

UNDERSTANDING WORKERS' COMPENSATION IN OHIO

Roles and responsibilities

There are several parties that have formal roles in administering workers' compensation in Ohio, or that are available to help employers and injured employees resolve workers' compensation claims. We encourage our clients to build relationships with these individuals and organizations, and our team can assist clients in identifying qualified providers. The key parties include:

Managed Care Organization (MCO)

- Manages the medical aspects of a claim focusing on treatment resolution and a safe return to work.
- Assists in the collection of data for initial filing of a workers' compensation claim.
- Responsible for processing and paying of medical bills related to workers' compensation injuries.
- Reconciles medical treatment requests by physicians to the allowed conditions of a claim.
- Coordinates with all parties on treatment requests and authorizations.

Third Party Administrator (TPA)

- Cost-containment consultant, fee-for-service arrangement directly with employers.
- Represents employers' interest in claims management, with cost management focus.
- Builds case to support employers' interest for Industrial Commission hearings.
- Provides representation for Industrial Commission hearings.
- Administers premium savings programs.

Ohio Bureau of Workers' Compensation (BWC)

- Essentially the insurance carrier for Ohio employers and injured employees.
- Responsible for determination of allowance of claims and medical conditions.
- Responsible for the payment of compensation for lost wages.
- Establishes premium rates and collects premium payments from Ohio employers.

Industrial Commission (IC)

- Arbitrator of claim disputes between the BWC and employers/injured employees.
- Appeals of BWC decisions may be referred to IC for hearings:
1st level – District Hearing Officer (DHO) and 2nd level – Staff Hearing Officer (SHO).
- Appeals beyond SHO may be referred to Common Pleas Court.

Medical providers

- Provider of Record (“POR”) is recognized as primary physician for an injured employee.
- Determines course of treatment and requests authorization from the MCO.
- Determines return to work for the injured employee, and addresses release to return to work and physical restrictions.
- POR may defer some decisions to specialists involved in the treatment of the injured employee.

Qualified Rehabilitation Professional (QRP)

- Becomes involved in a vocational rehabilitation plan.
- Takes on the role of case manager and coordinates the rehabilitation plan with all parties.
- Becomes involved in a case through referral from the MCO.

Physical therapist

- Conducts physical therapy.
- Becomes involved in a case through referral from a treating physician.
- Coordinates with referring physician and MCO.

Attorney

- Some attorneys specialize in representing injured employees, and some specialize in employer issues.
- An attorney is not necessary on every case, but may be recommended to address legal issues involved in an IC hearing.