



N. J. Workers Compensation Act

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N.J.S.A. 34:15



- New Jersey's Workers Compensation Act was adopted in 1911.
- New Jersey followed the lead of Wisconsin's Progressive Movement of the early 1900's.
- Employee gives up right to sue employer for its negligence in exchange for guaranteed system of scheduled benefits.
- The statute is to be liberally construed to bring as many employees as possible under the coverage of the WC Act.
- It's called "workers' compensation, not employers' defense!"

Defined Benefits in New Jersey

• Medical Benefits

- No limit to medical benefits.
- Must get the employee to Maximum Medical Improvement (MMI).

• Temporary Disability Benefits

- Wage replacement is determined by the State Division of WC and is based upon the injured employee's salary at the time of injury.

• Permanent Partial Disability Benefits

- Payment for disability level claimant receives as a result of the injury.
- Based upon a chart issued by the State Division of WC.

SCHEDULE OF DISABILITIES AND MAXIMUM BENEFITS EXCLUSIVE OF AMPUTATION AND ENUCLEATION

		FINGERS - SEE FOOTNOTE										TOES					HEARING					
PER-CENT	HAND 200 WEEKS 2.5% 100 WEEKS	ARM 300 WEEKS	THUMB 60 WEEKS	FIRST 60 WEEKS	SECOND 60 WEEKS	THIRD 40 WEEKS	FOURTH 40 WEEKS	FIFTH 40 WEEKS	LEG 200 WEEKS	FOOT 200 WEEKS 2.5% 100 WEEKS	GRATE TOE 40 WEEKS	OTHER TOE 15 WEEKS	EYE 200 WEEKS	1 EAR 60 WEEKS	2 EARS 60 WEEKS	PARTIAL TOTAL BASED ON 60 WEEKS	PER-CENT					
1	2,000 782.00	3,000 967.00	3,000 1,200.00	3,000 1,200.00	3,000 1,200.00	3,000 1,200.00	3,000 1,200.00	3,000 1,200.00	3,100 923.00	3,100 923.00	3,100 923.00	3,100 923.00	3,100 923.00	3,100 923.00	3,100 923.00	3,100 923.00	1					
1 1/2	3,000 1,143.00	4,000 1,460.00	4,000 1,520.00	4,000 1,520.00	4,000 1,520.00	4,000 1,520.00	4,000 1,520.00	4,000 1,520.00	4,100 1,244.00	4,100 1,244.00	4,100 1,244.00	4,100 1,244.00	4,100 1,244.00	4,100 1,244.00	4,100 1,244.00	4,100 1,244.00	1 1/2					
2	5,000 1,824.00	6,000 2,044.00	6,000 2,044.00	6,000 2,044.00	6,000 2,044.00	6,000 2,044.00	6,000 2,044.00	6,000 2,044.00	5,200 1,846.00	5,200 1,846.00	5,200 1,846.00	5,200 1,846.00	5,200 1,846.00	5,200 1,846.00	5,200 1,846.00	5,200 1,846.00	2					
2 1/2	6,000 2,140.00	7,000 2,360.00	7,000 2,360.00	7,000 2,360.00	7,000 2,360.00	7,000 2,360.00	7,000 2,360.00	7,000 2,360.00	5,400 1,968.00	5,400 1,968.00	5,400 1,968.00	5,400 1,968.00	5,400 1,968.00	5,400 1,968.00	5,400 1,968.00	5,400 1,968.00	2 1/2					
