Work Related Injury/Illness/Exposure, HR-049

PURPOSE

It is the policy of Saint Luke's Health System (SLHS) to provide a safe work environment for all employees and to provide compensation to employees who properly report work-related illnesses, exposures or injuries in full compliance with the Workers' Compensation laws of the states of Missouri and Kansas.

POLICY

Reporting the Injury

Employees who have an occupational illness, exposure or injury are required to report first to their supervisor and, subsequently, to Employee Health Services (EHS).

All occupational illnesses or injuries, regardless of how minor, must be reported to the employee's supervisor, and to EHS, within twenty-four hours of onset, incident or knowledge thereof. Exposures to blood borne pathogens or other potentially infectious conditions should be reported immediately, without delay, for management. Whether an employee is reporting an illness, injury, or exposure, if EHS is closed, the employee should contact the Nursing House Supervisor. The Nursing House Supervisor will triage if the employee needs emergent care through the Emergency Department, or if it is appropriate for the employee to wait to contact Employee Health the next available business day. The Nursing House Supervisor is responsible for alerting EHS that an injury, illness, or exposure has occurred. The notification should include the employee's name, department and nature of injury, illness or exposure. If EHS is closed, and a Nursing House Supervisor is not available, the employee's supervisor should determine if the employee's need can wait until EHS is available, or the employee should present to the Emergency Department immediately for triage and care. The employee should be directed to the Emergency Department if they have an injury needing emergent care, or have potentially had an exposure to blood borne pathogens or other potentially infectious conditions.

Employees who fail to submit a written report of an occupational illness, exposure or injury within twenty-four hours, or the next business day, after the onset/incident may be subject to disciplinary action. Delinquent reporting slows the processing of a claim, delays the treatment and the healing process, and may expose coworkers and patients to contagious disease.

Report Forms

An injury report form must be completed by the employee in EHS by the end of the next business day after the
work-related incident. Designated personnel will complete all State-required paperwork.

**Lost-Time Payment**

Employees who are unable to work due to an occupational illness, exposure or injury will be compensated for lost time according to the State Workers’ Compensation Law. In Missouri, the law provides a three day waiting period without compensation after which an employee will receive two-thirds of his/her average weekly wage (not to exceed a maximum amount set by the legislature). In Kansas, the waiting period is 7 days. If the designated physician determines that the employee needs to be off work more than 14 days in Missouri and more than 21 days in Kansas, the employee will be paid, retroactively, for the first three or seven days. Leave of absence policies will be applied. The employee will be placed on Family Medical Leave (FML) during this period, if they are eligible.

Regardless of the length of absence, eligible employees may elect to utilize Paid Time Off (PTO)/Extended Sick Leave (ESL) for the waiting period according to the SLHS Paid Time Off policy (HR-032) and the SLHS Extended Sick Leave policy (HR-016). PTO/ESL hours will be reinstated if the employee retroactively receives Workers’ Compensation pay (TTD) for the waiting period and reimburses SLHS for the time taken.

Employees are responsible for continuing to pay their portion of group insurance premiums at the normal payroll deducted rate. The employee will be notified in writing of the procedure required to continue medical and/or dental insurance and other applicable benefits.

In Workers’ Compensation cases where the medical provider will not allow the employee to work, the employee may use accrued PTO or ESL, according to the SLHS PTO/ESL policies, as long as the combined Workers’ Compensation indemnity (“TTD”) and PTO/ESL payments do not exceed the employee’s base pay rate (80 hours maximum per pay period).

At the point in time in which TTD payments end, the option of using PTO or ESL to supplement TTD will no longer be available.

Employees are entitled to compensation payments once eligibility is met. Checks are issued by the Workers’ Compensation Third Party Administrator or designated insurance company and will be mailed to the employee’s home. Any questions regarding delay in payment should be directed to Employee Health Services or Human Resources.

**Medical Treatment**

All required medical treatment due to an occupational illness, exposure or injury will be coordinated by EHS. Employees are not responsible for charges incurred for medical treatment provided they receive treatment by an authorized physician chosen by EHS. The employee must contact EHS after each physician’s appointment. Employees who seek medical treatment other than that chosen by EHS will do so at their own expense. Those medical treatments will be considered unauthorized. Employees seeking outside medical treatment will be required to make available all examination and treatment records to EHS. The diagnosis of the EHS-selected physician will be considered the accepted opinion for treatment and only the EHS selected physician has the authority to release an employee from or back to work due to a work-related injury, exposure or illness.

