



Workers' Compensation

The Bottom Line



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Risk Management: Routine Best Practices

- Risk management: The identification, assessment, and prioritization of risks (which may adversely affect organizational objectives) followed by coordinated and economical application of resources and controls to minimize, monitor, and control the probability and/or impact of unfortunate events.
- Pro-actively prevent incidents, claims, costs
- Retroactively prevent reoccurrence of same, mitigate costs



IL Work Comp Facts

- Statutory (must have)
- AOE / COE
- Work comp premiums typically the 2nd highest expense after payroll
- Usually the premium is highest of all insurance premiums for all coverages, for any organization (not including group health)
- Few use the benefits, but all are affected
- Thorough and timely accident investigations are one of main tools available to help improve safety, prevent incidents and positively affect work comp claims for the employee, employer and carrier / program administrator

Incident Investigation: 3 parts

- “...a process comprised of investigation, causal factor analysis, and corrective action follow-up” following a near miss or damage/injury producing incident.” National Safety Council
- Is all of this happening where you work?
- Fact gathering
- Incident analysis
- Corrective action plan



Tom is injured on the job...

- What should Tom do now?
- Does Tom have to provide notice to his employer (supervisor) **INITIALLY**, in writing?
- How long does Tom have to provide notice of his injury?
- What paperwork should Tom complete at the time of injury*?



Employee Incident Report

- Completed by employee, their written account
- Signed and dated
- All items are filled in or "N/A"
- Supervisor: Ask for clarification if you don't understand and item
- Supervisor: What not to do...
 - Get this back to me whenever
 - Why did you _____!!

What should the supervisor do?

- Show concern for the employee's well being
- Remain impartial
- Have employee fill out employee incident report: employee's perspective may be limited, so...
- Complete a supervisor's report of injury
- Go to the scene, note pertinent details, take photos, videos as needed
- Try to "paint a picture": identify all causal and contributing factors to the incident
- Inform the employee of the organization's medical provider
- Can the employee go to any doctor?

Supervisor's responsibilities cont.

- Handle witness (complete written report as well)
- Complete, sign, date, ask for clarification if something is not clear
- Interview those who may have been in area
- What NOT to do...
 - Wait (timeliness is key)
 - Carbon copy employee incident report: there may be other factors that the employee alone may not realize
 - Determine compensability
 - Blame the employee. Your purpose is to gather details to prevent re-occurrence and, through the investigation, assist in beginning the process of managing the claim. **FACT FINDING, not FAULT FINDING**

What next?

- Who is the organization's claims contact?
- What are (typically) their responsibilities?
- Form 45 or First Report Of Injury
- Medical authorization / consent
- Communication
- Paperwork shouldn't trump submission!

ILLINOIS FORM 45: EMPLOYER'S FIRST REPORT OF INJURY

Please type or print.

Employer's FEIN	Date of report	Case or File #	Is this a lost workday case? Yes / No
Employer's name		Doing business as	
Employer's mailing address			
Nature of business or service			SIC code
Name of workers' compensation carrier/admin.		Policy/Contract #	Self-insured? Yes / No
Employee's full name		Social Security #	Birthdate
Employee's mailing address			Employee's e-mail address
Male / Female	Married / Single	# Dependents	Employee's average weekly wage
Job title or occupation			Date hired
Time employee began work AM PM	Date and time of accident		Last day employee worked
If the employee died as a result of the accident, give the date of death.			Did the accident occur on the employer's premises? Yes / No
Address of accident			
What was the employee doing when the accident occurred?			
How did the accident occur?			
What was the injury or illness? List the part of body affected and explain how it was affected.			
What object or substance, if any, directly harmed the employee?			
Name and address of physician/health care professional			
If treatment was given away from the worksite, list the name and address of the place it was given.			
Was the employee treated in an emergency room? Yes / No		Was the employee hospitalized overnight as an inpatient? Yes / No	
Report prepared by	Signature	Title and telephone #	

Please send this form to the ILLINOIS WORKERS' COMPENSATION COMMISSION 701 S. SECOND STREET SPRINGFIELD, IL 62704. IC45 12/04

By law, employers must keep accurate records of all work-related injuries and illness (except for certain minor injuries). Employers shall report to the Commission all injuries resulting in the loss of more than three scheduled workdays. Filing this form does not affect liability under the Workers' Compensation Act and is not incriminatory in any sense. This information is confidential.

Questions...

- Should minor injuries and near misses be investigated and reported?
- Encourage reporting!
- Better to have too many reports.....
- What if it's an emergency?
- Example: Local police department
- Ice machine example



Investigation and Reporting: Why??

- Safety: prevent reoccurrence of the (an) incident
- +Determine causal and contributing factors
- +Create plan to remediate c/c factors
- Claims management
- +determine compensability
- +review medical records
- +authorize medical services needed
- Adequate detail and timeliness is key!

Important...Timeliness

- Delays remediation of a present hazard that could result in another injury very soon
- Delays addressing c/c factors that could lead to re-occurrence
- Delays in reporting to carrier: prevents the carrier from initiating, managing and processing of the claim. The employee may not get the services they need in a timely manner, and then...
- Injuries up, claims up, costs up, premiums up, (productivity down, morale down), and employer's resources (\$\$) are strained

Thank You!