

Who do I contact for information about my claim?

Workers' compensation claims are included within a group of claims administered by the West Virginia Offices of the Insurance Commissioner. These claims are managed on behalf of the Insurance Commissioner by HealthSmart Disability Management (HealthSmart), a company that specializes in the management of workers' compensation claims. If you have any questions regarding your claim, or if you have not received a response from HealthSmart within 14 days of filing your claim, you may contact them directly at:

**HealthSmart Disability Management
Post Office Box 3389
Charleston, WV 25333-3389
(304) 556-1100**

How does the claims process work?

When HealthSmart receives your claim, a claim number will be created and assigned to a claims adjuster. The claim number identifies your claim, and the claims adjuster will work with you ensuring that you receive the proper medical care, benefits, and assistance with an appropriate return to work.

HealthSmart will review your claim application, and you will receive a decision advising you whether your claim has been approved or denied, and what

medical conditions are covered via your claim. If you disagree with HealthSmart's decision, you have the 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 provided 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**

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

**HealthSmart Disability
Management/OIC
Post Office Box 3389
Charleston, WV 25333-3389**

Per West Virginia state law, when filing a workers' compensation claim, you agree irrevocably that any physician may discuss your medical history and course of treatment orally or in writing with HealthSmart and your employer. A physician may also include information regarding your occupational injury or disease, and any prior injury or disease concerning the portion of your body that 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, HealthSmart may also refer you and pay for a medical examination 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 in returning to work.

In addition, returning to work during your recovery period is possible. Your claims adjuster may consult with your physician and employer to determine if your job duties can be modified for accommodation of 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 non-emergency treatment, you may select any physician; however, he or she must accept payment from State-administered

workers' compensation funds. The physician you select can provide you with this information.

How Can I Change My Physician?

You must obtain prior authorization from your claims adjuster to change your treating physician.

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 of your injury. Some specific narcotic medications require prior authorization by your claims adjuster after the initial two-week period. All medications require prior authorization by your claims adjuster after twelve weeks from the date of your injury.

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

If you have any questions regarding medications, please contact your HealthSmart claims adjuster at (304) 556-1100.



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

Michael D. Riley
WV Insurance Commissioner