

Federal Workers' Compensation Made Easy EBook

A Step by Step Guide

Introduction

by

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Navigating the federal workers' compensation system can be overwhelming. This ebook aims to provide a comprehensive, step by step guide to help federal employees file successful claims for traumatic injuries, occupational illnesses, and recurrences. Using the guidelines set forth in the Division of Federal Employees' Compensation (DFEC) procedure manual, the Federal Employees' Compensation Act (FECA), and other OWCP reference materials, this guide ensures that you understand the process, requirements, and best practices for each type of claim.

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Understanding FECA ACT and DFEC Procedures

The Federal Employees' Compensation Act (FECA) provides compensation benefits to civilian employees of the United States for disability due to personal injury or disease sustained while in the performance of duty. The Division of Federal Employees' Compensation (DFEC) administers FECA, ensuring that federal employees receive timely and accurate compensation and medical benefits.

Key Provisions of FECA

Medical Benefits: Covers all necessary medical treatment for workrelated injuries and illnesses.

Continuation of Pay (COP): Provides up to 45 days of continuation of pay for traumatic injuries.

Compensation for Wage Loss: Offers compensation for wage loss due to disability.

Schedule Awards: Provides compensation for permanent impairment of specific body parts.

DFEC's Role

DFEC oversees the implementation of FECA, processing claims, and ensuring compliance with federal regulations. They provide guidelines and resources to help employees navigate the claims process.

ECOMP Portal ~ How Do I Get Started?

Create an *Employees' Compensation Operations & Management Portal* (ECOMP) account and then file the appropriate claim form from your Employee Dashboard.

ECOMP can be used to submit documents for a particular case file, but it does not provide a communication vehicle with the Claims Examiner or the District Office. You must contact your servicing District Office if you have questions about a specific claim or the claims process. You may also wish to visit DFEC's website for more information.

If your agency uses ECOMP for form filing, you will be able to manage the entire process from your Employee Dashboard. You can get to your Employee Dashboard by clicking "Sign In" on the ECOMP homepage. Lately I am seeing more and more employee agencies utilizing ECOMP portal for E-filing of CA-1 & CA-2 forms for establishing a case. We have been using paper OWCP CA forms and uploading them into ECOMP for decades but now many employers like for example USPS & VA require that you fill out the CA forms online on the ECOMP portal. So, let's go through the steps for appropriate filing process on ECOMP through some of these new online filing requirements.

Usually, to file a notice of injury, you should start by reporting the incident using OSHA Form 301 (Injury and Illness Incident Report). Some agencies support filing an OSHA-301 via ECOMP, while others do not. Either way, ECOMP will guide you through the process.

If you wish to file a claim under the Federal Employees' Compensation Act (FECA), you can file a claim using Form CA-1 (Notice of Traumatic Injury and Claim for Continuation of Pay/Compensation) or Form CA-2 (Notice of Occupational Disease and Claim for Compensation). Depending on your agency, you may be required to file an OSHA-301 before filing a FECA claim.

If your claim is submitted to the Office of Workers' Compensation Programs (OWCP) by your employee agency in ECOMP, you will be assigned a case number and receive an informational letter from OWCP with that case number. That letter will also provide you with information regarding how to view your case status, billing updates, coverage limitations, and other information via the ECOMP portal. ECOMP allows users to prove their identity and create an account for communication with OWCP's various self-service applications. It is a centralized identity-proofing system used to create credentials for a user, and then to authenticate the credentials for login.

Once a case number has been assigned, you can submit information pertaining to that case file through ECOMP's Document Upload feature, available from the ECOMP homepage. To use this feature, you will need your last name, case number, date of birth and date of injury. You can use this feature for any existing case, not just those initiated through ECOMP. Information submitted should usually be available to OWCP within 4 hours of upload.

