



Workers' Compensation

“Just the Basics”

Presenters:

Jerry Whorton, Consolidated
Benefits Resources

Title 85A established The Workers' Compensation Commission

www.ok.gov/wcc

- **Commissioners**

- Mr. Mark Liotta, Chairman
- Mr. Jordan K. Russell, Member
- Ms. Megan Tilly, Member

Administrative Law Judges

Judge T. Shane Curtin

Judge Michael Eagan

Judge Tara Inhofe

Judge Blair McMillan

Judge Molly Lawyer

Chief Executive Officer-Hopper Smith

OKLAHOMA WORKERS COMPENSATION COMMISSION

OKLAHOMA WORKERS' COMPENSATION COMMISSION

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\(Visa and Mastercard
only\)](#)

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The Oklahoma Workers' Compensation Commission is the agency responsible for handling claims of injured workers. Oklahoma workers whose claims are in dispute with their employer file a claim with the commission in order to get the case resolved in a timely manner.

The new administrative system took effect February 1, 2014. This system will be beneficial to both workers and employers. It will be faster, which allows workers to return to work sooner. And it will lower premiums on workers compensation insurance for employers thereby creating new jobs in Oklahoma's economy.

About the Commission



OKLAHOMA WORKERS
COMPENSATION COMMISSION

OKLAHOMA GOV Search Site GO

OKLAHOMA WORKERS'
COMPENSATION COMMISSION

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About the Commission Meetings Forms Medical Insurance Alerts

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About the Commission

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Related Topics

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Governing Documents



THE OKLAHOMA STATE COURTS NETWORK www.oscn.net

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Title 85A. Workers' Compensation (STOKSTB1) [Search](#) **Chapter 1 - Administrative Workers' Compensation Act**

[§ 1. Short Title](#)

[§ 2. Definitions](#)

[§ 3. Applicability of Act](#)

[§ 4. Invalidity Clause](#)

[§ 5. Exclusivity](#)

[§ 6. False Statements and Misrepresentation - Criminal Penalties - Enforcement - Workers' Compensation Fraud Investigation Unit - Rules](#)

[§ 7. Prohibition of Discrimination or Retaliation Against Employee Acting In Good Faith - Jurisdiction - Awards - Exclusivity](#)

[§ 8. Invalidity of Employee Waiver of Compensation - Exceptions](#)

[§ 9. Invalidity of Employee Agreement to Pay Premium - Misdemeanor for Employer](#)

[§ 10. Limitation on Release, Assignment, Garnishment, etc. of Workers' Compensation Benefit - Exceptions](#)

[§ 11. Compensation to Alien Nonresidents - Dependents](#)

[§ 12. Compensation Preference](#)

Employers/Employees

The screenshot shows the homepage of the Oklahoma Workers' Compensation Commission. At the top, there is a search bar with the text "Search Site" and a "GO" button. Below the search bar, the text "OKLAHOMA WORKERS' COMPENSATION COMMISSION" is displayed in white on a dark blue background. A large banner image features the Oklahoma State Capitol dome and the text "OKLAHOMA WORKERS' COMPENSATION COMMISSION" in large, bold, white letters. Below the banner, a navigation menu contains the following links: "About the Commission", "Meetings", "Forms", "Medical", "Insurance", and "Alerts". A red arrow points to the "Forms" link. Below the navigation menu, the page content includes a breadcrumb trail "Home / Alerts / Navigating the Process", a section header "Navigating the Workers' Compensation Process", and a list of links: "Guide for Injured Workers", "Guide for Employers", "Flowchart of Workers' Compensation Process", and "List of Mediators". To the right of this list is a "Related Topics" box containing a link to "Contact Us". At the bottom of the page, there is a footer with the text "Last Modified on 02/15/2016", social media icons for Twitter and Facebook, and a footer bar with the text "About OK.gov | OK.gov Policies | Accessibility" and "© 2017 The State of Oklahoma".



Guide for Employers

- What is Workers' Compensation?
- Who is covered by the AWC Act?
- How to obtain coverage?
- Employers responsibilities prior to injury.
- What to do when a injury has occurred.
- Benefits owed to the injured worker
- Exceptions from the General Rule that coverage must be provided
- Who is an independent contractor?
- FAQs





Guide for Injured Workers

- What is Workers' Compensation?
- Is your injury covered?
- Your rights and responsibilities as an injured worker.
- Benefits
 - Medical Treatment
 - Temporary Disability
 - TTD
 - TPD
 - Permanent Disability
 - PPD
 - PTD
 - Vocational Rehabilitation
 - Continuing Medical Maintenance
 - Death Benefits
- The Claim Process



