

# BIAW Claims Specialists are employers' best line of defense

Members of the BIAW Return on Industrial Insurance (ROII) Program have access to the finest claims staff in the state. This top notch claims staff exists for one reason—to use their expertise to assist employers with workers' compensation claims in order to maximize the ROII refunds employers receive.

The Washington State Department of Labor & Industries (L&I) serves as the advocate for the injured worker and the BIAW claims staff serves as the advocate for BIAW members. Besides the refund, access to this professional claims staff is one of the most valuable benefits of membership in BIAW's ROII Program. However, far too many employers participating in ROII fail to take full advantage of the services offered by their BIAW Claims Specialist.


Communication with your designated BIAW Claims Specialist is the key to keeping claims costs down. Navigating the workers' compensation system can be a confusing endeavor for any employer, but your BIAW Claims Specialist does it every day. Don't be reticent about utilizing this resource—more often than not, intervention by your BIAW Claims Specialist can significantly cut down on the time loss expenses incurred by your company.

In the blue box are three common scenarios where time loss costs could have been cut dramatically if employers had contacted their BIAW Claims Specialist.

In most of these types of scenarios, the BIAW Claims Specialist is contacted as a last ditch effort by a frustrated employer. Un-

fortunately, many times the contact is made too late for anything to be done about the time loss costs already incurred.

The lesson here? If you have concerns with a claim—call your BIAW Claims Specialist. The BIAW claims staff has years of

experience in workers' compensation and possesses the knowledge necessary to navigate the maze of industrial insurance laws and L&I regulations. Don't be afraid to use this resource...it could make the difference in whether you receive a refund. 

## Don't wait to contact your BIAW Claims Specialist

### Scenario #1

After a worker has been on time loss for several months, the employer contacts his BIAW Claims Specialist wondering why the worker is still collecting benefits, when the worker has repeatedly refused the employer's verbal offers of light duty work from the day the injury was sustained. The BIAW Claims Specialist explains that L&I will not accept a verbal offer of light duty—the offer must be in writing. If the worker refuses a written offer for light duty work, L&I will discontinue time loss benefits. But L&I will not discontinue time loss benefits if the offer was made verbally.

***Had the employer told his BIAW Claims Specialist light duty work was available, or that it had been verbally offered and refused, he would have been given the assistance needed to prepare a written job offer when the worker was first injured. If the worker rejected this written offer, L&I would have discontinued benefits, saving the employer months of time loss costs.***

### Scenario #2

The employer calls his BIAW Claims Specialist because a worker has been collecting time loss benefits for months, has had expensive surgery, and is in the process of being retrained for a new job. But the employer says the claim is not valid because the worker sustained the injury while away from work. As the BIAW Claims Specialist discusses the situation with the employer, it is discovered that many potential witnesses to the alleged on-the-job injury no longer work for the employer, and there is now no way to contact them.

***Had this situation been brought to the BIAW Claims Specialist's attention immediately after the injury, the employer would have been advised to gather signed and dated statements from every possible witness, and the BIAW Claims Specialist would have guided the employer through the necessary steps to protest the claim with L&I, again saving the employer thousands of dollars in time loss costs.***

### Scenario #3

The employer calls his BIAW Claims Specialist wondering how long a claim is going to continue, complaining the claim is overly expensive because the time loss rate is incorrect. The injured worker is being paid for far more hours than were actually worked, and the employer has the documentation to support this. However, the orders establishing the time loss rate are several months old. The BIAW Claims Specialist informs the employer that any order issued by L&I must be protested within 60 days of the receipt of the order. At 61 days, the order is final and binding and cannot be changed—even with solid documentation backing up the fact that the order is incorrect.

***Had the employer contacted his BIAW Claims Specialist when the wage order was first issued, L&I could have been informed of the incorrect time loss rate and the situation would have been corrected, saving the employer thousands of dollars.***

