

COMPCONTROL

The Official KMIT Member Newsletter

Tips for Effectively Managing W/C Claims

by Victoria Vanderhoof, KMIT Claims Adjuster

1. Select a designated physician or clinic who understands, and is also committed to, KMIT's goal of returning injured workers to modified duty, as quickly as is medically appropriate. The designated physician or clinic **must also understand, and agree, that referrals for any specialized testing (MRI, CT-Scan, EMG/NCT) and referrals to specialists MUST be pre-authorized** by Victoria Vanderhoof, Claims Adjuster.
2. **Communicate** the selection of the designated physician to all supervisors, with instructions that injured workers should be specifically directed to that provider when possible. If injury occurs outside of normal clinic hours, direct them to the emergency room.
3. Have on file **for every employee** a signed and dated "Employee Acknowledgement Form" (download all forms from www.KMIT.net), which explains your organizations' specific procedures for filing a W/C claim when an injury occurs (copy attached).
4. When an injury occurs, direct the employee to the designated physician. Ask the injured employee to take with them the "Authorization for W/C Medical Treatment Form" for the doctor to complete.
5. **Require** the injured worker to return a copy of the Authorization for W/C Medical Treatment Form to their supervisor, who can then decide whether modified work is available within the medical restrictions.
6. Complete the "Employer's Report of Accident" (K-WC 1101-A) as quickly as practically possible after an accident.



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CompControl is a publication of the League of Kansas Municipalities and the Kansas Municipal Insurance Trust for the purpose of educating and informing cities about loss control methods and risk management. If you have any questions concerning KMIT workers' compensation or risk management that you would like to see answered in this newsletter, please direct those inquiries to:

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Letter from the Pool Administrator

Dear KMIT Members and Others,

Happy Summer! Well, technically it's still spring, but my old brain still thinks summer starts when school lets out...I guess it will always be that way for me. Hasn't this been a glorious spring (for the most part)?...though kind of dry, until the last week or so, here in Derby, America. At least the tornasty rate has died down some (so far) this year.

I am pleased to announce that our KMIT pool grew by yet one more city on May 1, with the addition of **Coffeyville**, which becomes member #129. This add brings our 2005 spring growth total up to nine new members! Welcome aboard, Coffeyville.

In this edition, we once again put our **Victoria Vanderhoof** to work. Please read Victoria's "**Tips for Effectively Managing Work Comp Claims**" *very* carefully, as these steps are the key to providing service and holding down work comp costs. As KMIT grows into a fairly large-sized business, the careful and punctual adherence to reporting steps becomes even more vital to the continued well-being of your pool.

Also please see the notice on the new state law concerning **drug testing for 'probable cause' in work comp injuries**. This law may very well become a very big deal in some cases...time will tell.

Your **KMIT Board of Trustees** last met in Russell in mid-April, and meets again on June 23, in Augusta. Nominations for positions on the Board will be accepted over the summer (contact Don Osenbaugh for nomination forms)...for the annual election at the fall Annual Meeting.

And, speaking of the **KMIT Annual Meeting**...it will be held during the League conference, in Wichita, on **Monday, October 10**. Once again, the annual meeting will be an afternoon affair...with a start time of approximately 3:45.

See you down the road.



Pool Administrator

‘Probable Cause’ Drug Testing in Work Comp Cases

The 2005 Kansas Legislature passed a **new law** which allows ‘probable cause’ drug testing in workers’ compensation cases (HB 2141). According to interpretation issued by the Kansas Department of Labor, Workers’ Compensation Division, the new law “increases the criteria to establish ‘probable cause’ to include:

- (1) Employer mandated drug testing policies;
- (2) Testing done in the normal course of medical treatment;
- (3) Testing done as a result of federal or state law or regulation [such as DOL] requiring post accident drug/alcohol testing.”

Also, according to the Division of Work Comp, “if employee, prior to date of accident, gave written consent to test, then refused, shall be evidence of impairment”. (Similar to the Kansas DUI law.) HOWEVER, there must be evidence the impairment contributed to the accident.

