

# Customer Workers Compensation Jurisdictional Resource - Tennessee

Issue	Mandatory	What & How	Impact	State Forms
Timely Reporting of Claims by Employee	Yes, generally, an injured employee should immediately report an injury in writing to his/her Employer. If circumstances of an injury prohibit immediate reporting, an injured Employee must report the injury no later than thirty (30) days after the injury.	The Tennessee Code specifies the notice shall be in writing, but orally is considered acceptable in most circumstances.	It is possible although rare to deny a claim for late reporting, and have that denial upheld. Encouraging workers to report all injuries permits early investigation and medical management.	N/A
Timely Reporting of Claims by Employer	Yes	Employers should complete Employers' First Report of Work Injury, on every reported injury that results in the employee seeking medical attention, and send it to Travelers within one working day of knowledge of the injury. Note: Employer should report injury even if it is not clear that claim is valid.	The sooner the claim is reported, the more accurate the information provided during the investigation will be. This also insures faster communication between the Carrier, injured worker, and medical providers. Failure to file this report when required could toll the statute of limitations.	<a href="#">Tennessee Form - First Report of Injury (FROI)</a>
Medical Case Management	Yes	Employers may, at their own expense, utilize case management. If utilized by Employer, Employee must cooperate.	Assists in controlling costs and directing care as permissible under state law, and can facilitate communication between worker, employer, doctor and insurer.	N/A

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Direction of Medical Care	Yes	The employer is to provide, free of charge, a panel of three doctors. If the injury is to the back, the panel must include a chiropractor. Chiropractic visits are limited by law to twelve (12) visits. Any direct referrals by the initial authorized provider are binding.	Providers who agree to treat WC patients are bound by Tennessee Fee Schedule.	<a href="#">Tennessee Form C-42 - Agreement Between Employer/Employee Choice of Physician</a>
Drug Free Workplace	No, drug testing is not mandatory but can support the defense.	Tennessee has a drug-free workplace program, and compliance creates the (rebuttable) presumption that the drug caused the work accident.	Compliance creates the (rebuttable) presumption that the drug caused the work accident, and supports a denial of all benefits.	<a href="#">Tennessee Drug Free Workplace Information Website</a>  <a href="#">Tennessee Drug Free Workplace Application - Premium Credit Program</a>
Posting of Notices	Yes, employers are required by law to share information with their employees on employment laws and provide other work-related information. Post in a prominent place where employees have access such as a break room or time-clock area.	Failure to post or to provide notice as required in this rule may subject employer to administrative penalties.	Avoids administrative penalties, and employees are more likely to report claims quickly. This enables the investigation to begin sooner, thereby increasing the chances for a better outcome	<a href="#">Tennessee Workers Compensation Poster</a>
Timely Reporting of Employee Returning to Work	No, Tennessee does not require reporting of RTW status but Travelers recommends it.	Employer should notify Travelers as soon as possible so that temporary-total benefits may be terminated at the appropriate time.	Timely reporting prevents overpayment of benefits.	N/A

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Wage Statements	Yes	Travelers sends this form to the employer on all lost time claims, calculates the average weekly wage and temp. total rate and files with TDOL.	The statement should show the gross wages earned each week for the past fifty-two (52) weeks. If employed less than 52 weeks, the statement should show number of weeks worked and gross wages earned each week. Include overtime, bonuses, etc. Failure to timely file can result in imposition of maximum comp. rate.	<a href="#">Tennessee Form C-41-Wage Statement</a>
Employee Cannot Be Discharged for Filing WC Claim		It is unlawful for an employer to terminate an employee for reporting a work injury. Wrongful termination is not enforceable under Tennessee WC Law.	N/A	N/A

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Page 3 of 3

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