

## Medical Services Payments

SORM will pay only for those services or prescriptions that are determined to be reasonable and necessary and related to the injury.

- ◆ Medical providers shall bill on the prescribed forms and according to the medical fee guidelines established by DWC.
- ◆ By statute and rule, DWC has specified 16 treatments which require pre-authorization or prior approval. Without this approval, SORM may not be responsible for payment of the services rendered.
- ◆ A Preferred Provider Prescription Program is also available to injured employees. The pharmacy will submit a Statement for Pharmacy Services directly to SORM for payment.

## What are My Legal Rights?

Our workers' compensation laws govern the rights and responsibilities of both the employee and the employer and provide remedies in case of a dispute. As an employee:

- ◆ You are entitled to health care that cures or relieves the effects of the injury, promotes recovery, and enhances the ability of you to return to or retain employment.
- ◆ You are entitled to an initial choice of doctors from the Workers' Compensation Health Care Network. Please contact the [Health Care Network](#) for the process and more information.
- ◆ You may be entitled to income benefits if you are unable to retain or obtain employment as a result of your injury.
- ◆ You may be entitled to partial compensation if an injury permits you to work, but at less than your regular wages.
- ◆ You may hire an attorney to represent you if you so choose.
- ◆ You may get advice from an Office of Injured Employee Counsel ombudsman. Call (866) 393-6432 or email to [OIECinbox@oiec.state.tx.us](mailto:OIECinbox@oiec.state.tx.us) The ombudsman will handle all grievances and complaints arising from claims and will recommend solutions to problems.
- ◆ You may request that the TDI-DWC arrange a benefit review conference with you, a SORM representative, and the DWC if there is a dispute about your claim.

## For Additional Information:

### University of Houston Claims Coordinator

**Telephone:** (713) 743-5865

**Fax:** (713) 743-1501

**Email:** [workerscomp@uh.edu](mailto:workerscomp@uh.edu)

**Web:** [www.uh.edu/af/riskmanagement/workerscomp.htm](http://www.uh.edu/af/riskmanagement/workerscomp.htm)

### State Office of Risk Management

P.O. Box 13777

Austin, Texas, 78711-3777

Telephone: (512) 475-1440 or

Toll free (877) 445-0006

[www.sorm.state.tx.us](http://www.sorm.state.tx.us)

### Texas Department of Insurance - Division of Workers' Compensation

7551 Metro Center Drive, Suite 100

Austin, Texas 78744-1609

Telephone: (800) 252-7031 or

the DWC office in your area

[www.tdi.texas.gov/wc/indexwc.html](http://www.tdi.texas.gov/wc/indexwc.html)

### Office of Injured Employee Counsel

7551 Metro Center Drive, Suite 100

Austin, Texas 78744-1609

Telephone: (866) 393-6432

[www.oiec.state.tx.us](http://www.oiec.state.tx.us)

UNIVERSITY of HOUSTON

DEPARTMENT OF RISK MANAGEMENT

# Workers' Compensation



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## What is the Workers' Compensation Program?

The State Office of Risk Management (SORM) administers the State Employee Workers' Compensation Program. The program provides coverage through self-insurance at no cost to state employees. Workers' compensation claims of State employees are filed with and determined by SORM, but income and medical benefit disputes are adjudicated by the Texas Department of Insurance (TDI), Division of Workers' Compensation (DWC). The TDI-DWC, a separate state agency, regulates both public and private workers' compensation insurance, including the State Employees' Program and sets the rules for all insurance carriers, and is charged with protecting the right of all parties concerned.

## What is covered by Workers' Compensation?

The Workers' Compensation Act covers on-the-job injuries that occur in the course of work which result in damage or harm to the body. It also covers occupational diseases, which are diseases or infections directly caused by exposure in the workplace. It can provide:

- ◆ Income benefits in the event income is lost as a result of your injury.
- ◆ Payments for doctor bills, hospital, medicine, ambulance, and other necessary medical care.
- ◆ Lifetime Income Benefits for certain severe injuries specified by state law.
- ◆ For death benefits, qualified persons will receive benefits as prescribed by state law.

