

# Providing **information** and **assistance** to the unrepresented.

The Ombudsman can answer questions such as:



## Workers

- Why is my claim going to a hearing?
- What will happen at my hearing?
- How do I calculate how much money I may get?
- Can I change doctors?
- Do I have to sign the insurance company's release for medical records?
- Do I have to look for a job if I am not working?



## Employers

- When must I carry workers' compensation insurance?
- Do I have to report a job accident?
- Who selects the worker's doctor?
- Does it matter who was at fault for the job accident?



## Insurers

- What if the worker fails to co-operate?
- What are the VWC reporting requirements?
- Is there a way to informally resolve disputes?



## Health Care Providers

- Is there a time limit for payment of medical bills?
- Am I obligated to provide medical records?
- How are medical referrals handled?
- Who can I talk or write to regarding workers' medical treatment?

## What are they saying about the Ombudsman?

"I am just extremely thankful that the Commission has someone who can talk me through the process."

"The Ombuds Department at the Virginia Workers' Compensation Commission offers to assist with claim and rights process questions. They do not give any legal advice, but when we are stuck on how to process a claim, they are extremely helpful."

"I am glad that the Ombudsman position was created to assist the people who would otherwise have no one to help them."

## GET MORE INFORMATION

**Virginia Workers' Compensation Commission**

 333 East Franklin Street,  
Richmond, VA 23219

 [workcomp.virginia.gov](http://workcomp.virginia.gov)

 [ombuds@workcomp.virginia.gov](mailto:ombuds@workcomp.virginia.gov)

 833-448-1681



## OMBUDS DEPARTMENT

A **free** and **confidential** resource for unrepresented parties to a workers' compensation claim.

**Virginia Workers'  
Compensation Commission**

# Ombuds Department

The Virginia Workers' Compensation Commission's (VWC) Ombuds Department is a free, confidential resource to provide information and assistance to workers, employers and other parties who are not represented by a lawyer, and who need help understanding the workers' compensation system.

## The VWC's Ombudsman cannot represent any party and cannot give legal advice.

The Ombudsman is a neutral party and does not take sides. This service is for anyone not represented by a lawyer.

**Whether you are a worker, employer, insurer or health care provider, the Ombudsman is here to assist you.**



# OMBUDSMAN GUIDELINES

## An Ombudsman can:

- ✔ Give ideas about how a lawyer would be helpful and where to find one.
- ✔ Give rules and statutes and information about law libraries and websites where case law can be found.
- ✔ Give details on how to get a hearing scheduled.
- ✔ Explain VWC's procedures, what to expect in a hearing, what steps are needed for an appeal and offer information on VWC programs available that may help resolve a case without a hearing.
- ✔ Explain details of certain VWC documents and forms and why they are needed for each party.
- ✔ Answer questions and share details about how the VWC works, including basic workers' compensation legal terms, basic legal principles, the burden of proof required to win at a hearing, options on how to proceed and discuss the potential ramifications of those options.
- ✔ Give information about other helpful resources.
- ✔ Talk to a party in their own language.

## An Ombudsman cannot:

- ✘ Give the name of a specific lawyer.
- ✘ Do legal research or interpret any VWC documents.
- ✘ Give legal advice, which means telling any party what they should do, what they should say, what words to put on any paperwork, whether to file a claim, ask for a hearing, appeal a decision, etc.
- ✘ Evaluate the claim and explain the strengths and weaknesses of the case to the unrepresented party.
- ✘ Appear at a hearing, mediation, or at a deposition for or with anyone.
- ✘ Tell a party what the value of the claim is.
- ✘ Talk to the judge or anyone else about the workers' compensation case.
- ✘ Testify for, or against, anyone in a workers' compensation hearing.

