

GFPS Workers' Compensation Information
Provided by Montana School Group Insurance Authority (MSGIA)

What is Workers' Compensation?

Workers' compensation is a program designed to:

- provide, without regard to fault, medical benefits and in some cases wage loss benefits to workers' suffering from a work-related injury or occupational disease
- return the worker to the work force as soon as possible

What is the difference between an injury and an occupational disease?

There are 2 types of Worker's Compensation claims that can be filed in the State of Montana, an injury and an occupational disease.

As defined by current statute, an injury is internal or external physical harm to the body caused by an accident and can be identifiable by time and place of occurrence and by member or part of body affected. An injury can also be damage to prosthetic devices or appliances or death.

An occupational disease means harm, damage, or death arising out of the course and scope of employment and caused by events occurring on more than a single day or work shift.

The most distinguishing difference between an injury and occupational disease is that an injury happens within one work shift and an occupational disease develops over more than one work shift.

What happens if I am injured at work?

Time is of the essence in reporting claims. Timely reporting allows MSGIA/WCRRP to conduct timely investigations and will reduce delays in ensuring an employee receives appropriate quality health care and disability benefits.

If you are injured at work, regardless of the severity or the need for medical care, your first responsibility is to report your accident and any resulting injury to your immediate supervisor and/or the front office as soon as possible. If your accident occurs after hours, please contact the District immediately the next business day. Upon reporting, you will be asked to complete and sign an Accident Injury/Report. The completed report will then be filed with the District's workers' compensation insurer, MSGIA/WCRRP.

What if I need to seek medical treatment?

If possible, please notify your immediate supervisor and/or the front office that you will be seeking medical care. If you need immediate medical care, please proceed to the emergency room. Outside emergency care, the Montana Workers' Compensation Act allows an injured employee to choose an initial treating physician. Physicians, advance practicing nurses, chiropractors and dentists licensed by the State of Montana can be considered a treating physician. There are some exceptions so if you

have questions regarding whether a particular provider qualifies as a treating physician, please contact MSGIA/WCRRP toll free at (877) 667-7392.

Initial liability for payment of medical claims is the responsibility of the injured worker however after determination that a claim is covered under the Workers' Compensation Act, the liability for payment of reasonable and necessary medical care will be the responsibility of MSGIA/WCRRP. MSGIA/WCRRP does not require a co-payment and you do not have to pay the balance between what the medical provider charges and MSGIA/WCRRP pays.

What if I can't return to work as a result of my injury?

If your evaluating physician indicates you have physical restrictions and/or are unable to work for a period of time following your injury, request written documentation and don't leave the doctor's office without it. A copy of any and all off work notes and restrictions need to be provided to the District immediately. If your work restrictions can be accommodated, you may be given a temporary modified work assignment by your supervisor.

If your physician doesn't permit you to return to work because of your injury or occupational disease, and your claim has been accepted by MSGIA/WCRRP, you may be eligible for wage loss benefits.

The most common forms of wage loss benefits are:

Temporary total disability benefits (TTD)

If you suffer a total loss of wages due to your injury or occupational disease, you may be eligible for temporary total disability (TTD) benefits until your physician determines you have reached maximum medical improvement or you are released to return to work. You may receive weekly compensation of 66 2/3% of your gross wages at the time of the injury up to the maximum rate set by the State annually. These benefits are not payable for the first 32 hours or 4 days of lost wages, whichever is less. If you also receive social security disability benefits as a result of your workers' compensation claim, your weekly compensation benefits may be reduced by up to ½ of your social security payment.

Temporary partial disability benefits (TPD)

If prior to reaching maximum medical improvement, you suffer an actual wage loss due to restrictions imposed by a qualified physician as the result of an injury or occupational disease, you may be entitled to TPD. TPD benefits are paid based on the difference between your average weekly wage at the time of injury, subject to the maximum of 40 hours a week, and the actual wages you earn in the modified or alternative employment, again not to exceed the maximum rate set by the State annually.

In addition to a physical impairment, the employee may be entitled to additional percentages based on permanent wage loss, permanent restrictions, age at the time of injury, and educational background.

What if I give false information?

When you sign your Accident Injury/Report, you are confirming the information on the claim is true. If you obtain benefits to which you are not entitled, you may be guilty of theft and criminal proceedings can be initiated. Helping someone else to fraudulently obtain benefits is also a crime.

Contact Information

MSGIA/WCRRP

Toll-free: (877) 667-7392

www.msgia.org

Montana Department of Labor

Employment Relations Division

<http://erd.dli.mt.gov>