I. POLICY

All MUSC employees, staff, faculty, research grant, and temporary, are covered by Workers' Compensation; the entire cost is borne by the University. Workers' Compensation is designed to provide benefits for employees who have incurred medical expenses or are unable to work due to bona fide occupational injuries or illnesses. The University's Workers' Compensation Program is subject to provisions in Title 42 of the South Carolina's Compensation Commission (governing authority), and requirements of the State Accident Fund (insurance carrier).

II. INFORMATION

A. Compensation for Lost Time

1. Filing a Workers' Compensation Employer's First Report of Injury or Illness (ACORD form) at the time of occupational injury or exposure is mandatory to protect one's ability to file a future claim.

2. Workers' Compensation payments for time lost from work are not allowable to employees who are disabled for seven or fewer calendar days. In this case, employees should use their accrued sick or annual leave, or leave without pay as applicable.
3. If the employee is disabled for more than seven calendar days, but fewer than fifteen calendar days, Workers’ Compensation is allowable from the eighth calendar day of disability.

4. If the injury results in disability for more than fourteen calendar days, Workers’ Compensation payments are allowable from the date of disability.

5. Employees who utilize paid leave or are paid for time worked will be exempt from receiving Workers’ Compensation until the day following the last day of their MUSC paid time.

6. Compensation for time lost from work is paid at the rate of 66 2/3 percent of the employee’s average weekly earnings at the time of injury. Such payments shall not exceed the State’s Workers’ Compensation allowable maximum weekly compensation rate for the calendar year in which the injury occurred. Average weekly earnings are calculated using the four quarters immediately preceding the quarter in which the injury occurred.

7. If an absence from work is compensable, the employee must select one of three Workers’ Compensation payment options, noted on the Election Letter. Once a selection has been made, it is irrevocable for that period of disability. Subsequent periods of related, authorized absences (due to the Workers’ Compensation disability) may allow the employee to complete a new Election Letter.

8. Employees who are eligible for paid leave and who are temporarily disabled as a result of an assault by a patient or client must be placed on Supplemental Leave with pay, instead of sick leave, annual leave or Workers’ Compensation. The supplemental leave period cannot exceed 180 calendar days.

B. Modified Work Schedule

1. MUSC employees are expected to return to work with or without medical restrictions when cleared by MUSC Employee Health Services (EHS), or by the health care provider to whom MUSC Workers’ Compensation Office referred the employee. Departments must permit classified employees, unclassified staff and faculty return to work if they can accomplish the essential functions of their position with or without reasonable accommodations. Employees who occupy temporary positions will be assessed on a case by case basis. Every attempt should be made to accommodate classified and unclassified employees and faculty who are not able to fulfill the essential functions of their position with a modified work schedule for sixty calendar days.

2. After sixty calendar days, employees who are not able to accomplish the essential functions of their position may, at the department’s discretion, continue in the modified work schedule or capacity or be placed on leave. If at any time during the recovery, employees think that they will not be able to fulfill the essential functions of their position, they should contact the Department of Human Resources Management to pursue a more suitable position.
C. **Blood Borne Pathogen Exposure**

Employees who have a blood borne pathogen exposure will be handled in a confidential manner. Employees who contract infectious diseases are covered by Workers' Compensation if it is determined that they were infected at work as the result of patient care.

D. **Medical Benefits**

1. Only medical expenses which have been **APPROVED** by Workers' Compensation prior to the rendering of the medical services will be paid by Workers' Compensation.

2. Under South Carolina law, employees do **NOT** have the option of seeking medical attention from the physician of their choice in Workers' Compensation cases.

III. **PROCEDURES**

A. **Employee Responsibilities**

1. Notify the manager/supervisor immediately of any occupational injury or illness.

2. The employee/manager must complete an online Workers' Compensation Employer's First Report of Injury or Illness form (**ACORD form**) to document the occupational injury or illness, at the time of injury/exposure.

3. Advise supervisor each time an absence occurs as a result of a reported occupational injury or illness.

4. **The employee whose injury requires medical assistance must seek medical treatment for work related illnesses or injuries from MUSC EHS between the hours of 7:30 a.m. through 4:00 p.m., Monday through Friday. The employee should be seen at the MUSC Emergency Services Department from 4:00 p.m. until 7:30 a.m., and on Saturdays, Sundays, and/or holidays. The injured or ill employee will not be seen without his/her completed ACORD form. Except in unusual circumstances, the ACORD form should be completed online.**

5. Under South Carolina law, employees do **NOT** have the option of seeking medical attention from the physician of their choice in Workers' Compensation cases.
6. An employee must return to work with or without restrictions when cleared by MUSC EHS or by the health care provider to whom MUSC EHS referred the employee. If an employee believes the injury or condition makes it impossible to return to work at the designated time, the employee must notify his/her departmental manager/supervisor. The employee must immediately return to MUSC EHS or to the health care provider to whom MUSC EHS referred the employee and who has been in charge of the employee’s care for reevaluation at the first available appointment.

7. If an extension is granted, the employee must notify his/her manager/supervisor and MUSC Workers’ Compensation of the new return to work date immediately and provide documentation from the health care provider to indicate such. If the absence is not authorized by MUSC EHS or the health care provider to whom MUSC EHS referred the employee and is still taken by employee, disciplinary action may be taken.

