

WORKERS'  
COMPENSATION  
EMPLOYEE  
INFORMATION

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# **SECTION I**

## **Important Information**

1. Wilson County Board of Education employees must observe the Workers' Compensation Procedures. Employees that do not follow the procedures may be subject to disciplinary action which could include a write up in their personnel file up to and including termination.
2. All injured employees must report a work- related incident to their facility's designated worker' compensation school contact or supervisor immediately after the accident occurs. The employee will need to complete the Employer's First Report of Injury (C-20 form) and other necessary forms. The employee **cannot be required to wait until after work hours or after the shift is over.** If the employee is referred to another physician by the clinic/hospital provider, the physician must be approved by TN Risk Management.
3. If the employee's initial treatment requires emergency room treatment and the employee is able to complete the paperwork with the school contact. The employee will take the paperwork to the hospital to show work comp approval and contact information. The employee will notify the hospital of the injury at work and give the hospital the work comp paperwork. **Do not give them the employees group medical health plan ID card.**
4. The employee may receive a call from the claims' representative from Tennessee Risk Management Trust to discuss the injury and treatment. Employees may qualify to be reimbursed for mileage of the doctor's visit is 30 miles or more (round trip) from the employees' home or workplace.
5. Under the Tennessee Workers' Compensation Law, if the injured employee is referred to a specialist or he/she wants to change the treating doctor, a request of change of physician must be made **prior to seeking treatment**. The workers' compensation insurance carrier is required to send the injured employee a panel of doctors within the specialty of treatment, i.e., chiropractor, orthopaedic, neurologist etc. All medical treatment, after the initial treatment, must be approved by the workers' compensation insurance carrier or **no payment will be made for the treatment.** To make a request, contact Denise Jasper, Benefits Department.
6. All medical treatment for a work-related injury will be paid for by the workers' compensation insurance carrier and **not our group medical plan.** If a workers' compensation treatment claim is reported to our group medical plan administrator the claim will be denied. The only time our group medical plan will pay for a workers' compensation injury is when the workers' compensation carrier denies the claim.
7. If an employee is given a prescription, the prescription can be filled at any pharmacy that accepts workers' compensation. Be sure NOT to run it through the employee's personal insurance. If the employee is required to pay for the prescription, keep receipts to turn in to Denise Jasper to request reimbursement.
8. A copy of all discharge or return to work paperwork given to the employee by the clinic/hospital must be emailed or faxed to the Benefits Department. If the employee is given work restrictions, Denise Jasper will contact the principal or supervisor to see if the work restrictions can be accommodated. The employee's principal or supervisor will discuss with the employee whether the restrictions can be accommodated or not. Denise Jasper will communicate the decision to the work comp insurance company.
9. All doctor and physical therapy appointments must be kept. TN Risk Management does try to schedule follow-up appointments for after school hours, but that is not always possible. Work Comp does not pay for an employee's time off for a doctor's appointment. Work comp only pays when an employee has been placed out of work and misses 8 or more days from work. The employee will need to take sick time or

elect to take no pay for that visit. If out of work exceeds 14 days, then work comp will pay for the missed days 1-7 and the Benefits department will request that the employees sick time be given back.

## **When is an injury or illness considered work-related?**

A work-related injury or illness is any injury or illness resulting from events or exposures occurring in the workplace. The work environment includes the establishment and other locations where one or more employees are working or are present as a condition of their employment.

## **Which work-related injuries and illnesses should be reported?**

Record all those work-related injuries and illness that result in:

- Death
- Loss of consciousness
- Days away from work
- Restricted work activity or job transfer
- Medical treatment beyond first aid
- Fractured or broken bones
- Sprains, strains
- Cuts, punctures, lacerations, abrasion, contusion
- Insect bites, chemical or electrical burns
- Amputations
- Chipped tooth or teeth
- Slips, trips and falls
- Skin disorders, rashes
- Respiratory conditions
- Poisoning
- Heatstroke, sunstroke, heat stress
- Blood borne pathogenic diseases

## **Reporting Requirements for Work Injuries or Illnesses**

All work-related injuries or illnesses **must be** reported to either the employee's principal, manager, supervisor or the facility's designated workers' compensation person immediately after the accident or illness, no matter how slight the injury or illness and regardless of the need for medical treatment.

When an employee reports a work-related injury or illness to his or her principal, manager, supervisor or the facility's designated workers' compensation person, that person must complete the proper paperwork.

The physician will complete a Return to Work notification on the injured employee. The Return to Work form will indicate whether or not the employee can return to work without restrictions, or with restrictions (light duty, modified duty).

