

## When Do I Get my First Lost Wage Check?

November 23, 2011



Often the problem that drives clients to call me relates to lost wage checks. Specifically, you may have been hurt a week or two ago, you are getting letters and State Board forms in the mail, but no lost wage check. What exactly are the rules regarding when you are supposed to get that first check?

The insurance company has 21 days after the date of your first missed day from work to issue your first lost wage check. You do not count your last day of work in this calculation.

- you will not receive payment for the first 7 days of missed work unless you miss 21 consecutive days
- once you miss 21 consecutive days, the insurance company must pay you for the first 7 days of missed work
- if you do not miss 21 consecutive days, you should receive 2 weeks' worth of benefits by day 21 after your first day of missed work

Confused? You are not alone. The law seeks to balance the needs of workers for money to pay their bills and the needs of the insurance company to conduct its investigation and set up a payment schedule. Personally, I think that an employee's suffering when he is hurt and broke for 3 weeks outweighs an inconvenience to an insurance company, but this is the law as it exists currently.

I hope you also see the importance of timing in your workers' compensation case. It is no mistake that company doctors will try to return you to work before 21 days elapses. In fact, efforts by insurance companies to put my clients back to work too early results in a lot of conflict in workers' compensation cases. If you are not careful, the insurance company can use its control over your medical treatment to manipulate your rights to lost wage payments.

You may sense that the workers' compensation insurance company does not have your best interests at heart. Please do not hesitate to call me if you want to discuss this – I can be reached at 770-351-0801.