

Customer Workers Compensation Jurisdictional Resource – South Carolina

Issue	Mandatory	What & How	Impact	State Forms
Timely Reporting of Claims	<p>Yes</p> <p>The employer is required to keep a report of all injuries. If the injury requires minimal medical attention and does not cause more than one lost workday or permanency, the employer is not required to make a written report to the Commission or carrier.</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>South Carolina's Workers' Compensation Commission: http://www.wcc.state.sc.us /</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, employer, injured worker, and medical providers. Failure to file this could result in unnecessary litigation, additional expense, loss of medical direction, failure to begin early management of RTW efforts, and a penalty from \$10-\$100.</p>	N/A
Drug Free Workplace	<p>No</p> <p>Drug testing is not mandatory but can support the defense.</p>	<p>Intoxication must be the proximate cause of the injury for the claim to be denied. South Carolina Form 19 - Status Report and Compensation Receipt and a letter would be used to deny a claim.</p>	<p>A result consistent with intoxication or under the influence shall create a defense.</p>	<p>South Carolina Form 19 - Status Report and Compensation Receipt</p>

<p>Managed Care Law</p>	<p>No</p> <p>There is no requirement for managed care in South Carolina. Employer/Insurer directs medical treatment but the Commission may permit the employee to change physicians when good grounds are shown. No UR statues in South Carolina.</p>	<p>Rehab nurses are permitted with permission from claimant or claimant attorney.</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>Required every time employee goes out of work for a compensable period of time acknowledged by the employer/carrier. Benefits should be issued within 14 days.</p>	<p>If employee is out of work, this information should be communicated to insurer as soon as possible for filing of proper forms and issuance of appropriate benefits.</p> <p>A South Carolina Form 15 - Temporary Compensation Report , South Carolina Form 15S - Supplemental Report of Varying Temporary Partial Payments, and/or South Carolina Form 17 - Receipt of Compensation are used for payment and in/out of work notification to state which is usually accompanied by a South Carolina Form 18 - Periodic Report.</p>	<p>Permits timely payment of benefits, preparation of forms where appropriate, and avoids possible fines or penalties for late payment or late filing of forms.</p>	<p>South Carolina Form 15 - Temporary Compensation Report</p> <p>South Carolina Form 15S - Supplemental Report of Varying Temporary Partial Payments</p> <p>South Carolina Form 17 - Receipt of Compensation</p> <p>South Carolina Form 18 - Periodic Report</p>

<p>Timely Reporting of Employee Returning to Work</p>	<p>No South Carolina does require reporting of RTW status.</p>	<p>Employer should notify insurer as soon as possible so that temporary-total benefits may be terminated at the appropriate time and the proper forms filed with the Industrial Commission. A South Carolina Form 15 - Temporary Compensation Report, South Carolina Form 15S - Supplemental Report of Varying Temporary Partial Payments, South Carolina Form 17 - Receipt of Compensation and South Carolina Form 18 - Periodic Report are used for RTW at regular or reduced wages/hours.</p>	<p>Timely reporting prevents overpayment of benefits and avoidance of fines/penalties.</p>	<p>South Carolina Form 15 - Temporary Compensation Report South Carolina Form 15S - Supplemental Report of Varying Temporary Partial Payments South Carolina Form 17 - Receipt of Compensation South Carolina Form 18 - Periodic Report</p>
<p>Bona Fide Job Offers</p>	<p>Voluntary 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 total disability claim. A South Carolina Form 15 - Temporary Compensation Report, South Carolina Form 15S - Supplemental Report of Varying Temporary Partial Payments, South Carolina Form 17 - Receipt of Compensation and South Carolina Form 18 - Periodic Report are used for RTW involving unrestricted work or restricted duty work.</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. If within 150 days from notice to employer, benefits can be stopped for certain reasons.</p>	<p>South Carolina Form 15 - Temporary Compensation Report South Carolina Form 15S - Supplemental Report of Varying Temporary Partial Payments South Carolina Form 17 - Receipt of Compensation South Carolina Form 18 - Periodic Report</p>

<p>Wage Statements</p>	<p>Yes</p> <p>A South Carolina Form 20 - Statement of Earning of Injured Employee is required in any admitted case to initiate TTD. If the case is denied, this must be done within 30 days from hearing request. South Carolina Form 50 - Employee's Notice of Claim and or Request for Hearing</p>	<p>Travelers will send the South Carolina Form 20 - Statement of Earning of Injured Employee to the employer on all appropriate claims.</p>	<p>Max rate is \$661.29 for 2008. A South Carolina Form 20 - Statement of Earning of Injured Employee is due on all claims involving lost time or permanent benefits.</p>	<p>South Carolina Form 20 - Statement of Earning of Injured Employee</p> <p>South Carolina Form 50 - Employee's Notice of Claim and or Request for Hearing</p>
<p>Permanent and Total Disability</p>	<p>Yes</p> <p>Permanent and total disability is limited to a maximum of 500 weeks if deemed PT by treating physician or court. Exception is catastrophic cases which get lifetime benefits. South Carolina Code of Laws, Section 42-9-10</p>	<p>Permanent and total is limited to 500 weeks with exceptions for catastrophic cases. Those determined to be P&T will be subject to a commuted value of the remaining number of weeks.</p>	<p>The 500 week limit avoids many lifetime indemnity cases. Some attorneys allege mental injuries (i.e. depression, PTSD) to attempt to qualify cases for P&T that might not ordinarily qualify. A strong medical opinion/voc evaluation can be used to counter allegation.</p>	<p>N/A</p>