

INFORMATION SHEET
WORKPLACE INJURIES & ILLNESSES
APSCUF, COACHES, MANAGERS, OPEIU & SCUPA EMPLOYEES

What are the basic workers' compensation benefits?

Medical and Prescription Drug Benefits

The Pennsylvania Workers' Compensation Act is designed to provide reimbursement for reasonable medical care for employees who suffer an injury or illness arising in the course of his or her employment. PASSHE's third party administrator, Inservco Insurance Services, Inc., determines if the injury or illness is compensable under the Workers' Compensation Act. To make that determination, Inservco reviews the information provided on the *Employee Workplace Injury/Illness Incident Report* as well as any medical information related to the employee's injury/illness. An Inservco representative may also contact you directly for additional information about your injury and medical treatment. If your claim is accepted, IUP is responsible for payment of reasonable surgical and medical services, services rendered by physicians or other health care providers, medications and supplies, as and when needed. If your claim is denied, you will be notified in writing that your claim was denied, the reason your claim was denied, and your rights to contest the denial.

If you require emergency medical treatment, you may seek it from any provider; however, any subsequent non-emergency treatment shall be obtained from one of the designated health care providers whose names appear on the IUP Panel of Physicians. The Panel of Physicians is posted on all the IUP employee information boards, on the Office of Human Resources website, www.iup.edu/humanresources/benefits and is included with this information sheet.

You must obtain treatment from one of these providers for ninety (90) days from the date of your first visit to that provider; otherwise, IUP shall not be responsible for payment of your non-emergency medical bills for that first ninety (90) days. Claims for medical treatment, supplies and/or prescriptions should not be forwarded to your health insurance plan or prescription drug plan for payment. Instead, you must notify the provider that you have filed a Workers' Compensation claim and that all bills related to your injury should be sent under your claim number to:

Inservco Insurance Services, Inc.
Pittsburgh Claims Office
P.O.Box 1451
Harrisburg, PA 17105-1451

During the initial ninety (90) days from the date of your first visit, you have the right to switch from one health care provider on the list to another and that treatment will be paid for by IUP. If a designated health care provider refers you for treatment to another health care provider whose names is not on the list, IUP will pay for treatment rendered by the provider whom you were referred. You have the right to seek treatment or medical consultation from

a non-designated health care provider during the initial ninety (90) day period following the first visit but you are personally responsible for payment for those services.

You have the right to seek treatment from any health care provider at the expiration of the ninety (90) day period from the date of first visit. This treatment will be paid for by IUP unless the treatment is found to be unreasonable or unnecessary by a utilization review organization pursuant to the utilization review process contained in the Pennsylvania Workers' Compensation Act.

IUP will be responsible for the cost of that treatment after the initial ninety (90) day period has ended but only if you notify the Office of Human Resources that you are receiving treatment from a non-designated health care provider and only if that notice is provided to the Office of Human Resources within five (5) days after the first visit to that provider. If you provide notice to the Office of Human Resources of treatment by a non-designated provider more than five (5) days after the first visit to that provider, IUP will not be responsible to pay for treatment rendered by that non-designated provider until it receives notification from you that you are receiving such treatment.

Should invasive surgery be prescribed by a Panel Provider, IUP will pay for an additional opinion from a health care provider of your choice. If the additional opinion differs from the opinion of the Panel Provider and if the additional opinion provides a specific and detailed course of treatment, you will then determine which course of treatment to follow. If you choose to follow the procedure recommended in the additional opinion, IUP will pay to have such procedures performed by one of its Panel Providers and will not be responsible for payment for treatment provided by a non-designated provider for a period of ninety (90) days from the date of your visit to the health care provider from whom you obtained the additional opinion.

Indemnity Benefits

If your claim is accepted and you are unable to work due to your work related injury or illness, you may be eligible for workers' compensation indemnity benefits. Workers' compensation indemnity benefits usually equal about two-thirds of gross salary, subject to a minimum and maximum amount. They are non taxable and payable for the duration of your disability.

- If your disability lasts 7 cumulative days or less, no workers' compensation is payable.
- If your disability lasts 8 to 13 cumulative days, workers' compensation is payable only for the 8th through 13th days.
- If your disability lasts 14 cumulative days or more, workers' compensation is payable for the entire period of disability.

Inservco will notify you in writing if you are eligible for workers' compensation indemnity benefits.

How are absences for medical appointments handled?

You may be absent from work to obtain medical treatment and/or attend medical appointments related to your injury on **ten** occasions without the use of sick, annual, or personal leave. You must report the date and time of your absence to Anna Shively, Benefits Manager, (724) 357-2431 or by email at ashively@iup.edu.

Each absence cannot exceed the amount of time necessary to obtain treatment and reasonable travel time. You should try to schedule medical appointments during non-work hours or at those times during the workday that would result in minimum absence. Verification of the length of the medical appointments may be required.

If I am eligible for workers' compensation indemnity benefits will I receive any salary in addition to these benefits?

You will continue to be paid full salary until your claim is accepted and your workers' compensation indemnity benefits begin. This may result in a salary overpayment.

If your claim is accepted, you will be entitled to work-related disability leave (WRDL). WRDL is a payment approximately equal to the difference between the workers' compensation indemnity benefit and your net salary at the time of injury. You are not entitled to full salary plus the workers' compensation indemnity benefits for the same period of time.