3	7,000 2,440.00	8,000 2,660.00	8,000 2,660.00	8,000 2,660.00	8,000 2,660.00	8,000 2,660.00	8,000 2,660.00	8,000 2,660.00	5,600 2,086.00	5,600 2,086.00	5,600 2,086.00	5,600 2,086.00	5,600 2,086.00	5,600 2,086.00	5,600 2,086.00	5,600 2,086.00	3					
3 1/2	8,000 2,740.00	9,000 2,880.00	9,000 2,880.00	9,000 2,880.00	9,000 2,880.00	9,000 2,880.00	9,000 2,880.00	9,000 2,880.00	5,800 2,186.00	5,800 2,186.00	5,800 2,186.00	5,800 2,186.00	5,800 2,186.00	5,800 2,186.00	5,800 2,186.00	5,800 2,186.00	3 1/2					
4	10,000 3,040.00	11,000 3,360.00	11,000 3,360.00	11,000 3,360.00	11,000 3,360.00	11,000 3,360.00	11,000 3,360.00	11,000 3,360.00	6,000 2,286.00	6,000 2,286.00	6,000 2,286.00	6,000 2,286.00	6,000 2,286.00	6,000 2,286.00	6,000 2,286.00	6,000 2,286.00	4					
5	12,000 3,340.00	13,000 3,660.00	13,000 3,660.00	13,000 3,660.00	13,000 3,660.00	13,000 3,660.00	13,000 3,660.00	13,000 3,660.00	6,200 2,386.00	6,200 2,386.00	6,200 2,386.00	6,200 2,386.00	6,200 2,386.00	6,200 2,386.00	6,200 2,386.00	6,200 2,386.00	5					
7 1/2	16,000 5,040.00	17,000 5,360.00	17,000 5,360.00	17,000 5,360.00	17,000 5,360.00	17,000 5,360.00	17,000 5,360.00	17,000 5,360.00	6,400 2,486.00	6,400 2,486.00	6,400 2,486.00	6,400 2,486.00	6,400 2,486.00	6,400 2,486.00	6,400 2,486.00	6,400 2,486.00	7 1/2					
10	20,000 7,040.00	21,000 7,360.00	21,000 7,360.00	21,000 7,360.00	21,000 7,360.00	21,000 7,360.00	21,000 7,360.00	21,000 7,360.00	6,600 2,586.00	6,600 2,586.00	6,600 2,586.00	6,600 2,586.00	6,600 2,586.00	6,600 2,586.00	6,600 2,586.00	6,600 2,586.00	10					
12 1/2	24,000 8,540.00	25,000 8,860.00	25,000 8,860.00	25,000 8,860.00	25,000 8,860.00	25,000 8,860.00	25,000 8,860.00	25,000 8,860.00	6,800 2,686.00	6,800 2,686.00	6,800 2,686.00	6,800 2,686.00	6,800 2,686.00	6,800 2,686.00	6,800 2,686.00	6,800 2,686.00	12 1/2					
15	28,000 10,040.00	29,000 10,360.00	29,000 10,360.00	29,000 10,360.00	29,000 10,360.00	29,000 10,360.00	29,000 10,360.00	29,000 10,360.00	7,000 2,786.00	7,000 2,786.00	7,000 2,786.00	7,000 2,786.00	7,000 2,786.00	7,000 2,786.00	7,000 2,786.00	7,000 2,786.00	15					
17 1/2	32,000 11,540.00	33,000 11,860.00	33,000 11,860.00	33,000 11,860.00	33,000 11,860.00	33,000 11,860.00	33,000 11,860.00	33,000 11,860.00	7,200 2,886.00	7,200 2,886.00	7,200 2,886.00	7,200 2,886.00	7,200 2,886.00	7,200 2,886.00	7,200 2,886.00	7,200 2,886.00	17 1/2					
20	36,000 13,040.00	37,000 13,360.00	37,000 13,360.00	37,000 13,360.00	37,000 13,360.00	37,000 13,360.00	37,000 13,360.00	37,000 13,360.00	7,400 2,986.00	7,400 2,986.00	7,400 2,986.00	7,400 2,986.00	7,400 2,986.00	7,400 2,986.00	7,400 2,986.00	7,400 2,986.00	20					