An OWCP case number also enables you to file a Form CA-7 (Claim for Compensation). A CA-7 can be filed for any existing claim, not just those initiated through ECOMP, as long as you have a case number and other identifying information. You may also need to file a form CA-7a (Time Analysis Form) for intermittent periods of wage loss and/or a form CA-7b (Leave Buy Back Worksheet Certification). OWCP Forms CA-7 and CA-7a may be filed electronically via ECOMP, but currently OWCP Form CA-7b may not be filed electronically and should be submitted by your employing agency.

Submitting and Reviewing Forms

Remember that before filing a letter or OWCP form in ECOMP, you must register and create an account. Once you have registered, you can initiate a form from your Employee Dashboard.

You must fill out each form completely and submit it for review. You may save a partially completed form and come back to it later. You may also upload and attach supporting documents to be submitted

along with a FECA claim form. If your form is incomplete, it will appear in your Dashboard as 'DRAFT', and will not be processed until you complete all fields and submit the form for review.

Once you submit your form, it will be reviewed by your supervisor (we'll ask you for their email address) and then by a reviewing official within your agency. If appropriate, FECA forms will then be submitted to OWCP. If your supervisor has a question, he/she may send the form back to you. Forms sent back for your review will appear in your Dashboard as 'Returned to Filer'.

You will receive status emails during this process. You may also use the "Track Status" function to monitor the progress of your submission or check the status of your forms from your Employee Dashboard.

Which Form Should I File?

OSHA Form 301 (Injury and Illness Incident Report)

If required, you should report a workplace injury or illness to OSHA. Some agencies support filing OSHA-301 forms via ECOMP, while others don't. When you start a new form, ECOMP will tell you how to proceed.

Form CA-1 (Notice of Traumatic Injury and Claim for Continuation of Pay/Compensation)

Form CA-2 (Notice of Occupational Disease and Claim for Compensation)

Form CA-2A (Notice of Recurrence for Medical Compensation)

File only if you are a Federal employee and wish to submit a claim to OWCP.

Form CA-1 is used for a traumatic injury (a medical condition resulting from an incident or activity occurring during one work shift).

Form CA-2 is for an occupational disease (a medical condition resulting from an incident or activity occurring over more than one work shift).

Form CA-7 (Claim for Compensation)

File only if you have a Case Number, and if you want to claim wage loss compensation, leave buy back or a schedule award.

How long will it take?

Registering for ECOMP: 5 minutes Filing OSHA-301: 22 minutes Filing a Form CA-1 or CA-2: 15 minutes Filing a Form CA-7: 15 minutes

What Will I Need?

An ECOMP account (you can register for an ECOMP account using your email address)

Your government organization

Your supervisor's email address

For new injury/illness claims, details for the event (place, time, extent of injury, etc.)

If available, supporting documentation, such as medical reports (have these ready in electronic format)

If you wish to file a CA-7, you need a case number

How Do I Get Started?

Create an account and then file the appropriate claim form from your Employee Dashboard.

ECOMP can be used to submit documents for a particular case file, but it does not provide a communication vehicle with the Claims Examiner or the District Office. You must contact your servicing District Office if you have questions about a specific claim or the claims process. You may also wish to visit DFEC's website for more information.

So, I hope this makes it clear to you that the days of uploading scanned paper documents and receiving traditional mail from OWCP is no longer going to be the norm. ECOMP is being turned into the complete all in one place to do everything now. So, tell your co-workers with old cases that they are going to need to register to ECOMP because the claims examiners and employers are being told to file everything in ECOMP.

Filing a Traumatic Injury Claim (CA1)

Step by Step Process

1. Immediate Notification: Notify your supervisor of the injury in writing as soon as possible. Usually, to file a notice of injury, you should start by reporting the incident using OSHA Form 301 (Injury and Illness Incident Report). Some agencies support filing an OSHA-301 via ECOMP, while others do not. Either way, ECOMP will guide you through the process.

2. Obtain Form CA1: Download Form CA1 from the [Department of Labor website](<u>https://www.dol.gov</u>) or register with Employees' Compensation Operations & Management Portal (ECOMP) <u>https://www.ecomp.dol.gov/#/</u> & complete the form electronically on ECOMP. If your agency uses ECOMP for form filing, you will be able to manage the entire process from your Employee Dashboard. You can get to your Employee Dashboard by clicking "Sign In" on the ECOMP homepage. Lately I am seeing more and more employee agencies utilizing ECOMP portal for E-filing of CA-1, CA-2 & CA-2A forms for establishing a case.

