

Workers' Compensation in California: Questions & Answers

The Basics About Medical Care for Injured Workers

What should I do if I get hurt at work or develop a work-related medical problem?

- C Report the injury or illness to your employer.** Make sure your supervisor or someone else in management knows as soon as possible. Reporting promptly helps avoid problems and delays in receiving benefits, including medical care. It's illegal for your employer to punish or fire you for having a job injury or requesting workers' compensation benefits.
- C Get emergency treatment if needed.** If it's an emergency, call 911 or go to an emergency room right away. Your employer may tell you where to go for treatment. Tell the medical staff that your injury or illness is job-related.
- C Fill out a claim form and give it to your employer.** Your employer must give or mail you a Workers' Compensation Claim Form (DWC 1) within one working day after learning about your injury or illness.

Where can I get non-emergency medical care for my injury or illness?

If you "predesignated" your personal physician, you may see that doctor right away. This means you gave your employer the name and address of your personal physician in writing before you were injured. **Note:** If your employer does not offer a group health plan or group health insurance for medical conditions that are unrelated to work, you do not have a right to predesignate.

If you did not or could not predesignate your personal physician, the claims administrator will tell you where to go for treatment. (The claims administrator is the person who handles workers' compensation claims for your employer.)

The claims administrator must authorize medical treatment within one working day after you return the claim form to your employer, and must pay for all necessary medical services for your injury or illness.

What can I do to recover as fully as possible?

You should be seen by a doctor who knows how to treat your injury or illness under medical treatment guidelines that are used in California, and who will work with you and your employer to identify the kinds of work you can do safely while recovering. Work closely with your doctor and employer to develop a return-to-work plan that is appropriate for your injury. The plan may involve different assignments, reduced working hours, special equipment, or other changes in working conditions. Staying active can increase your chances of recovering fully.

Keep your workers' compensation claim on track. For example, keep good records, including copies of all letters and medical reports and notes of all discussions with the people involved in your claim.

I am having problems getting appropriate care. What can I do?

If you have questions or concerns about the care your doctor prescribes, ask the doctor. If you disagree with your doctor about necessary treatment, you have a right to get another doctor's opinion.

If your employer or the insurer denies the treatment recommended by your doctor, you have a right to challenge that decision and to seek penalties if the decision was unreasonable.

To get help, contact an Information & Assistance (I&A) officer of the state Division of Workers' Compensation (DWC), consult an attorney, or contact your union (if you have one). To contact a local I&A office, call toll-free: 1-800-736-7401. Or visit: www.dir.ca.gov/dwc (link to DWC programs and units/ Information and Assistance).

To learn more about workers' compensation medical care and other services and benefits for injured workers, see the booklet, *Getting Appropriate Medical Care for Your Injury, October 2006*, and the guidebook, *Workers' Compensation in California: A Guidebook for Injured Workers, Third Edition, 2006*. You can download the booklet and the guidebook from one of the following websites: www.dir.ca.gov/chswc or www.lohp.org. Many public libraries provide access to the Web.

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