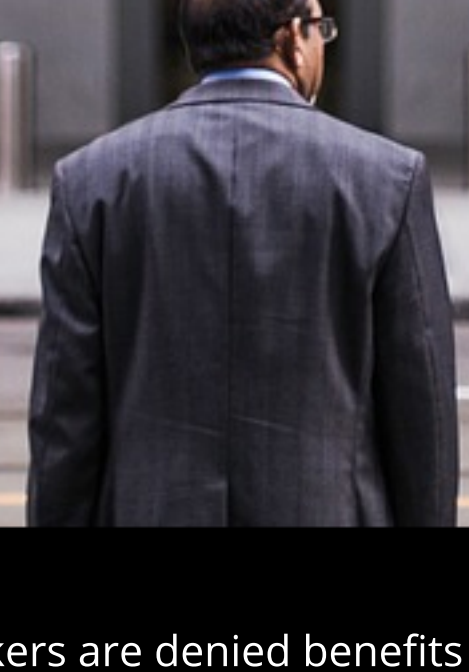


Reasons Why Your Workers' Compensation Claim Was Denied

Was Denied



Despite meritorious claims, workers are denied benefits through workers' compensation every day. Employers and their insurance carriers have a vested interest in denying as many claims as possible to avoid having to pay large payouts.



INJURY WAS NOT REPORTED SOON ENOUGH

One of the most common reasons a workers' compensation claim is denied is because the employee fails to report the injury immediately. Employers assume that if the injury was not reported immediately then it did not actually occur. However, situations may arise when an immediate report may not be possible, such as a worker having to seek immediate medical treatment. To avoid this problem, it is usually best to immediately report any injury that may result in any missed time from work.



INJURY WAS NOT WITNESSED

Employers often worry about fraudulent claims. If an injury was not witnessed by an objective person like a coworker or a supervisor, the employer may be hesitant to believe the injured employee's story. However, simply because an injury was not witnessed does not mean that it did not occur in exactly the manner the employee described.



INJURY OCCURRED OFFSITE

Workers' compensation benefits are available for workers who sustain an injury while in the course of fulfilling their work duties. This extends to times when they are traveling on behalf of the business or driving to complete a work errand. In fact, one of the most common types of injuries involved in workers' compensation claims is an injury stemming from an automotive accident. The best car accident attorney can explain that an employer can still be responsible for providing workers' compensation benefits in cases where the injury occurred off the job site.



THERE WAS A PRE-EXISTING INJURY

Just like in motor vehicle accidents, the best car accident attorney can explain that a common reason for denial is that the claimant had a preexisting injury. For example, if a worker had been injured in a car accident and then further injured his back when picking up a heavy box at work, the insurance company may try to deny the claim, stating that the worker had sustained the injury due to the car accident.



However, if a worker does have a pre-existing injury and this condition is worsened by an accident at work, this does not disqualify the worker from workers' compensation benefits.

YOUR INJURY DID NOT HAPPEN AT WORK

To be eligible for Workers' Compensation benefits, your injury must have happened while you were performing your job duties.

For example, if you work in a restaurant and twist your knee while taking dishes to the kitchen, it is likely you are owed benefits. On the other hand, if you were injured while you were on your lunch break or on your commute to the restaurant, then you're most likely not eligible to make a claim.



YOU DID NOT NOTIFY YOUR EMPLOYER OF YOUR INJURY WITHIN THE REQUIRED TIME



There are certain time limits in the Workers' Compensation claim process. After you are injured, it is important that you inform your employer about the injury as soon as you are able to.

If you don't report your injury as soon as possible, a number of things can happen.

If you have been hurt at work, tell your employer! If you wait, you might miss out on the benefits you are rightly entitled to.

YOU WERE INTOXICATED/UNDER THE INFLUENCE OF ALCOHOL OR DRUGS

Workers' Compensation is not about finding someone to blame. However, if alcohol or drugs were involved in your accident, you are NOT entitled to make a claim.

