

Circular No. 15 Series 2022–2023 September 7, 2022

Division of Human Resources and Professional Development 2022-2023 Procedures for Workers' Compensation and Employee Incident Reports

To: All Staff

From: David Larner Chief Human Resources and Leadership Development Officer

Attached, please find a copy of the updated procedures for reporting a work-related injury/illness. Also, please find sample copies of the Workers' Compensation Commission First Report of Injury (Form IA-1) and Employee Incident Report, referred to in the procedures.

Please read the procedures thoroughly and, in particular, pay careful attention to what you must do when an employee assigned to your school/area is injured or assaulted. Please inform your staff of the procedures for reporting incidents and obtaining medical care. Failure to follow these procedures may impact the workers' compensation benefits received. The forms must be completed and forwarded to Human Resources within 24 hours of the injury.

Additional forms are available from the Workers' Compensation Specialist upon request and are also available on the Staff Hub under: Services, Employee Resources, Workers' Compensation.

If you have any questions, please contact the Office of Workers' Compensation at 410-313-7494.

DKL/lab

Attachment

## Howard County Public School System

10910 Clarksville Pike Ellicott City, MD 21042

# Workers' Compensation

# **Program and Procedures**

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#### HCPSS WORKERS' COMPENSATION PROGRAM

Workers' Compensation is a program that provides benefits for an employee who sustains a compensable work-related injury or illness while performing assigned job duties in the course of employment. All work-related injuries/illnesses must be reported; whether medical attention is needed or not. Compensable work-related injuries/illnesses of employees are subject to the Maryland Workers' Compensation laws and regulations.

The Howard County Public School System (HCPSS) Workers' Compensation benefits and procedures are as follows:

- 1. Appropriate medical attention (first aid and/or professional medical care) will be provided immediately to an employee sustaining a work-related injury/illness. Professional medical care is provided through the following procedures:
  - a. **Call 911 immediately for a life-threatening injury/illness**. If the employee is not admitted to the hospital, the **employee** may be referred to an industrial/urgent care clinic for a return-to-work evaluation within 24 hours of treatment from the hospital.
  - b. Non-emergency injury/illness. The employee may report to Concentra Medical Center (Columbia, Jessup and other location), Patient First (Columbia, Catonsville, Laurel and other locations) or other industrial/urgent care center for work evaluation and/or treatment. If opting for treatment with either Concentra or Patient First, a Treatment Authorization form is to be taken by the employee when going for the initial visit. This form is to be provided (and completed) by the employee's site of employment (school or office). Employees may also select their own treatment center provided that treater agrees to accept Workers' Compensation and are not a specialist (which requires a referral and authorization prior to treating).
  - c. If it is a non-emergency injury/illness, and the employee requires professional medical care after normal hours of operation, Concentra Medical Centers has a 24 hour facility where treatment can be obtained, or the employee may receive treatment from a different industrial/urgent care medical provider. The **employee** is **required** to provide a copy of a work status report which outlines their workability (or any work restrictions) at the start of the next business day following the evaluation.
- 2. All incidents must be reported by the employee to a supervisor immediately after the event. Any employee or individual aware of the incident may report the incident, if the injured/ill employee is unable to do so.

- a. Failure to notify a supervisor of an incident may subject the employee to disciplinary action and, if applicable, the 90-day full salary benefit may be forfeited.
- b. An Employee Incident/Injury Report will be completed for all incidents as soon as possible *even those that do not require medical attention*. This form serves as notification of the incident, should medical attention be required at a later date, as well as a tool for tracking potential incident trends.
  - 1. The employee completes each question on Section I (front page), signs, dates the form, and returns it to the Principal/Supervisor/Lead Person.
  - 2. Section II is completed, signed, and dated by the principal/supervisor/lead person. All questions must be answered.
  - 3. Submit a complete and signed copy of the Report to the Office of Workers' Compensation within 24 hours of the injury/illness (email or fax, 410-313-7349). If it is a serious injury/illness (either 911 or an off-work status is involved), call the Workers' Compensation Specialist to provide details before sending the form. Then forward the original copy to the Office of Workers' Compensation.
- 3. The Workers' Compensation First Report of Injury must be completed for all injuries that require medical attention and/or lost time from work.
  - a. The principal/facility manager completes this form. The injured/ill employee does not complete or sign this form.
    - 1. The principal or facility manager must sign and date.
    - 2. Thorough responses must be provided regarding questions about the injury/illness.
    - 3. Submit a complete and signed copy of the Report to the Office of Workers' Compensation within 24 hours of the injury/illness (email or fax, 410-313-7349). If it is a serious injury/illness (either 911 or an off-work status is involved), call the Workers' Compensation Specialist to provide details before sending the form. Then forward the original copy.
- 4. SISCO (Self-Insured Services Company) is the Workers' Compensation Third Party Claims Administrator for the Howard County Public School System.
  - a. SISCO will investigate and determine if the claim meets the criteria under Maryland state law for a compensable Workers' Compensation claim.
- 5. The injured/ill **employee** must **immediately notify** his/her Principal / Supervisor / Lead person if he/she is placed off from work or if there are temporary work

