

Optometry Coding & Billing Alert

Reader Questions: Pay Attention to Individual State WC Rules

Question: We had a patient who was injured on the job (workers' compensation) in Virginia just a week before moving to Delaware where our practice is. Should we follow Delaware or Virginia workers' compensation rules?

Delaware Subscriber

Answer: This claim falls under the Virginia workers' compensation (WC) rules because that is where the injury occurred and where the patient should file the WC claim. This is often the biggest area of WC confusion because WC is a state-run program. Each state has its own rules, fee schedule, and setup for what providers the patient can see. Therefore, there is no clear guideline, as it is different from state to state, and contract to contract.

Golden rule: You need to follow the rules of the state in which the patient originally filed the WC claim. That may or may not be the same as the patient's current state of residence. You may encounter cases when a patient receives care in a state that doesn't have jurisdiction over the WC claim.

Exception: The only exception is WC for federal employees, which has nationwide rules. Federal WC jurisdiction covers all federal employees regardless of where the injury occurred.

Do your research: Each state has a Web site for information on WC claims, so check your state's site for more information on individual state regulations and specific state policies about submitting your claims. There are also some general WC information Web sites, such as www.workerscompensation.com, that have links to individual state Web sites, as well as some general information on each state's rules/regulations.