

Ten Tips for Your Tennessee Workers' Compensation Case



1. Be sure to report your injury within 15 days of the injury or the employer may contest notice.
2. Ask to have the employer give you a list of 3 doctors from which to choose from. Sometimes this is not feasible if your injury demands immediate medical attention.
3. Give the doctor as detailed a history of your injury as possible. Be honest if you have had injuries in the past to the same affected area.
4. If the doctor takes you off work, obtain an off work slip from the doctor, retain a copy for yourself and give a copy to your employer.
5. If you become entitled to a temporary benefit check, (off work greater than 7 days) your benefit is calculated based on your average weekly wage.
6. Your average weekly wage is calculated by using your gross earnings for the 52 weeks before your accident. Example, if your average working wage is \$600, you are entitled to 2/3 of that amount, or \$400.
7. Once the doctor says you can return to some form of work or you reach maximum medical improvement your workers compensation benefit checks will stop and you will receive your normal pay thereafter.
8. If the doctor says you will have a lasting impairment, you will be entitled to a settlement based on the rating to the whole body. If you have no impairment rating, you will not be entitled to a settlement.**
9. If your claim is a contested one (or some portion is contested) make sure you file a Petition for Benefit Determination to resolve the issue or issues.
10. Remember this: There is a one year statute of limitation within which to file a Petition for Benefit Determination. The one year begins to run from one of the following dates:
 - a. The date of the injury OR
 - b. The date the insurance company pays for your last medical benefit

**As a tip, if you no longer work for the company once you have completed treatment and have no impairment rating, insurance companies will pay you just to close your medical benefits.

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