

National Workers' Compensation Program Office

Office of the Assistant Administrator for Human Resource Management

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**Federal Aviation
Administration**



Using the Tools: Effective Case Management

- **The FECA is NOT a retirement program.**
- **Successful RTW should be your primary focus when managing claims.**
- **In many cases, the employee can perform some duties while they are recovering.**
- **Its not what an injured employee can't do... its what they can! Early intervention is important!**



Using the Tools: Effective Case Management

Where are your cases?

- **ECOMP - initial claim (CA-1, CA-2) and CA-7 filing**
- **PEER RTW Report (non-returned to work and returned to work (part-time / full-time with restrictions))**
- **Chargeback Report (DR, PR, PN, PW and medical only)**



Using the Tools: Effective Case Management

Assess your case tracking responsibilities and make a plan! (hard copy case files / computer files / spreadsheets, Outlook task / ECOMP reminders)

Things to keep in mind:

- Are you on your own or will you need to share information with other people in your office?**
- Do you have to report to a Director / Supervisor about workers' compensation cases / stats?**



Using the Tools: Effective Case Management

Sample tracking spreadsheet

CASE_NUMBER	LAST_NAME	FIRST_NAME	DOB	CB	AGCY	DOI	NOI	STAT	Date of Last Pymt	Injury Illness	Case Action
123456789	WASHINGTON	GEORGE	9/23/1901	1131NOS	OFFICE OF INSPEC GENERAL	6/10/2014	TS	PR	3/7/2015	Broken femur, FX L- Ankle	Emp has surgery 5/8/15/2015, 8 wk TTD post surgery
123456789	PECK	GREGORY	7/26/1902	1108DK	WAGE & HOUR DIVISION	9/13/2013	TK	PR	3/7/2015	CTS, Trigger Finger, Tensynovitis	Lim Duty from 4/01/15 to 6/15/15 then RT FD
123456789	PRYOR	RICHARD	3/15/1903	1110NI	OWCP-DIV OF ENERGY EMPLOYEES' COMPENSATION	9/11/2001	T4	PR	3/7/2015	Lumbar Sprain	CE says ltr to AP placed him restrictions on 05/08/15. UPDATE 7/15/15 Emp released LD
123456789	KENNEDY	EDWARD	1/25/1904	1111BB	OWCP-ALL OTHER, NOT OTHERWISE CLASSIFIED	7/16/2007	TC	PR	3/7/2015	R-Meniscus Tear	7/6/15, AP placed out of work 6 weeks
123456789	BOGART	HUMPHREY	2/24/1905	1111BB	OWCP-ALL OTHER, NOT OTHERWISE CLASSIFIED	11/8/2010	TL	PR	3/7/2015	Brachial Neuritis	Emp finished P/T on 7/1/15 & RTW on 7/2/15
123456789	LINCOLN	ABRAHAM	1/3/1906	1116CD	OWCP-DIV OF FEDERAL EMPLOYEES' COMPENSATION	9/25/2012	TC	PR	3/7/2015	Cervical strain	Emp TTD as of 5/28/15. OWCP will SECOP in early July.



Using the Tools: Effective Case Management

The Case Reminders function in ECOMP is an efficient means of setting reminders for case review. All reminders will show under Upcoming in date order. If you do not get to it on the date of the reminder, it will move to the Expired tab.

Case Reminders

SET REMINDER ON A CASE

Upcoming (45)		Expired (1)		
Case #	Last Name	Reminder Date	Category	Notes



Using the Tools: Effective Case Management

How do you find information about your cases?

- **ECOMP – Case Management**
 - Query by name, SSN, case number, case status
 - View DOL case documents
- Agency employee case files
- Agency Workers' Compensation management system
- DOL correspondence received via mail or CE-Linq



Using the Tools: Effective Case Management

Is The Employer Entitled To Know What A Claim File Contains?

Yes!

- While workers' compensation records are protected under the Privacy Act, the employer is considered a party to the claim.
- The agency may receive and review material from the file under the “*routine use*” provision of the Privacy Act.
 - Routine Use Clause (DOL/GOVT-1)
 - ECOMP Case Management/ written requests
- Employers are expected to handle this information with care and to restrict access to those with a specific need to have it.



