Some questions that are commonly asked about Workers’ Compensation Laws and the claims process include-

* [**What is Workers’ Compensation?**](http://ocmdinjury.com/md-workers-compensation-faqs.html#WhatIs)
* [**Who pays for Workers’ Compensation Insurance?**](http://ocmdinjury.com/md-workers-compensation-faqs.html#WhoPays)
* [**Who is covered by Workers’ Compensation?**](http://ocmdinjury.com/md-workers-compensation-faqs.html#WhoCovered)
* [**Is an employer required to pay Workers’ Compensation?**](http://ocmdinjury.com/md-workers-compensation-faqs.html#EmpReq)
* [**How long will my benefits continue?**](http://ocmdinjury.com/md-workers-compensation-faqs.html#HowLong)
* [**If I receive Workers’ Compensation, can I still sue my employer?**](http://ocmdinjury.com/md-workers-compensation-faqs.html#StillSue)
* [**Can I use my own Doctor for a claim?**](http://ocmdinjury.com/md-workers-compensation-faqs.html#MyDoc)
* [**How should I proceed if I am injured on the job?**](http://ocmdinjury.com/md-workers-compensation-faqs.html#HowProceed)
* [**What should I NOT do if I am hurt or injured at work?**](http://ocmdinjury.com/md-workers-compensation-faqs.html#ShouldNot)

**WHAT IS WORKER’S COMPENSATION?**

Workers’ Compensation insurance is a program established by State law which all employers having one or more employees, full or part-time, are required to have for the benefit of their employees. It is a no-fault system under which injured employees receive benefits in connection with work-related injuries or occupational illness. The Workers’ Compensation Commission is the State Arbitration Board that ensures employees are given fair treatment in the event of a work-related accident or illness. For an injury to be considered compensable under workers’ compensation, the injury must “arise out of and in the course of employment.”

**WHO PAYS FOR WORKERS’ COMPENSATION INSURANCE?**

Workers’ Compensation Insurance is paid entirely by the employer. No payroll deductions are taken out of individual employees’ paychecks

**WHO IS COVERED BY WORKERS’ COMPENSATION?**

Workers’ compensation applies to all employees with the exception of casual workers performing services not related to an employer’s business or persons employed in a limited function. Domestic service workers are also excluded unless the employer has purchased workers’ compensation insurance coverage. Corporate Officers may elect not to be covered.

All injuries that arise in the course of employment and are related to that work are covered regardless of the worker’s previous physical condition. Categorized occupational diseases may also be covered as well as aggravations of prior pulmonary difficulties resulting from an employee’s continued exposure at the work place.

The law applies to all injuries occurring in Maryland as well occupational diseases resulting from exposure while working within the state.

An employee’s negligence will not preclude him/her from receiving compensation for the injury. However, compensation will not be paid for injury or death which was intentionally self inflicted or the result of an employee’s violation of the law. In general, injuries caused by a third person are covered as long as they occur in the course of employment.

**IS AN EMPLOYER REQUIRED TO PAY WORKERS’ COMPENSATION?**

Yes. It is required by law that all employers provide payment of workers’ compensation except in cases where employees are not specifically covered. An employee cannot contract away his rights to compensation.

**HOW LONG WILL MY BENEFITS CONTINUE?**

Sorry, but the Answer is...IT DEPENDS!

**IF I RECEIVE COMPENSATION, CAN I STILL SUE MY EMPLOYER?**

No. Because the law makes the employer responsible for a worker’s injuries regardless of the employee’s carelessness, the law also provides that employees do not have the right to recover from the employer in any legal action other than workers’ compensation. However, if the employer fails to provide for workers’ compensation payments as required by law, the employee can sue for damages. If your work injury is caused by a third party, that party is subject to a civil suit.

**CAN I USE MY OWN DOCTOR FOR A CLAIM?**

Yes, if the injury is compensable; however, the employer reserves the right to refer you to a physician of the employer’s choice and the employer’s physician determines return to work status. Note: All procedures other than initial or emergency treatment, must be pre-approved by the workers’ compensation insurance.

