



**The University of Texas at Dallas
Workers' Compensation Guidelines**



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I. Workers' Compensation Overview

a. Labor Code

In Texas, Workers' Compensation programs are governed by the Texas Workers' Compensation Act found in the Texas Labor Code § 401. <https://statutes.capitol.texas.gov/Docs/LA/htm/LA.401.htm>

b. UT System Governance

The Workers' Compensation program at UT Dallas is governed by The University of Texas System as authorized by the Texas Labor Code § 503. <https://statutes.capitol.texas.gov/Docs/LA/htm/LA.503.htm>

c. CCMSI Administration

The University of Texas System has associated with CCMSI <https://www.ccmsi.com/> as their third-party administrator for the Workers' Compensation program. CCMSI claims representatives work closely with the UT System claims supervisors on each claim.

d. IMO Medical Network

The University of Texas System has contracted with IMO Med-Select Health Care Network <https://injurymanagement.com/services/med-select-network/> to provide a network of medical providers our employees can choose from <https://injurymanagement.com/find-a-provider/>.

e. RxBridge

The University of Texas System has contracted with RxBridge www.RxBridge.com to provide pharmacy services for our employees.

f. UTD Workers' Compensation Representative

The University of Texas at Dallas's Workers' Compensation Representative works with all UTD employees, their supervisors and departments to file claims on behalf of the employees.

g. Definitions

Administrative Violation - a violation of the Texas Workers' Compensation Act or a rule adopted under the Act that is subject to penalties and sanctions as provided in the Act. Fines range from \$500-\$25, 000 per violation.

Benefit - includes medical, income, death or burial benefits an employee or beneficiary receives based on a compensable injury.

Compensable Injury - an injury that arises out of and in the course and scope of employment for which compensation is payable under The Texas Workers' Compensation Act.

Course and Scope of Employment - an activity of any kind or character that has to do with and originates in the work, business, trade or profession of the employer and that is performed by an employee while engaged in or about the furtherance of the affairs or business of the employer.

Disability - the inability to obtain and retain employment as a result of a compensable injury.

Health Care - Includes all reasonable and necessary medical aid, medical examinations, medical treatments, medical diagnoses, medical evaluations and medical services. This excludes vocational rehabilitation.

Injury - damage or harm to the physical structure of the body and those diseases or infections naturally resulting from the damage or harm. Also includes occupational diseases.

Occupational Disease - a disease arising out of an in the course of employment that causes damage or harm to the physical structure of the body. The term includes other diseases or infection that naturally result from the work-related disease. Occupational disease excludes any ordinary disease of life to which the general public is exposed outside of employment, unless that disease is an incident to a compensable injury. Excludes repetitive trauma injuries.

Repetitive Trauma Injury - damage or harm to the physical structure of the body occurring as the result of repetitious physically traumatic activities over time in the course and scope of employment.

Wages - includes every form of remuneration payable for a given period to an employee for personal services. This includes the market value of board, lodging, laundry, fuel and any

other advantage estimated in money which the employee receives from the employer as part of the employee's remuneration.

Definitions as they pertain to Peace Officer claims

Disabled - unable to work in one's capacity as a Peace Officer due to a compensable injury at wages equivalent to a pre-injury wage.

Emergency Leave - Employee leave authorized under Texas Government Code § 661.902(b), Emergency Leave.

Injury Leave - Emergency Leave, including the right to salary continuation, to Peace Officers employed The University of Texas System who are injured in the line of duty and Disabled and therefore have good cause for taking Emergency Leave under Texas Government Code § 661.902(b), and granted under the authority of Texas Labor Code § 408.105

Maximum Medical Improvement - The earliest date after which, based on a reasonable medical probability, further medical recovery from or lasting improvement from an injury can no longer reasonably be anticipated as defined in Texas Labor Code Section 401.011(30).

Peace Officer - an employee of a System institution who is commissioned to serve as a peace officer under Article 2.12, Code of Criminal Procedure and Section 51.203, Texas Education Code.

