

Workers Compensation Resource for Employers



Welcome,

Thank you for choosing Omaha National for your workers compensation needs. We take pride in the clients we support and will do everything we can to exceed your expectations.

This resource provides you with important information about the workers compensation laws in your state. It also provides guidance on reporting workplace injuries.

When a workplace injury occurs, it is important that you tell us right away. The sooner we know about it, the better we can manage the claim, including arranging for prompt medical care. The best way to let us know about an injury is to **call us anytime at 844-761-8400**.

Additional copies of all these documents can be printed from our website at omahanational.com.



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All documents are also available on our website at omahanational.com



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Non-Compliance Notice

Please note, the use of some of the documents within this packet is required. Additional fines and enforcement actions may result from non-compliance with New Jersey law regarding these notices.

If you have any questions regarding your responsibilities, please contact Omaha National at 844-761-8400.





POSTERS

Please post the following notices at all business locations in a common area that is visible to and frequented by employees during the workday. Examples of appropriate posting locations include a breakroom bulletin board or a wall next to a time clock.

Form 16 NJ A – Posting Notice

This poster serves as the mandatory workers compensation posting notice. The poster must be printed on $8\frac{1}{2} \times 11$ -inch standard stock copy paper or on 90# index stock. Upon your request, we will send you the notice electronically. To complete the notice, select the appropriate insurer name from the dropdown list and enter your company name and the policy period beginning and end dates.

Fraud Prevention Poster:

Use this poster to reinforce the message to employees that workers compensation fraud is a serious crime and to let employees know how they can report fraud.

POSTING NOTICE

The law requires every insured employer to post and maintain notices naming the company insuring its compensation liability "in a conspicuous place or places in and about the employer's place of business." The form of notice is prescribed by the Commissioner of Banking and Insurance and shall be clearly printed on a minimum of 90# index or on standard stock copy paper, 8 1/2" by 11" in size. The company insuring its compensation liability may, upon request, send the notice electronically to the employer. The content and arrangement of items must be consistent with the layout shown below. In accordance with 3:2-1 a duplicate filing must be made before the form is placed in use.

NOTICE

The undersigned employer hereby gives notice that the payment of compensation to employees and their dependents has been secured in accordance with the provisions of the Employer's Liability Insurance Law, Title 34, Chapter 15, Article 5, Revised Statutes New Jersey, by insuring with the

() Insurance Company

for the period

Beginning Ending

Employer

In accordance with the above cited law, notice of compliance must be posted and maintained conspicuously in and about the employer's workplaces.

Form 16 NJ A

Fake an Injury And You Can Sit Around All Day



The Workers Compensation system was created to protect injured workers. Misrepresenting an injury to collect benefits is illegal.

If you suspect workers compensation fraud or abuse report it.

844-761-8400

All information will be kept confidential.







INJURY REPORT FORMS

These are documents to be completed after a workplace injury. Contact Omaha National at 844-761-8400 to report the claim.

Form IA-1 - First Report of Injury or Illness:

Employers are required by law to notify the insurance company of accidental injuries or occupational illnesses. Send the completed Form IA-1 to Omaha National at the same time you report the claim to us. Please note, you should promptly report **all injuries** to Omaha National, even those that only require first aid; sometimes an injury that seems minor at first can worsen and knowing about these Injuries allows us to manage them effectively. Once the claim is reported, we will submit the required electronic notices of reportable injuries to the New Jersey Division of Workers' Compensation.

Incident, Supervisor, and Witness Reports:

When a workplace injury occurs, these forms may be used to gather information about an incident or injury. Copies should be sent to Omaha National at the same time you report the injury to us.

WORKERS COMPENSATION – FIRST REPORT OF INJURY OR ILLNESS

EMPLOYER (NAME & ADDRESS INCL ZIP)			CAR	CARRIER/ADMINISTRATOR CLAIM NUMBER				R	OSHA LOG NUMBER		R	REPORT PURPOSE CODE					
				JUR	ISDICTIO	N					JURISDICTIO	N CLA	IM NUN	MBER			
				INSU	JRED RE	PORT	NUMBE	R									
				EMF	PLOYER'S	S LOCA	ATION A	DDRI	ESS (IF DIF	FERE	ENT)			LOCA	TION #		
INDUSTRY CODE	EMPL	OYER FEIN												PHON	IE#		
CARRIER/CLAIMS AD													J				
CARRIER (NAME, ADDRESS,	& PHON	IE #)		POL	ICY PERI	IOD			C	LAIM	S ADMINISTR	ATOR	(NAME	, addr	RESS & F	PHONE	NO)
						T	0										
				CHEC	CK IF APPR	ROPRIA	TE										
CARRIER FEIN		POLICY/SELF-INSU	RED NUMBE		SELF INSU	JRANCE						ADM	MINISTRATOR FEIN				
EMPLOYEE/WAGE NAME (LAST, FIRST, MIDDLE	:)			DAT	E OF BIR	RTH		SO	CIAL SECU	RITY	NUMBER	DAT	E HIRE	:D	STA	TE OF	HIRE
ADDRESS (INCL ZIP)	,			SEX				MA	RITAL STA	THE				ON/JOE	TITLE		
ADDRESS (INCL ZIF)				L_	MALE			U	UNMARRIED					NT STAT			
					FEMALE UNKNOW	'N		M	SINGLE/DIVO MARRIED SEPARATE								
PHONE				# OF	# OF DEPENDENTS K UNKNOWN				NCCI CLASS CODE								
RATE PER:			ONTH HER:		DAYS WO	ORKED	D/WEEK		FULL PAY DID SALAF		DAY OF INJUI	RY?			/ES _	NC NC	
OCCURRENCE/TREAT														1			
TIME EMPLOYEE AM BEGAN WORK PM	DAT	E OF INJURY/ILLNESS	TIME OF (ОТ ВЕ	RENCE		AM PM	LAS	ST WORK D	ATE	DATE EMPL NOTIFIED	OYER			ATE DISA EGAN	ABILITY	
CONTACT NAME/PHONE NUMB	ER		DETERMI		JURY/ILLN	NESS					PART OF BOD	Y AFFE	CTED				
DID INJURY/ILLNESS/EXPOSUR PREMISES?	RE OCCU	R ON EMPLOYER'S	TYP	E OF IN	OF INJURY/ILLNESS CODE PART OF BOD			Y AFFE	AFFECTED CODE								
DEPARTMENT OR LOCATION W	NO VHERE A	CCIDENT OR ILLNESS E	XPOSURE				ENT, MA		LS, OR CHE	MICA	LS EMPLOYEE	WAS	JSING V	VHEN A	CCIDENT	Γ OR ILI	NESS
GGGGNALD					LATOC	JOINE	JOOONIN	LD									
SPECIFIC ACTIVITY THE EMPLO		AS ENGAGED IN WHEN	THE ACCIDE	NT OR	WORK		ESS THE	E EMP	PLOYEE WAS	S ENG	AGED IN WHE	N ACC	IDENT (OR ILLNI	ESS EXP	OSURE	
THE EMPLOYEE OR MADE THE			CURRED. DE	ESCRIBE THE SEQUENCE OF EVENTS AND INCLUDE ANY OBJECTS OR SUBSTANCES THAT DIRECTLY CAUSE OF INJURY CODE				I LY INJ	URED								
DATE RETURN(ED) TO WORK	"	F FATAL, GIVE DATE OF			HEY USE		RSAFET	YEQU	UIPMENT PR	ROVID	ED?	-	YES		NO NO		
PHYSICIAN/HEALTH CARE PRO	VIDER (N	NAME & ADDRESS)	HOS	SPITAL (OR OFF SI	ITE TRI	EATMEN	IT (NA	ME & ADDR	ESS)			-		ATMENT		NIT
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OTHER													<u> ~ </u>	LOST TIM	ME ANTIC	IPATED	
WITNESSES (NAME & PHONE #)																	
DATE ADMINISTRATOR NOT	IFIED	DATE PREPARED	PREPARI	ER'S NA	AME & TI	TLE							PHO	NE NU	MBER		