Medical

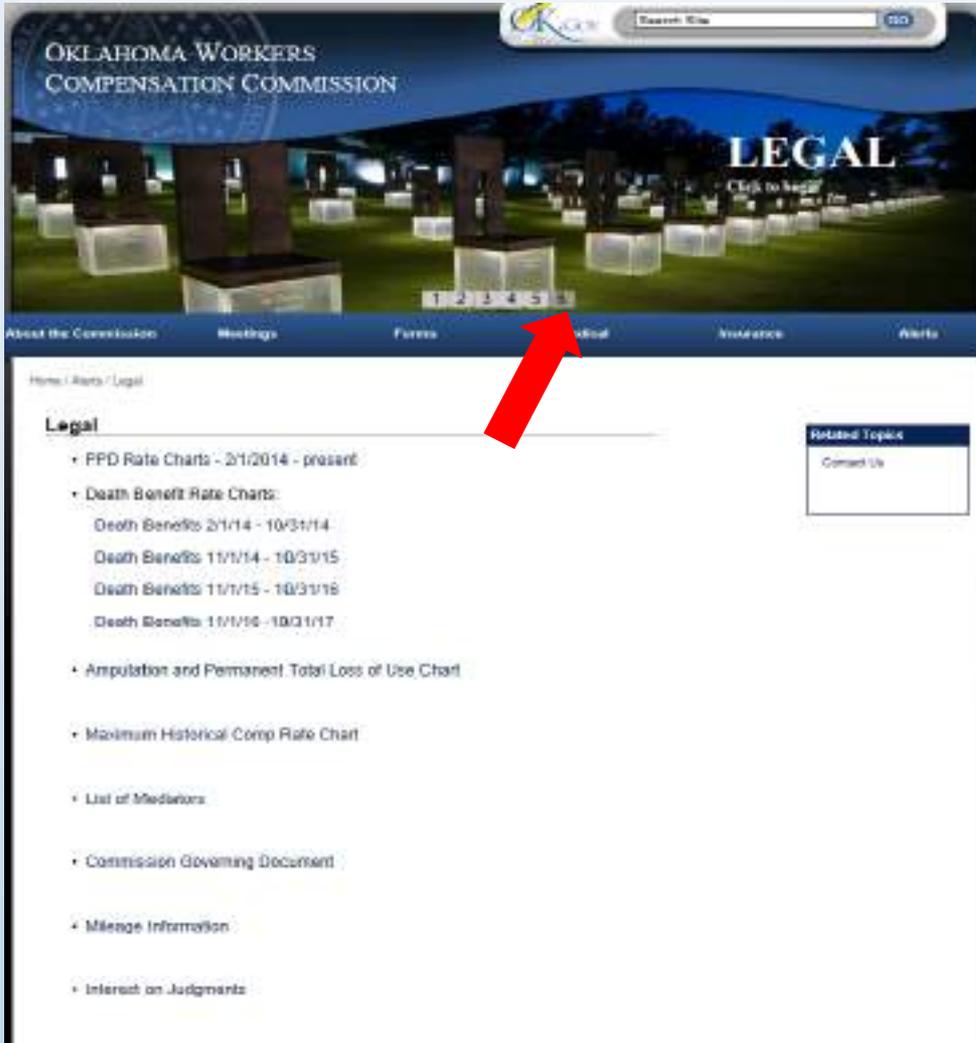


The screenshot shows the Oklahoma Workers Compensation Commission website. At the top, there is a search bar with the text "OKLAHOMA WORKERS COMPENSATION COMMISSION" and "OK GOV". Below the search bar is a banner image of five medical professionals in white coats. The word "Medical" is written in large red letters over the image, with "Click to begin" in smaller red text below it. A red arrow points to the "Medical" link in the navigation menu. The navigation menu includes "About the Commission", "Meetings", "Forms", "Medical", "Insurance", and "Alerts". Below the navigation menu, the page title is "Home / Resources / Medical". The main content area is titled "Medical" and contains a list of links:

- Official Disability Guidelines
- Vocational Rehabilitation Counselors
- IME Specialty List
- Case Managers Directory
- Oklahoma Medical Data Report September 2013
- Medical Fee Schedule
- Schedule II Drug Guidelines

