

BREAKING NEWS



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Authored by:
Tiffany Baca
Workers' Compensation Claims Supervisor
Barney & Barney LLC

Revised CA Workers' Compensation Notification and Posting Requirements

Approved Changes Take Effect October 8, 2010

San Diego, CA - With the passing of SB899 in 2004, the Medical Provider Network, more commonly referred to as MPN, was established. Effective January 1, 2005, California employers became eligible to control medical costs by implementing the MPN program. By electing to participate in the MPN, the employer is able to control medical treatment for the life of the workers' compensation claim. Prior to the MPN, the employer only had 30 day medical control. The financial benefits of controlling medical treatment for a workers' compensation claim have a positive impact for the employer, resulting in lower medical costs. While the carriers or self-insured are responsible for establishing the MPNs, the insured is responsible for providing appropriate notification to their employees. There are changes taking place to streamline the notification process required for an MPN, and your carriers will be forwarding their documents to you for distribution and implementation.

Effective October 8, 2010, there will be new notification requirements for clients. Here are highlights of some of the proposed changes:

- Employers must distribute a new "Facts about Workers' Compensation" pamphlet to all new employees who start work on or after October 8, 2010, at the time of hire or before the end of the end of the first pay period. These pamphlets should be provided by your carrier.
- There is a revised DWC 1 Form (Employee's Report of Injury) that will need to be provided within 24 hours of receiving knowledge of an injury. It is available online at: <http://www.dir.ca.gov/dwc/forms/ClaimForm2010.pdf>
- The complete written MPN employee notification (provided by your carrier) will need to be posted in English and Spanish in a conspicuous location frequented by employees by October 8, 2010.
- The new MPN posting eliminates the need to hand out the MPN pamphlet at the inception of a policy or at the time of hire. Instead, at the time of hire there will be a one page MPN notification.
- For injuries reported on or after October 8, 2010, the complete written MPN notification from your carrier is to be given to an injured worker, along with the DWC 1 Form.
- The MPN notice is to be available in English and Spanish, but only needs to be provided in Spanish to Spanish-speaking individuals.
- The 30 day waiting period for the MPN to become effective has been eliminated and as of the date of notification, the MPN is effective.

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- Existing MPN information does not need to be redistributed, just on an ongoing basis pursuant to the changes noted.
- Posting Notices- "Notice to Employees- Injuries Caused by Work" needs to be posted by October 8, 2010 and are available now at: http://www.dir.ca.gov/dwc/forms/DWCForm7_2010.pdf

Both fully-insured and self-insured employers are subject to the posting notice and pamphlet requirements. Failure to provide current information to employees can lead to loss of medical control, civil penalties of up to \$7,000 for each violation of the posting requirement, and the timeframe for filing claims could be extended. *

Your carriers are working diligently to update their documents for distribution prior to the implementation date so you can be in compliance. It is anticipated that this will be completed by mid-September. Additional posting notices, pamphlets and DWC 1 forms may be purchased from the California Workers' Compensation Institute (CWCi) website at www.cwci.org/store.html.

Barney & Barney will be hosting a Workers' Compensation Seminar November 3, 2010. More details to follow.

If you have any questions, please contact your Barney & Barney representative, or the following:

Tiffany Baca
 Workers' Compensation Claims Supervisor
 Risk & Loss Advisors Department
 Barney & Barney LLC
 858-587-7165
tiffanyb@barneyandbarney.com

Jon McPheters
 Workers' Compensation Claims Supervisor
 Risk & Loss Advisors Department
 Barney & Barney LLC
 949-544-8480
jonm@barneyandbarney.com

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