

# Help with Workers' Compensation Claims - HELP4TN Blog



Workers' compensation can be a tough process to go through. Thankfully, Tennessee has a free Ombudsman Program and a free Mediation Program to help you with your workers' compensation claim.

## Ombudsman Program

Ombudsmen are trained specialists in workers' compensation and are available to answer questions for anyone without an attorney. Ombudsmen are neutral third parties who must treat everyone fairly and equally. Most employers and insurance providers process workers' compensation benefits, but an Ombudsman can help you if there are problems with your claim. You can request help from a workers' compensation Ombudsman by contacting the TN Bureau Monday- Friday from 7:00AM- 4:30PM central time at 1-800-332-2667.

An Ombudsman can help you if-

- Your employer refuses to give you a list of medical providers.

- The insurance company handling the claim will not approve your medical treatment.
- You are not getting your benefits on time or wrongly.
- Your claim has been denied but you believe your injury is work-related.

An Ombudsman can-

- Answer questions about workers' compensation laws and rules.
- Help employers/employees access workers' compensation laws or rules of procedure.
- Identify forms and booklets that have been helpful for people without attorneys.
- Answer questions about how to complete forms.
- Define or explain terms specific to workers' compensation.
- Direct employers/employees to other resources or agencies that can help with problems involving workers' compensation.
- Meet with and give information to parties without an attorney.
- Communicate with all parties in the claim.
- Help with the trade of medical records.
- Investigate and attempt to resolve disputes without going to the Bureau's Alternative Dispute Resolution Process or the Court of Workers' Compensation.

An Ombudsman cannot-

- Help anyone represented by an attorney.

\*If you are using an Ombudsman's services but then hire an attorney, you must tell the Bureau and stop using the Ombudsman's services.

- Provide legal advice or do legal research.
- Recommend whether to file a petition for benefits or an appeal or give advice about what they should say.
- Fill out forms.

- Guide employers/employees in how to handle a workers' compensation claim.
- Give advice about whether to accept a settlement offer.

## **Mediation Program**

The Mediation Program helps parties work out a dispute over workers' compensation benefits without the time or cost of going to court. When parties disagree about how a claim should be handled, either side can file a Petition for Benefit Determination with the Bureau to get a mediator's help. Like ombudsmen, mediators are neutral third parties with special training in workers' compensation. Their role is to work with both sides to try to bring them to an agreement.

Mediators can-

- Mediate all disputes between parties in a workers' compensation claim.
- Tell all parties of their rights and responsibilities under workers' compensation law.
- Accept documents from the parties related to the disputed issues in a workers' compensation claim.
- Prepare settlement documents when the parties reach an agreement about their dispute.
- Issue a Dispute Certification Notice (DCN) listing all the remaining issues that need to be settled by a workers' compensation judge if the parties do not reach an agreement.

Mediators cannot-

- Advise, counsel, or represent one side over the other.
- Provide legal advice.
- Order or deny workers' compensation benefits.

\*Mediation is required before any disputed claims can be heard by the Court of Workers' Compensation Claims.

More detailed information about workers' compensation, help services, court procedures, common term definitions, forms, and a checklist [can be found here in the Ombudsman Workbook.](#)

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