SOUTH DAKOTA WORKERS' COMPENSATION INSURANCE PROGRAM IMPORTANT NOTICE

POLICY HOLDERS NOTICE OF LOSS CONTROL SERVICES

In compliance with the South Dakota Workers' Compensation Insurance plan, we provide for our policyholders a broad range of Loss Control Services. When requested, our Loss Control Department is prepared to provide, at no additional charge, the following services:

- 1. Consultative services pertaining to the safety performance of your business and operations.
- 2. An appraisal of the various mechanical hazards, material handling methods, chemical and ergonomic exposures that may exist at your business.
- 3. Advice and assistance in the recognition, evaluation and control of occupational safety and health hazards.
- 4. Advice and assistance in coordinating and implementing employee safety and health programs.
- 5. Recommendations for corrective actions to address workplace hazards identified in conjunction with other services provided.
- 6. Assistance in developing a comprehensive safety and health program for your business, including the following elements:
- Safety Policy
- Safety Rules
- Safety Inspections, both Regular and Periodic
- Preventative Maintenance Programs
- Safety and Health Training Programs
- First Aid Programs
- Accident Investigation Programs
- Recordkeeping

(Note: Our representatives are ethically and legally required to submit recommendations for discrepancies and deficiencies discovered in the course of their consultations with you. Mandatory compliance may be required.)

Contact Us

If you wish to have the Loss Control Department provide any of these services for your business:

Telephone: (678) 258-8151

Or detach the coupon below and mail to:
Amtrust North America
Attn. Gina Forstman

(please ask for the Loss Control Department)

P.O. Box 5446
Cleveland, OH 44101-0446

e-mail: ARlosscontrol@amtrustgroup.com

_&		
Yes, we are interested in Loss		
Company Name:	Policy Number:	_
Address:		
Telephone Number:	Person to Contact:	
Position/Title:		

Workers' Compensation Quick Reference Guide

Carrier: Technology Insurance Company

Claim Administrator: Amtrust North America

P.O. Box 5446

Cleveland, OH 44101-0446

678-258-8000 Fax - 678-258-8399

Toll Free: 888-239-3909

CONTACTS

Claims Analyst: Richard Gomez 770-369-9860

Policy Svcs/Loss Control: Gina Forstman 678-258-8105

Customer Service: 877-882-1305

YOUR DUTIES UNDER THE WCIP

1. Pay all premiums promptly and timely

- 2. Advise us or your agent of any material change in your corporate entity, location of business or a change in the nature of your business.
- 3. All claims must be reported timely.
- 4. Payroll and overtime records must be available at all times.
- 5. Allow reasonable access to your workplace for safety inspections during business hours.
- 6. Loss Control recommendations must be complied within specified time frames.

Lack of cooperation in any of these areas could result in cancellation.

YOUR RESPONSIBILITIES BEFORE & AFTER AN INJURY

- 1. Report all injuries immediately on the proper State Board forms.
- 2. Emergency Situations:

In case of emergency send the injured employee to the closest emergency facility.

3. Assist injured employees in getting appropriate medical care.

Technology Insurance Company

For Worker's Compensation Claims

24/7 Toll Free Claim Reporting for All States







(888)239-3909

WorkersCompClaimReport@AmTrustgroup.com

www.amtrustfinancial.com

When a work injury is reported to you, simply email the claim report to the email address stated above. The state law requires the employer to timely and fully complete the State specific First Report **of Injury form.** You must have the following information available when you complete the claim form:

Information Required for All Claims Reported



- Name of employer (name as it appears on the policy is
- Policy Number, if known.
- Injured employees': Name, Address, Phone, Social Security Number, Date of Hire and Date of Birth.
- 4. Date, Time & Place of Incident
- Description of accident or incident
- Nature of Injury Name & phone for initial medical provider, if known.
- Wage Information





Optum

PO Box 152539 Tampa, FL 33684-2539

MAKINGITEASY...

TO GET WORKERS' COMPENSATION PRESCRIPTIONS FILLED.

Optum has been chosen to manage your workers' compensation pharmacy benefits for your employer or their insurer. Below is your First Fill card that will allow you to receive your injury-related prescriptions at your local pharmacy. Please fill out the card based on the instructions below.

Injured Employee:



If you need a prescription filled for a work-related injury or illness, go to an Optum Tmesys* network pharmacy. Give this temporary card to the pharmacist. The pharmacist will fill your prescription at low or no cost to you.



If your workers' compensation claim is accepted, you will receive a more permanent pharmacy card in the mail. Please use that card for other work-related injury or illness prescriptions.



