

entitled to an increase of your permanency award. To receive these payments, you must re-open your case within five (5) years from the date you received your last TTD or PPD payment.

***When will my case be resolved?***

Once we receive your rating, we will file Issues with the Workers' Compensation Commission to determine the extent of your permanent disability. Your employer may also request that you be seen by another doctor for an Independent Medical Examination (IME). In some instances, we can settle or resolve your case without a Hearing. In other instances, the Commission will decide the extent of your injuries.

***What if my employer doesn't have workers' compensation insurance?***

The Uninsured Employers Fund was established to pay benefits when an employer fails to obtain workers' compensation insurance

***Why do I need an attorney?***

To represent you at Hearings; to negotiate with the employer/insurer's representatives (adjusters and attorneys); to advocate for your benefits; to schedule you for an impairment evaluation with a qualified physician familiar with Maryland Workers' Compensation laws; and to resolve your claim when appropriate.

***How does my attorney get paid?***

In Workers' Compensation cases, you never pay your attorney directly. The insurance company pays your attorney a percentage of what your attorney wins for you.

***How much does my attorney get paid?***

No more than 20% of the Award your attorney wins for you, unless the decision is appealed. All fees are fixed by law and must be approved in advance by the Commission before they can be paid.

***Do I have to give a recorded statement to my employer or the insurance adjuster?***

No.

# Seigel, Tully & Furrer, LLC

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Outside Maryland:

**(800) 750-9133**

## YOUR RESPONSIBILITIES

***Working together, we can make the Maryland Workers' Compensation Laws work in your favor.***

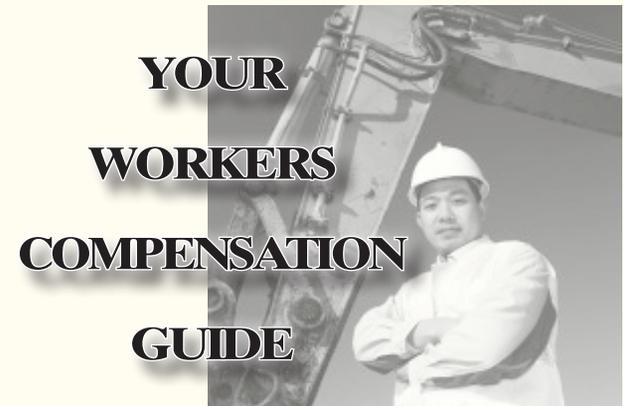
***For the best results in your case, you should:***

- keep all medical appointments
- inform us when you have been discharged by your doctor
- if you call the office and no attorney is available, leave just one message, stating the reason for your call, along with your full name and telephone number
- keep copies of all documents and promptly send us copies of all medical bills and disability slips (off of work slips)

*This brochure summarizes Maryland Workers' Compensation Law generally and is not intended to be legal advice. For more information, contact one of the attorneys at Seigel, Tully & Furrer, LLC so we can discuss your case.*

# Seigel, Tully & Furrer, LLC

*Over 44 years of legal experience*



## YOUR WORKERS COMPENSATION GUIDE

The attorneys at Seigel, Tully & Furrer, LLC have prepared this Workers' Compensation Guide for you to help you understand your case.

I. Steven Seigel, Esq. has published articles on the Workers' Compensation statute and has appeared in all Workers' Compensation Commissions in the State of Maryland.

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## FREQUENTLY ASKED QUESTIONS

*To help you better understand your case and Maryland Workers' Compensation Laws, we have compiled a list of Frequently Asked Questions. This information explains how Workers' Compensation cases proceed.*

### ***What benefits am I entitled to?***

- a. Medical costs: All costs for reasonable and necessary medical care for your injury for the rest of your life.
- b. Temporary Total Disability (TTD): While you are disabled/recovering, you are entitled to receive 2/3 of your salary, subject to a cap. Your employer may also choose to pay you full salary instead of TTD.
- c. Permanent Partial Disability (PPD): After you have recovered, referred to as reaching Maximum Medical Improvement (MMI), you are entitled to benefits for any permanent disability. The benefits vary, depending on what part of your body was injured, the extent of the injury, your average weekly wage, and the year you were injured.

### ***Do I have to see the company doctor?***

No. You are entitled to receive reasonable and necessary medical care from any physician you choose. Your employer does have the right to monitor your care and have you examined with regard to fitness for duty.

### ***What is the consideration date?***

This date, listed on the Blue Form from the Workers' Compensation Commission, is the deadline for your employer to raise any objections it may have to your claim.

### ***How often will I get TTD payments?***

You will receive benefits either weekly or biweekly, depending on your regular pay schedule, for the time you are unable to work due to your work-related injury, until you reach Maximum Medical Improvement.

### ***What is "Maximum Medical Improvement (MMI)"?***

When you are no longer under active medical care. MMI means further medical treatment will only maintain your condition, not improve it. Your injury has improved as much as possible.

### ***What happens when I get discharged from my doctor's care?***

After you are discharged, we will schedule you for your permanent disability rating.

### ***What if my injury prevents me from returning to my job?***

If you cannot return to work or a similar job, you may be eligible for vocational rehabilitation, where you would be assessed and trained for a new job, while being paid TTD benefits. You may possibly be eligible for ADA, EEOC or ADR benefits.

### ***What happens if my employer contests my claim?***

A Hearing will be scheduled to determine whether your injury condition is compensable under the Workers' Compensation Laws.

### ***What are "Issues"?***

A request for the Workers' Compensation Commission to schedule a Hearing to resolve a disputed matter.

### ***How long does it take to get a Hearing?***

Approximately 3-8 months after Issues are filed.

### ***How many Commissioners are there?***

There are nine (9) Workers' Compensation Commissioners, plus the Commission Chairman, who are appointed by the Governor to decide Workers' Compensation claims. They sit as decision-makers and cannot represent the Claimant.

### ***When/where is my Hearing?***

Your hearing will be held on the date and at the location listed on the Notice of Hearing, which you will receive in the mail from the Workers' Compensation Commission.

### ***Where are the Hearings held?***

Hearings are held in Baltimore City, and at various sites throughout the state, including Abingdon, Beltsville, Cambridge, Cumberland, Frederick, and LaPlata.

### ***What do I wear to the Hearing?***

You should wear dress clothes to show your respect to the Commissioners and to the Commission. Men should wear dress shirts and pants, with a jacket and tie. Women should wear a dress, or a skirt and blouse, or a pants suit.

### ***How long does a Hearing last?***

Hearings typically last 5-30 minutes.

### ***When will I get a decision from the Commissioner?***

The Commission will mail its decision to you, usually within 2-4 weeks after the hearing.

### ***How long does it take to receive money awarded?***

The insurance company usually mails award checks within 3-4 weeks after the Commission's Award is received.

### ***How often will I get PPD payments?***

You will receive benefits either weekly or biweekly for a set period of time, based on the kind of permanent disability you have and the extent of your permanent disability.

### ***What if I already get Social Security Disability?***

Your Workers' Compensation benefits can be a partial offset to Social Security Disability benefits:

### ***What happens if my condition gets worse and I need medical treatment AFTER an award?***

You are entitled to medical treatment for the rest of your life for reasonable and necessary medical care needed as a result of your work-injury.

### ***Can I get additional disability payments after an award?***

You may receive additional TTD payments if you become temporarily totally disabled again as the result of your original injury. You may also be