# Workers' Compensation & Return-to-Work Programs: How Effective Programs Can Decrease Your Premiums

Nelson Gonzalez, OTR/L, CHHC, CCT, CPMT, CORE, CLT

Executive Director I Rehab Without Walls Neuro-Rehab



### Will life take me under?



## "My life is unstable!!!" And I am tired of it!!!!









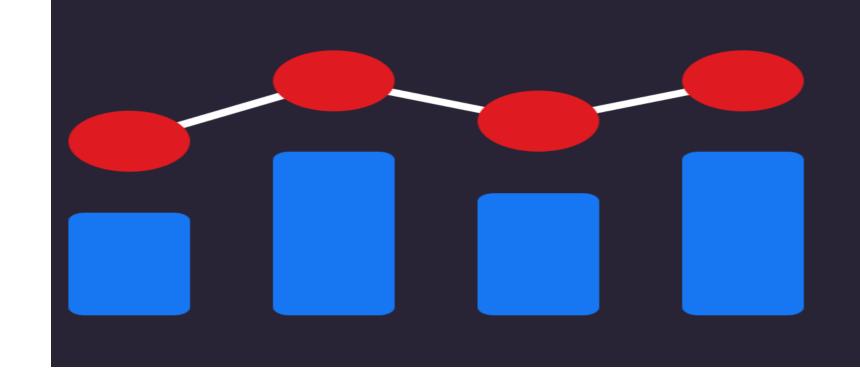
### **Work Comp Stats**

- -In 2015, state & federal workers' compensation laws covered about 135.6 million employees. Covered payroll in 2015—total wages paid to covered workers—was \$7.2 trillion.
- -3.1 workers comp claims filed for every 100 full-time employees
- -Total Rate Workplace Fatalities 2020: 4,764 or 3.4 per 100,000 full-time workers
- -Construction ranks second behind transportation & warehousing for total number of job-related deaths (according to the National Safety Council, construction has reported the greatest number of deaths since 2012



### Most Common Causes of Work-Related Injuries

- 36.1%: exposure to harmful substances or environments (includes COVID-19)
- 21.7%: overexertion and bodily reaction
- 18%: falls, slips, trips
- 16.7%: contact with objects and equipment
- 3.5%: transportation incidents
- 3.3%: violence (by persons or animals)



#### Types of Injuries Caused by These Events

22.7%: sprains, strains, tears

12.5%: soreness and pain

6.3%: fractures

6.3%: cuts, lacerations,

punctures

5.9%: bruises, contusions

### Top 5 Workers' Comp Injuries in Florida

- 1. Overexertion
- 2. Slips, Trips, Falls
- 3. Lacerations & Punctures
- 4. Burns, Scalds, & Heat Exposure
- 5. Struck or Injured by an Object

#### The Fatal Four

1. Falls: 338

2. Struck by Object: 112

3. Caught in-between 55

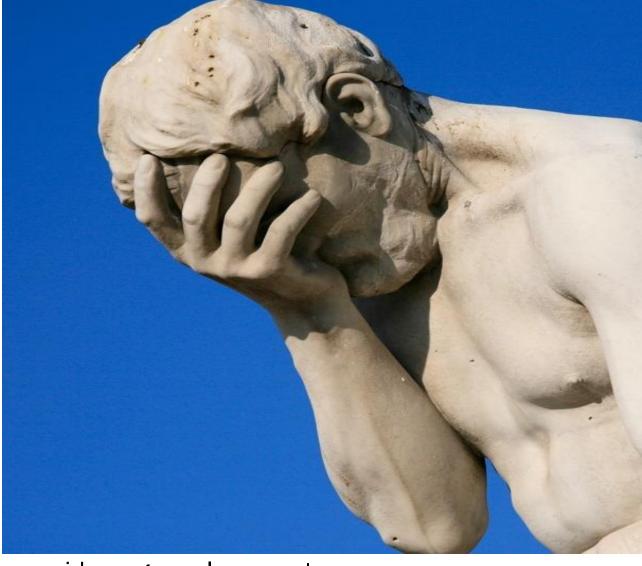
4. Electrocution: 86

Construction accounted for 21.1% of total 2018 OSHA reportable deaths



### The World of Work Comp

- 1. The main goal is for the worker to return to the previous job & previous employer.
- 2. The primary customer is the selfinsured employer or the insurance company



