

Workers' Compensation Claims



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WORKERS' COMPENSATION INSURANCE
WORK SAFE, TEXAS®

Key Elements

- Reporting a claim
- Determining compensability
- Injured worker benefits
- Dispute resolution
- Subrogation
- Employer Best Practices
- Network Options – In or Out
- Resources

Reporting a Claim



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Report a Claim Through One of These Methods:

- ✓DWC – 1 : Employer's first report of injury
 - Some carriers offer online reporting
- ✓DWC – 41 : Employee's notice of injury
- ✓Notice from DWC
- ✓Medical report
- ✓Any other correspondence that informs the carrier of a potential work-related injury.

**Determining
Compensability**



Determining Compensability

Injury MUST:

- Occur at work
- Be caused by work



Determining Compensability

Compensable vs Non-compensable

Most claims are compensable

A small percentage are disputed



The image shows a 'WORK INJURY CLAIM FORM' with a green checkmark and a red X over it. The text on the form includes 'Failure to complete this form in its entirety may result in a delay in processing this claim.' and 'FILING CLAIM FOR (check all that apply)'. The form also has fields for 'Accident Number', 'Short-Term Disability Policy Number', 'Hospital Information', 'Hospitalization', 'Hospital Intensive Care Policy Number', 'Injury With Disability', 'Hospital Number', 'With Hospitalization', 'Hospital Intensive Care Policy Number', 'Deceased - Date Deceased', 'Life Policy Number', and 'Beneficial Health Event Policy Number'.

Non-compensable Injuries

- ✓ Intoxication
- ✓ Horseplay
- ✓ Intentional injury
- ✓ Third-party for personal reasons
- ✓ Off-duty activities
- ✓ Acts of God




The image shows a 'WORK INJURY CLAIM FORM' with a list of non-compensable injuries. The text on the form includes 'Failure to complete this form in its entirety may result in a delay in processing this claim.' and 'FILING CLAIM FOR (check all that apply)'. The form also has fields for 'Accident Number', 'Short-Term Disability Policy Number', 'Hospital Information', 'Hospitalization', 'Hospital Intensive Care Policy Number', 'Injury With Disability', 'Hospital Number', 'With Hospitalization', 'Hospital Intensive Care Policy Number', 'Deceased - Date Deceased', 'Life Policy Number', and 'Beneficial Health Event Policy Number'.

Injured Worker Benefits



The image shows the TexasMutual logo and a traffic cone. The logo includes the text 'TexasMutual', 'WORKERS' COMPENSATION INSURANCE', and 'WORK SAFE, TEXAS'. The traffic cone is orange and white.

Injured Worker Benefits

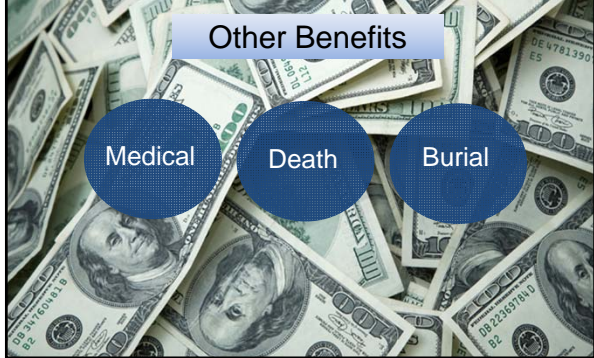


Income Benefits:

- ✓ Temporary (TIBs)
- ✓ Impairment (IBs)
- ✓ Supplemental (SIBs)

Monetary

Injured Worker Benefits



Other Benefits

- Medical**
- Death**
- Burial**


Dispute Resolution



Dispute Resolution

- ✓ Administrative Process
 - Benefit review conference (BRC)
 - Binding arbitration
 - Contested case hearing (CCH)
 - Appeals panel
- ✓ Judicial Review

