



## Informational Memorandum to State-Fund Employers

This memorandum contains information about an employer's workers' compensation coverage from the Ohio Bureau of Workers' Compensation (BWC). Please keep in mind that there are extensive rules and laws governing workers' compensation in Ohio. This memorandum only provides a brief overview of coverage issues for a state-fund employer.

Unlike some states, Ohio does not issue individual policies of coverage. Instead, Ohio's statutes list all of the provisions of coverage and govern how BWC must handle your policy. Ohio Revised Code Chapters 4121 and 4123, and corresponding chapters of the Ohio Administrative Code, contain these provisions.

BWC issues a certificate of coverage to an employer that pays premiums, and the employer must post the certificate in plain view. If an employee suffers an injury in the course of, and arising out of, his or her employment and proper jurisdiction for the claim is in Ohio, then BWC has authority to pay medical benefits (including medications) and compensation to the injured worker.

Compensation payable to an injured worker includes, but is not limited to, payments where a worker:

- Is totally disabled from work on a temporary basis;
- Is unable to find employment because of medical restrictions or who finds employment paying less than what the worker was earning at the time of injury;
- Is permanently unable to perform sustained work activity for pay; or
- Has a permanent partial disability.

An injured worker's dependents may also be entitled to compensation where the injured worker dies as the result of a work injury or the allowed conditions in a claim.

Under Ohio's laws, there are no policy limits or cap on benefits so long as treatment and compensation arise from the allowed condition(s) in the claim. When disputed issues arise, the Ohio Industrial Commission, a separate state agency, will make a final administrative decision. If the BWC or the Industrial Commission allows a claim, then all medical bills and medications for conditions allowed in the claim, as well as compensation, will be paid pursuant to Ohio workers' compensation law. There are statutory limits that address the time within which a worker has to file a claim and how long a claim can remain active (See R.C. 4123.52, 4123.84 and 4123.85). Generally, a worker must file a claim within one year from the date he or she knew, or should have known, of the injury or within two years of disability due to an occupational disease. In addition, a claim can remain active for five years from the date of the last medical services being rendered or the date of the last payment of compensation.

Keep in mind that as an Ohio employer, you must comply with all Ohio worker's compensation laws and regulations. If you are unsure whether you fall under Ohio's jurisdiction, please call BWC's Legal Division at (614) 466-6600 to speak with an attorney. Also, please keep in mind that this memorandum addresses only basic issues related to state-fund employers. Employers who are self-insured must comply with many of these same laws, but are also subject to other statutes and rules. Please note this memorandum is for informational purposes only and does not constitute legal advice. If you have any questions about BWC, please contact us at the phone number listed above or online at [www.bwc.ohio.gov](http://www.bwc.ohio.gov).