

What is the Law on Recordable Injuries?

There is an on going question about what work related injuries or illnesses need to be reported to the insurance company. There are also questions about if and when the Doctor's First Report of Injury needs to be sent to the carrier.

California law is very specific regarding these questions. An employer must report all recordable injuries or illness. So what is considered a recordable injury and what is First aid?

If the injury results in one of the following, it is considered recordable and must be recorded on the Cal/OSHA 300 log: Death; days away from work; loss of consciousness; restricted work or transfer to another job; medical treatment beyond first aid; a significant injury/illness diagnosis; all work-related needle-sticks and cuts from sharp objects that are contaminated with another person's blood or potentially infectious material. In the event of a recordable injury the employee must be provided with the Employee's Claim Form for Workers' Compensation Benefits form (DWC Form 1). You must also contact your workers' compensation carrier and file the Employer's First Report of Occupational Injury and Illness for (DLSR Form 5029) no later than five days after the injury occurs.

An injury or illness is considered first aid if it is a one-time treatment and any follow-up visit for the purpose of observation of minor scratches, cuts, burns, splinter, or other minor industrial injuries, which do not ordinarily require medical care. Such first aid may be provided by the employer or a physician or other healthcare provider. To avoid opening a workers' compensation claim, an employer may choose to pay for the medical treatment of these minor industrial injuries. The employer should ask the medical provider to bill him directly.

However, the employer should be aware that a second treatment, other than mere observation, of an injury will bring it within the definition of a recordable injury. The California law also states very specifically in Section 6409(a) of the California Labor Code that a physician who treats an injured employee must file a "Doctor's First Report of Injury" (DFR) with the claims administrator for every work illness or injury, even first aid cases where there is no lost time from work. Although the Labor Code contains "first aid" exception for "Employers' Report" (form 5020) and the "Employee Claim Form" (DWC-1), there is no such exception for the DFR. The insurance carrier (or the employer if the employer is self insured) must forward these DFRs to the Department of Industrial Relations, Division of Labor Statistics and Research. There is no "first aid" exception to this statute.

The best way companies can control their Workers' Comp costs is to successfully manage a claim. When an injury occurs, tell the employee you are concerned about their well-being and that you want to do everything possible to help them recover and come back to work. Familiarize the employee with the workers' compensation process and their responsibility to complete necessary claim forms, attend medical appointments, adhere to work restrictions, and to maintain a satisfactory level of work performance and attendance. Also inform the employee what impact any lost time will have on their pay, medical benefits coverage, and vacation/sick accrual. Calendar and track the employee's appointments with medical providers. Contact the employee before each appointment to remind him of the appointment. Call the medical provider if you do not receive a treatment report. Work with the provider to establish light duty guidelines for the injured employee.

Benefits of Worksite Wellness Programs

Wellness program in the workplace can help companies control costs. An investment in your employees' health may lower health care costs and slow the increase in providing that important benefit. In fact, employees with more risk factors, including being overweight, smoking and having diabetes, cost more to insure and paid more for health care than people with few risk factors.

An employee wellness program can raise awareness so employees with fewer risk factors remain in a lower-cost group. A program also can encourage employees with health risk factors to make lifestyle changes and improve their quality of life and lower costs.

Healthier employees are more productive. This has been demonstrated in factory settings and in office environments in which workers with workplace wellness initiatives miss less work. Also healthier employees miss less work. Companies that support wellness and healthy decisions have a greater percentage of employees at work every day. Because health frequently carries over into better family choices, your employees may miss less work caring for ill family members as well.

A company that cares about its employees' health is often seen as a better place to work. Those companies save money by retaining workers who appreciate the benefits of wellness program and they can attract new employees in a competitive market.

The cost to employers of obesity-related health problems in 2003 was \$13 billion per year, including \$8 billion in disability insurance. In addition, an estimated 39 million workdays are lost to obesity-related illness each year (DHHS 2004).

By starting a wellness program you benefit your company as well as your employees. Following are some suggestions of programs you can implement at your company.

- Provide employees with opportunities for individual, group and at-home support for behavior change.
- Provide employees with tools for self-assessment of eating and physical activity habits (i.e. food diaries and fitness logs).
- Send supportive reminders to employees via multiple means (i.e. email, posters, payroll staffer.)
- Provide employee incentives for participation in nutrition, physical activity, and/or weight management/maintenance activities.

(Source: Dept. of Health and Family Services)

Changes in Company Information?

Contact: _____

Insurance Carrier: _____

Phone/Fax: _____

Other: _____



MEDICAL GROUP, Inc.

13440 E. Imperial Hwy.
Santa Fe Springs, CA 90670