



Raleigh On the Job Injury Lawyer Explains Your Right to Medical Treatment

If you are injured on the job or become ill due to your work environment, you may be entitled to receive medical compensation under the North Carolina workers' compensation laws. Unfortunately, while it sounds simple enough, many employees have to fight for all the medical benefits they are entitled to. A Raleigh on the job injury lawyer at Martin & Jones can help make sure you receive the care you need.

North Carolina Employers Required to Carry Workers' Compensation

In most cases, if a North Carolina business has at least three employees, it is required to carry workers' compensation insurance. However, there are a few exceptions to this rule. For example, the federal government and railroad companies do not have to carry state workers' compensation insurance that covers their employees.

Similarly, if a business employs fewer than 10 non-seasonal workers, it will not need to carry the insurance. Employers of workers who perform domestic household work also do not have to carry workers' compensation insurance. A business can decide whether or not to cover its corporate officers under workers' compensation. However, it should be noted that those officers will still be counted as employees when determining whether the business has at least three employees.

Common Workers' Compensation Questions Answered by a Raleigh On the Job Injury Lawyer

What is Considered Medical Compensation for Injured Workers in North Carolina?

The term "medical compensation" includes the following:

- Medical consultations and appointments
- Surgery and surgical follow-up
- Hospitalizations
- Rehabilitative care
- Prescription medicines
- Attendant care and nursing care (in cases of severe injury)
- Mileage reimbursement to an appointment (when you have to travel over 20 miles roundtrip)
- Vocational rehabilitation services if you have to look for another job

What Limits Apply to Workers' Compensation?

You are entitled to receive medical treatment for as long as it is reasonably necessary to heal the injury, provide relief, or return to gainful employment. Upon being released by your doctor, you have two years to petition the North Carolina Industrial Commission to receive additional medical treatment. Workers injured before July 5, 1994, are entitled to lifetime medical treatment.

Who Chooses My Doctor?

In general, the employer has the right to direct medical care in a workers' compensation claim, including selecting the employee's treating physician. However, in an emergency situation, you may be able to seek care from a non-authorized physician and have the employer pay for the medical bills. In addition, subject to the approval of the Industrial Commission, an employee may select a physician of his choosing. This is particularly the case where the employer fails or refuses to provide necessary medical care.

If you merely want to switch doctors, you are supposed to request permission from the insurance company. If they refuse or do not respond, you have the right to ask the North Carolina Industrial Commission to enter an order allowing the change of physician. Failure to comply with these steps can make you responsible for these unauthorized medical costs. Talk to a Raleigh on the job injury lawyer if you need guidance on properly changing providers.

Can a North Carolina Job Injury Lawyer Help Me If I Have a Pre-Existing Condition?

Many people have health issues that currently affect them or have impacted their life in the past. This doesn't mean that you will not be able to collect workers' compensation if you have had a prior injury or ailment. However, you may be asked to explain that your new injury and symptoms differ from what you experienced in the past. How you explain this to your doctor is very important as you do not want to leave them with the impression that you are merely experiencing residual pain and/or discomfort from your pre-existing injury if that is not the case. You must be prepared to offer the details of how the new injury has impacted your life and physical conditions. What is expected of you can become an overwhelming task, which is why it's helpful to consult with a Raleigh on the job injury lawyer.

Typical types of pre-existing conditions that might need to be addressed when seeking workers' compensation benefits include:

- Age-related spine degeneration
- Arthritis

- Back problems including herniated discs
- Broken bones and fractures
- Torn ligaments

What if My New Injury Aggravates a Pre-Existing Injury?

Often, a new on the job injury aggravates an existing injury, causing the worker pain and even creating a situation where they cannot work. Under North Carolina law, employees with pre-existing conditions that are aggravated by new injuries are eligible for workers' compensation benefits. The law is based on the idea that an employer must accept their workers just as they are, even if they have pre-existing conditions. If a work situation or incident causes that injury to become worse, the employee should be able to file a claim under workers' comp.

While a Raleigh on the job injury lawyer is in the best position to guide you on your particular situation, in general, you can receive benefits if you can show that:

- A workplace accident or the workplace environment resulted in complications to your pre-existing condition and/or
- Your work duties aggravated your condition to the point where you can no longer work, and
- If it were not for the workplace accident or environment, your condition would not have been worsened

Who Will Pay My Medical Bills?

As long as the medical care is authorized, the workers' compensation insurance company is responsible for paying your medical bills. In cases where the insurance company disputes the bills or refuses to pay, you can file a request with the North Carolina Industrial Commission for a hearing to seek an order that the medical bills be paid. It is often advisable to work with a Raleigh workplace accident lawyer when you find yourself involved in payment disputes.

Contact a Raleigh On the Job Injury Lawyer for More Information

If you have questions or concerns about how your workers' compensation case is being handled, a Raleigh on the job injury lawyer at Martin & Jones is ready to help you. [Contact us online](#) or by calling [1-800-662-1234](tel:1-800-662-1234). Our offices are located in [Raleigh](#), [Durham](#), and [Wilmington](#).