

Customer Workers Compensation Jurisdictional Resource -Mississippi

Issue	Mandatory	What & How	Impact	State Forms
Timely Reporting of Claims	<p>Yes</p> <p>Employee must give 30 days written by filing a Mississippi Form B-3 - Employer's First Report of Injury or Occupational Disease or verbal notice of injury to the employer. MCA Section 71-3-35 of the Mississippi 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. Mississippi Statute of limitations is 2 years.</p>	<p>Mississippi Form B-3 - Employer's First Report of Injury or Occupational Disease</p>
Drug Free Workplace	<p>Drug testing is not mandatory but can support the defense. MCA Section 71-3-7 of the Mississippi Code</p>	<p>Post accident drug testing requires the employer to prove intoxication was the proximate cause of the accident in order to assert a defense.</p>	<p>The employer must prove that the intoxication was the proximate cause of injury in order to assert the defense. Mississippi Statute of limitations is 2 years.</p>	N/A
Managed Care Law	<p>There is no requirement for managed care in Mississippi. Employer/Insurer may use the services of a nurse case manger (with the agreement of Claimant).</p>	<p>MS Certification is required for formal medical case management.</p>	<p>Permits greater control over medical care cost inflation and utilization of medical resources while maximizing outcomes.</p>	N/A

Timely Reporting of Out of Work Status	<p>Yes</p> <p>Requires filing of Mississippi Form MS B-18 - Notice of First Payment to advise of initial payment of temporary total benefits after initial 5 day waiting period has expired. MCA section 71-3-11 of the Mississippi 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 where appropriate.</p>	<p>Mississippi Form MS B-18 - Notice of First Payment</p>
Timely Reporting of Employee Returning to Work	<p>Yes</p> <p>Requires filing of Mississippi Form B-31 - Report of Payment and Settlement Receipt to indicate final payment of benefits upon return to work. MCA Section 71-3-17 of the Mississippi Code.</p>	<p>Employer should notify insurer as soon as possible so that temporary-total benefits may be terminated at the appropriate time.</p> <p>Mississippi Form B-31 - Report of Payment and Settlement Receipt to be filed electronically or in written form within 30 days of final payment.</p>	<p>Timely reporting prevents overpayment of benefits.</p>	<p>Mississippi Form B-31 - Report of Payment and Settlement Receipt</p>
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 suspend 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>N/A</p>
Wage Statements	<p>Filing mandatory only in disputed cases. Wages are calculated covering 52 weeks prior to injury or wages of similar employee.</p>	<p>Travelers sends wage information request to the employer on all lost time claims. Best practice to complete upon first payment of temporary total benefits or within 14 days of disability.</p>	<p>There are penalties for under payment or late payment of benefits only on disputed cases reviewed by the Mississippi Commission.</p>	<p>N/A</p>



Posting of Notices	Yes Mississippi Notice of Coverage must be posted in the workplace where each employee is likely to see the notice on a regular basis. See MCA Section 71-3-35 of the Mississippi Code	Failure to post or to provide Mississippi Notice of Coverage as required in this rule, will not bar employee from receiving benefits and subject to penalty	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.	Mississippi Notice of Coverage
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