

DEPARTMENT: HUMAN RESOURCES – EMPLOYEE BENEFITS	POLICY DESCRIPTION: WORK RELATED INJURIES
APPROVED:	REVIEWED:
REPLACES: C-I-19 & C-VI-06	RETIRED:
ADOPTED:	REVISED:
Page 1 of 7	REFERENCE NUMBER: C-VI-12

SCOPE: All eligible employees.

PURPOSE: To provide employee benefits, assist an injured employee to recover as quickly as possible, and provide a mechanism by which injured employees who cannot perform the full duties of their job description the opportunity to work with restrictions for a set period of time in the event of a work related injury.

POLICY: It is the policy of Appalachian Regional Healthcare, Inc., (ARH) to comply with state laws requiring workers compensation coverage.

ARH is committed to providing a safe workplace, but if an employee has suffered a work related injury it is equally important to help him/her recover as quickly and fully as possible. ARH offers an Early Return-to-Work Program to support this objective. If an employee is unable to immediately return to regular work following a work related injury, ARH will, whenever possible, temporarily accommodate restrictions as outlined by the treating physician.

In certain circumstances, provisions of the Americans with Disabilities Act (ADA), the Family and Medical Leave Act (FMLA), and Workers' Compensation laws can apply to the same employee. The Human Resources Department in consultation with the Office of Legal Affairs will analyze these particular circumstances to ensure ARH's commitment to upholding all federal and state laws.

**PROCEDURE:**

**I. Workers Compensation**

1. Enrollment

There is no formal enrollment procedure for workers compensation coverage. The employee must be injured while working in the scope and course of employment with ARH.

2. Amount of benefits

In the event an employee has an injury covered by workers compensation, the amount of loss wage benefits will be determined by the Third Party Claims Adjustor. The amount of benefits payable for loss wages will be calculated based on fifty-two (52) weeks of gross wages prior to the date of injury.

**II. Reporting Work Related Injuries**

DEPARTMENT: HUMAN RESOURCES – EMPLOYEE BENEFITS	POLICY DESCRIPTION: WORK RELATED INJURIES
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Page 2 of 7	REFERENCE NUMBER: C-VI-12

### *1. Employees Responsibilities*

#### A. First Report of Injury

An employee injured while working in the course and scope of their employment with ARH must report any injury to their Supervisor and enter the incident into the electronic reporting system within twenty-four (24) hours of the occurrence of the work related injury.

#### B. Leave as a result of the injury

An employee unable to work as a result of an injury must provide an in-network physician's statement to the Human Resources Representative or their Supervisor, certifying that he/she is unable to perform his/her work assignment.

### *2. Supervisor's Responsibilities*

#### A. First Report of Injury (FROI)

If immediate medical attention is required, the Supervisor shall ensure that the employee receives medical care. The Supervisor must complete an incident report in ARH's electronic reporting system and notify the Human Resources Department in order for the FROI to be completed.

### *3. Human Resources Responsibilities*

#### A. First Report of Injury

The Human Resources Department shall immediately forward the FROI to the appropriate Third Party Administrator.

#### B. Managing Employee's Progress and Recovery

DEPARTMENT: HUMAN RESOURCES – EMPLOYEE BENEFITS	POLICY DESCRIPTION: WORK RELATED INJURIES
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REPLACES: C-I-19 & C-VI-06	RETIRED:
ADOPTED:	REVISED:
Page 3 of 7	REFERENCE NUMBER: C-VI-12

The Human Resources Representative must contact the employee within twenty-four (24) hours from the time Human Resources receives knowledge that the injury of the employee will or has resulted in loss of time away from the job. During that contact the Human Resources Representative must inquire with the employee regarding his/her status.

If the injured employee is unable to return to work for a period in excess of three (3) consecutive days, Human Resources must deem the leave with the applicable leave status and follow the applicable leave procedure.

C. Monitoring

System Human Resources department will monitor each loss-time claim conferring with the respective Third Party Claims Adjustor.

**III. Early Return-to Work Program**

*1. Eligibility*

An employee is eligible for the Early Return-to-Work Program if:

- A. As the result of an injury an employee is unable to perform his/her regular duties as certified by the treating physician
- B. The medical restrictions are temporary in nature

Early Return-to-Work positions are not guaranteed at any time. Placement into Early Return-to-Work positions are dependent upon availability in each facility.

