

Notice to Employees—Injuries Caused by Work Pursuant to LC §3551 and CCR §9880, §9881

What is workers' compensation?

Workers' compensation is insurance paid for by your employer. It pays your medical bills for reasonably medically necessary care to treat a work related injury or illness and provides money to help replace any lost wages if you are unable to return to work.

Workers Compensation Insurance Carrier and Claims Administrator: Your employer has obtained workers' compensation insurance from either Zenith Insurance Company or ZNAT Insurance Company.

Zenith's mailing address:

Zenith
P.O.Box, 9055
Van Nuys, CA 91409-9055

Claims Administration for both companies is performed by Zenith Insurance Company

Zenith toll free number: 1-800-440-2050

ZMPN website: www.TheZenith.com/ZMPN

What types of injuries and illnesses are covered?

The injury or illness can be caused by one event like a fall, or repeated exposures, such as repetitive motion over time. Workers' compensation covers many types of injuries – including physical or psychiatric injuries – resulting from a workplace crime. However, the insurance does not cover injuries requiring only first aid. Your employer may not be liable for the payment of workers' compensation benefits for any injury that arises from your voluntary participation in any off-duty, recreational, social, or athletic activity that is not part of your work related duties.

Who's Covered?

Almost every employee in California is protected by workers' compensation, but there are a few exceptions. People in business for themselves and unpaid volunteers may not be covered. Maritime workers and federal employees are covered by similar laws. If you have a question about coverage, ask your employer.

What are the benefits?

- **Medical Care:** Doctor visits, hospital services, physical therapy, lab tests, x-rays, and medicines that are reasonably necessary to treat your injury. You should never see a bill. There is a limit on some medical services. •

- **Temporary Disability (TD) Benefits:** Payments if you lose wages while recovering. For most injuries, TD benefits may not be paid for more than 104 weeks within five years from the date of injury. State Disability (Employment Development Department) benefits may be paid if TD benefits are delayed, denied or terminated.

- **Permanent Disability (PD) Benefits:** Payments if your injury causes a permanent disability.

- **Supplemental Job Displacement Benefit:** For dates of injury between 1/1/04 and 12/31/12, a nontransferable voucher payable to a state approved school if your injury results in a permanent disability that prevents you from returning to work within 60 days after TD ends, and your employer does not offer you modified or alternative work.

For dates of injury on or after 1/1/13, a nontransferable voucher for education-related training costs and expenses if your injury results in a permanent disability and your employer does not offer you regular, modified or alternative work within 60 days from your permanent and stationary date.

- **Death Benefits (DB):** Paid to dependents of a worker who dies from a work-related injury or illness. A burial allowance is also paid. The amount of burial allowance will vary depending on the date of injury.

How frequently are TD, PD and DB benefits paid? TD, PD and DB benefits are paid every two weeks at 2/3 the average weekly wage with maximum and minimum limits set by law.

- **Return to Work Benefit:** If your injury results in a permanent disability and the state determines that your PD benefit is too low compared to your loss of future earning capacity, you may qualify for additional money from the Department of Industrial Relations Return to Work Fund. If you have questions or think you qualify, contact the Information & Assistance listed below or visit the DIR web site at www.dir.ca.gov.

2. Report Your Injury. Report the injury immediately to your supervisor or to an employer representative. Don't delay. There are time limits. If you wait too long, you may lose your right to benefits. Your employer is required to provide you a claim form within one working day after learning about your injury. Within one working day after you file a claim form, your employer shall authorize the provision of all treatment, consistent with the applicable treating guidelines, for your alleged injury and shall be liable for up to ten thousand dollars (\$10,000) in treatment until the claim is accepted or rejected.

3. See Your Primary Treating Physician (PTP). This is the doctor with overall responsibility for treating your injury or illness. If you pre-designated by naming your personal physician or medical group before injury (see above), you may see him or her for treatment in certain circumstances. Otherwise, your employer has the right to select the physician who will treat you for the first 30 days. You may be able to switch to a doctor of your choice after 30 days. Different rules apply if your employer offers a Health Care Organization (HCO) or has a Medical Provider Network (MPN). Your employer currently uses the Zenith Medical Provider Network. Contact Zenith at the number below or your employer for more information.