Most pharmacies, including Walgreens, our preferred provider, and all major chains, are included in the network. To find a network pharmacy call 1-866-599-5426 or visit tmesys.com.

Questions? Need Help?



1-866-599-5426

WORKERSTONIENS	TIONEDESCRIPTIONEDRICERROCEAN
WORKERS/COMPENSA	TION PRESCRIPTION DRUG PROGRAM
AmTrust North America	1
CARRIER/TPA	EMPLOYER
INJURED WORKER NAME	
Please provide directly to Ph	armacist

the date of i		combined as	follow	and GROUP. Member ID # format is s: YYMMDD123456789.		
Tmesys Pharmacy Help Desk 1-800-964-2531						
	RxBIN RxPCN GROUP	NDC 004261 CAL FF	or or	Envoy 002538 Envoy Acct. #		

NOTE: This First Fill card is only valid for your workers' compensation injury or illness.



Employer:

Immediately upon receiving notice of injury, fill in the information above and give this form to the employee.



PO Box 152539 Tampa, FL 33684-2539

HACEMOS MÁS SENCILLO...

EL ABASTECIMIENTO DE LAS RECETAS MÉDICAS DEL PROGRAMA DE COMPENSACIÓN POR ACCIDENTES LABORALES.

Optum ha sido elegido para administrar los beneficios farmacéuticos de su programa de compensación por accidentes laborales para su empleador o su asegurador. Más adelante incluimos su tarjeta First Fill que le permitirá recibir las recetas médicas relacionadas con su lesión en su farmacia local. Llene esta tarjeta siguiendo las instrucciones que se indican a continuación.

Empleado lesionado:



Si necesita que se le abastezca su receta médica para una lesión o enfermedad relacionada con su trabajo, visite una farmacia de la red Optum Tmesys*. Entregue esta tarjeta temporal al farmacéutico. El farmacéutico abastecerá su receta médica bajo costo o sin costo alguno.



Si se acepta su reclamación del programa de compensación por accidentes laborales, recibirá una tarjeta permanente por correo. Use esa tarjeta para otras recetas médicas de lesiones o enfermedades relacionadas con su trabajo.



La mayoría de farmacias, incluyendo Walgreens, nuestro proveedor preferido, y todas las grandes cadenas de farmacias, forman parte de la red. Para encontrar una farmacia de la red, llame al 1-866-599-5426 o visite tmesys.com.

¿Tiene alguna pregunta? ¿Necesita ayuda?



1-866-599-5426



Attention Pharmacists: Enter RxBIN, RxPCN and GROUP. Member ID # format is the date of injury and SSN combined as follows: YYMMDD123456789. Tmesys is the designated PBM for this patient. **Tmesys Pharmacy Help Desk** 1-800-964-2531 NDC Envoy **RxBIN** 004261 002538 or **RxPCN** CAL Envoy Acct. # GROUP FF

NOTA: Esta tarjeta First Fill solo es válida para una lesión o enfermedad cubierta por su programa de compensación por accidentes laborales.

Empleador:

Inmediatamente después de recibir un aviso sobre una lesión, llene la información antes indicada y entregue este formulario al empleado.



RETURN-TO-WORK; A GREAT IDEA

We at the AmTrust Group, are convinced that an employer who provides light, or restricted work for injured employees, enjoys numerous benefits. This is not just an opinion, it's something we see day in and day out. Consider:

- Unless an injured worker returns to the workplace within 60 days, chances of him/her ever returning drop dramatically. (resulting in a very expensive permanent disability situation.)
- After 6 months away from the workplace, only 50% chance of return.
- After 12 months, only a 10% chance of return.

Some Return-to Work Benefits Include:

- "Test" of malingering potential. Injured employees who refuse light duty are more prone to being malingerers.
- Opportunity for employer to demonstrate true concern for workers' well-being.
- Promotion of rehabilitation and recovery.
- Lower medical and rehabilitation costs.
- Productivity.
- Morale improvement for the injured worker.
- Ability for the employer to monitor the injured employee's recovery progress.
- Decrease of WC claims costs, with resultant downstream WC premium savings.

(Notice we're not just talking about 'feel-good' issues, but also hard dollars!)

Some common misconceptions (and truths) about Return-to-Work / Light Duty:

Misconception: We've already got too many "programs" around here, and don't need any more paper.

Truth: While it is true a written, planned program works best, in many cases a Light Duty "program" can be nothing more than a management understanding of the benefits and principles of Return-to-Work, how it works, and the commitment to 'just do it', when light-duty recommendations are made by WC physicians.

Misconception: It will get me into an Americans With Disabilities (ADA) "situation".

