



WYLIE INDEPENDENT SCHOOL DISTRICT

H. John Fuller, Ed.D.
Superintendent

Brian E. Miller, CPA
Assistant Superintendent
for Business Operations

Dear Employee:

The attached documents are for your information and are provided to all employees with a workers' compensation claim. Please **read** all of the **memorandums** included in this packet and **keep** them for future reference.

After you have completed and signed all of the papers in the **Workers' Compensation Forms Packet**, copies will be made and **given to you to keep for your records**. These copies will include: the **Employer's First Report of Injury or Illness**, the **Internal Accident Report for Injured Workers**, and the **Signature Page for the Receipt of Memorandum for Workers' Compensation**.

If you have any questions or concerns, please contact our workers' compensation insurance carrier **Texas Schools Cooperative (TSPCC)** or one of the Wylie ISD employees listed below:

- Texas Schools Cooperative (TSPCC) at JI Specialty Services (www.jicompanies.com)
PO Box 26655, Austin, Texas 78755-0655 1-866-982-2667
- First Health TX HCN Network (www.firsthealth.com) 1-866-982-2667
- Jackie Davenport – WISD Leave Specialist – Workers' Comp 972-429-3073
e-mail: jackie.davenport@wylieisd.net FAX: 972-941-6073
- Alejandra Duarte – WISD Payroll/Workers' Comp 972-429-3029
e-mail: alejandra.duarte@wylieisd.net 972-941-6029

Thank you,

Payroll & Benefits Staff

P.O. Box 490 • Wylie, Texas 75098-0490 • (972) 429-3000 • FAX (972) 429-2486

MEMORANDUM – WORKERS’ COMPENSATION

FROM: Brian E. Miller, CPA – Asst. Superintendent for Business Operations

DATE: September 1, 2009

The purpose of this memorandum is to advise you of the procedures for workers’ compensation. **The laws and requirements are very specific in this area, and if procedure is not followed, this may result in denial of a claim.** Please read this over thoroughly and retain this for your information in the event that a question may arise later.

If you have been injured on the job, you must report this injury to your supervisor, campus secretary or campus nurse immediately. Even if you do not go to the doctor, the accident should be reported. In the event that your supervisor is not available, especially for custodians who may work in the evening, please call your supervisor and make an appointment to see them the next morning.

If the injury is life threatening and requires emergency medical treatment, 911 can be called. You may go to the Emergency Room at any hospital. If the injury requires minor medical treatment, you must go to any doctor on the First Health TX HCN list of approved medical providers (www.firsthealth.com). CareNow located at 7145 N. George Bush Freeway, Garland, TX (Shiloh & 190) and Dr. Bander located at 791 S. Highway 78 in Wylie are approved providers. You must notify them that your injury is work related.

Should you need to go to the doctor or receive medical care, please be advised that if for some reason the claim is denied by the insurance company, you may be personally responsible for the medical/prescription bills resulting from your doctor visit. DO NOT FILE THIS CLAIM ON YOUR REGULAR HEALTH INSURANCE PLAN. Wylie ISD encourages you to go to the doctor in the event that you have a work-related injury, but needs for each of you to understand that we are not liable to pay the medical bills if the claim is denied by the insurance carrier.

In the event that you have specific questions about procedures or filing your claim, you should call Jackie Davenport, Wylie ISD Workers’ Compensation Specialist at 972-429-3073, Alejandra Duarte, Wylie ISD Payroll Specialist at 972-429-3029, or our insurance company, Texas Schools Cooperative (TSPCC) at JI Specialty Services, at 1-866-982-2667. Once the claim has been filed, a claim administrator from TSPCC will be assigned to handle your claim. If you have a problem with the insurance company or with your claim, you may also call the Texas Department of Insurance Division of Workers’ Compensation in Austin at 1-800-252-7031.

Falsifying a claim or intentionally extending your leave of absence when you have been cleared by your doctor to return to work is considered fraudulent, and can carry substantial civil and criminal penalties.

Notice of Injured Employee Rights and Responsibilities in the Texas Workers' Compensation System

As an injured employee in Texas, you have the right to free assistance from the Office of Injured Employee Counsel. This assistance is offered at local offices across the State. These local offices also provide other workers' compensation system services from the Texas Department of Insurance (TDI). TDI is the state agency that administers the system through the Division of Workers' Compensation.