22 1/2	40,000 14,540.00	41,000 14,860.00	41,000 14,860.00	41,000 14,860.00	41,000 14,860.00	41,000 14,860.00	41,000 14,860.00	41,000 14,860.00	7,600 3,086.00	7,600 3,086.00	7,600 3,086.00	7,600 3,086.00	7,600 3,086.00	7,600 3,086.00	7,600 3,086.00	7,600 3,086.00	22 1/2					
25	44,000 16,040.00	45,000 16,360.00	45,000 16,360.00	45,000 16,360.00	45,000 16,360.00	45,000 16,360.00	45,000 16,360.00	45,000 16,360.00	7,800 3,186.00	7,800 3,186.00	7,800 3,186.00	7,800 3,186.00	7,800 3,186.00	7,800 3,186.00	7,800 3,186.00	7,800 3,186.00	25					
27 1/2	48,000 17,540.00	49,000 17,860.00	49,000 17,860.00	49,000 17,860.00	49,000 17,860.00	49,000 17,860.00	49,000 17,860.00	49,000 17,860.00	8,000 3,286.00	8,000 3,286.00	8,000 3,286.00	8,000 3,286.00	8,000 3,286.00	8,000 3,286.00	8,000 3,286.00	8,000 3,286.00	27 1/2					
30	52,000 19,040.00	53,000 19,360.00	53,000 19,360.00	53,000 19,360.00	53,000 19,360.00	53,000 19,360.00	53,000 19,360.00	53,000 19,360.00	8,200 3,386.00	8,200 3,386.00	8,200 3,386.00	8,200 3,386.00	8,200 3,386.00	8,200 3,386.00	8,200 3,386.00	8,200 3,386.00	30					
33 1/3	56,000 20,540.00	57,000 20,860.00	57,000 20,860.00	57,000 20,860.00	57,000 20,860.00	57,000 20,860.00	57,000 20,860.00	57,000 20,860.00	8,400 3,486.00	8,400 3,486.00	8,400 3,486.00	8,400 3,486.00	8,400 3,486.00	8,400 3,486.00	8,400 3,486.00	8,400 3,486.00	33 1/3					
35	60,000 22,040.00	61,000 22,360.00	61,000 22,360.00	61,000 22,360.00	61,000 22,360.00	61,000 22,360.00	61,000 22,360.00	61,000 22,360.00	8,600 3,586.00	8,600 3,586.00	8,600 3,586.00	8,600 3,586.00	8,600 3,586.00	8,600 3,586.00	8,600 3,586.00	8,600 3,586.00	35					
37 1/2	64,000 23,540.00	65,000 23,860.00	65,000 23,860.00	65,000 23,860.00	65,000 23,860.00	65,000 23,860.00	65,000 23,860.00	65,000 23,860.00	8,800 3,686.00	8,800 3,686.00	8,800 3,686.00	8,800 3,686.00	8,800 3,686.00	8,800 3,686.00	8,800 3,686.00	8,800 3,686.00	37 1/2					
40	68,000 25,040.00	69,000 25,360.00	69,000 25,360.00	69,000 25,360.00	69,000 25,360.00	69,000 25,360.00	69,000 25,360.00	69,000 25,360.00	9,000 3,786.00	9,000 3,786.00	9,000 3,786.00	9,000 3,786.00	9,000 3,786.00	9,000 3,786.00	9,000 3,786.00	9,000 3,786.00	40					
45	76,000 28,040.00	77,000 28,360.00	77,000 28,360.00	77,000 28,360.00	77,000 28,360.00	77,000 28,360.00	77,000 28,360.00	77,000 28,360.00	9,200 3,886.00	9,200 3,886.00	9,200 3,886.00	9,200 3,886.00	9,200 3,886.00	9,200 3,886.00	9,200 3,886.00	9,200 3,886.00	45					
50	84,000 31,040.00	85,000 31,360.00	85,000 31,360.00	85,000 31,360.00	85,000 31,360.00	85,000 31,360.00	85,000 31,360.00	85,000 31,360.00	9,400 3,986.00	9,400 3,986.00	9,400 3,986.00	9,400 3,986.00	9,400 3,986.00	9,400 3,986.00	9,400 3,986.00	9,400 3,986.00	50					
