

PUZZLE SOLUTION - April 2010 *DHRC-I Insider*

Scenario: You are a supervisor with an employee who has filed a form CA-2a, *Notice of Recurrence*, due to a flare-up of a prior work-related injury. The employee indicates the old injury is giving her trouble again and she wishes to seek additional medical care. By history, you are aware that the employee previously sustained a shoulder injury 6 months ago. Following the injury, she was placed on restricted duty for 2 weeks and was then released back to full duty. You have medical documentation supporting that after the full duty release, the employee was discharged from any further medical care. In reviewing the CA-2a form, you note that the description of recurrence includes a statement that the employee developed pain in the shoulder after lifting boxes at work the day before. What do you do?

The best answer is:

B. You advise the employee that based on the circumstances of the claimed recurrence, that this may be considered to be a new injury to the same body part due to the intervening incident of her moving boxes the day before which precipitated the onset of her shoulder pain. You advise the employee to instead complete form CA-1, *Notice of Traumatic Injury*.

In distinguishing between a recurrence and a new injury, the U.S. Department of Labor (DOL) will look at the underlying cause of the current medical condition. In a true recurrence, the original injury is the sole contributor. Based on the scenario given, the employee is attributing the onset of her current symptom (pain) to the fact that she was lifting boxes at work recently. DOL would likely consider the lifting of boxes to be an 'intervening incident' which would support the filing of a new injury claim for the same body part. Therefore, it would be appropriate to advise the employee to file a new injury claim. Because the injury occurred over the course of a single work shift, the CA-1 form would be correct. (NOTE: In situations like this, DOL may administratively combine the two injury claims for their case management purposes. This is done solely at DOL's discretion on a case-by-case basis.)

Bonus Question: How would the employee's work absence be coded to cover the time she misses to see the doctor?

Assuming the employee follows the recommendation to file the CA-1 form, and assuming she provided administratively acceptable supporting medical documentation for her absence, the employee would be entitled to Continuation of Pay.