



Supervisors Delaying Injury Claims

Federal Workers' Compensation

OWCP Office of Workers' Compensation Programs

Title 18 USC § 1922, US Code - Section. 1922: False or withheld report concerning Federal employee's compensation: Whoever, being an officer or employee of the United States charged with the responsibility for making the reports of the immediate superior specified by section 8120 of title 5, willfully fails, neglects, or refuses to make any of the reports, or knowingly files a false report, or induces, compels, or directs an injured employee to forego filing of any claim for compensation or other benefits provided under subchapter I of chapter 81 of title 5 or any extension or application thereof, or willfully retains any notice, report, claim, or paper which is required to be filed under that subchapter or any extension or application thereof, or regulations prescribed thereunder, shall be fined under this title or imprisoned not more than one year, or both.

CFR § 10.300 What Are the Basic Rules for Authorizing Emergency Medical Care?

Acute Injuries. Form CA-1

Federal Employee's Notice of Traumatic Injury and Claim for Continuation of Pay/Compensation

(a) When an employee sustains a work-related traumatic injury that requires medical examination, medical treatment, or both, the employer **SHALL** authorize such examination and/or treatment by issuing a Form CA-16, *Authorization for Examination And/Or Treatment*.

(b) The employer shall issue Form CA-16 **within FOUR HOURS of the claimed injury!** If the employer gives verbal authorization for such care, he or she should issue a Form CA-16 within 48 hours.

Cumulative Trauma Injuries, i.e. Carpal Tunnel, Repeated Back Strains, etc.

Form CA-2 Notice of Occupational Disease and Claim for Compensation.

A Form CA-16 may be used for occupational disease or illness only if the employer has obtained prior permission from OWCP. Form CA-2 Section 35 Under Signature of Supervisor: A supervisor who knowingly certifies to any false statement, misrepresentation, concealment of fact, etc., in respect to this claim may also be subject to appropriate felony criminal prosecution.

Supervisors Beware!

- ★ In acute injuries, if you do not issue a Form CA-16 within 4 hours of being informed or knowing of the injury, then you fall under the criminal code with fines and imprisonment!
- ★ Not issuing a Form CA-16 delays treatment and harms injured federal employees.
- ★ Under FECA Federal Employment Compensation Act law an injured federal employee has the sole right to select their doctor.

Federal Employees: If your supervisor does not know or follow the law consider giving them or your HR department this information.



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

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