55	92,000 34,040.00	93,000 34,360.00	93,000 34,360.00	93,000 34,360.00	93,000 34,360.00	93,000 34,360.00	93,000 34,360.00	93,000 34,360.00	9,600 4,086.00	9,600 4,086.00	9,600 4,086.00	9,600 4,086.00	9,600 4,086.00	9,600 4,086.00	9,600 4,086.00	9,600 4,086.00	55					
60	100,000 37,040.00	101,000 37,360.00	101,000 37,360.00	101,000 37,360.00	101,000 37,360.00	101,000 37,360.00	101,000 37,360.00	101,000 37,360.00	9,800 4,186.00	9,800 4,186.00	9,800 4,186.00	9,800 4,186.00	9,800 4,186.00	9,800 4,186.00	9,800 4,186.00	9,800 4,186.00	60					
65	108,000 39,540.00	109,000 39,860.00	109,000 39,860.00	109,000 39,860.00	109,000 39,860.00	109,000 39,860.00	109,000 39,860.00	109,000 39,860.00	10,000 4,286.00	10,000 4,286.00	10,000 4,286.00	10,000 4,286.00	10,000 4,286.00	10,000 4,286.00	10,000 4,286.00	10,000 4,286.00	65					
66 2/3	112,000 40,540.00	113,000 40,860.00	113,000 40,860.00	113,000 40,860.00	113,000 40,860.00	113,000 40,860.00	113,000 40,860.00	113,000 40,860.00	10,200 4,386.00	10,200 4,386.00	10,200 4,386.00	10,200 4,386.00	10,200 4,386.00	10,200 4,386.00	10,200 4,386.00	10,200 4,386.00	66 2/3					
70	116,000 41,540.00	117,000 41,860.00	117,000 41,860.00	117,000 41,860.00	117,000 41,860.00	117,000 41,860.00	117,000 41,860.00	117,000 41,860.00	10,400 4,486.00	10,400 4,486.00	10,400 4,486.00	10,400 4,486.00	10,400 4,486.00	10,400 4,486.00	10,400 4,486.00	10,400 4,486.00	70					
80	140,000 51,040.00	141,000 51,360.00	141,000 51,360.00	141,000 51,360.00	141,000 51,360.00	141,000 51,360.00	141,000 51,360.00	141,000 51,360.00	10,600 4,586.00	10,600 4,586.00	10,600 4,586.00	10,600 4,586.00	10,600 4,586.00	10,600 4,586.00	10,600 4,586.00	10,600 4,586.00	80					
SAWY'S TABLE																						
Maximum Rate 100%																						
Minimum Rate Chart																						
Permanent Partial Disability																						
Conversion Rate - 1% of Wages																						
Minimum Rate \$50.00 per week																						
Maximum Rate \$2,000.00 per week																						
No court fee																						
15 Weeks Annual Exclusion																						
of Age																						
91	96	102	108	114	120	126	132	138	144	151	157	163	169	175								
91	96	102	108	114	120	126	132	138	144	151	157	163	169	175								
91	96	102	108	114	120	126	132	138	144	151	157	163	169	175								
91	96	102	108	114	120	126	132	138	144	151	157	163	169	175								
91	96	102	108	114	120	126	132	138	144	151	157	163	169	175								
91	96	102	108	114	120	126	132	138	144													