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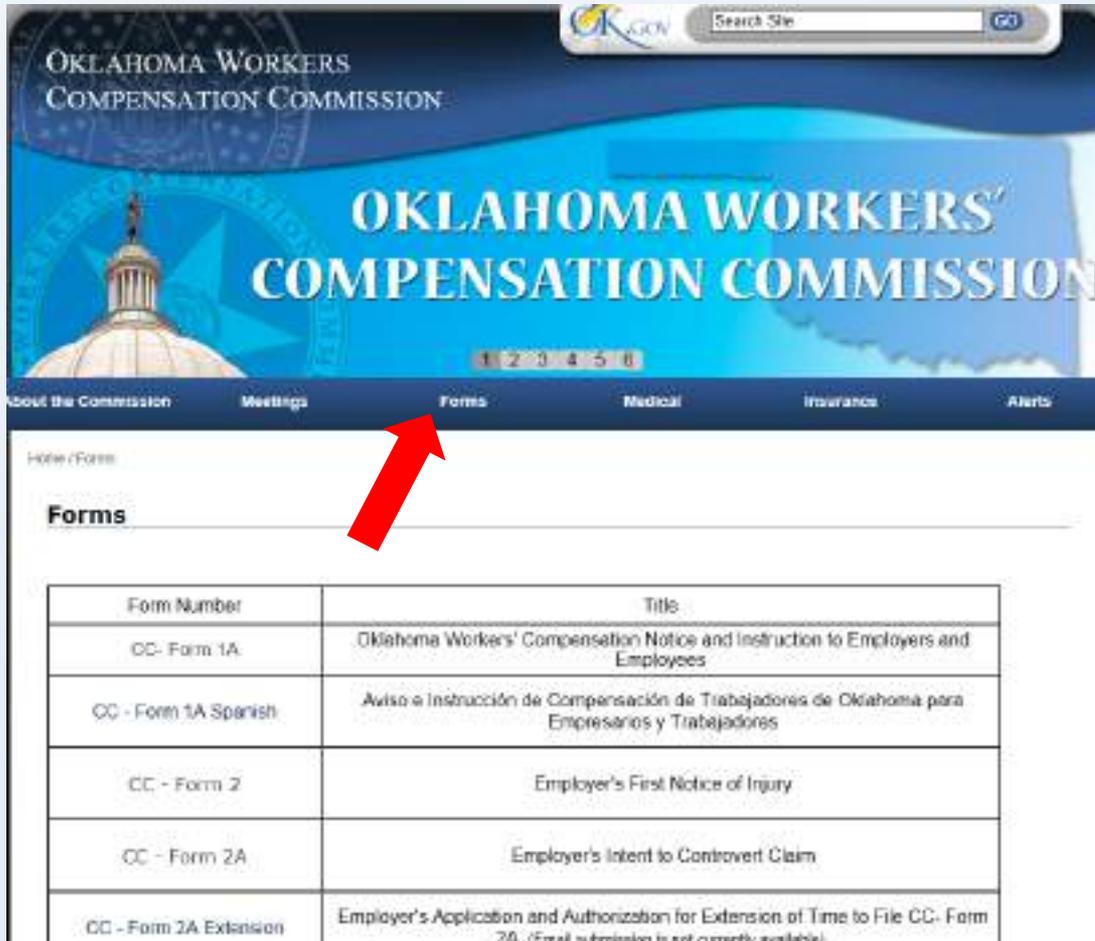
Legal



The screenshot shows the Oklahoma Workers Compensation Commission website. The header includes the logo and a search bar. The main navigation menu has links for 'About the Commission', 'Meetings', 'Forms', 'Legal', 'Insurance', and 'Alerts'. The 'Legal' link is highlighted with a red arrow. Below the navigation, the 'Legal' section is expanded, showing a list of links: 'PPD Rate Charts - 2/1/2014 - present', 'Death Benefit Rate Charts' (with sub-links for various periods), 'Amputation and Permanent Total Loss of Use Chart', 'Maximum Historical Comp Rate Chart', 'List of Mediators', 'Commission Governing Document', 'Mileage Information', and 'Interest on Judgments'. A 'Related Topics' box with a 'Contact Us' link is also visible.

- PPD Rate Charts
- Death Benefit Rate Charts
- Amputation & Permanent Total Loss of Use Chart
- Maximum Historical Comp Rate Chart
- List of Mediators
- Commission Governing Document
- Mileage Information
- Interest on Judgments

Forms



The screenshot shows the Oklahoma Workers' Compensation Commission website. At the top, there is a search bar and a navigation menu with links for "About the Commission", "Meetings", "Forms", "Medical", "Insurance", and "Alerts". A red arrow points to the "Forms" link. Below the navigation menu, there is a section titled "Forms" with a table listing various forms.

Form Number	Title
CC- Form 1A	Oklahoma Workers' Compensation Notice and Instruction to Employers and Employees
CC - Form 1A Spanish	Aviso e Instrucción de Compensación de Trabajadores de Oklahoma para Empresarios y Trabajadores
CC - Form 2	Employer's First Notice of Injury
CC - Form 2A	Employer's Intent to Controvert Claim
CC - Form 2A Extension	Employer's Application and Authorization for Extension of Time to File CC- Form 2A. (Email submission is not currently available)



- Listing by Form Number/Title
- Hyperlink
- PDF Format
- Tab and Fill Forms
- Link to Court forms



