



By Dr. David Kessler

The Value of Advocacy in Workers' Compensation

There is an advantage to advocacy in the workers' compensation claims world. And to be clear, advocacy may include varying perspectives. Let's look at a few basic concepts.

What is advocacy? To support or champion a cause, idea, or policy through education and clearing the way of obstacles. This may be accomplished by engaging the injured employee, explaining the claim process, and assisting the injured worker through the process while calming fears and answering their questions.

Why do we need it? The process is not always transparent and can be confusing, scary and frustrating. Furthermore, the injured associate may be overwhelmed and intimidated with the packet of information that seems difficult to understand based on language or education barriers. By helping the associate navigate the process, it should reduce anxiety and simplify the process, thus promoting improved attitude, reduced litigation, attempt for an expedited safe return to work, and striving for better outcomes. Additionally, claims are becoming more complex. Although claim frequency is down, relative severity is up. There appears to be an increase in continuous trauma, possible inappropriate opioid utilization, co-morbidities especially with an aging workforce, and psychosocial issues.

As a point of reference, co-morbidity refers to a health condition or disease that is present at the same time of injury such as

diabetes. Some of the most common co-morbidities include cardiovascular disease, diabetes, and arthritis. Psychosocial refers to the psychological and social factors that influence mental health. This sphere may be influenced by life experiences as well as maladjusted cognitive and behavioral processes. Various types of psychosocial issues include stress and coping skills, problem behavior syndrome and drug or alcohol abuse.

Who should be involved?

Some associates may require more advocacy than others and each situation is on a case by case basis. Lower educational levels and communication barriers may require greater advocacy. Likewise, multiple co-morbidities and/or psychosocial issues, poor work performers, and multiple claims with the same injured worker will necessitate greater engagement.

Who should be the advocate?

This may include the claims adjuster, managed care nurse, and employer's risk manager or human resources contact.

When should advocacy be used?

The earlier the better, displaying genuine caring for the injured worker's welfare by

calming fears, educating about the process, and empowering the employee to become part of the solution.

How does advocacy work?

Encouraging prompt medical care if or when needed, providing applicable forms and assisting with completion, investigating the accident, offering modified duty, and avoiding any disconnect by showing interest through care calls, perhaps a personal visit. A high level of engagement promotes transparency among all involved in the claim process and helps clarify expectations to ultimately achieve recovery, return-to-work, and resolution.

Benefits of the advocacy advantage are multiple and worthy of the effort. Typically, there is an overall better claims experience for the injured worker, reduction of litigation, shorter claim duration, and/or lower costs.

In conclusion, advocacy should break down the silo mentality and is similar to a maxim from the Institute of Medicine—"doing the right thing at the right time for the right reason." 🍷

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