Truth: Light-duty and ADA "reasonable accommodation" are two entirely separate issues. Generally, light duty is a temporary assignment, for a relatively short period. ADA accommodations are made for serious, permanent disabilities that impair major life activities.

Misconception: I'll have to devise a whole new job each time an employee needs light duty.

Truth: The vast majority of light-duty restrictions require accommodating only one or two factors, such as "no lifting over 10 pounds", or the like. In many cases, if you break the jobs down into individual **tasks**, you'll see that only one or two tasks within the employee's normal job are affected, and can be handled in some other way.

Misconception: Once an employee gets into a "cushy" light-duty job, s/he'll never leave it, and I'll be stuck with it.

Truth: Light duty is always defined by, and monitored by the attending physician. An employee on light duty is periodically monitored by the physician for improvement, and is released for full-duty as soon as medically indicated.

Misconception: We're a union company. Our union won't allow us to pay lower rates, or move employees between classifications, or between bargaining groups.

Truth: Any Local that objects to a Return-to-Work program should be referred to its national body for guidance. Return to Work is universally recognized as a very positive influence on an injured worker (as well as benefiting the employer). Labor unions, whose major purpose for existence is the benefit of the workers they represent, should not only "tolerate" Return-to-Work programs, but enthusiastically promote, and assist in such programs' implementation and operation. It is strongly suggested that management approach labor representatives to solicit their input, and assistance in making Return to Work a positive force in your workplace.

Misconception: I might be willing to place a worker in a light-duty position, but I can't afford pay them their full pay, for the decreased productivity.

Truth: Talk to your WC insuror's claims professional. In many cases, states' WC plans provide for "make-up" pay to replace some, or all of the injured employees' decreased earnings. The goal of getting them back to the workplace, and doing some productive work is that important!

YOUR BUSINESS AND UNINSURED SUBCONTRACTORS

Many otherwise knowledgeable business owners utilize uninsured subcontractors for various services; unaware of the risks they are incurring for their businesses. An uninsured subcontractor is typically a business that does not provide workers compensation insurance for its employees. This may be because the business is a "one-man shop", and believes he wants to personally assume the risk of financial loss in the event of injury; in other cases it may be ignorance of the law; or an effort to avoid the cost of workers' compensation insurance. Uninsured subcontractors often appear as construction tradespeople, service firms (especially small operators), and others.

In truth, there are no uninsured subcontractors. When an "uninsured subcontractor" employee, (including a one-man business) is injured while working on your behalf, the courts have repeatedly held that it is in the public interest that you, the beneficiary of the sub's work, provide workers' compensation coverage for these "uninsured employees." You cannot opt out of this duty. No one can sign a document of any kind and relieve you of this responsibility. You are carrying these employees on your workers' compensation policy whether you want to or not, whether you even realize it or not. Because of this "involuntary coverage", when an insurance company auditor finds payment to uninsured subcontractors, he will treat this payment as your payroll, and you will receive a bill for additional premium. With high-hazard occupations, such as steel erectors, roofers, and others, you may be shocked to find that one or two uninsured subs have more than doubled your workers compensation premium! Some businesses, aware of this problem, use "hold-backs", "retainages" or "backcharges" of a set percentage of job cost, often 10% or 15% to try and offset the additional premiums they know they'll have to pay for using uninsured subcontractors. The problem with this is that each of the trades carries different rates, according to the relative hazard of the trade. Rates are expressed in dollars per hundred dollars of payroll, so there's an easy-to-see correlation in percentages. Rates not only vary by trade, but they can fluctuate from statetostate.

they can vary according to the rate filings of different companies, and they go up and down according to actuarial loss experience. Trying to obtain and keep up with this many rates is a time-consuming and unproductive task, well beyond the capabilities of most businesses.

You're probably aware that safety pays, and you make certain efforts to be sure your direct employees do not take unnecessary risks, do not work with unnecessarily dangerous or broken tools and equipment, and are protected from toxic materials. But a subcontractor might not take these precautions. And if his carelessness leads to employee injury, your claim history will be damaged.

RECOMMENDATIONS—

- 1.) Avoid using any uninsured subs, but especially high-hazard occupations such as roofing, carpenters, and painters. It is false economy to use uninsured businessmen who seem to offer lower costs. They may be operating outside the law, and in fact, are transferring the costs of their risk, and potential economic devastation, to you.
- 2.) Obtain current certificates of workers compensation (and other applicable coverage) from the sub's insurance agent or insurance carrier. Implement a hard and fast rule—"No insurance certificate—no check on Friday".
- 3.) You can easily keep copies of all certificates in a notebook, and check the expiration dates before giving work to a particular subcontractor. Copies of all certificates should be retained.

