



# Federal Work Comp Checklist



OWCP Office of Workers' Compensation Programs

## Federal Workers' Compensation Law is Fair - Why All the Problems?

Supervisors, Claims Examiners and doctors do not know the law. Federal Work Comp requires doctors to have Legal Medicine expertise. Whoops! Legal Medicine is not taught in medical schools! Good News! Federal employees, not the boss, get to pick their doctor to provide:  
★ Getting Claims Accepted with Medical Rationale causation reports & Forms ★ Set Work Restrictions ★ Get Temporary Total Disability pay for time off work ★ Schedule Awards money for injuries ★ Protection from Government Harassment & Video Surveillance & More.

### 1. Notification of Injury

- **Acute Injuries:** Use Form CA-1 - *Federal Notice of Traumatic Injury and Claim for Continuation of Pay/Compensation*
    - Tell your Supervisor! Within 4 hours, Supervisor is required to give you a Form CA-16 *Authorization for Examination And/Or Treatment*.
    - **ECOMP\*** Form CA-1 to OWCP within 30 days. You can file later. ECOMP a copy of CA-1 even if your Supervisor tells you it has been filed.
  - **Cumulative Trauma** (Example: Carpal Tunnel): Use Form CA-2 *Notification of Occupational Disease and Claim for Compensation*
    - **Two Keys for Success:** #1. Employee's Typed Narrative report (See Forms CA-35A-H) #2. **Your Doctor's Medical Rationale Causation report.**
    - **ECOMP\*** or mail within 3 years of your last date of employment.
  - **Form CA-2a Notice of Recurrence:** If you are still working it is easier to file a new injury claim. If retired, use CA-2a. **ECOMP\*.**
- \* **ECOMP** Employees' Compensation Operations & Management Portal electronic filing required. Ellis Clinic can help you with your ECOMP account.

### 2. OWCP Assigns a Claim Number and Your Claims Examiner

- Receiving an OWCP Claim number does NOT mean your claim is accepted.
- When your claim is accepted you should get an acceptance letter listing all the accepted conditions.
- Make sure everything is accepted! If not, have your physician write an Upgrade Conditions Request medical report.
- Your Claims Examiner is the judge for your claim. It is best to correspond in writing and to keep proof of all conversations.

### 3. Employee Selects Their Treating Physician

- Under OWCP you have the sole right to select your physician!
- OWCP is Administrative Law requiring your physician's documentation. Your physician's medical opinion has higher probative legal value.
- Your physician should be an expert in Legal Medicine and able to provide OWCP medical rationale reports & forms and testify in oral hearings.
- To change your treating physician, simply send a letter to OWCP with the reason you are changing.

### 4. Treatment

- **CA-1 Acute Injuries:** Employer must issue a Form CA-16 authorizing treatment within 4 hours or be fined or imprisoned or both.
  - Even if your Employer denies the claim. You get to choose your doctor or medical facility to treat you!
  - For acute injuries you may initially see the employer's physician and then followup with the physician of your choice.
- **CA-2 & CA-2a Claims:** Only OWCP authorizes treatment. Your physician gets authorization from OWCP.

### 5. Schedule Awards ❖ Money for Permanent Disabilities

- OWCP, Not You, pays for your physician's Schedule Award Exam.
- Schedule Awards require physicians use to the 6<sup>th</sup> Edition of the *AMA Guides to the Evaluation of Permanent Impairment*. You may have to travel.
- OWCP pre-approves payment to the physician of your choice for a Schedule Award exam and impairment rating.
- ECOMP or mail to OWCP your Schedule Award report with a Form CA-7 checking the ☐ Schedule Award box.
- If you get worse, you can repeat Schedule Award impairment ratings every year. OWCP pays for Schedule Awards.
- Careful! Getting a Schedule Award stops OWCP off work Temporary Total Disability (TTD) checks. You may stay on TTD.

### 6. Denials of Claims: 3 Paths to Justice ★ Do not give up! ★ OWCP is Fair! ★

- **Reconsideration in Writing.** First Method. Your physician provides a new Legal Medicine Medical Rationale Report. You can keep repeating.
- **Oral Hearing.** Often successful. By phone or live. Have your doctor explain their medical rationale.
- **ECAB Employee's Compensation Appeals Board:** Judges are Fair & Knowledgeable. Careful! Use as a last resort.

**Questions? Give us call. You are not alone! We are here to help!**

**Appointments: Call or [www.EllisClinic.com](http://www.EllisClinic.com)**



**Ellis Clinic**

Fair & Compassionate Occupational & Legal Medicine™

This handout is provided as a courtesy and is not legal advice

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# Why Do Federal Employees & Vets Come from Across the Nation to Ellis Clinic?



**I've Got Doc Ellis  
In My Corner**

Federal Workers' Compensation and VA Disability laws are fair administrative laws! They are supposed to be non adversarial. Unfortunately, Federal employees and Vets are treated unfairly.

- Many government employees are not trained in Federal Work Comp and VA laws.
- Federal and VA laws require doctor's expert medical opinions and forms.
- Whoops! Legal Medicine is not taught in medical schools.



**You Have the Right to Pick Your Doctor!**  
**Let the Ellis Clinic Legal Medicine Team Assist You**



**Federal Workers' Compensation ❖ OWCP** Office of Workers' Compensation Programs

**Successful Medical Rationale Causation reports and forms:**

- ◆ Get your injury claims accepted and get treatment.
- ◆ Get Temporary Total Disability payments while off work.
- ◆ Gets fair Schedule Award Disability payments.
- ◆ Keep you protected from Supervisors and Agencies.

**Legal Medicine Expertise & Consultation**

- ◆ Does your doctor testify for you in Federal Oral hearings?
- ◆ Does your doctor testify for you in Federal Criminal Court?

*Dr. Ellis has testified in over 1,500 trials. His testimony has never lost a case!*

*Dr. Ellis' curriculum vitae is in: [www.EllisClinic.com](http://www.EllisClinic.com)*



**VA Disability ❖ Successful Medical Nexus Causation Reports**

Just submitting your military and civilian medical records to the VA and hoping that the VA's rating doctor is trained and cares about vets can lead to denials. **DON'T GIVE UP!**

**You'll have more success with Your Doctor's Medical Nexus Causation Opinion report!**

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