3. Complete the Form: Fill out the employee portion of Form CA1 completely. Do not abbreviate.

4. Submit to Supervisor: Submit the completed form to your supervisor within 30 days of the injury.

5. Medical Authorization (CA16): Request Form CA16 for medical treatment authorization if needed. "The OWCP Form CA-16 should be issued within four hours of the claimed injury. If the employer gives verbal authorization for such care, he or she should issue a Form CA-16 within 48 hours."This form may be used for occupational disease or illness only if the employer has obtained prior permission from OWCP.

6. Medical Evidence: Provide medical evidence of the injury within 10 workdays. Once filed, OWCP allows up to 60 days for additional evidence to be submitted.

7. Supervisor's Portion: Ensure your supervisor completes the agency portion of Form CA1 and submits it to OWCP within 10 working days.

8. Follow Up: Keep copies of all forms and follow up with your supervisor and OWCP. If your claim is submitted to the Office of Workers' Compensation Programs (OWCP), you will be assigned a case number and receive an informational letter from OWCP with that case number. That letter will also provide you with information regarding how to view your case status, billing updates, coverage limitations, and other information via the Claimant Query System (CQS). To access CQS, please visit OWCP Connect. The best way to access updates for your claim filing process is to register and utilize the ECOMP portal.

Best Practices

Timely Submission: Submit Form CA1 within the first 10 days to utilize continuation of pay (COP) for 45 days. Injured federal workers covered by the Office of Workers' Compensation Programs (OWCP) will now have 60 days to supply evidence in support of an initial claim.

Specifically, the legislation directed the secretary of labor to amend the Federal Employees' Compensation Act (FECA) regulations at 20 CFR 10.121 to increase the minimum time to submit supporting documentation on an initial claim from 30 to 60 days, and 2) modify the FECA procedure manual to do the same. OWCP has explained the revised regulations and changes in *FECA Bulletin* 23-03 that it issued on Jan. 9, 2024.

Medical Provider: Choose a physician (MD/DO) familiar with federal workers' compensation claims.

Documentation: Keep detailed records of all communications, forms, and medical reports.

Common Mistakes to Avoid

Incomplete Forms: Ensure all sections of Form CA1 are completed accurately.

Late Submission: Submit forms and medical evidence promptly to avoid delays.

Inadequate Medical Evidence: Provide thorough and specific medical documentation to support your claim.

Filing an Occupational Illness Claim (CA2)

Step by Step Process

1.Notify Supervisor: Inform your supervisor of the illness in writing as soon as you suspect it is work related.

2.Obtain Form CA2: Download Form CA2 from the [Department of Labor website] (<u>https://www.dol.gov</u>) or Register with Employees'

Compensation Operations & Management Portal (ECOMP) <u>https://www.ecomp.dol.gov/#/</u> & complete the form electronically on ECOMP.

3.Complete the Form: Fill out the employee portion of Form CA2 thoroughly.

4.Submit to Supervisor: Submit the completed form to your supervisor.

5.Medical Evidence: Gather and submit medical evidence linking the illness to workplace exposure.

6.Agency Portion: Ensure your supervisor completes and submits the agency portion to OWCP within 10 working days.

7.Follow Up: Keep copies of all forms and track the submission process.

Best Practices

Detailed Documentation: Provide comprehensive medical evidence and documentation of workplace exposure.

Timely Reporting: Notify your supervisor and submit Form CA2 as soon as possible.

Medical Provider: Select a physician experienced in handling occupational illness claims.

Common Mistakes to Avoid

Insufficient Evidence: Ensure all medical evidence clearly links the illness to workplace conditions.

Delayed Submission: Submit all forms and evidence promptly to avoid processing delays.

Inaccurate Information: Provide accurate and detailed information on Form CA2.

