or fax it to AIMS. Form 5020s can also be completed through the use of Boomerang; an application used to monitor SRTW Services. Access to Boomerang can be requested by contacting the SRTW Coordinator. Retain a copy of Form 5020 for your files.

As a reminder, the date the form was completed should be listed in the bottom right-hand box. If the State of California Audit Unit audits this claim, a \$100 penalty could be assessed to the employer for failure to fully complete by not dating the form.

6. **DO NOT WAIT FOR THE REPORT FROM THE DOCTOR** before completing Employer's Report of Occupational Injury or Illness. The details of the accident should be given in a simple statement of fact(s). The Claims Examiner will rely upon the physician for a medical description and diagnosis.
7. In the case of a fatal accident or serious injury, immediately notify the Claims Examiner at AIMS by telephone.
8. The following documents should be forwarded to AIMS upon receipt:
 - Medical Reports,
 - Notice of Hearing,
 - Application of Adjudication of Claim before the Workers' Compensation Appeals Board,
 - Letters from attorneys or representatives of injured employees or any State or Federal agencies,
 - Letters and summaries of telephone calls or complaints made by employees or others,
 - Subpoenas in work-related injury cases, and/or
 - Any notice or citations received from Cal/OSHA.
9. Send any reports and bills you receive from an injured employee's private physician to AIMS.
10. Refer requests for information concerning employees' claims to AIMS.

MEDICAL TREATMENT

All employees should be required to report injuries, even though minor, to their immediate supervisor and call into the Nurse Triage Center. Many minor scratches, small lacerations, puncture wounds, and contusions can be given adequate first aid treatment by city personnel.

Employees requiring the attention of a physician should be sent for medical treatment to the industrial clinic/facility selected by your city. This facility should be specifically chosen for the treatment of your employees' work-related injuries, and the physician should be familiar with the workers' compensation laws in the State of California regarding reporting and billing.

If your city is having trouble selecting a physician or medical facility, please contact AIMS for assistance.

An employee who has given written notice to the City prior to an injury of their desire to be treated by a personal physician (one which has previously treated the employee and is the custodian of their medical records), may immediately consult with that personal physician. However, in an emergency, proper medical aid should be rendered immediately.

SERIOUS INJURIES

“A serious injury or illness” means any injury or illness which requires inpatient hospitalization for more than 24 hours (other than for medical observation), or where there is amputation or permanent disfiguration of the employee.

Seriously injured employees should be kept warm, moved as little as possible, and made comfortable. If necessary, paramedics should be called by dialing 911; otherwise, the employee should be taken to the nearest available emergency medical facility. **Telephone AIMS and Cal/OSHA immediately!**

Cal/OSHA requires that in the event of a serious injury or illness, the employer, or authorized representative, report **immediately** by telephone to the nearest District Office of the Division of Occupational Safety and Health, any work-related death or work-related serious injury or illness of an employee.

“Immediately” means as soon as practically possible, but no longer than **8 hours** after the employer knows or with diligent questioning would have known of the death or serious injury or illness occurring in a place of employment or in connection with any employment.

MEDICAL CONTROL

In accordance with Section 4600 of the Labor Code, medical treatment that is reasonably required to cure or relieve an employee from the effects of an injury or illness shall be provided by the employer. After 30 days from the date the injury is reported, the employee may be treated by a physician of their own choice within a reasonable geographic area.

Thus, if one of your employees complains about the medical treatment being received or asks for a change of physician, please contact AIMS immediately so they can contact the employee and make suitable arrangements.

Please note that the medical treatment provisions of the Labor Code also state that if any employee had notified his or her employer in writing prior to the date of injury that they would like to be treated by a personal physician (one which has previously treated the employee and is the custodian of the employee's medical records) for work-related injuries, the employee has the right to be treated by such physician from the date of injury.

If an injured worker receives a bill or statement for medical treatment received due to an industrial injury or illness, a copy of the bill or statement should be provided to AIMS. AIMS will contact the medical provider to ensure that future bills are provided to the Claims Examiner, not the employee.

RETURN-TO-WORK

If the injured employee is provided work restrictions by the treating physician, it is generally in the best interest of the City to accommodate the restrictions. If the City is unable to accommodate work restrictions, AIMS and the SRTW Coordinator will work with city personnel to provide assistance. This may be in the form of creating a transitional work assignment (light duty work), working with the treating physician to help determine work that can be performed, periodic monitoring of light duty assignments, and work status reports as provided by the treating physician. In those cases where modified duty options have been explored, and suitable work cannot be provided, the employee will remain off work until the City can accommodate modified duty or when work restrictions are lessened or lifted. AIMS and the SRTW Coordinator will closely monitor this progress and report back any changes to the City.

HOW TO HANDLE UNUSUAL CASES

From time to time, employees will claim injuries, illnesses, or disabilities and give an obscure or vague history of such injury, illness, or disability. In some cases, you may not believe the employee's complaints are work-related.

City staff who is responsible for reporting work-related injuries or illnesses should take a careful chronological history from the employee, then immediately telephone AIMS. They will arrange for investigations, medical opinions, and/or medical treatment as indicated and necessary.

You need not and should not be drawn into arguments with employees over questionable claims situations. If questions arise that you cannot answer, advise your employee the matter will be referred for immediate attention. Such inquiries can either be directed to AIMS at (800) 559-9891 or Ms. Tammy Vitali at the CSJVRMA's office at (800) 541-4591, ext. 19114 or via email at tammy.vitali@yorkrisk.com.

WHAT YOU CAN EXPECT TO RECEIVE FROM AIMS

Each city can expect to receive copies of various documents from AIMS for each claim filed. They are as follows:

- Benefit notices,
- Denial notices,
- Delay of claim notices, and
- Acceptance letters.

Copies of the above-listed items are sent to the City on the same day they are mailed to the injured employee. If the City has any open claims, the City can expect to also receive a loss run on a quarterly basis that lists the claims and financial information.

If an award is approved by the Workers' Compensation Appeals Board, the City can expect to receive a copy. This document may be sent to the City by the State or by the defense attorney handling the claim.

COMMENTS

It shall be the policy of the CSJVRMA to settle all legitimate claims in an efficient and timely manner and investigate all questionable claims and vigorously reject those it deems to be inappropriate.

Should you have any questions or need additional information, please contact Ms. Tammy Vitali, CSJVRMA's Workers' Compensation Program Manager at (800) 541-4591 ext. 19114 or via email at tammy.vitali@yorkrisk.com.