WC is the system used to provide wage replacement, medical and rehabilitation benefits to injured workers. If a worker is injured on the job, the employer must ensure that reasonable and necessary medical treatment is provided promptly

### Occupational Rehab What is it?

An Occupational Rehab Program is individualized, focused on return to work, and designed to minimize risk to and optimize the work capability of the persons served. The services provided are integrative in nature, with the capability of addressing the work, health, and rehabilitation needs of those served. (CARF 2023 Medical Rehabilitation Standards Manual, Section 3.G)



### Occupational Rehab What is it?

Services promote optimal function, address functional, return-to-work goals and includes education.

Involvement with employers is a keystone of occupational rehab

Involves Functional Assessment within a work-like environment completing work related functional activities.



### Occupational Rehab What is it?

Promotes graduated transition to work including placement in a light duty position as soon as appropriate.

Comprehensive approach meeting the behavioral, functional, medical, physical, psychological and vocational needs of the injured worker.





### Occupational Rehab Why Do We Need It?

Research shows that the longer a person is out of work after an injury, the least likely they are to return. (Return to Work Statistics, Catalyst)

- When an employee is out of work > 6 months = 50% less chance of ever returning to work in any capacity.
- 80-90% of injured employees would rather return to work than collect disability.
- According to the RAND Institute of Civil Justice, a Return-to-Work Program reduces the length of absence from work by 3-12 weeks depending on the severity of the injury.

### Benefits of RTW Programs

Reduce conversion time of referrals with new intake and triage process. Goal to have triage completed with referred workers within 48 hours.

Reduce length of stay while still achieving return to productive lifestyle through focused treatment plans and specialized therapy team.

Increased clear, objective and productive outcomes

Avoids "Disability Mindset" of workers and assists with return to productive lifestyle

Designed to meet the employer and worker's needs

### **Other Benefits of RTW Programs**



Improves Company

Culture

### **Benefits Your Experience Mod**

- In the State of Florida, claims that are \$17,000 or < and are medical only with no lost time are reduced by 70% in value when the unit stat cards get reported to NCCI for the calculation of the experience modification factor.
- Example: if you have a claim that's \$10,000 and none of that gets paid out in lost time, it's all medical bills, that claim is reported to NCCI at \$3,000 for mod calculation purposes. "The financial impact is a massive benefit to an employer to have this return to work program in place so that they're getting the discount on non-indemnity claims when they go into the mod."

### **Helps Fill Vacant Positions**



- Light Duty (for example call center open positions)
- "It reduces the value of the claim when it gets reported to <u>NCCI</u> if it's kept at medical only, and most importantly, it helps the culture of the company."

### **Manage Risk** by Managing the Human-**Environmental Bi-Directional System**

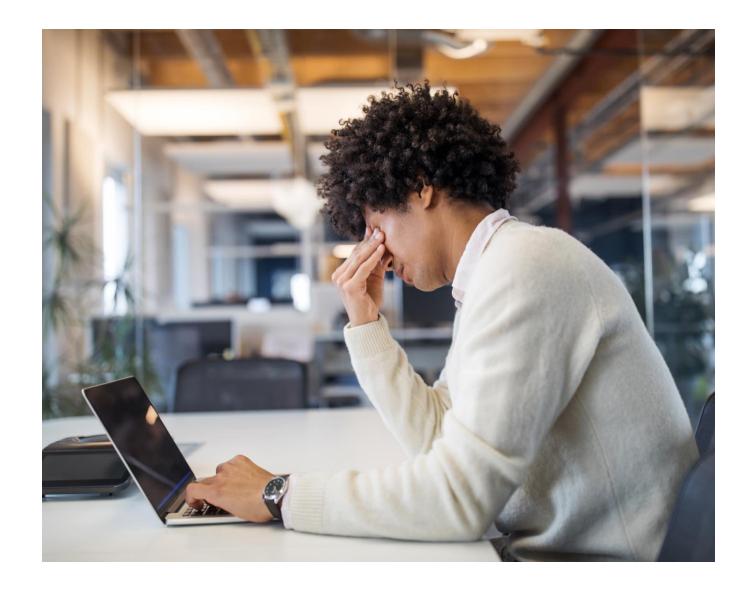
"Maintaining order rather than correcting disorder is the ultimate principle of wisdom. To cure disease after it as appeared is like digging a well after one feels thirsty, or forging weapons after the war has already begun."