EMPLOYER'S INSTRUCTIONS

DO NOT ENTER DATA IN SHADED FIELDS

DATES:

Enter all dates in MM/DD/YY format.

INDUSTRY CODE:

This is the code which represents the nature of the employer's business, which is contained in the Standard Industrial Classification Manual or the North American Industry Classification System, published by the Federal Office of Management and Budget.

CARRIER:

The licensed business entity issuing a contract of insurance and assuming financial responsibility on behalf of the employer of the claimant.

CLAIMS ADMINISTRATOR:

Enter the name of the carrier, third party administrator, state fund, or self-insured responsible for administering the claim.

AGENT NAME & CODE NUMBER:

Enter the name of your insurance agent and his/her code number if known. This information can be found on your insurance policy.

OCCUPATION/JOB TITLE:

This is the primary occupation of the claimant at the time of the accident or exposure.

EMPLOYMENT STATUS:

Indicate the employee's work status. The valid choices are:

Full-Time On Strike Unknown Volunteer
Part-Time Disabled Apprenticeship Full-Time Seasonal
Not Employed Retired Apprenticeship Part-Time Piece Worker

DATE DISABILITY BEGAN:

The first day on which the claimant originally lost time from work due to the occupation injury or disease or as otherwise designated by statute.

CONTACT NAME/PHONE NUMBER:

Enter the name of the individual at the employer's premises to be contacted for additional information.

TYPE OF INJURY/ILLNESS:

Briefly describe the nature of the injury or illness, (eg. Lacerations to the forearm).

PART OF BODY AFFECTED:

Indicate the part of body affected by the injury/illness, (eg. Right forearm, lower back).

DEPARTMENT OR LOCATION WHERE ACCIDENT OR ILLNESS EXPOSURE OCCURRED:

(eg. Maintenance Department or Client's office at 452 Monroe St., Washington, DC 26210)

If the accident or illness exposure did not occur on the employer's premises, enter address or location. Be specific.

FORM IA-1(r 1-1-02) ©IAIABC 2002

EMPLOYER'S INSTRUCTIONS - cont'd

ALL EQUIPMENT, MATERIAL OR CHEMICALS EMPLOYEE WAS USING WHEN ACCIDENT OR ILLNESS EXPOSURE OCCURRED:

(eg. Acetylene cutting torch, metal plate)

List all of the equipment, materials, and/or chemicals the employee was using, applying, handling or operating when the injury or illness occurred. Be specific, for example: decorator's scaffolding, electric sander, paintbrush, and paint.

Enter "NA" for not applicable if no equipment, materials, or chemicals were being used. NOTE: The items listed do not have to be directly involved in the employee's injury or illness.

SPECIFIC ACTIVITY THE EMPLOYEE WAS ENGAGED IN WHEN THE ACCIDENT OR ILLNESS EXPOSURE OCCURRED:

(eg. Cutting metal plate for flooring)

Describe the specific activity the employee was engaged in when the accident or illness exposure occurred, such as sanding ceiling woodwork in preparation for painting.

WORK PROCESS THE EMPLOYEE WAS ENGAGED IN WHEN ACCIDENT OR ILLNESS EXPOSURE OCCURRED: Describe the work process the employee was engaged in when the accident or illness exposure occurred, such as building maintenance. Enter "NA" for not applicable if employee was not engaged in a work process (eg. walking along a hallway).

HOW INJURY OR ILLNESS/ABNORMAL HEALTH CONDITION OCCURRED. DESCRIBE THE SEQUENCE OF EVENTS AND INCLUDE ANY OBJECTS OR SUBSTANCES THAT DIRECTLY INJURED THE EMPLOYEE OR MADE THE EMPLOYEE ILL:

(Worker stepped back to inspect work and slipped on some scrap metal. As worker fell, worker brushed against the hot metal.)

Describe how the injury or illness/abnormal health condition occurred. Include the sequence of events and name any objects or substance that directly injured the employee or made the employee ill. For example: Worker stepped to the edge of the scaffolding to inspect work, lost balance and fell six feet to the floor. The worker's right wrist was broken in the fall.

DATE RETURN(ED) TO WORK:

Enter the date following to most recent disability period on which the employee returned to work.

