

## How do I start my own Second Injury Fund program?

1. Have your employees complete either a post-hire medical questionnaire (must be Second Injury Fund approved) or a post-hire physical health screening.

To obtain a copy of a Second Injury Fund Questionnaire visit <http://www.lciwc.com/forms>

2. Keep the medical questionnaire and/or screening report in a separate folder and in a separate place than other personnel records.
3. Only someone with hire/fire authority should have access to these records.
4. If you file a workers' compensation claim, tell your adjuster that you have a completed Second Injury Fund questionnaire or related medical record on file for that worker.
5. Update the post-hire medical questionnaire/physical screening annually.
6. Always remember to consult your corporate lawyer to make sure that your program complies with all state and federal laws.



Louisiana's  
**SECOND INJURY FUND**



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*Safeguarding injured employees by protecting the companies that hire them.*



### ***What is the Second Injury Fund?***

The main purpose of the Second Injury Fund is to reduce the financial risk and costs associated with hiring or retaining workers with permanent pre-existing conditions. The Second Injury Fund protects the employer, yet does nothing to limit the rights of injured employees. The Second Injury Fund reimburses the payor for a portion of the benefits paid, helping to keep claim costs down and significantly reducing a primary factor in determining workers' compensation rates.

### ***What is the cost to my company for participating?***

There are no tax dollars involved and no additional expense to utilize the Second Injury Fund. Almost every employer in Louisiana helps to pay for the Second Injury Fund because it is built into your premiums.

### ***Why should I even hire a previously injured worker?***

Workers with pre-existing medical conditions are no more likely to suffer an injury than workers with no pre-existing condition. In fact, some studies have even shown that these workers are actually safer because they tend to be more cautious and alert to safety hazards. Further, various federal and state laws may prevent you from considering an employee's medical condition during the hiring process.

### ***What do you mean by pre-existing permanent partial disabilities?***

These disabilities and conditions may include, but are not limited to: epilepsy • diabetes • cardiac disease • arthritis • amputated foot, leg, arm or hand, or total loss of use thereof • residual disability from poliomyelitis • cerebral palsy • multiple sclerosis • Parkinson's disease • Hodgkin's disease • brain damage • spinal fusion or the surgical removal of an intervertebral • mental retardation (must fall within the lowest 2% of the general population)

### ***What are the qualifications for reimbursement from the Second Injury Fund?***

1. The employee must have a pre-existing permanent partial disability that would typically hinder someone from obtaining employment. Pre-existing disabilities can be the result of work related and non-work related accidents and/or health conditions. The Second Injury Fund covers numerous injuries and illnesses as well as congenital conditions. For a complete listing, visit <http://www.laworks.net/Downloads/OWC/sibbrochure.pdf>.
2. The employer must have knowledge about the injured employee's pre-existing disability or condition prior to the work-related accident. Knowledge can easily be obtained through a post-hire medical questionnaire or physical.
3. The new work-related accident must be a compensable workers' compensation claim under the Louisiana Workers' Compensation Act.
4. The pre-existing condition must either cause the work-related injury or make the disability from the workers' compensation claim greater.
5. You must make a claim against the Second Injury Fund within one year of the first medical or wage benefit paid on that claim.