Using the Tools: Effective Case Management

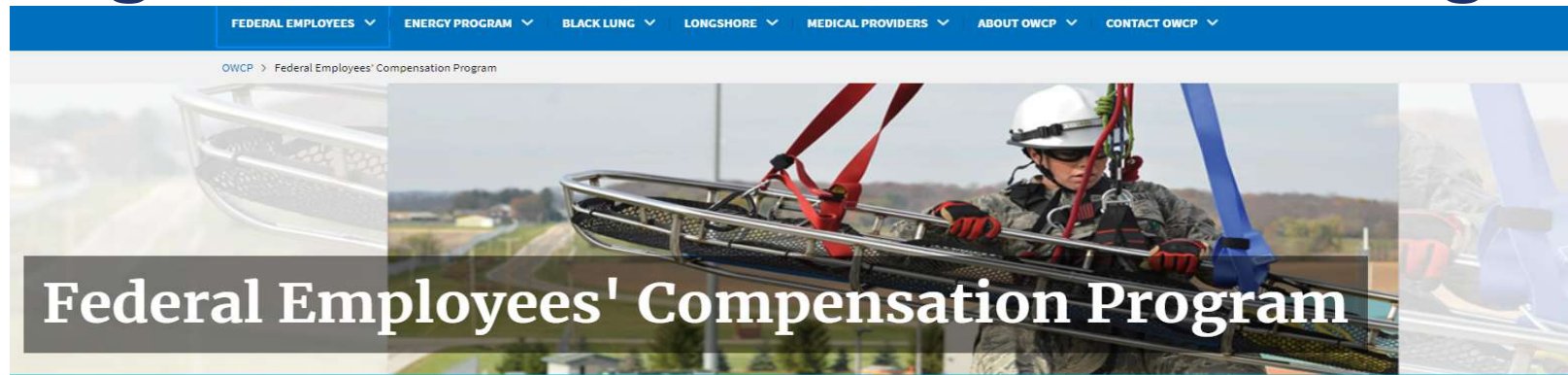
All case management activities should be based on:

- The FECA
- The Regulations
- The DFEC procedure manual
- Established ECAB decisions

You may need to consult with personnel from human resources and your agency's attorneys but remember to limit discussions to need to know.



Using the Tools: Effective Case Management



Claimant and Representative
Federal Agency
Federal Employees' Compensation Act (FECA) Claims Administration
OWCP's New Opioid Policy to Protect Federal Injured Workers
Claims under the Federal Employees' Compensation Act due to the 2019 Novel Coronavirus (COVID-19)
Medical Provider

About FECA Claims Administration

Administered by the Division of Federal Employees', Longshore and Harbor Workers' Compensation (DFELHWC), The Division of Federal Employees' Compensation adjudicates new claims for benefits and manages ongoing cases; pays medical expenses and compensation benefits to injured workers and survivors; and helps injured employees return to work when they are medically able to do so.

[Federal Employees Program Leadership](#)
[Federal Employees Program Offices](#)
[About Our Program](#)
[How to File a Claim](#)

Latest News

- [Notice Regarding New System for Electronic Filing at ECAB](#)
- [New Telemedicine Guidelines for OWCP-FECA](#)
- [Information on FECA Coverage for Coronavirus Disease - 2019/COVID-19](#)
- [Update on FECA's Opioid Policy](#)
- [Change to OWCP Medical Bill Processor Web Address](#)
- [Information on the Federal Employees Program's Pharmacy Benefits Management \(PBM\) Program](#)
- [New Opioid Prescribing Guidelines](#)

DFELHWC home page: <https://www.dol.gov/agencies/owcp/FECA>

Using the Tools: Effective Case Management

FEDERAL EMPLOYEES

NUCLEAR WEAPONS WORKERS

COAL MINE WORKERS

LONGSHORE AND DBA

MEDICAL PROVIDERS

ABOUT OWCP

CONTACT OWCP

OWCP > Federal Employees' Compensation Program > Laws and Related Materials

Laws and Related Materials

Claimant and Representative
Federal Agency
Federal Employees' Compensation Act (FECA) Claims Administration
OWCP's New Opioid Policy to Protect Federal Injured Workers
Claims under the Federal Employees' Compensation Act due to COVID-19
Medical Provider
Fiscal Year 2023 National Defense Authorization Act (NDAA)
Laws and Related Materials
En Español
Sa Tagalog

