



Managing the Cost of Workers Compensation Insurance 7 Strategies That Will Positively Influence Your Bottom Line in 2016

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COMMUNITY & SENIOR SERVICES
LOS ANGELES COUNTY

WORKERS' COMPENSATION

7 STRATEGIES THAT WILL POSITIVELY
INFLUENCE YOUR BOTTOM LINE IN 2016

PRESENTED BY EILEEN MERINO AND STU BARON



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SAFETY PROGRAM GOALS

- Establish a comprehensive safety plan specific to your business and/or industry.
- Make your safety policy easily accessible by all employees. Electronic and written formats in both English and Spanish help to ensure compliance.
- Make sure that your safety plan is followed by all employees. Safety plans only work if they are used.
- Schedule regular safety meetings and document attendance for OSHA compliance.
- New employee training on your safety policy and procedures is a must prior to starting work. It only takes a second for an accident to occur.



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GENERAL SAFETY PROCEDURES

- All accidents and industrial illnesses must be reported to your designated safety officer. No exceptions. Simply reporting an incident doesn't necessarily mean that it will result in a claim.
- All new employees should be photographed by your required postings upon hiring. This is to ensure the employees knows where to find them.
- Implement a quarterly safety incentive for being claim free. This could be as simple as a small gift card or extra break to a company lunch or day off.
- By keeping safety first and foremost on your employees minds, they are less likely to have accidents.



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RETURN TO WORK PROGRAMS AND STRATEGIES

- The sooner you are able to get an employee back to work, the more quickly you are reducing your workers' comp claim costs.
- Make sure the treating doctor has a comprehensive job description to assist with making sure any restrictions for their particular injury are addressed.
- If your employee has restrictions to returning to work and you are unable to accommodate them, try to find an alternative.
- If an employee is able to go back to work, they are less likely to feel alienated and disgruntled.



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CLAIMS MANAGEMENT

- Report any new claim immediately. If suspicious, inform the claims professional that you want the claim DELAYED and investigated.
- If your first notice is by mail, be sure to open all legal mail the day you receive it and KEEP THE ENVELOPE.
- Conduct your own investigation.
- Get witness statements, take pictures if appropriate.
- If concerned, ask your carrier to assign a professional investigator to participate in your process.



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CLAIM INVESTIGATION EXAMINERS' ROLE

- Delay the claim and investigate.
- Make sure that all treatment prior to accepting or denying is with our MPN doctors.
- Where appropriate, assign defense counsel and set the injured employee's deposition ASAP.
- Subpoena all prior medical records...Both work and non-work related. Look for the "smoking gun" to help your defense.
- Update employer with significant developments.



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MEDICAL CONSIDERATIONS

- Witnessed Specific Injury(s) “The date of injury, except Occ Disease and CT, is the data during employment on which the alleged incident or exposure, for the consequences of which compensation is claimed.”
- Unwitnessed Specific Injuries and Cumulative Trauma or the “Wearing Out” Disease. “The date of injury in cases of occupational disease or cumulative injuries is the date upon which the employee first suffered disability there from and either knew, or in the exercise of reasonable diligence should have known, that such disability was caused by his present or prior employment.”



CLAIM INVESTIGATION EMPLOYER'S ROLE

- If unwitnessed or CT, send the alleged injured employee a letter on your letterhead acknowledging the claim, setting a specific time and place for medical treatment and providing notice of their right to obtain their own doctor...AT THEIR OWN EXPENSE.
- Verify that they attended your scheduled appointment. If they failed to attend, send out a second letter suspending all benefits until they comply. (LC 4053)
- If they fail the second scheduled exam, a third letter should be sent with a final scheduled medical and a notice that an order of the court compelling their attendance will be sought.
- Make sure the examiner gets copies of all such letters.



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LEGAL CONSIDERATIONS

- Make sure you have all of the necessary posting notices properly displayed.
- Publish an effective Workers Compensation policy.
- Make sure your carrier/TPA has an effective MPN panel and your installation process is bullet proof.
- Make sure your carrier/TPA fully understands what you expect of them in promptly and properly defending all claims.
- Make sure you have quality Job Descriptions available.

QUESTIONS?

If you would prefer to speak with us after this webinar, please feel free to contact Eileen directly at:

Eileen Merino, Executive Vice President

CDS Insurance Services

Dir: (626)610-9517 | Cell: (626)664-8606

E-mail: eileenm@cdsinsurance.com

