



## Workers' Compensation-Timely Injury Reporting

### Why?

Timely reporting of a First Report of Injury is to the advantage of the employer, employee and the insurance carrier. Most studies suggest that the sooner case and claims management begins, the faster the claim is resolved with minimal conflicts. The results are reduced claim costs and reduced losses going into the experience modification formula resulting in reduced premium for the employer.

For the employee, prompt reporting means timely benefit payments, improved communications with the employer and insurer, and less fear of the unknown, which often results in needless litigation.

For the insured, this means the ability to fully investigate the claim and make payments to the employee in the timeframes prescribed by state statutes.

### Western National's Reporting Requirements

We ask our insured to report all claims as quickly as possible, but in no case later than 72 hours. To do an effective job of claim management for our customers after receiving the First Report, we must talk to the employer, employee, medical providers, and in many instances conduct a formal claims investigation before liability can be determined. Often this includes obtaining past medical records. If the claim is found compensable, benefits must then be calculated and checks issued with the prescribed forms completed and filed with the state. All this must be completed within the timeframes prescribed by state statute.

### State Reporting Requirements

Wisconsin and Minnesota provide that claims must be denied or benefits paid within 14 days from the time the claim is reported to the employer. In Iowa this timeframe is 11 days. In South Dakota it is 20 days.

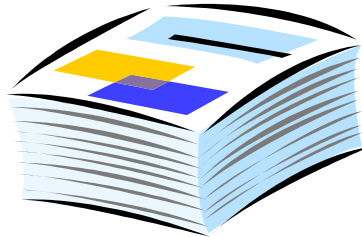
### Penalties for Late Reporting and Benefit Payments

Most states have enacted penalties for late reporting and/or late benefit payments. States like Iowa and South Dakota can assess a \$100.00 penalty for a late First Report.

In Iowa, the employer may be ordered to appear in Civil Court should payments not be timely.

Minnesota has enacted tougher penalties for late reporting. These may be assessed against an employer if the claim is not reported within 10 days or if the insurer has not reported it to the state within the 14-day period. The penalties assessed are on a graduating scale dependent on the number of violations. Penalties range from a warning up to \$500.00 per occurrence.

In Minnesota if the late report results in late payments to the employee, there are additional penalties assessed. The first may be to the employee in the amount of up to 25% of the benefits due. The second is to the Assigned Risk Safety Account. These are based also on a graduating scale of the number of days late. The amount may range from \$500.00 to \$5,000.00. Denials that are untimely result in fines varying from \$250.00 to \$2,000.00 depending on the number of days late.



Wisconsin does not invoke penalties but in turn has enacted stringent performance standards, regarding timely reporting. Should an insurer fail to meet these standards the department may prohibit the insurer from writing insurance in the state.

More detailed information on timely reporting and associated penalties may be found on each states website.

[Iowa](#)  
[Minnesota](#)  
[South Dakota](#)  
[Wisconsin](#)

If you have additional questions, contact your Claims Administrator or one of our Loss Control Consultants.

### **Methods of Reporting**

First Reports of Injury and WC Claims Packets can be downloaded or ordered on our website at <http://www.wnins.com/>. There are also other materials on our Loss Control Page to assist you with your loss prevention and control efforts.

You may choose to submit First Reports of Injury by Fax, Email or U.S. Mail. A telephone reporting system is also available for your convenience at **(952) 921-5697 or (800) 862-6069**. Our email address is [wcmail@wnins.com](mailto:wcmail@wnins.com).

Remember, timely first reporting is the first key step in the injury management process. Your attention to this area will benefit your company, your employees, and us your insurer.