

Customer Workers Compensation Jurisdictional Resource - Minnesota

Issue	Mandatory	What & How	Impact	State Forms
Timely Reporting of Claims	<p>Yes</p> <p>Death and serious injuries must be reported to the Minnesota Department of Labor and Industry within 48 hours.</p> <p>For all other injuries when the claimed disability exceeds three calendar days, the employer must provide a First Report of Injury to its workers' compensation insurer within 10 days of the first day of disability or the date it was aware of disability, whichever is later. Section 176.231 of the Minnesota Code</p>	<p>Telephonically: Commercial Accounts: 800.238.6225 National Accounts: 800.832.7839 Construction Accounts: 877.828.4132</p> <p>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 result in the Minnesota Department of Labor fine against the employer. Rule 5220.2820 of the Minnesota Code</p>	<p>Minnesota Form - Employee First Report of Injury (FROI)</p>
Drug Free Workplace	<p>No</p> <p>Drug testing is not mandatory but a positive drug test can support the defense.</p>	<p>The employer is not liable for compensation if intoxication is the proximate cause of the injury. Section 176.021 (1) of the Minnesota Code</p>	<p>The employer must prove by a preponderance of the evidence that the intoxication was proximate cause of the injury. Minn. Stat. Sec. 176.021 (1a).</p>	<p>N/A</p>

<p>Managed Care Law</p>	<p>Yes</p> <p>Minnesota has three state certified managed care plans. If the employer contracts with a certified plan, and employee that does not have an established relationship with a physician outside the plan, the employee must treat within the certified plan. The plan may engage nurse case managers to facilitate communication between the parties.</p>	<p>Section 176.1351 of the Minnesota Code</p> <p>Rule 5218.0100 of the Minnesota Code</p>	<p>Permits greater control over medical care cost inflation and utilization of medical resources while maximizing outcomes.</p>	<p>N/A</p>
<p>Timely Reporting of Out of Work Status</p>	<p>Yes</p> <p>The carrier is required to report and account for all lost time benefits paid. Late benefit payments are subject to a penalty assessment.</p> <p>Section 176.221 subd. 3 of the Minnesota Code</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.</p>	<p>The reporting of lost time benefits occurs on either:</p> <p>Minnesota Form - Primary Liability Determination or</p> <p>Minnesota Form - Notice of Benefit Reinstatement</p>
<p>Timely Reporting of Employee Returning to Work</p>	<p>Yes</p> <p>The carrier is required to notify the employee when the carrier proposes to reduce or suspend ongoing benefits, including when an employee returns to work.</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>Minnesota Form -Notice of Intent to Discontinue Benefits</p>

Bona Fide Job Offers	<p>Yes</p> <p>Where the carrier proposes to reduce or suspend benefits because a job offer has been made, the carrier must give notice to the employee.</p>	<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.</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>	<p>The carrier checks and completes box 3 on the Minnesota Form -Notice of Intent to Discontinue Benefits.</p>
Wage Statements	<p>No</p> <p>Wage statements are not formally required, but should be completed on every lost time claim to assure accurate workers compensation payments.</p>	<p>Travelers sends a wage statement form to employer on all lost time claims. It must be completed within 30 days from the date of injury.</p>	<p>Assures accurate benefit payments.</p>	<p>N/A</p>
Posting of Notices	<p>Yes</p> <p>The Minnesota Workers' Compensation Employee Rights and Responsibilities notice must be posted in a conspicuous location where employees can easily see it. Section 176.139, subd. 1 of the Minnesota Code</p>	<p>Failure to post as required by the Minnesota Workers' Compensation Act could subject the violator to a \$500 fine. Section 176.139, subd. 2 of the Minnesota Code</p>	<p>Avoids the fine 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>Minnesota Workers Compensation Notice</p>

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