



September 16, 1994

Notice No. 76

**NOTICE TO INSURANCE CARRIERS, SELF-INSURED EMPLOYERS UNDER THE
LONGSHORE AND HARBOR WORKERS' COMPENSATION ACT, AND OTHER INTERESTED
PERSONS**

SUBJECT: Customer Satisfaction Survey Results

This Office recently conducted a customer satisfaction survey directed to claimants whose cases under the Longshore and Harbor Workers' Compensation Act (LHWCA) were created during fiscal year 1993. While the responses to the survey were quite favorable overall, they did show some areas for improvement in the service provided by employers and insurance carriers. The two most frequently received comments from claimants were that they did not receive prompt initial payment of compensation from the employer or insurance carrier, and that they were not advised at the time of the injury that they had the right to receive medical treatment from the physician of their injury from the physician of their choice. As a result, employers and insurance carriers are reminded of their responsibilities in the following areas:

Prompt Payment of Compensation

Section 14 of the LHWCA provides that, unless the employer controverts its liability under the Act, the employer or insurance carrier shall promptly pay compensation to the claimant. "Promptly" means that the first installment of compensation is due by the fourteenth day after the employer has been notified or has actual knowledge of the injury or death. (Also see Title 20, Sections 702.231 - 702.233 of the Code of Federal Regulations.)

Employee's Right to Choose Attending Physician

Section 7 of the LHWCA provides that the claimant has the right to choose his or her attending physician to provide medical care under the LHWCA. It is the responsibility of the employer to advise the injured employee of this right at the time of injury. (Also see Title 20, Sections 702.401 - 702.406 of the Code of Federal Regulations.)

In order to help employers meet these responsibilities as well as comply with the requirements of Section 34 of the LHWCA, employers should obtain Form LS-241 (for employers who obtain insurance

U.S. Department of Labor

Employment Standards Administration
Office of Workers' Compensation Programs
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through a carrier) or LS-242 (for self-insured employers) and post them in conspicuous locations around there place(s) of business. These forms provide employees with information concerning choice of physician and prompt payment of compensation and also advise them of their responsibilities when injured at work. Copies of the appropriate form(s) may be obtained by contacting the nearest Longshore district office or by contacting this office at (202) 693-0038.

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