

Checklist ❖ Federal Workers' Compensation

OWCP • Office of Workers' Compensation Programs

Employee: _____ OWCP Claim # _____ Date of Injury _____

1. Employee Notifies Employer &/or OWCP of Injury with Claim Form CA-1, CA-2 or CA-2a.

- ★ **Form CA-1 Notification of Traumatic Injury:** Notify Employer and give Employer Form CA-1. OK to ECOMP* copy to OWCP. Employer Must Send Their Section of the Claim Form to OWCP within 10 Days!
- ★ **Form CA-2 Notification of Occupational Disease and Claim for Compensation:** ECOMP* or mail to OWCP. Two Keys for CA-2 Success: 1) Employee's Typed Narrative report + 2) Your Physician's Medical Rationale Causation report. See Form CA-35A-H.
- ★ **Form CA-2a Notice of Recurrence:** ECOMP* or mail to OWCP. Two Keys for CA-2a Success: 1) Employee's Typed Narrative report + 2) Your Physician's Medical Rationale Causation report. See Form CA-35A-H.

2. OWCP Assigns a Claim Number and Your Claims Examiner.

- Receiving an OWCP Claim number does NOT mean your claim is accepted.
- When your claim is accepted you should get an acceptance letter listing all the accepted conditions. Make sure everything is accepted! If not, have your physician write an Upgrade Conditions Request medical report.
- Your Claims Examiner is the judge for your claim. It is best to correspond in writing and to keep proof of all conversations.

4. Employee Selects Treating Physician. Under OWCP you have the sole right to select your physician!

- OWCP is Administrative Law requiring your physician's documentation. Under OWCP, your physician's medical opinion has higher probative legal value. Your physician must be an expert in Legal Medicine and be able to provide OWCP medical rationale reports & forms, Temporary Total Disability form for payments getting you paid while off work, work restrictions and work accommodations, getting OWCP to pre-approve payment for your treatment, tests, surgeries so that you do not pay for anything, and protecting you from harassment. Unfortunately, Legal Medicine and OWCP are not taught in medical schools.
- It is not uncommon for injured employees to have a physician for surgery and a physician to provide OWCP documentation.
- To change your treating physician, simply send a letter to OWCP with the reason you are changing.
- OWCP can send you for second opinion exams and reports but not for treatment unless you agree.

5. Treatment

- **CA-1 Acute Injuries:** Employer can authorize treatment with a Form CA-16. If your Employer denies treatment. You can still go to the physician or facility of your choice! For acute injuries you may initially see the employer's physician and then followup with the physician of your choice.
- **CA-2 & CA-2a Claims:** Only OWCP authorizes treatment. Your physician gets authorization from OWCP.

6. Schedule Award Monetary Award for a Permanent Disability. OWCP, Not You, Pays for Your Physician's Schedule Award Exams and Reports.

- Schedule Awards require physicians use to the 6th Edition of the *AMA Guides to the Evaluation of Permanent Impairment*.
- It is hard to find physicians familiar with both the *AMA Guides* and OWCP regulations. You may have to travel.
- OWCP pre-approves payment to the physician of your choice for a Schedule Award exam and impairment rating.
- ECOMP* or mail to OWCP your Schedule Award report with a Form CA-7 checking the Schedule Award box.
- If you get worse, you can repeat Schedule Award impairment ratings every year. OWCP pays for Schedule Awards.
- Careful! Getting a Schedule Award stops OWCP off work Temporary Total Disability (TTD) checks. You may stay on TTD.

Denials of Claims 3 Paths to Justice ★ Do not give up! ★ OWCP is Fair!

The problem is that many physicians are not familiar with OWCP resulting Claims Examiners denying claims.

- 1. Reconsideration in Writing.** First Method. Your physician provides a new Legal Medicine Medical Rationale Report. You can repeat.
- 2. Oral Hearing.** Often successful. By phone or live your physician provides Legal Medicine testimony.
- 3. ECAB Employee's Compensation Appeals Board:** Judges are Fair & Knowledgeable. Careful! Use as a last resort.

* ECOMP is best method to send documents, forms and medical records to OWCP. Go to www.ECOMP*.dol.gov and set up your account.

