

Lee County Board of County Commissioners  
Workers' Compensation Procedures

**QUICK REFERENCE GUIDE**

**Part I – IF YOU AND/OR YOUR EMPLOYEE ARE INJURED IN A WORK-RELATED ACCIDENT THAT IS NOT LIFE THREATENING, YOU MUST DO THE FOLLOWING:**

- 1) Report the injury to your supervisor or manager immediately.
- 2) For all injuries that require more than just basic first aid, the injured employee should report to:

**Lee Convenient Care – Fort Myers**

**4771 S. Cleveland Ave. (next to Pep Boys)  
Phone (239) 343-9800 - Fax (239) 343-9823  
Hours: Sun-Sat: 7:00 AM to 7:00 PM**

**Lee Convenient Care – Cape Coral**

**1682 NE Pine Island Rd (across Lowes)  
Phone (239) 424-1655 - Fax (239) 424-1651  
Hours: Sun-Sat: 7:00 AM to 7:00 PM**

**Urgent Care Center of SWFL – Estero**

*Summer hours will vary for this location.*

**10201 Acros Ave., Suite 105  
(Estero Medical Center)  
Phone (239) 333-2273  
Hours: M-F: 8:00 AM – 8:00 PM  
Sat: 9:00 AM – 5:00 PM  
Sun: 11:00 AM – 4:00 PM**

**Urgent Care Center of SWFL – Cape Coral**

*Summer hours will vary for this location.*

**1708 Cape Coral Pkwy, Suite 2  
(Cay West Pavilion)  
Phone (239) 333-3333  
Hours: M-F: 8:00 AM – 8:00 PM  
Sat: 9:00 AM – 5:00 PM  
Sun: 11:00 AM – 4:00 PM**

- a. Authorization for treatment must be obtained prior to treatment. Authorization can be obtained through Risk Management or through Employee Health Services.
  - b. Any additional medical treatment such as transfers of care to a specialist would require authorization from your Workers' Compensation Adjuster.
  - c. Prescriptions given to injured employee by authorized physicians can be filled at any local pharmacy. Employees can use the "Prescription Program for Work Related Injuries" form in order to obtain prescriptions or employees are may be required to secure receipts for reimbursement.
- 3) Complete an **"Employee Injury-Illness Report"** form and fax a copy to Risk Management at (888) 242-3233 and Employee Health Services at 485-2094 within 24 hours. The original can follow by inter-office mail.
  - 4) Employee shall do the following:
    - a. Attend all scheduled appointments with authorized workers' compensation physicians.
    - b. Follow all instructions given to them by the authorized workers' compensation physicians.
    - c. Contact your Workers' Compensation Adjuster and/or Risk Management with concerns about their claim.

**Part II – IF YOU and/or your employee ARE INVOLVED IN A WORK-RELATED INJURY THAT OCCURS AFTER HOURS, WEEKENDS, OR HOLIDAYS, which are non-life threatening, YOU MUST DO THE FOLLOWING:**

- 1) Report the injury to your supervisor or manager immediately.
- 2) Follow steps 2b-2c, step 3, and step 4 in **Part I**.

**Part III – IF YOU AND/OR YOUR EMPLOYEE ARE INVOLVED IN A WORK-RELATED INJURY THAT IS LIFE THREATENING AND REQUIRES IMMEDIATE MEDICAL ATTENTION, IMMEDIATELY CALL 9-1-1:**

- 1) Immediately report the injury to your supervisor or manager.
- 2) Ask a representative from the hospital to call Risk Management at (239) 533-2309 or (239) 533-2310 or Employee Health Services at (239) 533-2067.
- 3) Follow steps 2a-2c, step 3, and step 4 in **Part I**.

**KNOW YOUR RIGHTS AND RESPONSIBILITIES IF YOU ARE INJURED ON THE JOB**

Medical care under Workers' Compensation covers only work related injuries and is different from your health care coverage when you are sick.

Lee County and PMA Companies have entered into an agreement to provide you medical assistance if you are injured at work. This information is provided to you so that you may obtain good quality medical services quickly in order for you to get well as soon as possible. This program will also assist you in returning to work as soon as you are medically able to do so and we'll also help you to understand both your right and responsibilities under the Workers' Compensation laws of the State of Florida.

The following is basic information about the Lee County Workers' Compensation program. If you would like additional information about Workers' Compensation, please contact the Florida Division of Worker's Compensation Employee Assistance Office at (800) 324-1741.