FORM IA-1(r 1-1-02) ©IAIABC 2002



Incident Investigation Report

Tell us about the inc	cident or injury right away by calling Omaha Nation	nal at 844-761-8400 even	if some spaces on this form are blank.
Today's Date		Date of Incident	
•	☐ Death ☐ Lost Time ☐ Medical Only		AM
Type of Incident	☐ First Aid ☐ Property Damage		
	☐ Report Only / Near Miss	Reported To	
Injured Worke	er		
Name		Sex	☐ Male ☐ Female
		Date of Birth	
		Date of Hire	
Supervisor		Employee Type	☐ Full Time ☐ Part Time
Work Schedule	☐ Mon ☐ Tue ☐ Wed ☐ Thurs	Employee Type	Seasonal Temporary
Work Schedule	Fri Sat Sun	Home Address	
Start Shift		City, State, & Zip	
		Phone Number	
		Wages / Salary	
Incident or In	jury		
Where incident occ	curred		
Phase of work	iday — — — —	_	Norking Overtime
	☐ Entering or Leaving ☐ Perfo	orming Work Duties 🔲 C	Other (Explain):
Description of incide	nt (what the employee was doing and what happe	ned):	
		,	
Machines, materials	, tools, or equipment used, handled, or involved:		
Type of injury and bo	dy parts affected:		
Mitneso(s=)	ing Dia		
Witness(es) Y	es No		
Name _		Phone Number	
Name _		Phone Number	
Name		Phone Number	

Medical Treatment and Work Status							
First Aid Provided No Yes	Describe						
	ot Day(c)						
Returned to Work No Yes	Date						
	□ Pogular Duty						
Work Status	Regular Duty						
Physician Name	Hospital Name						
Address	Address						
City, State, & Zip	City, State, & Zip						
Phone Number	Phone Number						
Contributing Factors							
Unsafe Workplace Conditions: (Check All That Apply)	Unsafe Acts by People: (Check All That Apply)						
☐ Inadequate Guard	Operating Without Permission						
Unguarded Hazard	Operating at Unsafe Speed						
Safety Device Is Defective	Servicing Equipment That Has Power to It						
☐ Tool or Equipment Defective	Making A Safety Device Inoperative						
─ Workstation Layout Is Hazardous	Using Defective Equipment						
☐ Unsafe Lighting	Using Equipment in An Unapproved Way						
☐ Unsafe Ventilation	Unsafe / Improper Lifting						
Lack of Needed Personal Protective Equipment	☐ Taking an Unsafe Position or Posture						
Lack of Appropriate Equipment / Tools	Distraction, Teasing, Horseplay						
☐ Unsafe Clothing	Failure to Wear Personal Protective Equipment						
☐ No Training or Insufficient Training	Failure to Use the Available Equipment / Tools						
Other:	Other:						
Describe why the unsafe conditions exist:							
Describe why the unsafe acts occurred:							
Preventive Measures							
☐ Improve Enforcement	☐ Improve Clean-Up Procedures ☐ Repair / Replace Equipment						
☐ Improve Storage / Arrangement	☐ Rotation of Employee ☐ Eliminate Congestion						
☐ Identify / Improve Personal Protective Equipment	☐ Install / Revise Guards / Devices ☐ Task Analysis to Be Completed						
☐ Task Analysis / Procedure Revision	☐ Improve Design/Construction ☐ Job Reassignment of Employees						
Use Other Materials / Supplies	☐ Improve Illumination ☐ Mandatory Pre-Job Instructions						
☐ Improve Ventilation	Reinstruction of Employees Corrective Counseling						
☐ Improve/Change Work Method	Other:						
Fax the completed form to us at 844-761-8402 or email it to claims@omahanational.com.							
Completed By	Date of Completion						
Signature	Title						



Supervisor's Report of Employee Incident

Manager: Tell us about the injury or incident right away by calling Omaha National at 844-761-8400 even if some spaces on this form are blank.

Injured Employe	e
Name	Employee ID
	Company Name
Witnesses	
Name	Phone Number
Name	Phone Number
Name	Phone Number
Incident	
	Date of Incident Time of Incident AM PM
	Date Reported Time Reported PM
Was e	employee engaged in job duties at the time of incident?
Description of incider	nt:
Type of injury and boo	tools, or equipment used, handled, or involved:
Medical Treatmen	and Work Status
First Aid Provid	ded No Yes Describe
Missed T	me No Yes List Day(s)
Returned to W	
Work Sta	utus
Emergency C	are No Yes
Physician Na	me Hospital Name
Suggested Prevent	rative and Corrective Measures
What actions can be	taken to prevent future accidents?
Completed By	Date of Completion
Signature	



Witness Statement of Injury or Incident

Manager: Tell us about the injury or incident right away by calling Omaha National at 844-761-8400 even if some spaces on this form are blank.

Witness Informatio	n		
Name		Employee ID	
Other Witnesses	Voc. □ No.	Oity, State, & 21p	
	-	Dhana Niverbay	
Name		Phone Number	
Name		Phone Number	
Incident			
Date of Incider	nt _	Time of Incident	☐ AM ☐ PM
Name of Injured Worke	er	Time Reported	☐ AM ☐ PM
	nt	_	
Did You Observe the In	cident Involving the Employee? Yes	No	
If no, how did you learn	of the incident?		
			_
If yes, what did you see	?? (Use additional paper or write on the back if y	ou need more space)	
Type of injury and body	narts affected:		
lype or myary and soay			
What can be done to p	revent an incident like this from happening agair	n?	
Completed By		Date	
Signature		Title	

Fax the completed form to us at 844-761-8402 or email it to claims@omahanational.com.





INJURED WORKER HANDOUTS

As soon as you know one of your employees may have been injured at work, please provide the following documents to the injured worker.

Injured Worker's First Fill Prescription Form:

This document contains a first fill card that an injured worker can use for a one-time fill of prescription medicines for their work injury. It is important that you give the worker this card right away when they report an injury. The temporary card is only valid if used within 5 days of the reported date of injury. Once the injury is reported to us, our claims staff will provide further instructions to the worker on how to get subsequent prescription fills and refills.

Consent and Authorization for Release of Information and Request for Medical History Forms:

These forms help us to obtain the information and records needed to handle a claim and to make sure that the injured worker receives the best possible medical care. Have the injured worker sign the forms and send them to Omaha National.



