

Bob Wise
Governor

Gregory A. Burton
Acting Commissioner



West Virginia Bureau of Employment Programs

- Job Service • Labor Market Information
 - Unemployment Compensation • Workers' Compensation
- an equal opportunity/affirmative action employer*

Important Notice

Adoption of Guidelines for Disability Period

Pursuant to §23-4-7a, it is essential that the Division establishes and operates a systematic program for the monitoring of injury claims where the disability continue longer than might ordinarily be expected. In complying, the Division has in consultation with the Health Care Advisory Panel established a policy regarding the use of guidelines for the anticipated periods of disability. The purpose of the guidelines is to encourage quality medical care for all injured workers; limit cost of indemnity benefits; and provide administrative assistance for the case management process.

In determining the length of disability, three things are considered: the injured worker's occupation, the compensable diagnosis, and the physical demand level of the job. Upon ruling a claim compensable for lost time benefits, a letter will be sent to the injured worker's treating physician informing them of the factors of the claim and requesting them to notify the Division if the information is incorrect. During the course of the claim, if the recommended period of disability is exceeded without just cause from the treating physician, the claims adjuster will request further justification as to why temporary total disability benefits must continue.

The Division has adopted the optimum days according to The Medical Disability Advisor (Presley Reed, MD, editor; 4th edition) as the official guidelines for temporary total disability benefits.

The West Virginia Workers' Compensation Division will implement these guidelines effective June 1, 2003.

A handwritten signature in cursive script that reads "Gregory A. Burton".

Gregory A. Burton
Acting Commissioner

5-01-03
Date