

Workers Compensation

Frequently Asked Questions

WHAT HAPPENS IF THERE IS A WORKPLACE ACCIDENT OR INJURY?

All employees should report any work related accident to their supervisor immediately. An employee must first report his/her injury to the supervisor or principal and then complete an Employee Report of Incident Form. The supervisor or designee will report the injury to the Worker's Compensation Office in Employee Benefits and Insurance Management. It is important that the form be completed within 24-hours of the time of injury. All information requested on the form must be provided. If an injured employee needs medical care the supervisor, nurse, or employee must call the Worker's Compensation Office at 973-4579 to be referred for medical treatment and coordination of all appointments. **Note:** Just because an "injury" occurs during the employee's work day does not automatically mean this it is compensable under Worker's Compensation Law. Any questions should be directed to the Worker's Compensation Office.

HAVE THERE BEEN CHANGES TO THE KANSAS WORKER'S COMPENSATION LAW?

Yes. The Kansas legislature amended the Worker's Compensation Law effective May 15, 2011. Based on those amendments we have updated our worker's compensation documents and have developed a new Employee Report of Incident Form for reporting job injuries. Notice of an injury must be made to the supervisor and the Worker's Compensation Office immediately following an accident. Reporting an injury to a clerk, nurse, or fellow employee does not serve as notice. Failure to properly provide notice of an injury can result in denial of benefits. The "injury" must arise out of and in the course of employment and be deemed the prevailing factor in relation to any other factor. Just because an "injury" occurs during the work day does not automatically mean that it is compensable under the worker's compensation law.

I WENT TO MY OWN PERSONAL PHYSICIAN INSTEAD OF AN AUTHORIZED TREATING PHYSICIAN. WILL THESE EXPENSES BE COVERED BY WORKER'S COMPENSATION?

Under Kansas law, an injured worker has up to \$500 for unauthorized medical care provided by someone other than the approved treating physician. If you have any questions, please call the Worker's Compensation Office at 973-4579. Any correspondence, such as billing, medical notes, etc. received from an unauthorized medical care provider should be sent to the Worker's Compensation office.

WHAT IF I AM GIVEN RESTRICTIONS FROM THE AUTHORIZED TREATING PHYSICIAN?

Restrictions are reviewed on an individual basis. Restrictions are compared to job descriptions and the essential functions of the job in consultation with the Manager of Disability Programs. Supervisors will have the final decision as to whether or not restrictions (temporary or permanent) can be accommodated. If a temporary accommodation can be made for temporary restrictions, the employee must be able to perform the essential functions of his/her job within an agreed upon length of time (i.e., 2 weeks or 90 days). Acceptance of a temporary accommodation is optional. Any temporary accommodated work days would count toward the 180 day maximum. If the employee is off for >89 days it will be considered a serious injury and will require an Independent Medical Exam / Fitness for Duty Exam before being allowed to return to work once released.

WHAT IF I DO NOT LIKE MY TREATING PHYSICIAN OR WANT A SECOND OPINION?

If you are dissatisfied with the care you are receiving and would like to request a different treating physician or would like to obtain a second opinion, please contact the Worker's Compensation Office at 973-4579.

HOW DO I GET PRESCRIPTIONS FILLED?

Prescriptions can be filled at any Dillons, Wal-Mart, or Walgreen's Pharmacy. The injured employee will provide verification of employment to the pharmacy by showing his/her employee ID card. (Dillons Pharmacy will give the employee a receipt, but the bill will be sent to the Employee Benefits office.) If the employee goes to another pharmacy, the employee will be required to pay for the prescription up-front and then submit the original receipt to the Worker's Compensation Office for reimbursement.



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Frequently Asked Questions, Cont'd.

HOW IS MY WORKER'S COMPENSATION BENEFIT CALCULATED IF I AM UNABLE TO WORK?

Injured workers are not entitled to compensation for the first 7 calendar days that they are off work unless they are off work for 21 consecutive calendar days. An injured employee is entitled to a weekly amount of 66 2/3 % of his average weekly wage up to a maximum of 75 % of the state's average weekly wage. These benefits are subject to legislative changes. If the injury results in permanent disability, the Kansas Worker's Compensation Law provides for additional benefits.

AM I REQUIRED TO USE MY TEMPORARY LEAVE FOR MISSED TIME?

For the first 7 calendar days that you are off work you will need to use your temporary leave (TLV) or personal illness (PI) if you have any available. If you do not have any TLV or PI available, then you will not be paid for those days off work. Your absences will be coded as Job Injury (JI) and will not count against your absences. If eligible, FML will run concurrently with time off for job injury.

HOW DO I KNOW IF I QUALIFY TO RECEIVE TEMPORARY TOTAL DISABILITY (TTD) PAYMENTS?

If you have been taken off work by a worker's compensation doctor or if you cannot be accommodated at work with restrictions that the worker's compensation doctor has given, you may qualify for TTD payments. There is a 7 calendar day waiting period before TTD payments are made to you if you qualify. TTD payments will not start until the 8th calendar day of missed work. You will need to use your temporary leave (TLV) or personal illness (PI) if you have any available. If you do not have any TLV or PI available, you will not be paid for those days off work. If you are off work for 21 consecutive calendar days, then you will be paid the 70day waiting period. If you pay a health plan premium, that will be deducted from TTD payments.

CAN I RECEIVE REIMBURSEMENT FOR MY MILEAGE?

State regulations allow medical mileage reimbursement in excess of 5 miles round trip for treatment from the place of employment to the appointment site and back to the place of employment. Travel from home to another town **exclusively** for treatment of the injury may also be eligible for reimbursement.

WHAT SHOULD I DO IF A MEDICAL BILL IS SENT TO ME?

If you believe you have received a medical bill in error, please contact the Worker's Compensation Office at 973-4579 for assistance.

