

## **Ever Filed Workers' Comp???**

**Then You Should Read Below:**

### **Full and Final Settlements – What does it mean to me?**

Brothers and Sisters,

Many of you have asked me about settling your workers' comp cases by way of a 'full and final' settlement. 'Full and final' settlements are done on a 3 Tier System.

**TIER 1:** Consists of people who have had a comp claim in the past and have had **no activity**. This does not cost the State any money so there is no reason to settle.

**TIER 2:** Includes claims that have had some or a little activity after reaching "MMI" or Maximum Medical Improvement. In essence this means; 'you are as good as your going to get at this time, medically wise'. This may open up a possibility of a settlement.

**TIER 3:** These are the cases that by their nature seem that there will be no 'end'. In these situations the 'cost' will out way the settlement in the State's eyes. Now keep in mind the TPA or the 'Third Party Administrator' (Insurance Company); does not have to offer this to you. It is up to their discretion and availability of funds.

The most important thing for those on Workers' Comp to consider is the following: Remember that any money you receive is for **any and all** future medical expenses arising from your injury. Your regular insurance will not cover any costs associated with the specific workers' comp injury *because it is* a workers' comp injury. Once you have accepted any 'full and final' settlements; you have in essence released all liability to anyone for that specific case or injury. You are in effect on your own unless there is a reoccurrence. A reoccurrence is when you are re-injured, somehow, while at work, with the same injury as you had before, to whatever degree. It could be not quite as bad or it can be worse but it is seen as a 'reoccurrence' and therefore your case can be reopened.

The State **has had a moratorium** on the money for these 'pay offs' for several years now; so few and far have been settled. Again it is up to the discretion of the Insurance Company through the State as a 3<sup>rd</sup> party Administrator. Another thing to remember is that your PPD rating (Permanent Partial Disability) does not end your claim. PPD is a disability rating from the doctor stating that before the injury you were 100% and now that you were injured on the job; you have been decreased by a certain percent. Every case is different. Every case is considered on an individual bases. And finally, only you can end your claim. Remember, I am here to explain in further detail or answer any questions you may have specific to your case.

I am hopeful that this information is helpful to those of you who are contemplating your own situations and the possibility of settlement.

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