

Frequently Asked Questions regarding Workers' Compensation Claim and Workers' Compensation Leave of Absence

Reporting a work-related incident/injury, is NOT an official request for a workers' compensation leave of absence.

I was involved in an incident/injury/illness on the job but I did not need to go to the doctor or take time off from work. Do I still need to report the incident/injury/illness to my supervisor?

Yes! Every incident/injury/illness must be reported to your supervisor immediately, regardless if you took time off or not. If you were injured on the job and the treatment for the injury is greater than first aid, you must also seek medical treatment from a health care provider who has been approved by the New York State Workers' Compensation Board.

Claim Processing

What forms do I need to complete in order to report a work-related incident/injury/illness and file a claim for workers' compensation?

The following forms must be completed by you and your supervisor and returned within 48 hours of the work-related incident/injury/illness:

- Employee Report of Injury (WCD-23) – Complete with detailed information about when, where, how and exact body part(s) injured (example: right knee, left elbow, etc.).
- Supervisor's Report of Injury (1615) – Acknowledge employee's incident/injury/illness by stating they were informed or actually witnessed the incident.

The above forms must be completed and emailed directly to LeavesWC@nychhc.org. NYC Health + Hospitals/HRSS Leaves Administration/WC Intake Team will file the claim with the worker's compensation insurance carrier, The NYC Law Department/Workers' Compensation Division.

Where can I get the forms?

You can get the forms from the Employee Resource Center by visiting our internal site at <https://nychhccloud.sharepoint.com/:u:/r/sites/ERC/SitePages/Workers'-Compensation-Program.aspx> or our external site at ess.nychhc.org.

What should I do if I learn that my supervisor has not yet submitted the Incident/Injury/Illness Reports to LeavesWC@nychhc.org?

You should complete the Employee Report of Injury (WCD-23) and email directly to LeavesWC@nychhc.org

- Employee Report of Injury (WCD-23) – Complete with detailed information about when, where, how and exact body part(s) injured (example: right knee, left elbow, etc.).

What happens to my work-related incident/injury/illness forms?

NYC Health + Hospitals as your employer forwards your injury report and files your claim with the workers' compensation insurance carrier The NYC Law Department. The NYC Law Department will assign a carrier case number (claim number), determine if your claim is acceptable and compensable, and will send via regular mail the determination letter.

Why do I need a carrier case number (claim number)?

You need a carrier case number (claim number) to receive medical treatment from a workers' compensation health care provider. In addition, your workers' compensation health care provider will need your carrier case number (claim number) in order to submit your medical reports to the NYC Law Department and NYS Workers' Compensation Board. Accordingly, the NYC Law Department and NYS Workers' Compensation Board can pay your physician, authorize medical/pharmacy/diagnostic services and determine claims compensability.

How do I obtain a carrier case number (claim number) if I need it immediately?

If you are seeking for immediate medical treatment you may contact HRSS Leaves Administration/WC Intake Team via email at LeavesWC@nychhc.org and inform us of your need. Our office will, on your behalf, request from the NYC Law Department your case number. As soon as we receive your case information we will inform you via email. You may also contact the NYC Law Department directly at 718-724-5500 and request your case number. Please be advised that the NYC Law Department may take up to two (2) weeks to assign a case/claim number.

Medical Treatment**Where can I obtain a list of participating workers' compensation doctors?**

Visit the New York State Workers' Compensation Board website at www.wcb.ny.gov/health-care-provider-search/ to obtain a listing of participating physicians. This information can also be obtained by email at WCBMedicalDirectorsOffice@wcb.ny.gov or via telephone at (800) 781-2362 (Option 2 for questions about medical providers. Please provide your full name, case number, no case number alternative information your social security number).

What can I do if I need to see a doctor and my claim is still pending a case/claim number?

If your injury is in need of urgent care please seek the necessary medical attention and later inform the workers' compensation insurance carrier The NYC Law Department.

Why does The NYC Law Department and NYS Workers' Compensation Board need my medical reports?