When you go to the doctor for a work injury, your boss has the right to require that you are tested for alcohol and/or drugs. If tests show that you were under the influence when the injury happened, then your claim will generally be denied.



YOU NEVER RECEIVED MEDICAL TREATMENT



You do not have to see the doctor for every small scrape or bruise you get at work, but if you think your injury is entitled to a claim, you will need the medical records to prove it.

If you did not receive medical treatment but later try to file a Workers' Compensation claim, without the supporting medical records, the insurance company can say you faked your injury to claim benefits.

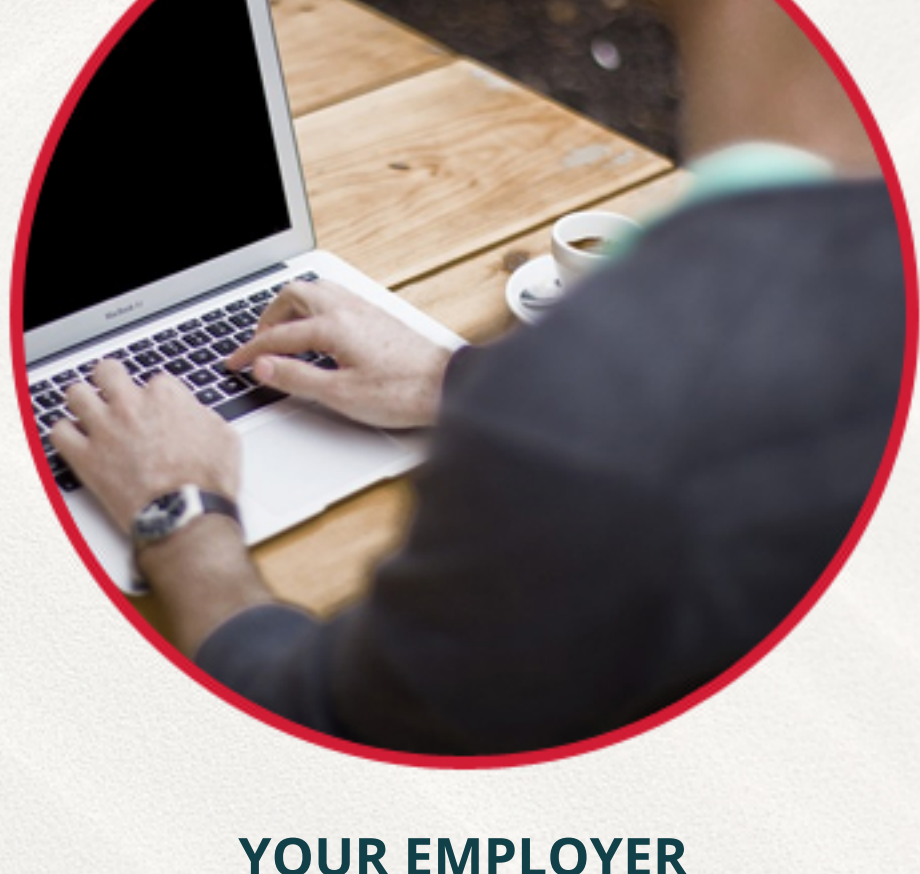


YOUR PAPERS WERE NOT FILED ON TIME

There are specific time limits and deadlines for when you have to file your Workers' Compensation claim.

Even for injuries that develop slowly over time, like carpal tunnel syndrome, time limits apply.

If you do not file your papers on time, you are giving your employer and the insurance company another reason to deny your claim.



YOUR EMPLOYER DISPUTES YOUR CLAIM

Your employer can, and will, dispute your claim. They may be afraid that the cost of their Workers' Compensation coverage will increase if there is a claim on their policy. To combat this they could argue that the details of the case are incorrect or that you were not at work when you got injured.

As with reason number 1, this point can be especially true if there are no witnesses or surveillance footage to support your claim. If you were hurt and no one saw it, make sure you tell your employer and co-workers what happened as soon as possible.