Federal Employees' Compensation Act (FECA)

- [Federal Employees' Compensation Act](#)

Federal Employees Program Procedure Manual

- [Procedure Manual](#)

Federal Regulations

- [Federal Employees' Compensation Act \(FECA\)](#) – The full text of the Federal Employees' Compensation Act, 5 U.S.C. 8101 *et seq.*
- [Regulations Under the FECA \(Effective 8/29/2011\)](#) [PDF](#) – Federal regulations that apply to claims for compensation under the FECA, 20 C.F.R. Part 10
- [Federal Employees Program Procedure Manual](#) – The procedure manual used by the Federal Employees Program in its administration of the FECA; Bulletins, Circulars, Transmittals and Program Memoranda; Handbooks for COP/Field Nurses and Vocational Rehabilitation Counselors
- [A.M.A. Guides to Impairment, 6th Edition](#) – A description of the method used by Federal Employees Program to determine permanent impairment for schedule award claims
- [Interim Final Rule for the FECA Death Gratuity \(5 U.S.C. 8102a\)](#) – The text of the Interim Rule applying to the FECA Death Gratuity
- [Amendment to FECA, 5 U.S.C. § 8102a – Death Gratuity](#) – A description of the amendment to the FECA that provides a death



Using the Tools: Effective Case Management

Search DOL Appeals

To search DOL Appeals content, select the appropriate document type, case type, enter the search term, then click the search button.

Document Type

Decision

Federal Employees' Workers Compensation (ECAB) ?

Black Lung (BRB) ?

Longshore (BRB) ?

Note: Leave "Start Date" and "End Date" fields empty to search all records.

Start Date (mm-dd-yyyy)

End Date (mm-dd-yyyy)

Enter search term here

SEARCH APPEALS



Using the Tools: Effective Case Management

Evidence to Review to Determine Work Capacity:

- CA-17 Duty Status Report
- CA-20 Attending Physician Report
- OWCP-5 Work Capacity Evaluation (a, b, or c)
- OWCP-44 Rehabilitation Action Report
- Attending Physician Medical Reports or Office Notes
- Field Nurse Reports



Using the Tools: Effective Case Management

Agency has right to monitor *medical* related to the claim and ask physician (through his office staff or by letter) questions-

The employer may monitor the employee's medical progress and duty status by obtaining periodic medical reports. **Form CA-17 is usually adequate for this purpose.** To aid in returning an injured employee to suitable employment, the employer may also contact the employee's physician in writing concerning the work limitations imposed by the effects of the injury and possible job assignments. ***(However, the employer shall not contact the physician by telephone or through personal visit.)*** When such contact is made, the employer shall send a copy of any such correspondence to OWCP and the employee, as well as a copy of the physician's response when received. The employer may also contact the employee at reasonable intervals to request periodic medical reports addressing his or her ability to return to work.



Using the Tools: Effective Case Management

The longer an employee is out of work, the more difficult it is to bring them back.

- Time is of the essence... act quickly
- Just because a claim is old, does not mean the agency should abdicate its responsibility to return the employee to work if possible.
 - WC should not be used by the agency as a management tool!
- If OWCP determines that RTW or vocational rehabilitation is not possible, request that OWCP declare that the employee has no RTW potential and code the claim as such.



Using the Tools: Effective Case Management

- **Under 5 USC 8151, an employee who recovers within one year of starting compensation is entitled to restoration of his or her original position or an equivalent position, regardless of whether he or she is still on agency rolls.**
- **If full recovery occurs more than one year from when disability started, the employee is entitled to priority consideration for reemployment, as long as application is made within 30 days of the date compensation stops.**



Using the Tools: Effective Case Management

First Steps...