restrictions assigned and a determination needs to be made about possible duty modifications.

- a. Following every appointment (or at the beginning of the next scheduled workday), the employee must submit a copy of their work status to his/her Principal / Supervisor / Lead Person for review of the work status and restrictions
- b. Work status reports will be reviewed and job tasks may be modified as per the work restrictions. Work status reports are required by the Workers' Compensation claim administrator (SISCO), the Workers' Compensation Specialist, and by the employee's school/department in order to evaluate whether modified duty assignments can be determined.
- c. The Workers' Compensation Specialist is to be notified by the Principal / Facility Manager / Lead Person when they are unable to provide temporary modified work. The Workers' Compensation Specialist will work with the employee's Manager in evaluating alternate and temporary assignments for the employee based upon the work restrictions, employee's skills, and length of disability.
- d. All employees of HCPSS are subject to modified duty assignments. Modified duty assignments are temporary short-term work assignments. Assignments are contingent upon medical status and needs of the school system.
- e. Employees are required to provide information concerning work status and medical treatment as requested by the Workers' Compensation Specialist.
- f. When an employee returns to work from a leave of absence, he/she must provide the supervisor and Workers' Compensation Specialist medical certification which clearly outlines their workability. The certification must include the date of return to work and whether there are any work restrictions. <u>Note: The doctor must</u> <u>indicate the type of work restrictions ("modified" or "light duty" is not</u> <u>sufficient), as well as the duration the work restrictions are to be in place.</u>
- g. An employee receiving treatment must make the attempt to schedule appointments before or after work hours, or as close to that time as possible.
- 6. All time lost from work due to a work-related compensable injury/illness must be supported by medical certification. During the period of disability, salary compensation will be as follows:
  - a. No salary will be paid to the employee under Workers' Compensation until SISCO has determined that the claim is compensable.
  - b. A disability slip is required by the Workers' Compensation Specialist, and by the employee's school/department for payment of lost time from work.

- c. Any compensation for lost time due to a work-related injury must be supported by an off-duty status by Concentra Medical Centers, Patient First or other industrial/urgent care clinic. In the absence of any required disability certification, time lost from work will be charged to accrued leave, or if none, leave without pay. Compensable lost time will be either subject to the HCPSS 90-day benefit or paid at the rate equal to or greater than specified by Maryland Workers' Compensation regulations.
- d. Failure to substantiate time away from work by proper medical certification may result in the forfeiture of benefits for full pay under the HCPSS 90-day benefit. It is not a denial of a Workers' Compensation claim or any compensation due under the Workers' Compensation regulations.

**NOTE:** Employees covered by negotiated agreements, meet and confer agreements and Administrative Management are eligible for salary benefits under the 90-day benefit. Temporary and non-benefited employees are not eligible for this benefit.

- 7. If the employee is unable to return to work due to a compensable work-related injury/illness, HCPSS will provide compensation at the employee's regular rate of pay for a period not to exceed 90 workdays without loss of annual, sick, or personal leave or fringe benefits for the employee. The availability of the 90 days expires one year from the date of the injury/illness.
  - a. Subject to employee eligibility, a period of incapacity of more than three days will be considered a serious health condition, as defined by the Family and Medical Leave Act (FMLA). Days will be counted under an employee's annual FMLA entitlement (12 weeks/60 working days) and will run concurrently with a Workers' Compensation leave.
  - b. During the 90-day period, an employee will be paid at their regular rate of pay.
  - c. Employees will be paid for lost wages for time away from work to attend an initial visit to the clinic to treat for a work-related injury (and supporting documentation is provided, for follow-up visits, therapy appointments or to attend an independent medical evaluation at the request of SISCO or HCPSS.
  - d. Failure to use provided safety equipment or improper use of equipment and materials may result in loss of eligibility for full salary benefits under the 90-day benefit.
  - e. A claim resulting from an employee's willful misconduct will be subject to denial under the Maryland Workers' Compensation law.
- 8. After the 90-day period expires and the employee has not returned to work, the employee has the option to use available accrued leave (first sick, then other personal leave) to make

up the difference between Workers' Compensation benefits and his/her full regular salary in order to continue to receive full salary payments. If the employee elects not to use accrued leave, or if none is available, the employee will remain on an approved leave of absence without pay and will continue to receive any Workers' Compensation benefits to which he/she is entitled.

