



TOP 10 TIPS

FOR GETTING THE MOST OUT OF YOUR WORKER'S COMPENSATION CLAIM

Worker's compensation was enacted by statute in North Carolina in 1929. As a general rule, each business that has more than three employees must be covered by worker's compensation insurance. The system is governed by a state agency called the Industrial Commission.

An employee may be entitled to workers' compensation benefits when he or she is injured by accident in the course and scope of his or her employment. When each and every element of this claim is proven, workers' compensation benefits become available to the employee.

1 An employee must give notice to his employer of an injury on the job by filing a written notice. This notice of accident should be filed within 30 days of the date of the accident. The absolute limit for filing a written notice is two years.

2 Workers' compensation is generally an injured employee's sole remedy. This means that, but for some narrow and rare exceptions, an injured employee is entitled only to workers' compensation benefits and nothing else.

3 Workers' compensation provides two main benefits to the injured employee. First, all injury-related medical bills are paid by the insurance company. This includes medical prescriptions. To a great extent, the insurance company directs the medical providers you see. However, you do have the right to request a second opinion and also to request a change of physician.

4 The second main benefit are disability payments. Disability payments consist of two thirds (66.66%) of an employee's gross average weekly wage. This compensation payment is nontaxable. If an injured employee is out of work due to an injury for more than seven days, then the insurance company will begin to pay temporary total disability payments for every day thereafter so long as the doctor keeps the employee out of work on a written excuse. The employee is not entitled to payment for the first seven days unless he is subsequently out for more than 21 days.



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If an employee has a permanent injury to a particular part of the body, then the employee is entitled to further compensation under the act that is called permanent partial disability.

6

If an employee is determined to be totally and permanently disabled, then he is entitled to lifetime benefits which include future medical expenses and disability payments. Workers' compensation does not award a claim for pain and suffering.

7

Keep track of the mileage to your doctor, physical therapist or other accident-related appointments. This mileage may be fully reimbursable as a part of your claim.

8

Send or bring in your prescription receipts. These are part of incurred medical expenses. These are reimbursable.

9

Get a written note from your doctor for any missed days from work. This is very important. It is impossible to claim disability payments for days you missed when we do not have a doctor's excuse.

10

It is very important that you keep your appointments with you doctor or therapist. Your right to benefits can be cut off if you do not keep your appointments. Please make every effort to keep your appointments.