



DISCHELL | BARTLE | YANOFF | DOOLEY
R E S U L T S M A T T E R

LABOR AND EMPLOYMENT LAW
MARCH 31, 2010

Medical Treatment for Work Injuries

If you suffer an injury at work and the injury is acknowledged by your employer and their workers' compensation Insurer, your initial medical treatment will be controlled for the first ninety (90) days after the work injury. You will be directed to treat with a list of "panel" doctors.

The list of these panel doctors should be posted by your employer in a prominent area in your work place. During the first ninety (90) days following your work injury, your employer has the ability to control the doctors who can provide medical treatment. If your employer has not posted such a list you are free to treat with a doctor of your own choosing.

The restriction as to treatment with the employer's panel doctors only lasts ninety days. After the first ninety (90) days, you as the injured worker are able to select the doctors and medical treatment of your own choice. If you have a significant injury and are in anyway dissatisfied with the initial doctors referred to you by the employer, you should seek new doctors once the ninety days have run.

Your medical treatment after the initial ninety (90) days is relatively uncontrolled. The only caveat will be that the workers' compensation insurer will only pay for medical treatment that is directly related to your work injury and that is reasonable and necessary in nature.

Even with your employers acceptance of the work injury it is of paramount importance that you provide all forms of possible medical insurance coverage to every doctor with whom you treat. You should provide the Workers' Compensation Insurance Company name; claim number, adjuster's name and telephone contact information to each doctor you see for your work injury.

Additionally, if you have personal health insurance you should provide that information as well. You do not want to be left in a situation where a medical bill is denied by the workers' compensation insurer and you have no back up insurance to cover the costs. To the extent you have to use your personal health insurance and are forced to pay co-pays of any kind, you should keep track of these for subsequent reimbursement.

In the situation where your employer does not agree that you suffered a work injury, you are free to treat with the doctor(s) of your choice. However, you should clearly state to each doctor that you believe the matter stems from a work injury but that you are forced to use your personal health insurance as your employer disagrees with that assessment.

If your personal health insurer states that they will not pay for anything related to a work injury, you need to contact us as soon as possible. The Pennsylvania Department of Insurance has long held that personal health insurers are responsible for payment of any alleged work injuries to the extent that the Employer or their workers' compensation insurer has denied responsibility.

Pennsylvania Workers' Compensation is a complicated matter. To the extent that you have any questions about a specific situation involving a work injury or related medical treatment, please contact Attorney Jonathan B. Young. He is ready and available to help you with any questions.

This article is published by Dischell Bartle Yanoff & Dooley, P.C. It does not, and is not intended to, constitute legal advice. Your receipt of this publication does not create or constitute an attorney-client relationship. You should not consider this publication to be an invitation for an attorney-client relationship, you should not rely on the information provided in this publication without first obtaining separate legal advice, and you should always seek the advice of competent legal counsel in your own state. This publication should not be viewed as an offer to perform legal services in any jurisdiction other than those in which DBYD's attorneys are licensed to practice. **DO NOT** send DBYD any information concerning a potential legal representation until you have spoken with one of DBYD's attorneys and obtained authorization to send that information.