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Things That Will Sink Your Workers' Compensation Claim.

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Workers' compensation is a difficult area of the law. Since 2005, the playing field has tilted even more away from the injured employee and toward the insurance company. In addition, work comp overpays small injuries and underpays major ones—this means that a badly injured worker will never get “enough” money to make them whole. Hiring a good workman's compensation lawyer is vital to you getting the money you and your family deserve after a work-related injury. Avoiding mistakes in the process is just as important! Here are 5 things that will sink your work comp claim:

1 Not reporting your injury to your employer within 30 days once you know or have been told that your injury is work related.

If you fall and hurt your back or wrench your shoulder, you know immediately that you have been hurt. Workers' compensation law requires you to notify your employer within 30 days of such an occurrence, or it can be deemed prejudicial to the insurance company, and your benefits can be impacted. Whether this means telling a supervisor or reporting the injury to the human resources department varies from company to company— check your employee manual if you have one. When in doubt, report to your boss as soon as possible and request medical care.

Some injuries, like carpal tunnel, develop over time due to repetitive stress on your body. When this type of injury is diagnosed, you should report it to your supervisor immediately. Once a repetitive motion injury is diagnosed, or if you suspect that your injury is work related, report it. **Remember, when in doubt, report your injury.**

2 Not telling the emergency room, doctors, therapists or other medical providers that your injury happened at work.

Some folks are embarrassed that they got hurt at work, especially if the injury came from falling down. Some don't want to make a big deal out of the injury. Others want to "protect" their employer and deny that an injury is work related, or tell their medical providers that they don't know how they got injured. This is a big mistake. Insurance companies look at the initial medical reports to check for any statement that will get them out of paying! Be honest with your doctors. This will help them treat you and will protect your workers' compensation claim. If your little injury turns out to be bigger than you expected, you can't go back later and claim it was work related if you initially denied that it was.

3 Refusing to see the company's doctor.

In Missouri, your employer has to pay for the medical bills from a work-related injury, but your employer also gets to pick the doctor they send you to see. If your employer picks a doctor and you refuse to go, they will either claim that you are not hurt, or deny coverage for your injury. If you have health insurance, you can use that to get a second opinion, but you are still required to treat with the company doctor if you want workers' compensation benefits.

4 Waiting to hire an attorney or ignoring his advice.

Most clients don't want to be clients—they assume that their employer's insurance company is going to treat them fairly. In today's world, this is frequently wishful thinking. Insurance companies work hard to keep their money, and they have trained professionals handling claims. The average worker is not able to get a fair shake on their own, and insurance company studies show that folks with an attorney get 4 to 5 times more money than those without.

Waiting to hire an attorney delays the end of your case for a couple of reasons. First, the time required to investigate and pursue a claim will be used whether you hire an attorney at the beginning or end of the case. Waiting to hire an attorney means that work can't be done until the end,

when your claim would normally be ready to be settled. Second, handling the claim on your own will likely result in mistakes that your attorney will need to fix or work around. Avoiding these errors greatly speeds up the end of your case.

Sometimes, attorneys have advice that clients don't want to hear. Remember that your lawyer is (or should be) focusing a substantial portion of his time learning and knowing work comp law. Your lawyer wants to get as much for you as he can, as fast as he can. Hire a lawyer that you trust,

5 Working through pain.

There is a big difference between trying to get back to work and ignoring your pain. If you hurt and need additional medical treatment, you have to let your lawyer know. No one feels your pain but you, and pain is usually an indicator that you are not recovered from your injury. Follow your doctor's advice, but if the company doctor wants to send you back to work and you still have pain, let your attorney know. If you have medical insurance, you are entitled to seek a second opinion and do what is necessary to get well. **Make sure your lawyer knows when you think you need more treatment.**