



**MISSISSIPPI MUNICIPAL
SERVICE COMPANY**

MISSISSIPPI MUNICIPAL WORKERS' COMPENSATION GROUP
MISSISSIPPI MUNICIPAL LIABILITY PLAN

CLAIMS MANAGEMENT

While accuracy is not guaranteed, this publication was prepared solely for the exclusive use of Mississippi Municipal Service Company customers. It is designed solely to assist our clients in maintaining their own risk management and loss prevention activities, and is not intended to replace their own efforts in providing a safe environment for employees, the public, and/or the preservation of property.



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Workers Compensation

BACK TO WORK

Workers' Compensation was established to get employees back to work without a major hardship. Some employees may believe workers' compensation is a "disability program" or "retirement plan" and hope to get large amounts of money for their injury. Workers' compensation pays for medical bills and only a portion of missed wage benefits when an employee is out due to a "work related" injury or illness.

CONTROL COSTS

Employers utilizing effective claims management techniques are usually more successful in controlling costs.

CLAIMS MANAGEMENT

Proper Claims Management can help control medical costs, fine-tune workers' compensation procedures, protect employees, and help workers return to their normal occupations sooner. Claims management is a team process. Each member must do his or her part to bring the claim to a prompt and cost-effective conclusion.

RETURN-TO-WORK

Remember, workers' compensation was established to get the employee back to work. Allowing employees to return to work early is an effective way to reduce costs. All employees that miss work due to a workers' compensation claim should be encouraged to return to the work environment on transitional or modified duty work. Medical costs and workers' compensation payments are lowered when claimants return to work early.



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Accident Reporting

REPORT IMMEDIATELY

Employees should report ALL work-related accidents and injuries immediately to their supervisors, except when claimants need urgent medical attention. **Prompt accident reporting by employees helps bring claims to a timely conclusion and assists in properly managing the claims from the beginning.**

SUPERVISORS' RESPONSIBILITY

Supervisors should be responsible for the safety and health of their employees. *The supervisor should complete and sign a rough draft of the First Report of Injury Form after an accident or injury and usually during the same work shift.* The rough draft report should be given to the workers' compensation coordinator or centralized insurance contact. This draft should be used as a guideline for information in completing the final report. Sufficient detail should be furnished about the accident. Witness information and their statements should be collected.

PROMPT REPORTING

The workers' compensation coordinator should mail the First Report of Injury form to the MMSC Claims Department, usually the same day. More serious claims may be faxed. All of the basic claims information should be included on the First Report of Injury Form.

COMPENSABILITY

Decisions involving compensability of claims should be left to the MMSC claims representatives. Claims appearing to be non-compensable may have been found to be compensable by court decisions. Allow the claims representatives to make that decision. Avoid definitives and opinions. State the facts and use words like "alleged" or "the employee states" to describe events. Feel free to call and discuss any questions you have about a claim with your claims representative.

WORK STATUS INFORMATION

Keep the claims representative informed about any changes in the claimant's work status or noteworthy information about the claim. Let the claims representative know when an employee returns to work. Good communication can save you money. Contact the claims representative about any information that arouses suspicion or might be vital to the claim.



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Return-To-Work

TRANSITIONAL OR MODIFIED DUTY

Employees not able to return to full duty should return to the work environment on transitional or modified duty jobs that meet their physician's restrictions. Doctors should be asked to determine what functions the employee is able to perform and to supply a list of restrictions explaining their limitations.

SHORTER RECOVERY TIMES

Management can help reduce the days employees are away from work and control costs. Allowing employees to return early may reduce the wage benefits of large claims. Returning employees to the work environment helps transition injured workers back into their regular position, allows them to provide useful services, and assists in shortening recovery times.

RETURN-TO-WORK POSITIONS

All departments should contribute to finding suitable return-to-work jobs. Transitional and modified duty jobs are not "made up" jobs, but useful positions, usually within the same department. Ask supervisors to make a list of jobs that need to be done, but cannot be completed due to lack of time, money, or personnel. Do not hesitate to transfer employees to other departments for suitable positions.

COMMITTEE DECISION

A committee of two or three persons should decide if a return-to-work position would benefit the claimant and the employer. A single person may have a conflict with the returning claimant and may produce legal complications when defending the employer in court or in a judicial hearing. This committee should consist of the employee's supervisor, the safety director/risk manager, the workers' compensation coordinator, human resources director, or other similar staff associated with the claims process.