You can contact the Office of Injured Employee Counsel by calling the toll-free telephone number 1-866-EZE-OIEC (1-866-393-6432). Also, more information is available on the Internet at:

www.oiec.state.tx.us<<http://www.oiec.state.tx.us>>.

You can contact the Division of Workers' Compensation by calling the toll-free telephone number 1-800-252-7031. More information about the Division of Workers' Compensation is available on the Internet at:

<<http://www.tdi.state.tx.us/wc/indexwc.html>>.

Your Rights in the Texas Workers' Compensation System:

1. You may have the right to receive benefits.

You may receive benefits regardless of who was at fault for your injury with certain exceptions, such as:

- You were intoxicated at the time of the injury;
- You injured yourself on purpose or while trying to injure someone else;
- You were injured by another person for personal reasons;
- You were injured by an act of God;
- Your injury occurred during horseplay; or
- Your injury occurred while voluntarily participating in an off-duty recreational, social, or athletic activity.

2. You have the right to receive medical care to treat your workplace injury or illness. There is no time limit to receive this medical care as long as it is medically necessary and related to the workplace injury.

3. Choosing a treating doctor:

- If you are in a Workers' Compensation Health Care Network (network), you must choose your doctor from the network's treating doctor list.
- If you are not in a network, you may choose any doctor who is willing to treat your workers' compensation injury.
- If you are employed by a political subdivision (e.g. city, county, school district), you must follow its rules for choosing a treating doctor.

It is important to follow all the rules in the workers' compensation system. If you do not follow these rules, you may be held responsible for payment of medical bills.

4. You have the right to hire an attorney at any time to help you with your claim.

5. You have the right to receive information and assistance from the Office of Injured Employee Counsel at no cost.

Staff is available to answer your questions and explain your rights and responsibilities by calling the toll-free telephone number 1-866-EZE-OIEC (1-866-393-6432) or visiting any Division of Workers' Compensation/Office of Injured Employee Counsel local field office.

6. You have the right to receive ombudsman assistance if you do not have an attorney and a dispute resolution proceeding about your claim has been scheduled.

An ombudsman is an employee of the Office of Injured Employee Counsel. Ombudsmen are trained in the field of workers' compensation and provide free assistance to injured employees who are not represented by attorneys. At least one Ombudsman is located in each local field office to assist you at a benefit review conference (BRC), contested case hearing (CCH), and an appeal. However, Ombudsmen cannot sign documents for you, make decisions for you, or give legal advice.

7. You have the right for your claim information to be kept confidential.

In most cases, the contents of your claim file cannot be obtained by others. Some parties have a right to know what is in your claim file, such as your employer or your employer's insurance carrier. Also, an employer that is considering hiring you may get limited information about your claim from the Division of Workers' Compensation.

Your Responsibilities in the Texas Workers' Compensation System

1. You have the responsibility to tell your employer if you have been injured at work or in the scope of your employment.

You must tell your employer within 30 days of the date you were injured or first knew your injury or illness might be work-related.

2. You have the responsibility to know if you are in a Workers' Compensation Health Care Network (network).

If you do not know whether you are in a network, ask the employer you worked for at the time of your injury. If you are in a network, you have the responsibility to follow the network rules. Your employer must give you a copy of the TDI network rules. Read the rules carefully. If there is something you do not understand, ask your employer or call the Office of Injured Employee Counsel. If you would like to file a complaint about a network, call TDI's Customer Help Line at 1-800-252-3439 or file a complaint online at <http://www.tdi.state.tx.us/consumer/complfrm.html#wc>

3. If you worked for a political subdivision (e.g. city, county, school district) at the time of your injury, you have the responsibility to find out how to receive medical treatment. Your employer should be able to provide you with the information you will need in order to determine which health care provider can treat you for your workplace injury.

4. You have the responsibility to tell your doctor how you were injured and whether the injury is work-related.

5. You have the responsibility to send a completed claim form (DWC-41) to the Division of Workers' Compensation. You have one year to send the form after you were injured or first knew that your illness might be work related.

Send the completed DWC-41 form even if you already are receiving benefits. You may lose your right to benefits if you do not send the completed claim form to the Division of Workers' Compensation. Call 1-800-252-7031 or 1-866-393-6432 for a copy of the DWC-41 form.

