Policy: The Division of Mental Health and Developmental Services will comply with NRS and NAC governing the reporting and treatment of occupational injuries and/or illnesses.

Purpose: To ensure optimal treatment of and reimbursement for employees' work-incurred injuries; to prevent unnecessary cost and delay when injuries do occur, and to reduce the frequency and severity of work-incurred injuries.

Procedures:

I. Employee Responsibilities:

All employees who sustain an occupational injury or illness are required to seek medical treatment by a managed care organization (MCO). If employees do not use the appropriate MCO provider they may be responsible for medical treatment expenses.

A. Employees are required to report all work-incurred injuries, accidents or illness to their immediate supervisor. A C-1 form (Notice of Injury of Occupational Disease) MUST BE COMPLETED for all incidents as soon as possible. The insurer may deny a claim for injuries if the C-1 Form is not completed within 7 days of the incident/accident (NRS 616C.015).

B. When medical treatment is needed the following steps are to be taken:

1. Employee obtains a packet from the agency personnel representative which will contain:
   a) MCO Provider List;
   b) Physical Assessment Form;
   c) The positions' current work performance standards and essential functions;
   d) Letter to physician/chiropractor on Early Return to Work Program;
   e) Workers' Compensation Leave Choice Option Form; and
   f) Employee Accident/Injury/Incident/Investigation Report.

   Employee will take the following to the physician:
   a) MCO Provider List;
   b) Physical Assessment Form;
   c) Letter to physician/chiropractor on Early Return to Work Program; and
   d) Current work performance standards and essential functions (if nature of injury indicates possibility of work restrictions).

2. The physician will review the information in the packet and complete the Physical Assessment Form.

3. Return the Physical Assessment Form to agency personnel representative and/or supervisor within 24 hours after the visit, if possible, but no later than 3 days. Return the Workers' Compensation Leave Choice Option Form and Employee Accident/Injury/Injury/Incident Investigation Report.

4. If the Physical Assessment Form indicates that there is a temporary physical restriction which will not allow employee to perform regular job duties, consideration will be given for modified and/or light duty (this may include working in a different job or agency, to be offered within 10 days; see Early Return to Work Program).

5. If an employee is not released to any type of modified duty, he/she must:

   a) Maintain regular contact with supervisor;
   b) Provide agency personnel representative or supervisor with Physical Assessment Form completed by provider after each appointment; this will constitute medical leave authorization. Only this form or one with similar information from provider will be accepted as documentation of authorized medical leave;
   c) Select leave choice option; and
   d) Provide the agency with a current address and phone number at all times.

II. Supervisor Responsibilities:

A. Make worker's compensation packets available to employees as needed. A packet should be kept in every office and every state vehicle. Obtain the signed Workers Comp Managed Care Employee Acknowledgment form for all employees (usually accomplished by the personnel representative during orientation). It is the supervisor's responsibility to obtain the signed form from all agency volunteers.

B. Investigate and document pertinent information regarding the events and circumstances that resulted in the injury/illness, and recommendations for preventing future occurrences; send immediately to the agency personnel office.

C. Sign off on the C-1 form and send it immediately to the agency personnel office.

D. Upon receipt of the Physical Assessment Form, send original to agency personnel office. Advise them if the provider does not return this form to you.

E. Supervisor will complete the required C-3 form within 6 days of the injured employee returning from the doctor. (Copy will be given to employee, original to personnel.)

F. Assist in establishing modified duties; work with the agency personnel office on the requirements of the Early Return to Work Program; keep in close contact with the employee if they are not released to work.

G. Work with Risk Management, the agency personnel representative, and the Department of Personnel in attempting to identify suitable alternate vacant positions for employees with permanent work-incurred physical limitations who are unable to perform the essential functions of their pre-injury job.

III. Agency Personnel responsibilities:

A. Maintain contact with Workers Compensation, Risk Management, physicians/chiropractors and MCO. Any oral communications relating to the medical disposition of an injured employee's claim with the employee's examining or treating physician or chiropractor must be documented in writing and include the date, time, and subject matter of the communication. A copy of any written communication regarding the claim must be provided to the employee or his/her representative in a timely matter.

B. In conjunction with the deputy attorney general, assist in representing the agency at Workers Compensation hearings.

C. Communicate with MCO and Risk Management regarding the need to use the Early Return to Work Program.

D. Assure completion of the C-3 forms, Wage Verification, and maintain complete file on every work related injury or illness; keeping the OSHA 200 log current, compliance with posting of the S-100 Report and share information with the agency safety committee chairperson.

E. It is likely that an occupational injury/illness will qualify as a serious health condition under the Family and Medical Leave Act. The agency personnel office must ensure compliance with the Division's FMLA policy (5.028) for all eligible employees.

F. Many work-incurred injuries will also meet the definition of disability under the Americans with Disabilities Act (ADA). See Division policy 5.012 for relevant considerations.

IV. Each agency shall formulate policies and procedures to implement the provisions in this policy or shall incorporate this policy into its policy and procedure manual.

Administrator

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