Find an experienced OWCP approved Medical provider that knows how to fill out the OWCP forms and create Causation Narrative.

Filing a Recurrence Claim (CA2a)

Step by Step Process

1.Identify Recurrence: Determine if the condition is a recurrence of a previous injury or illness.

2.Obtain Form CA2a: Download Form CA2a from the [Department of Labor website] (<u>https://www.dol.gov</u>) or register with Employees' Compensation Operations & Management Portal (ECOMP) https://www.ecomp.dol.gov/#/ & complete the form electronically on ECOMP. If your agency uses ECOMP for form filing, you will be able to manage the entire process from your Employee Dashboard.

3.Complete the Form: Fill out the employee portion of Form CA2a completely.

4.Submit to Supervisor: Submit the completed form to your supervisor.

5.Medical Evidence: Provide medical evidence showing the recurrence is related to the original injury.

6.Agency Portion: Ensure your supervisor completes and submits the agency portion to OWCP.

7.Follow Up: Keep copies of all forms and monitor the submission process.

Best Practices

Thorough Documentation: Provide detailed medical evidence linking the recurrence to the original injury.

Prompt Submission: Notify your supervisor and submit Form CA2a as soon as you identify the recurrence.

Medical Provider: Choose a physician who understands the history of your initial injury, understands how to complete required OWCP forms and complete a causation narrative.

Common Mistakes to Avoid

Incomplete Forms: Ensure all sections of Form CA2a are completed accurately.

Inadequate Evidence: Provide comprehensive medical documentation to support the recurrence claim.

Delayed Reporting: Submit forms and evidence promptly to prevent delays.

Best Practices for Injured Federal Employees

Notify Supervisor: Always inform your supervisor of any injury or illness in writing.

Timely Submission: Submit forms and evidence promptly to avoid delays in processing.

Keep Copies: Maintain copies of all forms, communications, and medical reports.

Choose Your Physician: Select a physician familiar with federal workers' compensation claims.

Union Assistance: Seek help from your union if you have questions or need support.

Documentation: Provide detailed and specific medical evidence to support your claim.

Avoid Abbreviations: Fill out forms completely without using abbreviations.

Resources and References

1. Federal Employee Compensation Act:

https://www.dol.gov/owcp/dfec/regs/compliance/feca550q.htm](htt ps://www.dol.gov/owcp/dfec/regs/compliance/feca550q.htm)

2. Department of Labor: https://www.dol.gov/](https://www.dol.gov/

3. ECOMP System:

https://www.ecomp.dol.gov/#(https://www.ecomp.dol.gov/#)

4. Publication CA810:

https://www.dol.gov/owcp/dfec/regs/compliance/DFECfolio/CA810 .pdf(https://www.dol.gov/owcp/dfec/regs/compliance/DFECfolio/C A810.pdf)

5. AFGE Health and Safety:

https://www.afge.org/memberbenefits/healthandsafety/](https://ww w.afge.org/memberbenefits/healthandsafety/)

6. DOL Forms:

https://www.dol.gov/general/forms(https://www.dol.gov/general/forms)

7. Workers' Compensation for Federal Employees:

https://www.dol.gov/agencies/owcp/FECA/regs/compliance/DFECfo lio/FECA-PT2 Citations

Division of Federal Employees' Compensation Procedure Manual

Federal Employees' Compensation Act (FECA)

U.S. Department of Labor, Office of Workers' Compensation Programs (OWCP)

A note from the Author

This eBook aims to empower federal employees with the knowledge and tools needed to successfully navigate the workers' compensation claims process. By following the steps outlined and utilizing the resources provided, you can ensure a smoother and more efficient experience. <u>Dr. Stephen Taylor</u> has been a OWCP, DOL & Federal Health Care Compliance Consultant for over two decades. He has been training, auditing and assisting hospitals, physicians, and law firms on all aspects of OWCP and the FECA Act for nearly thirty years. He currently is a national OWCP -DOL consultant for the prestigious <u>Oberheiden Law Firm</u> in Washington D.C.