

# To Report or Not To Report

Under Utah law, employers are required to report work-related injuries and illnesses resulting in loss of consciousness, loss of work, work restrictions, job transfers, medical treatment or death. The law also requires physicians and other healthcare providers to file a report with the Labor Commission for any injured worker they are treating. However, the law does include exceptions for minor injuries requiring only first-aid treatment.



## SO WHAT EXACTLY IS CONSIDERED FIRST-AID TREATMENT?

According to the Labor Commission, first-aid treatment includes:

- Non-prescription medication at non-prescription strength
- Tetanus immunizations
- Cleaning, flushing or soaking wounds on the surface of the skin
- Using wound coverings such as bandages, gauze pads, butterfly bandages or Steri-Strips
- Hot or cold therapy
- Non-rigid means of support, such as elastic bandages, wraps and non-rigid back belts
- Temporary immobilization devices while transporting an injured employee (e.g., splints, slings, neck collars, back boards, etc.)
- Drilling a fingernail or toenail to relieve pressure, or draining fluid from a blister
- Eye patches
- Removing foreign bodies from the eye using only irrigation or a cotton swab
- Removing splinters or foreign material from areas other than the eye by irrigation, tweezers, cotton swabs or other simple means
- Finger guards
- Massages
- Drinking fluids for relief of heat stress
- Visiting a healthcare professional for observation & counseling only
- Diagnostic procedures
- Minor musculoskeletal discomfort for which a healthcare professional determines the employee is fully able to perform all routine job functions, but the employer assigns a work restriction to prevent a more serious condition

## HERE'S AN EASY WAY TO DETERMINE IF AN INJURY REQUIRES ONLY FIRST-AID TREATMENT

Consider who provides the care. If a non-medical person (or layman) provides the care and the injury doesn't pose a future complication, it's considered first aid and doesn't need to be reported. This is also the case if a free clinic staffed by a physician or other licensed healthcare professional provides the care.

Exception: If a physician or healthcare provider files a report with WCF or the Labor Commission, or generates a bill for services rendered — even when the treatment is considered only first aid — you must report the injury.

## WHEN TO REPORT INJURIES TO WCF

If an injury doesn't meet the definition of first aid, or a healthcare provider charges the employer for the treatment, a claim must be filed with WCF. Report the injury as soon as you can — especially if it is serious. Also report any injury if there are any questions or lingering doubts about its status. A claim will establish a record for future reference in case an employee needs additional treatment or other benefits.

## WHEN TO REPORT INJURIES TO THE LABOR COMMISSION

Serious accidents that involve heart attacks, amputations, hospitalizations for heat, chemical burns or electric shock, major bone fractures, any injury involving unconsciousness or fatalities must be reported to Utah Occupational Safety & Health (a division of the Utah Labor Commission).

All other injuries and illnesses, excluding first-aid injuries, must be reported within seven days of the accident, the employer's knowledge or the employee's notification. Keep in mind if you file with WCF, it will be submitted to the Labor Commission for you.

## OSHA 300 FORM

Because Utah complies with Federal OSHA standards, most employers must maintain an OSHA Form 300, also called an OSHA Log. (If you have questions if you should maintain the form, check with UOSH.) This recordkeeping standard is a bit different from the reporting requirement of the Labor Commission and WCF.

For record keeping purposes, any illness or injury that results in medical treatment beyond first aid must be recorded on the form.

Medical treatment does NOT include:

- First Aid (refer to the Labor Commission's list)
- Visits to a physician or other licensed healthcare professional solely for observation or counseling
- Diagnostic procedures, such as x-rays, blood tests and the administration of prescription medications used solely for diagnostic purposes (e.g., eye drops to dilate pupils).

Injuries or illnesses that fall under the above three conditions do not need to be recorded on the OSHA Form 300.

**If you have questions regarding whether an injury or illness should be reported to WCF, contact the WCF Claims Department at 385.351.8176 or 800.446.2667, x8176**