-Huangdi Neijing, 2<sup>nd</sup> Century B.C.

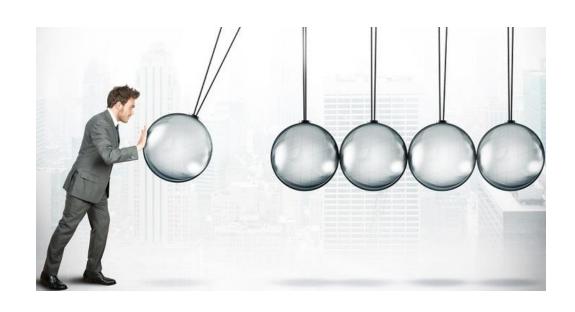
### Are you at work when you're at work?

Lack of focus can lead to workplace accidents

We need RTW while at work



### What are the pre-existing conditions? What are the causalities?



- Higher probability that smoking will cause lung cancer. It's safe to say that smoking cessation will decrease your risk of developing lung cancer.
- Effective RTW Programs have effective Safe @ Work Programs that assess risk, age, stress, health, etc.

#### **Example: Poor Sleep**

Poor sleep leads to poor attention. Concentration abilities decline.

Reaction time lengthens & you cannot respond well to environmental signals

Cannot take in new information or react to dangerous situations



### **HOW STRESS AFFECTS THE BODY**

#### **BRAIN**

Difficulty concentrating, anxiety, depression, irritability, mood, mind fog

#### CARDIOVASCULAR

higher cholesterol, high blood pressure, increased risk of heart attack and stroke

### JOINTS AND MUSCLES

increased inflammation, tension, aches and pains, muscle tightness

#### **IMMUNE SYSTEM**

decreased immune function, lowered immune defenses, increased risk of becoming ill, increase in recovery time



hair loss, dull/brittle hair, brittle nails, dry skin, acne, delayed tissue repair

