

We make it happen by putting you first.

WORKERS' COMPENSATION NEWSLETTER

This is a newsletter of interest to professionals who provide services to Injured Workers.

Failing To Give a Full and Accurate History to Medical Providers

Many claims are denied because the medical records don't reflect that the medical condition they treated was a result of an on the job injury!

I cannot stress this enough. If you fail to tell the medical providers where you hurt and how you were hurt you could not only be harming yourself physically but also legally as well. We all know that it is very important to advise the medical providers of all our complaints so that the physician can give us the proper treatment but it is equally important to your claim for benefits as well.

When the insurance company is investigating a claim they not only take statements from the injured party and witnesses they also inspect the medical records. They are looking to see what was said in the medical records as to how the injured employee reported they

were hurt and to what body parts they identified as being injured.

For this reason, when you report to any medical provider be clear and detailed when discussing the nature of your injuries and how they occurred. Always, identify where you were hurt and if there was anything unusual that caused your injuries.

When an injured employee comes to my office and the insurance company has either denied their claim completely or they do not wish to provide medical treatment to a specific body part, one of the biggest hurdles I find is that the accident or injury was not reported in the medical records until several weeks or months after the initial date of injury. Insurance companies scrutinize these records and if it is not in the medical records they have a difficult time

compensating the injured employee.

Moreover, and most importantly, if it is necessary for your case to go to trial the medical records are one of the most compelling pieces of testimony that will be entered in at trial. When being evaluated by the Deputy Commissioner they are given greater weight as they are written by a third-party that has no stake in the claim.

More importantly it is a long established principle that people are most honest when they are reporting their physical complaints to physicians as they want to get better and the physician needs all the information that he can get to make a proper diagnosis. Remember, this practice is recommended not only for your first visit or with just the emergency room - continue to repeat this information for every appointment. ■



**1-800-
LAWYER-NC**

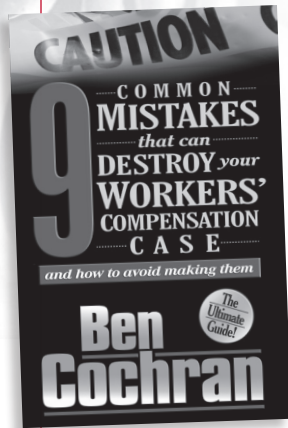
Call or visit www.asklawyernc.com and enter your questions. You will get answers by an attorney the same day, confidentially and with no obligation.

www.lawyernc.com

Training for Your Group or Office

We are available to conduct workshops or short training meetings, tailored to the needs of your office staff. **There is no charge for this.** Please call our office to make arrangements for in-service training, or talks to groups and organizations on any area of Workers' Compensation law.

Worker's Compensation Book For FREE



Ben Cochran, a Board Certified Specialist in Workers' Compensation Law, has written a new book for injured workers and consumers to educate them as to the pitfalls on the Workers' Compensation claims process. *9 Common Mistakes that can Destroy your Workers' Compensation Case* is written in plain English without the legal mumbo jumbo. This book will help you learn what you should and should not do when pursuing a Workers' Compensation claim.

If you or your office would like some free copies for your staff, patients or clients, please call 1-800-600-7969 and we will get you as many copies as you need.



**Do you
know
someone
who has
been injured
on the job?**

What is Workers' Compensation?

To protect an injured worker from loss of income if injured at work and for payment of medical bills, the State Legislature adopted the North Carolina Workers' Compensation Act. The legislative intent of the Act is to make employers responsible for the injuries of their employees who were injured by accident in the furtherance of the employer's business. This Act provides workers with full compensation for medical bills and partial compensation for lost wages if they have been injured on the job. The Act also compensates injured workers for any permanent disability or lasting inability to earn the same wages due to the compensable accident.