

Frequently Asked Questions for Members

Why do we need this information?

Your Foreign Service Benefit Plan ("FSBP") brochure contains an important section called "*When others are responsible for injuries*" which you can find in Section 9. This means when the FSBP pays medical bills for an injury or illness that has been caused by a third party, we have a right to seek reimbursement of those medical bills from the third party, their insurance company, the U.S. Office of Workers Compensation Programs ("OWCP"), another workers' compensation carrier, and/or your insurance company. We also have the right to seek reimbursement of the medical bills from you if you receive a settlement from the third party or an insurance company / OWCP for this injury or illness.

What is a third party?

A third party is a person -- other than you --, a business, a non-profit organization, or the government.

How can my auto insurance company be responsible if I am not at fault?

Your state may have no-fault automobile insurance, which sometimes is called personal injury protection (PIP) or Medical Payments Coverage. Also it's a good idea to carry uninsured/underinsured motorists coverage under your own auto insurance policy. That coverage pays if the party at fault carries a level of insurance which is insufficient to cover the damages that he or she caused you. Under the "When others are responsible for injuries" provision of the FSBP brochure, the Plan's reimbursement right applies to these types of coverage.

How did we identify your claim as a potential subrogation or workers' compensation case?

When you see a doctor or other health care provider, the health care provider codes the reason for your visit. When claims are processed through the FSBP's system, a questionnaire is generated if the patient has received treatment for an injury or illness that has an accidental injury or illness diagnosis code(s).

How does subrogation help you?

These subrogation/reimbursement procedures help to contain the cost of healthcare by reducing premium costs paid by you and/or your federal employer.

What if you were injured on the job?

Your FSBP brochure also contains a provision that excludes the payment of medical bills for work-related injuries and illnesses. This means that the FSBP will not provide benefits if federal or state workers' compensation laws cover, provide or pay for the service, supply or treatment of any work-related accident or illness. In addition, if you receive a settlement for your workers' compensation claim, the FSBP considers the injury/illness to be covered by workers' compensation and the FSBP will not provide medical benefits for the injury or illness.

As a federal or USPS employee, your workers compensation insurer is the Office of Workers Compensation Programs at the U.S. Department of Labor -- <http://www.dol.gov/esa/owcp/index.htm> --



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Does this questionnaire only apply to work-related accidents?

No. If a third party caused your injury or illness or may be responsible for your injury or illness, you need to complete this form. We cannot provide you with an entire list, but here are just a few of the types of accidents we need to know about: car accidents, motorcycle accidents, work-related injuries, injuries on another person's property (such as falling in the grocery store), medical malpractice, defective products or machinery, food poisoning, etc.

What if this claim was not accident related or if no one else was responsible for the injury or illness?

The best way for us to find out if your claims are or are not accident related is if you complete and return this form. After we receive your information indicating this was an illness for which no one else is responsible, we will notate your information in our system to avoid having future questionnaires sent to you for the same accident.

What do you need to do?

It is very important that you complete this easy questionnaire and send it back to us. Your answers will help the FSBP properly administer your claims and determine if we need to seek reimbursement from a third party or an insurance company for these claims. The subrogation/reimbursement and workers' compensation clauses in your FSBP brochure require you to notify us if you receive a compensation or settlement from a third party or an insurance company. From that award or settlement, you must reimburse the FSBP for any medical benefits that the FSBP has paid for this injury or illness.

What if you still have questions or need help completing this form?

Please contact us at 1-202-683-9140 or email us at tprs@ermerlaw.com