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HUMAN RESOURCES

TO: Victoria County Employees
FROM: Victoria County Human Resources
DATE: January 1, 2025
REF: Workers' Compensation Procedures

The following is a short summary of procedures and situations you may encounter while you recover from your work related injury. **Immediately notify your supervisor or department head that you have suffered an on-the-job injury. Please insure that you continue to keep your department informed whenever you are out of work for any reason (medical and loss time as a result of you injury).** We will be happy to help you in any way we can in our effort to get you back to work as soon as possible. Please call our Athens Administrators adjuster within 24 hours if able. They will also try to reach you by email or phone about your injury once we have submitted the required forms.

Contact Phone Numbers

Giani Cantu, HR Director (361) 578-0752
Joy Liggett, HR Specialist..... (361)575-4558
Deep East Texas Self-Insurance Fund..... 1-800-944-0859
Athens Administrators Adjuster (Assigned after claim filed).....(925) 826-1268
Texas Workers' Compensation Commission (TWCC)..... 1-800-252-7031

General Procedures

Once your department notifies us of your injury, we will proceed with the following:

- We notify Athens Administrators and Deep East Texas SIF of your injury. Athens Administrators is the adjuster working for Victoria County and Deep East. Our Athens Administrators Adjuster is available to work with you to obtain approval for non-emergency medical treatment. Your adjuster will be assigned after the claim is reported to Athens Administrators and Deep East Texas Self Insurance Fund.
- If your injury requires Workers' Comp. notification, Athens Administrators will notify the Texas Workers' Compensation Commission.
- We will submit form DWC 001 relating to you injury to Athens Administrators and Deep East Texas, which is a formal establishment of the injury. It does not admit or deny the injury, it records notification. We will also email or mail you a copy.
- Please notify any physician or other medical professional to contact our office to verify your workers comp injury. The last page of this procedure packet has all the current contact information for our office. This will allow them to arrange appropriate payment. Additionally, if you miss any time from work due to your injury, immediately notify your supervisor. Your supervisor will keep your timesheet up to date.

Physicians

An employee who sustains a bona fide, on-the-job work related, injury may seek medical attention from a TWCC approved medical facility or physician. All non-emergency treatment should be pre-approved by Athens Administrators. You must notify your department that you will be seeking medical treatment, as a result of your on-the-job injury; your department will then notify our office. Please complete a supplemental first report of injury if medical care is sought later. Our **Victoria County Employee Primary Health Clinic is not an approved medical facility for on-the-job injuries**.

After you have established a provider relationship, you must obtain permission from the Carrier to change providers treating a specific injury. Our office is able to provide you with information on how to undertake this step.

Under certain circumstances, the law allows us to require you to be examined by a physician of our choice. You will be notified if we elect to do so. Additionally, certain medical procedures or surgery may require you to obtain a second opinion prior to receiving treatment. You will be notified if this is the case due to your injury.

Lost Time

If your injury requires you to miss any time from your job, please:

1. Notify your department supervisor ***immediately***,
2. Your department will notify our office by submitting a First Report of Injury and/or supplemental forms.
3. Ask your physician to provide us with a written summary of your injury and/or condition. This will allow us to arrange appropriate work upon your return. In addition, **it is your responsibility to provide documentation from you physician authorizing dates you may and may not return to work**. Return to work statements must include any limitations.
4. **Time off work will be charged as follows:**

Non-Law Enforcement

The first seven workdays will be docked, or upon your written request, charged to your accumulated leave balances less legal deductions, if any.

On your eighth day out of work, Deep East Texas will start the process to pay you a total of 70% of you average weekly compensation as Temporary Income Benefits (TIBS). This average will be computed by looking at the 13 weeks prior to your injury. This payment will continue until you are: (1) returned to some form of work, (2) reach Maximum Medical Improvement (MMI), or (3) have received 105 weeks of such a payment. Once TriStar authorizes payment and if you also received payment for those first seven days

from the County, the County Treasurer's office will contact you for repayment unless the Adjuster reimburses the County.

Once you reach the 8th day, the County will be unable to deduct any portion of your insurance benefits or other deductions being withheld (insurance, credit union, child support, etc.) from your pay. **YOU MUST MAKE ARRANGEMENTS WITH THE HUMAN RESOURCES OFFICE TO CONTINUE YOUR HEALTH INSURANCE AND FOR INFORMATION REGARDING OTHER DEDUCTIONS.**

Law Enforcement (Line of Duty Injury only) Defined GC Chapter 615.021

Your base salary less legal deductions in the first seven days will continue uninterrupted if you sustain a bona fide on-the-job injury in the course of official law enforcement duties. Please remember, your injury must have occurred in the "Line of duty" as defined under GC§615.021 and you are in individual listed under GC§615.003.

