

CCM e-News Brief

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[Compliments of Charlotte Bishop, President, Creative Case Management, Inc.]

OSHA CITATION. Northstar Metal Products (Glendale Heights, IL) has been cited by the U.S. Department of Labor's Occupational Safety and Health Administration for 11 safety and health violations following an April 1 dust collector explosion and ensuing fire at the Glendale Heights sheet metal production facility. Two workers were injured, one of whom suffered face, arm and hand burns. OSHA has proposed fines of \$51,480. "Manufacturing companies using materials that cause combustible dust particles-hazards that are unique to their industry-must take precautions to avoid potential explosions and injuries," said Kathy Webb, OSHA's area director in North Aurora. "Employers must be aware of hazards at their work sites and take preventive measures." Northstar has 15 business days from receipt of its citations and penalties to comply, request an informal conference with OSHA's area director.

Source:<http://www.workerscompensation.com/compnewsnetwork/news/17745-combustible-dust-explosion-injures-two-illinois-workers.html>

Trust...But Verify. Although you want to trust your employees, unfortunately, fraud does happen. Some employees may commit fraud by staging accidents, faking injuries or pretending they are injured more seriously than they are. They might claim a non-work related injury or an old injury happened on the job. They might exaggerate the seriousness or length of a disability to stay off the job longer or increase their workers' comp payout. The Coalition Against Insurance Fraud has estimated that workers' compensation fraud cost employers \$6 billion a year. You must understand the definitions of fraud, abuse and malingering:

- Fraud means an intentional deceit, usually perpetrated for profit
- Abuse means to use wrongly or improperly or misuse
- Malingering means to exaggerate or pretend a degree of illness

Know how to follow up on claims where you suspect fraud, abuse or malingering. This includes contacting your adjuster, your defense attorney and your state's workers' compensation Special Investigative Unit. The key indicators of malingering, fraud and abuse are red flags. Notify the adjusters of claims with "red flags." Some of these are:

- Monday morning accident
- Arriving early for work
- Not seeing a hazard they just saw moments earlier
- The mechanism of injury does not make sense
- The accident was not witnessed
- The selection of a particular doctor over a more qualified doctor
- The employee being asleep when they would normally be awake
- The employee not being at home
- Tips from co-workers

And use Functional Capacity Evaluations. FCE is a type of testing that measures an employee's ability to perform various physical functions such as lifting, twisting, bending, range of motion, sitting and standing. Functional capacity testing can help determine a worker's capacity. FCEs can also help identify malingering by screening for symptom magnification. You should request that a treating physician or physical therapist complete a FCE if malingering is suspected. Source: <http://www.workerscompensation.com/compnewsnetwork/workers-comp-blogwire/17685-tips-to-avoid-workers%E2%80%99-compensation-fraud.html>

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