- **Communicate w/ everyone: employee, supervisor, physician, OWCP claims examiner, field nurse, vocational counselor, attorney/representative, Flight Surgeon (FAA).**
- **Don't be judgmental or accusatory when communicating w/ the employee. Do not create an adversarial relationship.**
- **Offer employee assurances that the agency will work with him/her to RTW even while they are in recovery.**
- **Contact the employee's supervisor to discuss potential options for:**
 - **Telework**
 - **Intermittent work in office**
 - **Combination of both**



Using the Tools: Effective Case Management

First Steps, continued...

- **Request medical reports and status updates from the employee, especially if COP is elected.**
- **Write the attending physician to request an assessment of the work injury / illness and be sure to explain that limited duty jobs are available.**
- **Provide the physician with a CA-20, Attending Physician's Report, CA-17, Duty Status Report, and/or OWCP-5 a/b/c, Work Capacity Evaluation Form, and request his/her opinion on any physical restrictions and RTW potential.**



Using the Tools: Effective Case Management

Ongoing evaluation of the claim is crucial to determine employee work capacity.

- **Is the medical evidence sufficient to determine RTW potential?**
- **Do you have the most recent medical documentation?**
- **Is the physician's opinion about whether the employee can or cannot work well-reasoned and objectively supported?**
- **Have you written to the physician to inform of limited duty position availability? (if available)**



Using the Tools: Effective Case Management

Ongoing evaluation of the claim is crucial to determine employee work capacity.

- Where is the case in the OWCP universe (early DM, PRM, VOC)?**
- Is the DOL Office taking action? If so, what? Try to coordinate with the assigned claims examiner / FN or at least keep them updated about what's going on.**



Using the Tools: Effective Case Management

When reviewing medical notes/reports look to see if they are essentially the same as previous reports (**red flag**)

If so, communicate with the CE about the possibility of a SECOP

Take time to understand what you are reading, ask yourself what the medical reports are saying. Are they making logical sense?

Don't get caught up and confused by language that really isn't saying anything or isn't well reasoned. Words such as "probably," "might," "likely," "may be," "should be" are not definitive. Consider them red flags.

The physician's opinion should be based on objective evidence and be unequivocal in nature. If not, write OWCP, copy the physician and ask for any clarification you may need.



Using the Tools: Effective Case Management

It is up to the agency to determine whether light or limited duty is available.

Physicians will often disable employees based on their date of injury positions.

If medical documentation shows total disability, make sure the physician has unequivocally stated the employee is disabled for all work based on the accepted conditions.



Using the Tools: Effective Case Management

Field Nurses and Vocational Rehabilitation Counselors

- **Contact by phone or by email**
 - **Contact will be from private email accounts**
- **Keep records of your contact with FNs / RCs**
- **FNs can be your eyes and ears on a case in terms of recovery**
- **Ask RCs to review job offers before sending them out**
- **You should not discuss compensation with FNs. You may discuss medical authorizations and ergonomic assessments /equipment**



Using the Tools: Effective Case Management

Once you receive a CA-17 or any medical report that provides restrictions, contact the employee's supervisor to develop a limited duty job offer, if alternative work is available based on those restrictions.

The job offer must take all of the restrictions provided by the physician as well as any other pre-existing conditions into account.

- You can't offer a job you should reasonably know the employee can't do.**



Using the Tools: Effective Case Management

If medical evidence establishes permanent work limitations, but the agency cannot accommodate the employee with alternative employment, advise OWCP as soon as possible and request that the employee be referred for vocational rehabilitation services for reemployment with a new employer, including private sector.



Using the Tools: Effective Case Management

A limited duty job offer is considered temporary (usually 60 days or less) with review after 45 days to determine if extension is warranted.

It is meant to *temporarily* accommodate the employee's physician prescribed restrictions so they can RTW while recovering.

It is not meant to represent a permanent reasonable accommodation like those found under the Americans With Disabilities Act (ADA).