Injured Workers First Fill Prescription Form

Injured Worker	Date of Injury	
Claim Number	Phone Number	

Notice to Injured Worker and Pharmacy

This temporary First Fill card is only valid if used within 5 days of the reported date of injury. Temporary eligibility through this program allows for a one-time fill of prescription medications. For assistance processing claims please contact EHIM at (800) 311-3446.

Injured Worker Instructions

On your first pharmacy visit, please give this notice to any participating pharmacy. This will expedite the processing of your approved workers compensation prescriptions, based on the parameters established by **Omaha National**. With EHIM you do not need to complete any paperwork or claim forms. Simply present this EHIM First Fill Prescription Form to the pharmacy. You should not incur any costs or co-pays at the pharmacy and you will be allowed up to a 10 day supply of medications.

Pharmacy Instructions

For assistance processing claims please contact EHIM at **(800) 311-3446**. Please use the BIN, and Rx Group number below to process an online/electronic claim to EHIM:

Omaha NATIONAL

Pharmacy Help Desk: 800-311-3446

BIN: 005285

Group ID: 60011150FF

ID #: ONFFS + employee 10-digit phone

Number

Member: MEMBER NAME

To generate member ID: Using ONFFS as a prefix and then using the Injured Workers 10-digit phone number will be used as their member identification number when processing their First Fill Prescription.

Below is a sample listing of some of the over 72,000 Participating Pharmacies in the EHIM network. Please call (800) 311-3446 for a participating pharmacy near you.

Costco Pharmacy H.E.B. Pharmacies Meijer Pharmacy Smith's Food & Drug Centers

CVSHy-Vee PharmacyPublix PharmacyTarget PharmacyKroger PharmacySafeway PharmacyWalmart PharmacyWalgreens PharmacyGiant Eagle PharmacyWegman PharmacyLongs Drug StoreIngles Pharmacy



Injured Worker	Provider Name					
Employer	Address					
Date of Birth						
Date of Injury						
The above entity, facility, or medical practition	ner is authorized to release my information as provided below:					
authorize Omaha National, their staff, repres	entatives, or bearer, to review, inspect, copy, and/or photograph all records or files					
diagnostic reports and films, psychiatric re	es, records, and reports, including office and hospital records, laboratory results ecords, medical correspondences, doctor's and nurse's notes, and medical histories m. I also give my permission for Omaha National to contact the attending physician inditions.					
and to the extent necessary to comp	"A covered entity may disclose protected health information as authorized by ly with laws relating to workers' compensation or other similar programs, for work-related injuries or illness without regard to fault."					
and income statements, documentation	Il employment and human resource information, including hiring and employment records, payroll documentation related to this or any other relevant injury, and any other information pertinent to ervices necessary for the completion of this claim.					
This authorization is subject to revocation by t n reliance on this consent, and it terminates	mediately. A photocopy of the authorization may be accepted in place of the origina he undersigned at any time, except to the extent that action has already been taken son conclusion of the workers compensation claim without express revocation. In riting to Omaha National Underwriters at P.O. Box 451139, Omaha, NE 68145.					
This information is required for the following:						
-	d discovery of a workers compensation claim and to determine the causation, nature oncurrent, or aggravating medical conditions with potential medical, legal, or factual injuries.					
To provide important medical information the best possible medical care and advice	to the treating physician, consultant, or evaluator so the injured worker may receive e.					
To facilitate recovery from any third party	responsible for the injury.					
To ensure that the injured work is accurate evaluation, treatment, and recovery for the	rely compensated for any amount of lost wages, time, or resources while undergoing ne injury.					
To develop an appropriate plan of action	for resolving the claim.					
pe subject to re-disclosure by the person or federal privacy regulations. I have asked quest	stand its entire contents. I understand that the information used or disclosed maclass of persons or facility receiving it, and would then no longer be protected bestions about anything that was not clear to me and I am satisfied with the answers at to receive a copy of this authorization upon my request.					
Signature						
Printed Name	 Date					



Request for Medical History

Injured Worker Employer		Date of Inj Current D	ury ate	
Provide your medical histor		<u></u>	•	_
Family Doctor /	Primary Health Ca	re Provider and Ot	her Treating Doc	tors
Name	Address		Phone	Condition Being Treated
	Medications	s / Prescriptions		
Name	Description/Purp	oose	Dosage	Prescribing Doctor
	Hospitalizations ar	nd Surgical Proced	ures	
Date(s) Diagnosis/Treatmen	t/Procedure	Doc	tor	Hospital
Please check to indicate if you have ev	er had any of the fo	ollowing conditions	:	
☐ Arthritis	☐ Stroke		□ Ва	ck problems
☐ Diabetes	Stomach or	peptic ulcer	☐ Kn	ee, hip, or foot problems
☐ High blood pressure	☐ Kidney stor			oulder, elbow, or wrist problems
High cholesterol	☐ Kidney dise			rpal tunnel
☐ Thyroid disorder	☐ Epilepsy (se			ood clotting disorders
Cancer - type:	_ Heart probl	em5	∐ PS)	ychological condition
Fax the completed form	to us at 844-761-84	02 or email it to clai	ms@omahanation	al.com.
Signature			Date	

Last Revised - 9/27/2021





INFORMATIONAL DOCUMENTS

Keep these documents for your future reference.

- Omaha National Contact Information:
 This document contains the contact information for our Claims department.
- Reduce Your Workers Compensation Costs:

 Tips for lowering your company's workers compensation costs.
- An Employer's Guide to Workers' Compensation in New Jersey:

 The New Jersey Division of Workers' Compensation created this to serve as a general guide for employers. It contains basic explanations about insurance coverage requirements and injured worker benefits.



Contact Information

Claims:

Phone	844-761-8400
Fax	844-761-8402
Online	omahanational.com
Email	<u>claims@omahanational.com</u>
Mail	P.O. Box 451139, Omaha, NE 68145



Reduce Your Workers Compensation Costs

Injury Prevention and Safety Training

According to the Occupational Safety and Health Administration (OSHA), businesses spend \$170 billion a year on occupational injuries and illnesses. Companies that establish safety programs to prevent injuries can reduce those costs by 20 to 40 percent. Safe workplaces also improve employee morale and can lead to increased productivity and improved service. Omaha National has resources to help you develop a program focused on the hazards specific to your business.