6. You have the responsibility to provide your current address, telephone number, and employer information to the Division of Workers' Compensation and the insurance carrier.

7. You have the responsibility to tell the Division of Workers' Compensation and the insurance carrier any time there is a change in your employment status or wages. Examples include:

- **You stop working because of your injury;**
- **You start working; or**
- **You are offered a job.**

(Copied from Texas Dept. of Insurance, Office Of Injured Employee Counsel)

Initial Written Employee Notification Re: Health Care Network
(Title 28, Insurance, Chapter 10, Subchapter D)

Important Information about Medical Care if you have a Work-Related Injury or Illness
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Texas Law requires Wylie ISD (the District) to provide and pay for medical care if you are injured at work. The District has chosen to provide this medical care by using a certified workers' compensation program called a Health Care Network (HCN).

Workers' compensation carrier: Texas Schools Property Casualty Cooperative Intergovernmental Risk Pool
(Texas Schools Cooperative)
Member: Wylie ISD

Contact Name:	Claims Adjusters	Leyna Wilson	Ext. # 2401
		Natalie Walton	Ext. # 2344

Contact Number: (866) 982-2667 (COOP)

Certified HCN: First Health Texas HCN
3200 Highland Avenue
Downers Grove, IL 60515

This notice tells you what you need to know about the Texas Schools Cooperative HCN program. It describes your rights in choosing medical care if you get injured at work. At the time of an injury, you will be sent this information again to help you understand the program.

- **What is an HCN?**

A Health Care Network (HCN) is a program that has been certified by the state; the HCN program helps manage medically necessary care through hospitals and doctors when you become injured on the job.

Each HCN must include enough doctors in your area that specialize in work-related injuries; the HCN doctors must meet quality standards and provide care according to standard treatment guidelines. Providers agree to bill the HCN for the care provided for your injury. Providers will not ask you to pay for any covered services.

- **Where does the First Health HCN Operate?**

The First Health TX HCN is certified to operate in the following counties:

GSA 2: Dallas (51 Counties): Anderson; Bowie; Camp; Cass; Cherokee; Clay; Collin; Cooke; Dallas; Delta; Denton; Ellis; Erath; Fannin; Franklin; Freestone; Grayson; Gregg; Henderson; Hill; Hood; Hopkins; Hunt; Jack; Johnson; Kaufman; Lamar; Limestone; Marion; Montague; Morris; Nacogdoches; Navarro; Palo Pinto; Panola; Parker; Rains; Red River; Rockwall; Rusk; Sabine; San Augustine; Shelby; Smith; Somervell; Tarrant; Titus; Upshur; Van Zandt; Wise; Wood.

GSA 3: Midland/Odessa (2 Counties): Eastland; Stephens.

GSA 4: San Antonio (14 Counties): Aransas; Atascosa; Bee; Bexar; Calhoun; Comal; Dewitt; Goliad; Gonzales; Guadalupe; Karnes; Refugio; Victoria; and Wilson.

GSA 5: Houston (33 Counties): Angelina; Austin; Brazoria; Brazos; Burleson; Chambers; Colorado; Fort Bend; Galveston; Grimes; Hardin; Harris; Houston; Jackson; Jasper; Jefferson; Lee; Leon; Liberty; Madison; Matagorda; Montgomery; Newton; Orange; Polk; Robertson; San Jacinto; Trinity; Tyler; Walker; Waller; Washington; Wharton.

GSA 6 – Waco (6 Counties): Bell, Burnet, Coryell, Lampasas, McLennan, Williamson.

GSA 7 – Austin (7 Counties): Bastrop; Blanco; Caldwell; Fayette; Hays; Lavaca; Travis.

GSA 8 – The Valley (11 Counties): Brooks; Cameron; Duval; Hidalgo; Jim Hogg; Jim Wells; Kenedy; Kleberg; San Patricio; Webb; Willacy.

GSA 9 – Southwest (4 Counties): Bandera; Frio; Medina; Uvalde.

GSA 10 – Hill Country (5 Counties): Gillespie; Kendall; Kerr; Llano; San Saba.

GSA 13 – Amarillo (2 Counties): Potter; Randall.

