

Subrogation Claim Investigation Tips

Promptness	<ul style="list-style-type: none"> ▶ Contact all parties of the claim as soon as possible after the claim has been reported. You will be able to establish a clear picture of what happened. The longer you wait to contact the party, the more “muddy” their statement will be.
Communication	<ul style="list-style-type: none"> ▶ Maintain continual verbal contact with our customers with an attitude of fairness, honesty and respect, answer their questions and ask them to tell you what happened, “In their own words.” ▶ Request reports needed to establish the facts of the claim and to complete a thorough investigation.
Partnering	<ul style="list-style-type: none"> ▶ Use all available means when gathering information in regard to the disposition of the claim. Contact the Safety and Hygiene or the ESS personnel in your office when a claim involves technical issues or company procedures.
Review	<ul style="list-style-type: none"> ▶ Review all submitted information. Are new questions triggered by the review? If so, contact the appropriate party and discuss new issues. ▶ Staff the claim, identify issues and action steps, and create an action plan using the team’s expertise to identify issues.
Decisions	<ul style="list-style-type: none"> ▶ Issue decisions, benefits and payments in good faith by applying the law impartially and objectively within the spirit and intent in which it was written.
Documentation	<ul style="list-style-type: none"> ▶ Current and accurate information must be maintained and documented in V3 notes.

“Don’t Go There” Statements, Questions and Responses

- ◆ If an IW asks if they should sue the apparent third party the appropriate response should be:

“I am not qualified to give legal advice of that nature. If you feel you have a case, please consult your own attorney for their opinion.”

- ◆ Never ask the IW if he/she is going to sue the third party.
- ◆ Never settle the workers’ comp claim without consulting the Subrogation Department to see if there is an active working subrogation file.