PUZZLE SOLUTION – May 2007 *DHRC-I Insider*

Scenario: You are a supervisor with an employee that has just come to you to report an injury. The employee states that his knee has been bothering him for the last couple of weeks. He didn't report it to you sooner because he thought it would get better on its own. The employee is now wanting to see a doctor and he wants you to grant him authorization to do so. Upon further questioning, you learn that the employee cannot attribute his injury to a single event or work shift; rather, he believes his knee problem is an ongoing condition due to the repetitive nature of his work. On this basis, you provide him with a form CA-2, *Notice of Occupational Disease and Claim for Compensation*. With regard to authorizing medical treatment, what would you do?

The best answer is:

C. Advise the employee that it is his responsibility to provide medical documentation to support his claim, and that all medical care should be coordinated through his personal health care insurance pending adjudication of his claim by the U.S. Department of Labor.

Only rarely may employers authorize medical care in occupational disease claims. Contact should be made with the Office of Workers' Compensation Programs before issuing a Form CA-16 under these circumstances.

Here's why the other answers won't work:

A. Provide the employee with form CA-16, *Authorization for Examination and Treatment* within four hours of the employee's request.

Same reason as above. However, it should be noted that when an employee sustains a work-related traumatic injury (Form CA-1) that requires medical examination or treatment, or both, the employer shall authorize such examination/treatment by issuing Form CA-16 within four hours of the claimed injury.

B. Advise the employee that because he did not report the injury to you immediately that you will not authorize any treatment for him.

Under the Federal Employees' Compensation Act, injured employees have up to three years from the date of injury, or in the case of occupational diseases and illness claims, three years from the date the employee first became aware that the condition was work-related, to file a timely compensation claim. The fact that the injury was not reported to you 'immediately' does not have any bearing on the overall compensability of the claim.

Bonus Question: How would you record the employee's work absence when he goes to obtain medical care?

Answer: The employee may elect to use his own sick or annual leave, or he may request a leave without pay (code KD) status and file Form CA-7, *Claim for Compensation*, for his wage-loss. Continuation of Pay (COP – code LT) should not be granted for occupational disease or illness claims.