



TEXAS TECH UNIVERSITY HEALTH SCIENCES CENTER

Operating Policy and Procedure

HSC OP: 70.13, Workers' Compensation Insurance

PURPOSE: The purpose of this Health Sciences Center Operating Policy and Procedure (HSC OP) is to establish policy and procedure for the administration of the Workers' Compensation Insurance (WCI) Program in coordination with the investigation and analysis programs that are needed to promote the prevention of work-related accidents, injuries, and illnesses. This Operating Policy and its implementation will conform with the policies and guidelines of the State Office of Risk Management (SORM) and the Texas Department of Insurance, Division of Workers' Compensation (TDIDWC), and collaborating policies of TTUHSC.

REVIEW: This HSC OP will be reviewed on March 1 of each odd-numbered year by the Assistant Vice Chancellor, Risk and Compliance Officer of the Texas Tech University System Office of Risk Management (TTUS ORM) and the Vice President and Chief Human Resources Officer, with recommendations for revision forwarded to the TTUHSC Executive Vice President and Chief Operating Officer.

POLICY/PROCEDURE:

1. General.

- a. Workers' Compensation Insurance (WCI) is regulated by the State of Texas and provides medical benefits and income indemnity for injuries and occupational illnesses arising from the course and scope of employment. This program covers all employees whose names appear on the payroll. The State Office of Risk Management is directly responsible for administering this program to state employees. The TDIDWC promulgates rules and regulations governing WCI.
- b. The Incident Investigation program provides for investigation and analysis of all reported accidents that arise out of the course and scope of employment that did, or could have, resulted in injury or illness, and includes accidents involving employees that occur in or on TTUHSC facilities. All employees are included in the Incident Investigation program.

2. Program Administration.

- a. Orientation - Workers' Compensation Insurance. The WC Claims Manager and the Director of Risk Management of the TTUS ORM is available to inform all employees of this program, their responsibilities in connection with it, and how to access benefits properly. This information is provided in the NTMO training module for all new hires.
- b. Management Responsibilities. All managers with authority over employees' job duties shall provide the following assistance as appropriate when reportable work-related accidents, injuries, or occupational illnesses occur.
 - (i) Assist injured employees in obtaining first aid or medical care if necessary. Note: If a blood-borne pathogen exposure occurs, to qualify for Worker's Compensation, the employee who claims a possible work-related exposure to HIV infection must provide the employer with a written statement of the date and circumstances of the exposure and document that, within ten days after the date of the exposure, the employee had a test result that indicated an absence of HIV infection (28 TAC Part 2 Chapter 122 Rule 122.4 and Texas Health and Safety Code 85.116).

- (ii) With the exception of emergency medical care, please utilize the following provider provisions for the employee's medical care:
 - a) Non-network coverage – At the time of this writing, all campuses are considered In-Network. Refer to the next paragraph.
 - b) In-network coverage – All locations fall within a network area; however, this coverage is subject to change. Please access the link below to verify coverage on the area service map.
Health Care Network – The State Office of Risk Management
You must complete the Workers Compensation Network Acknowledgement.
- (iii) For hospitalizations or deaths of any employee, call the TTUS Office of Risk Management and verbally report the injury or incident as soon as possible. In all cases, access the TTUS ORM Risk Management Information System (RMIS) and submit an incident report: via TTUS Risk Management Portal
- (iv) Submit the injury/incident via the TTUS Incident Reporting Portal. Also, ensure that the employee completes and submits an EMPLOYEE'S REPORT OF INJURY (SORM 29) form which is the employee's perspective of the injury, to the Office of Risk Management.
- (v) Submit the completed AUTHORIZATION FOR RELEASE OF INFORMATION (SORM 16) form to the Office of Risk Management.
- (vi) If there were witnesses to the accident, submit the WITNESS STATEMENT (SORM 74) form to the Office of Risk Management.
- (vii) If lost time is involved (more than one workday), assist the employee in completing an EMPLOYEES ELECTION REGARDING UTILIZATION OF SICK AND ANNUAL LEAVE (SORM 80) form. Submit the completed SORM 80 form to the Office of Risk Management. NOTE: Failure to complete this form is deemed an election for unpaid leave. (Texas Labor Code, Section 501.044). The employee's department administrator will need to submit appropriate personnel forms in accordance with TTUS Regulation 10.10 (Employee Leave) to place the employee immediately on Leave Without Pay.
- (ix) Submit a SUPPLEMENTAL REPORT OF INJURY (TWCC-6) form to the Office of Risk Management when the employee returns, has additional days of disability, has a change in weekly earnings after the injury, is terminated or resigns.
- (x) Review HSC OP 70.43, Return-to-Work (RTW) Alternate and Light Duty Assignments, and take appropriate action.
- (xi) Submit to your campus Human Resources the appropriate forms in accordance with HSC OP 70.01, Employee Leave if the employee uses accrued sick leave or is placed on Leave Without Pay.
- (xii) Submit a WORKERS COMPENSATION NETWORK ACKNOWLEDGEMENT form to the TTUS Office of Risk Management, if applicable.