Weekly or if elected monthly income payments are based on your average weekly wage during the 13 weeks prior to the injury. Maximum and minimum payments are established by statute and payments are almost always less than your full regular wages. Compensation payments are exempt from all liens except those for attorney fees, court-ordered child support, and recovery of state costs.

Your workers' compensation benefits are a no-fault type of benefit. Therefore, it is not necessary to prove anyone was at fault for your injury in order to file a claim for state benefits. However, if it's determined that a third party caused your injury or illness, SORM may recover its costs from the liable party.

While it covers payments for medical expenses and lost time from work, workers' compensation is not a form of health insurance, nor does it provide compensation for damage to or loss of personal property.

## Who can receive compensation?

You must be an employee on the University of Houston's payroll and your physical injury or occupational disease must have occurred as a result of or during your employment. However, the following people are **not** considered employees for purposes of workers' compensation:

- ◆ Independent contractors;
- ◆ Volunteers, except during a Governor-declared State of Emergency;
- ◆ Members of the state military forces, except while on active duty;
- ◆ Persons covered by federal workers' compensation;
- ◆ Offenders; and
- ◆ Consumers or patients of a state institution or agency.

## How Do I File a Claim?

If you have an injury on the job, notify your supervisor immediately even if there is no medical treatment or lost time anticipated. Complete all these forms within 48 hours:

- ◆ Employee's Report of Injury
- ◆ Employee's Election Regarding Utilization of Sick & Annual Leave
- ◆ Authorization for Release of Information
- ◆ Workers' Compensation Network Acknowledgement Form

Your supervisor is responsible for submitting the Supervisor's First Report of Injury within 24 hours to Risk Management (RM). Supervisor should collect all appropriate employee forms and submit to RM within 48 hours. All necessary Workers' Compensation forms & Health Care Network Information can be found at <http://www.uh.edu/af/riskmanagement/workerscomp.htm>

The claims coordinator will submit required forms to the SORM and a claims representative will process your claim.

- ◆ Ask your doctor to promptly file a medical report of your injury or illness with the SORM, P.O. Box 13777, Austin, Texas, 78711-3777. The doctor's bills may not be paid until a report of your condition is filed.
- ◆ File a claim with the TDI-DWC within one year of your injury. You must do so in order to preserve your legal rights in the event there is a dispute over benefits. TDI-DWC will send you the proper form for filing.

## How Are Benefits Paid?

### Income Benefits

Payment of compensation for time lost from work due to an on-the-job injury is made directly to the employee on a weekly basis, unless monthly benefits are requested.

- ◆ Only those employees who are physically unable to perform their usual job task for more than 7 days following the date of injury are eligible to receive weekly compensation payments.
- ◆ The first seven consecutive or cumulative days following the injury date are called the waiting period and no weekly compensation payment is due for the time lost for that period. However, if an employee is off work for more than 14 calendar days, the weekly compensation for the waiting period is paid retroactively.
- ◆ An injured employee may elect to use sick and/or annual leave instead of receiving lost-time benefits. While sick/annual leave is being used, lost-time benefits will not be paid.
- ◆ These benefits continue until maximum medical improvement has been reached or 104 weeks have elapsed (whichever comes first). At that time, Impairment and /or Supplemental Income Benefits may become available. Lifetime Income Benefits and Death Benefits may also be available in some cases.

### Compensation Due in Fatal Cases

Beneficiaries of a deceased employee are due weekly compensation payments equal to a percentage of the employee's average weekly wages subject to a maximum amount and a minimum amount established by the Texas Workers' Compensation Act.

- ◆ Weekly payments to the surviving spouse are payable for life or until the spouse remarries.
- ◆ Weekly payments to a child shall continue until the age of 18 or beyond such age if the child is actually dependent (disabled at time of the injury), or until 25 years of age if enrolled as a full-time student in an accredited educational institution.
- ◆ All other beneficiaries (where there is neither a surviving spouse nor child) are due weekly payments for 364 weeks.