Using the Tools: Effective Case Management

Permanent vs. Temporary Job Offers:

- **If an employee refuses a suitable permanent job offer without justification, he/she may be sanctioned under 5 USC 8106 c, and all compensation entitlement terminated.**
- **If an employee refuses a temporary job offer found by OWCP to be within his/her limitations, an 8106 sanction will not be applied, but compensation may be denied during the period the temporary offer was available (20 CFR 10.500).**



Using the Tools: Effective Case Management

Suitable Job Offer: required elements

- 1) Description of specific job duties to be performed
- 2) Specific physical requirements of the position and any special demands or unusual working conditions
- 3) The work schedule (Including telework if appropriate)
- 4) Person who employee will report to
- 5) Organizational and geographical location of the job
- 6) Date on which the job will first be available
- 7) Date by which a response to the job offer is required
- 8) Provide pay information including grade, step, and salary

The job offer can be made verbally but must be followed in writing within 2 days and it must be based on the medical restrictions of record and any other non-work-related limiting conditions.



Using the Tools: Effective Case Management

Once offered, the employee must accept or decline the job offer within the timeframe specified in the offer. Generally, provide no less than a week for a response.

- Always use certified, traceable overnight delivery such as Fed-Ex or UPS to send the offer because its faster and allows the employee the maximum time to respond.
- A follow up message may also be sent to the employee's personal email, if known.

If the employee accepts the offer, you are free to bring him/her back according to the terms of the offer.

Submit Form CA-3 via ECOMP to report the return to work.

Using the Tools: Effective Case Management

If employee declines the job offer or does not even respond, notify OWCP *immediately* and request review of the job offer and a suitability determination, if appropriate.



Using the Tools: Effective Case Management

Get your planes in a row before contacting OWCP...



1st- Review all pertinent evidence in the file



2nd- Know as much if not more than the CE



3rd- Be knowledgeable to gain credibility w/ OWCP

Using the Tools: Effective Case Management

Writing to OWCP claims examiners

- **Be objective, rational, clear and to the point when explaining the basis of your request or argument presented**
- **Try to limit (if possible) the letter to no more than 1 page long**
- **Recap all relevant medical or factual information in file related to your reason for writing**
 - **Don't try to cover things that aren't really important to the reason you are writing.**
- **Include ECAB references to support your position/request and the reason for contacting the DOL office**
- **Be respectful and omit any negative tone or attitude**



Using the Tools: Effective Case Management

Scenarios



Using the Tools: Effective Case Management

Scenario 1:

Employee's job is sedentary office work. She has a printer at her desk and uses a phone and her computer 100% per day. She injured herself at work and her claim was accepted for sprain of the right knee and left ankle. You sent the attending physician (AP) a CA-17 & letter explaining the agency's willingness to accommodate the employee's restrictions to include the potential of telework. The AP did not return the CA-17. Instead, in his medical report, he disabled her from all work for 3 months but did not provide a well-reasoned opinion as to why.

What do you think about this and what steps would you now take?



Using the Tools: Effective Case Management

Scenario 1 Case Management Steps:

- **Call and follow-up in writing (same day) with the employee to inform her of the agency's willingness to accommodate restrictions to include possible telework.**
 - ✓ **If she responds affirmatively...**
- **Call and follow-up in writing (same day) with the AP's office staff and notify them of employee's desire to RTW and request that the AP respond to the agency's offer to accommodate the employee's restrictions. COPY OWCP ON ANYTHING YOU SEND TO THE AP!**

Using the Tools: Effective Case Management

Scenario 1 Case Management Steps continued:

- **Check w/ OWCP to see if a Field Nurse been assigned**
- **If so, call the FN or review the FN report(s) in ECOMP Case Management**
- **What does the FN report regarding the medical appointments that have been attended?**
- **Does the FN concur with AP's opinion to totally disable?**
- **Has the FN attempted to get work restrictions from the AP?**



Using the Tools: Effective Case Management

Scenario 1 Case Management Steps continued:

No cooperation from the physician or his office?