Report Injuries Immediately

The single most important thing you can do to reduce your claim costs is to report injuries to us immediately. The best way to do that is to call us anytime an injury occurs, 24 hours a day, seven days a week. The sooner we learn of an injury the better we can investigate the claim and arrange for appropriate medical care. It also helps prevent financial penalties from state regulatory agencies.



Ways to report an injury:

Phone: 844-761-8400Fax: 844-761-8402

Online: omahanational.com

Email: claims@omahanational.com

Mail: P.O. Box 451139, Omaha, NE 68145

High-Quality Medical Care

Ensuring that injured workers receive quality medical treatment is important. The right doctor can have a big impact on the successful recovery of an injured employee and on the cost of a claim. In certain states, Omaha National has established custom medical networks and panels including the right specialists to treat each injury in a safe, cost-effective manner, with a focus on early return-to-work.

Establish a Return-To-Work Program

Another way to reduce claim costs is to implement a return-to-work program that helps your injured worker get back to work quickly and safely while recovering from the injury. The program does not need to be complicated: the most important thing is to work with our claims adjuster to coordinate a successful return to work. The program can also include accommodations such as altered schedules, transitional work duties, or reassignment to an alternate position. Omaha National can provide helpful suggestions and advice to administer a return-to-work program.

An Employer's Guide to Workers' Compensation in New Jersey





Chris Christie, Governor
Kim Guadagno, Lt. Governor
Harold J. Wirths, Commissioner
Peter J. Calderone, Director/Chief Judge

AN EMPLOYER'S GUIDE TO WORKERS' COMPENSATION IN NEW JERSEY

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I. WHAT IS WORKERS' COMPENSATION?

Workers' compensation is a "no fault" insurance program that provides medical treatment, wage replacement, and permanent disability compensation to employees who suffer job-related injuries or illnesses. It also provides death benefits to dependents of workers who have died as a result of their employment. An injured employee will receive benefits regardless of who was at fault. In exchange for these guaranteed benefits, the worker does not have the right to bring a civil action against the employer for pain and suffering or other damages, except in cases of intentional acts.

The Division of Workers' Compensation is responsible for the administration of the New Jersey Workers' Compensation Act (N.J.S.A. 34:15-1 *et seq.*). This is accomplished by:

- ensuring that workers receive fair and timely workers' compensation benefits for work-related injuries from their employers and/or insurance carriers;
- enforcing the law that requires employers to secure workers' compensation insurance coverage from commercial insurance carriers or self-insurance programs;
- providing certain benefit payments to injured workers who
 are totally and permanently disabled as a result of their last
 work-related injury combined with the worker's pre-existing
 disabilities. These benefits commence at the conclusion of the
 payment of benefits from the worker's employer.

The Division of Workers' Compensation does not have jurisdiction over insurance premium rate setting. That responsibility falls under the jurisdiction of the Compensation Rating and Inspection Bureau of the Department of Banking and Insurance.

II. WORKERS' COMPENSATION BENEFITS

Medical Benefits: Necessary and reasonable medical treatment, prescriptions, and hospital services related to the work injury are paid by the employer's insurance carrier or directly by the employer if self-insured. The employer and/or its insurance carrier have the right to designate medical providers for all work-related injuries.

Temporary Total Benefits: If an injured worker is disabled for a period of more than seven days, he or she will be eligible to receive temporary total benefit, retroactive to the first day of lost time. The benefit will be paid at a rate of 70% of the worker's average weekly wage, not to exceed the statutory maximum rate or fall below the statutory minimum rate established annually by the Commissioner of Labor and Workforce Development. These benefits are provided until the worker has returned to work, has reached maximum medical improvement, or has reached the statutory 400-week maximum.

Permanent Partial Benefits: When a job-related injury or illness results in a permanent bodily impairment, benefits are based on the individual's functional loss. These benefits are paid weekly and are due after the date temporary disability ends.

Permanent Total Benefits: When a work injury or illness prevents a worker from returning to any type of gainful employment, he or she may be entitled to receive permanent total disability benefits. These weekly benefits are provided initially for a period of 450 weeks. Benefits continue beyond the initial 450 weeks provided that the injured worker is able to show that he or she remains totally disabled. The benefits are paid weekly and are based upon 70% of the average weekly wage, not to exceed the statutory maximum or fall below the statutory minimum.

Death Benefits: Dependents of a worker who dies as a result of a work-related injury or illness may be eligible to receive death benefits and funeral expenses up to \$3,500. The weekly benefits are 70% of the wage of the deceased worker, not to exceed the statutory maximum.

III. INSURANCE REQUIREMENTS

TYPES OF COVERAGE

New Jersey law requires that all New Jersey employers not covered by federal programs have workers' compensation coverage or be approved for self-insurance. Even out-of-state employers may need workers' compensation coverage if a contract of employment is entered into in New Jersey or if work is performed in New Jersey. Coverage may be obtained in one of two ways:

Workers' Compensation Insurance Policy written by a mutual or stock carrier authorized to write insurance in New Jersey. Premiums for such insurance are based on the classification(s) of the work being performed by employees, the claims experience of the employer, and the payroll of the employer.

Self-Insurance through application to and approval by the Commissioner of the Department of Banking and Insurance. Approval for self-insurance is based upon the financial ability of the employer to meet its obligations under the law and the permanence of the business. The posting of security for such obligations may be required.

A self-insured employer has the option of administering its own workers' compensation claims or contracting with a third-party administrator (TPA) to provide these services. For more information about self-insurance, please refer to N.J.S.A. 34:15-77 of the New Jersey Workers' Compensation statute or contact the Department of Banking and Insurance at (609) 292-5350, ext. 50099.

Note: Governmental agencies are required to provide workers' compensation benefits to their employees but are not required to purchase insurance or receive approval as a self-insurer. They generally either 1) obtain an insurance policy, 2) participate in an insurance pool, or 3) maintain a separate appropriation for workers' compensation.

