

Major Fines and Penalties Enacted for Failure to Immediately Report Worker's Compensation Injuries

State agencies are now facing major penalties and fines for failure to promptly report work-related accidents and diseases as a result of Administrative Rules recently adopted by the Worker's Compensation Division (WCD) in the Department of Workforce Development. This is to alert agencies to new requirements, effective April 1, 1998, and to offer assistance in their meeting these new obligations.

Bureau of State Risk Management claims adjusters now have 14 days, from the date of injury to determine if the injury or disease is eligible for benefits and notify the injured employee and the (WCD). In order for the claims adjusters to meet this deadline, please report all work-related injuries or diseases by fax within 24 hours from the time your agency becomes aware of an injury or disease.

Failure to notify the employee and the WCD on time will result in an automatic \$100 penalty for each late report and the injured employee may receive a penalty equal to 10% of delayed compensation payments. The penalties for late reports and the costs of delayed compensation payments will increase the agency's loss experience and ultimately agency's premiums.

It is strongly recommending that agencies do the following:

1. Require that each employee fill out an [Employee's Work Injury and Illness report](#) immediately after an injury and give this report to his/her immediate supervisor.
2. Require the supervisor, upon notice of an injury, to complete an [Employer's First Report of Injury or Disease](#) and give it to the agency's Worker's Compensation Coordinator within 24 hours of the notice.
3. Make sure the Worker's Compensation Coordinator immediately inputs the report into Stars Web. *Coordinators must not hold the injury reports for any reason (such as waiting for medical bills or further investigation of the accident).*

It is critical that each agency follows these procedures. It will allow the Risk Management claim adjuster sufficient time to evaluate the claim, gather vital information, meet the required notifications and make informed decisions regarding the claims.

The Bureau of State Risk Management can be of assistance to any agency needing help with these procedures. If you need further information, help with procedures and forms, on-site training, or anything else to assure reporting is timely, please contact 608-267-6959 for assistance.