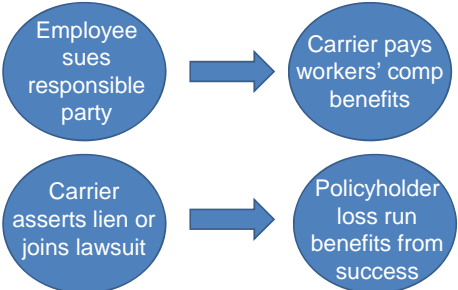
Subrogation



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Subrogation

Injury caused by a negligent third party



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graph LR; A((Employee sues responsible party)) --> B((Carrier pays workers' comp benefits)); C((Carrier asserts lien or joins lawsuit)) --> D((Policyholder loss run benefits from success))
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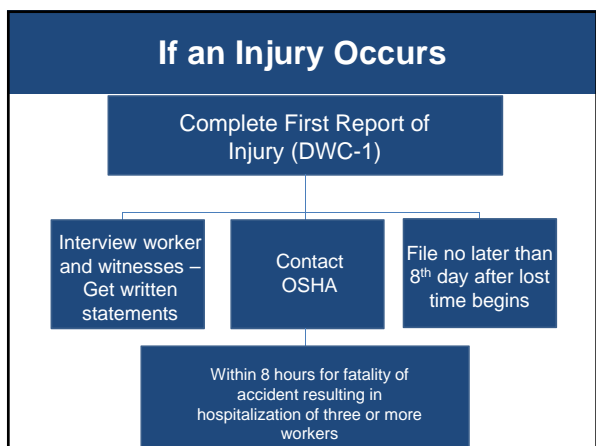
Employer Best Practices



Employer Best Practices


- ✓ Complete first report of injury
- ✓ Employer RTW best practices
- ✓ Arrange prompt medical treatment
- ✓ Report wages
- ✓ Report change in work status






Medical Treatment

- Arrange for prompt medical treatment
 - Network – visit texasmutual.com
 - Non-network – choose any doctor
- Obtain timely post-accident drug screen



Return to Work

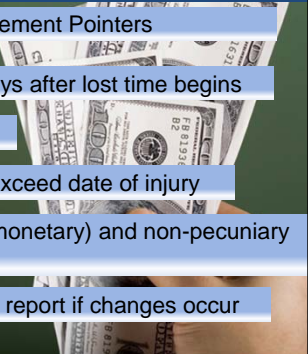
- ✓ Provide bona fide offer
 - Obtain work restrictions (DWC-73)
 - Develop modified duty (DWC-74 optional)
 - Obtain sample letter
 - Present by verifiable means with (DWC-73)
- ✓ New offer needed if restrictions change




Reporting Wages

Wage Statement Pointers

- ➔ Filed within 30 days after lost time begins
- ➔ Gross earnings
- ➔ Don't include or exceed date of injury
- ➔ Both pecuniary (monetary) and non-pecuniary wages
- ➔ File supplemental report if changes occur




Change in Employee Status



- ✓ Call your adjuster ASAP with the effective date
- ✓ File complete supplemental report of injury (DWC-6) with the carrier

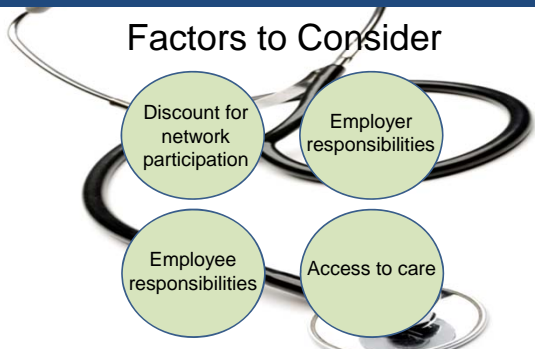
Network Options: In or Out?



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Network Options: In or Out?

Factors to Consider




- Discount for network participation
- Employer responsibilities
- Employee responsibilities
- Access to care

Policyholder Resources



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Resources for agents
Resources for employers
Resources for providers

Videos for employers

View a video to find out more about workers' compensation, workplace safety, the claims process and more.

Find videos on:

- Interim reporting
- Your claims questions answered
- Texas Mutual dividends
- 60 seconds to safer driving series
- Safety in a Box



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Texas Star Network Information

Find a network doctor

Find a network doctor

Texas Mutual Insurance Company offers a workers' compensation health care network option to policyholders. The network appeals to policyholders who want to receive up to a 12 percent **premium discount**, get **quality care** for their injured workers and **control costs** associated with workplace injuries. For more information, ask your agent, or call us at (800) 859-5995.

I need to:

- Learn about the claims and network process
- What is a network?
- Why choose the Texas Star Network?
- How do I enroll in the network?
- Get the Texas Star Network directory mobile app.
- Notice of network requirements in English, Spanish and other languages
- Network responsibilities
- Network tools

Questions?



Thank you!