The following employing entities must have workers' compensation insurance in effect:

Corporations – All corporations operating in New Jersey must maintain workers' compensation insurance or be approved for self-insurance so long as any one or more individuals, *including corporate officers*, perform services for the corporation for prior, current or anticipated financial consideration.*

Partnerships/LLCs – All partnerships and limited liability companies (LLCs) operating in New Jersey must maintain workers' compensation insurance or be approved for self-insurance so long as any one or more individuals, *excluding partners or members of the LLC*, perform services for the partnership or LLC for prior, current or anticipated financial consideration.*

Sole Proprietorship – All sole proprietorships operating in New Jersey must maintain workers' compensation insurance or be approved for self-insurance so long as any one or more individuals, *excluding the principal owner*, performs services for the business for prior, current or anticipated financial consideration.*

*Financial consideration means any remuneration for services and includes cash or other remuneration in lieu of cash such as products, services, shares of or options to buy corporate stock, meals or lodging, etc.

DEFINITION OF "EMPLOYEE"

The New Jersey Workers' Compensation Act is liberally interpreted with respect to the definition of "employee" and is broader than the Internal Revenue Code and Unemployment Compensation statute. A variety of working relationships have been determined to be that of an employer-employee, including some that would not appear to be a typical employment situation. Further, a contract or other agreement as to whether an individual is an employee is not binding in determining whether an employee–employer situation is present.

New Jersey courts, in deciding this issue, have developed two tests: the "control test" and the "relative nature of the work test."

Under the "control test," the relationship between a business and the individual is reviewed. There is employment if the business retains the right to supervise the individual and control what is done as well as how it shall be done.

Under the "relative nature of the work test," there is employment if an individual relies on income from the business and the work performed by the individual is an integral part of the activities of the business.

If any or both of these tests are met, an employee–employer relationship is established.

OBTAINING WORKERS' COMPENSATION COVERAGE

The New Jersey Compensation Rating and Inspection Bureau (NJCRIB), an agency in the New Jersey Department of Banking and Insurance, is responsible for establishing and maintaining regulations and premium rates for workers' compensation and employers' liability insurance.

Workers' compensation insurance coverage can be obtained from any of the more than 400 private licensed insurance companies authorized to sell workers' compensation policies in New Jersey. A policy can be purchased directly from an insurance carrier, an insurance agent, or an insurance broker. For assistance with obtaining coverage, please contact:

New Jersey Compensation Rating and Inspection Bureau 60 Park Place Newark, NJ 07102 www.njcrib.com (973) 622-6014

INSURANCE PREMIUM RATES

The primary device used to determine workers' compensation insurance premiums is the classification system, which groups New Jersey businesses into various classifications. The purpose of this system is to bring together, within each classification, employers engaged in the same type of business. Accompanying each classification is a rate that represents the average work-injury experience for that classification. This rate is adjusted annually according to the latest available work-injury experience data.

It is also recognized that no two employers, although they may be in the same business, have exactly the same operations or identical conditions of employment. Within any given classification, there are employers with better-than-average work injury experience and those with worse-than-average work injury experience. To account for such differences, an additional refinement to the classification system is offered through another program known as the Experience Rating Plan. In this plan, an employer's own work injury experience is used to modify its premium, higher or lower, by comparing it to the average work-injury experience of all employers in the classification to which the employer is assigned.

For more information on how rates are established, you may wish to visit NJCRIB's Web site: www.njcrib.com.

WHAT A WORKERS' COMPENSATION POLICY COVERS

A workers' compensation policy covers the following:

For injured employees:

- Reasonable medical services necessary to treat the job injury or illness
- Temporary disability benefits to help replace lost wages up to statutory maximum
- Permanent disability benefits to compensate for the continued effects of the injury
- Burial and death benefits for dependents in cases of fatal injury

For employers:

- Coverage of financial liabilities for work-related injuries and illnesses
- Legal representation

PENALTIES FOR FAILURE TO INSURE

The consequences for failure to provide workers' compensation coverage can be very significant, even without a work-related injury. Specifically, the law provides that failing to insure is a disorderly persons offense and, if determined to be knowing, a crime of the fourth degree. Moreover, penalties for such failure can be assessed up to \$5,000 for the first 10 days with additional assessments of \$5,000 for each 10-day period of failure to insure thereafter. In the case of a corporation, liability for failure to insure can extend to the corporate officers individually. Penalties assessed for failure to insure are not dischargeable in bankruptcy.

Where a work-related injury or death has occurred, the employer, including individual corporate officers, partners or members of an LLC, is directly liable for medical expenses, temporary disability, and permanent disability or dependency benefits. In addition to awards for medical expenses and other benefits, New Jersey law also provides for civil penalties against the employer and its officers where failure to insure is determined. Awards and penalties arising from these claims can become liens against the uninsured employer and its officers, which are generally enforceable in the New Jersey Superior Court against any assets belonging to the uninsured employer and its officers.

HOW UNINSURED EMPLOYERS ARE IDENTIFIED

State employer records are compared, or "cross-matched," with the database at the Department of Banking and Insurance's Compensation Rating and Inspection Bureau (NJCRIB) on a regular basis to identify uninsured employers.

When an employer is identified through this cross-match as a possibly uninsured employer, a letter and a *cross-match response* form is issued. Mandatory insurance should be immediately obtained if an employer is uninsured and verification of insurance must be provided. Penalties may still be assessed for failure to have insurance at the time of the cross-match.

If you are an employer that has insurance and has received this form, you should provide the information requested about your workers' compensation coverage as soon as possible to ensure that penalties are not improperly assessed against you.

Also, if you are aware of an uninsured employer, you may provide this information to the Division of Workers' Compensation by e-mail (oscf@dol.state.nj.us), by calling (609) 292-0165 or by completing and submitting a "Report of Non-Compliance" form, available on the Web site of the Division of Workers' Compensation. You need not identify yourself but you should be prepared to provide the name and exact address of the employer and, if possible, the names of the principle operators of the business.

IV. BEFORE AN INJURY OCCURS

POSTING NOTICE

New Jersey law requires every employer to post and maintain, in a conspicuous place or places in and about the worksite, a form prescribed by the Commissioner of the Department of Banking and Insurance, stating that the employer has secured workers' compensation insurance coverage or has qualified with the Department of Banking and Insurance as a self-insured employer.

