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LAW

FREQUENTLY ASKED QUESTIONS ABOUT GEORGIA WORKERS' COMPENSATION

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Special Report

**Frequently Asked Questions About
Georgia Workers' Compensation Claims**

Special Report

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Frequently asked Workers' Compensation Questions

- **Do I have a workers' compensation claim?**

Generally speaking, if you are injured doing the job you were hired to do you have a workers' compensation claim. There are many exceptions to this general rule, so if you have specific questions it is recommended that you contact an attorney to have your specific questions addressed.

- **How do I get medical care for my work injuries?**

If you are injured on the job, each employer in Georgia is required to post a "posted panel of physicians." This is a list of doctors you can go to if you are injured on the job. When you report your injury to your supervisor or boss, you should immediately ask for medical attention and who you can go to for medical attention.

- **What is the most important thing to do if I am hurt on the job?**

The most important thing you can do is to report your injury to your supervisor or boss. We get numerous calls where someone thought their injury would be minor and they could recover, only to determine after time that they were actually getting worse. Georgia law has short deadlines in place and if you do not report your injury and request medical care for your injuries, you may not be allowed to bring a workers' compensation claim later. Report all injuries no matter how minor they may appear to be.

This is not meant to replace discussing your questions with a Georgia Workers' Compensation Attorney. This is not legal advice.

- **My boss fired me because I told him I got hurt on the job, what can I do?**

If you properly reported your injury and are then terminated from employment, you still have a workers' compensation injury. Depending upon the nature of your termination, you may still be entitled to weekly income benefits or checks. Regardless of the termination you are still entitled to medical care as it relates to your work-related injury. If you have specific questions you should contact a Georgia workers' compensation attorney.

- **What can I do if my employer is not giving me light duty work per my doctor's orders?**

Unfortunately, not all employers are concerned about their workers and will attempt to have the worker do full duty or heavy work even though the doctor has put them on light duty or restricted duty work. In these cases, you as the worker must advise your employer that you can not do the work that is being requested of you. If the employer can not provide you work within your restrictions, then they cannot accommodate your work restrictions and either needs to get another job for you to do or send you home.

- **What can I do if my employer refuses to report my work injury to his/her workers' compensation insurance?**

The first thing you must find out is whether or not your employer has workers' compensation coverage. Not all employers are required to carry workers' compensation coverage. If your employer has three or fewer full time employees

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they are not required currently under Georgia law to carry workers' compensation coverage. If this is the case, the employer will be paying out of their own pocket. If, however, your employer has workers' compensation insurance (the information can be discovered on-line), then you can contact the insurer. It is always best to notify both the employer and the insurer in writing when possible of your work injuries.

- **What is my workers' compensation claim worth?**

This question depends on many factors. The major factors being what are your injuries, the more serious the injuries the more the claim may be worth. Also, how much are you getting paid? This can have a significant determination upon the value of a workers' compensation claim. A part-time job will be worth less than a full time job. Other factors would be what the nature of your injury is; a permanent injury has more value than a minor injury where full recovery is expected. Other considerations would be does your employer have insurance coverage? The list goes on and on, to get more specific answer to this question, you should contact a Georgia workers' compensation attorney.

- **What is a posted panel of physicians?**

A posted panel of physicians is as it implies a posted panel that is supposed to be displayed where all employees can see it. Each employee is supposed to be

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instructed on what to do if they are ever injured on the job and how to use the posted panel of physicians. In short, it is the list of doctors from which you can choose to receive treatment if you are hurt on the job. At the bottom of the posted panel is the name and address of the insurance carrier who provides workers' compensation insurance for the employer.

- **What benefits am I entitled to and when am I entitled to them?**

If you are injured on the job, you are entitled to medical care as it relates to your work related injury. Beyond medical care, if an authorized doctor takes you out of work for more than seven days, you may be entitled to weekly income benefits or weekly checks. If you complete your medical treatment and are still physically or mentally impaired as a result of your workers' compensation injury, you may be entitled to permanent partial disability benefits. These are the three main benefits you are entitled to. A common myth in workers' compensation is that you are entitled to pain and suffering, this is NOT true. You are not entitled to pain and suffering on Georgia workers' compensation claims. If you have specific questions about your claim and what benefits you may or may not be entitled to, you should contact a Georgia workers' compensation lawyer.

- **Can I change doctors?**

In certain situations you can change doctors, but there are many variations on when and if you can change doctors and what doctors you can change to. If you

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have specific questions, it is always best to speak with a Georgia workers' compensation lawyer and have your questions and concerns addressed.

- **Can I go to my doctor?**

There are rules regarding who you can treat with in Georgia workers' compensation claims. If the employer has a valid posted panel of physicians, you are required to go to one of the doctors listed on the panel. If, however, the employer does not have a valid posted panel of physicians or does not have a panel at all, you may be entitled to go to the doctor of your choice.

- **Where do I find the information on what doctors I can go to?**

The information on what doctors you can or cannot go to should be listed on the posted panel of physicians. In some rare cases the list could be too large to place on the posted panel of physicians; in these cases there should still be a posted panel with instructions on how to get a list of doctors you can receive treatment from for your work injuries.

- **Do I have to have a nurse case manager come in with me on all of my doctor's visits?**

There are specific rules as they apply to nurse case managers. You may not be able to terminate them but you can restrict their access to your doctor without your presence. If you have specific questions about this topic, it is important that you contact a Georgia workers' compensation attorney immediately.

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