TEMPORARY POSITION

All employees should be considered for transitional or modified duty positions. **Contact and assist your claims representatives in placing employees in temporary positions.** Remember, these positions are to help the employee return to their normal jobs within 90 days, can be extended to no more than 6 months, and are not creating a new permanent position.



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Accident Investigation

SUPERVISOR ACTION

Supervisors should be responsible for taking action to assure the safety and health of their employees. Accident investigations are the primary method for successfully reducing the reoccurrence of injuries.

PROMPT INVESTIGATION

Supervisors should conduct a thorough, prompt accident investigation and be responsible for corrective actions, after an accident or injury. Accident investigations should be conducted within the same shift or at least within a couple of days after the injury. Prompt investigation ensures more complete and useful information, reassures employees that management is concerned about their safety, and diminishes the potential for a fraudulent claim.

ROOT CAUSE

The "Root Cause" is the primary cause of an accident. **The root cause is usually the failure of employees to follow safety rules or it exposes unsafe acts committed as part of an isolated event that may be prevented with appropriate actions or training.** Saying the accident happened because the employee was "stupid", does not identify the root cause and usually shows the employee was not furnished proper supervision and training or that necessary improvements were not made to the employee's work environment.

CORRECTIVE ACTIONS

Supervisors should take action in controlling workers' compensation claims. Corrective measures that should help stop unwanted events from happening again may include: assuring proper supervision of employees, retraining employees on safety procedures, furnishing engineering changes that reduce hazardous conditions. Employees should be sufficiently supervised. Workers should be trained to conduct their jobs safely. **Training, not discipline, produces more effective changes in behavior.** Ask your workers to suggest improvements to make their work environment safer. This provides practical solutions that are usually not costly.



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Communications

FREQUENT COMMUNICATION

After an injury, the worker's supervisor or workers' compensation coordinator should communicate regularly with the claimant. Beginning with a first-day phone call made to employees who are not able to return to work that same day. The claimant should be told what is being done to process their claim and pay their medical bills and should be informed when they will be receiving workers' compensation payments. Frequent communication demonstrates management's genuine concern for the workers' well-being and recovery.

WEEKLY FOLLOW-UP

Weekly communication should be held with each employee who is off work or on transitional duty. Discussion should focus on how recovery is progressing, how the transitional-duty position is working, and what you as an employer can do to help the employee recuperate.

CLAIM LITIGATION

Help reduce claimants from litigating the claim by keeping the lines of communication open. Claimants usually get lawyers when they feel their employer does not care. Litigation increases the overall cost of claims.

EMPLOYEE TERMINATION

Don't terminate an employee with an open claim without discussing the issue with the MMSC claims supervisor or claims representative. Use caution when considering terminating a claimant's employment when the workers' compensation claim is still open. These terminations may result in a much more expensive settlement.

THE CLAIMS PROCESS

Help the claimant understand how the workers' compensation process works. Claimants frequently do not understand the true reasons for workers' compensation. Employee may not understand that workers' compensation is available to help the worker get back to work and not intended to be a disability program.



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Medical Provider

CHOICE OF PHYSICIAN

By Mississippi Workers' Compensation Laws, claimants are able to choose their original treating physician. **The Physician of Choice Form should be completed and signed ONLY by the employee.** This Physician of Choice Form helps document the employee's selection and restrains employees from receiving treatment by multiple doctors. *Employees should also complete and sign the "HIPAA" Medical Authorization Form.*

SUGGEST

Suggest the claimant use your recommended medical provider(s), because many employees do not have a regular doctor. Less hassle and quicker service are advantages for the claimant to choose your provider. Your medical provider(s) may agree to examine your employees shortly after they arrive and avoid lengthy delays in the waiting room.

(In some cases, letting the employee make their selection of physician without a suggestion from the employer is better. If you question the validity of a claim, you may want to discuss the claim with a claims representative about the advisability of letting the employee choose their physician.)

SELECTION

Select medical provider(s) that will be fair to both you and the claimant and give quality medical services. Medical providers can be physicians, medical clinics, or hospitals. Contact your claims supervisor, claims representative, or other employers in your area for suggestions on choosing well-qualified and return-to-work oriented medical provider(s).

RELATIONSHIP

Consider establishing a good working relationship with medical provider(s). Some physicians may want to visit your worksites to understand the work environments of your employees.