Ellis Clinic PC

Fair & Compassionate Federal Workers' Compensation™

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Your Right to Choose Your Doctor

OWCP ☆ Office of Workers' Compensation Programs

FECA ☆ Federal Employees' Compensation Act

Only You Get to Select Your Physician for Treatment and OWCP Forms & Reports

- If you are injured, **You**, not your employer, select your treating physician.
 - **It can be any doctor from anywhere in the USA!**
 - OWCP pays up to 100 miles for travel.
 - OWCP provides for Unlimited Treatment for Your Lifetime!
 - Only your doctor determines your Work Restrictions & Temporary Total Disability (TTD).
- You can change your treating physician by writing to OWCP requesting a change.
 - Provide doctor's name and address and the reasons for the change, i.e. "My doctor retired". "My doctor will not see injured federal patients", etc.
 - You do not have to request a change if your treating doctor sends you to another physician for surgery. OWCP automatically assigns the surgeon as your new treating doctor. When the surgeon releases you, your chosen doctor automatically is again your treating doctor.

Schedule Award Impairment Ratings

Medical Rationale Causation Reports

- You can choose any doctor to provide your impairment ratings and causation reports.
 - OWCP pre-approves and pays for your Schedule Award impairment ratings.
- Few physicians are trained in Schedule Award impairment ratings utilizing the American Medical Association's, *Guides to the Evaluation of Permanent Impairment*, 6th Edition.
- Federal employees have difficulty getting their injury claims accepted by OWCP.
 - Few doctors are familiar with OWCP regulations and procedures.
 - Few doctors are familiar with the Federal Employees' Compensation Act (FECA).

OWCP Can Send You for Second Opinion Exams

- Employers can send you for emergency treatment.
 - If you continue with the employer's doctor, then you have chosen your treating doctor.
 - You can always request a change of your treating doctor.
- OWCP can send you to be examined by their selected second opinion physician.
 - Be sure to keep the appointment or OWCP could stop your treatment or payments.
 - Your doctor can agree or disagree with the second opinion doctor.
 - *Only your treating doctor's opinion counts!*



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OWCP Appointment Protocol
Federal Workers' Compensation Injury Claim Information
Mail: Protocol, Records, Summary List & Payment. Ellis Clinic then contacts you.



Use a New Form for Each Claim

OWCP Claim# _____ **Date of Injury:** _____

Body Parts Injured: _____

Type of Claim Form: CA-1 Acute Injury CA-2 Occupational Disease CA-2a Recurrence **Claim Status:** Accepted Denied Not Yet Filed

Employer/Agency _____ When did you first go to work for the Federal Government? _____
When injured _____ When did you go to work for this employer/agency? _____

I am Requesting: Schedule Award Treatment Medical Rationale to Accept my Claim. Form CA-2 Claims Require an Employee Statement.
Go to www.EllisClinic.com and click CA-2 Handout

Full Name
First • Middle • Last Name _____
Full Mailing
Address: _____

Contact Phone/s: _____ **E-Mail** _____

SSN: _____ **Date of Birth:** _____ Male Female

Your Representative: None. _____

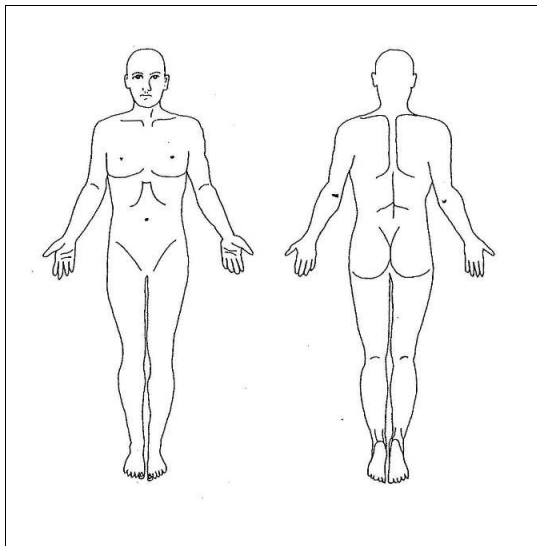
Briefly Describe What Caused this Injury: _____

Briefly List Treatment, i.e. Mercy ER> X-Rays, Jane Smith DO> Medications, John Jones MD> Back Surgery on 11/2016, Physical Therapy

Temporary Total Disability (TTD): Did Not Miss Work Missed Work **TTD Payment:** OWCP paid Used Sick Leave/vacation Terminated Retired

Dates you missed work due to this injury: _____

Circle Where You Still Have Pain or Problems from This Injury



MEDICAL HISTORY of other Significant Injuries, Surgeries & Diseases or OWCP Claims

Examples: 1983 left knee surgery, 2005 State Work Comp Back surgery, 2010 Diabetes, 2012 OWCP right knee surgery. 2013 Car accident, neck pain.