The NYC Law Department is the workers' compensation insurance carrier and in order to authorize medical/pharmacy/diagnostic services and pay your workers' compensation health care provider they will need the medical reports. In addition, The NYC Law Department will need your medical reports to determine any workers' compensation payment or time restoration that you may be eligible for.

My treating workers' compensation health care provider has asked for authorization/payment for services. What do I do?

If your physician requests any authorizations for medical services or payment for services already rendered, refer these issues to the workers' compensation insurance carrier The NYC Law Department. In addition, your physician must submit medical reports to the NYS Workers' Compensation Board file via email at wcbclaimsfilings@wcb.ny.gov. These issues are not to be reported to NYC Health + Hospitals because we are the employer not the workers' compensation insurance carrier. Provide your physician with your carrier case number (claim number), your examiner and the workers' compensation insurance carrier information:

NYC Law Department / Workers' Compensation Division, 350 Jay Street, 9th Floor,
Brooklyn, NY 11201, Phone: 718-724-5500, Fax: 718-724-5497.

Who pays for my medical expenses (e.g., surgery, x-rays, prescriptions, etc.) relating to my incident/injury/illness?

The NYC Law Department is your insurance carrier for workers' compensation benefits when NYC Health + Hospitals employees are involved in a work-related incident/injury/illness. Employees must not use their personal employer-sponsored health insurance for any expenses related to the work-related incident. You must seek treatment by a workers' compensation certified health care provider. Your physician must submit a Doctor's Initial Report (C-4 form) or Medical Report for reimbursement to:

NYC Law Department / Workers' Compensation Division, 350 Jay Street, 9th Floor,
Brooklyn, NY 11201, Phone: 718-724-5500, Fax: 718-724-5497

What is the difference between NYC Health + Hospitals and The NYC Law Department?

NYC Health + Hospitals is your employer NOT the workers' compensation insurance carrier. Your health care provider, pharmacy and diagnostic centers are not to bill your employer for the services rendered.

The NYC Law Department is the workers' compensation insurance carrier. Your health care provider, pharmacy and diagnostic centers must forward the bills to the NYC Law Department to receive payment for services rendered. You must provide your health care provider, pharmacy and diagnostic centers your case/claim number and the insurance information:

NYC Law Department / Workers' Compensation Division, 350 Jay Street, 9th Floor,
Brooklyn, NY 11201. Phone: 718-724-5500, Fax: 718-724-5497

I received a hospital bill for the emergency department (ED) visit due to my work-related injury. How do I proceed with this ED bill?

You must provide your workers' compensation case/claim number along with the workers' compensation insurance carrier information, see below, to the hospital billing department so they can clear your bill.

NYC Law Department / Workers' Compensation Division, 350 Jay Street, 9th Floor
Brooklyn, NY 11201, Phone: 718-724-5500, Fax: 718-724-5497

In my initial injury report I indicated that I injured my right wrist. Days later I felt a pain to my right shoulder. Who should I report this additional body part injured?

You must report the additional body part to your claim examiner at The NYC Law Department so that they may establish the additional body part to your claim. In order to receive medical services for all body parts The NYC Law Department must accept all body parts to authorize medical services.

I have an old work-related injury and I need further medical attention, but I believe my case is closed. What do I do?

Contact The NYC Law Department and speak to your examiner to see if your case is still open. If your case is open, your NYC Law Department examiner will advise you about what steps to take in order to continue receiving medical attention. If you learn your case is closed, call the New York State Workers' Compensation Board – (877) 632-4996 or via email at Claims@wcb.ny.gov – to request a hearing to re-open your case.

My WC claim was denied (controverted), who do I contact about this decision?

The workers' compensation insurance carrier The NYC Law Department makes the decision to accept or deny (controvert) WC claims. You must contact your NYC Law Department examiner to further address your controverted (denied) WC claim.

Absences and Leaves**I'm absent from work due to my work-related injury. Does my injury report cover my work absence?**

No, employees are required to request a workers' compensation leave and submit medical documentation to support the absence due to the work-related injury. The leave request, medical documentation with date of injury and an Election of Rate of Charge Against Annual and/or Sick Leave form (DP-2002) must be emailed directly to HRSSLeaveAdministration@nychhc.org or through Employee Self Service Absence Management module in Peoplesoft.