For insured employers, the notice must include the name of the insurance carrier and other items as required by the Department of Banking and Insurance. To obtain copies of this notice, employers should contact their insurer.

ESTABLISH CLEAR PROCEDURES FOR EMPLOYEES AND MANAGERS

At the time of hire and periodically thereafter, employees should be provided the following information:

- An explanation of their workers' compensation coverage and benefits
- How, when, and to whom to report an injury
- Where to go for medical treatment if injured while working

The Division of Workers' Compensation has a general brochure on workers' compensation available for injured workers, called "A Worker's Guide to Workers' Compensation." The brochure, which can be downloaded for distribution to employees from the division's Web site (www.nj.gov/labor/wc), is available in English and Spanish.

V. REPORTING WORK ACCIDENTS AND OCCUPATIONAL EXPOSURES

Every work accident or occupational exposure should be recorded on an accident report form. Such documentation should prompt an immediate investigation, which not only assists in determining the cause of the accident or exposure, but is also important in the prevention of future accidents.

When an employer receives notice about a work-related accident or occupational exposure, it should notify its insurance carrier or third-party administrator (TPA) immediately so that a First Report of Injury form can be filed by the carrier or TPA with the state of New Jersey. This form, which is filed electronically, gives the Division of Workers' Compensation initial information about the work accident or exposure and any resulting injuries. A copy of this report is sent by the carrier or TPA to the employer for verification of the information submitted.

Within 26 weeks after the worker has reached maximum medical improvement or has returned to work, the insurance carrier or TPA must electronically file a second report, called a Subsequent Report of Injury, with the state. Information from this report, including an explanation of any benefits paid on the claim, is also sent to the injured worker.

Note: If you are a self-administered self-insurer or governmental entity, you will be required to file these two reports directly with the state. For more information on how to file, please visit the Division of Workers' Compensation's Electronic Data Interchange (EDI) Web page at *nj.gov/labor/wc*, then select *Employer/Insurance Carrier Information*, then *Electronic Accident Reports/EDI*.

VI. HOW TO REDUCE WORKERS' COMPENSATION COSTS

ESTABLISH A SAFETY PROGRAM

The best way for an employer to lower workers' compensation costs is to prevent injuries from happening in the first place. Involve your employees in identifying hazardous work practices and potentially harmful situations, areas, or equipment. Safety teams and company incentives play a role in reducing costs. Most importantly, management must be willing to listen and put into practice appropriate recommendations.

Many insurance companies offer free advice to policyholders about how to establish and maintain safe workplaces. You can also use the New Jersey Department of Labor and Workforce Development's free On-Site Consultation Service to find out about potential hazards at your worksites and improve your occupational safety and health management systems. Information on this service can be obtained by contacting:

Mail: New Jersey Department of Labor and Workforce Development Division of Public Safety and Occupational Safety and Health P.O. Box 953 Trenton, NJ 08625

Phone: (609) 984-0785

Online: nj.gov/labor, then select Safety and Health from the left menu bar.

ESTABLISH RETURN-TO-WORK PROGRAMS

Creating return-to-work programs that include appropriate light-duty or modified jobs can encourage workers to return to employment sooner and lower business costs.

In addition, employers can partner with medical professionals and managed care specialists to design jobs that will not aggravate or reinjure workers who have recovered enough to return to work, but need additional time before resuming regular duties. The employer should provide an injured worker's job description to his or her medical care provider. Such information may facilitate early release of the worker to some type of modified duty.

Researchers have found that in companies offering return-to-work programs, workers felt more satisfied with the care they received.

ESTABLISH AND MAINTAIN GOOD COMMUNICATION WITH INJURED EMPLOYEES

Pre-Injury:

Frequently communicate workers' compensation-related information to employees in plain, straightforward language. Publicize company procedures for job-related injuries or illnesses and encourage early reporting of such injuries. Let workers know which doctors they must see for work-related claims. When workers receive prior communication about what to do when a work-related injury or illness occurs, they are more likely to follow the employer's established procedures. When the same information is received after an injury has already occurred, employee reaction and response may be less positive.

Post-Injury:

Employers should actively become involved in every workers' compensation case. Communicate on a regular basis with your employees who are disabled with work related injuries. The communication, whether it is by telephone or in person, should be positive and upbeat.

If your company conducts an accident investigation, keep in mind that an important purpose of such an investigation should be to determine how the accident occurred so that such occurrences can be prevented in the future.

Studies have shown that prior communication and post-injury demonstrations of concern by the employer can result in higher levels of worker satisfaction and reduced time lost from work — factors that contribute to lower program costs.

ENSURE PROMPT TREATMENT FROM THE RIGHT MEDICAL PROVIDERS

Helping the injured worker get immediate medical attention pays off for both worker and employer on several levels. Typically, the sooner injured workers receive proper treatment, the sooner they may return to work.

Under the New Jersey workers' compensation law, the employer and/ or its insurance carrier select the medical providers to treat injured workers for work-related injuries. Such control of medical treatment is an important employer right and obligation.

When a workplace accident or occupational exposure occurs, the injured worker should be offered prompt medical treatment. Employers should keep in mind that providing medical coverage is not considered an admission of liability (N.J.S.A. 34:15-15).

VII. CLAIM PETITIONS IN WORKERS' COMPENSATION

Employees who are injured on the job may file a workers' compensation claim petition with the New Jersey Division of Workers' Compensation. Issues may include compensability of the claim (whether the injury/illness is considered work related), the type and extent of medical treatment, and/or the payment of temporary disability benefits. Further, a claim petition may seek permanent disability benefits and, in cases of alleged job-related death, dependency benefits. Workers are generally represented by an attorney but they may file a claim petition on their own (pro se). An insurance carrier will usually provide a legal defense on behalf of a covered employer. If you are a self-insured corporation, it is required that you or your third-party administrator obtain legal representation to defend your interests.

The vast majority of claim petitions are settled by mutual agreement as to the amount of benefits due and extent of disability. In cases where an agreement is not reached, a workers' compensation judge will resolve the disputed issues.

An insurance carrier, drawing on their extensive knowledge of the law and taking into consideration all the pertinent facts of the case, can make a decision to accept or deny a claim. Stay aware of whether claims are investigated timely, whether benefits are being paid on time, and whether claims are being disputed or accepted. The employer plays a key role in working with the carrier and the injured worker to ensure that the system works smoothly and fairly.