- If the employee is released for work with restrictions it must be determined if the employee's restrictions can be accommodated within the employee's job description; i.e., John, the custodian, injured his back while mopping the floors, he was treated for a strained back and was released for work with the limitation of no pushing and pulling for 5 days. One of John's job duties is to mop the floors which require pushing and pulling. For five days the other custodians will do John's mopping duties and John will take over the tasks of the other custodians.
- If the employee's restrictions cannot be accommodated the employee **cannot** return to work, but will be permitted to return to his or her work area to retrieve personal items only.
- If the employee is not released for work, he or she will have to make arrangements with the principal or supervisor to retrieve personal items.

**WILSON COUNTY SCHOOLS**

**Jeff Luttrell**

Director of Schools



**Harding Drive**  
**Lebanon, TN 37087**  
**Tel: (615) 453-6594**  
**Fax: (615) 453-7292**

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# **Wilson County Schools**

## **Approved Workers Compensation**

### **Treatment Sites**

Conservative Care  
936 Murfreesboro Rd.  
Lebanon, TN 37090  
615-443-1744

Midtown Healthcare  
1097 Weston Drive  
Mt. Juliet, TN 37122  
615-288-3267

Fast Pace Health  
See separate list for approved locations

### **Emergency Treatment Sites**

Vanderbilt Wilson County  
1411 Baddour Parkway  
Lebanon, TN 37087

TriStar Summit Medical Center  
5655 Frist Blvd  
Hermitage, TN 37076



101 Tamaras Way, Hendersonville, TN 37075  
Toll Free 888.743.4336 | Local 615.651.8625 | Fax 615.953.6292

Wilson County Board of Education  
Approved Fast Pace Location Updated:  
11/4/24

- 1) Fast Pace—Gallatin P# 615-675-8280 Dr.  
Jeffrey Klempen  
101 Theodon Trce Suite 110 Gallatin, TN 37066
- 2) Fast Pace—Lebanon P# 423-352-4381 Dr.  
Steven Hedlesky  
1128 N Castle Heights Ave Lebanon, TN 37087
- 3) Fast Pace—Mt. Juliet P# 615-288-7043 Dr.  
Jeffrey Klempen  
11060 Lebanon Rd Mt. Juliet, TN 37122
- 4) Fast Pace—Watertown P# 615-697-6836 Dr.  
Jeffrey Klempen  
9002 Sparta Pike Watertown, TN 37184
- 5) Fast Pace—Murfreesboro P# 629-335-3057 Dr.  
William D. Daniel  
4139 Franklin Rd Murfreesboro, TN 37128
- 6) Fast Pace—Antioch P# 629-207-7996 Dr.  
Jeffrey Klempen  
3556 Murfreesboro Pike Suite 101 Antioch, TN 37013
- 7) Fast Pace—Lebanon/Nashville P#629-206-0540 Dr.  
Steven Hedlesky  
2372 Lebanon Pike Nashville, TN 37214
- 8) Fast Pace---Carthage P#615486-6178 Dr.  
William D. Daniel  
573 Carthage Bypass Rd Carthage, TN 37030
- 9) Fast Pace---Hartsville P# 615-257-3470 Dr.  
Jeffrey Klempen  
160 McMurry Blvd West Hartsville, TN 37074

Selection:

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

## **SECTION II**

### **Drug Free Workplace**

The Wilson County Board of Education is a Drug Free Workplace. The purpose of this is to deter the use of drugs and alcohol in the workplace. Any employee who abuses drugs and or alcohol shall face disciplinary action up to and including termination. Forfeiture of workers' compensation benefits may also apply if an employee is injured on the job while under the influence of drugs and or alcohol.

### **Drug Free Workplace and the Injured Worker**

Any employee injured at the workplace in need of medical treatment, no matter how slight the treatment and other than first aid treatment, will be required to take a post-accident/injury drug/alcohol test.<sup>1</sup> The injured employee will report to or be taken to the designated medical facility and collection site for immediate treatment of his or her injury and a specimen shall be taken under the procedures set forth under the rules of the Department of Labor Drug Free Workplace Program.<sup>2</sup> No specimens will be taken prior to the injured employee receiving emergency medical treatment. However, after the treatment has been administered the employee must submit to testing.

### **Refusal to Be Tested**

If the injured worker refuses to submit to a drug test<sup>3</sup>, it shall be presumed in the absence of a negative drug test result that the immediate cause of the injury was the influence of drugs or alcohol, and the injured employee will be subject to disciplinary action or discharge. The principal, manager, supervisor or the facility's designated workers' compensation person shall not permit the worker to return to his or her usual and customary occupation and is to call the Benefits Department immediately for further instructions.

