

North Bay Schools Insurance Authority
380A Chadbourne Road
Fairfield, CA 94534-9636
(707) 428-0824

NBSIA SERVICES

North Bay Schools Insurance Authority was established in 1979 to provide self-insurance workers' compensation coverage for the school member districts.

NBSIA is here to service our district's needs and coordinate for our employees, after an injury occurs, all workers' compensation benefits. Prompt communication between the employee, their treating physician, district and NBSIA Claims Team will assist in providing timely benefits and successful return-to-work efforts if disabled after an industrial injury.

In our commitment to promoting a safe working environment, NBSIA has a number of safety resources available to our district members. For more information, contact your District's Safety Coordinator or call NBSIA Loss Prevention Department at (707) 428-1830.

FOR FURTHER INFORMATION CONTACT:

State of California, Industrial Relations
Department (866) 924-9757

Information & Assistance Office
Oakland (510) 622-2861

Information & Assistance Office
Santa Rosa (707) 576-2452

Information & Assistance Office
Sacramento (916) 928-3158

www.nbsia.org



Facts About Workers' Compensation Benefits For School District Employees

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What is Workers' Compensation?

California's no-fault compensation law was passed over 90 years ago by the State Legislature to guarantee prompt, automatic benefits to employees who sustain an injury or illness as a result of their employment.

The Joint Powers Authority (JPA) member districts are self-insured for workers' compensation benefits. The JPA program is administrated by North Bay Schools Insurance Authority, who is responsible for all benefit coordination for district employees who sustain an injury or illness arising out of and in the course and scope of their employment.

Who is entitled to benefits?

If an injury or illness occurs as a result of your employment, you are entitled to workers' compensation benefits. With few exceptions, all California employers are subject to State Workers' Compensation laws.

How are benefits Claimed?

The first step is to immediately REPORT your injury or illness to your supervisor. Your Supervisor will have you call Company Nurse, a call center for industrial injuries, at 1-877-778-2576. Company Nurse will record the information and guide you to the appropriate level of care, including medical treatment if necessary and immediately notify NBSIA of your incident. At that time a claim form will be mailed to you within 24 business hours. The claim form will ask you what, where, when and how the incident occurred.

Prompt reporting of your injury is the key. Benefits begin immediately as required by State regulation, but this can not occur until you report your injury. Ensure your rights to benefits by reporting every work related injury or illness.

Until the date an injury claim is accepted or rejected, liability for medical treatment shall be limited to \$10,000.00

Are there time limitations for filing a claim for injury or illness?

To Claim benefits for an industrial injury you should be aware that such a claim is subject to certain time limitations. An employee has one (1) year from the date of injury or last date

benefits were provided to institute proceedings for workers' compensation benefits. The date of injury for occupational diseases or cumulative injuries is defined in the Labor Code as the date upon which the employee first suffered disability from and either knew, or in the exercise of reasonable diligence should have known, that such disability was caused by his or her present or prior employment.

Employees who are victims of crime that occur at the employee's place of employment may receive workers' compensation benefits as a result of that crime.

Where do I go for medical care?

Once you report an injury to your employer you will be directed to the appropriate medical provider for care. You will be assigned to a primary treating physician who is responsible for managing your care. Your district is part of a Medical Provider Network (MPN) which is comprised of selected physicians and medical facilities in your area. All the physicians in the MPN are experienced in treating Workers' Compensation injuries and are familiar with the reporting requirements for such treatment. You are required to be treated by a physician within the MPN for the entire life of your claim unless you have pre-designated a personal treating physician prior to your claim. Your employer will provide you with a form for pre-designating a personal treating physician at the time of your being hired or you may request a form from your Human Resources Department. If you have additional questions, please contact your Human Resources Representative or NBSIA.

Nondiscrimination Facts

An injured employee may not be discharged, threatened with discharge, or discriminated against because they file, intend to file, testify on behalf of another employee or settle a workers' compensation claim. All injured employees are protected under the California State Workers' Compensation Labor Code for such discrimination. If it is found that an employee has been discriminated against, the employee's compensation shall be increased by one-half, not to exceed \$10,000. Any such employee shall be entitled to reinstatement

and reimbursement of lost wages and work benefits caused by the acts of the employer.

What are the benefits?

Medical Benefits

Medical benefits are provided to cure and relieve the effects of an injury to include, physician's services, medicines, hospital cost, lab test, x-rays, crutches, even mileage expenses for required medical care. There are no deductibles or co-payments for these services. The medical provider should send all bills directly to NBSIA. If you receive a bill, please immediately send it to NBSIA to ensure prompt payment.

For injuries occurring on or after 1/1/04 Chiropractic, Physical Therapy and Occupational Therapy visits shall be limited to 24 visits for each injury.

Temporary Disability (TD) Benefits

Regular school district employees may be entitled to receive **Education Code Benefits** in addition to and/or in conjunction with benefits afforded by the Labor Code. The Education Code Benefits include 60 days of Industrial Leave, to include utilizing sick leave and vacation benefits. If you are entitled to salary continuation, through Ed Code benefits, temporary disability benefits will be included in your regular paycheck, as NBSIA will coordinate these benefits afforded by the Labor Code with your district.

