# 5 STEPS

## TO TAKE WHEN HANDLING YOUR WORKERS' COMPENSATION CASE WITHOUT A LAWYER

### 1 FIND YOUR OWN DOCTOR TO TREAT WITH AND THAT SHOULD NEVER BE A DOCTOR THE EMPLOYER OR INSURANCE COMPANY SENT YOU TO

Number 1 on this list for a reason. You get to choose your own doctor. Period. The insurance companies know this but try to steer you to their doctors anyway. Why?

Doctors are supposed to treat all people equally, right? Wrong. If you're getting a lot of business from someone you want to make them happy so they keep sending you business, right? Doctors aren't any different.

What's the best way to keep getting business from insurance companies? Help the insurance companies pay as little as possible for your medical treatment. Who gets hurt when medical treatment is limited or restricted. Yep. You do.

When you do choose your own doctor make sure you get it right the first time. You don't get a second bite at the apple.

### 2 MAKE SURE YOUR EMPLOYER COMPLETES AN ACCIDENT REPORT

An Accident Report. In Louisiana we use an easy little form called a Form 1007 for employers to document an accident. Many of them don't do it. Why does it matter? You told your boss what happened, right? You told your co-employees. They'll all vouch for you, right?

Well. let's say you told your boss about a work accident but try to tough it out and keep working. You go a few weeks but finally the pain gets so bad you realize that something really is wrong. You ask to go see a doctor. That's when you hear accident? What accident?

Now it's your word against that angry little supervisor who just lost his safety bonus check because you're insisting you had an accident. All of a sudden those co-workers who knew you had an accident won't return your calls because they've been told not to talk to you. But if you had an accident report.....

## 3 MAKE SURE YOU TELL YOUR DOCTOR ALL PROBLEMS YOU ARE HAVING FROM THE ACCIDENT.

After you've reported the accident and go to see your doctor or the employer doctor, or even a doctor on the street, make sure you tel them everything that hurts from the accident.

Probably one thing hurts worse than everything else but that doesn't mean everything else gets thrown by the wayside. Back, shoulder, neck, head. If it hurts following the accident tell the doctor.

Document, document, document. When your back pain gets better and the shoulder gets worse well, if you never mentioned the shoulder to your doctor before then they're going to say you hurt it somewhere else.

## 4 IF A PARTICULAR TYPE OF MEDICAL TREATMENT IS DENIED, KEEP TRYING.

If it first you don't succeed try try again. Insurance companies deny medical treatment all the time. Like the GEICO commercials used to say, "It's What They Do".

Luckily, the insurance companies don't get to make all the rules. You can file an appeal of the denial to a doctor in Baton Rouge that we call the "Medical Director". He's the guy who has the final say on whether something should be approved or not.

Hopefully, you have a doctor that's willing to go through the appeals and make any tweaks necessary so you can finally get that medical procedure. Many doctors won't. Your doctor can do a lot for you in workers' compensation. Again. See Number 1 above. Did I mention that's important?

## 5 NEVER ACCEPT THE INSURANCE COMPANIES ORIGINAL CALCULATION OF WHAT YOUR CLAIM IS WORTH

NEVER trust what the insurance companies tell you. To them it's all about the money. The Benjamins. The more money they save on you they can either give it to their stockholders or use it to help them screw the next guy.

Employers? A rare few may talk the talk and call and check up on you from time to time but that stops if you're out for an extended time. More likely they will just wash their hands and leave it up to the insurance company's army of adjusters, case managers, doctors, nurses and lawyers to make sure they pay as little as possible. Why? The more the insurance company pays on your claim then the more the employer has to pay for their insurance premiums.

Never just accept what they say. They're not on your side. They're Goliath. You're David. Remember who won that battle.

I hope this information points you in the right direction if you decide to handle your case on your own. But..... if you ever feel overwhelmed or frustrated by the insurance company antics and would like some assistance, feel free to call me at 504-833-0785 to schedule a free consultation.

**Joseph Schilleci, Attorney All About Workers' Compensation**

**2313 N. Hullen St. Metairie, LA 70001 www.workcompla.com • 504-833-0785**