YOUR INSURANCE AUDIT -

At the end of your policy period, we will conduct an audit. In addition to tax documents, the auditor will ask for documentation of all wages paid to both employees and subcontractors. The auditor will also ask to see the certificates of insurance for each insured subcontractor. If you have a valid certificate that covers the time period that your sub was paid, this payment will not be charged to your work comp policy.

The auditor will ask for the first and last date that each sub was paid during your policy period. We are looking for the time range that each subcontractor was paid, so that we can ensure that this subcontractor had his own coverage during the time he worked for you.

If you take time throughout the year to request certificates and organize them, you will find it very beneficial at the time of audit.

SOUTH DAKOTA DEPARTMENT OF LABOR AND REGULATION

DIVISION OF LABOR AND MANAGEMENT

Tel: 605.773.3681 dlr.sd.gov

FIRST REPORT OF INJURY

GENERAL INSTRUCTIONS

EMPLOYEE

- 1.A Notify employer immediately of injury, as required by SDCL 62-7-10.
- 2.Á Complete all questions in the EMPLOYEE and INJURY/TREATMENT sections.
- 3.Á Sign the form.
- 4.Á Submit this form to your employer within three (3) business days after the injury.

EMPLOYER

- 1.Á Complete all questions in the EMPLOYER/EMPLOYMENT sections.
- 2.Á Sign the form.
- 3.Á Submit this form to your workers' compensation insurance carrier within seven (7) days of knowledge of the occurrence of the injury, as required by SDCL 62-6-2.
- 4.Á Give a copy of the form to the injured employee.
- 5.Á Keep the copy of the First Report of Injury for at least four (4) years from the date of injury, as required by SDCL 62-6-1.

BODY PART CODES

BUI	DY PART CODES				
02	Blindness one eye	44	Chest, including ribs sternum, soft ribs	78	Ring finger at metacarpal bone
03	Blindness both eyes	48	Internal organs-other than heart, lungs	79	Ring finger at proximal joint
04	Deafness both ears	49	Heart	80	Ring finger at middle joint
05	Deafness one ear	51	Hip	81	Ring finger at distal joint
10	Multiple head injury	52	Upper leg	82	Little finger at metacarpal bone
11	Skull	53	Knee	83	Little finger at proximal joint
12	Brain	54	Lower leg	84	Little finger at middle joint
13	Ear(s)	55	Ankle	85	Little finger at distal joint
14	Eye(s)	56	Foot	86	Great toe metatarsal bone
17	Mouth	57	Toe (other than greater)	87	Great toe at proximal joint
19	Face (facial bones)	58	Toe (greater)	88	Great toe at distal joint
20	Multiple neck injury	60	Lungs	90	Multiple injury
21	Vertebrae	61	Groin	92	Other toe metatarsal bone
22	Disc	67	Thumb metacarpal bone	93	Other toe at proximal joint
24	Other	68	Thumb at proximal joint	94	Other toe at middle joint
31	Upper arm	69	Thumb at distal joint	95	Other toe at distal joint
32	Elbow	70	Index finger at metacarpal bone	96	Little toe metatarsal bone
33	Lower Arm-forearm	71	Index finger at proximal joint	97	Little toe at distal joint
34	Wrist	72	Index finger at middle joint		
35	Hand	73	Index finger at distal joint		
37	Thumb	74	Middle finger at metacarpal bone]	

Middle finger at proximal joint

Middle finger at middle joint

Middle finger at distal joint

Cause of Injury Codes

Shoulder

Upper Back

Lower Back

38

Cau	isc of finjury coucs		
01	Body reaction/over reaction (includes chemicals)	70	Striking against or stepping on
03	Temperature extremes	78	Struck or injured by moving parts of machine
13	Caught in/under/between	81	Struck or injured, includes knife or sharp object, kicked, bit, etc. – struck by object, worker, patient, etc.
25	Fall from elevation	89	Hostile attack-person in act of crime
29	Fall from same level	90	Other than physical cause of injury
50	Motor vehicle	94	Repetitive motion – callous, blister, etc.
56	Bending/Lifting	97	Repetitive motion-carpal tunnel syndrome, etc.
65	Machinery/Equipment	99	Other