*2. Maximum Timeframe*

- A. Employees in the Early Return-to-Work Program will be scheduled to work no more than their regular number of hours per week

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ADOPTED:	REVISED:
Page 4 of 7	REFERENCE NUMBER: C-VI-12

- B. Employees are eligible to participate in the Early Return-to-Work Program for a maximum of twelve (12) weeks
- C. Human Resources may grant a one-time extension, not to exceed an additional 4 weeks, if the following criteria are met:
  - a. The Employee’s work capacity has steadily improved during the first 12 weeks of the program
  - b. The Employee’s current medical condition is temporary and return to regular work is expected

If the employee is approaching maximum allowable time in the Early Return-to-Work Program, and is not able to return to regular work, Human Resources will determine next steps considering applicable company policies.

### 3. *Overtime*

No overtime will be approved or assigned while the employee is in the Early Return-to-Work Program

### 4. *ARH Responsibilities*

ARH will provide the Return-to-Work Capacity Form to the injured employee to give to the health care provider or fax the form directly to the provider

#### A. Injured Employee Released to Work with Restrictions:

Determine work within the employee’s restrictions, considering potential assignments and shift changes in the following order:

- a. The employee’s regular job position with necessary modifications
- b. Assignment consisting of tasks within the employee’s regular work department

DEPARTMENT: HUMAN RESOURCES – EMPLOYEE BENEFITS	POLICY DESCRIPTION: WORK RELATED INJURIES
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ADOPTED:	REVISED:
Page 5 of 7	REFERENCE NUMBER: C-VI-12

- c. Assignment consisting of tasks in other departments or a combination of tasks within and outside of the employee's regular department
- d. If unable to determine an appropriate placement, discuss options with the Third Party Claims Adjustor
- e. Notify the Third Party Claims Adjustor when an appropriate assignment has been determined
- f. If the employee does not come to work as scheduled or refuses the work offer, contact the Third Party Claims Adjustor and/or Human Resources immediately

*Note: The employee will be expected to demonstrate competencies for assigned responsibilities in accordance with established policies.*

#### D. Employee has Returned to Work with Restrictions

- a. Review the specific work restrictions, responsibilities, and expectations – including the same standards relative to timeliness, productivity and work quality as an employee performing regular work with the employee
- b. Continue to Notify the Third Party Claims Adjustor of any issues or changes in the employee's work capacity

#### E. Employee is Released to Regular Work

- a. Confirm that the Third Party Claims Adjustor is notified of the release and return-to-work date, so that appropriate benefit adjustments can be made

### 5. Employee Responsibilities

#### A. Injured Employee

- a. Immediately report the injury to your supervisor if work related

DEPARTMENT: HUMAN RESOURCES – EMPLOYEE BENEFITS	POLICY DESCRIPTION: WORK RELATED INJURIES
APPROVED:	REVIEWED:
REPLACES: C-I-19 & C-VI-06	RETIRED:
ADOPTED:	REVISED:
Page 6 of 7	REFERENCE NUMBER: C-VI-12

- b. Provide the Work Capacity Form to your healthcare provider, to be completed at the initial visit
    - c. Keep all medical appointments
    - d. Request that the healthcare provider complete a Work Capacity Form at every appointment
  - B. Injured Employee is Released to Work with Restrictions
    - a. Immediately report release to work with restrictions to Human Resources
    - b. Report to work at appropriate time and place (per notification)
  - C. Employee has Returned to Work with Restrictions
    - a. Inform Human Resources of any subsequent changes in medical status and work capacity
    - b. Work within the restrictions given by your healthcare provider
    - c. Meet the responsibilities of the temporary work assignment, including timeliness, productivity and work quality
    - d. Inform the Third Party Claims Adjustor, Human Resources, and supervisor of any changes to functional capacity and work status
  - D. Injured Employee is Released to Regular Work
    - a. Return to work promptly, work safely, and be productive
- 6. *Claims Adjuster Responsibilities*
  - A. Injured Employee

DEPARTMENT: HUMAN RESOURCES – EMPLOYEE BENEFITS	POLICY DESCRIPTION: WORK RELATED INJURIES
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Page 7 of 7	REFERENCE NUMBER: C-VI-12

In addition to other claims management activities, the Third Party Claims Adjuster and/or Nurse Case Manager are responsible for supporting this program:

- a. Contact the supervisor or local Human Resources office to determine work status if not known within 24 hours of receipt of the claim
  - b. Obtain from the healthcare provider work capacity/restrictions information
  - c. Inform the healthcare provider of ARH's support for early Return-to-Work and willingness to accommodate temporary work restrictions whenever possible
- B. Injured Employee is Released to Work with Restrictions
- a. Assist ARH with determining appropriate work assignments, if necessary
- C. Injured Employee has Returned to Work with Restrictions
- a. Continue to manage the claim and obtain and share timely updates of work restrictions
  - b. Complete accurately all data fields required to track return to work
- D. Injured Employee is Released to Regular Work
- a. Verify that the employee knows when and where to report and that ARH is aware of the release.