

General FAQs

Why are multiple copies of various notifications being sent from the Commission?

This might occur because a particular party is listed more than once, unless the addresses and name of the party are exactly the same. Identical names and addresses will alert our system to send only one copy of the notice. One example of this would be a self-administered Insurance Carrier. The Insurance Carrier would also be listed as the Claim Administrator. In that case, we have situations where the party has a different address listed for them as an Insurance Carrier and Claim Administrator. This will cause two notices to go out to the same company.

Why is mail also being sent to the Carrier when it was the Claim Administrator who submitted the FROI and is acting on behalf of the Carrier?

The law requires that all parties to the claim be notified.

What causes the generation of the Medical Payments Advisory?

If a SROI transaction is received showing medical only payments that exceed \$2,000 but are less than \$3,500 and an award has not been entered, the Commission will generate a Medical Payments Advisory. Once medical payments exceed \$3,500, the 20-Day Order Payments Made may be issued.

When the carrier agrees to a medical only award, can space be added for body parts covered by agreement?

If the claim administrator wishes to agree to the claimed body parts, they may do so by responding accordingly, to the 30-Day Order Response Form-Claim Filed in the appropriate space provided.

What happens if multiple JCNs exist for the same injury?

When the Commission receives notification of an injury and a FROI has not been filed, we create a JCN for that injury. We then request a FROI and require that it contain the JCN we assigned. If a duplicate JCN is created because the FROI is submitted without the assigned JCN, a consolidation must be performed. The Commission uses different criteria to determine which number is used and a letter is sent to all parties advising of the consolidation and any follow-up information or transactions that may be needed.

What triggers change requests for the employer name or its address?

If the Commission receives notices that the employer's name or address should be different or if we receive returned mail for the employer, we will send out a Correction Required Letter asking for an EDI transaction to update the information in our system.

If only claims with an open award and the claimant is not receiving Social Security can they receive COLA, why is it not set up that only those claims receive letters?

Virginia Code Section 65.2-709 requires the claimant to apply each year for COLA with a signed statement from SSA confirming the claimant is not receiving social security disability. Our database is unable to determine if the claimant is receiving social security disability versus social security retirement.

Why are COLA letters sent in cases where there is no open TTD award?

COLA benefits can be payable on a claim in which there is no current open TTD award provided that the date of injury is prior to July 1 and the COLA request is after October 1 of the same year. COLA can be paid retroactively if the claimant was previously under an award for TTD benefits and COLA benefits have not previously been paid.

Does VWC exchange information with SSA?

No, VWC does not electronically exchange information with the Social Security Administration.

Does the Commission still accept Supplemental Varying forms?

The Commission released a new Supplemental Award to Pay Varying Wage Benefits form in November of 2023. The form allows for eight distinct periods of Temporary Partial disability, and four distinct periods of Temporary Total disability. An ending date for Temporary Total disability benefits has been included, eliminating the need for a separate Termination of Wage Loss Award form. The new form can be found at: <https://www.workcomp.virginia.gov/forms/supplemental-agreement-form-varying-wagebenefits>

When the claimant returns to work at modified duty with less wages, do we use the old form Termination Form?

A Termination of Wage Loss Award form is not required if you are returning the claimant to temporary partial disability due to modified duty at lesser wages. An additional Award Agreement or Supplemental Agreement Form to Pay Varying Wage Benefits should be filed indicating temporary partial disability information.

When is a Lifetime Medical Award entered on a medical only?

EDI will not trigger a Medical Only Award. A medical only award will be entered by agreement of the parties.

On a claim that has medical payments over \$1,000 and the carrier/CA/employer does not want a lifetime medical award entered, will this automatically be moved to a 'dispute resolution?

No--the claimant would be notified of the objection to the award and VWC would respond to disputes on request.