### **Late Reporting of an Injury**

If an employee reports a work-related injury or illness after the fact and is in need of medical treatment beyond first aid, the injured worker will be subject to a post-accident drug test when the injury is reported to his or her principal, manager, supervisor or the facility's designated workers' compensation person, i.e., Joe injures his back on Friday while lifting several boxes weighing over fifty pounds (50) each but doesn't think anything about it. Over the weekend he experiences severe pain in his back and needs medical treatment. On Monday he tells his manager what happened on Friday and a report is taken. He will be instructed to report to the designated medical clinic for treatment and testing at that time.

## **SECTION III**

### **Collection Procedures**

Collection facilities chosen by the Wilson County Board of Education must meet the security requirements as specified by the Department of Human and Health Services guidelines. The collection site will be a secure location to allow for privacy.

When reporting to a collection site for specimen collection:

- Employees will be required to provide a photo ID
- Employees will be required to remove all unnecessary outer garments of clothing i.e., coats or jackets, and secure all personal belongings with the facility. The employees may keep his or her wallet only while providing a specimen
- Employees will be required to wash their hands prior to providing a specimen
- Employees will be asked if they are any prescribed medications that may give a false positive test result
- Employees will have the privacy of a stall or individual restroom to provide the specimen

A specimen cup is equipped with a temperature strip, which must read between 90 and 100 degrees Fahrenheit.

The employee's temperature may be taken to ensure that body temperature is within normal range. The temperature

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of the specimen will be written on the specimen cup. Specimen out of the normal temperature range is unacceptable

The collection site personnel shall keep the specimen in view at all times prior to being sealed and labeled. The specimen will be labeled with tamper proof seals and the employee will sign appropriate places of the Chain of Custody form and initial the seal on the bottle attesting to the fact that the specimen is specific to the person providing the sample. A failure of the employee to cooperate will be considered a refusal to be tested, which is considered a verified positive test result.

### **Specimen Pickup**

Once the specimen has been sealed, labeled and the chain of custody form has been signed by the employee, it will all be put into a shipping envelope and sealed. The collection site will then call Medtox Laboratories for a pick-up. The Medtox Laboratories courier will pick up the specimen and it will be sent to the Medtox Laboratories for testing.

### **Test Results**

**Negative test results** will be reported directly from the medical review officer to the Benefits Department's secure fax within 24 hours from when the specimen was clocked in at the testing laboratory, not from the time the specimen was taken or picked up at the collection site.

**Positive test results** will be reported to the Medical Review Officer, Dr. Roy Johnson, who will review and interpret results obtained from the laboratory. The MRO will contact the employee and conduct a medical interview of the employee's medical history and will examine all medical information made available to him or her such as evidence of prescribed medications. The MRO will give the individual testing positive an opportunity to discuss the test results prior to making a final decision. After the final decision is made, the MRO will notify the Wilson County Board of Education Benefits Department.

The MRO will notify the employee of his or her final decision and the employee will have 72 hours in which to request a test of the split specimen. If the employee makes such a request, the MRO will direct, in writing, the laboratory to provide the specimen to another certified laboratory for testing. **The cost of re-testing the sample and associated cost are the responsibility of the employee.**

If the MRO, after making and documenting all reasonable efforts, is unable to contact the testing person, the MRO will contact the Benefits Department of the Wilson County Board of Education and ask the employee be contacted and told to contact the MRO. If the employee does not contact the MRO, the MRO will verify the test positive.

### **Drug Test Results**

The results of the employee's drug test results will be provided to the Benefits Department and (Human Resources).

### **Prescribed Medication or Non-Prescribed Over-the-Counter Medications**

All employees taking prescribed medications or non-prescribed over-the-counter medication that could impair their ability to safely perform their work functions must report this to their immediate supervisor or the Benefits Department prior to engaging in work related activities.



## **SECTION IV**

### **Definitions**

#### **Alcohol Test**

Alcohol test means an analysis of breath or blood or urine, which determines the presence, absence or level of alcohol as authorized by the relevant regulations of the United States Department of Transportation.

#### **Certified Laboratory**

Medtox will be the designated certified laboratory for The Wilson County Board of Education. Medtox is a facility equipped to perform the procedures prescribed in accordance with the standards of the United States Department of Health and Human Services (HHS), Substance Abuse and Mental Health Services Administration (SAMHSA), or the College of American Pathologists-Forensic Urine Drug Testing (CAP=FUDT). Medtox has certification for each.

