

## Workers' Compensation Notification of Overpayment Procedures

Pursuant to Oklahoma statute, if a claimant is required to miss work due to a physician's order in relationship to a work-related injury he/she may not be paid temporary total disability amounts from Broadspire until the employee has missed a total of seven calendar days. This is known as the formal waiting period. By statute (as of 2011), once the claimant has missed a total of 21 days (during the life of the claim) he/she is eligible for repayment of the initial waiting period. As OSU employees generally use accrued leave to cover this waiting period, the repayment of this period by Broadspire causes an overpayment of funds. This must be addressed through standard Payroll processes.

When Broadspire becomes aware that an employee has or will trigger a repayment of the initial waiting period, the adjuster will immediately notify OSU HR. At that time, OSU HR will seek clarification from the adjuster regarding the exact amounts to be paid and the dates that this payment will cover. This information will then be provided to the appropriate departmental personnel who are responsible to work with Payroll Services to secure the overpayment.

An example of communications sent by Broadspire and OSU-HR are below for review.

Email from OSU HR to Departmental Unit Administrator and/or Administrative Officer and cc: Tammy Lowe, Payroll Services and/or designee.

*As shown below, Broadspire is issuing payments for EMPLOYEE'S wait period in accordance with statute. This may cause an OSU overpayment if EMPLOYEE used OSU accrued leave during this same time frame. Please work with Payroll Services to address the overpayment if it exists. Please note that this will likely result in a leave correction as well.*

Email from Broadspire:

*We were notified on 11/29/12 that EMPLOYEE has been off work since his injury date of 11/12/12. He has met the 21 day requirement to receive the 7 day wait period. Therefore, I have issued these benefits today.*

*11/13 - 11/19/12 \$483.85*

*11/20 - 11/26/12 \$483.85*

*11/27 - 12/3/12 \$483.85*

*Total: \$1,451.55*

Please note that we may request Broadspire to waive the initial waiting period if OSU believes the employee will inevitably hit the statutory 21 day requirement. This is very rare and should only be done with clear medical evidence of future time off. In most cases, Broadspire will make this determination and submit a request for OSU to allow a waiver.