Workers’ Compensation

Florida State University provides workers’ compensation coverage to all employees in accordance with Florida Statutes 440.

Definitions

**Accident** - An unexpected or unusual event or result that happens suddenly. It does not include mental or nervous injury due to stress, fright, or excitement. The term accident does not include a disease, which results from fear or dislike of an individual's race, color, religion, sex, national origin, age or handicap.

**Adjuster** - An employee of the Division of Risk Management within the Florida Department of Financial Services with overall responsibility for the handling of workers’ compensation claims to include payment of indemnity benefits and coordination of medical benefits.

**Alternate Duty** - Temporary duties established within the employee’s regular position or in a different position that address the “functional limitations and restrictions” as provided by an authorized treating physician. Alternate duty must provide a benefit to FSU. Alternate duty is evaluated following subsequent visits to an authorized treating physician when functional limitations and restrictions are updated.

**Authorized Treating Physician** - A physician authorized by the Nurse Case Manager (AmeriSys) to provide medically necessary treatment to an employee who sustains a job related injury.


**Employer** - Florida State University (FSU).

**Full Duty** - The normal job duties of the injured employee as detailed in the official position description developed by the employee’s Department and approved by Human Resources.

**Functional Limitations and Restrictions** - Identification of the employee's ability or lack of ability to perform stated activities. Functional limitations and restrictions are identified by the authorized treating physician based upon objective relevant medical findings. Consideration is given to upgrading or removing the functional limitations or restrictions with each medical appointment, based upon the presence or absence of objective relevant medical findings.

**Injured employee** - Any employee of FSU who sustains a job related injury or illness.

**Injury** - Personal injury or death by accident arising out of and in the course of employment.

**Maximum Medical Improvement (MMI)** - The date at which further recovery from, or lasting improvement to, an injury or disease can no longer reasonably be anticipated, based upon reasonable medical probability from an authorized treating physician.

**Medical Case Management Company** - A company hired and utilized by the Florida Department of Financial Services to provide a multitude of services including triage nursing and telephonic case management in order to provide medical assistance for the injured employee.

**Telephonic Medical Case Management Nurse** - a nurse that works for the medical case management company. They work by telephone directly with the injured employee to make sure the injured employee is receiving the best medical care possible and to assist the injured employee back into work.
**Temporary Partial Disability** - Loss Wages paid when an injured worker has physical restrictions and the employer is unable to accommodate the employee by offering work within the restrictions established by an authorized treating physician.

**Temporary Total Disability** - Loss Wages paid to an injured worker when an authorized treating physician has indicated that the employee is unable to perform any functional duties for a temporary period of time.

**Triage Nurse** - A nurse employed by the Medical Case Management Company who is responsible for the initial handling of the claim. This is the person that is responsible for taking your information by telephone and will direct your claim for injuries to the Telephonic Case Manager who will manage your treatment from this point forward and will make sure that all your needs are met and that you have not experienced any problems.

**Workers' Compensation Benefits** - Medical bills received from an authorized treating physician paid by the employer as well as loss of wages at a rate of 66 2/3 of your average weekly wage if you are unable to return to work following your work related accident.

**Workers' Compensation Coordinator** - An employee within Environmental Health & Safety responsible for overseeing the workers' compensation claims and coordinating the Return to Work Program.

**Premium Payment**

Workers' Compensation is a statutory required insurance that all employers must provide. Premium rates for workers' compensation are assessed annually to departments based upon the department's claims experience and possible exposure. Any questions regarding payment of premiums should be directed to the Senior Accountant of Environmental Health & Safety.

**Individuals Covered**

All employees of Florida State University, including Faculty, University Support Personnel (USPS), Administrative and Professional (A&P), and Other Personnel Services (OPS) are covered by Workers' Compensation Insurance while in the course and scope of employment. Work Study Students receiving payment from Florida State University and Volunteers are also covered by Workers' Compensation Insurance as long as they are performing work which is within the course and scope of their employment for which the University receives a benefit. A Volunteer must adhere to and meet the requirements of OP-C-7-J5.

University Police are covered while in the course and scope of their duties during their usual work shift, and at other times when they may be called on to perform such duties that are the primary responsibility of law enforcement officers regardless of pay status or relationship with the University at the time of the accident.

**Workers' Compensation Benefits**

Workers' Compensation Benefits consist of both medical and indemnity benefits (payment of lost wages). The Department of Financial Services (DFS) works directly with the Insurance & Claims Manager at the University to ensure that all medical treatment and indemnity benefits are provided in a timely and efficient manner. All medical treatment is coordinated through AmeriSys, a third party provider. AmeriSys will work with medical providers to ensure that the most appropriate medical care is provided as quickly as possible. The Department of Financial Services handles the adjusting of the claims and issues payments for lost time.

**Medical Benefits**
All medical benefits for all accidents are coordinated through AmeriSys. The main focus of AmeriSys is to ensure that the injured employee receives the most appropriate and prompt medical treatment as it relates to the injury. Every individual receiving medical care for a work related injury is assigned a Nurse Case Manager to provide assistance with coordinating medical care. All medical treatment with the exception of emergency care must be authorized by AmeriSys prior to receiving treatment.