If you are entitled to receive Ed Code benefits, if your physician releases you to return to work with restrictions and your district is able to accommodate the restrictions on a temporary basis, you will be brought back on a bridge assignment, which is a temporary work assignment or modified capacity. If you choose not to return to work, your sick leave or vacation benefits may be charged for your absence. You may also no longer be entitled to industrial leave benefits.

Returning to work as soon as medically possible affords you the opportunity to maintain your current accrued benefits.

Most injuries only keep you from working temporarily. You will be paid temporary disability benefits while you are unable to work in a modified or full duty capacity. Temporary disability may not be paid for the first three days of disability after the injury, unless you are hospitalized or off work more than 14 days. These payments will continue until your doctor releases you to return to work or determines that your condition has reached maximum medical improvement and you are permanent and stationary (P&S).

Temporary Disability (TD) benefits is two-thirds (2/3) of your average weekly wage, subject to minimums and maximums set by the state legislature.

Aggregate disability payments for a single injury causing temporary disability shall not extend for more than 104 compensable weeks within a period of five years from the date of commencement of temporary disability payment, or for more than 240 weeks within five years from the date of injury for a few long-term injuries except for certain serious injuries or conditions.

Permanent Disability (PD) Benefits

Permanent Disability Benefits are paid when your industrial injury results in a permanent impairment which reduces your future earning capacity, even though you may be able to return to your regular job. Permanent disability is evaluated when you have reached a maximum medical improvement and further changes in your condition are not expected. Your physician will supply you and NBSIA with a medical report outlining any permanent disability factors you may have as a direct result of your industrial injury.

If either you or NBSIA disagree with your physician's findings, we both have the option of choosing another physician to evaluate your medical condition. This is done by making a request to the State, who will send a panel of three physicians to choose from.

Permanent disability is subject to state maximum and minimum rates. If it is determined that you have permanent disability, the number of permanent disability payments are based on a schedule,

established by the State. The factors taken into consideration in the schedule are your age, occupation at the time of injury, and the extent of your medical findings as a result of your industrial injury. Effective 1/1/13, all permanent disability due will be paid out in one lump sum once your case is settled.

Supplemental Job Displacement Benefits

If the claims administrator receives a doctor's report that you have recovered as much as possible from your job injury, and that you have permanent disability, within 60 days you may receive a form with an offer of regular, modified or alternative work from your employer. If 60 days after receiving the doctor's report your employer has not offered you regular, modified or alternative work, your claims administrator has 20 days to offer you the Supplemental Job Displacement Benefit. This is a voucher for up to \$6,000 that you can use for retraining or skill enhancement at a state accredited school, books, required tools, professional license and certification fees, or other resources that can help you find a new job. There are limits on how much you can spend for some items, but if you qualify, you'll get the information on what types of expenses are covered the limits, documentation requirements, and deadlines for using this benefit. Up to \$6,000 for permanent disability awards between 15% and 25%.

Death Benefits

Death Benefits are provided in the event of a work related death, to eligible dependents, as determined by the State of California. Benefits are paid at the same rate as temporary disability benefits as set out by State law. This benefit also covers burial expenses.

Other Benefits

If your injury is very serious and you expect to be off from work for a year or more, you may be eligible for additional benefits from Social Security. Contact the closest Social Security Administration Office, listed in the white pages of the phone book under "United States Government."

What if there is a problem

Workers' compensation is a benefit system, which provides automatic benefits to an

employee who is injured or has an illness as a result of their employment. Therefore most workers' compensation claims are handled routinely, but occasionally misunderstandings may occur. If you believe you have not received all benefits due to you, please contact us at NBSIA as most questions can be cleared up with a phone call.

If you still have concerns, you may contact the nearest office of the State Division of Workers' Compensation, in Sacramento at (916) 928-3158. The State employs Information and Assistance Officers to assist injured employees with problems and concerns. The Information and Assistance Officer will review your claim, advise you of your rights and the procedures for resolving disputes.

Some concerns may need to be resolved by the Workers' Compensation Appeals Board, the State agency responsible for handling disputes. The Appeals Board is a court of law where you may represent yourself or retain an attorney to represent you. If you retain an attorney, their fees will be deducted from any benefits awarded to you by the Appeals Board. Attorney fees generally are 9% to 15% of your final permanent disability award, plus an additional amount if you receive vocational rehabilitation benefits.

If it is necessary to go to the Appeals Board, there is a statute of limitation in which an application for adjudication of claim must be filed. You have within one year from the date of your injury, or last date you were provided benefits, to file an application with the Appeals Board.

"Any person who makes or causes to be made any knowingly false or fraudulent material statement or material presentation for the purpose of obtaining or denying workers' compensation benefits or payments is guilty of a felony" LC 5401.7

REVISED: 1/13