On your eighth day out of work, Deep East Texas will start to pay you a total of 70% of you average weekly compensation as Temporary Income Benefits (TIBS) and the County will pay 30%, less legal deductions. This average will be computed by looking at the 13 weeks prior to your injury. This payment will continue until you are: (1) returned to some form of work, (2) reach Maximum Medical Improvement (MMI), or (3) have received 105 weeks of such a payment. Once Athens Administrators authorizes payment and if you also received payment for those first seven days from the County, the County Treasurer's office will contact you for repayment unless the Adjuster reimburses the County.

Return to Work

To return to work, you must provide a written release from you physician. You **will not be allowed** to return without such release. The release to work documentation **will detail specific limitations.** Injury leave may be terminated at any time without prior notice if receipt of evidence that the employee was able to work and has not done so.

Limited Duty

The county may elect to offer you limited duty, subject to the terms and conditions your physician describes. The work may be in your department or in another department. If you are returned to limited duty, your pay may be adjusted, depending on the type of work you are assigned. You may only return to limited duty for a rationed time period. This may be for a period of no more than 90 days. If you are unable to return to full duty at that time, you will be returned to leave of absence and will resume Temporary Income Benefits (TIBS).

It is important to understand that if we offer you limited duty, as defined by your physician, and you fail to accept that duty, your TIBS may be terminated.

Limitation Length and Types of Benefits

You may not receive more than 105 weeks of Temporary Income Benefits (TIBS), regardless of the nature of your injury.

You will receive three weeks of weekly benefit payments for each percentage of whole body impairment (IR) you receive. This may only be calculated after you reach Maximum Medical Improvement (MMI).

Under rare circumstances, you may be eligible for additional weekly benefits if you have sustained major injury. You will receive lifetime medical care for this injury.

You may choose to obtain legal advice relating to this injury. Your attorney will be paid at standard state rates which will be withdrawn from your TIBS benefits.

Your Job

Texas law prohibits Victoria County from retaliating against you for filing a Worker's Compensation claim. Victoria County policy focuses on returning you to as close to pre-injury condition as possible. Depending on the nature of your job assignment, most departments will try to retain your job until you return. However, you should be aware that the law does not require Victoria County to retain your job to the point that it interferes with the operation of Victoria County. Your department head may ask to have the function of your position reviewed and, under certain conditions, filled.

Throughout your involvement with your work related injury you must maintain communications with your department. Your supervisor will need to be informed of your status, lost time, estimated time of return, and other issues related to your injury. This policy notice is not intended to replace or limit your communication with your supervisor. You must keep your supervisor informed about your situation. Additional information is available under our Personnel Policies, Health & Safety 10.00 available at <https://www.vctx.org/page/human.resources.dept> .

Thank you,

Human Resources
County of Victoria

Work Comp Claim Information

CONTACT YOUR ADJUSTER WITHIN 24 HOURS

Claim Adjuster:	Phone:(833) 226-3398 Adjuster assigned once claim reported to Athens Administrators
Billing Address:	Athens Administrators PO Box 696 Concord, CA 94522-0696
Service Approved:	Initial Evaluation (For further treatment authorization contact the claim adjuster named above)
Pharmacy Benefits:	AspenCompRX Powered by OnePoint Comp+ Pharmacy Customer Service (866)337-6426
Employer:	Victoria County 115 N Bridge Rm 127 Victoria, TX 77901 HR Office Phone: (361) 578-0752 Fax: (361) 573-3028
Preauthorization Information	Injury Management Organization (IMO) Phone: (877)789-0041 Fax: (877)974-1962
Bill Review	Injury Management Organization (IMO) (877)339-1268

This document acknowledges that the employee has reported a work-related injury. It does not constitute a guaranty of payment or compensability, either expressed or implied.



INSTRUCTIONS FOR PRESCRIPTION BENEFIT CLAIMS

Dear Injured Worker:

The below AspenCompRx temporary prescription benefit card will authorize you to obtain prescription medications for your work-related injury, with no out-of-pocket expense. The card will be activated when the pharmacy processes the prescription medication along with all necessary information. Once activated, it will authorize you to obtain prescription medications that are directly related to your work injury. *NOTE: there may be limitations to how much of your prescription may be dispensed using this temporary benefits card, based on various elements such as jurisdiction and/or other restrictions in place for your employer's prescription benefit plan.*

This card is to be used ONLY for prescriptions related to your work injury. Should you attempt to use it for prescriptions not related to your work injury, it will become your responsibility to pay for those prescriptions.