75

76

77

Nature of injury codes

00	Not applicable
01	Allergy
02	Disfigurement
71	Occupational disease
72	Hearing loss
	· ·

South Dakota Employer's First Report of Injury

E M P L	SSN: Date of Birth: Name: (Last) Mailing Address:	Gender: M (First)	F	Dependents: (Middle initial))	Education: Less than High School
0	City:	State: Zip:	Telep	hone No.:		GED or High School
Y E E	Employee signature: (X)			Date		Beyond High School
I N J U R Y / T R E A T	Date of Injury: Time of Injury County Where Injury Occurred: Time Work Day Began on Date of Injury: Date Returned to Work (if applicable): Address or Location of Injury: Description of Injury: Date Employer Notified of Injury: Injury Reported to:	Was Safety E	Equipment F	f applicable): Provided? Yes or N ent Used? Yes or N Premises? Yes or N	No	(See Codes on Second Page) Body Part Injured (If code 90, Multiple Injury, please specify body part codes for each body part injured.) Nature of Injury Cause of Injury
M E N T	Type of Treatment (please check one) No Treatment On-Site Treatment Clinic Emergency Room Hospitalization	If treatment sought, please spondical Practitioner, Clinic of Mailing Address: City: Telephone No.:			Zip	
E	MPLOYER/EMPLOYMENT INFORMATION:					
Eı M Ci Te	ederal ID No.: mployer Name (DBA): ailing Address: ity: elephone No.: mployer signature:	# Employees: State: County Where Employer Locate		ip:	Emp. Date I Emple Emple	oyment Type: Regular or Temporary Status: FT PT Seasonal Voluntee Employee Hired: oyee's Position: oyee's Time in Current Position: oyee's Hours Per Week: oyee's Current Wage: per
N	CLAIM OFFICE INFORMATI (AICS for Employer Being Insured (Nature of B	usiness):	UN	not, you must complete NDERLYING INSURA	e the fol	PROVIDER INFORMATION
C	Carrier Code FEIN (C	laim Office)	Ca	rrier Code (If applical	ble)	FEIN (Insurance Provider)
C	Claim Office					
C	Claim Office Address		Re	presented Entity Nam	e	
C	City State	ZipCode	Ad	dress		
Т	elephone		Ci	ty		State Zip Code
E	mail Address T		Te	lephone Number		
C	Claim Office Claim#			licy Number Tective Dates		
D	Pate Notified Dat	e to DOL	Ac	ljuster/Contact Person	1	

For information regarding the Workers' Compensation System please visit www.sdjobs.org

DLR-LM-101

SOUTH DAKOTA DEPARTMENT OF LABOR AND REGULATION

DIVISION OF LABOR AND MANAGEMENT

Tel: 605.773.3681 dlr.sd.gov

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0	City:	State: Zip:	Telep	hone No.:		GED or High School
Y E E	Employee signature: (X)			Date		Beyond High School
I N J U R Y / T R E A T	Date of Injury: Time of Injury County Where Injury Occurred: Time Work Day Began on Date of Injury: Date Returned to Work (if applicable): Address or Location of Injury: Description of Injury: Date Employer Notified of Injury: Injury Reported to:	Was Safety E	Equipment F	f applicable): Provided? Yes or N ent Used? Yes or N Premises? Yes or N	No	(See Codes on Second Page) Body Part Injured (If code 90, Multiple Injury, please specify body part codes for each body part injured.) Nature of Injury Cause of Injury
M E N T	Type of Treatment (please check one) No Treatment On-Site Treatment Clinic Emergency Room Hospitalization	If treatment sought, please spondical Practitioner, Clinic of Mailing Address: City: Telephone No.:			Zip	
E	MPLOYER/EMPLOYMENT INFORMATION:					
Eı M Ci Te	ederal ID No.: mployer Name (DBA): ailing Address: ity: elephone No.: mployer signature:	# Employees: State: County Where Employer Locate		ip:	Emp. Date I Emple Emple	oyment Type: Regular or Temporary Status: FT PT Seasonal Voluntee Employee Hired: oyee's Position: oyee's Time in Current Position: oyee's Hours Per Week: oyee's Current Wage: per
N	CLAIM OFFICE INFORMATI (AICS for Employer Being Insured (Nature of B	usiness):	UN	not, you must complete NDERLYING INSURA	e the fol	PROVIDER INFORMATION
C	Carrier Code FEIN (C	laim Office)	Ca	rrier Code (If applical	ble)	FEIN (Insurance Provider)
C	Claim Office					
C	Claim Office Address		Re	presented Entity Nam	e	
C	City State	ZipCode	Ad	dress		
Т	elephone		Ci	ty		State Zip Code
E	mail Address T		Te	lephone Number		
C	Claim Office Claim#			licy Number Tective Dates		
D	Pate Notified Dat	e to DOL	Ac	ljuster/Contact Person	1	

For information regarding the Workers' Compensation System please visit www.sdjobs.org

DLR-LM-101

Safety's intention is

ACCIDENT PREVENTION

Be a part of the safety

Together Everyone Accomplishes More