- a. Any salary payments made by SISCO to the employee, not applicable to the 90day period, will belong to the employee.
- b. Subject to FMLA eligibility, an employee may return to the same or substantially equivalent position and location within 12 weeks (60 working days) of the work-related injury/illness. If the employee is not able to return to work within the 12-week time (FMLA) period (including the 90-day period), the employee may be assigned to a same or equivalent position when a vacancy becomes available for which the employee is qualified. The employee may be placed at the grade and step held at the time of injury, or if placed in an equivalent position an appropriate grade and step for that position. Pay increments occurring during an employee's time away from work are subject to approval by the Human Resources Office.
- c. After an absence of six months (including the 90-day period), the employee's continued leave and reasonable accommodations will be evaluated on a periodic basis. During this time, the employee may use any available accrued leave.
- d. The approved leave of absence will not affect any benefits that may be due under the Workers' Compensation law.
- 9. The Department of Human Resources will be notified when the 90-day period expires or of other circumstances which may require consideration for the continued leave of absence.
- 10. If SISCO has determined that the injury/illness is a non-compensable claim, then:
  - a. If the employee is not able to return to work, he/she may use accrued leave, if available, and apply for a leave of absence for the duration of the recovery period. Leave is subject to FMLA.
  - b. If leave is not available, the employee must apply for an unpaid leave of absence for the duration of the recovery period. Leave is subject to FMLA.
  - c. Reassignment will be determined by the Department of Human Resources.
  - d. All time lost from work will be charged to the employee's accrued leave, and if none, the employee will be placed in a no-pay status.
  - e. SISCO will notify the employee when a claim has been denied, and will inform the employee of their options of filing an appeal, if desired.

- 11. If the employee is physically injured in the scope of his/her employment as the result of an assault and is absent due to physical disability that results from the assault, the employee will be kept on full pay status instead of sick leave during the period of absence. In this case, the following will apply:
  - a. Assault is defined as a willful, unprovoked attack intended to do harm to another that results in a physical disability.
  - b. The employee must immediately notify their supervisor of the incident and injury.
  - c. The employee is required to complete the Employee Incident Report of Injury/Illness and completely describe the incident and why it is considered an assault.
  - d. HCPSS will file a Workers' Compensation 1<sup>st</sup> Report of Injury reporting the incident and injury.
  - e. Procedures for the 90-day full salary benefit are followed, to include certification from the medical provider of the employee's disability.
  - f. If the employee's disability extends beyond the 90-day full salary benefit, then assault leave may apply. Assault leave is paid leave provided in accordance with §6-111 of the Education Article of Maryland Statute.
  - g. The employee will submit medical documentation from a licensed physician to SISCO for determination of any Workers' Compensation temporary total benefits that may be due.
  - h. If SISCO determines that temporary total benefits are due, then the employee will receive Assault leave in lieu of temporary total benefits with no sick leave charged.
  - i. FMLA will run concurrent with Assault Leave.
  - j. HCPSS may require a medical examination conducted by a physician selected and paid for by HCPSS.
  - k. Only permanent employees are eligible for Assault Leave.
  - 1. Assault leave will end when the employee returns to work, temporary total benefits end, and/or if the employee retires.
  - m. HCPSS may require the employee apply for disability retirement.

Contact the Office of Workers' Compensation at 410-313-7494 with any questions.

### PROCEDURES FOR MEDICAL ATTENTION WORKERS' COMPENSATION

### **EMERGENCY INJURY/ILLNESS**

An employee sustaining a work-related injury/illness that requires emergency assistance (911 or use of an ambulance) shall:

- Call 911 immediately for life-threatening injury/illness.
- Contact next of kin, spouse, or emergency contact person.
- Report all 911 calls to the Office of Workers' Compensation (410-313-7494).
- Unless admitted to the hospital, the employee must report to an Urgent Care (i.e.: Concentra Medical Center, Patient First) or other medical clinic on the next business day for work evaluation and/or treatment.
- Follow procedures under Non-Emergency Injury/Illness after visit.