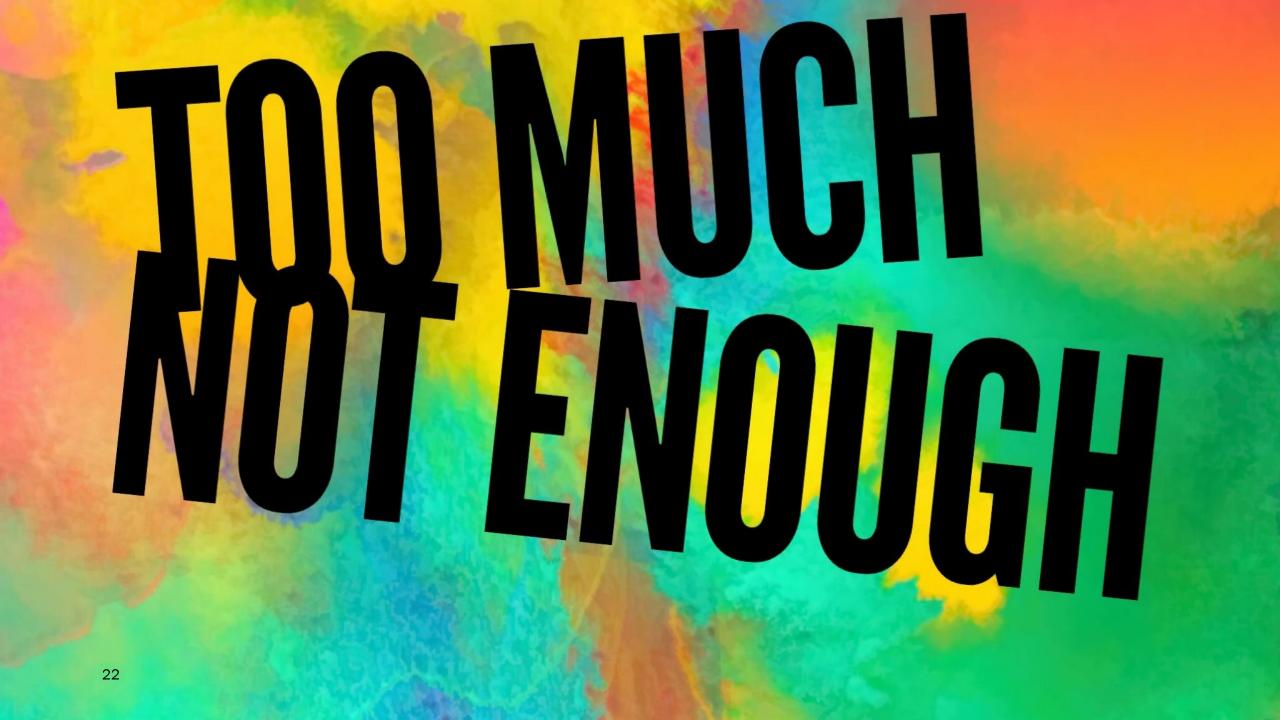
#### **GUT**

nutrient absorption, diarrhea, constipation, indigestion, bloating, pain and discomfort

### REPRODUCTIVE SYSTEM

decreased hormone production, decrease in libido, increase in PMS symptoms So why is this collapse happening????





#### Dr. William Davis, MD

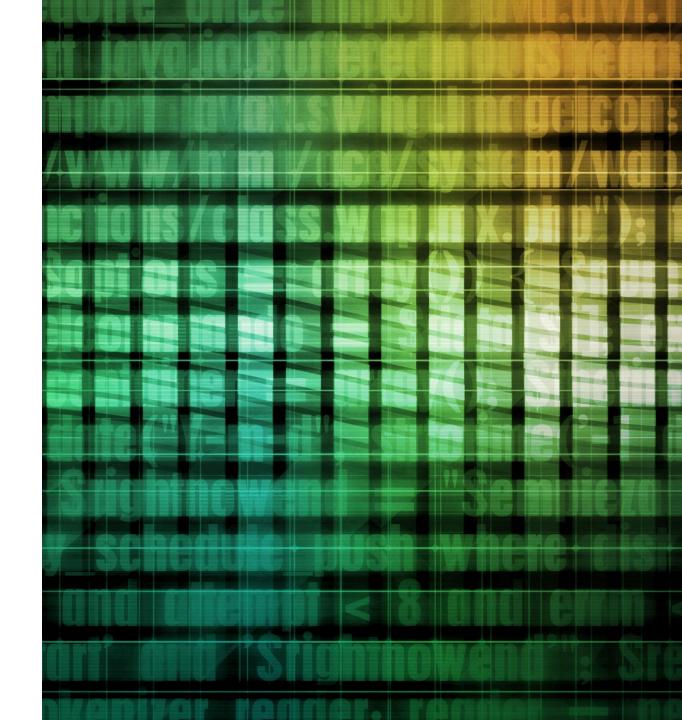
Modern healthcare shares similarities with the prison system. Prisons provide incarceration but generally do a lousy job of rehabilitation or preventing crime, & the healthcare system delivers products & procedures to deal with illness, while maximizing financial return to its insiders, but does not provide health.





### **PURPOSE**

"It is purpose that created us, purpose that connects us, purpose that pulls us, that guides us, that drives us; it is purpose that defines us, purpose that binds us...There's no escaping reason, no denying purpose. Because, as we both know, without purpose, we would not exist." (Matrix)



### Let's change this...

### Into this...





### Life, I wonder. Will it take me under?





### Nelson Gonzalez, OTR/L, CHHC, CCT, CPMT, CORE, CLT

Nelson.Gonzalez@rehabwithoutwalls.com

0: 786-746-6375

F: 786-746-6387

C: 786-493-6607

www.rehabwithoutwalls.com

### Resources

- Resource: The Iowa Orthopaedic Journal are provided here courtesy of The University of Iowa, Iowa Orthop J. 1999; 19: 106–110. PMCID: PMC1888620 PMID: 10847524 A Brief History of Workers' Compensation Gregory P Guyton
- Return to Work Statistics, Catalyst
- https://workerscompfl.net/top-5-workers-comp-injuries-in-floridas/