- **Call the DOL office and speak to the claims examiner.**
- **Request consideration of a second opinion referral and follow up in writing.**
- **Inform of AP's opinion to disable and express concern about continued total disability based on the accepted conditions.**
- **Relay to CE what FN has reported and any actions toward RTW you have taken.**
- **Express your agency's willingness to bring the employee back limited duty or in a telework capacity during period of recovery.**

Using the Tools: Effective Case Management

Scenario 1 Case Management Steps continued:

- **Stay involved!**
- **Proactively work the case – don't let the case work you**
- **Be consistent in your case management efforts.**
- **Don't let claims age and fall off the radar.**
- **Demonstrate to the employee through your case management activities that you are actively managing the claim.**



Using the Tools: Effective Case Management

Scenario 1 Case Management Steps continued:

- **Keep communicating with the claims examiner to help you have the physician either provide restrictions or release the employee to full duty.**
- **If you get restrictions, *immediately* work with the employee's supervisor to draft a limited duty job offer strictly adhering to those restrictions.**



Using the Tools: Effective Case Management

Scenario 2

Fred has been out of work from his sedentary office job for 8 months on an accepted claim for a torn meniscus. The AP stated Fred could not drive and was unable to get to public transportation to get to work. Recent medical shows Fred at 95% recovered yet the AP kept Fred disabled for another 60 days. The AP also indicated that Fred needed an electric mobility scooter to navigate at home and work as well as an ergonomic chair, footrest, and a sit/stand desk.

What do you think about this and what steps would you now take?



Using the Tools: Effective Case Management

Scenario 2 case management steps:

- **Call and follow-up in writing (same day) with the employee to inform him of the agency's willingness to accommodate restrictions to include possible telework.**
 - ✓ **If he responds affirmatively...**
- **Follow-up in writing (same day) with the AP's office and notify them of employee's desire to RTW and request that the AP respond to the agency's previous request for physical restrictions, if any. COPY OWCP ON ANYTHING YOU SEND TO THE AP!**

Using the Tools: Effective Case Management

Scenario 2 case management steps continued:

- **Work with the employee's supervisor to start developing a job offer while you wait for the AP's response.**
- **Work with the agency to remove any obstacles that prevent a RTW.**
- **Review with the agency, the AP's opinion regarding need for telework, an electric mobility scooter, ergonomic chair, footrest, and a sit/stand desk.**
- **Ask the agency if they are amenable to the request.**
 - ✓ **Iron out the wrinkles.**



Using the Tools: Effective Case Management

Scenario 2 case management steps continued:

- **Remember the big picture, the short-term cost of providing these items may be offset by ensuring a successful RTW which reduces the agency's WC costs.**
- **Keep in mind how Fred's continued absence from work costs the agency in terms of comp costs, lost production days, employee morale, etc.**



Using the Tools: Effective Case Management

Scenario 2 case management steps continued:

COMMUNICATE!

- Throughout the entire process... stay in constant contact with the employee and the agency.
- Keep everyone informed of current and next steps in the RTW process and what is required of each party to the claim.
- You fly the plane... make sure it gets to its destination.



Using the Tools: Effective Case Management

Scenario 2 case management steps continued:

- **As soon as you get a response from the doctor, finalize the job offer and send it to the employee OVERNIGHT Fed-Ex or UPS with a pre-paid return envelope.**
- **Maintain positive contact with the employee and encourage the supervisor to do the same.**
- **Monitor the employee job offer response time and immediately notify OWCP if no response or offer declined.**



Using the Tools: Effective Case Management

Scenario 2 case management steps continued:

- **If the employee accepts the job offer-**
 - **Call to congratulate employee.**
 - **Express how happy the agency is to have him/her back.**
 - **Request timely notification of any issues that might prevent the employee from reporting for duty as outlined in the job offer.**

Using the Tools: Effective Case Management

Scenario 2 case management steps continued:

- **Call the employee and the supervisor at least once per week for the first two weeks after a successful RTW to ensure no unforeseen issues have popped up.**
- **Make sure the agency delivers on all items (if any) which they agreed to provide to make the RTW possible.**



Using the Tools: Effective Case Management

Resources on the DFELHWC Website

- **Program Updates and Latest News**
- **DOL Office Addresses and Contact Information**
- **Information on FECA's Consolidated Bill Processing and Medical Authorization System**
- **Forms**
- **PEER Initiative Performance**
- **Guidance on Special Claim Procedures**
- **FECA Procedure Manual**
- **Injury Compensation Specialist Training Modules**
- **Federal Employees' Compensation Act - Title 5 United States Code Sections 8101-8193**
- **Regulations Under The FECA - Title 20 C.F.R. Parts 1-25**



Questions?