No Fault Concept



- Employees can recover benefits *regardless of fault*.
- Workers' Compensation is an *exclusive remedy* which means that the employee may not sue his or her employer for injuries sustained.
- Employees who *intentionally* injure themselves are excluded from coverage.
- Employers who *intentionally* injure their employees can be sued outside of workers' compensation.
- Employers accept the employee's underlying medical conditions when they hire them
 - We take em' as we get em'

Compensability



- An accident or occupational disease must arise out of and in the course of employment to be compensable
 - “Arise out of” the employment is a causation concept
 - “Arise in the course of” employment is a time concept
- In addition, for an occupational disease to be compensable it must also be due to causes and conditions that are characteristic of or peculiar to a particular trade, occupation, process, or place of employment and the contribution must be “in a material degree”.
 - An adjuster reviews the claim petition and obtains the medical records to determine the nature of the claim because of different proofs required, different notice provisions and different statute of limitations provisions.

How Can Employers Level the Playing Field?

- Establish sound hiring practices?
- Promote Wellness?
- More Safety Training?
 - Results in Fewer Accidents & less significant injuries
- Signage & other reminders to reinforce policies?
- Manage Claims?
- Zero tolerance for fraud?



Managing Workers Compensation Claims

- Report claims as soon as they happen.
- Investigate claims to eliminate future occurrences.
- Report discrepancies or concerns to the adjuster.
- Direct medical care
 - PPO & EPO discounts
 - Nurse Case Managers
- Use Transitional Duty.



What Would You Do?



The stories you are about to hear are real. The names of those involved have been changed to protect their identity.

Claim Scenario #1

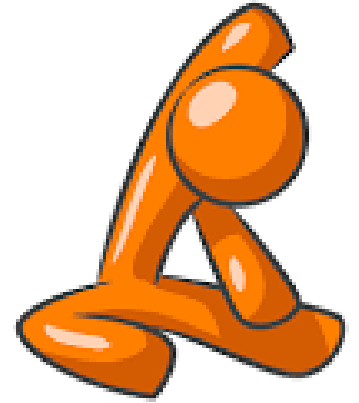


“Dump Truck” Bob – DPW Laborer

- 27 Years Old
- 6’ 3” & 263 lbs.
- While getting out of a dump truck at the DPW Yard, Bob stepped into a pothole and experienced low back pain.
- Bob immediately reported this incident to his supervisor.

What questions need to be asked and actions taken?

Claim Scenario #1 (Cont.)



- Bob is initially sent to Urgent Care & told to follow up in 5 days.
- At the follow up, Urgent Care sends Bob to 2 weeks of physical therapy.
- After 2 weeks, Bob is not getting any better and is sent to an Orthopedist.
- An MRI is ordered.

During the investigation of the claim, the adjuster finds that the claimant's father owns a landscaping business where the claimant works part time...



Claim Scenario #1 (Cont.)



- The MRI shows Bob has disc protrusion impinging on nerve at L4-5.
- Bob is then referred to pain management and undergoes two epidural injections with limited success.
- Bob returns to the Orthopedist who recommends a micro discectomy but advises that Bob has a higher risk of post operative complications due to his size.
- As a result, Bob is sent for a second opinion with a neurosurgeon.
- The neurosurgeon recommends additional PT, additional injections, and for Bob to lose weight.

Can we make Bob lose weight?
What if Bob doesn't lose weight?
Is Bob's weight prolonging his care?

Claim Scenario #1 (Cont.)

- Following the visit to the neurosurgeon, Bob received an injection with 60% improvement
- Bob, follows up with neurosurgeon who recommends additional PT, another injection, continued pain management, and weight loss.



Meanwhile...our defense attorney receives a letter from the State with an attached email from a “Joe Smith” stating that Bob’s claim is fraudulent. We only have an email address and send “Joe Smith” an email...

Claim Scenario #1 (Cont.)

- Following his second visit to the Neurosurgeon, Bob receives another injection that reduces his pain even more.
- Bob, attends his third visit with neurosurgeon who recommends additional weight loss (note, he did lose 25lbs).
- Bob undergoes a Functional Capacity Examine (FCE) and it is determined that Bob can return to his normal job requirements with no restrictions.
- Bob receives a Permanent Partial Disability award of over \$26K.





Claim Scenario #1 (Cont.)



- Less than 6 weeks after the PPD award is paid, Bob files a reopener
- We file a Motion to Dismiss for Lack of Prosecution
- Four days after the Motion is filed, Bob is involved in an MVA resulting in a complaint of lumbar & cervical pain and the Judge does not grant our Motion to Dismiss
- Bob undergoes x-rays and a MRI and it is determined that no additional injuries or worsening of existing injuries resulted from the MVA

How do we differentiate between pre-existing conditions and new injuries?