As time goes by, KMIT will endeavor to clarify further how this new law can be fully implemented by its members.

Safe Cities as of June 3, 2005
If you would like assistance returning an injured employee to work, or need ideas for modified duty, please contact Victoria Vanderhoof, 1-877-502-9897 or victoria.vanderhoof@imacorp.com.

Abilene	Columbus	Grainfield	McFarland	Roeland Park
Allen	Concordia	Grandview Plaza	Medicine Lodge	Rose Hill
Altamont	Conway Springs	Greeley	Melvern	Russell
Andale	Council Grove	Grenola	Minneapolis	Satanta
Andover	Cullison	Halstead	Mission	Sedgwick
Atlanta	Derby	Hays	Moline	Spearville
Baldwin City	De Soto	Hiawatha	Montezuma	Spring Hill
Basehor	Douglass	Hill City	Mound City	Stafford
Baxter Springs	Eastborough	Holcomb	Neodesha	Stockton
Bel Aire	Edgerton	Horton	Newton	Tescott
Belleville	Elkhart	Hoxie	Oberlin	Tipton
Beverly	Esbon	Jetmore	Ogden	Tonganoxie
Bird City	Eudora	Johnson City	Olpe	Treece
Bonner Springs	Ford	Kinsley	Osage City	Turon
Brewster	Fowler	Lenora	Oskaloosa	Valley Center
Caldwell	Frankfort	Leoti	Oswego	WaKeeney
Centralia	Galena	Lincoln Center	Ozawkie	Wakefield
Chautauqua	Girard	LKM	Palco	Walton
Cheney	Glasco	Lucas	Park City	Wamego
Cherryvale	Glen Elder	Maize	Peabody	Wellington
Clay Center	Goodland	Marysville	Princeton	Wellsville

WORK COMP INJURY/ILLNESS PROCEDURE

EMPLOYEE ACKNOWLEDGMENT

_____ is subject to workers compensation law which provides compensation for work related injuries or illnesses. If you are injured or become ill as a result of events occurring on the job, the cost of your medical care is covered.

It is your responsibility to inform your supervisor of any compensable claim within ten days of occurrence. You will then be referred to a preferred provider for care. If you chose to use an unauthorized physician, you may be responsible for payment of charges in excess of \$500.00.

PLEASE FOLLOW THESE STEPS FOLLOWING A JOB RELATED INJURY OR ILLNESS:

1. Notify your supervisor immediately.
2. Obtain an AUTHORIZATION FOR WORK COMP MEDICAL TREATMENT FORM from your supervisor. This will include information regarding the facility you are to go to for care.
3. Arrive at the medical facility in a timely fashion.
4. Present the AUTHORIZATION FORM to the receptionist.
5. Return appropriate medical treatment forms to your supervisor before returning to duty or immediately after each appointment.
6. Keep all appointments for ongoing medical care and participate fully in the treatment of your injury or illness.

I acknowledge that I have received and read (or had read to me) the Employee Acknowledgment regarding work related injuries and illnesses.

Signature _____ Date _____

These are NOT to be completed by the employee, but by the supervisor or person within your organization responsible for W/C claims.