If it is determined that your injury is not work-related, absences will be charged to regular paid leave or sick leave without pay in accordance with the policies for those leave types.

How are salary overpayments recouped?

In no case are you entitled to full pay and workers' compensation indemnity benefits for the same period. Salary overpayments result when you receive full pay and then receive the workers' compensation indemnity benefits for the same period. It is important that you not treat your workers' compensation indemnity checks as extra income (a windfall). Shortly after you receive the first workers' compensation indemnity check, PASSHE will recover any overpayments that resulted from being paid both full salary and workers' compensation.

If the salary overpayment is for a period of 42 calendar days or less, PASSHE may elect to process a compensation adjustment against your salary after you return to work. Your paycheck could be reduced for up to three full pays after your return to work. **Your workers' compensation indemnity check should be saved for use during the period when your salary is adjusted.**

If the salary overpayment is for a period of more than 42 calendar days, PASSHE calculates the overpayment. You will receive a letter seeking lump sum repayment. If you do not repay

the overpayment, payroll deductions at the rate of 30% of your gross salary will be started. **Your workers' compensation check should be saved so that the overpayment can be repaid in lump sum.**

For employees who are on WRDL and simultaneously receive biweekly workers' compensation indemnity checks, paychecks will be reduced to your pre-disability net pay amount. **Your biweekly workers' compensation indemnity checks should be used to supplement your reduced salary.**

How long does WRDL last?

WRDL is available for the period of your disability, or up to one year's absence from work, whichever is less. The year is cumulative, which means that if you return to work but become disabled again, WRDL will be available as reduced by your prior usage. The year, however, must be accumulated within three years from the date of injury.

If you are still disabled after one year of WRDL with benefits, you will be placed on disability leave without pay without benefits until you are able to return to work or for up to three years from the date of injury. You will have the choice at this time to use any accrued sick leave. However, you must be aware that if you elect to use accrued leave, one full day of leave will be charged for each day used and you will get paid the same amount that you were paid while on WRDL.

You are expected to return to either full or modified work as soon as possible. Your supervisor or other university representative will maintain contact with you during your absence.

You will be contacted about applying for Social Security Disability benefits if your disability appears to be long term.

What happens to employee benefits during WRDL?

Health benefits, employer paid group life insurance benefits, and other employee elected benefits will continue if you currently have them and if you continue to pay any required employee premiums toward the coverage. SCUPA employees will be billed for their health benefits by the Pennsylvania Employees Benefit Trust Fund (PEBTF). APSCUF, Coaches, Managers, and OPEIU employees will be billed for their health benefits by the Pennsylvania State System of Higher Education (PASSHE). Employees that have elected supplemental life insurance and/or long-term disability insurance will be billed for their premiums by PASSHE. Any delinquency of payment on your behalf may result in termination of your health benefits and/or your supplemental life insurance or disability insurance.

Medical bills and prescriptions related to an accepted injury are paid by the workers' compensation program.

Sick and annual leave (if applicable) continue to accrue at 34 percent of the WRDL hours used. You will not accrue personal leave while on WRDL. Managers, OPEIU and SCUPA employees who have excess personal leave at the end of the leave calendar year and whose work related absence precludes the use of this excess leave during the first seven pay periods of the new leave calendar year will have seven pay periods to use their excess personal leave upon their return to work. Managers and OPEIU employees who have excess annual leave at the end of the leave calendar year and whose work related absence precludes the use of this excess leave during the first seven pay periods of the new calendar year will have seven pay periods to use their excess personal leave upon their return to work.

Retirement credit accrues while you are on WRDL.

What are my return rights?

You have the right to return to a position in the same or equivalent classification held before being disabled, for a period of up to three years from the date of injury, or for the duration of temporary employment, provided you are fully capable of performing the duties of that position, subject to furlough provisions applicable to your classification and position. This guarantee expires if your disability ceases prior to the expiration of the three-year period and you do not return to work immediately or if you retire or otherwise terminate employment.

You must be able to perform the essential functions of your position upon your return to work, unless alternate or modified duty work can be arranged for you for a limited time. Upon return to work, you must provide a doctor's release to perform full or modified duties.

How does the Family and Medical Leave Act (FMLA) relate to my injury?

Under FMLA employees are entitled to 12 weeks of paid or unpaid leave with continuation of benefits in a rolling 12-month period for any or all of the following reasons: employee's own serious health condition; becoming parents through childbirth, adoption, or foster care placement; or caring for a seriously ill family member. To qualify for FMLA leave, an employee must have been employed at least one year (which includes total employment, even if it was not continuous) and must have been paid for at least 1,250 hours (which includes regular and overtime hours paid, but excludes holidays and other paid time off) during the previous 12-month period.

Most work-related injuries meet the definition of a serious health condition, and therefore, absences related to an injury are covered by FMLA. Leave used while disabled is designated as injury leave and also FMLA leave.

What if I still have questions regarding my injury?

General questions regarding workplace injuries/illnesses should be directed to the Office of Human Resource, (724) 357-2431. Questions regarding the payment of medical bills should be directed to Inservco, (800) 356-0438. You may also contact the Pennsylvania Bureau of Workers' Compensation, (800) 482-2383.

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