

ADVISORY NO. 344
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TOPIC: MULTIPLE EMPLOYMENT REIMBURSEMENT

For injuries on or after July 1, 2002, an employee may be entitled to temporary income benefits based upon another employment at which the employee was working on the date of the injury.

In the event that the employee provides a Multiple Employment Wage Statement consistent with Rule 122.5, the carrier may be obligated to increase the income benefits in accordance with the earnings at other employment.

To the extent that your liability is increased because of the additional employment, carriers may petition the Subsequent Injury Fund to be reimbursed for the increased liability. However, for this class of reimbursement only, TWCC has provided a deadline for filing Subsequent Injury Fund requests. The request must be filed for payments made during the same or previous fiscal year. Rule 116.11(e). That is, carriers will have at least one year, but no more than two years, to seek reimbursement from the SIF for income benefits due to multiple employments. TWCC's fiscal year ends on August 31 of each year.

The rule specifies the information to be provided to TWCC at the time of the request for reimbursement. For multiple employment reimbursement requests, benefits paid in a prior fiscal year will not be considered. Those prior payments are basically forfeited.

Accordingly, assume that multiple employment benefits are paid in August 2003 – September 2004. A carrier must submit the request for reimbursement by August 31st for all benefits paid through August 31st. A subsequent request must be filed for payments made on September 1st and after.

With the exception of reimbursement for initial pharmaceutical coverage proposed by TWCC but not yet adopted, which should provide for a similar deadline for payments made during the same or previous fiscal year, this is the only reimbursement deadline in the Subsequent Injury Fund's statute or rules. Care should be taken to comply with it.