Insurance

OKLAHOMA WORKERS COMPENSATION COMMISSION

INSURANCE
Click to begin

Search Site

About the Commission Meetings Forms Medical **Insurance** Alerts

Home / Insurance

Insurance

- Instructions for Certificate of Non-Coverage
- List of Group Self-Insurance Associations
- List of Service Agents for Workers' Compensation Insurance Carriers
- List of Third Party Administrators
- List of Individual Own Risk Employers
- Look up an employer's workers' compensation insurance coverage
- NAICS Assistance and Information
- Commission Rules regarding Insurance, Self-Insurance, and TPA's (effective 9-12-15)

Related Topics

Contact Us
ONLINE WED BILL PAY
(Fee and Mealment Only)

Last Modified on 05/03/2017

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- Certificate of Non-Coverage Instructions
- Listings
 - Group Self Insurance Associations
 - Service Agents for WC Insurance Carriers
 - Third Party Administrators
 - Individual Own Risk Employers
- WC Insurance Coverage Lookup
- NAICS Assistance & Information

WC Insurance Coverage Look Up

Oklahoma Workers Compensation Commission

Employers' Workers' Compensation Insurance Coverage Verification

Select Coverage Date  Default = Today's Date

Employer Name Contains Starts With

OR

Federal Employer Identification Number

Limitation of Information

The information in this database is provided by third parties outside the control of the Oklahoma Workers' Compensation Commission (WCC) as well as the Court of Existing Claims and may be incomplete or inaccurate because of reporting errors, omissions or delays. The WCC accepts no liability for and makes no representation or warranty regarding the content, accuracy, timeliness or completeness of the information retrieved or displayed through this system or that such information will meet the inquirer's specific needs or purposes. For information regarding self-insured employers/associations, and additional information on service agents, please call the WCC Insurance Department at (405) 522-8680 or in-state toll free at (800) 522-8210 or visit WWW.OWCC.STATE.OK.US.

Download the free Workers Compensation Coverage Verification (WCCV) Mobile Application



Basic WC Terms

- TTD-Temporary Total Disability
- PPD-Permanent Partial Disability
- PTD- Permanent Total Disability
- MMI- Maximum Medical Improvement
- RTW- Return to Work
- Light Duty- Doctor allows a modified return to work but places temporary restrictions such as no lifting more than 3 pounds, no stooping, etc.

Best Practices



'No-Fault' system

Oklahoma is a no-fault system for workers' compensation and a witness is not required.

We cannot deny a claim based on the worker's stupidity.



The *magic formula* to prevent injuries is to train workers to work "**safely**".

After the injury, your adjuster is in "cost control".



File Claims Immediately – Same Day Reporting (24 Hour Notice)

Critical

Fact: *If* the claims adjuster can talk to the injured worker within 24 hours of the incident, **the claim cost is reduced significantly.**

Filing Incident-only claims is also beneficial to document the facts of the claim. Filing the claim will have no adverse effect on premiums.



Accident and Injury Program “Best Practices”

Be Proactive

1. Train to “prevent” claims.

Employees with unsafe work habits require repetitive training and supervision to train away the poor habits.

2. Offer medical treatment the day of the incident. Do not try to decide if a injury is a Workers’ Compensation or a health claim-- Allow the doctor and adjuster decide.



Accident and Injury Program “Best Practices” (cont.)

- 3. Provide payroll/contact information with the Form 2.** This will speed up getting TTD benefits started timely.
- 4. Stay in touch with the injured worker.** Let them know you care about them and their recovery and to expect a call from an adjuster.



Accident and Injury Program “Best Practices” (cont.)

- 5. Develop a Modified (Light) Duty program.** This is a win-win the Employer and the worker.
- 6. You are the eyes and ears,** so share any and all information you have on the injured worker and their activities with your adjuster.



Accident and Injury Program “Best Practices” (cont.)

7. Double check Personal information for the injured workers on the Form 2 (SS#, correct spelling of name, DOB, address, cell phone number).



8. If a worker sues the company, a representative at trial is critical. Not all trials require attendance so your attorney or adjuster will advise which ones to attend.

Match name to SS Card

Accident and Injury Program “Best Practices” (cont.)

- 9. If an injury involves a third party (vehicle accident, slip/fall on property not owned by the Employer) *provide all information that you have regarding the third party and any contact information you may receive from the Third party’s insurance carrier.***



Accident and Injury Program “Best Practices” (cont.)

10. The Employer has the right to question the validity of a claim.

- ▶ Provide statements of why you are questioning the incident.
- ▶ What are the extenuating circumstances?
- ▶ Provide cell phone photographs of building/grounds where accident occurred.
- ▶ Review the premises security video and secure if available.



Train your Employees on Your Process

- **Encourage** employees to promptly report a workplace injury.
- **Send them to a pre-designated doctor/clinic. Emergency Rooms for treatment is covered but can be costly, so if the injured worker can wait for the clinic to open, that is preferred.**
- **Develop a Modified Duty Program to get employees back to work while they heal**