**WHAT ARE MY RIGHTS?**

- You have the right to a safe working place
- You have the right to medical care, treatment, and payment for treatment in case of a job-related injury or illness.
- You have the right to receive partial salary when an authorized workers' compensation physician says you cannot work due to your injury.

**WHAT ARE MY RESPONSIBILITIES IF I AM INJURED IN A WORK-RELATED ACCIDENT?**

- Immediately report any injury received on the job to your supervisor or manager.
- Follow the appropriate steps outlined above.
- Obtain all medical care only from authorized workers' compensation physicians/providers. Authorization for medical treatment can be obtained only from Risk Management or Employee Health Services.

- Follow the authorized workers' compensation physician's instructions concerning your treatment, and ask questions if you do not understand or need an explanation.
- Provide your authorized workers' compensation physician with complete information on your medical history and current medical problem related to your work injury or illness.
- Keep all scheduled appointments, and be on time for all medical care and evaluations.
- Return to work as soon as the authorized workers' compensation physician releases you.
- Request treatment only for an injury or illness that occurs as a result of your work.

These Rights and Responsibilities have been developed by Lee County in compliance with Florida Law to provide each employee receiving care with a positive and productive outcome. Questions concerning these Rights and Responsibilities may be directed to the Lee County Risk Management Office at (239) 533-2221.

### **HOW DO I CHANGE PHYSICIANS?**

Once you have started treatment with an authorized workers' compensation physician for your related injury, you will be allowed to make only one change to a different authorized workers' compensation physician during your treatment period for the injury. If you request a different physician, you will not be asked to justify this request, but will be asked information which may allow us to better understand the nature of the request.

Contact your PMA Adjuster at (888) 476-2669 to request a change in physician.

### **WHO IS YOUR ADJUSTER?**

An adjuster from PMA Companies will contact you within 24 to 48 hours upon receipt of your completed "***Employee Injury-Illness Report***" form. The adjuster will work with the Risk Management and help coordinate and authorize medical treatment with authorized workers' compensation physicians and specialists. The Adjuster is responsible for processing and paying all bills for medical treatment rendered for work related injuries.

**Important Contact Information:**

**Employee Health Services:**

**2115 Second Street  
Downtown Fort Myers  
County Administration Building  
(239) 533-2067 Phone  
(239) 485-2094 Fax  
[ehs@leegov.com](mailto:ehs@leegov.com) E-mail address**

**Medical Care Clinics:**

**Lee Convenient Care – Fort Myers**

**4771 S. Cleveland Ave. (next to Pep Boys)  
Phone (239) 343-9800 - Fax (239) 343-9823  
Hours: Sun-Sat: 7:00 AM to 7:00 PM**

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**Adjuster:**

**PMA Companies, Inc.  
P.O. Box 5231  
Janesville, WI 53547-5231  
(888) 476-2669 Phone  
(800) 432-9762 Fax**

**Risk Management:**

**Mike Figueroa  
Risk Management – 4th Floor  
2115 2<sup>nd</sup> Street  
Ft. Myers, FL 33901  
(239) 533-2310 Phone  
(888) 242-3233 Fax  
[mfigueroa@leegov.com](mailto:mfigueroa@leegov.com) E-mail**

**William Diaz  
Risk Management – 4th Floor  
2115 2<sup>nd</sup> Street  
Ft. Myers, FL 33901  
(239) 533-2309 Phone  
(888) 242-3233 Fax  
[wdiaz@leegov.com](mailto:wdiaz@leegov.com) E-mail**

## Employee Assistance Office

The Division of Workers' Compensation, Employee Assistance Office (EAO), helps prevent and resolve disputes between injured workers, employers and carriers. If the insurance carrier does not provide benefits to which you believe you are entitled, you may call EAO's toll-free hotline at **1-800-342-1741**. EAO specialists are knowledgeable about the workers' compensation system. They will be able to address your concerns and attempt to prevent or resolve disputes. EAO has offices throughout the state that you can call or visit. You can find EAO statewide locations at [http://www.MyFloridaCFO.com/WC/organization/eao\\_offices.html](http://www.MyFloridaCFO.com/WC/organization/eao_offices.html).

## Services provided by EAO include:

- Educating and providing information to you about your claim.
- Assisting you in resolving disagreements regarding your claim, at no cost to you.
- Assisting you with understanding the procedures for filing a Petition for Benefits with a Judge of Compensation Claims.

