Workers' Compensation and Return to Work Program

Introduction
Workers' Compensation (WC) is state mandated insurance for employers to provide payment of medical expenses and partial wage replacement to employees who are injured while working. Brown's Return to Work (RTW) Program enables an injured employee's return to their original job with modifications, when possible, or alternative positions until capable of performing their original full duties.

Policy Statement
Employees whose injuries are determined to “arise out of and in the course of their employment” will be entitled to WC benefits. Every injury, regardless of severity, must be reported to the employee’s supervisor immediately to ensure appropriate medical attention and to remedy the condition or circumstances that caused the incident. Delays in reporting may jeopardize eligibility for WC benefits.

The Insurance Office must receive proper medical documentation from the employee’s attending physician substantiating any disability to work and/or restrictions to work, as soon as possible, to process a WC claim within 72 hours of the incident. If physical therapy is necessary, please see Brown’s Physical Therapy Policy.

Brown has a Preferred Provider Network (PPN) in place, which was approved by the Workers’ Compensation Medical Advisory Board, for use by employees with WC Claims

If an employee loses time from work, the Family and Medical Leave Act (FMLA) leave runs concurrently with WC leave time. If you are out longer than six months, your job-protected status may change.

Responsibilities
Employees:

- **Notify** your supervisor of the injury as soon as it occurs.
- **Within 48 hours** of the injury you must complete an Injury Report Form.
- **Provide medical documentation** of treatment and of any work restriction to your supervisor.
- **Follow** established guidelines and WORK SAFELY!
- **Report** any unsafe conditions to your supervisor.
- **You may not** leave the job site prior to notifying your supervisor.

Insurance Office: Conduct a thorough investigation into all incidents reported as work related and report claims to the University’s WC claim administrator for proper determination of compensability.

Supervisors:

- **Within 48 hours** of the injury you must:
  - **Notify** the Insurance Office at x 3-9481.
  - **Ensure** completion of the Injury Report Form, proper signatures & delivery to the Insurance Office, fax 3-1566.
- **Investigate** the accident to determine cause and take preventative action.
- **Take action to correct** any hazard to employee safety in the work place.
- **Forward** all medical documentation of the injured employee to the Insurance Office, fax 3-1566, upon receipt.
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Procedures

- An Injury Report Form, signed by the employee and supervisor, must be submitted to the Insurance Office within 48 hours. The fax number is 863-1566. Medical documentation must be submitted to the Insurance Office within 72 hours. The fax number is 863-1566. The RI Workers’ Compensation Act mandates that injured employees have the freedom of choice to obtain health care, diagnosis, and treatment from any qualified health care provider initially. Any change by the employee from the initial health care provider of record will require selection from a health care provider listed on the PPN.
  - If the employee seeks to change to a health care provider not in the approved PPN, the employee must obtain the approval of their case manager prior to doing so. In the event an injured employee requires the services of a specialist within a category not represented within the PPN, the employee remains free to choose a health care provider of his/her choice. Brown provides a comprehensive RTW Program to facilitate injured employees’ return to their original jobs or to temporary alternative positions. A variety of jobs and opportunities throughout the campus are available to those able to work with medical consent. The RTW Program minimizes the loss of wages and utilizes talents and skills during the rehabilitation process until employees are able to return to their original positions full duty.
  - The RTW Program is coordinated by the Insurance Office.

- Procedure for the RTW Program:
  - Employee presents the doctor's release to "return to work" to their supervisor.
  - If the doctor provides a full duty release to return to work, the home department will return the employee to their original position.
  - If the doctor puts restrictions on the physical capabilities to their work, the home department may be able to modify their original position, or place the employee somewhere else within their department based on skills and restrictions.
  - If the home department cannot utilize the employee's skills based on the work restrictions, then the Insurance Office may choose to place the employee elsewhere on campus.

Forms/Instructions

Frequently Asked Questions

What is Workers' Compensation (WC)?
State required (statutory) insurance that all employers, with 1 or more employees, must provide to their employees in case they are injured while at work. The purpose of WC is to pay for medical expenses and to partially replace lost wages.

How is this different from TDI (Temporary Disability Insurance)?
TDI is short term disability insurance that protects workers against wage loss resulting from a non-work related illness or injury, and is funded exclusively by employees. WC insurance is not paid for in whole or in part by the employee, rather fully funded by the employer.

Does Brown University have an insurance company for its WC insurance?
No, Brown is self-insured. That means Brown puts money aside to pay for its claims and hires a Third Party Administrator (TPA) to handle the claims, issue checks to injured workers and pay medical bills. The Insurance Office is the coordinator between the University, TPA and employee.

How is the determination made between WC and TDI and who makes it?
Specific requirements must be met in order for an injury to be considered for WC; the injury must "arise out of and in the course of employment". The Insurance Office will conduct a thorough investigation into
all incidents that are reported as work related and make the determination as to compensability. Every injury and each employee situation is unique; therefore, each case is handled on an individual basis.

**Can I collect both WC and TDI?**
No. The injury will either be determined as work related or non-work related.

**Can I use sick and vacation time while collecting WC benefits?**
Yes. Sick and vacation time are entitlements earned by the employee and may be used while simultaneously collecting WC benefits.

**Is there a waiting period before WC benefits begins?**
Yes. There is a three day waiting period and benefits begin on the fourth consecutive lost work day.

Related Policies: [Physical Therapy Policy](https://www.brown.edu/about/administration/policies)
[Family and Medical Leave Act (FMLA)](https://www.brown.edu/about/administration/policies)

Policy Owner: **Approved by** Director, Insurance & Purchasing Services

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