Employees are required to keep follow-up physician appointments and to comply with all prescribed courses of treatment as directed by the authorized physician or EHS. In addition, employees are to remain in close contact with EHS.

Employees are required to immediately provide EHS with any written physician recommendations regarding
the course of treatment. Failure to do so may cause a loss of benefits and/or disciplinary actions.

In general, employees who have been released to return to work but are still receiving medical treatments will schedule their appointments during normal working hours and will be paid for time off for medical treatments as regular work time. Employees that have scheduled appointments away from their home entity and/or are anticipated to be away from their job for extended periods of time will be asked to time out prior to the appointment time and will not be paid for time spent during medical treatments. However, they can use PTO for the time away. Appointments outside normal working hours are non-compensable time. Unauthorized time off will be considered an unexcused absence.

**Transitional Work/Modified Duty Work**

In an attempt to return employees to work in their current department as quickly as possible, employees may be released to work with restrictions (i.e., lifting or standing restrictions). Every attempt will be made to accommodate the restrictions and the employee will be assigned to a modified duty position, if available.

Modified duty is a temporary measure. The length of time an employee may stay on modified duty status shall not generally exceed 12 weeks, unless, for example, the physician has projected a reasonable date of return to regular duty. The employee’s rate of pay will not be adjusted while on modified duty, and they will be paid by the department that utilizes them for work. If an employee is placed off work, or they are no longer eligible for modified duty, they will begin receiving TTD benefits. The SLHS Leave of Absence Policy (HR-056) will be applied, as appropriate. The employee will be placed on FML during this period, if they are eligible.

Employees, who qualify, may choose to use FML instead of being placed on modified duty. If the employee chooses this option, they must discuss their preference with EHS.

For more information about transitional work/modified duty work, refer to the SLHS Leave of Absence policy (HR-056).

**Absences**

If an employee calls in sick for reasons unrelated to their work-related injury (flu, cold, etc.) the employee’s time should be coded in accordance with PTO and ESL policies. To prevent duplication of pay, the Department should notify EHS immediately.

If the employee calls in sick because of a work-related injury/illness after being released by the EHS designated physician, the employee should be referred to EHS by the Supervisor. If the employee does not follow the Supervisor’s directives to report to EHS and/or remains off work without the EHS designated physician approval, the absence may be considered as unexcused. If the employee chooses to remain off work without the EHS designated physician approval, the employee may apply for FML and, if eligible, he/she will be paid as outlined in SLHS Leave of Absence policy (HR-056).

**Return to Work**

The SLHS Leave of Absence Policy (HR-056) and SLHS Equal Employment Opportunities for Individuals with Disabilities and Determining Ability to Perform Essential Functions of Positions policy (HR-015) will apply to employees who are released to return to work, with or without restrictions.

Employees may return to work only if they have a release from the designated physician, a return to work authorization from EHS, as well as an appropriate release from the Hartford/HR-Link-Leave Management if returning from a leave of absence. If the supervisor does not receive a return to work authorization, the employee will not be allowed to work and should be sent to EHS for follow up.
EHS will review the physician documentation and, in collaboration with HR and the department director, will address the following situations:

- The employee is deemed to have permanent restrictions: Employee Health will work with HR and the department director to make recommendations about whether there is a reasonable accommodation that can be made.
- The employee is deemed to have temporary restrictions: Determine the estimated length of time of the restrictions and work with HR and the department director to make recommendations and offer modified duty as available or other accommodation as appropriate.
- No limitations: The employee is accountable for performance of the essential functions of the job.

If the employee's needs cannot be reasonably accommodated in the current position, including due to undue hardship or direct threat, then the employee will be coached by Human Resources to contact HR Link-Leave Management to determine if he or she is eligible for any additional leave as a form of reasonable accommodation. If the employee is not eligible for any type of leave, or all available leave has been exhausted, the employee may be placed on a leave, typically for no more than 45 days (unless otherwise required by law). Conditioned on the employee having a release to work, with or without restrictions, during that 45 day period, the employee may apply for any vacant position for which he/she meets the qualifications and will receive priority consideration during the interview process. If the employee has a qualifying disability, his or her ability to return to work will be evaluated considering any needed reasonable accommodation. At the end of the 45 day period (or a definite time within a reasonable time thereafter), the employee remains unable to return to work, or no suitable vacant position is available at that time, he/she may be subject to termination.

