

CONSUMER'S GENERAL GUIDE TO WORKERS' COMPENSATION

- The purpose of workers' compensation:

The workers' compensation system provides benefits if you become injured or ill from your job. Generally, you do not have to prove that the accident or illness was your employer's fault or that it was not your fault (exceptions - see NRS 616C.230).

- Workers' Compensation:
 - Pays for reasonably necessary medical services related to the injury;
 - Pays compensation for part of your wage loss or inability to earn a full income;
 - Pays compensation for permanent loss of use of or loss of body function;
 - Pays benefits to dependents for a work related death;
 - Pays for vocational rehabilitation services if you cannot return to the job or to the employer you had before your injury, or other gainful employment (see NRS 616C.555);
 - Helps you return to work as soon as reasonably possible;
 - Attempts to return you, as close as possible, to the income you had before the injury.

- Who pays the workers' compensation benefits?

Employers purchase workers' compensation policies from insurance companies; some employers are approved to be self-insured; they pay the benefits themselves. Most self-insured employers hire third party administrators to administer claims.

Either insurance companies or approved self-insured employers pay benefits to injured workers for wage-loss and permanent loss of use of body functions. Insurers pay the medical and vocational rehabilitation costs directly to the service providers. Insurers reimburse employees for some expenses such as mileage under certain circumstances.

- What about the injured worker's rights?

Under state law you have the right to file for workers' compensation benefits. You do not have to pay for any workers' compensation benefits. State law requires employers to have workers' compensation insurance to pay for all workers' compensation benefits.

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- What should I do when I am injured?
 - Report your injury to your supervisor as soon as possible and complete a written report on the form provided by your employer (C-1 form).
 - Get prompt medical care, and complete a C-4 form – Employees Claim for Compensation/Report of Initial Treatment. This form is completed by the injured worker and the physician or chiropractor and submitted to the insurer by the medical provider to initiate an injured worker's claim.
 - Inform your employer about your medical condition and when you can return to work; this information should be provided to you by your medical provider at each visit. Call your insurer / administrator if you have questions or problems with your claim.
- What does my employer do?
 - Your employer completes a C-3 form – Employer's Report of Injury form and sends it to the insurance company; or the plan administrator, if self-insured.
- What does the insurance company/administrator do?
 - After you have reported the injury, the insurer/administrator investigates the injury report and makes an initial decision about whether to accept or deny your claim based on the circumstances surrounding your injury and the laws governing workers' compensation insurance in this State.
- What benefits do I receive?
 - If your Doctor states in writing that you are temporarily unable to work because of your injury, or places physical restrictions on you that your employer cannot accommodate, you will receive Temporary Total Disability (TTD) benefits.
- What if I need help returning to work?
 - Talk with your employer and your treating physician about going back to work. Your employer may provide accommodations to help you return to work. If you cannot return to your employer because of your injury, vocational rehabilitation services may help you find work with a new employer.

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- Problems with my claim
 - Most workers' compensation claims are paid without any problems, however if you think the insurance company/administrator is not paying you correctly, or not paying your medical bills, you may want to do the following:
 - Contact the claims adjuster – write down the date, time, and adjuster's name for your records. Explain the problem and attempt to work it out; many times problems are fixed with a simple telephone call. If not, put your request in writing and send it to the insurer/administrator.
 - Be sure the insurance company really must pay for what you want. Determine if the law allows the benefit you believe you should have.
 - If you continue to have difficulty with your workers' compensation claim (benefit or medical management issues), you may call the Office of the Governor, Consumer Health Assistance at 702-486-3587 or toll free at 888-333-1597.
 - If you believe your insurer has violated a law or regulation, you may contact the Division of Industrial Relations (DIR), Workers Compensation Section (WCS) to report the suspected violation. You may reach them in Southern Nevada at 702-486-9080 or in Northern Nevada at 775-684-7260.
 - If you think you are in need of legal assistance, the Nevada Attorney for Injured Workers (NAIW) may be available to represent you without fee. You may reach the NAIW in Southern Nevada at 702-486-2830 or in Northern Nevada at 775-684-7555.
- Helpful Hints for Injured Workers
 - Attend and participate in all scheduled physician appointments and other provider appointments (such as physical therapy);
 - Inform your employer about your medical progress and plans to return to work;
 - Keep in frequent touch with your claims adjuster, medical personnel, and vocational rehabilitation counselor;

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- Put your name, Social Security number and date of injury on all papers and forms sent to the insurance company to help process them quickly. Clearly identify your employer and its insurer;
- Save copies of all case documents, letters, forms, compensation checks and medical bills (generally injured workers should not receive any medical bills);
- Save notes of telephone conversations;
- Keep track of your mileage for vocational rehabilitation and medical visits to possibly qualify for reimbursements.
- Keep on top of your claim - assist with the management, and know where to turn if you have problems.