

# MUS SELF-FUNDED WORKERS' COMPENSATION PROGRAM

## HIGHLIGHTS For SUPERVISOR & EMPLOYEES

<https://mus.edu/workcomp/>

Employees of the Montana University System (MUS) are provided with workers' compensation coverage through the MUS Self-Funded Workers' Compensation Program. There is no employee cost for this coverage.

Workers' compensation benefits are paid in cases of eligible work-related injuries and diseases that are compensable under the [Montana Workers' Compensation Act \(WCA\)](#) – generally, those that occur accidentally through the course and scope of employment, and that are verified by medically objective findings. Benefits available through the MUS Self-Funded Workers' Compensation Program include related expenses for:

- Approved medical, hospital and related services;
- [Stay-at-Work/Return-to-Work assistance](#);
- Wage compensation for those who are temporarily unable to work. Under current rules, replacement wages equal to 2/3 of the employee's average weekly wages, typically calculated using the previous 4 pay periods, up to a maximum weekly amount established annually by the Montana Department of Labor (DLI).
- Vocational Rehabilitation opportunities and disability compensation in cases of permanent impairment.

For more information helpful to an injured worker please see the MT Department of Labor & Industry (DLI) [Workers' Compensation Benefits Summary](#)

### Explanation of the Work Comp Claim Process (\*MT Employees)

1. **The employee and supervisor complete a 2-step process to submit a [First Report of Injury \(FROI\)](#) to the campus claim coordinator.**

**Step 1:** Employee completes their portion of the encrypted electronic FROI. The employee's signature authorizes medical providers to provide relevant health information to the workers' compensation claim examiner.

MUS employees should report injuries and complete a FROI immediately following a work-related injury or becoming aware of an occupational illness/disease (OD). Prompt reporting leads to best injury recoveries, allows workplace hazards to be eliminated, and helps protect your eligibility for workers' compensation benefits. (*Occupational Illness/Disease (OD) is a work-related medical condition that develops over time.*)

Delayed reporting an injury or OD to your employer can result in lost injury prevention opportunities, slower recovery, and may complicate your ability to prove work-relatedness. Employees who report or file a FROI for occupational injuries or illnesses beyond statutory timelines, [30 Days](#) for injuries or [1 year](#) from knowing or should-have-known of an OD, may be *ineligible* for workers' compensation benefits.

**Step 2:** The Supervisor reviews the FROI, completes the Supervisor's section and submits the form.

- If the Supervisor is present with the employee, they respond to the questions that follow immediately after the employee's section of the FROI.
- If the Supervisor is not immediately present, they will receive the FROI for their input through a secure email.

Both the employee and employer should complete each section of the FROI as thoroughly as possible with information available, including details on when, where and how the injury or illness occurred and who was involved. However, the **FROI should be completed and submitted as soon as possible for best possible outcomes**; additional information not immediately available may be reported later.

Each campus has a [claim coordinator](#) who will review the claim and may contact you and possibly your supervisor for more information. The claim coordinator does not make any determinations regarding the claim. When finalized, the campus claim coordinator submits the claim to a professional claim examiner. The claim coordinator and claim examiner will remain an important part of your recovery team.

## 2. **Campus claim coordinator finalizes FROI and submits it to a professional claim examiner.**

The [claim examiner](#) has primary responsibility for managing the employee treatment, recovery, and work comp claim process. The claim examiner will make initial contacts and provide a claim number to the employee – for minor claims, initial contact may be by mail.

The claim examiner is responsible for evaluating the circumstances of the incident, determining compensability, authorizing medical care, and working with the workers' recovery team to ensure the entire treatment and recovery process is well managed. The workers' recovery team includes the employee and employee's supervisor, medical provider(s), campus claim coordinator, and claim examiner. More complex claims may involve additional specialists.

It is important for employees to recognize the importance of the claim examiner's role in navigating the employee through treatment and recovery within the workers' compensation system. A claims examiner shares the employee and employer interests in getting timely, medical treatment necessary to optimize recovery and return to work. Those shared goals, together with the legal obligations and constraints established by the [MT Workers' Compensation Act](#) and [MT Rules of Administrative Procedure \(ARM\)](#), require the claims examiner to take a more active role than what an employee may be familiar with through their experience with group health insurance (such as <https://choices.mus.edu/>).

**The key to getting the best, timely care is establishing and maintaining good communication with your claim examiner.** A few key items to remember:

- Other than emergencies, medical appointments must be pre-approved by your claim examiner – *they can also help you get appointments faster!*
- Attend all approved medical appointments or notify the provider and the claim examiner in advance if you must reschedule,
- If you have any concerns about your treatment plan, your medical provider, or your recovery, share them with your claim examiner to help find solutions,
- Utilize Stay-at-Work/Return-to-Work opportunities with your employer and keep the claim examiner informed on progress or any concerns,
- Notify your claim examiner immediately if you do not receive wage replacement or other benefits on time,
- Your work comp claim examiner can be a powerful ally in getting timely medical and therapy appointments, accessing specialists, ensuring your payments are timely, and helping you stay on track to heal and recover.

