



ORTHOPÆDICS

Workers' Compensation

Medical Benefits*: *Do You Know Your Rights?*

Illinois Workers' Compensation Commission

**Handbook on Workers' Compensation
and Occupational Diseases*

Chapter 3

OAD Orthopaedics
27650 Ferry Road • Warrenville, IL 60555-3845
(630) 225-BONE (2663) • www.OADortho.com

Chapter 3: Medical Benefits

Because prompt medical care may be essential to the employee's maximum recovery, the employee should seek medical attention immediately after the injury. The employee must cooperate in reasonable programs to assist his or her recovery and return to work.

1. Can the employee choose the treating doctor or hospital?

Yes. An employee may choose any doctor or hospital at the employer's expense. It is recommended that the employee inform his or her employer in writing of the name and address of the doctor or hospital chosen. An employee may also obtain treatment from a doctor or hospital selected by the employer.

Under some circumstances, the employee may rely upon treatment by prayer or spiritual means alone.

2. Is there a limit to the number of doctors an injured employee may select at the employer's expense?

Yes. The employer's responsibility is to pay for all first aid and emergency services, two treating physicians, surgeons or hospitals of the employee's choice, and any additional medical care providers to whom the employee is referred by the two physicians, surgeons or hospitals.

Thereafter, the employee must obtain the employer's approval of additional doctors or hospital services. If the employee chooses to see any other medical care providers not approved by the employer, the employer is not required to pay for their services.

Emergency and first aid care will not be considered one of the employee's two choices of doctors.

Note: Medical care and services can include prescribed physical, occupational, and vocational rehabilitative therapy; and diagnostic testing such as magnetic resonance imaging (MRI)

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3. *Must the employer pay all physician and hospital bills?*

If the treatment provided is reasonably required to cure or relieve the employee from the effects of the injury or disease, and the provider of the services has given the employer the information required by law, the employer is required to pay all reasonable charges.

If these requirements are not met, the fact that the employee has already paid all or part of a bill does not necessarily obligate the employer to pay the bill.

If the employer refuses to pay a medical bill, it must promptly give the employee a written explanation of the basis for the refusal.

4. *Can the employer ask for an evaluation by its own doctor?*

Yes. If an employee claims to be entitled to benefits and the employer asks for an examination by a doctor of its choice, the employee must undergo the examination at a reasonable time and place. The employer must pay for this examination.

In addition, the employer must pay, in advance, sufficient money to defray travel expenses by the most convenient means and the cost of meals necessary during the trip. If the employee loses time from work, the employer must provide reimbursement for lost wages.

An employee's refusal to be examined by the employer's doctor can result in loss of benefits.

5. *Is the employee entitled to vocational rehabilitation?*

Where appropriate, the employer must pay for treatment, instruction and training necessary for the physical, mental and vocational rehabilitation of the employee, including all maintenance costs and incidental expenses. The employee must cooperate in a reasonable rehabilitative program.

The employee may choose the provider of such reasonable vocational rehabilitation services or may accept the services of a provider selected by the employer.

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6. *What information must the employee give the employer?*

The employer must be given sufficient medical information to determine whether benefits are due.

7. *Should the employee's doctor send medical reports to the employer?*

Yes. If the employee's doctor does not send medical reports to the employer or its service or insurance company, benefits may be delayed.

The report should include sufficient information to allow the employer to determine whether benefit payments should be initiated, continued or terminated; to determine whether treatment is necessary to cure or relieve the employee from the effects of the injury or disease; and to determine whether the charges are reasonable.

8. *Should the doctor selected by the employer send reports to the employee?*

Yes. The doctor must report the same information to both parties. The employee is entitled to complete copies of all medical reports and records by or in the possession of the employer.

9. *If an employee changes doctors, who should be notified?*

To avoid any delay in the payment of compensation benefits and medical expenses, the employee should notify the employer of any change in the medical care providers.

**Should you have any questions or want additional information regarding Illinois Workers' Compensation Medical Benefits, and the *Handbook on Workers' Compensation and Occupational Diseases*, or the Illinois Workers' Compensation Commission (IWCC), Call IWCC toll free: (866) 352-3033 or (312) 814-6611
IWCC website: www.iwcc.il.gov**

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