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Guide to Workers' Compensation: Part 1 - HELP4TN Blog

What is workers' compensation?

Tennessee workers' compensation law requires most employers to carry workers' compensation insurance policies in case one of their employees is injured while performing their job duties. This insurance policy provides medical care at no cost to the employee. Sometimes, this also means paying the employee part of their lost wages or compensation while they can't work due to the injury.

What should I do if I get injured at work?

First, report the injury to your employer as soon as you can. Tennessee law requires you to report your injury to your employer within 15 days of the injury or when you first become aware that your injury is work-related. You should make the report in writing in addition to any conversations you have with your supervisor or other employer representatives, and you should make clear that you are requesting that your employer provide medical treatment for your injury.

To learn more about reporting your injury to your employer, watch the video at this link:
<https://youtu.be/F0nBR-NHPBw>.

How do I get medical treatment started?

After you report your injury and need for medical treatment to your employer, you should receive a list of doctors to choose within 3 business days. This list is often called a "panel of physicians" and will appear on a form titled "Employee's Choice of Physician". It should name at least 3 doctors located in your community who can treat you. You should make your selection by completing the form provided to you and returning it to your employer and your employer's workers' compensation insurance carrier (usually to a person called an "adjuster"). The doctor you select will become your "authorized treating physician" for the injury. You have to choose a doctor from the list in order for your medical bills to be paid by your employer. Make sure you keep copies of all the medical records and "work status" notes from this doctor.

To learn more about getting medical treatment started, watch the video found at this link:
<https://youtu.be/gDNVcafDbgQ>.

To learn more about the authorized treating physician, watch the video at this link:
<https://youtu.be/UOrbTmjQXOI>.

What happens to my paycheck if I am unable to work?

Temporary disability benefits are paid by the insurance company to replace lost wages. If you can't work at all or have to work reduced hours, you may be able to get temporary disability benefits. You may also be eligible for temporary disability benefits if the doctor says you can do "light duty" work, but your employer can't provide light duty work. In other words, the doctor you selected from the list must state that your ability to work is limited in some way for you to be eligible for these benefits. Your work restrictions will commonly be found in your medical records or "work status" notes signed by your authorized treating physician.

To learn more about how temporary disability benefits work, watch the video found at this link:
<https://youtu.be/8MYfKSL4TBk>.

Where can I go for help if I am having problems with my claim?

You have the right to seek an attorney, but attorneys aren't always willing to represent injured workers. Fortunately, the Tennessee Bureau of Workers' Compensation provides help to unrepresented workers through its Ombudsman Program. An ombudsman can help by explaining the workers' compensation process in Tennessee, including what next steps you can take to resolve a problem with your claim. You can speak with an ombudsman by calling 1-800-332-2667. The ombudsmen can answer questions but are not attorneys that you can hire.

This blog is not legal advice, but it is legal information to help you learn about your rights. Need more help? HELP4TN free legal helpline has attorneys ready to answer your questions. Give us a call at 844-435-7486.

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