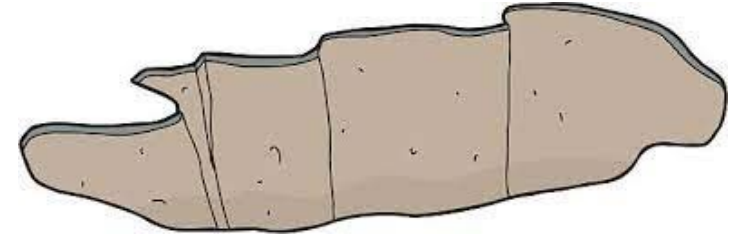
Claim Scenario #1 (Cont.)



- Less than 6 months after the MVA, Bob files a claim petition seeking additional medical care related to injuries sustained in the MVA
- Bob is examined by the original Neurosurgeon that treated Bob during his first injury
- The doctor causally relates an exacerbation of his injuries to the MVA and recommends additional PT and injections
- Following this course of treatment, Bob is placed at MMI and released from care
- Less than 6 months later, Bob requests additional medical care related to injuries sustained in the MVA

Two different doctors.. Two opposing opinions...Now what?

Claim Scenario #1 (Cont.)



- The same Neurosurgeon orders another MRI of the spine and cervical area.
- The MRI shows bulging at C3-4 and C4-5 and a disc herniation at C5-6.
- The doctor casualty relates these injuries to the MVA.
- Bob continues with PT five years after he initially stepped into the pothole getting out of his dump truck.
- Bob has two open claim petitions pending settlement.

It is estimated that Bob will receive an Award of \$77,829.00 for the MVA and \$10,000.00 pursuant to Section 20 related to the Reopener for stepping into a pothole.

Claim Scenario #2

“Mike the Mechanic” – Municipal DPW Mechanic

- 60 Years Old
- 5’ 7” & 160 lbs.
- Date of Hire – 12/01/1980
- Retirement Date – 12/31/2020
- First Notice of Claim – Petition filed 6/07/2021



What questions need to be asked?

Claim Scenario #2 (Cont.)



- Mike's claim petition indicates that the stress and strain of employment duties either caused, aggravated, accelerated and/or exacerbated low back condition.
- Mike is evaluated by an Orthopedist as to a need for treatment /causality exam.
- The same Orthopedist had previously performed a lumbar fusion on Mike eight (8) years prior to Mike's retirement related to a workers' comp claim.
- The Orthopedist states that three (3) months prior to Mike's retirement, Mike had an appointment with the Orthopedist complaining of worsening pain in the lumbar spine.
- The Orthopedist determined that Mike's occupational duties contributed to the current symptoms.

Any concerns here?

Claim Scenario #2 (Cont.)



- Due to the Orthopedists prior involvement with Mike, an independent medical exam (IME) was scheduled with another Orthopedist.
- The IME Orthopedist opined that Mike's pain was more likely the result of an adjacent level pathology relating to his L4-S1 fusion than it is a result of his "alleged occupational exposure".
- The IME Orthopedist stated that the onset of symptomatology is within the 7–10-year time frame the majority of providers cite for adjacent level pathology to become symptomatic.
- Due to a conflict in opinions, the Judge recommended that Mike undergo a third examination to determine causality.

Two different doctors.. Two opposing opinions...

Claim Scenario #2 (Cont.)



- Dr. Tiebreaker related the current need for treatment to Mike's occupational duties.
- Treatment was then referred back to the original Orthopedist that had performed Mike's original surgery.
- An MRI showed a stable posterior fusion L4-S1, slightly progressed degenerative changes at L3-4 from a prior study. X-rays of the lumbar spine showed post-surgical changes.
- Based upon the results of these tests, Mike underwent pain management, PT, and a series of injections resulting in short term relief.