### NON-EMERGENCY INJURY/ILLNESS

An employee sustaining a work-related injury/illness that does not require emergency medical care (911) shall:

- Obtain an Employer's Authorization for Examination or Treatment from his/her principal/supervisor/lead person.
- Employee must report for work evaluation and/or treatment at an industrial/urgent care location (i.e.: Concentra Medical Center, Patient First) or other medical clinic.
- Each employee will receive an Activity Status Report or work status slip following their evaluation. Employee shall return either to the principal or designated staff, supervisor, or lead person for a review of the work status and accommodations based on any work restrictions
- Notify the Office of Workers' Compensation if unable to modify the job tasks at the employee's regular work site, or if the employee is placed in an off-work status.
- The Workers' Compensation Specialist will evaluate alternate and temporary assignments for the employee based upon the work restrictions, employee's skills, and length of disability.
- All employees may be assigned to modified duty assignments.

The Activity Status Report from Concentra Medical Center (or note from any other industrial/urgent care center or medical clinic) must substantiate time away from work due to a work-related injury/illness. A doctor's note is given to the employee at the conclusion of each visit to Concentra Medical Center (or the Employee is obligated to ask for a work status note following an evaluation at an industrial/urgent care center or medical clinic). This note must be given to the employee's principal/supervisor/lead person for review of the work status and restrictions upon return from the evaluation, for review of any necessary job modifications to accommodate work restrictions.

#### **Concentra locations in and near Howard County**

 6656 Dobbin Road
 7

 Columbia, MD 21045
 7

 410-381-1330
 Fax 410-381-5585

7377 Washington Blvd. Jessup, MD 21075 410-379-3051 Fax 410-379-3074

Both locations are open 8:00 am – 5:00 pm Monday through Friday.

#### Patient First locations in and near Howard County

5900 Cedar Lane Columbia, MD 21044 443-718-4067 Fax 443-718-4068 6333 Baltimore National Pike Catonsville, MD 21228 443-514-1361 Fax 443-514-1362

3357 E. Corridor MarketplaceLaurel, MD 20724301-497-1820 Fax 301-497-5489

All locations are open 8:00 AM – 10:00 PM every day



## Work-Related Injury/Illness Reporting Checklist

- Unless the injury is serious, please complete the following prior to sending employees for treatment, and forward to the Office of Workers' Compensation <u>within 24 hours of injury</u> <u>or notification of injury</u>:
  - O <u>Workers' Compensation First Report of Injury or Illness</u>: Supervisor / Principal / Lead Person completes. Please provide as much detail as possible regarding the incident/injury (i.e.: time of occurrence, type of injury/illness, specific activity employee was engaged in and exactly how the injury/illness occurred)
  - <u>Employee Incident/Injury Report</u>: injured worker completes Section I; Supervisor / Principal / Lead Person completes Section II. Please ensure the cause of the accident and corrective action in response to the incident/injury are both identified
- You may encourage employees to seek treatment at Concentra Medical Centers, Patient First, or any industrial/urgent care clinic which specialize in work-related injuries; however employees have the option to treat at the medical facility of their choice as long as they confirm the treater agrees to accept Workers' Compensation injuries
- Employees are responsible for providing a copy of their work status to the Supervisor / Facilities Manager immediately after their appointment. A doctor's note must be provided following each doctor visit in order to remain updated on any changes in work status
- If an employee is taken off work, or the temporary work restrictions cannot be accommodated, contact the Office of Workers' Compensation immediately to discuss temporary modified duty or alternative accommodations
- All employees who have been off work due to a work-related injury <u>must</u> submit written authorization to return to work from their doctor *prior to or upon* returning to work. The release must indicate the effective date of their return and outline any restrictions which could now be accommodated, or they have been released to regular duty

