



# How To File a Workers' Compensation Claim

## *Checklist for injured workers*

Each state has its own system, requirements and deadlines for obtaining workers' compensation benefits after a work-related injury or occupational illness. In order to better understand your state's rules and what rights you are entitled to, we recommend contacting a workers' compensation attorney in your area for more information and legal advice. Most lawyers offer free initial consultations, so it won't cost you anything but your time to determine the best course of action.

In the meantime, make sure that your claim gets off on the right foot by following this checklist to secure your workers' compensation benefits. Use the Status column to mark your progress, and fill out the Notes section with additional information about your claim (such as the date this step was completed).

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## CHECKLIST FOR INJURED WORKERS



Status	To-Do	Deadline	Notes
<input type="checkbox"/>	<p><b>Step 1: Notify your employer</b> In most states, injured workers must first report a work injury or occupational illness to their employer.</p> <p>We recommend doing so in writing so that there is proof that you completed this step. However, this requirement can still be completed without a written report, so long as your employer knew (or should have known) about the incident.</p>	<p>Deadlines for reporting a work incident to your employer vary from state to state. The most common time limit is within 30 days, but it can range from as short as 3 days to as long as 2 years.</p> <p>Regardless, the sooner you notify your employer, the sooner you can start receiving treatment and obtain your benefits. The longer you wait, the more skeptical the insurance company will become.</p> <p>If you require emergency medical care, you can seek treatment first and notify your employer as soon as you are able to.</p>	
<input type="checkbox"/>	<p><b>Step 2: Seek medical treatment</b> When you notify your employer, they should give you a list of approved physicians you can visit to receive treatment.</p> <p>The details differ depending on where you work, but generally, injured workers must seek treatment from an employer-authorized medical provider to be covered by workers' compensation, though there are some exceptions.</p>	<p>Your health should be your top priority, so it's important to receive treatment as soon as possible following a work injury or illness. The longer you wait, the harder it may become to recover and heal.</p> <p>Once again, you should go to an emergency room or urgent care immediately if your injuries are serious. Don't worry about finding an employer-approved doctor, as emergency care is generally covered by workers' compensation.</p> <p>For follow-up treatments, however, you should see an authorized provider per your state's rules.</p>	

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<input type="checkbox"/>	<p><b>Step 3: File your claim</b> After reporting the incident to your employer, they should give you forms to complete for their insurance company and the state's workers' compensation board.</p> <p>Once filled out, you can submit this paperwork back to your employer or directly to your state board.</p>	<p>Again, the deadlines for filing a workers' compensation claim with the state board vary by state.</p> <p>Many states give injured workers 1 year to file a workers' compensation claim, though this time limit can range from 90 days to 6 years, depending on where you work.</p>	
<input type="checkbox"/>	<p><b>Step 4: Update your employer</b> While you wait to hear if your claim has been approved or denied, be sure to keep your employer informed about any changes or updates in your medical treatment or condition.</p>	<p>Follow your doctor's orders and attend all medical appointments throughout the duration of your claim.</p> <p>Generally, the insurance company must inform you of its decision within 2-4 weeks.</p>	
<input type="checkbox"/>	<p><b>Step 5: Contact an attorney</b> If your claim is denied or is taking too long without a reason from the insurance company, consult a lawyer who specializes in workers' compensation cases to discuss filing an appeal.</p>	<p><b>ASAP</b> The longer you delay seeking legal counsel, the harder it may become to build a strong case and effectively negotiate with insurance adjusters.</p> <p>Each state has its own deadlines for appealing a workers' compensation claim denial, ranging from days to weeks. Consult a local attorney as soon as possible about how long you have to appeal.</p>	