8. An employee is expected to keep appointments and/or treatments as scheduled by MUSC EHS or the health care provider to whom MUSC EHS referred the employee. Failure to keep appointments may result in disciplinary action.

9. The employee should inquire with his/her department whether Family and Medical leave (FMLA) is appropriate and initiate proper steps if the employee is eligible for FMLA. FMLA runs concurrently with authorized Workers’ Compensation absences.

10. Contact the Employee Relations Section of the Department of Human Resources Management whenever it appears that you will not be able to return to your position.

B. Department Responsibilities

1. Assure that all employees are aware of their responsibilities relating to on-the-job injuries or illnesses.

2. Designate a Workers’ Compensation coordinator.

3. The manager/supervisor must ensure the Workers’ Compensation Employer’s First Report of Injury or Illness (ACORD form) has been completed immediately upon notification of an occupational injury or illness.

4. The manager/supervisor must refer the employee (with the completed ACORD form) to the MUSC EHS from 7:30 a.m. to 4:00 p.m., Monday through Friday. For job-related injuries needing immediate treatment or illnesses that occur after 4:00 p.m., or on Saturdays, Sundays and holidays, the supervisor must refer the employee to the MUSC Emergency Services department.

5. Employees requiring treatment at MUSC EHS or the MUSC Emergency Services department for a work related injury, who feel that they can not walk to that location, must have the manager/supervisor determine the need for vehicle transport.
6. Employees with severe, acute, or non-ambulatory job-related injuries or illnesses (e.g., loss of consciousness, severe lacerations) can be seen any time in the MUSC Emergency Services department. The manager/supervisor should contact the MUSC Emergency Services department at 792-3826 and EHS to inform emergency personnel that the employee is on the way.

7. Employees with minor injuries are not required to be seen by the designated health care providers if the employee chooses not to seek treatment, however the employees must notify their manager/supervisor immediately of their injury.

8. Employees shall be paid as “worked hours” during the initial visit to MUSC EHS or the MUSC Emergency Services department. Leave status (paid or unpaid) shall commence only when an absence from work is authorized by MUSC EHS or the health care provider to whom MUSC EHS referred the employee.

9. Upon notification that an event occurred, the manager/supervisor should initiate a prompt investigation of the incident, as outlined in the Medical University's Occupational Safety and Health Manual. The Office of Occupational Safety and Health (extension 2-3604) must be notified as soon as possible regarding any safety hazards or violations.

10. The department shall ensure that the Workers’ Compensation Office (extension 2-7554) is notified each time an employee leaves/returns to work due to the accident/injury.

11. The manager/supervisor or designated Workers’ Compensation coordinator should maintain contact with any employee who is absent due to a Workers' Compensation injury to offer encouragement and to monitor the employee’s improvement. It is also important for the manager/supervisor to ascertain that the absence is authorized by MUSC EHS and to notify the MUSC Workers’ Compensation representative (extension 2-7554) if there is a problem.

12. Departments should advise employees who expect to have prolonged absences or be on a modified work schedule for over sixty days to contact Human Resources, Benefits, (extension 2-9679) to discuss eligibility for additional disability benefits.

13. The manager/supervisor should determine whether Family and Medical leave (FMLA) is appropriate and initiate proper steps if the employee is eligible for FMLA.

14. Contact MUSC Workers’ Compensation and Human Resources Management whenever it appears that the employee will not be able to return to his/her current position, is non-compliant with a prescribed plan of care, or has not returned to work when cleared to do so.
C. Responsibilities of the Employee Health Services Provider

1. Treat or refer the employee as appropriate.
2. Maintain records of all job-related injuries or illnesses.
3. Determine whether time away from work is necessary.
4. Determine whether injured employees are medically fit to return to work, with or without limitations or restrictions.
5. Issue a copy of the "Injury Visit and Instructions" form to the employee and Workers' Compensation Office. A faxed/emailed copy will be provided to the supervisor.

D. Department of University Risk Management Responsibilities

1. Responsible for the overall administration of the Workers' Compensation Program for the University.
2. Investigate reported injuries/illnesses and take necessary corrective action.
3. Provide management with safety recommendations regarding Workers' Compensation cases.
4. Make follow-up reports to the State Accident Fund through appropriate channels.
5. Provide information and assistance to employees and department supervisors regarding Workers' Compensation.
6. Provide training to department managers and supervisors upon request.
7. Maintain employee records relative to Workers' Compensation.
8. Brief injured employees on options regarding compensation for time lost from work.
9. Provide instructions to departments regarding what actions are necessary when employees are out of work for more than seven days due to a job-related injury or illness.
10. Maintain liaison with State Accident Fund.
11. Notify the manager/supervisor and Human Resources Management if an employee is non-compliant with the prescribed plan of care or misses scheduled appointments.
E. **Human Resources Responsibilities**

1. Assist employees, departments, supervisors/managers, EHS, and the University Risk Management department in facilitating or interpreting of the above noted procedures.

2. Assist the department and/or employee on possible employment opportunities or additional disability benefits if it has been determined that the employee can no longer perform the essential functions of the position, with or without reasonable accommodation.

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