

Customer Workers Compensation Jurisdictional Resource - Florida

Issue	Mandatory	What & How	Impact	State Forms
Timely Reporting of Claims	<p>Yes</p> <p>Employees must report injury to their employers within 30 days of occurrence.</p> <p>If it is an occupational disease, then this time period extends to 90 days from the time that the employee first became incapacitated.</p>	<p>Telephonically: Commercial Accounts: 800.238.6225 National Accounts: 800.832.7839 Construction Accounts: 877.828.4132 Online: www.travelers.com</p> <p>Employers then must fill out a form Florida Form DFS-F2-DWC-10 - First Report of Injury (FROI) and file it with the State with a copy to the injured worker and contact the carrier within 7 days of the injury or illness.</p>	<p>The sooner the claim is reported, the more accurate the information provided during the investigation will be. This also insures faster communication between the carrier, injured worker, and medical providers. Failure to file this report when required could subject the employer to fines of up to \$500.</p>	<p>Florida Form DFS-F2-DWC-10 - First Report of Injury (FROI)</p>
Drug Free Workplace	<p>No</p> <p>Drug testing is not mandatory but can support and impact the defense of a claim.</p>	<p>No compensation is payable if intoxication caused accident Section 440.09(3) of the Florida Labor Code.</p>	<p>There are specific statutory rules that must be followed precisely, particularly regarding the actual drug testing procedure per the rules of Florida Administrative Code R. 59A-24. If not followed, the presumption is lost.</p>	<p>N/A</p>

Managed Care Law	<p>No</p> <p>Travelers does have a managed care plan which achieves maximum savings while providing a list of participating medical providers.</p>	<p>Must be detailed in a guide and certified by the Agency for Health Care Administration (AHCA). The plan contains a grievance procedure that permits appeals of decisions.</p>	<p>Permits greater control over medical care cost inflation and utilization of medical resources while maximizing outcomes.</p>	<p>N/A</p>
Timely Reporting of Out of Work Status	<p>No</p> <p>Required only by employer's first report of injury. There is no separate mandatory reporting requirement.</p>	<p>If employee is out of work, this information should be communicated to insurer as soon as possible.</p>	<p>Permits timely payment of benefits where appropriate.</p>	<p>Florida DWC-4 Form - Notice of Action/Change, allows the adjuster to advise the parties and the State as to any changes in work status.</p> <p>Employee must fill out Florida DWC-19 Form - Employee Earning Report to acknowledge they are not being paid by any other source.</p>
Timely Reporting of Employee Returning to Work	<p>No</p> <p>Separate mandatory requirement that it be reported by employer.</p>	<p>Employer should notify insurer as soon as possible so that temporary total benefits may be terminated at the appropriate time.</p>	<p>Timely reporting prevents overpayment of benefits.</p>	<p>Florida DWC-4 Form - Notice of Action/Change permits adjuster to address return to work status.</p> <p>Florida DWC-19 Form - Employee Earning Report is completed by</p>

				the employee.
Bona Fide Job Offers	<p>Voluntary</p> <p>But employers are encouraged to facilitate return to work for injured employees.</p>	<p>If the employer has light duty, a written offer should be made as soon as possible in order to mitigate any temporary partial disability claim.</p>	<p>Mitigates the employer's exposure for payment of indemnity benefits if they are able to accommodate an injured worker's light duty restrictions.</p>	N/A
Wage Statements	<p>Yes</p> <p>This is mandatory if the employee is disabled for more than 7 days and must be completed by the employer within 14 days of notice of the injury, or knowledge of lost time.</p>	<p>Travelers sends this form to the employer on all lost time claims. It must be completed within 14 days from the date of injury.</p>	<p>Failure to timely file the wage statement may subject the employer and/or the carrier to fines.</p> <p>May constitute a waiver of the right to contest the AWW as listed by an injured worker on Pretrial Stipulation.</p>	<p>Travelers provides a copy of this form, or it can be downloaded from here: Florida DWC-1(a) - Wage Statement</p>
Posting of Notices	<p>Yes</p> <p>Notice of compliance is mandatory and must be posted and maintained conspicuously in the personnel office and in the workplace where each employee is likely to see the notice on a regular basis.</p>	<p>Failure to post or to provide notice as required in this rule is a violation of the statute and violator may be subject to administrative penalties.</p>	<p>Avoids administrative penalties, and employees are more likely to report claims quickly. This enables the investigation to begin sooner, thereby increasing the chances for a better outcome.</p>	<p>Florida Workers Compensation Notice (english)</p> <p>Florida Workers Compensation Notice (spanish)</p>

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