Please avoid having any prescription related to your work injury filled directly by the prescribing physician's office, as most physicians do not accept prescription benefit cards for billing purposes.

You may fill your prescriptions at the AspenCompRx network pharmacy of your choice, which includes all major retail pharmacies.

For help finding your nearest network pharmacy, please call AspenCompRx at 1-866-337-6426 for assistance.

For other questions regarding your work-related injury, please call 1.888.55TRISTAR (1.888.558.7478) to contact your TRISTAR claims examiner.

Your AspenCompRx temporary prescription benefit card contains important claims and customer service information for you and your pharmacist. Please present the lower portion of this letter to your pharmacist when filling any prescription related to your work injury. A permanent card may be mailed to replace this temporary card.

 	
Workers Compensation Rx Benefit Card	
Rx BIN: 610243 Rx PCN: WC Rx Group: TMC Rx ID: TMC01	<small>This card is for Workers Compensation prescriptions only.</small>
Employee Name: _____ Employer Name: _____ Injury Date: _____	<div style="border: 1px solid red; padding: 2px; display: inline-block;">First Fill Only</div>

<small>Present this card along with your prescription when ordering your medications. If you have any questions regarding your pharmacy benefit program, please call Customer Service. Available 7 days a week / 24 hours a day.</small>
For Employees/Pharmacists: 866-337-6426
Card Instructions: Pharmacy should submit claims using the workers' compensation claim segment. This is an interim prescription benefit card and can only be used for an injured worker's first prescription fills.
Card will activate upon prescription submission
<small>If you have any issues filling a prescription, please contact the Pharmacy Help Desk number listed above.</small>
<small>Printed 10/1/2021</small>

Injured Employee Return to Work Resources

Injured Employee Checklist

The following information may help you recover from your injury and resume your normal activities, including going back to work as soon as possible.

Give the all of the following information to your doctor:

- ✓ Insurance claim number
- ✓ DWC claim number
- ✓ Insurance adjuster's name and telephone number
- ✓ Information about your regular job or other work opportunities
- ✓ Your employer's name and telephone number

Talk with your doctor:

- ✓ Go to all your medical appointments.
- ✓ Follow your doctor's directions carefully.
- ✓ Talk to your doctor to see if you can continue to work, even if you have some restrictions.
- ✓ Tell your doctor about your job and, if possible, provide a job description to help your doctor understand your work.
- ✓ Talk to your doctor to make sure you completely understand what you can and cannot do while you are recovering.
- ✓ Comply with the medical restrictions set by your doctor, at home and at work.

The benefits of going back to work:

- ✓ By continuing to work during your recovery, you will heal better and faster than if you remain off work for a long period of time.
- ✓ By continuing to work within your medical restrictions, you are helping yourself recover. Appropriate work can be part of your medical treatment.

Stay in touch with your employer:

- ✓ Keep your employer informed and up to date on your recovery and current abilities.
- ✓ Work with your employer so that you can return to productive work as soon as medically possible. Follow all company policies and requirements about workers' compensation injuries.
- ✓ Talk to your employer about work you could continue to do throughout your recovery.
- ✓ Help your employer determine what work you can do while you are getting better.
- ✓ Keep checking with your employer if work within your restrictions is not immediately available. As you recover, the situation may change.
- ✓ Notify your employer immediately if your work status changes.
- ✓ Be sure to let your employer know about any concerns or problems you have that are related to your health and job assignments.



OFFICE OF INJURED EMPLOYEE COUNSEL

Notice of Injured Employee Rights and Responsibilities in the Texas Workers' Compensation System

As an injured employee in Texas, you have the right to free assistance from the Office of Injured Employee Counsel (OIEC). This assistance is offered at local offices across the State. These local offices also provide other workers' compensation system services from the Texas Department of Insurance (TDI). TDI is the State agency that administers and regulates the workers' compensation system through the Division of Workers' Compensation (DWC).

Many services provided by OIEC and DWC can be completed over the telephone. You can contact OIEC by calling the toll-free telephone number 1-866-EZE-OIEC (1-866-393-6432). Additional information, including office locations, is available on the Internet at: www.oiec.texas.gov. You can contact DWC by calling the toll-free telephone number 1-800-252-7031. Information about DWC is available on the Internet at: www.tdi.texas.gov.

Your Rights in the Texas Workers' Compensation System:

- 1. You have the right to hire an attorney to help you with your workers' compensation claim.**
For assistance locating an attorney, contact the State Bar of Texas' lawyer referral service at 1-877-983-9227 or <http://www.texasbar.com/>. Attorney referral information can also be found on OIEC's website at www.oiec.texas.gov.
- 2. You have the right to receive assistance from OIEC if you do not have an attorney.**
OIEC Customer Service Representatives and Ombudsmen are available to answer your questions and provide assistance with your workers' compensation claim by calling OIEC or visiting an OIEC office. **You must sign a written authorization before an OIEC employee can access information on your claim.** Call or visit an OIEC office to fill out the written authorization. Customer Service Representatives and Ombudsmen are trained in the field of workers' compensation and can help you with scheduling a dispute resolution proceeding about your workers' compensation claim. An Ombudsman can also assist you at a benefit review conference (BRC), contested case hearing (CCH), and an appeal. However, Ombudsmen cannot make decisions for you or give legal advice.
- 3. You may have the right to receive medical and income benefits regardless of who was at fault for your injury, with certain exceptions. Your beneficiaries may be entitled to death and burial benefits.**
Information about the exceptions can be found at www.tdi.texas.gov or by visiting with OIEC staff.
- 4. You may have the right to receive medical care to treat your workplace injury or illness for as long as it is medically necessary and related to the workplace injury.**
You may have the right to reimbursement of your incurred expenses after traveling to attend a medical appointment or required medical examination if the trip meets qualifying conditions.
- 5. You may have the right to receive income benefits for your work-related injury.**
There are several types of income benefits and eligibility requirements. Information on the types of income benefits that may be available and the eligibility requirements can be found at www.tdi.texas.gov or by visiting with OIEC staff.
- 6. You may have the right to dispute resolution regarding income and medical benefits.**
You may request Medical Dispute Resolution if you disagree with the insurance carrier regarding medical benefits. You may request Indemnity (Income) Dispute Resolution if you disagree with the insurance carrier regarding income benefits. The law provides that your dispute proceedings will be held within 75 miles from your residence.
- 7. You have the right to choose a treating doctor.**
If you are in a Workers' Compensation Health Care Network (network), you must choose your doctor from the network's treating doctor list. You may change your treating doctor once without network approval. If you are not in a network, you may initially choose any doctor who is willing to treat your workers' compensation injury; however,

changing your treating doctor must be pre-approved by the DWC if you are not in a network. If you are employed by a political subdivision (e.g. city, county, school district,) you must follow its rules for choosing a treating doctor. It is important to follow all the rules in the workers' compensation system. **If you do not follow these rules, you may be held responsible for payment of medical bills.** OIEC staff can help you to understand these rules.

8. You have the right for your workers' compensation claim information to be kept confidential.

In most cases, the contents of your claim file cannot be obtained by others. Some parties have a right to know what is in your claim file, such as your employer or your employer's insurance carrier. Also, an employer that is considering hiring you may get limited information about your claim from DWC.

Your Responsibilities in the Texas Workers' Compensation System

- 1. You have the responsibility to tell your employer if you have been injured at work while performing the duties of your job. You must tell your employer within 30 days of the date you were injured or first knew your injury or illness might be work-related.**
- 2. You have the responsibility to know if you are in a Workers' Compensation Health Care Network (network).**
If you do not know whether you are in a network, ask the employer you worked for at the time of your injury. If you are in a network, you have the responsibility to follow the network rules. If there is something you do not understand, ask your employer or call OIEC. If you would like to file a complaint about a network, call TDI's Customer Help Line at 1-800-252-3439 or file a complaint online at <http://www.tdi.texas.gov/consumer/complfrm.html#wc>.
- 3. If you worked for a political subdivision (e.g., city, county, school district) at the time of your injury, you have the responsibility to find out how to receive medical treatment.**
Your employer should be able to provide you with the information you will need in order to determine which health care providers can treat you for your workplace injury.
- 4. You have the responsibility to tell your doctor how you were injured and whether the injury is work-related.**
- 5. You have the responsibility to send a completed Employee's Claim for Compensation for a Work-Related Injury or Occupational Claim Form (DWC041) to DWC.**
You have one year to send the form after you were injured or first knew that your illness might be work-related. Send the completed DWC041 form even if you already are receiving benefits. You may lose your right to benefits if you do not timely send the completed claim form to DWC. For a copy of the DWC041 form you may contact DWC or OIEC.
- 6. You have the responsibility to provide your current address, telephone number, and employer information to DWC and the insurance carrier. DWC can be contacted at 1-800-252-7031.**
- 7. You have the responsibility to tell DWC and the insurance carrier anytime there is a change in your employment status or wages.** (Examples of changes include: you stop working because of your injury; you start working; or you are offered a job).
- 8. Eligible beneficiaries or persons seeking death and burial benefits have the responsibility to send a completed Beneficiary Claim for Death Benefits (DWC-042) to DWC within one year following the employee's date of death.**
- 9. You are prohibited from making frivolous or fraudulent claims or demands.**