



State of Utah

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Utah Labor Commission
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Division of Industrial Accidents
RONALD DRESSLER
Director

BULLETIN - 6 – 2011

To: Medical Providers
Workers' Compensation Insurance Carriers
Self Insured Employers
Third Party Administrators

From: Ronald Dressler, Director
Industrial Accidents Division

Date: June 13, 2011

Re: Liability for injured workers' medical expenses under the "preferred provider" provisions of the Utah Workers' Compensation Act.

Section 34A-2-111 of the Utah Workers' Compensation Act allows self insured employers and insurance carriers to develop "preferred provider programs" to provide medical care for injured workers. An injured worker who has been notified of such a preferred provider program is generally required to receive initial medical treatment from a preferred provider. Exceptions to this general requirement include: 1) emergency treatment when a preferred provider is unavailable; 2) an injured worker's good-faith belief that the medical problem is not work-related; and 3) situations where travel to a preferred provider location is unduly burdensome.

Initial Medical Care An injured worker who is subject to a preferred provider program, but who obtains initial medical treatment outside the preferred provider program, is personally liable for any fees that exceed the amount that would have been paid for such treatment within the preferred provider program.

Subsequent Medical Treatment After an injured worker has received initial treatment within a preferred provider program, the worker may choose to obtain subsequent medical care outside the program; the employer/insurance carrier cannot require the worker to continue receiving treatment from a preferred provider. If the worker opts to obtain medical care outside the preferred provider program, the employer/insurance carrier is liable for the reasonable expense of such medical care, subject to the limits established by the Labor Commission's Medical Fee Guidelines.

Please forward any questions or comments to:

**STATE OF UTAH LABOR COMMISSION
DIVISION OF INDUSTRIAL ACCIDENTS**

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