

Customer Workers Compensation Jurisdictional Resource - Kansas

Issue	Mandatory	What & How	Impact	State Forms
Timely Reporting of Claims	<p style="text-align: center;">Yes</p> <p>The employee is required to report an injury to the employer within 10 days of an incident or 75 days upon good cause. Rule 44-520 of the Kansas Code</p> <p>The employer is obligated to report injuries to the state. Rule 44-557 of the Kansas Code</p>	<p style="text-align: center;">Telephonically:</p> <p>Commercial Accounts: 800.238.6225 National Accounts: 800.832.7839 Construction Accounts: 877.828.4132</p> <p style="text-align: center;">Online: www.travelers.com</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 toll the statute of limitations.</p>	<p>Kansas Form - Written Claim for Workers' Compensation</p> <p>Kansas Form - Employers Report of Accident</p>
Drug Free Workplace	<p style="text-align: center;">No</p> <p>Drug testing is not mandatory but can support the defense.</p>	<p>The employer is not liable for injuries where alcohol or drugs "contributed to" the injury. This can result in a total forfeiture of benefits. Rule 44-501(d)(2) of the Kansas Code</p>	<p>The employer can establish "probable cause" to suspect impairment by mandating drug testing prior to injury for all workers. Based on that, employee's refusal to take test would equal presumed impairment.</p>	<p style="text-align: center;">N/A</p>

Managed Care Law	<p>No</p> <p>There is no requirement for managed care in Kansas. Employer/Insurer may use the services of a nurse case manger (with the agreement of Claimant or counsel).</p>	N/A	Permits greater control over medical care cost inflation and utilization of medical resources while maximizing outcomes.	N/A
Timely Reporting of Out of Work Status	<p>Yes</p> <p>Required only by Kansas Form - Employers Report of Accident. There is no separate mandatory reporting requirement.</p>	If employee is out of work, this information should be communicated to insurer as soon as possible.	Permits timely payment of benefits where appropriate.	Kansas Form - Employers Report of Accident
Timely Reporting of Employee Returning to Work	<p>No</p> <p>Kansas does not require reporting of RTW status.</p>	Employer should notify insurer as soon as possible so that temporary-total benefits may be terminated at the appropriate time.	Timely reporting prevents overpayment of benefits.	N/A
Bona Fide Job Offers	<p>Voluntary</p> <p>But employers are encouraged to facilitate return to work for injured employees.</p>	If the employer has light duty, a written offer should be made as soon as possible in order to mitigate any temporary total disability claim.	Mitigates the employer's exposure for payment of indemnity benefits if they are able to accommodate an injured worker's light duty restrictions.	N/A

Wage Statements	<p>No</p> <p>No specific requirement for filing the Kansas Form - Wage Statement. However, providing the same can be ordered by an Administrative Law Judge.</p>	<p>Travelers sends the Kansas Form - Wage Statement to the employer on all lost time claims. It must be completed within 30 days from the date of injury.</p>	<p>Failure to file the Kansas Form - Wage Statement may constitute a waiver of the right to contest the AWW as originally determined in the case.</p>	<p>Kansas Form - Wage Statement</p>
Posting of Notices	<p>Yes</p> <p>The Kansas Notice of Practice and Procedure Guide must be posted in one or more conspicuous places advising employees what to do in the event of injury. Rule 51-12-2 of the Kansas Code</p>	<p>Copies of The Kansas Notice of Practice and Procedure Guide can be obtained free of charge from the Kansas Division of Workers Compensation.</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>The Kansas Notice of Practice and Procedure Guide</p>