Who do I inform about my absence due to my work-related injury?

You must inform HRSS Leaves Administration via email to HRSSLeaveAdministration@nychhc.org or through Employee Self Service Absence Management module in Peoplesoft. You are required to provide notice and medical documentation throughout your absence, from first day absent up to a return to work. You must also call or email your supervisor about your absence.

- If the work-related injury causes you to be absent from work for less than two (2) weeks, the absence is managed and approved by the local facility department's discretion.
- If the work-related injury causes you to be absent from work for more than two (2) weeks, you must submit a workers' compensation leave request, medical documentation with date of injury and an Election of Rate of Charge Against Annual and/or Sick Leave form (DP-2002) directly to HRSSLeaveAdministration@nychhc.org or through Employee Self Service Absence Management module in Peoplesoft.

If I'm absent due to my work injury for less than two (2) weeks and my department has approved my absence, how is the absence coded for time records?

If you are absent from work due to a work injury and your department has approved your work absence, you must use sick/annual leave balances for time reporting codes.

If I'm absent due to my work injury for more than two (2) weeks and my workers' compensation leave request is pending approval by HRSS Leaves Administration, how is the absence coded in time records?

If you are absent from work due to a work injury and your WC leave request is pending approval from HRSS Leaves Administration, you must use sick/annual leave balances for time reporting codes.

If I'm absent due to my work injury for more than two (2) weeks and my workers' compensation leave request has been approved by HRSS Leaves Administration, how is the absence coded in time records?

Under workers' compensation leave of absence an Election of Rate of Charge Against Annual and/or Sick Leave form (DP-2002) is required to determine the time reporting codes. HRSS Leaves Administration will approve extended workers' compensation leave of absence based on the option elected in the DP-2002 form:

- Option 1, absent with pay against sick/annual leave balances, may be eligible for time restoration once the claim is accepted and compensable by the NYC Law Department. Time Reporting Code is 03 / Time Details Code WC01 (24 WC with pay).

In	Out	Time Reporting Code	Comments	Additional Time Reporting Code
		03. SICK LEAVE ▾		WC01

- Option 2, absent without pay no charge to sick/annual leave balances, may be eligible for workers' compensation payment once the NYC Law Department accepts the claim and determines the level of payment. Time Reporting Code is 23.

In	Out	Time Reporting Code	Comments	Additional Time Reporting Code
		23. WORK COMF ▾		

How do I request time off and code my time sheet when I need to continue my medical care for my work-related injury by attending to my doctor's appointment and therapy?

Time off for doctor's appointment and therapy that do not require a continuous extended leave of absence are considered an Intermittent leave. Intermittent leave of absences for a work-related injury requires the following:

1. Employee must submit a time off request directly to their supervisor and indicate that the time off is due to a work-related injury that occurred on (provide date of injury).
2. Employee must elect to take the time off with pay using their own sick/annual (Option 1 absent with pay – Time Code 24) or take the time off without pay (Option 2 absent without pay – Time Code 23)
3. Supervisor must respond to employee's time off request.
4. Supervisor and/or Employee will forward the approved time off request to HRSS Leaves Administration via email at WCLeavesOfAbsenceTeam@nychhc.org.
5. HRSS Leaves Administration will confirm our system has a record of the date of injury, will verify that the work-related injury is on file with The NYC Law Department as an accepted and compensable workers' compensation claim, and will confirm the workers' compensation code for time reporting records.
6. Supervisor and/or Employee is responsible for coding time records in order to track and maintain the use of workers' compensation leave.

NOTE: Employee and Supervisor, failure to maintain accurate workers' compensation time sheet codes may have an impact to employee's request for time restoration.

Compensation

How do I receive pay during my work absence due to a workers' compensation claim?

Under workers' compensation leave of absence an Election of Rate of Charge Against Annual and/or Sick Leave form (DP-2002) is required to determine how you wish to receive pay during your absence. HRSS Leaves Administration will approve extended workers' compensation leave of absence based on the option elected in the DP-2002 form:

➤ Option 1, absent with pay using your own sick/annual leave, receive pay check from NYC Health + Hospital, may be eligible for time restoration once you return to work and the claim is accepted and compensable by the NYC Law Department. Time Reporting Code is 03 / Time Details Code WC01 (24 WC with pay).

In	Out	Time Reporting Code	Comments	Additional Time Reporting Code
		03. SICK LEAVE ▾		WC01

➤ Option 2, absent without pay no charge to sick/annual leave balances, no pay check from NYC Health + Hospitals, may be eligible for workers' compensation payment once the NYC Law Department accepts the claim and determines the level of payment. Time Reporting Code is 23.

In	Out	Time Reporting Code	Comments	Additional Time Reporting Code
		23. WORK COMF ▾		

May I use my accrued paid sick and annual leave while out on a work-related injury?

Yes, however, to do so, you must elect to use your own sick/annual time by completing the Election of Rate of Charge Against Annual and/or Sick Leave form (DP-2002) and electing option 1 (Time Reporting Code is 03 / Time Details Code WC01 (24 WC with pay). Your department is responsible for entering your time in Web Entry while you are on leave. It is your responsibility to follow up with your department to ensure your time reporting codes are entered.

Can I be reimbursed if I elect option 1 to use my sick and annual leave to be paid while I am recovering from a work-related injury?

Yes, the procedure for the time restoration requires you to contact the NYC Law Department and request your time be restored. The NYC Law Department will determine your eligibility and perform the necessary calculations to award time restoration. A time restoration memo is forward to our office HSS Leaves Administration. Our office will forward the time restoration memo to you and payroll. Payroll will restore the time (time is restored at a pro-rated rate).

If I elect option 2 (Time Reporting Code 23) from the Election of Rate of Charge form to take a leave of absence without pay, how much money can I expect to receive from the New York City Law Department?

Workers' compensation payments are to be determined by the NYC Law Department and vary from case to case, however, typically the rates represent up to two-thirds of your regular pay.

Can I use time reporting code 22, 25 or 26 for my absence due to the work-related injury?

Time Reporting codes 22, 25 and 26 require approval from HRSS Leaves Administration. These codes are related to workers' compensation grant and are processed upon employee's request. An official approval notice must be provided by HRSS Leaves Administration in order to use these grant codes. Review the Operating Procedure 20-08 Workers' Compensation for additional information about grants.

What happens if I run out of paid leave? How do I get paid?

If you are no longer receiving a pay check from NYC Health + Hospitals because you have used all of your sick/annual leave balances, you must contact your claim examiner at the NYC Law Department / Workers' Compensation Division and ask to be paid workers' compensation by them.

I have been on a leave of absence without pay due to a work-related injury and have not received a check from the New York City Law Department. Who do I call?

Contact your claims examiner at the New York City Law Department to inquire about receiving workers' compensation payment.

Can I receive workers' compensation payment from the NYC Law Department via direct deposit?

Yes, direct deposit is available for the transmittal of workers' compensation payments to your financial institution, issued by The NYC Law Department/Workers' Compensation Division and Office of the Compensation. For information visit the website at <https://comptroller.nyc.gov/services/for-the-public/workers-compensation/>.

Can I receive pay checks from NYC Health + Hospitals and NYC Law Department/Workers' Compensation Division for the same period of absence?

No, receiving and accepting pay checks from NYC Health + Hospitals and NYC Law Department for the same absence period is a result of overpayment. You will be responsible to reimburse NYC Health + Hospitals and/or NYC Law Department/Workers' Compensation Division following the applicable payroll process.

Additional Information

Where can I obtain additional information about workers' compensation?

Additional information can be found on the New York State Workers' Compensation Board website at www.wcb.ny.gov.

Where can I find the NYC Health + Hospitals workers' compensation operating procedure?

Please visit the System Wide Policies & Procedures website at <https://nychhcloud.sharepoint.com/:u:/r/sites/ERC/SitePages/Workers'-Compensation-Program.aspx>, review the Operating Procedure 20-08 Workers' Compensation.