

Santa Barbara City Fire Department - Standard Operating Procedures <b>Organizational Operations</b>	Code: <b>O-V-4</b>
<b>Industrial Injury</b>	
Chpt: V Wellness	Revised: 2/7/12 Pages: 5

## I. PURPOSE

A. To ensure proper medical treatment, accurate payroll information, and compliance with City Risk Management policy, it is important that Fire Department employees follow the procedures outlined below in the event of an industrial injury. This S.O.P. addresses the following issues:

1. Industrial Injury Not Requiring Medical Treatment
2. Industrial Injury Requiring Medical Treatment
3. Reoccurring Industrial Injury
4. Returning to Duty Following Treatment for an Industrial Injury
5. Authorized Medical Facilities
6. Definition of "Personal Physician"
7. Pre-approval of "Personal Physician"
8. Access to Medical Records
9. Cancellation of Liability for Industrial Injury Claim
10. 4850 Payments

## II. INDUSTRIAL INJURY NOT REQUIRING MEDICAL ATTENTION

A. Any Fire Department employee incurring any on-duty injury shall complete a REPORT OF EXPOSURE AND INJURIES ([Form FS-12](#) available in the stations). If it is later determined that the injury requires medical attention, follow the directions listed below.

## III. INDUSTRIAL INJURY REQUIRING MEDICAL ATTENTION

A. Any Fire Department employee incurring an on-duty injury requiring medical attention shall:

1. Notify the duty Battalion Chief or immediate supervisor.
2. Complete REPORT OF EXPOSURE AND INJURIES (Form FS-12). In the case of severe injury, FS-12 may be completed after seeking treatment.

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3. Obtain a WORKER'S COMPENSATION INJURY REPORT KIT from the duty Battalion Chief. It shall be completed within 24 hours.
4. Seek medical treatment from an authorized medical facility or "personal physician" (see page 3). A MEDICAL SERVICE ORDER (contained in the WORKER'S COMPENSATION INJURY REPORT KIT) shall be presented to the physician at the time of treatment. All forms are available at the City of Santa Barbara SharePoint site.
5. Notify the duty Battalion Chief or immediate supervisor regarding your ability to return to work based upon the physician's medical evaluation of the injury. Notification must be made in writing by the treating physician. Written notification must include:
  - a) Physician's name and signature
  - b) Nature and severity of injury
  - c) Current duty status
  - d) If placed off duty, an estimate of the length of time employee is likely to remain off duty
6. When a Fire Department employee suffers a work related injury requiring loss of duty time, the employee must see a physician immediately in order to be placed in an off duty status; only a physician is authorized to place an employee off duty.
7. The forms contained in the WORKER'S COMPENSATION INJURY REPORT KIT shall be completed and distributed as indicated in the instructions accompanying the kit.

### **IV. REOCCURRING INDUSTRIAL INJURIES**

- A. In most cases, reoccurring injuries will be treated as an initial injury. Fire Department employees seeking treatment for reoccurring industrial injuries shall complete the following steps:
  1. Notify the duty Battalion Chief or immediate supervisor
  2. Complete REPORT OF EXPOSURE AND INJURIES (Form FS-12)
  3. Obtain a MEDICAL SERVICE ORDER from the duty Battalion Chief
  4. Seek medical treatment from an authorized medical facility or "personal physician" and present the MEDICAL SERVICE ORDER

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5. Notify the duty Battalion Chief regarding return to work status based upon the physician's written medical evaluation of the injury.

### **V. RETURNING TO DUTY AFTER RECEIVING MEDICAL TREATMENT FOR AN INDUSTRIAL INJURY**

- A. When an industrial injury results in a loss of duty time, a written release from the attending physician must accompany the returning Fire Department employee before a resumption of duty is permitted. The written release must include:
  1. Physician's name and signature
  2. Nature and severity of injury
  3. Current duty status
  4. Date of authorized return to work
- B. Subsequent visits to the physician do not require a MEDICAL SERVICE ORDER, however a new, projected return to work date, or date of next physician's appointment must be reported to the Fire Department Secretary.