Each county is within a larger area referred to as a Geographic Service Area. A map showing all of the Geographic Service Areas, and highlighting the area(s) where the First Health TX HCN is certified, is attached to this notice.

- **How do I find out more information about the network or which doctors are in my HCN?**

To learn more about the First Health TX HCN, or to get a listing of the doctors in the HCN, you may call your claims adjuster at 866-982-2667, write to First Health at 3200 Highland Avenue, Downers Grove, IL 60515, Attn: Provider Networks Department or visit the First Health web site at www.firsthealth.com. Attached is a map that clearly identifies each county included in the service area.

This 866 toll free number is available 24 hours a day. During normal business hours, a claims representative will be available to answer your questions and to direct you to the names of the doctors in the program. After normal business hours, you may leave a message and you will be contacted during the next business day.

If you need emergency medical care, or need care after business hours, go to the nearest hospital or urgent care center. If you need a list of doctors, call your claims adjuster or go to the website at www.firsthealth.com.

- **What happens if I get injured at work?**

In case of an emergency occurring at any time, you should go to the closest emergency room or urgent care center or call 911. You are not required to see a Network provider for emergency care. As soon as possible, tell your employer that you have had an injury at work.

If you do not have an emergency, but are injured and need care after normal business hours, you should go to the closest emergency room or urgent care center. You are not required to see a Network provider for after-hours care. As soon as possible, tell your employer that you have had an injury at work. You can get a listing of hospitals and urgent care centers by calling your claims adjuster at (866) 982-2667. You can also get a list by writing to First Health at 3200 Highland Avenue, Downers Grove, IL 60515, Attn: Provider Networks Department or on the website at www.firsthealth.com.

If you are injured during normal business hours, you will need to choose a treating doctor within the Health Care Network (see below).

- **How do I select a treating doctor?**

If you live in the network service area, you must choose a treating doctor from the HCN provider list. This is required for you to receive coverage for the costs of your care. A listing of providers is available by writing to First Health at 3200 Highland Avenue, Downers Grove, IL 60515, Attn: Provider Networks

Department or on our web site at www.firsthealth.com. Also included is a map that clearly identifies each county in the service area. The provider list is updated every month and identifies treating doctors and specialists, separately. You will also be able to identify the providers who are authorized to assess maximum medical improvement, who accept new patients; and who have any limitations of accessibility and referrals to specialists.

Your treating doctor will:

- 1) provide care for your workers' compensation injury;
- 2) refer you to a specialist within the network - if you need specialty care;
- 3) participate in case management activities with the HCN;
- 4) have special training to provide maximum medical improvement and impairment ratings; and
- 5) have agreed to provide workers' compensation services under the HCN.

Treating doctors include: family practitioners, general practitioners, internal medicine specialists, occupational medicine specialists and clinics and urgent care clinics.

You may use your HMO primary care doctor as your treating doctor for your work related injury. To use your HMO doctor, he or she must agree to give care according to the terms of the network's contract. If you request a change of your doctor, you must select a provider in the HCN.

- **How can I locate a treating doctor, or find the most up to date listing of doctors in my network?**

You may get a list of HCN doctors with a map clearly identifying the services within your county that are included in the service area by calling your HCN claims adjuster at the 866 toll free number listed above. You may also write to First Health at 3200 Highland Avenue, Downers Grove, IL 60515, Attn: Provider Networks Department or go to the website at: www.firsthealth.com. This listing is updated monthly and will contain doctors and their specialties. Providers can be selected by specialty or name or location.

- **What happens if I already have a workers' compensation injury – How do I choose a treating doctor?**

If you already have an injury, this information is your notice that your employer or carrier will be using an HCN. If you live in the service area and your doctor does not participate in the HCN, you need to select a new treating doctor from the HCN within 14 days of receiving this notice. If you do not make a choice within 14 days, the HCN will select a treating doctor for you. All future care must be with the new treating doctor.

- **What if I want to change my treating doctor?**

If you become dissatisfied with your first choice of a treating doctor, you can select an alternate treating doctor from the list of network treating doctors in the service area where you live. Your carrier will not deny a choice of an alternate treating doctor. Before you can change treating doctors a second time, you must get permission from your HCN.

