

## Manager/Supervisor Risk Management

#27– 2/9/12

A twice weekly e-mail training for YCPARMIA members

### TOPIC: WORKERS' COMPENSATION –“INFORMATION/DOCUMENTATION ONLY”

This is going to be a real simple topic. YCPARMIA receives 5020's that are sometimes labeled “information only,” or “documentation only.” Apparently someone wants to report an injury, but does not want to do anything about it – at that time. That is not the way the State's WC system works.

As discussed previously, there are two WC forms required after an injury:

- Report an injury: The Employer's First Report of Injury (5020) reports the work place injury to the state (and our TPA). That is its primary purpose – documenting the injury.
- Claim benefits: The claim form (DWC1) which the employee signs to make a claim for WC benefits. If the injured worker does not want to claim any WC benefits they should not sign the DWC 1 claim form.

The main thing to understand is that the very information that an employer puts on a 5020 that they intend to be for “information only” constitutes sufficient notice of injury that they are probably required to offer a DWC 1 (claim form) to the employee. As a general rule, every time you do a 5020 you should provide the injured worker with a claim form. **THEY DO NOT HAVE TO SIGN THE CLAIM FORM IF THEY ARE NOT CLAIMING WC BENEFITS.**

YCPARMIA has established standards that we expect our members to follow:

- If an employee receives any medical care that generates a bill, there has to be a claim file. For there to be a claim file there has to be a 5020, and a DWC 1.
- If there is no treatment or time away from work:
  - And the injury is minor (cut, abrasion, bump) then submission of a 5020 labeled “First Aid” is at the discretion of the employer; but
  - If the injury is a sprain or strain (we'll call it structural) then a 5020 should be submitted. This type of injury often gets worse or reoccurs.

By way of example, we had a member's fire department recording repeated injuries in a department file (no 5020s) for a worker who was suffering minor strains to his back over a couple of years. Finally the back failed, and we ended up with a laminectomy; earlier medical intervention would have been better for everyone involved. A conversation that starts, “remember when I told you about that injury I had last year...” seldom has a happy ending.

One last comment: there is no financial impact resulting from reporting an injury on a 5020 unless it results in medical treatment. Similarly, if the employer submits a 5020, and the injured worker signs the claim form, but does not treat or miss work, the TPA will deny the claim for benefits as there are none to pay.

Next topic: Workers' Compensation – Benefits