Information regarding your rights and responsibilities under the Workers' Compensation Law is available in an on-line "Injured Worker Workshop" presentation on the Division's Web site at [www.MyFloridaCFO.com/WC/employee/index.html](http://www.MyFloridaCFO.com/WC/employee/index.html), and answers to frequently asked questions can be accessed at [www.MyFloridaCFO.com/WC/faq/faqwrkrs.html](http://www.MyFloridaCFO.com/WC/faq/faqwrkrs.html).

You may also submit specific questions relating to your claim to us at [wceao@MyFloridaCFO.com](mailto:wceao@MyFloridaCFO.com) and receive answers directly by e-mail.

## Statute of Limitations

Once you are injured at work or become aware of a workers' compensation injury or illness, you have 30 days in which to report your injury or illness to your employer. Failure to report your injury within 30 days may jeopardize your claim.

Generally, you have two years from the date of your injury or illness to file a claim for workers' compensation benefits. Failure to report your injury

or illness within 30 days may be used as a defense against your claim regardless of the two-year statute of limitations for filing a claim. Your eligibility for benefits may also be eliminated one year from the date you last received a wage replacement check or approved medical treatment.

## Denial of Benefits

If the insurance carrier does not provide benefits to which you believe you are entitled, or has denied your claim, contact the Employee Assistance Office (EAO). Although the EAO does not provide legal advice, our specialists will answer questions about your rights and responsibilities and may be able to resolve problems you're having with your workers' compensation claim. This help is **free** and available by contacting the EAO at **1-800-342-1741**.

## Petition for Benefits

To begin the judicial procedure for obtaining benefits that you believe are due and owing under the law and have not been provided by the employer or insurance carrier, a Petition for Benefits form must be filed with the Office of Judges of Compensation Claims. The form can be accessed at [www.jcc.state.fl.us/jcc/forms.asp](http://www.jcc.state.fl.us/jcc/forms.asp).

## Re-employment Services

If you are unable to perform the duties required for your former job as a result of your work-related injury or illness, you can contact the Department of Education, Division of Vocational Rehabilitation at [www.rehabworks.org](http://www.rehabworks.org) or call 850-245-3470 for free re-employment services.

## Legal Representation

You are not required to have an attorney. If you do hire an attorney to represent you with your workers' compensation claim, the fees and costs may come out of your benefits, unless your employer or workers' compensation carrier is held responsible for paying your attorney fees. Although the Division does not provide legal advice, the Division will answer questions about your rights and responsibilities and may be able to resolve problems you may have with your workers' compensation claim. This help is **free** and available by contacting the Employee Assistance Office at **1-800-342-1741**.

## Anti-Fraud Reward Program

Workers' compensation fraud occurs when any person knowingly and with intent to injure, defraud or deceive any employer or employee, insurance carrier or self-insured program files false or misleading information. Workers' compensation fraud is a third-degree felony that can result in fines, civil liability and jail time. Rewards of up to \$25,000 may be paid to individuals who provide information that lead to the arrest and conviction of persons committing insurance fraud. To report suspected workers' compensation fraud, call 1-800-378-0445.

## Disclaimer:

*This publication is being offered as an informational tool only and complies with s. 440.185 (4) F.S., with the understanding that this is not official language of the Florida Statutes. In no event will the Division of Workers' Compensation be liable for direct or consequential damages resulting from the use of this printed material.*

69L-3.0035, F.A.C. Injured Worker Informational Brochure  
Rule 69L-3.025, F.A.C. Forms  
DFS-F2-DWC-60  
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# EMPLOYEE FACTS



# IMPORTANT WORKERS' COMPENSATION INFORMATION FOR FLORIDA'S WORKERS



**DIVISION OF  
WORKERS' COMPENSATION**  
Florida Department of Financial Services



If you are injured as a result of a work-related accident, your employer's workers' compensation coverage may entitle you to medical and partial wage replacement benefits.

### Medical Benefits

As soon as your employer's workers' compensation insurance company has knowledge of your work-related injury and has determined that your injury or illness is covered under Florida law, the company will:

- Provide an authorized physician
- Pay for all authorized medically necessary care and treatment related to your injury or illness
- Provide a one-time change of physician within five business days of receipt of your written request

Authorized treatment and care may include:

- Doctor visits
- Hospitalization
- Prostheses
- Travel expenses to and from authorized medical treatment or a pharmacy.
- Physical therapy
- Medical tests
- Prescription drugs

Once you reach maximum medical improvement (MMI), you are required to pay a \$10 co-payment per visit for medical treatment. MMI occurs when the physician treating you determines that your injury or illness has healed to the extent that further improvement is not likely.