### WORKERS COMPENSATION – FIRST REPORT OF INJURY OR ILLNESS

		EMPLOYER (NAME & ADDRESS INCL ZIP)				CARRIER/ADMINISTRATOR CLAIM NUMBER							REPORT PURPOSE CODE			
ç	3	Howard County Public School System			JURISDICTION JURISDICTION C											
G E N E R A		10910 Clarksville Pike Ellicott City, MD 21042			INSURI	INSURED REPORT NUMBER										
					EMPLC	YER'S LOCATION A	DDRESS	(IF DIF	FERENT	<mark>)</mark>		LOCATION #				
L	-				_											
		SIC CODE EMPLOYER FEIN 52-60000968										PHONE # (410) 313-6600			600	
		CARRIER (NAME, ADDRESS & PHONE NO)			POLICY	Y PERIOD	ME, ADDRESS & PHONE NO)									
с	C L				TO SISCO				D Self-Insured Services, Co, Inc.							
	A	Self-Insured				555 Fai				5 Faiı	airmount Avenue					
A R	M S										timore, MD 21286-5497 0) 339-7263					
R I A E D						DOL 10										
R	м	CARRIER FEIN				POLIC	POLICY/SELF-INSURED NUMBER ADMINISTRA				IRATOR FEIN					
	N	AGENT NAME & COD	E NUMBER													
		NAME (LAST, FIRST,	MIDDLE)			DATE C	OF BIRTH	SOCIAL	SECU	RITY NU	IMBER	DAT	E HIRED	STATE	OF HIRE	
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		INJURED THE EMPLOYEE OR MADE THE EMPLOYEE ILL														
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F	1	DATE ADMINISTRATOR NOTIFIED DATE PREPARED					PREPARER'S NAME & TITLE (Princ/Supvr's Signature) PHONE NUMBER									
F																



Workers' Compensation Office Justin\_Waters@hcpss.org 410-313-7494 Fax 410-680-3427

# **EMPLOYEE INCIDENT/INJURY REPORT**

### SECTION I: Completed by the injured employee (prior to seeking medical *treatment*)

- Please provide responses to all questions in Section I •
- Ask your Supervisor/Principal/Lead Person for assistance if you do not understand any • questions
- After completing, return the form to your Supervisor/Principal •

Employee Name:	Employee Number: E				
ob Title: Home/Cell Phone:					
School/Facility:					
Incident Date:/ Incid	dent Time: O AM O PM				
Incident location (hallway, classroom, e	tc.):				
	incident:				
When did you report the incident?	Who did you report it to?				
Do you require medical treatment? <b>O</b>	Yes <b>O</b> No				
If "Yes", which medical clinic? O Concentra O Howard County General Hospital O Other					
If "Other", please provide name, address and phone number of treatment location:					
Injured Part of Body and Type of Injury	? (i.e. right ankle sprain)				

Please provide a copy of your work status immediately following any treatment for a workrelated injury, so your Supervisor can be notified of any changes in your workability.

Signature of Employee \_\_\_\_\_ Date \_\_\_\_\_

### Section II: Completed and signed by the Supervisor and/or Principal

- Please provide responses to all questions in Section II; keep a copy for your records
- Scan/email the completed form & First Report of Injury form to Justin Waters <u>within 24</u> <u>hours</u> of the injury/illness; serious injuries/911 calls must be reported immediately
- Send original copies in the pony

Please indicate accident cause(s) which contributed to this incident:

O Housekeeping – unsafe storage, clutter, items on floor, congested work area, untidy work area
 O Physical safeguards – unguarded machinery, warning signs not posted, inadequate protective equipment, defective equipment

**O** Task methods – disregard of instructions, operating without authority, unsafe loading/unloading, unsafe posture/position, poor lighting, unsafe methods/procedures/processes, poor ventilation, safeguards not provided, protective equipment not provided, use of equipment/materials unsafely

**O** Supervision – inadequate direct supervision, failure to enforce rules, toleration of unsafe practices, protective equipment not used

**O** Other – combative student, horseplay, substance use, improper clothing, improper footwear, weather

Please list the corrective actions which will be taken as a result of this incident? \_\_\_\_\_

Could use of protective equipment (scrub boots, eyewear, etc.) have prevented this injury? O Yes O No

If the injury was a result of a slip/trip/fall, what type of footwear was the employee wearing?

If this was the result of an auto accident, provide name, address, and insurance information driver/owner:

# If this was the result of a human bite/scratch, refer employee to health assistant/cluster nurse for notification requirements.

Has employee returned to work? **O** Yes **O** No If yes, when?

Will there be any lost time from work? **O** Yes **O** No If yes, start date?