### **VI. AUTHORIZED MEDICAL FACILITIES**

- A. There are three area medical facilities authorized by City Risk Management:
  1. Sansum – SBMFC/Occupational Medicine Center  
Address: 101 S. Patterson Ave.  
Phone: 898-3311  
Hours: 08:00 to 18:00 Monday through Friday  
Closed Weekends and Holidays
  2. MedCenter  
2954 State Street  
Phone: 682-7411  
Hours: 08:00 to 20:00 Monday through Saturday  
10:00 to 18:00 Sunday and Holidays
  3. MedCenter  
Address: 319 N. Milpas Street  
Phone: 965-3011  
Hours: 08:00 to 20:00 Monday through Friday  
Hours: 08:00 to 14:00 Saturday  
Closed Sundays and Holidays
  4. In most cases, medical treatment for on-duty injuries will be handled by the above authorized medical facilities. For medical treatment after hours or for

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life threatening injuries, department employees are authorized to seek treatment at hospital emergency rooms.

### **VII. PRE-APPROVAL OF PERSONAL PHYSICIAN**

- A. Fire Department employees wishing to be treated by their “personal physician” immediately following an industrial injury may do so only if they have previously notified City Risk Management in writing. Notification shall be made by filling out an [EMPLOYEE DESIGNATION OF PERSONAL PHYSICIAN FORM](#) and shall include:
  - 1. Physician’s name and address
  - 2. Physician’s specialty (if any)
- B. Upon receiving authorization from City Risk Management, a copy of the authorization will be placed in the employee’s personnel file. A roster of approved “personal physicians” will be made available for reference to department managers and supervisors responsible for issuing MEDICAL SERVICE ORDERS.
- C. Once a personal physician has been approved, the employee may seek treatment from the personal physician directly without having to first visit one of the approved medical facilities above. However, the ability to seek medical treatment from a pre-approved personal physician is limited to injuries compatible with the designated physician’s field of expertise. For example, if an employee’s personal physician is a cardiologist, the personal physician would not be permitted to treat the employee for a skeletal injury suffered on the job. An employee may designate no more than one personal physician at a time.
- D. An employee not having a designated personal physician who suffers an industrial injury may still designate a personal physician for treatment of the injury provided the employee first seeks treatment at an authorized medical facility and waits a minimum of thirty (30) days after the initial injury. Following the mandatory waiting period, the employee may then designate a personal physician subject to the provisions above.

### **VIII. DEFINITION OF PERSONAL PHYSICIAN**

- A. The State of California Division of Industrial Accidents, Administrative Rules, Article 5, Section 9780 (h) defines “personal physician” as “a doctor of medicine or a doctor of osteopathy who, prior to the injury, has directed the medical treatment of the employee and who retains the employee’s medical records or medical history. Personal physicians may include a corporation, partnership, or association of such doctors of medicine or osteopathy.” Under this definition, the Cottage Hospital Emergency Room does not qualify as a pre-approved “personal physician” for treatment of injury, whereas, the Sansum Clinic may.

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- B. Exception - Chiropractor: Section 4601 of the California Labor Code permits an employee to designate a chiropractor as a personal physician. However, the employee must first receive initial treatment for an industrial injury from one of the approved medical facilities listed above. If the employee wishes to receive additional treatment from the chiropractor/personal physician, the employee must make a separate written request to City Risk Management. City Risk Management must respond to the request within five working days.
- C. In the event an employee cannot immediately see their designated personal physician, the employee must go to one of the authorized facilities listed on page 3.

### **IX. ACCESS TO MEDICAL RECORDS**

- A. Access and copy rights to medical records are guaranteed to each Fire Department employee by CAL/OSHA Safety Order 3804.

### **X. CANCELLATION OF LIABILITY FOR INDUSTRIAL INJURY CLAIM**

- A. The City of Santa Barbara may not be liable for industrial injury benefits for any injury which arises out of an employee's voluntary participation in any off-duty recreational, social, or athletic activity which is not a part of the employee's work-related duties.

### **XI. 4850 PAYMENTS**

- A. The City shall not deduct either state or Federal withholding taxes from Labor Code Section 4850 payments as long as payment remains in accordance with the law and the injured employee is receiving 4850 payments for the entire biweekly pay periods..