



Don't

Don't try to pay for your medical costs. They should be paid by your company's workers' compensation insurance policy. If you miss more than seven days of work and are found eligible, you will receive compensation for your wages.

Do

Do remember most employees in Louisiana are covered from the day they start employment. "Employees" may be full or part-time, seasonal or minors. Sub-contractors may be considered "employees" if they are involved in the pursuit of the employer's trade, business or occupation. The law does contain some limited exemptions.

Don't

Don't forget that workers' compensation insurance also provides benefits to dependents of workers who die after work-related accidents.

Do

Do remember that the law covers both mental and physical harm from either workplace accidents or occupational diseases. However, mental injury must be the result of a physical injury or of a sudden, unexpected, and extraordinary stress related to employment. In either case, this must be proven based on the evidence.



Don't

Don't worry if you do not immediately receive a check from the workers' compensation insurer. There is a seven-day waiting period between the time you file your claim and receive your check. However, if you are off work more than 42 calendar days, you will receive compensation for the first seven days after the date of injury.



Do

Do check to see if your injury or illness is covered. If it is, you should receive a check from the workers' compensation insurer or from your own self-insured employer within 14 days after the injury.

Don't

Don't settle your claim unless you are completely satisfied with the settlement. You may enter into a lump sum or compromise settlement upon agreement of all the parties and with the approval of a Workers' Compensation judge.

Do

Do reach out for help:

The Office of Workers' Compensation
(225) 342-7555, www.owca@lwc.la.gov.

The Louisiana Department of Insurance, 1-800-259-5300, www.lidi.la.gov

This public document was produced by the Louisiana Department of Insurance and is available online.

Workers' Compensation



Do's & Don'ts



LOUISIANA DEPARTMENT OF INSURANCE
Jim Donelon, Commissioner



Do

Do seek first aid and medical attention. Remember that delays can affect not only your health but also possible workers' compensation benefits.

Don't

Don't wait several days or even hours to report your claim.

Do

Do report your accident or ailment immediately to your supervisor if you are hurt at work or become ill (because of what you think is a work-related exposure). Generally, you must report the injury within 30 days to be eligible for benefits.

Don't

Don't report the injury to the health insurance company or workers' compensation insurer, report the injury to your employer.

Do

Do make sure your employer reports the injury to its workers' compensation insurance company, or internal claims office if the employer is self-insured, and to the Office of Workers' Compensation.



Don't

Don't feel that just because the injury was not your company's fault it is not covered by workers' compensation. Workers' compensation insurance provides medical care, death benefits, disability payments and rehabilitation. It covers job-related injuries regardless of fault.

Do

Do know that no compensation will be given if an injury was caused by an employee's willful intention to injure himself or another employee; by an employee's deliberate failure to use adequate protection that was provided to him; or by an injured employee's intoxication at the time of the injury, unless the intoxication results from activities in which the employer procured and encouraged the use of an alcoholic beverage.

Don't

Don't assume you are covered under workers' compensation. The law does contain some limited exemptions. Domestic employees; most real estate salespersons; uncompensated officers and directors of certain non-profit organizations; and public officials are specifically exempted. Most volunteer workers are not entitled to benefits.

Do

Do remember that if you are the aggressor in an unprovoked fight you may not be entitled to benefits. This may also apply if it is determined that you were a participant in "horseplay" at the time of your work related injury.



Don't

Don't forget that claims for medical benefits generally must be filed within one year of the date of the work place accident causing the injury. However, if your employer or its workers' compensation insurer has paid medical expenses, the period for a claim is extended to three years from the last payment of a medical benefit.

Do

Do make sure you have prior approval from your employer, or its workers' compensation insurer for any cost above a total of \$750 per provider, for any doctor in a specialized field of medicine. This limit applies to doctors, hospital services, prescriptions, physical therapy, laboratory tests, etc...



Don't

Don't forget to turn in an examination by a physician if it is required by your employer. Failure to submit any reasonable examination may cause your compensation payments to be suspended until an examination takes place.

Do

Do check to see if you are eligible for any additional compensation for permanent disability, such as the loss of an arm or leg. This is usually determined after you return to work or the healing period ends.