#### **Chain of Custody**

Chain of Custody refers to the methodology of tracking specified materials or substances for the purpose of maintaining control and accountability from initial collection to final disposition for all such materials or substances and providing accountability at each stage in handling, testing, and storing specimens and reporting test results.

#### **Covered Employer**

Covered employer means any person or entity that employs a person, is covered by the Workers' Compensation Law and maintains a drug-free work place.

#### **Drug**

Drug means any drug subject to testing pursuant to drug testing regulations adopted by the United States Department of Transportation. A covered employer may test an individual for any or all of such drugs.

#### **Drug Test**

"Drug test" or "test" means any chemical, biological, or physical instrumental analysis administered by a certified laboratory for the purpose of determining the presence or absence of drug or its metabolites or alcohol pursuant to regulations governing drug or alcohol testing adopted by the United States Department of Transportation or such other recognized authority approved by rule by the Commissioner of Labor.

#### **Employee**

An employee is any person who works for a salary, wages, or other benefits for a covered employer.

#### **First Aid Treatment is treatment**

Administering a Band-Aid © or gauze pad, or butterfly bandage at the work facility  
Removing splinters or foreign material from areas other than the eye  
Administering burn slave for a minor burn

#### **Injury**

Injury means a harm or damage to an employee, occurring in the workplace or in the scope of employment, which must be recorded, in accordance with Occupational Safety and Health Administration (OSHA) reporting guidelines, in the covered employer's OSHA 300 log.

#### **Medical Review Officer**

Medical Review Officer or 'MRO' means a licensed physician, employed with or contracted with a covered employer, who has knowledge of substance abuse disorders, laboratory testing procedures and chain of custody collection procedures: who verifies positive, confirmed test results; and who has the necessary medical training to interpret and evaluate an employee's positive test result in relation to the employee's medical history or any other relevant biomedical information.

## **Medical Treatment**

Medical treatment includes managing and caring for a patient for the purpose of combating disease or treatment of any injury.

## **Post Accident Drug and Alcohol Testing**

It is a requirement that a covered employer who establishes a drug-free workplace program conduct a post accident drug and alcohol test in accordance with the rules and regulations of the program.

## **Specimen**

Specimen means tissue, fluid, or a product of the human body capable of revealing the presence of alcohol, drugs, or their metabolites.

## **Split-Specimen**

Split specimen means the procedure by which each urine specimen is divided in two at the testing laboratory, and put into a primary specimen container and a secondary, or “split”, specimen container. Only the primary specimen is opened and used for the initial screening and confirmation test. The split specimen container remains sealed and is stored at the testing laboratory for future use if necessary.

## **Testing**

A covered employer shall be required to test employees for the following drugs:

- a)
- b) Alcohol
- c) Amphetamines - speed, upper, etc.
- d) Cannabinoids - THC, marijuana, hashish, pot, grass, hash, etc.
- e) Cocaine - coke, crack, etc.
- f) Opiates – narcotics, heroin, codeine, morphine, smack, dope, etc.
- g) Phencyclidine – PCP, angel dust

## **SECTION V**

### **What is Workers' Compensation?**

Workers' Compensation is a no-fault insurance program, which an employer with five or more employees is required by law to provide. The basic purpose of this law is to provide needed medical and financial benefits for an employee's work-related injury and/or illness. If an employee is injured in connection with their job, the injury will be reported to the TN Risk Management Trust. The claim will be reviewed to determine if medical expenses can be paid. If an employee is placed off work by a doctor, the employee may be entitled to work comp pay. When an employee is released to return to work without restrictions, the employee may be entitled to additional money for the permanent effects of the injury or illness.

### **What is a job-related injury?**

A job-related injury is when an employee has an injury that must arise out of and in the course of employment.

### **When am I covered under workers' compensation**

Coverage begins the moment an employee clocks in or begins their work day and continues until the work day ends or the employee clocks out. Under special circumstances, coverage may extend to the time before employee begins work and after an employee's work day is complete, as well as on the way to work and on the way home from work.

## **What should I do if I get injured?**

If an employee gets hurt on the job, report the injury to the principal, manager or supervisor immediately no matter how minor the injury. The employee needs to give the employer enough information to be able to complete an Employer's First Report of Injury or Illness (Form C-20). The employee may have a copy of the C-20 for their records. All injuries must be reported within 24 hours of the injury.

