



****CSRMA ALERT****

REMINDER:

CALIFORNIA EMPLOYERS REQUIRED TO ADVISE EMPLOYEES OF THEIR RIGHT TO PRE-DESIGNATE TREATING PHYSICIAN

California law *requires* employers to notify employees of their right to pre-designate a treating physician at the time of hire, in regular communications and in your agency's posting notice.

Recent case law has confirmed the need for this. In the case of Knight vs. UPS & Liberty Mutual (en banc decision 10/10/06), failure to properly notify the employee of the employer's participation in an MPN and their rights under such an agreement resulted in total loss of control of the medical portion of the employee's workers' compensation claim. The employee's self procured medical treatment was found valid, resulting in large retroactive payments by the employer.

- A copy of the form to notify employees is contained with in the New Hire Packet in the CSRMA Workers' Compensation Claims Management and Return to Work Program.

To help members better control workers' compensation costs while ensuring injured employees receive quality care, CSRMA developed and gained State approval of a customized Medical Provider network (MPN). Participation in the CSRMA MPN is voluntary and free of charge to CSRMA members. The MPN provides thousands of doctors, clinics, hospitals and therapists for members and their employees to choose from. Many members have found the occupational clinics they were using were already part of the MPN. Others simply requested that their clinic be added to the MPN before joining.

If your agency has joined the CSRMA MPN, it is imperative that you advise your employees of their right to pre-designate a physician and that your agency participates in an MPN.

This must be done 30 days before your agency joins the MPN and at the time of hire. Your agency may be called upon to prove that you have provided such notice.

- A sample notice letter is contained with in the New Hire Packet in the CSRMA the CSRMA Workers' Compensation Claims Management and Return to Work Program.

If your agency would like more information regarding pre-designation notices or the MPN, please contact our CSRMA Workers' Compensation Advocate and Return to Work Specialist, Heather Truro at 925-922-0305 or htruro@comcast.net.