How do you differentiation between natural aging process
and exacerbation of prior injuries?

Claim Scenario #2 (Cont.)

- Based upon the limited success of the conservative treatment, Mike was sent to a spine surgeon.
- The spine surgeon recommended surgery in the form of a Lateral lumbar fusion/XLIF (fusion with implants), L3-4 and lateral ALIF L2-S1.
- Surgery is being scheduled.
- Due to second surgery on same body part, pending claiming petition will be significantly more expensive to settle.
- Likelihood of future medical care is high due to multiple surgeries.

Should Mike have been allowed to return as a mechanic following his first fusion surgery?
Could we have stopped him from returning?



Claim Scenario #3

“Ellen the Elderly” – Clerk

- 79 Years Old
- 5’ 0” & 116 lbs.
- Date of Hire – 2010
- Retirement Date – N/A
- First Notice of Claim – Date of Loss



What questions need to be asked?

Claim Scenario #3 (Cont.)



- As known and acknowledged by the insured, Ellen has Parkinson's Disease and is on various drugs to treat the symptoms of Parkinson's Disease, high (bad) Cholesterol, anxiety, & sleep disorders.
- Ellen tripped while going up the stairs in the municipal building resulting in a broken nose and fractures to both wrists.
- Ellen underwent emergency surgery to repair both wrists and spent four (4) days in the hospital.
- Following the removal of hard casts from her wrists two (2) weeks post surgery, Ellen was prescribed in home physical therapy and occupational therapy.
- Three months post surgery, Ellen was prescribed outpatient therapy; however, missed her initial outpatient appointment due to a non work related injury hospital stay.

Can the employer take into consideration the employees age/health in her day-to-day activities?



Claim Scenario #3 (Cont.)

- Approximately one month after being prescribed out patient therapy, Ellen was sent for updated x-rays; however, Ellen was unable to attend to x-ray appointment due to non work related injury medical complications
- Ellen attended her first outpatient therapy session five (5) months post injury and six (6) weeks after initially being prescribed outpatient therapy.
- Two (2) months following her first outpatient therapy session, we were notified that Ellen had only attended one (1) of her outpatient therapy sessions.
- Due to non-compliance with prescribed treatment, the treating physician was contacted to determine if Ellen should be placed at MMI.
- The treating physician ordered a new MRI which revealed a tear of the central articular disc and joint effusion and a chronic healed intra-articular fracture of the distal radius.

How do we determine MMI in this scenario?

Claim Scenario #3 (Cont.)



- Approximately one month later, repeat x-rays showed a healed fracture of the wrist with good alignment was noted.
- Ellen's care was then transferred to a new physician who administered a corticosteroid injection to the right wrist and noted the claimant is anticipated to return to work with restrictions by the one year mark.
- One (1) year and two (2) weeks post injury, Ellen was cleared for modified duty with a 10 lb. lifting restriction.
- We are awaiting the treating physicians determination if Ellen has reached MMI.
- If so, an FCE will be ordered to determine if Ellen will have permanent restrictions.

What will the FCE tell us?

How does the employer decide whether to accept Ellen back with permanent restrictions?

Conclusion:



- Remember we “take em’ as we get em’.”
- Pre employment physicals are critical in the hiring process.
- Accurate and detailed job descriptions are important.
- Separation or exit interviews that include an inquiry about potential job related injuries are highly recommended.
- FCE’s are important prior to considering bringing someone back to work who has suffered a significant injury.
- Think hard before bringing someone back with permanent restrictions.
- Remember the interactive process!
- Consult with your adjusters, WC Defense Attorney, and City Solicitor when you have questions!

Conclusion:



- Complete the Incident Investigation Reports in detail.
- Document accident scenes with photos.
- Report claims timely – three (3) days or less!
- Tell us about secondary employment.
- Tell us any feedback you might hear about the claimant's activities while out on workers compensation leave.
- Advise if the employee was the subject of any recent disciplinary actions/grievances.
- Was their vacation request recently denied?



Questions?