

### ***Who do I contact for information about my claim?***

Your workers' compensation claim falls within a group of claims that are administered by the West Virginia Offices of the Insurance Commissioner. Your claim is managed on behalf of the Insurance Commissioner by American Mining Claims Services (American Mining), a company which specializes in the management of workers' compensation claims. If you have any questions regarding your claim, or if you have not heard from American Mining within 14 days of filing your claim, you should contact them directly at:

**American Mining Claims Service  
Post Office Box 660847  
Birmingham, AL 35266-0847  
1-888-823-4496**

### ***How does the claims process work?***

When American Mining receives your claim, it will receive a claim number and will be assigned to a claims adjuster. The claim number will identify your claim, and your claims adjuster will work with you to ensure that you receive the proper medical care and benefits, and to assist you with an appropriate return to work.

Once American Mining has received your claim application, your claim will be reviewed, and you will receive a decision advising you whether your

claim has been approved or denied, and what medical conditions are covered by your claim. If you disagree with the decision, you have a right to protest the denial by filing a written protest with the Workers' Compensation Office of Judges within 60 days from the day you receive the decision. Protests must be in writing, and must include a copy of the decision being protested. Your protest must be sent to:

**Office of Judges  
P.O. Box 2233  
Charleston, WV 25328-2233**

Copies of your protest must also be sent to your employer, and to the West Virginia Offices of the Insurance Commissioner at the following address:

**American Mining Claims Service/OIC  
Post Office Box 660847  
Birmingham, AL 35266-0847**

Under West Virginia law, by filing a workers' compensation claim you irrevocably agree that any physician may discuss, orally or in writing, your medical history and course of treatment with your employer and with American Mining. This information can include both information regarding your occupational injury or disease, as well as information regarding any prior injury or disease of the portion of your body which is the subject of your workers' compensation claim.

### ***What if I miss work because of my injury?***

If you are unable to return to work for four or more consecutive days, you may be eligible for temporary total disability benefits. In order to receive these benefits, your treating physician must certify on the proper forms that you are unable to return to work.

Depending on the nature of your injury, you may also be referred by American Mining for a medical examination, which American Mining will pay for, to evaluate your medical condition and the progress of your recovery. You may also be referred to a case management professional, who will assist you with your efforts to return to work.

You may also be able to return to work during your recovery period. Your claims adjuster may consult with your physician and your employer to determine whether your job duties can be modified to accommodate your injury during your recovery period.

### ***How do I Choose a Physician?***

***If your illness or injury is an emergency, you should seek medical treatment at the nearest medical facility that can treat your illness or injury.***

For treatment that is not emergency treatment, you may select the physician of your choice, so long as that physician accepts payment from State-administered

workers' compensation claims. Your physician will be able to provide you with this information.

### ***How Can I Change My Physician?***

To change your treating physician, you must obtain prior authorization from your claims adjuster.

### ***How do I get Medications?***

Prior authorization is not required for most medications if they are prescribed within the first two weeks after the date on which you were injured. Certain narcotic medications require prior authorization by your claims adjuster after this initial two-week period, and all medications require prior authorization by your claims adjuster after twelve weeks from your date of injury.

If your physician prescribes a brand-name medication, and a generic brand of that medication is available, your pharmacist will fill your prescription with the generic brand. If a generic brand of the prescribed medication is available, and you choose to be provided with a brand-name medication, you must personally pay the difference between the cost of the generic brand and the brand-name medication.

If you have any questions regarding medications, you should contact your American Mining claims adjuster at 1-888-823-4496.



## **Understanding the West Virginia Workers' Compensation Claims Process:**

***Information an Injured Worker  
Needs to Know***



**1-888-TRY-WVIC**

P.O. Box 50540  
Charleston, WV 25305-0540

**Jane L. Cline**  
WV Insurance Commissioner