

Customer Workers Compensation Jurisdictional Resource - Missouri

Issue	Mandatory	What & How	Impact	State Forms
<p>Timely Reporting of Claims</p>	<p>Yes</p> <p><u>Missouri Form WC-1-EDI - Report of Injury</u> must be filed with State within 30 days for injuries requiring medical care beyond immediate first aid or resulting in lost time. Employer shall report injuries to Insurer within 5 days of accident/injury. <u>RSMO 287.380 of the Missouri Code</u></p>	<p>Telephonically: Commercial 800.832.7839 Construction 877.828.4132</p> <p>Facsimile: 800.842.8571</p> <p>Online: www.Travelers.com</p>	<p>Failure to timely file <u>Missouri Form WC-1-EDI - Report of Injury</u> can extend Statute of Limitations from 2 years to 3 years. Timely reporting promotes prompt communication and ensures accuracy of information.</p>	<p><u>Missouri Form WC-1-EDI - Report of Injury</u></p>
<p>Employer Directed Medical Care</p>	<p>Yes</p> <p>Medical care shall be provided for all compensable injuries in Missouri. Right to select medical care provider specifically given to Employer. In practice, Insurer coordinates medical care and will often select provider.</p>	<p>This section also authorizes the Division to order a change in physician if the life, health or recovery of employee is endangered. <u>RSMO 287.140 of the Missouri Code</u></p>	<p>Prompt medical care for employee should promote quicker recovery. Failure to provide medical care could qualify as "denial of care" which may obligate employer/insurer for medical bills incurred by employee on his/her own.</p>	<p>N/A</p>

<p>Medical Care Generally Closed With Settlement</p>	<p>Settlement generally resolves all rights to future compensation, including medical care. Parties can agree to leave medical care open or provide specific dollar amount for future medical care.</p>	<p>This section discusses effect and validity of compromise settlements. Must be approved by Administrative Law Judge. RSMO 287.390 of the Missouri Code</p>	<p>With few exceptions, settlement generally resolves all rights to future medical care in Missouri Workers' Compensation. Closure of medical care is a significant aspect of Missouri Workers' Compensation Law for employers/insurers.</p>	<p>Missouri Form WC-G-11 - Stipulation for Compromise Settlement</p>
<p>Safety Violations - Penalties</p>	<p>If injury caused by employee's failure to use safety device or failure to obey reasonable safety rule, benefits reduced by at least 25% but not more than 50%.</p>	<p>In addition to potential penalties on employee benefits, employer is subject to 15% increase in benefits if injury caused by employer's failure to comply with any state statute. RSMO 287.120 of the Missouri Code</p>	<p>Promotes safety in the workplace with potential penalties assessed against both employee and employer, though penalties on employee can be much higher.</p>	<p>N/A</p>
<p>Drug and Alcohol Use - Penalties</p>	<p>If employee fails to obey/follow rule regarding a drug-free workplace, benefits reduced 50% if injury sustained "in conjunction with" the use of alcohol or drugs. If alcohol or drug use is "proximate cause" of the injury, all benefits are forfeited. Post-Accident drug testing is not mandatory in Missouri.</p>	<p>"In conjunction with" generally means a positive post-accident drug test. Additionally, refusal to submit to post-accident drug test shall result in forfeiture of all benefits, if employer has policy or if employer had sufficient cause to suspect alcohol/drug use. RSMO 287.120 of the Missouri Code</p>	<p>Missouri recognizes an employer's right to a safe, drug-free workplace. Significant penalties for alcohol/drug violations. Employers are encouraged to adopt mandatory post-accident drug/alcohol screening.</p>	<p>N/A</p>

<p>Filing of Answer to Claim for Compensation</p>	<p>Yes, Missouri Form WC-22 - Answer to Claim for Compensation must be filed with the State.</p>	<p>An answer must be filed within 30 days of date Division acknowledges receipt of Missouri Form WC-22 - Answer to Claim for Compensation.</p> <p>Missouri Code of State Regulations 8 CSR 50-2.010(8)(B)</p>	<p>If answer is not timely filed, statements of fact contained in the Claim for Compensation are deemed admitted for all further proceedings.</p>	<p>Missouri Form WC-22 - Answer to Claim for Compensation</p>
<p>Timely Reporting of Commencement/Termination of Benefits</p>	<p>Yes</p> <p>The Employer/Insurer shall notify the Division upon commencement and termination of benefits by filing a Missouri Form WC-2 - Notice of Commencement/Termination of Compensation</p>	<p>Employer/Insurer shall send Missouri Form WC-2 - Notice of Commencement/Termination of Compensation to Division.</p> <p>RSMO 287.400 of the Missouri Code</p>	<p>Prompt reporting ensures accuracy of information and prevents overpayment of benefits.</p>	<p>Missouri Form WC-2 - Notice of Commencement/Termination of Compensation</p>
<p>Managed Care Law</p>	<p>There is no requirement for managed care in Missouri. Employer/Insurer may use the services of a nurse case manager (with the agreement of Claimant).</p>	<p>Managed care in Missouri is certified under procedures established in this statutory section: RSMO 287.135 of the Missouri Code</p>	<p>Permits greater control over medical care costs and utilization of medical resources while maximizing outcomes.</p>	<p>N/A</p>