Medication Allergies: _____

Veteran? No Yes **VA Disability?** No Yes > Current Combined VA Percent: _____ %

For other Appointments go to www.EllisClinic.com & Click Appointments
FERS Federal Employee Retirement System • VA Disability
Social Security • Personal Injury • State Work Compensation

Is this your first visit to Ellis Clinic? Yes No.

ORDER of RECORDS

Submit records in the below order. Most recent on top. *Only Copies - Records Are Shredded!*
Send only pertinent records, i.e. Operative Reports but not the entire hospital chart.

1. **Page 1 & 2 of this Appointment Protocol** (With Credit Card Payment Info or Check)
2. **Optional:** Your and/or your rep/attorney letter to Ellis Clinic.
3. **Typed Summary List of Records.** Important! List is attached to your medical opinion report.
See below example or you may elect for Ellis Clinic to type your Summary List for \$50 per inch of records.
4. **OWCP Decisions** and OWCP District Medical Advisor and Second Opinion Physician Reports.
5. **Employer Correspondence** about OWCP claim or job offers. Form CA-2 needs an Official Job Description.
6. **Your OWCP Forms CA-1, CA-2, CA-2a.** Form CA-2 claims need an Employee Statement.
7. **Operations:** Surgeries, Epidural injections, Dorsal Column Stimulators, etc.
8. **Hospital:** Usually just the Discharge Summary will be enough.
9. **Tests:** MRI, EMG/NCS, X-Rays, etc.
10. **Physician Records:** Office Progress Notes, Letters and Reports.
11. **Non Physician Records:** Physical Therapy, Functional Capacity Tests etc.

Example of a Summary List

Records: John Doe OWCP#123456789 DOI 1/15/16

1. Department of Labor:
 - a. 6/2/17 Acceptance
 - b. 5/13/16 Denial
 - c. 4/1/16 DMA Medical Opinion
2. Employer: Official Job Description
3. Employee: 1/15/16 Form CA-1
4. Operations:
 - a. 2/4/18 Right Knee arthroscopy, Joe Bones, D.O.
 - b. 9/17/17 Back Surgery, Ima Cutter, M.D.
5. Tests:
 - a. 3/6/17 EMG/NCS Bilateral Lower Extremities.
 - b. 5/3/16 MRI Lumbar Spine
 - c. 3/1/16 MRI Right Knee.
6. Physician & Hospital Records:
 - a. 1/1/16 - 9/7/17 Joe Bones, D.O.
 - b. 7/5/16 - 3/15/20 ABC Clinic: Ima Cutter, M.D. and others.

FEES: OWCP • Federal Workers' Compensation Exams and Expert Medical Opinion Reports

OWCP Accepted Claim - NO FEE if Ellis Clinic is able to obtain OWCP pre-authorization.

\$500* if OWCP does not provide pre-authorization.

OWCP Not Yet Accepted Claim: \$500* per OWCP claim.

Summary List of Records: NO FEE if you collate your records and prepare and acceptable Summary List.

\$50 per inch if Ellis Clinic prepares your Summary.

***If OWCP accepts your claim you then use Form CA-915 Claimant Medical Reimbursement Form.**

PAYMENT OWCP Claim #: _____ **DOI:** _____

No \$ Claim Open \$500* to get claim accepted. Summary List by Ellis Clinic. Records _____ Inches x \$50/inch = \$ _____ **Total \$** _____

Date: _____ Check Enclosed Am Express Discover MasterCard VISA Other _____

Patent Name: _____

Card# _____ Expires _____ / _____ Security Code _____

Name on Card: _____

Card Address: _____ Zip: _____

Mail this Protocol (pages 1 & 2), Records and Payment to Ellis Clinic. Ellis Clinic will then contact you for an appointment.