4. Medical Provider Networks. Your employer is currently participating in the Zenith Medical Provider Network (ZMPN), which is a selected network of health care providers to provide treatment to workers injured on the job. A ZMPN notice should be posted in your work place to explain how to use the ZMPN. You can request a copy of a complete ZMPN brochure by calling Zenith at the number below or can download a copy at the website listed below. If you have pre-designated a personal physician or medical group in writing prior to your work injury, then you may receive treatment from your pre-designated physician or medical group. If you have not pre-designated, you may choose an appropriate provider from the ZMPN list after the first medical visit directed by your employer. If you are treating with a non-ZMPN doctor for an existing injury, you may be required to change to a doctor within the ZMPN. To review, receive or access the ZMPN provider directory, please contact your employer or call (800) 841-3988 and a ZMPN contact will assist you. If you have questions about the ZMPN or how to access care for a work-related injury contact either your Zenith claims examiner or a ZMPN contact at :

Toll Free Number: (800) 841-3988

Confidential Fax Number: (818) 704-3839

Email Address: providergroup@thezenith.com

Discrimination. It is illegal for your employer to punish or fire you for having a work injury or illness, for filing a claim, or testifying in another person's workers' compensation case. If proven, you may receive lost wages, job reinstatement, increased benefits, and costs and expenses up to limits set by the state.

Questions? Learn more about workers' compensation by reading the information that your employer is required to give you at time of hire. If you have questions, see your employer or the claims administrator (who handles workers' compensation claims for your employer):

Claims Administrator: Zenith Insurance Company

Phone: 1-800-440-5020

Workers' Compensation Insurer: Zenith Insurance Company or ZNAT Insurance Company

Policy Expiration Date: _____

If the workers' compensation policy has expired, contact a Labor Commissioner at the Division of Labor Standards Enforcement (DLSE).

You can also get free information about workers' compensation from a State Division of Workers' Compensation Information & Assistance Officer. The nearest Information & Assistance Officer can be found at location: or by calling toll-free (800) 736-7401. Learn more information about DWC and DLSE online: www.dwc.ca.gov or www.dir.ca.gov/dlse.

WORKERS' COMPENSATION FRAUD IS A FELONY

Anyone who makes or causes to be made any knowingly false or fraudulent material statement for the purpose of obtaining or denying workers' compensation benefits or payment is guilty of a felony. The penalty imposed if found guilty of fraud include up to \$150,000 in fines and imprisonment up to five years.

If You Get Hurt:

1. Get Medical Care. If you need emergency care, call 911 for help immediately from the hospital, ambulance, fire department or police department and have your employer contact Zenith at (800) 440-5020. If you need first aid, contact your employer.

Your employer may not be liable for the payment of workers' compensation benefits for any injury that arises from your voluntary participation in any off-duty, recreational, social, or athletic activity that is not part of your work-related duties.

Zenith Pharmacy Network* Posting Notice

Zenith provides coverage for prescription medications and medicinal supplies (hereafter collectively "medications") for compensable work-related injuries through the Zenith Pharmacy Network (ZPN). Zenith has selected Tmesys as the pharmacy benefits manager for the ZPN.

All prescriptions for accepted work-related injuries must be obtained through a participating ZPN pharmacy. Bills for prescriptions obtained outside of the ZPN may be denied.

Provider offices are not included in the ZPN and medications dispensed from a provider's office will not be reimbursed unless the dispensed medication is either a medically necessary intrathecal pain pump (including refill), antiviral or antibiotic.

Bills for antiviral and antibiotic medications dispensed from a provider's office will be reimbursed pursuant to the California Official Medical Fee Schedule. Prescriptions for antiviral and antibiotics filled by a pharmacy are required to be dispensed by a participating ZPN pharmacy.

