

SECTION M

Accident Investigation & Accident Reporting

Investigation of workplace accidents will be a primary tool used by The County of Luzerne to identify causes of accidents and to develop strategies for the prevention and mitigation of future workplace accidents.

The results of each investigation will be reduced to writing on **Form LC-SH-13** and submitted for review by The County of Luzerne's insurance risk management advisors. If the accident resulted in an injury to a non-employee, the report will also be provided to the County's legal counsel.

All accidents must be reported immediately to the injured employee's supervisor, no matter how small the injury may appear to be. All accidents shall be documented regardless of the need for medical attention. **Form LC-SH-13** will be used to prepare a First Report of Injury by the appropriate department supervisor. The purpose of the accident report form is to provide information on the accident causation and the subsequent mitigation and prevention measures that are taken to prevent the accident.

Cameras will be available to take pictures immediately after any occurrence. Some workplaces may also have a video camera. A written report should be prepared from notes and diagrams made at the scene.

All statements should include the time and date given, and the town or county where the statement was made. Make sure that the names, addresses, and day and evening phone numbers of all eyewitnesses are noted or recorded.

A satisfactory accident report will answer the following questions:

1. What happened? The investigation report should begin by describing the accident, the injury sustained, the eyewitnesses, the date, time and location of the incident and the date and time of the report. Remember: who, what, when, where and how are the questions that the report must answer.
2. Why did the accident occur? The ultimate cause of the accident may not be known for several days after all the data are analyzed. However, if an obvious cause suggests itself, include that information in your conclusions as a hypothesis at the time you give your information to the person in charge of the investigation.
3. What should be done? Once a report determines the cause of the accident, it should suggest a method for avoiding future accidents of a similar character. This is a decision by the Safety Coordinator and the Department Supervisor. Once a solution has been adopted, it is imperative that it be implemented.

The report should clearly identify what the causative factors are that allowed the accident to occur. Causative factors such as "careless" are too broad and do not clearly identify an effective corrective action. The corrective action should attempt to eliminate the potential for the same accident to reoccur. At minimum, the corrective action should reduce the likelihood and/or potential severity of the outcome.

Near Misses

Near Accidents or “close calls” should also be evaluated and investigated based on the following criteria:

- 1) The likelihood of a reoccurrence of the same situation
- 2) The potential outcome severity, had the close-call caused an injury

A near miss that has a high potential re-occurrence and/or a high potential severity outcome should be investigated using the same procedures outlined, herein.

The injured employee’s supervisor is responsible for completing the accident report within twenty-four hours of the incident. The report must be delivered to the Safety Coordinator’s office within this time period. If the injury involves admission to a medical facility, time off or restricted from normal work activities, the Safety Coordinator shall be contacted as soon as possible.

Workers’ Compensation Procedures

Employee Responsibilities

If you are injured at work, the County has arranged for the payment of your workers’ compensation benefits through the use of a Third Party Administrator (TPA). The name of the TPA is posted in the work areas.

No matter how slight an injury may appear, every employee is responsible for reporting an injury to his or her supervisor. Failure to do so can result in disciplinary action. In addition, failing to report a claim, could cause the claim to be denied under Pennsylvania Law.

Workers’ Compensation Insurance is designed to provide employees wage loss benefits and reimbursement for reasonable medical care for anyone who is injured on the job. The County will provide payment for reasonable surgical and medical services rendered by health care providers, medicines and supplies, when needed.

In accordance with the Pennsylvania Workers’ Compensation Act, the County of Luzerne has posted a list of at least six health care providers from which you can select. This list is posted at various locations. You are to obtain treatment from a provider on the list for the first ninety (90) days from the date of your first treatment.

In addition, the following rights and duties under the Act apply:

1. The employee has the duty to obtain treatment for work-related injuries and illnesses from one or more of the designated health care providers for a period of 90 days from the date of the first visit.
2. The employee has the right to have all reasonable medical supplies and treatment related to the injury, paid for by the employer if the treatment is obtained from a designated provider during the first 90-day period.

3. The employee has the right during this 90-day period to switch from one health care provider on the list to another, and have all such treatment paid for by the employer.
4. The employee has the right to seek emergency treatment from any provider, but subsequent non-emergency treatment will be by a designated provider for the remainder of the 90-day period.
5. The employee has the right to seek medical treatment from any provider during the first 90-days, **BUT** such services will be at the employee's expense for the applicable 90 days.
6. The employee will have the right to seek treatment from any health care provider after the 90-day period has ended, and such treatment will be paid for by the employer, provided it is reasonable and necessary.
7. After 90 days from the date of the first treatment, the employee will have the duty to notify the employer of treatment by a non-designated provider. The County is not required to pay for treatment rendered by a non-designated provider before receiving this notification. However, the employer will pay for these services once notified, unless the treatment is found unreasonable by a Utilization Review Organization (URO), under the Act.

Remember that prescription drugs are only reimbursed at certain monetary levels. Therefore, if you are presented with an invoice, please make sure that the pharmacy has only charged you the amount permitted under the PA Workers' Compensation Act.

All physicians/health care providers must file reports within 10 days after your first visit, and at least once a month thereafter, for as long as the treatment continues in order for payment to be made. These forms shall be sent to the Director of Human Resources who will provide a copy to the Safety Coordinator. This information will be treated as confidential.

If one of the physicians/health care providers listed on the attached sheet refers you to another health care provider, the County will pay the reasonable bills for these services. All claims submitted will be reviewed and if necessary investigated. Within twenty-one (21) days, the TPA will determine the status of the claim. The following are possible outcomes of this review:

- a) Accepted as Compensable for Medical Expenses Only
- b) Accepted as Compensable for Medical and Indemnity Expenses
- c) Noted as an Incident Only (No treatment rendered/No lost time)
- d) Not Accepted as Compensable (denied)

The status report of the claim, once it has been received from the TPA, will then be forwarded to Director of Human Resources who will provide a copy to the Safety Coordinator and the Employee's Supervisor. The supervisor will provide the employee with a copy of the report.

Questions regarding the Workers' Compensation Insurance should be directed to the Human Resources Director or TPA representative. Refer also to Section O regarding return to work guidelines.