If there are any temporary work restrictions, are you able to accommodate? **O** Yes **O** No

# If no, contact the Workers' Compensation Office immediately for job placement of the injured employee.

Signature of Supervisor	Date
-------------------------	------

Signature of Principal/Facility Manager \_\_\_\_\_ Date \_\_\_\_\_

### Exhibit B



(Patient Must Present Photo ID at Time of Service)

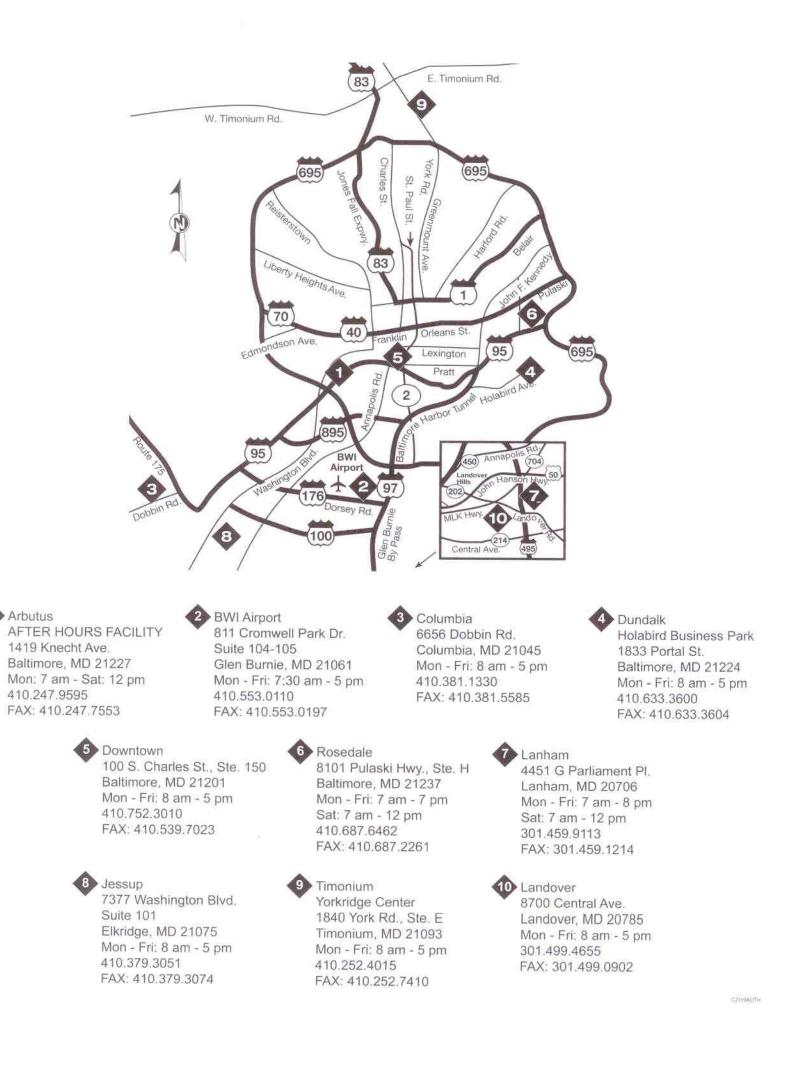
# Authorization for Examination or Treatment

Patient Name:	Social Security Number:					
Employer:	Date of Birth:					
Street Address:	Location Number:					
Temporary Staffing Agency:						
Work Related	Physical Examination					
□ Injury □ Illness	Preplacement Baseline Annual Exit					
Date of Injury	DOT Physical Examination					
Substance Abuse Testing* (check all that apply)	Preplacement Recertification					
□ Regulated drug screen □ Breath alcohol	Special Examination					
□ Collection only □ Hair collect	Asbestos Respirator Audiogram					
□ Non-regulated drug screen □ Rapid drug screen	Human Performance Evaluation*					
Other	HAZMAT Medical Surveillance					
Type of Substance Abuse Testing	Other					
□ Preplacement □ Reasonable cause	Billing (check if applicable)					
Dest-accident Random	Employee to pay charges					
□ Follow-up						
Special instructions/comments:	patient and staff are allowed in the testing/treatment area. Please alert your employee so that they can make arrangements for children or others that might otherwise					
<i>2</i>	be accompanying them to the medical center.					
Authorized by:Please print	Title:					
Phone:	Date					
Concentra now offers urgent care services for non-work	related illness and injury. We accept many insurance plans.					

(Copies of this form are available at www.concentra.com)

C2110AUTH

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**Exhibit C**