Network Limitations

- You must present your workers' compensation pharmacy card to a participating ZPN pharmacy in order to receive medications.
- Only medically necessary medications used to treat work-related injuries and body parts accepted by Zenith are covered.
- All medications must be obtained from a participating ZPN pharmacy.
- Medications dispensed at a provider's office are not covered unless they are a medically necessary intrathecal pump (including refill) or an antibiotic or antiviral.
- Some medications may not be on the ZPN formulary list. Drugs on the formulary list generally will not require prior authorization when prescribed for an accepted work related injury. If a drug is not on the ZPN formulary, the pharmacy will contact PMSI to try to request approval while you are at the pharmacy. If the pharmacy is not able to obtain approval the pharmacy may, at its discretion, provide you a partial fill until a determination is received.
- You should not be charged any amounts for medications related to an accepted compensable work related injury. However, you are responsible for charges related to any medication for conditions or body parts that have not been accepted as part of a work related compensable injury.
- Your prescribed medication may be subject to Utilization Review. If Utilization Review is required, you may not be able to obtain your prescription the same day it is submitted to the pharmacy.
- Mail order services are available. To learn more about mail order services please contact PMSI at .800.304.1764 or go to www.pmsionline.com/pharmacy-center, click on Mail Order Overview.
- If a pharmacy you are using ceases to participate in the ZPN for any reason, you will be required to transfer your prescriptions to a participating pharmacy.

How to Obtain Medicines:

1. Notify your employer and Zenith immediately if you suffer a work-related injury.
2. Obtain a First Fill Pharmacy Card from your employer.

3. A permanent ZPN pharmacy card will be mailed to you.

4. You must present your ZPN pharmacy card each time you submit or pick up a prescription at a participating ZPN pharmacy.

5. The pharmacist will either fill your prescription or may request additional information to determine if your prescription is medically necessary or related to your work related injury or illness. You should not receive a bill for any medications filled at a ZPN participating pharmacy. You may be responsible for payment of medications not obtained from a ZPN participating pharmacy.

6. If there are no pharmacies where you are located, contact Zenith and Zenith will provide you a list of pharmacies that you may use under the ZPN global access policy.

7. If you disagree with your provider about your medical prescriptions or disagree with a ZPN benefit determination, you may have a right to request a second or third opinion, an Independent Medical Review or review by a Qualified Medical Evaluator whichever process is appropriate. Contact your Zenith claims examiner if you have questions concerning these processes.

Division of Workers' Compensation Contacts:

- For questions about the independent medical review process, you may contact the California Department of Industrial Relations, Division of Workers' Compensation Medical unit at: DWC – Medical Unit, P.O. Box 71010, Oakland, CA 94612 or by telephone at 510-286-3700 or 800-794-6900.
- For concerns, complaints or questions regarding the ZPN, the notification process, or your medical treatment after a work-related injury or illness, you may call the Information & Assistance Unit at the Division of Workers' Compensation at 800-736-7401.

Workers' Compensation Insurance Carrier:

Zenith
21255 Califa St., Woodland Hills, CA 91367
Toll Free Telephone: 800-440-5020
Confidential Fax Number: 818-704-3839
Email: providergroup@thezenith.com

Pharmacy Network:

Zenith Pharmacy Network: Effective the later of September 15, 2011 or the date your employer first became insured through Zenith.

Pharmacy Network Benefits Manager:

Tmesys Toll Free Telephone: 866-599-5426

To locate a ZPN pharmacy, call 866-599-5426 or visit www.TheZenith.com/rx.

*This communication is from Zenith Insurance Company, acting on behalf of itself or its wholly-owned subsidiary ZNAT Insurance Company. Please refer to your policy to determine whether your underwriting carrier is Zenith Insurance Company or ZNAT Insurance Company.

The pharmacy network was established pursuant to Labor Code 4600.2(a) which allows insurers to contract with a specific group of pharmacies or a pharmacy benefit network to provide medicines and medicinal supplies to injured workers. Providers who participate in the Zenith Medical Provider Network are included in the ZPN.

Notice of Zenith Medical Provider Network (ZMPN)

Pursuant to Title 8, California Code of Regulations, Section 9767.12. Zenith Insurance Company or ZNAT Insurance Company ("Zenith") is your employer's workers' compensation insurer. Zenith has implemented and your employer is participating in the Zenith Medical Provider Network ("ZMPN") for treatment of workers' compensation injuries and illnesses. The ZMPN is a statewide provider network comprised of physicians and other medical providers that provide medical and related services for work-related injuries or illnesses.