Your HCN will only approve your request for another doctor if:

- The care from your current treating doctor is medically inappropriate.
- You are not receiving appropriate medical care to reach maximum medical improvement.
- Your medical care does not comply with the network's treatment guidelines.
- You do not agree with the treatment being proposed by your current treating doctor; and, your relationship with your doctor is jeopardized or impaired.

If the HCN denies your request, you may file an appeal through the complaint process described in this document.

- **What if a HCN doctor leaves the HCN?**

The HCN has a “Continuity of Care” plan to make sure you receive the necessary medical care if your provider terminates from the network. There are two primary reasons for provider terminations:

- At the doctor’s request, or
- Because the Network discovered a quality of care issue with the provider.

If your treating doctor terminates from the network, the HCN will contact you in writing. You will have the opportunity to select another treating doctor from the network. If your doctor leaves the network and you have a life-threatening or acute condition for which a disruption of care would be harmful to you, your doctor may request that you continue to receive treatment with him or her for an additional 90 days.

- **What if I need other health care services from someone other than my treating doctor or I need to see a specialist?**

Except for emergencies, the HCN and your treating provider will arrange for all services in accordance with the accessibility and availability requirements, including referrals to specialist, to be available to you within the time period appropriate to the circumstances and your condition, but in no case later than 21 calendar days from the date of your original request.

- **What if there are no doctors in my area?**

You may receive approval to receive care from a non-network doctor, if:

- You need different medical services or a specialist who is not available within the network’s service area.
- You are an injured employee who decides to temporarily reside outside of the HCN service area.

If you have one of these situations, call your contact to receive approval for non-network care.

Except for emergency situations, you should not obtain services outside of the HCN without approval. HCN Doctors must make referrals into the Network, or request approval for non-network doctors if services are not available. Non-network referrals require prior approval. The HCN will provide a decision on access to a non-network doctor within 7 days of the request. If your request is denied, you may file a complaint with the Texas Department of Insurance. You must include your name, address, telephone number, a copy of the adverse determination and any information you gave to the HCN to support your request. You may obtain a complaint form from the Department’s web site at www.tdi.state.us. You may also request a complaint form by writing to the Texas Department of Insurance, Mail Code 103-6A, P.O. Box 149104, Austin, Texas 78714-9104.

If you decide to receive health care services outside of the HCN without approval; you may be responsible for all payments related to those services.

- **How is it decided whether or not I live outside of the HCN service area?**

You will receive notice of the HCN service area where you live. Your HCN must provide access to treating doctors or hospitals within 30 miles of non-rural areas, or within 60 miles in rural areas. In addition, you must have access to specialists and specialty hospitals within 75 miles. If you believe that there are not enough or no providers in your area within the miles noted above, contact the network; you may receive approval to use a non-network provider.

The network will approve access to non-network care for the following situations.

- Emergency care.
- For living temporarily outside the geographic service area.
- When referrals to specialists are not available within the network.
- Before the employee received HCN notice of network requirements and the employee information.

The HCN will not approve access to non-network care involving the following situations.

- A referral request that is not medically necessary.
- A referral where the provider specialty is available within the network.

If an employee asserts that he or she does not currently live in the network's service area, the employee may request a review by contacting the insurance carrier and providing evidence to support the employee's assertion. Your carrier will review the information and supply a written decision within seven days of your request. You may choose to receive all health care services from the network while the carrier is reviewing your request. If you choose to receive care out of the network **you may be responsible for payment**, and the carrier may not be responsible for payment if it is finally determined that you live within the network's service area. If your carrier does not approve your request, you will be given notice of the network requirements.

- **Can I use the network even if I live outside of the Service Area?**

You may receive treatment from network providers, as well as any other services offered by the HCN, even if you do not live in the network's service area. You will need to obtain permission from the network's carrier to do so. If you need assistance to request permission to use the network, you may call your claims adjuster at (866) 982-2667.

