

Employer Guide to Understanding Claims



Coverage Limits and Rights of Subrogation

WSI policyholders are equally insured with workers' compensation coverage. Coverage is provided without limits, other than the limits placed on individual benefits such as the maximum weekly disability benefit.

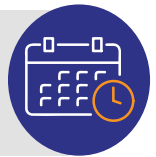
WSI does not waive its rights of subrogation and can pursue third party relief of claim costs.

For additional resources visit: [Workforcesafety.com](https://workforcesafety.com) >> [Employers](#) >> [Insurance Coverage Information](#)

Claim Filing and Time Limitations

Employees should report all on-the-job injuries to their employer immediately, even if they do not feel it is important to see a medical provider. If an incident occurs and the injured employee does not seek immediate medical attention, an Incident Report should be filed. Reporting incidents alerts employers of potential hazards so preventative action can be taken to avoid subsequent injuries.

All claims must be filed within one year after an injury or within two years after a death. The date of injury is the first date that a reasonable person knew or should have known that a work-related injury occurred.



An injury can be reported to WSI by the injured employee, the employer, or a medical provider.

Medical Assessment Fees

WSI pays for reasonable and necessary medical care prescribed by a provider on accepted claims. An injured employee may also be entitled to wage-loss benefits if 5 or more consecutive calendar days of work are missed because of the injury.

Employers are responsible for a portion of the medical expenses for each workers' compensation claim filed and are billed monthly for assessable claims costs paid during the previous month.

- An employer is responsible for the first \$250 of medical expenses if an injury occurs and the claim is received by WSI within 2-14 calendar days after the injury date.
- An employer is responsible for the first \$350 of medical expenses if an injury occurs and the claim is received by WSI more than 14 calendar days after the employer notification date.



Employer Guide to Understanding Claims

Continued

Early Reporting Incentive for Waiver of Medical Assessment Fees



WSI offers an early reporting incentive and may waive the assessment fee if:

A First Report of Injury (FROI) is filed by midnight (central time) of the next WSI business day following the injury date.

OR

An Incident Report is filed by midnight (central time) of the next WSI business day following the injury date.

If the injured employee later seeks medical attention and a FROI is received by WSI within 14 calendar days of the incident, the \$250 assessment fee will be waived. Without filing an Incident Report, the \$250/\$350 medical assessment fee will be charged if a claim is filed at a later date.

Penalty Assessment for Uninsured Claims

An employer may be liable for the actual cost and reserves of any claim attributable during the time the employer was uninsured. Additionally, workers may sue an uninsured employer for damages caused by an injury during the period in which they were uninsured.

See North Dakota Century Code § 65-04-33(4).

How to File a FROI or an Incident Report:

Fax: complete the FROI and fax it to WSI at 701-328-3820 or 888-786-8695

Mail: PO Box 5585, Bismarck ND 58506-5585

To report an incident, complete WSI's Incident Report.
To report an injury, complete WSI's First Report of Injury (FROI).