If you have questions about the ZMPN, please contact either your Zenith claims examiner or a ZMPN contact at:

Toll Free Telephone Number: (800) 440-5020

Confidential Fax Number: (818) 704-3839

Email Address: providergroup@thezenith.com

A ZMPN directory may be obtained by calling Zenith at (800) 440-5020, online at www.TheZenith.com/ZMPN or through your employer. Inaccuracies in the directory should be reported to the ZMPN using the contact information set out above.

Accessing Care and Choosing a Provider: You are required to obtain care through ZMPN providers except for emergencies or when a provider is not available within the ZMPN and Zenith's rural access policy does not apply. If you have predesignated your personal physician or medical group in writing prior to the injury or illness, then you may obtain treatment from the physician or medical group you predesignated.

Emergency Care: In an emergency, call 911 or go to the nearest emergency medical center and have your employer contact Zenith at (800) 440-5020. Care for emergency services may be obtained from any provider, however, ongoing care is required to be obtained from providers within the ZMPN.

Provider Selection: If you have not predesignated your personal physician or medical group in writing prior to the injury, your employer will arrange an initial medical evaluation with a medically and geographically appropriate provider within the ZMPN. Following this initial appointment, and at any time thereafter, you may continue to be treated by this provider or select a provider of your choice from within the ZMPN whose specialty or recognized expertise is appropriate for your injury or illness. A listing of providers is available through Zenith or via our website at www.thezenith.com.

Access to Specialists: If you need a specialist, your treating physician can refer you to a specialist within the ZMPN whose specialty or recognized expertise is appropriate for your injury or illness. You may also self-refer to a specialist within the ZMPN so long as the provider is qualified to render the medically necessary services. Referrals outside of the ZMPN will be allowed only if an appropriate provider is not available within the ZMPN. Referrals to a specialist outside the ZMPN will be made arranged by either your primary treating physician or your Zenith claims examiner. If you need assistance obtaining a specialist referral either within or outside the ZMPN, please contact your Zenith claims examiner. You will be required to select an ZMPN provider once treatment with an out of network specialist is complete.

Changing Providers: You can change providers within the ZMPN at any time, for any reason, but the providers you choose must be appropriate to treat your injury or illness. To change providers contact your Zenith claims examiner.

Access Standards: The ZMPN is required to include at least three physicians in each specialty expected to commonly treat work-related injuries and illnesses in your industry. The ZMPN is required to provide access to primary treating physicians within 15 miles or 30 minutes and specialists within 30 miles or 60 minutes of your residence or workplace. If you live or work in a rural area, the ZMPN will either provide you, as appropriate, with (i) a list of three (3) medically appropriate ZMPN primary treating physicians that are closest to your workplace or residence and are within 30 miles or 60 minutes of the your workplace or residence; (ii) a list of three (3) medically appropriate ZMPN specialists that are closest to your workplace or residence and are within 60 miles or 120 minutes of your workplace or residence; or (iii) if there are not three (3) medically appropriate ZMPN providers available to treat you, Zenith will allow you to select a physician outside of the ZMPN network for treatment. Upon completion of your treatment with a non-participating physician, you will be required to receive all other treatment from a provider of your choice within the ZMPN.

process and responsibilities are the same as those outlined above for the second opinion process. If after the third opinion, you still disagree with your treating physician and the diagnosis or treatment that the third opinion physician recommends, you may ask for a MPN Independent Medical Review ("IMR").

MPN Independent Medical Review Process Under Title 8 CCR §9768.1 et seq.

In order to request a MPN Independent Medical Review you must file a completed MPN Independent Medical Review application form with the Administrative Director. The form may be obtained from the Administrative Director. You will be notified of your right to an independent medical review at the time you select a physician for the third opinion. If, after completing the evaluation, the Independent Medical Reviewer agrees with the diagnosis, diagnostic service or medical treatment prescribed by the treating physician, you will continue to receive medical treatment from physicians within the ZMPN. If, after completing the evaluation, the Independent Medical Reviewer does not agree with the diagnosis, diagnostic service or treatment prescribed by your treating physician, you may seek medical treatment with a physician or medical group of your choice either within or outside the ZMPN. If you choose to receive medical treatment with a physician outside the ZMPN, the treatment is limited to the treatment recommended by the Independent Medical Reviewer or the diagnostic service recommended by the Independent Medical Reviewer. Once this treatment is completed, you will receive all other treatment with a provider of your choice back in the ZMPN.

