

It is important to understand your rights if you have been injured at work. One of those rights is the right to receive [medical treatment](#). To get the treatment you need and preserve your rights to workers' compensation benefits, you need to understand how the process works. If you have been injured on the job and are unsure of what to do, a knowledgeable [workers' comp lawyer](#) can help.

Your Employer Can Choose Your Doctor

North Carolina law grants employers the right to choose your doctor. This could include directing you to an on-site medical provider, sending you to an off-site clinic, or providing you with a list of pre-approved medical providers. This direction could come directly from your employer or may be mediated by their workers' compensation insurance carrier.

If you go to your own doctor or a non-approved doctor following your injury, your claim will likely be denied and your medical bills will not be paid by workers' comp. This may seem unfair, but the rationale is that your employer should be able to determine who you see for treatment since they are paying for your workers' compensation coverage. If your employer is refusing to let you see a doctor or is being uncooperative, contact a workers comp lawyer for help.

Exceptions: When Employees Can Choose Their Doctor

There are situations where you may be able to choose your own doctor:

- Your employer does not have an on-site clinic, designated provider, or list of pre-approved medical providers
- Your employer failed to provide proper instructions for seeking medical care
- Your employer refused to provide you with information about seeking medical care and has otherwise ignored your claim
- You required emergency medical treatment that your employer's doctor could not provide

It is not uncommon for employers to see their own doctor simply because they didn't know they couldn't. Do not panic if you went to see your doctor about your injury. Contact a workers' comp lawyer to discuss what to do next and what you can do to protect your right to workers' compensation benefits.

Why It Is Important to Follow The Correct Procedure

If you see your own doctor, the initial visit may be covered by your health insurance. As a result, there may be no out-of-pocket cost to you beyond a copay. However, your doctor will also make a determination as to whether or not you can return to work. You could lose significant income if they recommend that you stay home from work for several weeks to recover from your injury. If you then submit a claim to workers comp to recover your lost wages, it is highly likely that your claim will be denied because you did not see a designated medical provider. Depending on your situation, it may be too late at that point to go back and get re-examined by your employer's designated provider. You may then wind up returning to work before you are able to just to pay your bills.

Be Careful When Seeing a Designated Medical Provider

If you do follow the correct procedure, it is important to remember that the doctor may not necessarily be on your side. They may be under pressure to reduce the amounts paid out in workers comp benefits and, therefore, may underestimate the extent of your injury, your limitations, and your recovery. You should also be careful when disclosing prior injuries or other conditions that may be used to deny your claim, although you should also be careful to truthfully answer any questions asked of you and not to withhold any information. If you disagree with the doctor's findings or are worried about how it will affect your claim, contact a workers comp lawyer for guidance.

Can You Seek a Second Opinion?

Under North Carolina law, you have the right to get a second opinion if you disagree with the determinations made by your employer's doctor. This could be regarding your initial determination or later on when your doctor determines that you have reached your maximum medical improvement (MMI).

The first step is to make a written request to your employer. They have 14 days to agree to your request or deny it. They may also agree to your request but not agree to who will perform the examination. In either event, if your employer denies your request, you may then file a request with the North Carolina Industrial Commission (NCIC). Your employer will then have to pay for the second opinion if the NCIC approves your request.

Workers should be aware that employers can also request a second opinion. Employers may do this in order to undercut your claim or force a settlement. If your employer is requesting a second opinion without a valid reason, a workers comp lawyer can push back against the request and protect your right to workers' compensation benefits.

What Do I Do if I Have Been Injured at Work?

The very first thing you must do to protect your workers' compensation benefits is to notify your employer of your injury as soon as possible, even if you think they may already be aware of your injury. When you notify them of your injury, tell them that you need medical treatment and ask them for instructions as to how to get the treatment you need. You should then be sure to see only one of their pre-approved medical providers.

After receiving treatment, you also need to make sure that you inform your employer in writing of your injury within 30 days of the accident. If you fail to do so, your workers' compensation claim may be denied, even if you did everything else correctly.

Injured on the Job? Talk to a Workers' Comp Lawyer at Martin & Jones

At [Martin & Jones](#), we understand the challenges that injured workers face when navigating the workers' compensation system. Let us help you get the benefits you deserve - call us today at 800-662-1234 or [contact us online](#) to schedule a free consultation.