**HOW SHOULD I PROCEED IF I AM INJURED ON THE JOB?**

If you are injured on the job or suspect that you have an occupational disease, you should:

* **Report the injury or suspicion of disease immediately to your employer, his/her representative or the person in charge of your job. If you are unable to do so because of the injury, your union representative or your attorney may notify the employer for you.**
* **Get medical treatment. If you need medical attention, ask for it immediately. Make sure that you report to your physician the time that the injury occurred at work and that you take note of related dates and keep copies of all medical bills. You may go to the physician of your choice unless a list of at least six health care providers has been posted by the employer for workers’ compensation purposes. In this case, you must seek treatment from one of these six providers during the first 90 days after your injury. After that time you may go to the provider of your choice, but the provider must file periodic reports to your employer outlining your progress.**

**WHAT SHOULDN’T I DO IF I AM HURT OR INJURED AT WORK?**

* **Do not sign any incomplete papers.**
* **Do not sign any papers or statements unless you completely understand them.**
* **Do not sign any written statements about your injury of exposure to disease unless you have a witness, union representative, or your attorney present and you fully agree with the written statements. Always get a copy of any statements you sign.**
* **Do not sign any Supplemental Agreements unless they correctly represent the current status of your disability. It may also help to have the Supplemental Agreement reviewed by a lawyer.**
* **Do not sign a Final Receipt of compensation unless you are fully recovered from your injury.**

Workers’ compensation laws give injured workers access to medical care and compensation for their lost wages while they’re recovering. However, claims sometimes may be reduced, delayed or even denied. If your claim was rejected, or if you are not receiving the full benefits you need for your injury, as an experienced, Maryland Workers’ Compensation attorney, Frank Benvenuto, P.A. can stand up for your rights. Frank Benvenuto, P.A. has the knowledge and resources it takes to win, and he is committed to fighting for you! If you’ve been injured on the job, don’t wait to ask for help, and don’t get taken advantage of by your employer. Frank Benventuo, P.A. has helped hundreds of people in Maryland get the help they need for their on-the-job injuries.

Keep in mind, workers’ compensation cases are rarely one size fits all, and the amount of compensation you may receive depends on the severity of your injuries and your expected recovery time. Benefits available for injured employees under workers’ compensation laws can include:

* **Temporary Partial Disability – If your injury temporarily prevents you from performing the work required in your normal job, these benefits can help make up for any reduced wages you receive while you recover.**
* **Temporary Total Disability – These benefits are awarded to workers who can’t work for a short period of time while they are recovering from their injuries.**
* **Permanent Partial Disability – If your injury causes you to be permanently unable to satisfactorily perform your job duties, but you are still able to handle lighter work, you may receive permanent partial disability benefits.**
* **Permanent Total Disability – These benefits are given to workers whose injuries prevent them from performing any work and are designed to be a replacement for their salaries.**

Workers’ compensation benefits can be complicated, and it can be difficult to determine which benefits you may be eligible for. The Law Firm of Frank Benvenuto, P.A. is familiar with the Maryland Workers’ Compensation benefits, and Frank can investigate your claim and help you obtain the compensation you are entitled to and deserve. Call Frank today at 443-783-2451.

As a Maryland workers’ compensation lawyer, Frank Benvenuto, P.A., will always take the time to get to know you. Frank will listen to your case, plan a solution and explain how he is going to fight for you every step of the way. That’s because Frank always put our clients’ needs first.

**Free Initial Consultation**

Frank Benvenuto, P.A. offers a free initial consultation. You can get a lawyer who cares! Frank Benvenuto, P.A. a workers’ compensation lawyer will put your needs first – you’re always his top priority. With offices on Maryland’s Eastern Shore he is able to help all those on the Eastern Shore serving Worcester County, Wicomico County, Talbot County, Somerset County, Dorchester County. As soon as you walk through the door, it’s Frank’s goal to put you at ease. Tell him about your accident. There’s no obligation, and your information is always kept private.

**Frank Benvenuto is A Tested And Skilled Trial Attorney**

If you’ve been hurt on the job, you need an experienced attorney like Frank Benvenuto, P.A. to help you with the complexities of Maryland workers’ compensation law. Employers have big insurance companies with lawyers who don’t want you to get paid for your work-related injuries. You may even have co-workers or a manager tell you not to file a claim. Don’t Listen! Protect Your Rights! Frank will assist in documenting your claim and filing the necessary claim forms in order to obtain payment of your benefits.

If you are the victim of a personal injury that arose out of or in the course of your employment, contact the Law Firm of Frank Benvenuto, P.A. to ensure that you receive the workers’ compensation benefits such as lost wages, medical, and rehabilitation expenses to which you are entitled. Whether your employer is big or small, Frank Benvenuto has the expertise to zealously represent your best interests. Note that because almost all employers are required to carry workers’ compensation insurance, almost all workers are covered. Even if you are an independent contractor who has been injured, Frank can evaluate whether you may be entitled to workers’ compensation benefits. You may be entitled to the following benefits (including but not limited to):

* **Lifetime medical benefits**
* **Payments for time missed from work**
* **If you are unable to return to your present employment, you may be entitled to vocational rehabilitation counseling and possibly even re-training or additional education.**

We will assist in obtaining financial compensation for permanent problems related to your injury. All attorney fees are governed by Statute and must be approved by the Workers’ Compensation Commission.

**If there is no financial recovery for you – You pay NO ATTORNEY FEE**