

The Claim for Benefits and Agreement Forms Process

(The extremely important steps that the insurance company doesn't want to tell you!)

YOU MUST GET AN AWARD ORDER from the Virginia Workers' Compensation Commission to protect our benefits!!

1. The Claim for Benefits Process

Just because your employer's insurance carrier is aware of your injury does not mean that the Virginia Workers' Compensation Commission (VWCC) is aware. Insurance companies, many times, voluntarily accept claims without the formal oversight of the Commission-which WILL harm you later on.

Filing a Claim for Benefits within the two year statute of limitations is the ONLY way to protect yourself in the future. Even if the insurance carrier is paying for your time out of work and/or medical expenses, you should still file a Claim for Benefits to protect yourself beyond this two year period. Once the two years has expired, there is NOTHING that can be done to protect your rights. Your lost wages and medical benefits are FOREVER cut off.

The attached Claim for Benefits form should be filled out completely, including your contact information, as well as your employer's information. Be sure to include a **SPECIFIC** detailed description of how the injury occurred. **Repetitive injuries, unexplained falls, and injuries from working/lifting all day are not covered.** Under the section that asks you to list body parts make sure that you list **ALL** parts of your body that are affected by the injury – for example, if you injured your lower back and now you have pain going down your right leg, you would list your lower back and right leg. If it is not listed on the Claim for Benefits, the insurance carrier does not have to cover the cost of medical treatment for that part of the body.

Under Request for Benefits, specify what it is that you need –a lifetime medical award to cover the medical and future medical costs of the injury – and, if applicable, you can also request lost wages for the time that you have missed as a result of your injury. Workers' compensation does not start paying for lost wages until the injured worker has missed 7 days or more due to their work injury as instructed by a doctor. Once you miss 21 or more days, you can be reimbursed for the first 7 days. You will only be paid lost wages when the doctor has given you a written out of work slip. If the doctor takes you out of work, get an out of work slip at every appointment. **NEVER** leave the doctor's office without it!

Sign and Date the form. Attach any appropriate documentation, and mail the Claim for Benefits form to:

Virginia Workers' Compensation Commission

333 E. Franklin St.
Richmond, VA 23219
Phone: 1-877-664-2566

You can also fill out this form online at
<http://www.workcomp.virginia.gov/content/claim-benefits-form>

Once this form has been filed with VWCC, you will receive a "20 Day" notice in the mail. This means that the VWCC has contacted the workers' compensation insurance carrier and they have given them 20 days to respond, in writing, to the VWCC and to declare whether they are officially accepting or denying the claim. If they accept the claim, agreement forms will be mailed to you for review and signature.

2. The Award Process

If your claim is accepted, the insurance carrier will send you Award Agreement forms. Make sure the body parts and wages are **ALL** listed correctly! Then you can sign the form and return it to the insurance adjuster. **BE SURE** that anything you listed on the Claim for Benefits form is also reflected on the Award Agreement. If you sign an Award Agreement form that does not list **ALL** the body parts you listed, you will be **FOREVER BARRED** from pursuing benefits for these body parts if in the future.

Once you have signed the Award Agreement and returned it to the adjuster, he or she will then sign and mail it to the VWCC. The VWCC will then issue an **Award Order** and your benefits are **PROTECTED!**

I always recommend speaking with an experienced attorney to assess your unique situation. If you have not yet spoken with Injured Workers' Law Firm, please contact our Intake Specialist at (804) 755-7755, toll free at (877) 755-7744 or visit our website at:
www.injuredworkerslawfirm.com



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