Utilization Review Independent Medical Review Process Under Labor Code 4610.5 et seq

If a utilization review decision denies, modifies or delays a treatment recommendation of your provider, you may request a utilization review independent medical review. Neither Zenith nor the employer will have any liability for medical treatment furnished without authorization. The Administrative Director will review your request and if approved submit it to an independent review organization for review. The independent review organization has 30 days to render a decision.

Voluntary Appeal: Zenith also offers a separate voluntary appeal process. Your provider may submit an appeal to Zenith's utilization review vendor with any new information your provider would like considered. This process does not replace the utilization review independent medical review process and does not waive the time requirements to pursue the independent medical review. However, if the utilization review vendor reverses its adverse determination and approves the treatment, Zenith will authorize the treatment and terminate the independent medical review process.

Transfer of Care: Transfer of care may apply if you were receiving care from a non-ZMPN provider when:

1. Treatment for a compensable claim began with the non-ZMPN provider before the effective date of the implementation of the ZMPN;
2. You made a predesignation of a personal physician and the predesignation does not meet the requirements of Labor Code section 4600(d); or
3. You are treating with a non-ZMPN physician for other reasons that would allow transfer to a ZMPN provider pursuant to applicable laws and statutes.

You may be eligible to continue treatment with your non-ZMPN provider for up to a year if your injury or illness is a condition that meets the definition of a Qualifying Condition as set forth below.

You may request a copy of the ZMPN Transfer of Care Policy from your Zenith claims examiner or a ZMPN contact. It is also available online at www.thezenith.com. Please review the entire ZMPN Transfer of Care Policy for additional information on your rights and obligations.

Continuity of Care: The Continuity of Care Policy describes what will happen if your physician is removed or terminated from the ZMPN. If you are being treated for a work-related injury in the ZMPN and your physician is removed or terminated from the ZMPN, your physician may be allowed to continue to treat you for up to a year if he or she agrees to do so according to the terms and conditions of the ZMPN and your injury or illness is a condition that meets the definition of a Qualifying Condition as set forth below.

Initial Treatment: The ZMPN provides initial treatment within three (3) days and specialist treatment within twenty (20) days of your request. If you need help choosing a provider or have trouble making an appointment with a provider in the ZMPN, please contact your Zenith claims examiner or a ZMPN contact.

Work or Travel Outside of the ZMPN: Zenith will also arrange for and approve non-emergency medical care if: (1) you are authorized by your employer to temporarily work or travel for work outside of the ZMPN geographic service area, (2) you are a former employee permanently residing outside of the ZMPN geographic service area and entitled to continuing workers' compensation benefits, or (3) you decide to temporarily reside outside of the ZMPN geographic service area during recovery. Your Zenith claims examiner, a ZMPN contact or your primary treating physician will give you a list of at least three physicians that meet the access standards described above who can treat you. In addition to providers within the ZMPN, you may choose to change providers among this list of physicians and may obtain a second and third opinion from this list of physicians. Zenith may also allow you to choose your own provider outside of the ZMPN.

Assistance: If you have difficulty in either finding a provider or obtaining an appointment with a provider, please contact your Zenith claims examiner or a ZMPN contact and Zenith will assist you.

Disagreements with Provider: If you disagree with your provider or wish to change your provider for any reason, you may choose another provider within the ZMPN. Contact Zenith and Zenith will assist with the change in provider. Provider listings are available upon request or online at www.thezenith.com.

Second and Third Opinions: If you disagree with the diagnosis or treatment prescribed by your primary treating physician or treating physician, you may ask for a second and, if necessary, a third opinion from another provider within the ZMPN. However, during this process, you are required to continue your treatment with your treating physician or a provider of your choice within the ZMPN. If either the second or third opinion physician agrees with your need for a treatment or test, you will be allowed to receive that medical treatment from a provider inside the ZMPN, including the second or third opinion physician.