### Wage Replacement Benefits

If you are unable to work or your earnings are lower because of a work-related injury or illness, you may be able to receive some wage replacement benefits. You may be eligible for these benefits if you have been disabled for more than seven calendar days and are not able to perform your normal job duties as advised by your authorized doctor.

If you qualify, wage replacement benefits will begin on the eighth day of partial or total disability. You will not receive wage replacement benefits for the first seven days of disability, unless you are disabled for more than 21 days due to your work-related injury or illness.

In most cases, the wage replacement benefits will equal two-thirds of your pre-injury regular weekly wage, but the benefit will not be higher than Florida's average weekly wage. You can generally expect to receive your first benefit check within 21 days after the carrier becomes aware of your injury or illness and bi-weekly thereafter.

- Temporary Total Benefits: These benefits are provided as a result of an injury or illness that temporarily prevents you from returning to work, and you have not reached MMI.
- Temporary Partial Benefits: These benefits are provided when the doctor releases you to return to work with restrictions and you have not reached MMI and earn less than 80 percent of your pre-injury wage. **Note: The maximum length of time you can receive temporary total or partial benefits is 104 weeks or until the date of MMI is determined, whichever is earlier.**
- Permanent Impairment Benefits: These benefits are provided when the injury or illness causes any physical, psychological or functional loss and the impairment exists after the date of MMI. A doctor will assign a permanent impairment rating, expressed as a percentage of disability to the body as a whole.
- Permanent Total Benefits: These benefits are provided when the injury causes you to be permanently and totally disabled according to the conditions stated in the law.

- Death Benefits: Compensation for deaths resulting from workplace accidents include payment of funeral expenses and dependency benefits (subject to limits defined by law). A dependent spouse may also be eligible for job training benefits.

The rate, amount and duration of compensation for all wage replacement benefits are detailed in the workers' compensation law. **If you have questions about your benefits, call your claims adjuster or the Employee Assistance Office (EAO) at 1-800-342-1741.**

### Injured Worker Responsibilities

#### Communicate with the Employer:

- Contact your employer immediately to notify them of your on-the-job injury or illness.
- Provide your employer a copy of the Medical Treatment/Status Reporting form (DWC25) after each medical appointment.
- Return to work when you are released by your physician and when your employer offers a position within your physical limitations to avoid suspension of your lost wage benefits.

#### Communicate with the Carrier:

- Review the First Report of Injury or Illness (DWC1) form upon receipt and verify the accuracy of your address, phone number, social security number and the description of the accident. If there is information you do not agree with, or if information has been omitted, immediately notify your adjuster in writing.
- Review, sign and return the mandatory fraud statement to the insurance carrier. By signing this document, you are confirming your understanding of this important information. Your benefits shall be suspended if you refuse to sign this document.
- Report wages from all sources of employment to the carrier if you had more than one employer in the 13 weeks immediately preceding your date of accident. This will assist the carrier in determining the proper wage replacement amount.
- Keep your adjuster regularly informed on the status of your claim, medical authorization needs and any wages you have earned. (Note: If you are represented by an attorney, the adjuster may not be able to speak with you directly.)

- Notify the carrier of any change of address or telephone number.
- Complete and return forms to the carrier when asked.

### Communicate with the Authorized Treating Physician:

- Identify all body parts that are, or potentially may, be injured, and be specific when identifying areas of pain.
- Keep your appointments.
- Clarify your work status during appointments before leaving the physician's office.
- Follow your doctor's treatment plan.
- Ask your physician for the patient copy of the Medical Treatment/Status Reporting form (DWC25).
- Notify your physician of any change of address or telephone number.
- Call the authorized treating physician's office if you need to see the doctor before your next appointment date. The doctor's staff may be able to place your name on a cancellation list and you may be scheduled for an earlier appointment should one become available. If an appointment is not available and you need to see a doctor immediately, please contact your adjuster or the EAO.

### Carrier Responsibilities

- Timely provision of medical treatment
- Timely payment of wage replacement benefits
- Timely payment of medical bills
- Timely reporting of your claim information to the Division of Workers' Compensation
- Timely notification of any changes in the status of your claim. This information will be provided to you by mail on either a Notice of Action / Change form (DWC4) or a Notice of Denial form (DWC12).