Disability-Employer Paid

Florida State University provides forty hours of disability leave to employees injured in the course and scope of their employment per accident. These benefits are available to all employees with the exception of Other Personnel Services (OPS), Volunteers and Work Study Students. The purpose of this benefit is to alleviate an employee having to exhaust his/her personal leave time, as the indemnity portion of workers’ compensation benefits does not begin until disability exceeds seven days.

Employees may use this benefit intermittently (leave taken to attend authorized medical appointments) or all at one time if they have been determined to be disabled or the employer is unable to accommodate the physical limitations and restrictions defined by the treating physician. The employee must provide his/her supervisor with documentation from an authorized treating medical provider supporting any time away from work when using this benefit. When utilizing this time for medical appointments, unless documentation is provided indicating otherwise, an individual is allowed to use two hours of this leave for each medical appointment.

To record this time, the supervisor or designated department representative will need to notify the Insurance & Claims Manager in EH&S of loss time from work. The Insurance & Claims Manager will verify lost time against medical records and notify leave & attendance to approve a time entry code to be added for the individual. This is done every Friday afternoon and forwarded to lease and attendance. Any questions regarding entitlement to this benefit should be directed to the Insurance & Claims Manager at EH&S or Leave & Attendance in Human Resources.

Indemnity Benefits

There are several classifications of disability benefits under Workers' Compensation which are paid to employees for loss of income as a result of a work-related injury. These benefits are paid by the Department of Financial Services and are sent directly to the employee's home. The payments of these benefits are not considered taxable income and the employee will not receive a W-2 for income tax reporting purposes.

Temporary Total Disability - These benefits are paid if disability extends beyond seven days. Benefits are payable at a rate of 66 2/3rds of the average weekly wage based upon the income of thirteen (13) weeks prior to the injury. There is a maximum compensation rate established annually. The maximum allowance is based upon the rate at the time of the injury.

Temporary Partial Disability - These benefits are paid if the employee has been released to return to work light duty but has a loss of income because of department’s inability to accommodate the physical restrictions. Payment for this benefit is calculated by taking 80% of the employee’s average weekly wage, subtracting the income earned and paying 80% of the remaining value.

An employee is only entitled to receive a total of 104 weeks of temporary total/temporary partial benefits per accident combined.

There are other types of benefits available based upon the progression of the work-related accident. These situations are determined by the adjuster, nurse case manager, employer and department
representative. Please direct all questions directly to the Insurance and Claims Manager with EH&S at 644-6895.

Return To Work Program

Reporting an Injury

If an employee is injured and needs immediate medical treatment, please call 911 (make sure the emergency responder knows your location before you hang-up) then contact AmeriSys at 1-800-455-2079. Providing appropriate treatment to our injured employees is our top priority.

All work related accidents should be reported to AmeriSys at 1-800-455-2079 as soon as possible. This includes injuries that require medical treatment and those that are minor and the employee does not wish to seek medical treatment. Please be sure to have a supervisor/Designated Department Representative and the injured employee available when reporting the claim to AmeriSys. You will be required to have a Location Code, weekly rate of pay, and Occupational Code which is listed below. If your location code is not in the table below, please use code 0122.

In addition, each department is required to complete an FSU Accident Investigation Report. Please email this document to lhotchkiss@fsu.edu within 48 hours of the accident. Please make sure it is completely filled out and contains all signatures as required.

Should an injury occur resulting in the death of an employee, the supervisor/Designated Department Representative shall immediately (within 24 hours) report the death to EH&S at 644-6895 and the Division of Workers' Compensation Claims at 1-800-219-8953. Once this has been done, the accident shall be called into AmeriSys.

Occupational Codes

8868 - Professional University Employees (includes professors, managers, human resource personnel, clerical, etc.)

9101 - Other University Employees (Maintenance personnel, groundskeepers, custodians, etc.)

6620 - Law Enforcement Officers

Location Codes

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Additional Information and Resources

- Workers' Compensation Flowchart

Family Medical Leave Act

All leave, paid or unpaid, used by an employee during recovery from his/her work related injury may be designated as Family Medical Leave in accordance with the Family Medical Leave Act (FMLA). FMLA provides the employee with certain benefits/protections that are described in the FSU Personnel Procedures. FMLA questions and disputes should be directed to Human Resources at 644-7936.

Fraud

The Department of Insurance has established a Workers' Compensation Fraud Hotline at 1-800-378-0445. Anyone reporting fraud is immune from civil liability unless the person making the report knows it to be false.

Forms:

- First Report of Injury or Illness [PDF]
- Accident Investigation Report [DOC] [PDF]
- Request for Taxpayer Identification Number and Certification (IRS W-9) [PDF]

Additional Information and Resources:

- Attendance and Leave
• Personnel Rules of the State University System
• Florida Administrative Code
• Florida Statutes, Chapter 440

Governing Regulations and/or Authority

• Chapter 440.015 Legislative intent, Florida Statute
• Chapter 440.15 (6) Obligation to Rehire, Florida Statute
• Chapter 216.251 (2)(b)(2) Salary Appropriations; Limitations, Florida Statute
• Chapter 284.44 Salary indemnification costs of state agencies, Florida Statute
• Section 60L-34.0061 Disability Leave, Florida Administrative Code