

WORKSAFE!

A California Coalition for Worker Occupational Safety & Health Protection

FACT SHEET - Form frees you from your company doctors

What doctor will treat you if you are injured?

A worker is entitled to workers' compensation benefits for any work-related injury or illness **regardless of who was at fault**: temporary disability, medical, etc.

An **injury** may be the result of a single incident such as falling, or a cumulative trauma that has developed over time. It can show up suddenly at work (or at home) when your back goes out while bending over, or it can appear gradually. An **occupational illness** may result from work activities extending over a period of time, such as exposure to asbestos, excessive noise, or exposure to repetitive motion (keyboarding, lifting, vibration, etc.) which may cause musculoskeletal disorders such as carpal tunnel or Reynaud's disease, etc. An occupational illness may be one produced, contributed to, or aggravated by employment.

When and if you are injured from work or suffer an occupational illness you believe is at all work-related, you should do the following:

- 1) **Report the injury to someone in authority.** You don't have to fill out or sign reports or medical authorizations. But you must provide detail to someone in authority so they may fill out a report form. **Get a copy!**
- 2) **Call Cal/OSHA to investigate any related accident.**
- 3) **Request medical care.**

The employer decides who provides treatment for the first 30 days **UNLESS** you pre-designate your own doctor. California Labor Code Section 4600 provides that if you notified your employer **in writing, prior** to the date of injury that you want to be treated by your own physician, then you may be treated by your own doctor - and not the company doctor - during the first 30-day period.

The law also states that UNLESS you predesignate your doctor, your treating doctor's opinion will NO LONGER be presumed to be correct. So it is MORE IMPORTANT THAN EVER TO PRE-DESIGNATE your doctor.

Designate a doctor who previously treated you, who has your medical records or medical history. Don't name a specialist because you don't know what kind of injury you'll have. Name your family doctor or a general practitioner or internist who knows you best. S/He can always refer you to a specialist. CHECK IN with this doctor to be sure s/he will work with you. Assure her/him that if s/he doesn't want to do workers' comp forms, s/he can always refer you; you are simply seeking a person who is interested in your health, not the health of the company.

- 4) **Submit the form below (or something similar). Just clip it out. Keep a signed copy for your records.**

For more information, contact WORKSAFE! at worksafe@worksafe-cosh.org or call 510-302-1071.

PERSONAL CHOICE FORM to DESIGNATE A PHYSICIAN in case of INJURY

Date: _____

From (Your Name & Address): _____

To Whom It May Concern - Personnel Department or Human Resources or Administrator:

I, _____, declare that if I sustain an injury or illness in the course of my employment with _____, and require medical treatment, the following named doctor or medical group is hereby designated to provide and direct all my necessary care:

Doctor and/or Medical Group: _____

Address: _____

Phone: _____

Date Signed: _____ Signature: _____

Printed Name: _____

Date Rec'd by Employer: _____ Recd by: _____

Printed Name: _____