(All Attachments required by this section are available on the TTUS Office of Risk Management (TTU Mail Stop 2003) website in the "Employee Workers' Compensation Packet" DPF as one complete document.

- c. Employee's Responsibilities.
- (i) Employees are required to immediately report all on-the-job accidents, injuries, or occupational illnesses to their supervisor, regardless of whether medical expenses were incurred or time away from work was involved.
 - (ii) Employees are responsible for obtaining and completing an [EMPLOYEE'S REPORT OF INJURY \(SORM 29\)](#). The completed form must be sent to the Office of Risk Management.
 - (iii) Submit a complete [AUTHORIZATION FOR RELEASE OF INFORMATION \(SORM 16\)](#) to the Office of Risk Management.
 - (iv) If an attending physician reports that an employee is unable to return to work following an occupational injury, the employee must choose one of two elections on the [EMPLOYEES ELECTION REGARDING UTILIZATION OF SICK AND ANNUAL LEAVE \(SORM 80\)](#) form :
 - 1) To use accrued sick leave (with an accompanying annual leave election) until exhausted;
 - 2) To not use accrued sick or annual leave and to be placed on Leave Without Pay immediately.
- NOTE: Failure to complete this form is deemed an election for UNPAID Leave, Texas Labor Code, Section 501.044. The employee's departmental administrator will need to submit appropriate personnel forms following HSC OP 70.01 to immediately place the employee on Leave Without Pay.**
- (v) Submit a [WORKERS COMPENSATION NETWORK ACKNOWLEDGEMENT](#) form to the Office of Risk Management, if applicable.
- d. Workers' Compensation Claims Manager is the point of contact for all Workers' Compensation Claims and is the interface between the employee, supervisor, administrator, and the State Office of Risk Management. This individual assists employees in properly applying for benefits and coordinates reporting to the State Office of Risk Management as follows:
- (ii) May conduct a fact-finding interview to discover, to the extent possible, all applicable direct and indirect causes that contributed to the accident;
 - (iii) Maintain records on incident reports and investigations and provide trend analysis as requested;
 - (iv) Establish and maintain an incident or injury file on each case;
 - (v) Submit to the State Office of Risk Management the various forms required to complete the WCI claim as described in the State Office of Risk Management *Workers' Compensation Claims Coordinator Handbook*;
 - (vi) May request from the State Office of Risk Management the services of a Case Manager upon approval from the Managing Director of Risk Management for Texas Tech University System.
- e. Human Resources Responsibility. Once the department has submitted the completed Leave Without Pay form to campus Human Resources, Human Resources will enter the leave information into the Banner System.

3. **Benefits.**

Workers' Compensation Insurance benefits are legislated by the Texas Workers' Compensation Act. The Texas Department of Insurance, Division of Workers' Compensation, promulgates rules and regulations governing Workers' Compensation Insurance, and the State Office of Risk Management adjudicates claims for benefits made by State employees, including employees of Texas Tech University System, Texas Tech University, and Texas Tech University Health Sciences Center.

Specific information about WCI benefits and eligibility may be found on the Texas Department of Insurance, Division of Workers' Compensation website at: <https://www.TDI.Texas.gov/wc/>

4. **Leave Without Pay.**

- a. Refer to [HSC OP 70.01](#) for specific information on the proper reporting and administration of Leave Without Pay.
- b. Leave Without Pay shall be reported on the Leave With/Out Pay form (LWOP) through normal administrative channels and shall be dated from the first workday through the last workday the employee is absent without pay, and should indicate the number of work hours missed. It is important to report all leaves without pay, even for hourly employees. Failure to submit a timely LWOP may result in large additional workers' compensation insurance expenses to the institution for terminated employees or employees on Leave Without Pay.

5. **Right to Change Policy.**

TTUHSC reserves the right to interpret, change, modify, amend, or rescind this policy in whole or in part at any time without the consent of employees.