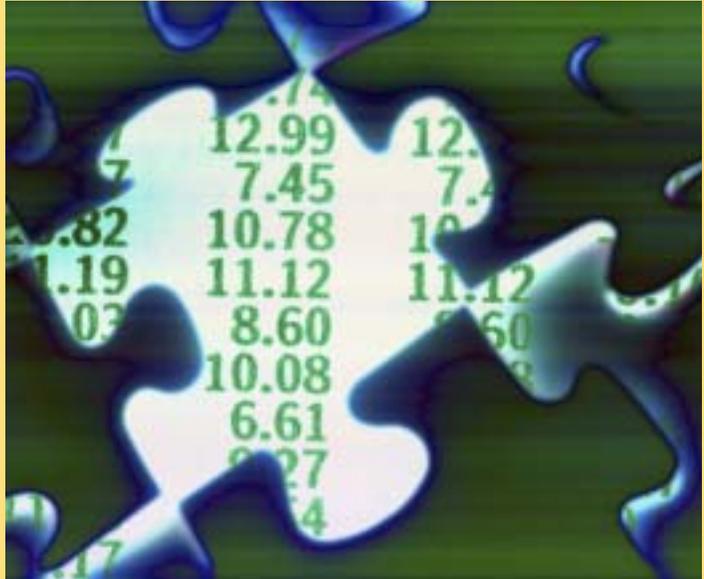
7. ***Forward the Employer's Report to Victoria immediately***, preferably within 48 hours of the accident happening. If the accident is potentially serious, fax the form immediately or at least contact Victoria by phone so that the claim process can begin. Fax to 316-303-3711; e-mail to victoria.vanderhoof@imacorp.com; mail to IMA of Kansas, Inc., PO Box 2992, Wichita, KS 67201-2992.
8. Make every attempt to ***return the injured worker to some type of modified work before the seven-day waiting period*** is exceeded and wage loss benefits begin. Be creative about modified-duty assignments—consider other departments, different shifts, back-burner projects, etc. If reduced hours or reduced hourly wage (which is perfectly alright), W/C will make up 2/3 of the difference in pay for the injured worker.
9. ***Keep in regular contact with the injured worker***. Know when their doctor's appointments are and ask them to come in to see you after each of their appointments so that you can keep abreast of any changes in their situation. And, ask them to return the carbon copy of the Authorization For W/C Medical Treatment Form to you after each visit (not necessary for physical therapy, diagnostic testing, etc...)
10. ***Do not share employee's private medical information with the Council/Commission***, or anyone else—other than the immediate supervisor, who will need the information to determine whether modified work is available.
11. ***Know where and how your losses are occurring***; review the quarterly loss runs to determine whether there are any trends. Are the majority of your accidents occurring in a specific department? Are you having a high frequency of one type of accident (i.e., back strains from lifting)? If you detect any trends, additional training is in order to address those specific situations.
12. If you suspect ***FRAUD***, or become aware that the injured worker may be engaging in activities in excess of his or her medical restrictions on his or her personal time, or have any concerns about the claim in general, please contact Victoria and express those concerns. We rely upon you to be our eyes and ears, as we are not out in your communities and don't always know the things that you know or hear the things you hear.
13. If you or your injured employee have concerns about the way the claim is being handled, please contact the Ombudsman's office at the Division of W/C, who will connect you with an advisor who can help you, free of charge, 1-800-332-0353.

If you have ***any questions*** about how to effectively manage your city's workers' compensation claims, please contact Victoria Vanderhoof, KMIT Claims Adjuster, victoria.vanderhoof@imacorp.com or by phone at 1-877-502-9897.

Q&A

Q: How should we budget for work comp for 2006?

A: KMIT will NOT be raising its internal rate (LCM). Therefore, the variables affecting rates for 2006 include: the KS Insurance Dept. class code rates (not available until November); each city's experience modifier (also not out until November); and each city's estimated 2006 payroll. Therefore, as usual, KMIT staff recommends that each city follow standard good budgeting practices and add 5-10% to your actual 2005 KMIT premium—just to be sure.



Q: Can employers in Kansas (including cities) be fined for failing to submit a report of injury?

A: YES!

If you have a question you think would be beneficial to other cities, please forward it to wflowers@lkm.org and we will add it, along with the answer, to our next newsletter.

We encourage you to make copies of this newsletter and distribute to all city employees.

KMIT Calendar

June

23 KMIT Board of Trustees Meeting, *Augusta*

August

26 KMIT Board of Trustees Meeting, *Oswego*

October

10 KMIT Annual Meeting, *Wichita*

December

9 KMIT Board of Trustees Meeting, *De Soto*



Would you like to receive CompControl, City Safe, and Special Notices by e-mail?

It's simple! Send your request and e-mail address to Wendy Flowers at wflowers@lkm.org.

Kansas Municipal Insurance Trust

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