During this time, it is the employee's responsibility to maintain contact with Human Resources regarding vacant positions for which the employee may be qualified.

Incident Investigation

All significant incidents of occupational illness, exposure or injury will be investigated and implementation of any recommended changes to prevent similar incidents (i.e. changes to the work site, additional employee training, etc.) will be coordinated by responsible parties.

Violation of Safety Rules

The employee may be subject to progressive disciplinary action if, upon investigation, it is discovered that the employee was injured or exposed due to: 1) his/her intentional or negligent conduct that resulted in substantial risk or harm to persons or property; or 2) his/her failure to follow System safety procedures, exercise common sense, judgment or proper care in circumstances where such action may reasonably be expected that resulted in substantial risk or harm to persons or property or violated any part of the SLHS Alcohol and Drug Abuse policy (HR-002).

Reporting Requirement

EHS will coordinate any required reporting of occupational illness, exposure or injury to the appropriate state or federal agencies. EHS will also keep the supervisor/department manager advised of the employee's availability to work and expected return to work dates.

PERSONAL INJURY/ILLNESS

Employees with non-work related injuries and illnesses will be referred to their personal physician for
treatment, if necessary.

SLHS will not provide continued medical treatment to employees whose illness is not work-related. It is the employee's responsibility to arrange for his/her own medical care in these circumstances.

**VOLUNTEERS**

Hospital volunteers are not covered under SLHS Workers' Compensation programs.

**DEFINITION(S)**

- EHS = Employee Health Services
- SLHS = Saint Luke's Health System
- FML = Family Medical Leave
- PTO = Paid Time Off
- ESL = Extended Sick Leave
- LTD = Long Term Disability
- TTD = Temporary Total Disability

**IN COLLABORATION WITH**

Employee Health Services

**SEE ALSO**

- Paid Time Off Policy (HR-032)
- Extended Sick Leave Policy (HR-018)
- Leave of Absence: Family Medical Leave, Military Family Leave, Personal Leave, Transitional Work Leave as a Reasonable Accommodation (HR-056)
- Equal Employment Opportunities for Individuals with Disabilities and Determining Ability to Perform Essential Functions of Positions (HR-015)
- Alcohol and Drug Abuse Policy (HR-002)

**THIS DOCUMENT APPLIES TO:**

Anderson County Hospital (d/b/a for Saint Luke's Hospital of Garnett, Inc.)
Anderson County Hospital Long Term Care Unit (d/b/a for Saint Luke's Hospital of Garnett, Inc.)
Family Care Center (FCC) at Anderson County Hospital (d/b/a for Saint Luke's Hospital of Garnett, Inc.)
Family Care Center South (FCCS) at Anderson County Hospital (d/b/a for Saint Luke's Hospital of Garnett, Inc.)
Bishop Spencer Place
Hedrick Medical Center (d/b/a for Saint Luke's Hospital of Chillicothe)
Hedrick Family Care at Hedrick Medical Center (d/b/a for Saint Luke's Hospital of Chillicothe)
Saint Luke's Cushing Hospital
Saint Luke's East Hospital
Saint Luke’s Hospital of Kansas City
Saint Luke’s Hospital of Kansas City Crittenton Children’s Center Campus
Saint Luke’s South Hospital, Inc.
Wright Memorial Hospital (d/b/a for Saint Luke's Hospital of Trenton, Inc.)
Saint Luke's Mercer County Clinic at Wright Memorial Hospital (d/b/a for Saint Luke's Hospital of Trenton, Inc.)
Wright Memorial Physician Group at Wright Memorial Hospital (d/b/a for Saint Luke's Hospital of Trenton, Inc.)
Saint Luke's Health System
Saint Luke's Health System Home Care and Hospice
Saint Luke's Neighborhood Clinics, LLC
Advanced Urologic Associates, Inc.
Medical Plaza Imaging Associates, Inc.
Saint Luke's Physician Group
Saint Luke's Care
Saint Luke's College of Health Sciences
Ventura Financial Services, Inc.
Saint Luke's Surgery Center Shoal Creek, LLC

Attachments: