



March 2010

Dear Valued Client of PMA Companies:

As you are aware, Delaware Senate Bill #1 significantly changed the Delaware Workers' Compensation Act (Act), and placed increased responsibilities upon health care providers, injured workers and employers.

The Act and amendments effective as of July 6, 2009, require that both a Physician's Report of Workers' Compensation Injury (Physician's Form) and an Employer's Modified Duty Availability Report (Employer's Form) be completed with the intent to improve the overall communication process in the handling of a worker's compensation claim and facilitate the return to work of an injured worker.

The Physician's Form must be completed by the health care provider most responsible for the treatment of the employee's work related injury within 10 days after the date of the first evaluation or treatment. The Physician's Form outlines the injured worker's condition and limitations. The provider must "expeditiously" provide a copy to the injured worker, employer and carrier, if applicable.

In addition, within 14 days of receiving notice of an injury, an employer shall provide to the health care provider and insurance carrier, if applicable, an outline of modified duty jobs which may be available to the employee on the Employer's Form. A failure to comply with this provision subjects the employer to mandatory fines of not less than \$1000 but not more than \$5000. After the provider receives the Employer's Form from the employer, the provider must sign and return the health care provider portion of the Employer's Form within 14 days of the injured worker's next appointment with the provider, but not later than 21 days from the health care provider's receipt of the Employer's Form.

To access the Delaware Physician Form and the Employer Form, go to the PMA website, www.pmagroup.com. Click on Services, Welcome Kit, Delaware Workers' Compensation Materials. However, should you have any questions regarding this communication, feel free to contact your PMA representative at 1-888-476-2669.

Sincerely,
PMA Companies