To request a second opinion, you must:

1. Inform the assigned Zenith claims examiner either in writing or orally that you are disputing the diagnosis or treatment prescribed by your primary treating physician or treating physician and that you are requesting a second opinion.
2. Select a physician or specialist from a list of medically and geographically appropriate ZMPN participating providers.
3. Make an appointment with the second opinion physician within 60 days.
4. Inform your Zenith claims examiner of a ZMPN contact of your appointment date.

If you do not make an appointment within 60 days of your receipt of the list of providers, you will not be allowed to have a second opinion with regard to this disputed diagnosis or treatment of this treating physician. The second opinion physician will render his or her opinion of the disputed diagnosis or treatment in writing and offer alternative diagnosis or treatment recommendations, if applicable. A copy of the written report will be served on you, your Zenith claims examiner and the treating physician within 20 days of the date of the appointment or receipt of the results of the diagnostic tests, whichever is later. You may obtain the recommended treatment within the ZMPN by changing physicians to the second opinion physician or other provider within the ZMPN. If you disagree with either the diagnosis or treatment prescribed by the second opinion physician, you may seek the opinion of a third physician within the ZMPN. The

If any of the above conditions exist, Zenith may require your physician to agree in writing to the same terms he or she agreed to when he or she was a provider in the ZMPN. If the physician does not agree, he or she may not be able to continue to treat you. If the contract with your physician was terminated or not renewed by the ZMPN for reasons relating to medical disciplinary cause or reason, fraud or criminal activity, you will not be allowed to complete treatment with that physician. If Zenith decides that you do not qualify to continue your care with the non-ZMPN provider, Zenith will send you and your primary treating physician a letter of notification. You may request a copy of the ZMPN Continuity of Care Policy from your Zenith claims examiner or a ZMPN contact. It is also available online at www.thezenith.com. Please review the entire ZMPN Continuity of Care Policy for additional information on your rights and obligations.

Qualifying Conditions: A Qualifying Condition means a condition that is one of the following:

Acute Condition: Your condition involves a sudden onset of symptoms due to an illness, injury or other medical problem that requires prompt medical attention and for which treatment will be completed in less than 90 days.

Serious Chronic Condition: Your injury or illness is one that is serious and continues for at least 90 days without full cure or worsens and requires ongoing treatment. You may be allowed to be treated by your current treating physician for up to one year, until a safe transfer of care can be made.

Terminal: You have an incurable illness or irreversible condition that is likely to cause death within one year or less.

Pending Surgery or Other Procedure: You already have a surgery or other procedure that has been authorized by Zenith that will occur within 180 days of the ZMPN effective date.

Predesignation: You may predesignate your personal medical doctor (M.D.), doctor of osteopathic medicine (D.O.), or medical group to act as your treating physician for a work related injury or illness. Predesignation must be made before the date you incur a work related injury or illness and it must be made in writing. Predesignation must meet both Labor Code 4600(d) and 9780.1. Only employees who have health care coverage for non-occupational injuries or illnesses on the date of injury in a health care service plan are eligible to predesignate a personal physician. Please contact your ZMPN contact if you would prefer to use a Predesignation of Personal Physician form. You may also obtain a Predesignation Form from your employer or online at www.thezenith.com.

Assistance: For Assistance, contact your Zenith claims examiner or a ZMPN contact if you have any questions regarding the ZMPN or need help accessing care.

Division of Workers' Compensation (DWC): If you have concerns, complaints or questions regarding the ZMPN, the notification process, or your medical treatment after a work-related injury or illness, you may call the Information & Assistance Unit at the Division of Workers' Compensation at (800) 736-7401 or go to the DWC's website at www.dir.ca.gov/dwc and click on "medical provider networks" for more information about medical provider networks.

Independent Medical Review: If you have questions about the Independent Medical Review process or the Independent Medical Reviewer, you may contact the California Department of Industrial Relations, Division of Workers'

Compensation's Medical Unit at:

DWC – Medical Unit

P.O. Box 71010

Oakland, CA 94612

(510) 286-3700 or (800) 794-6900

If you have any questions about this notice, how to complete the forms, or how to access medical care, contact your employer or call Zenith at 1-800-440-5020.

www.TheZenith.com

Zenith Insurance Company

P.O. Box 9055

Van Nuys, CA 91409-9055

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