II. Policies

- a. UTDBP3111Workers' Compensation Program
<https://policy.utdallas.edu/utdbp3111>
- b. UTS 185 Injury Leave for Peace Officers
<https://www.utsystem.edu/sites/policy-library/policies/uts-185-injury-leave-peace-officers>

III. UTD Processes

a. Reporting the Injury

All UTD employees are required to report a workplace injury to the UTD Workers' Compensation Representative within three (3) days of the occurrence. The employee must complete the Employee Report of Injury and the Network Acknowledgment Form. The employee's supervisor must complete the Supervisor Investigation form and any witness to the incident must complete the Witness Statement Form.

b. Claim Analysis

Once the workplace injury has been reported, the UTD Workers' Compensation Representative will analyze the claim to ensure the injury falls within the guidelines and is not excluded.

An injury is not covered under the following circumstances:

1. The injury occurred while the employee was intoxicated;
2. The injury was caused by the employee's willful intention and attempt to injury himself or another person;
3. The injury was caused by the employee's horseplay;
4. The injury arose out of an act of a third party intended to injury the employee because of personal reasons;
5. The injury arose out of a voluntary participation in an off-duty recreational, social, or athletic activity not constituting part of the employee's work-related duties; or
6. The injury arose out of an act of God unless the employment exposes the employee to a greater risk than ordinarily applied to the general public.

c. Intake Forms

Each injured employee required to submit the following forms:

1. Employee Report of Injury; and
2. Network Acknowledgment.

The supervisor for each injured employee is required to submit the following form:

1. Supervisor Investigation.

Any witness to a workplace injury is required to submit the following form:

1. Witness Statement.

d. Claims Process

The UTD Workers' Compensation Representative will file the claim with CCMSI. A representative from CCMSI will contact the employee, the supervisor and any witnesses. All UTD employees need to cooperate with the CCMSI representative(s).

The injured employee can seek treatment from any network provider. A list of network providers can be found here: <https://injurymanagement.com/find-a-provider/>

All medical care will be coordinated through IMO, this includes any referrals to specialists or to physical therapy.

All pharmacy needs and prescriptions will be coordinated through RxBridge.

e. Return to Work/Modified Duty

UTD has a return to work policy as outlined in UTDBP3111 <https://policy.utdallas.edu/utdbp3111>.

When feasible, all injured employees who are released to work with restrictions will be accommodated. UT Dallas departments and the injured employee's supervisor are required to work in cooperation with the Workers' Compensation Representative to accommodate employees injured on the job and temporarily restricted (as determined by their treating doctor) from performing their regularly assigned duties for a limited period of time.

Every effort will be made to accommodate the employee in their existing department. In rare cases, the injured employee may be accommodated in a different department(s) during their recovery.

f. Temporary Income Benefits

If you do not miss time from work because of a work-related injury or illness, Workers' Compensation Insurance will begin paying Temporary Income Benefits (TIBS) to you on the eighth (8) calendar day you are off from work if your claim has been determined to be compensable, and you either elected to take the time off without pay or you had no accrued time available. Although there is a seven (7) day waiting period where TIBS are not payable, should disability extend to the fourteenth (14th) day after the first day of disability, the carrier will then issue a TIBS payment for the waiting period.

TIBS are calculated at approximately 70% of the amount of money they earned during the 12 weeks prior to their work-related injury or illness.

TIBS can be paid to them only if they are on unpaid status during their time off from work. They cannot take accrued leave and receive TIBS at the same time.

g. Telemedicine

Injured employees have the option of pursuing treatment through telemedicine as long as the employee chooses a provider through the IMO Med-Select provider network.

h. Telecommuting

Employees who file a workers' compensation claim for an injury that occurred while working from home must comply with Texas Government Code § 658.010 and have either an approved telecommuting agreement through Human Resources or have express written approval from their supervisor to work from home.

i. Out of State Claims

If an employee is injured while out of state, seek medical attention at the closest clinic or ER. Report the injury to the UTD Workers' Compensation Representative as soon as possible.

j. International Claims

Claims for employees injured while working internationally will be handled in conjunction with the UTD Workers' Compensation Representative, UTD Assistant Director of International Risk & Safety and the UT System International Risk & Insurance Analyst. Employees will report any injury to the UTD Assistant Director of International Risk & Safety to receive medical care while abroad. Once the employee returns to UTD, the UTD Workers' Compensation Representative will coordinate any ongoing care needs.

IV. Resources

- a. IMO Notice of Network Requirements**
- b. Network Providers Link** <https://injurymanagement.com/find-a-provider/>
- c. Intake Forms**
- d. Summary Guidance**
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