

ATTENTION:
PHYSICIANS TREATING WORKER'S COMPENSATION CLAIMANTS
WHO ARE PEF MEMBERS
Filling Out C-4 Forms and Narrative Reports

Protect your patients' disability pay – PEF members have contractual benefits in addition to their statutory benefit that depend on what you include in your report.

For your patients who are PEF members - please pay particular attention to sections including Causality, Degree of Disability and Work Status.

1. Your initial report must state your opinion that your patient's injury is **causally related to their employment**. Your report must **briefly cite the details** of the accident or occupational disease as told to you by your patient. **Without this prima facie medical evidence, your patient's claim will be disallowed.**

Example: John Jones slipped and fell while working on a patient ward at his job as a nurse at the NYS Veterans Home, injuring his right shoulder. Therefore, I feel his current disability is causally related to his employment.

2. **Every** report should state your opinion of your patient's **current degree of disability at the time of each visit**, - this is the single most important piece of information used in determining your patient's disability rate.
3. Generally, your patients will be paid a disability rate consistent with your opinion of their degree of disability. Without your specific comments on this issue, their disability rate will be determined by the opinion of the carrier's medical consultant, which may be less informed than yours.
4. Claimants are paid a percentage of their total disability rate, depending upon their degree of disability.

The degree of disability set by the judge may also impact supplemental pay benefits provided in the PEF/NYS contract.

If injured PEF members are determined to be more than 50% disabled, they may be eligible for union negotiated supplemental payments in addition to the workers' compensation law wage replacement.

5. **FYI:** The total disability rate for a worker's compensation claimant is 2/3 of his average weekly wage multiplied by his degree of disability up to a maximum weekly benefit (**currently \$1,063.05 for July 1, 2011 – June 30, 2022**). See <http://www.wcb.ny.gov/content/main/onthefjob/wcBenefits.jsp>
6. **PEF members must be MORE THAN 50% disabled in order to qualify for contractual supplemental pay benefits.**

Degrees of disability and their corresponding percentages are:

Total.....	100%	Moderate.....	50%
Marked.....	75 %	Mild/Moderate.....	33¹/₃ %
Moderate/Marked	66²/₃%	Mild	25%