- **Are there any medical services that require prior approval before the services begin or to continue the services?**

Yes, the following services require pre-authorization:

- Inpatient hospitalization.
- Outpatient surgical or ambulatory surgical services.
- Spinal surgery.
- Psychological testing and psychotherapy, repeat interviews, and biofeedback; unless the service is part of a preauthorized or exempt rehabilitation program.
- All external and implantable bone growth stimulators.
- All chemonucleolysis.
- All myelograms, discograms, or surface electromyograms.
- Unless otherwise specified, repeat individual diagnostic study; with a fee established in the current *Medical Fee Guideline* of greater than \$350 or documentation of procedure (DOP).
- Non-exempt work hardening and work conditioning programs.
- Rehabilitation programs that include; (a) outpatient medical rehabilitation and (b) chronic pain management / interdisciplinary pain rehabilitation.
- All purchased or rented durable medical equipment (DME) when in excess of \$500; and, all transcutaneous electrical nerve stimulator (TENS) units.
- Nursing home, convalescent, residential; and all home health care services and treatments.

- Chemical dependency or weight loss programs.
- Any investigational or experimental service or device; these services may be in the early, development stage and scientific or clinical evidence is not yet available.
- Physical and occupational therapy services.
- Physical Medicine and Rehabilitation after first two visits; following an examination when the treatments are provided within the first two weeks following the date of injury or a surgical intervention previously approved by carrier/employer or HCN.

The following services require concurrent review for an extension:

- Inpatient length of stay.
- Non-exempt work hardening or work conditioning services.
- Investigational or experimental services or devices.
- Rehabilitation programs.
- Durable Medical Equipment (DME); more than \$500 per item and TENS usage.
- Nursing home, residential, and home health care services.
- Chemical dependency or weight loss programs.
- Physical and occupational services.

The number to call to request approval for one of these services or treatments is (888) 580-6805. If your request is denied, we will tell you in writing. We will also tell you about your right to request a reconsideration or appeal of the denied treatment, and if your request is denied for reasons of medical necessity, about your right to request a review by the Independent Review Organization through the Texas Department of Insurance.

• **How are HCN doctors Paid?**

HCN doctors have agreed to look to the carrier or HCN for payment for your health care. They will not look to you for payment. If you obtain health care from a doctor who is not in the network without prior approval from the HCN, except for emergency care, the carrier may not be liable and you may have to pay for the cost of that care.

• **How do I file a complaint?**

You have the right to file a complaint with the First Health TX HCN. You may file a complaint if you are unhappy with your experience with the HCN or your network doctor within 90 days of the event occurring. To file a complaint, you must contact First Health by phone, email, mail or fax at:

First Health Group Corp.
 Attn: Grievance Coordinator
 3200 Highland Ave
 Downers Grove, IL 60515.
 Phone (800) 262-6122 and Fax 630-737-2077
 Email: complaintsandgrievances@firsthealth.com

First Health may not retaliate against you if you file a complaint against the network or if you appeal a decision of the network. First Health also may not retaliate against a provider who files a complaint against the network or appeals a network decision on your behalf.

You have the right to file a complaint with the Texas Department of Insurance if you are dissatisfied with the resolution of the complaint. You may obtain the Department's complaint form on the Department's web site at www.tdi.state.tx.us. You may also request a complaint form by writing to:

Texas Department of Insurance
Mail Code 103-6A
P.O. Box 149104
Austin, Texas 78714-9104

WYLIE, TEXAS

MEMO

TO: Employee

FROM: Payroll Department

SUBJECT: Workers' Compensation Leave

If you have been injured on the job, and you are absent from work because of your workers' compensation injury for **less than 14 days**, you have the option to use accumulated earned paid leave (if available) for the first five (5) workdays, since **the first week of absence is not paid by workers' compensation**.

However, if the absence is **longer than 14 days**, workers' compensation **will pay salary benefits for all of the days**, and accumulated earned paid leave (if available) can be used concurrently with workers' compensation salary benefits for full days of absence, if you choose.

To exercise your option, you must complete the form **EMPLOYEE CHOICE TO USE PAID LEAVE WITH WORKERS' COMPENSATION BENEFITS** with the **appropriate box checked**.

Please **clearly mark your option (in the appropriate box)**, whether you choose to **use only a specific number of days of available paid leave at this time** (write the number in the blank), or if you choose to **use all available leave**, or if you choose **not to use any available leave**.

IF YOU DO NOT RETURN THE EMPLOYEE CHOICE FORM TO THE PAYROLL OFFICE WITH YOUR OPTION CLEARLY MARKED, THEN ALL DAYS OFF FOR WORKERS' COMPENSATION WILL BE DOCKED AT THE FULL-DAY RATE.