

DEPARTMENT GENERAL ORDER 09-24

OFFICE of the CHIEF OF POLICE
REPLACES: SOP 300.58.00

DATE: June 08, 2009

WORKER'S COMPENSATION

I. GENERAL INFORMATION.

The City of Clayton shall provide all City employees with injury compensation payments in compliance with the Worker's Compensation Laws of the State of Missouri. All injuries and illnesses that "arise out of and in the course of (City) employment" are generally covered by this policy. However, those injuries or illnesses that are related to alcohol and/or drug abuse, or those accidents or illnesses which are related to the flagrant abuse or ignorance of work rules and safety procedures, can result in a reduction or denial of benefits. For instance, under the law, if an employee fails to obey any rule or policy adopted by the employer on a drug-free workplace or on the use of alcohol or non-prescribed controlled drugs in the workplace, and the employee sustains an injury while using alcohol or non-prescribed controlled drugs, the compensation and death benefits shall be reduced by fifty (50) percent. If the employee's use of alcohol or non-prescribed controlled drugs in violation of the employer's rule or policy is the proximate cause of the employee's injury, the benefits or compensation payable for death or disability are forfeited.

The City shall also designate a "primary provider" for treatment of work related injuries. Claims processing services for the City will be handled on a contractual basis.

II. PROCEDURES.

Should an employee (full-time, part-time, or seasonal incur a work-related injury that requires treatment, the following procedure shall be followed:

- A. The employee shall report the injury to his/her Supervisor as soon as practical but no later than a maximum of twenty-four hours following the incident.

- B. The Supervisor will ensure that a police report is compiled detailing the accidental injury or sick case. He shall then complete the "Injury Treatment Authorization Form" and provide same to the employee.

The Supervisor shall then conduct an accident investigation, complete a "Report of Injury" form and attach a copy of the police report to same. The investigation will include completion of the survey checklist and witness statements (if any). Both documents shall then be forwarded to the personnel office within forty-eight hours of the occurrence.

- C. The employee shall report to the designated healthcare facility for immediate treatment and a drug/alcohol screening, if applicable.

Under the law, an employer can request an employee to take a test for alcohol or a non-prescribed controlled substance if the employer suspects usage by the employee or if the employer's policy clearly authorizes the post-injury testing. If the employer does request a test of the employee when an injury occurs and the employee refuses to take the test, the employee forfeits all worker's compensation benefits.

- D. Present the treatment authorization form to the staff at the clinical office or emergency room.

- E. Should an employee require a prescription:

1. The employee may be provided with medication at the designated health care facility; the cost of which will be included in the billing statement that will be directed to the City. The employee shall pay nothing in this instance.
2. Should a refill be required, the employee is requested to pay the costs out-of-pocket and then submit the bill to the personnel office for reimbursement. Employee's shall be reimbursed 100% for refills of all medication related to a worker's comp injury.

Employees are not to use their UHC card to purchase a prescription related to a worker's comp injury.

- F. If a referral to a specialist, physical therapy, or other treatment is required, the physician at the designated health care facility shall handle all necessary arrangements.

In the event of a serious injury (severe trauma, excessive bleeding, labored breathing, unconsciousness, etc.), the employee shall be conveyed directly to the emergency room. The employee's Supervisor shall then hand carry or FAX the treatment authorization form to the hospital as soon as possible.

Should an employee incur an injury that the designated health care facility is not equipped to handle (severe burns, gunshot wound), Clayton paramedics shall transport the employee to the medical facility most qualified to render treatment for that type of injury.

Under Missouri State Law, all employers are permitted to designate a specific healthcare provider for Worker's Comp injury treatment. Should the employee choose another healthcare provider, the employer is not obligated to pay for the treatment. In those instances wherein an employee has a serious medical emergency and it is not possible for the employee to reach the designated healthcare facility safely, initial emergency treatment may be obtained at the nearest medical facility. Such treatment shall be fully covered. Follow-up treatment shall then be obtained at the designated provider facility.

Any employee who is determined by the designated physician to be so severely injured as to be unable to report to work, will be contacted by his/her Supervisor on a weekly basis until the employee is cleared to return to full work status or light duty. The Supervisor will file a weekly report of such contacts and the employee's current medical status to the personnel office and the Department head. Employees shall be strictly prohibited from engaging in any other employment during periods of disability in which he is receiving medical and wage payments and shall be expected to return to work immediately upon release from a physician.

The City's Safety Committee will review accident and injury information on a periodic basis in an effort to identify problems and make recommendations for the prevention of future incidents.

BY ORDER OF:

THOMAS J. BYRNE
Chief of Police

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