If an employee cuts their finger and does not feel the need for medical treatment, this injury still must be reported. For example, a late reported claim may delay benefits until the cause of the injury has been investigated, i.e., Mary cut her finger and did not report the injury. Several days later the cut became infected and because of the need to see a doctor, Mary reported the injury. Mary's benefits were delayed until the cause of the injury was determined.

## **WORKERS' COMPENSATION BENEFITS**

**Provided the employee's injury/illness has been determined to be work-related, the employee may be entitled to one or more of the following benefits depending on the situation.**

### **1. Medical Care and Expenses**

Because we are a Drug Free Workplace we require a post work-related injury/illness drug test. The employee will be sent to the clinic in the designated area of the workplace for the post work-related drug test, initial treatment, evaluation and follow-up treatment, if necessary. If an employee refuses to abide by these procedures it may result in disciplinary actions and could potentially jeopardize any future workers' compensation benefits. After the initial evaluation, the clinic doctor could refer the employee to a specialist if the injury or illness so warrants. The employee has the right under the Tennessee law to request to be evaluated by another doctor, however, before changing doctors it is the responsibility of the employee to contact the claims representative from the insurance company assigned to the employee's case to obtain a panel of doctors for to choose from. If the employee chooses to go to a doctor that is not on the workers' compensation panel, the examination, treatment, testing, and possible temporary disability may be denied.

An employee is entitled to receive all medical treatment reasonably necessary to cure or relieve the employee from the effects of a work-related injury or illness. The employee is entitled only to medical care authorized by law. Doctors, hospital, chiropractors, nurses, medicine, braces, canes, hearing aids, etc., can be covered under medical care, as well as the necessary and reasonable care ordered by the employee's authorized doctor.

A *Medical Case Manager* may be assigned to an employee's claim depending on the nature and extent of the injury or illness. This person is an employee of the work comp insurance company assigned to oversee the employee's medical care. The Medical Case Manager has the right under the law to refer an employee to different health care providers other than those suggested by the doctor. For example, if the doctor wanted an employee to have physical therapy at one hospital, the Medical Case Manager could send an employee to another hospital for physical therapy as long as the same type of therapy is offered. The Medical Case Manager should not overrule the employee's doctor or make the employee do things the doctor tells the employee not to do. The Medical Case Manager will explain the injury and treatment to the employee and their family in layman's terms.

### **2. Total Temporary Disability (TTD)**

This benefit is paid while an employee is recovering from a work-related injury or illness and the employee is unable to return to regular work. The treating doctor will determine if temporary disability is necessary. These payments will continue until the employee has a return to work note or the doctor documents the employee has reached maximum recovery.

The temporary disability payment is based on two-thirds ( $66 \frac{2}{3} \%$ ) of the employee's average weekly wage. (The average weekly wage is based upon the gross earning for the past fifty-two (52) weeks prior to the date of injury or illness.) An employee must be off work for seven (7) days straight (waiting period) before being eligible for one day's benefits; if an employee continues to lose time from the date of injury or illness through the

fourteenth (14<sup>th</sup>) day, the seven-day waiting period will be picked up and the employee will receive TTD benefits for that period.

### **3. Permanent Disability**

If an employee's work-related injury or illness leaves the employee with any permanent disability, which reduces the ability to compete in the labor market, the employee may be entitled to permanent disability payments. This benefit is not based on the employee's wage loss as it might be in a personal injury claim, but is based upon the extent of the disability or impairment, age and job duties at the time of the injury.

This disability payment can range from less than 1% to as much as 100%, depending on the amount of permanent impairment the doctor assigns along with age, education and work experience.

### **DEATH BENEFITS**

If an employee's work-related injury or illness results in death, benefits may be paid to a qualified surviving dependent. For example, if an employee is killed on the job, the surviving spouse and or children, if dependent on the earnings of the deceased, may be entitled to receive this benefit paid in weekly installments.

In addition to dependent awards, there is also an allowance for reimbursement of burial expenses. *There is a statute of limitations on the filing of this type of case.*

### **HEARINGS, LIMITATIONS ON FILING AND CLAIM SETTLEMENTS**

Under Tennessee law, a Workers' Compensation Specialist can review all Workers' Compensation cases. The Specialist is a state employee who reviews claims. The Specialist can order a hearing or call a Benefit Review Conference to determine any benefits to which an employee may be entitled. The Specialist will talk to both the employee and employer. The employer's attorney can be present at the Benefit Review Conference. The Specialist will ask questions concerning the employee's injuries, present condition and work. Claims for Workers' Compensation benefits are decided or approved by a Workers' Compensation Judge, or by the Workers' Compensation Specialist, if there is an agreement.