

Has Your Workers' Compensation Claim Been Denied? What Now?

What do you do after your workers' comp claim is denied?

JENKINTOWN, PENNSYLVANIA, UNITED STATES, October 28, 2018
/EINPresswire.com/ -- +

At Saffren and Weinberg, Marc Alan Weinberg, Attorney and Kenneth Scott Saffren, Attorney are partners. The firm's tagline is "The People's Voice In Court." They make themselves

available via phone at (215) 576-0100 or by email on the Saffren and Weinberg website. Saffren and Weinberg provide a no-charge, complimentary case review and answers questions for prospective clients.



**SAFFREN &
WEINBERG**

THE PEOPLE'S VOICE

“

Most people assume that if you are injured at work you automatically get workers' compensation benefits, but that is not the case.”

Marc Weinberg, Esq.

Has Your [Workers' Compensation Claim](#) Been Denied? What Now?

Being injured on the job is a terrible event. The injury can range from being a minor inconvenience to a catastrophic and life-changing experience. When an injury requires treatment and prevents the worker from continuing to perform their duties, it requires that a company provide

compensation by law.

Thousands of people in Pennsylvania have to contend with a workplace injury every year. And until it happens to you the process is, understandably, a mystery. Most people assume that if you are injured at work you automatically get workers' compensation benefits, but that is not the case.

There is a process that must be followed and even then, a claim can be denied for one of any number of reasons. It's important for anyone going through this process to avoid pitfalls and understand their rights under Pennsylvania law. If you or a member of your family have been injured on the job and denied workers' compensation benefits then this post was written for you.

Carefully read the information that we have provided below and then [contact us](#) if you have further questions or need our legal help. One of our specialties is representing people who have been denied a workers' compensation claim.

What is Workers' Compensation?

Employers are required to purchase insurance coverage to provide benefits to employees who are hurt in the performance of their duties at work. Like other forms of insurance, premiums are set based on the level of risk involved. A company who employs steelworkers pays premiums based on common injuries suffered by that type of worker and the cost and severity of those injuries.

The same is true of companies who employ office workers, the common kinds and types of injuries may be different and more or less expensive. Workers' compensation insurance is the name for the insurance that covers employers for injuries suffered by their employees in the course of their work. Some employers think this protects them from being sued by an employee who is hurt at work.

It's important for anyone who has a workers' compensation claim to contact an attorney who specializes in workplace injuries because in some instances an employee may still be successful in suing their employer over such incidents even if the employer has workers' compensation insurance. Obviously, it depends greatly on the circumstances of the injury. Workers' compensation claims are extremely complex and if you don't know the law can be extraordinarily difficult and time-consuming.

If you are injured the last thing you want to do is try and learn a new area of law. Check out our on filing a workers' compensation claim.

A Legitimate Claim of Worker's Compensation Can be Denied?

Unfortunately, even though employers must have workers' compensation coverage, it doesn't guarantee that the claim made by an injured employee will be approved. A claim may be denied at any of several steps in the process.

First, the employer must rule on an injured worker's application for workers' compensation benefits. After the employer has decided that the application should move forward, the insurance company will review the application. There are a number of reasons that a claim for workers' compensation may be denied.

If documents have been omitted or if an error appears in the documents (for example the accident report or the claim itself), that alone is enough for a denial. Sometimes, additional information regarding the claim is required to approve the claim. In Pennsylvania, there is a 120-day deadline for the submission of an application after which the application may be denied.

In addition, the validity and severity of the injury and its occurrence at work, can all be questioned which may lead to a denial. Some employers may claim that the worker was impaired due to illegal drug use and deny the claim. The insurance company or even the employer may refuse to provide the benefits for one of these reasons.

The injured worker may even receive a Notice Stopping Temporary Compensation or a Notice of Workers' Compensation Denial. This is not definitive. The injured worker should seek the help of an experienced workers' compensation lawyer who has experience helping injured workers receive the benefits they deserve under the law in Pennsylvania.

Can a Denial of a Claim be Appealed in Pennsylvania?

The short answer to this question is "yes". However, the complexity and deadlines that are part

of this process can make filing an appeal untenable. The steps involved in appealing a denial of a workers' compensation claim are determined in the state in which the company resides.

The appeal process is determined by that state. Many states have an application form to have any denial of workers' compensation claim appealed. However, some states have different forms for the appeal of a denial based on the type of claim that was made (go here for Utah).

For example, there may be different forms of occupational disease and an injury by accident. These distinctions can be confusing to an injured worker and their family and friends. It's important to find the appropriate form in order to avoid denial of the appeal or inconvenience to everyone involved.

In Pennsylvania, the claim petition (appeal) can be filed with the state Bureau of Workers' Compensation, go here to view their website. These appeals must also be filed within the required time period. If a worker misses a deadline the appeal may not be heard for that reason alone.

An appeal of a workers' compensation denial requires the submission of evidence in support of the claim. This may include evidence similar to what would be entered into a trial. Medical records, pictures of injuries, proof that the injury was suffered at work, and all other evidence of the events surrounding an injury which occurred in the course of employment.

This can be a complex process. Then a judge will decide whether the appeal is sufficient to be approved on the workers' compensation claim. It's advisable that anyone who is seeking to appeal a denial of workers' compensation benefits retain an experienced attorney in this area of law.

A lawyer can represent the worker in an appeal hearing and assist with ensuring that deadlines are met and forms are all filled out correctly. The experienced attorney can bolster the claim and clear up the complications for someone who hasn't done this sort of thing before.

Contact Us

You need someone on your side. Let it be us. At Saffren & Weinberg, we pride ourselves on how dedicated we are to representing clients who have been unfairly treated by employers, insurance companies or by governmental agencies who delay or deny workers' compensation claims.

Give us a call today at (215) 576-0100 for a free consultation regarding your workers' compensation claim or even if you just need any type of legal advice. We are always ready to hear your case!

Marc Alan Weinberg / About the author

Marc Weinberg, Esq, is a partner of Saffren & Weinberg located in Jenkintown, PA, with main areas of practice in personal injury and employment litigation. In addition to these, he also specializes in wrongful termination, social security and disability law, homeowners claims, and property loss. His extensive trial experience has led him to try cases to verdict Philadelphia, Bucks County, Montgomery County, and Delaware counties.

This release was drafted by [Results Driven Marketing, LLC](#): a full-service digital marketing, public relations, advertising and content marketing firm located in Philadelphia, PA

Related Materials:

5 Top Qualities to look for in a Workers' Compensation Attorney

<https://saffwein.com/5-top-qualities-to-look-for-in-a-workers-compensation-attorney/>

Am I Able to Qualify for Workers' Compensation Benefits for PTSD?

<https://saffwein.com/able-qualify-workers-compensation-benefits-ptsd/>

Attorney at Law: What is the Workers' Compensation Appeal Board?

<https://saffwein.com/attorney-at-law-what-is-the-workers-compensation-appeal-board/>

Marc Weinberg, Partner

Saffren & Weinberg

215 576-0100

[email us here](#)

This press release can be viewed online at: <http://www.einpresswire.com>

Disclaimer: If you have any questions regarding information in this press release please contact the company listed in the press release. Please do not contact EIN Presswire. We will be unable to assist you with your inquiry. EIN Presswire disclaims any content contained in these releases. © 1995-2018 IPD Group, Inc. All Right Reserved.