

# Q&A

As Maryland's leader in workers' compensation insurance, Chesapeake Employers' professionals are here to help answer your questions. We also encourage you to contact your agent partner and to visit our website, [www.ceiwc.com](http://www.ceiwc.com), for more frequently asked questions and answers.

**Q. My injured employee has retained an attorney. Can I still contact my employee and check on his/her medical progress, treatment and anticipated return-to-work?**

*Erica Tally,*  
Senior Claims  
Adjuster

**A.** Yes, absolutely! You can still communicate whether or not the injured employee is represented by an attorney. When an employee is injured, Chesapeake Employers recommends that the employer show honest concern and stay in contact with the injured employee. Make sure the injured worker understands his/her responsibility to keep you up to date on their recovery status and provide required documentation for your records. The employer should also refer any questions concerning the claim or legal questions to the assigned claims adjuster or the assigned Chesapeake/IWIF attorney.

### *Erica's* Employer's Caring Success Story

A claimant injured an ankle on the job and required two surgeries. During the process of this claim the employer kept in contact with the employee and even took the worker to doctor's appointments. The representing attorney didn't have a problem with it and was impressed by the employer's concern for the injured employee. The treating physician and the independent medical examiner doctor recommended a third surgery, but the claimant declined. The claimant was released to return to work with permanent restrictions. The employer was able to make a permanent light duty position for this employee.

If the employer had not shown concern, this claim may have ended up as a more serious disability. By staying involved and showing concern, the employer helped the employee feel appreciated and helped overall to reduce the potential cost of the claim.



**Q. Does my injured worker require a physician's release to return to work performing transitional duties?**

*Stacy Brooks,*  
Senior Claims  
Adjuster

**A.** Yes. You, the employer, should provide the completed **Job Analysis/Description Form** and the **Transitional Job Duty Analysis Form** for approval by the physician, and also provide copies to the claims adjuster. The physician will then provide a "medical release" which may include a listing of restrictions that you and your Chesapeake Employers' claims adjuster can then review as you set up the transitional job. Important: If possible, also have the physician complete the **Return-to-Work Capacity Form**.

### *Stacy's* Return-to-Work Success Story

In January 2014, I had a construction account that had 17 open claims. The majority of these injured workers were off work and collecting Temporary Total Disability (TTD), as the union representing the workers did not allow light or transitional duty. Together with the employer's insurance agent, we were able to help the employer implement a light duty job bank and we were successful in getting the union to agree to the light duty policy. We were immediately able to get most of the workers back to work and close a good portion of the claims.

I believe that this has also led to a downturn in the number of lost-time claims filed as the employees now know that they will be expected to return to work on transitional duty should they get hurt on the job. With this account today, we have six open claims and only one worker on TTD.

Note: The return-to-work forms mentioned above, including a complete Guide to Creating a Return-to-Work Program booklet, can be found on our website at [www.ceiwc.com](http://www.ceiwc.com).