## 3. **Claim Acknowledgement letter is sent to the employee.**

Watch for this letter in the mail. Keep all claim-related documents you receive. If you haven't already, now is a good time to review more information about workers' compensation in Montana:

- [MT University System Workers' Compensation Program website](#)
- [Your Campus Workers' Compensation website](#)
- [MT DLI Workers Compensation website](#) and [benefits brochure](#)

4. **Compensability is determined by the professional claim examiner and a determination letter sent to the employee.**

The [claim examiner](#) reviews all the information and determines if the injury or illness is eligible for workers' compensation coverage. Very generally, compensable work comp claims are for work-related injuries and diseases that are incurred accidentally, arise from and through the course and scope of employment, and that are verified by objective medical findings. Each claim must be independently evaluated based on the specific facts of the claim. Montana statute allows 30 days for a determination to accept or deny a claim, with some exceptions if a determination cannot reasonably be made within 30 days.

**When a claim is accepted:**

The MUS Self-Funded Workers' Compensation Program pays expenses related to the injury or illness for:

- Approved medical, hospital and related services  
MUS WC has an extensive list of [Pharmacies](#) located throughout Montana that accept the work comp Pharmacy Card;
- Wage compensation for those who are temporarily unable to work. Under current rules, replacement wages equal to 2/3 of the employee's average weekly wages, calculated using the previous 4 pay periods, up to a maximum weekly amount established annually by the Montana Department of Labor (DLI);
- Stay-at-work/Return-to-work (SAW/RTW) assistance to facilitate an employee's return to productive work as soon as medically feasible using temporary transitional work opportunities when necessary;
- Vocational Rehabilitation opportunities and Disability Compensation in cases of permanent impairment.

The claim examiner and employee work closely together with the medical providers to coordinate care.

Best outcomes are achieved when the employee and employee's supervisor, medical providers, campus claim coordinator, claim examiner, and specialists if needed, work as a team. The goal of the team is to maximize the employee's healing and to facilitate the employee's appropriate return to [productive work](#) and life activities.

In most cases, an employee returns to work shortly after receiving the necessary medical care and contact with the workers' compensation team is minimal. MUS also provides [Stay-at-Work/Return-to-Work Assistance](#) to facilitate the restoration of health and minimize disruption by reintegrating the worker to the same position or to a temporary transitional position within the employee's current physical capabilities as soon as possible.

In rare events, employees require ongoing medical care and may require time away from work. Regular communication throughout the team is especially important in these more complex cases. [Partial Wage Loss Benefits](#) may be available to employees medically required to take time off work.

**If a claim is denied:**

When a claim is denied the claim examiner sends a letter indicating the denial along with the reason for the denial to the employee.

The MUS Self-Funded Workers' Compensation Program is committed to providing all the work comp benefits necessary to the employee's recovery and return to work that an employee is legally entitled to receive. The Program is also committed to ensuring that the Program is a good steward of MUS funds and that it pay only those costs that are the statutory responsibility of the workers' compensation program.

If an employee thinks that a claim was denied in error, the employee may utilize the MUS Work Comp Program's internal appeal process or may appeal a denied claim to the Montana DLI.

**If a claim is delayed:**

Rarely, the 30 days allowed by Montana statute does not provide adequate time to determine whether to accept or deny a claim. Such claims usually involve circumstances where the employee's medical records have not been provided or are inconclusive, or the employee's work status at the time of the injury has not been substantiated. The claim examiner will aggressively pursue information necessary for an appropriate determination and will provide updates to the employee at least every 30 days. If such a case involves wage loss, payment of indemnity benefits may be made under a reservation of rights consistent with Montana workers' compensation statutes.

*\*\*MUS employees who work and reside outside Montana on a more than temporary, travel-status basis must follow the [Non-Montana Claim Process](#), not the process described above. Workers' compensation is regulated state-by-state, MUS purchases a workers' compensation insurance policy to ensure its non-Montana employees have appropriate state-specific coverage. This claim process differs slightly from that described for Montana employees – Timeliness is still essential to protecting your eligibility to workers' compensation benefits. Contact your campus claim coordinator with questions or for assistance with a non-Montana workers' compensation claim.*

## Successful Healing and Return to Work

1. Report all incidents to your supervisor as early as possible, even if you aren't certain you will seek medical attention. Workers' Compensation claims require timely notice, a delay in reporting could negatively hinder appropriate care, delay healing and increase costs of the claim as well as put your eligibility for workers' compensation benefits at risk.
2. Follow directions provided by your medical care provider and claim examiner.
3. Participate in opportunities for temporary, transitional return to work if you are not immediately able to return to full, regular job duties. Appropriate job activities facilitate healing and prevent unnecessary economic loss to the employee. MUS offers [Stay-at-Work/Return-to-Work Assistance](#) intended to facilitate meaningful temporary, transitional work opportunities within their medically approved abilities during the healing process. Employees who are capable of work but choose not to work are not eligible for workers' compensation time-loss/wage-replacement benefits.
4. Prevent future injuries to you or your co-workers by assisting with injury prevention strategies and by following safe work practices.
5. An injury or time away from work can be stressful, and often other stressors occur at the same time that can slow recovery and return to work. Managing stress in healthy ways is important to the healing process. Eating a healthy diet, getting enough sleep, and staying connected with family, friends, and co-workers is important during recovery. The [MUS Employee Assistance Plan \(EAP\)](#) offers numerous resources to help you manage financial and personal stressors