

“Workers' Compensation for New Hampshire Workers”

New Hampshire Department of Labor

95 Pleasant Street, Concord, NH 03301

603-271-3176

www.labor.state.nh.us

Workers' Compensation for New Hampshire Workers

Medical and Disability Benefits for Injured Workers

If you are hurt at work, workers' compensation (or "workers' comp") pays your medical bills. It also pays 60% of your lost wages after you miss more than three days of work. Workers' compensation is a type of insurance that all employers MUST provide.

Workers' Comp Covers All Employees

It doesn't matter whose fault the injury was. In most cases, employees can get workers' comp, including part-time, temporary, and immigrant workers. Undocumented workers are eligible for most types of workers' compensation benefits, including payment of medical bills.

Reporting Injuries

If you are hurt at work, tell your employer. Fill out an accident report (form 8aWCA) right away. You can get this form from the employer. Make sure to keep a copy for yourself. You have up to two years to report workplace injuries and illnesses, but it is best to report right away.

Choosing Your Doctor

You have the right to choose your own doctor if you are hurt at work. You also have the right to get a second opinion. In most cases, you can choose any doctor.

For workers' compensation carriers with "managed care," you must choose from a list of doctors.

Make sure that you tell your doctor, hospital, and other health practitioners if your condition was work-related. They should send all bills to your employer, not to you. If your injury or illness was caused by your work, make sure your doctor's report says this. Make sure that it accurately describes your condition.

Returning to Work

Make sure to get a form (75WCA-1) from your doctor stating whether you can return to work, and if there are limitations on what you can do. Give a copy to your employer, but keep a copy for yourself. Your employer must abide by the doctor's instructions.

If Your Claim Is Denied

If the workers' comp insurance carrier denies your claim, don't give up. Some insurance companies deny claims at first due to a number of reasons including not having adequate medical documentation. You should consider requesting a hearing at the Department of

Labor in order to dispute the denial. Hearings are before administrative officers at the Department of Labor building in Concord. Almost half of all injured workers who appeal to the Department win their hearing. You have up to 18 months from the date of denial to request a hearing.

Getting Legal Help

If you need the assistance of an attorney, find one who specializes in workers' compensation. You will not have to pay out-of-pocket. The attorney will be awarded 20% of your unpaid disability benefits, if he or she wins the appeal. If you lose the appeal, you do not have to pay the attorney.

Help from the NH Department of Labor

For more information or assistance, call the New Hampshire Department of Labor at 271-3176. People there can assist injured workers to understand, assert, and protect their rights. Ask for the Workers' Compensation Claims Department. Or go to the Department's Website at <http://www.labor.state.nh.us/> .

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