VIII. WHAT ELSE DOES AN EMPLOYER NEED TO KNOW?

DISCRIMINATION COMPLAINTS

It is unlawful for any employer to discharge or otherwise discriminate against an employee because the employee claimed or attempted to claim workers' compensation benefits or because the employee testified or is about to testify in a workers' compensation matter. The Division of Workers' Compensation is responsible for investigating such claims.

SECOND INJURY FUND

The Second Injury Fund (SIF), which is administered by the Division of Workers' Compensation, makes benefit payments to injured workers who are totally and permanently disabled as a result of work-related injuries combined with pre-existing disabilities.

The Second Injury Fund was established to encourage employers to hire disabled workers. The employer only pays for the work-related aspect of the total disability award.

DIVISION OF WORKERS' COMPENSATION WEB SITE

The Division of Workers' Compensation maintains an Internet Web site that contains the latest information on New Jersey workers' compensation, including legal and administrative procedures, forms and brochures, statistical data, and program details.

The Web address is http://nj.gov/labor/wc/

CONTACTS FOR QUESTIONS

If you have questions about New Jersey's workers' compensation program, please contact:

New Jersey Department of Labor and Workforce Development Division of Workers' Compensation

P.O. Box 381 Trenton, NJ 08625-0381 (609) 292-2515

Fax: (609) 984-2515

e-mail: dwc@dol.state.nj.us

If you have questions about workers' compensation insurance rates or obtaining coverage, please contact:

New Jersey Compensation Rating and Inspection Bureau 60 Park Place Newark, NJ 07102 www.njcrib.com (973) 622-6014



New Jersey Department of Labor and Workforce Development Division of Workers' Compensation

> P.O. Box 381 Trenton, NJ 08625-0381 (609) 292-2515 Fax: (609) 984-2515

e-mail: dwc@dol.state.nj.us





GENERAL FORMS

Use these forms as needed and send to Omaha National. Forms may be faxed to 844-761-8402.

- Form ERM-14 Confidential Request for Ownership Information:

 Changes in ownership may impact your policy and the factors used to determine your premium. These changes must be reported to us right away.
- Company Contacts Verification:

 This form is used to provide your company contacts for questions and issues pertaining to your payroll and/or workers compensation policy.

REQUEST FOR OWNERSHIP INFORMATION—ERM-14 FORM

The purpose of this **confidential** form is to obtain ownership information to assist in calculating premium for your workers compensation insurance policy. Your policy requires that you report ownership changes, and other changes as detailed below, to your insurance carrier in writing within 90 days of the change. If you have questions, contact your agent, insurance company, or the appropriate rating organization. **Incomplete information or a missing signature may result in a delay in processing.**

The ownership information required on this ERM-14 Form can also be submitted in narrative form on the letterhead of the employer, signed by an owner, partner, member, or executive officer.

Sec	ction A—Contact Information	
Nan	ne of person completing this form Your Employer	
Pho	ne # Email Address	
Rela	ationship to business entity reporting ownership information	
Sec	ction B—Transaction Information	
Tv	pe of Transaction (check all that apply)	Transaction Effective Date
	Name and/or legal entity change The name and/or legal status of the entity has changed. DBA name changes do not need to be reported.	
	Sale, transfer, or conveyance of all or a portion of an entity's ownership interest Complete or partial sale of the business entity's ownership interest.	
	Sale, transfer, or conveyance of an entity's physical assets to another entity that takes over its operations An entity's assets have been sold or transferred. The acquiring entity has taken over the operations, and the selling entity retained its legal business name.	
	Merger or consolidation Two or more entities have merged or combined to form a single entity.	
	Formation of a new entity that acts as, or in effect is, a successor to another entity that: (Select one) Has dissolved Is nonoperative May continue to operate in a limited capacity	
	Formation of a new entity A new entity has formed that is not a successor to another entity. Report this change only to determine combinability with another entity.	
	An irrevocable trust or receiver, established either voluntarily or by court mandate A change has occurred to the business, either voluntarily or by court mandate, requiring the entity to be put in a trust or receivership.	
	Determination of combinability of separate entities Two or more entities may need to be combined or separated based on their ownership interest.	
Inclu - If t	etion C—Description of Transaction(s) ude a brief description of the transaction(s) selected above. Attach additional information on the employer's letter this is a partial sale, transfer, or conveyance of an existing business (e.g., sale of one or more plants or location or location of the entire operation was sold, transferred, or conveyed.	ons), explain what
	any of the entities that underwent a change in ownership were related through common ownership to any other cansaction described above, list the entities and their current owners' names and percentages of ownership be	
-		

Section D—Business Entity Information

Copies of this page may be submitted for transactions with more than three entities.

Entity Information	Entity 1 Entity before the change or to determine combinability with another entity	Entity 2 Entity after the change or to determine combinability with another entity	Entity 3 Entity after a merger or consolidation or to determine combinability with another entity				
Name of Business Provide the legal name of the business entity.							
2. Primary Address (Street, City, State, Zip)							
3. Legal Status (See examples in item 4 below)							
4. Ownership List names of individual owners, partners, etc. and percentages of ownership (if applicable). Ownership should total 100%. - Sole Proprietorship: Owner							
Corporation: Owner(s) and percentages of ownership							
General Partnership: Partners and percentages of ownership							
 Limited Partnership: General partners and percentages of ownership 							
 Limited Liability Company: Members and percentages of ownership 							
- Revocable Trust: Grantor(s)							
- Irrevocable Trust: Trustee(s)							
 Other: If no voting stock, list members of board of directors or comparable governing body 							
5. FEIN							
6. Risk ID Number							
7. Policy Number							
8. Policy Effective Date							
9. Contact Name							
10. Contact Phone/Email							
Section E—Certification This is to certify that the information contained on this form is complete and correct.							
Signature of Owner, Partner, Mem	ber, or Executive Officer Title	Bus	iness Name				
Print name of above signature	Date						



Company Contacts Verification

Please complete the information below to confirm your company contacts for questions and issues pertaining to your payroll and/or workers compensation policy.

Please contact your Account Manager at 844-761-8400 if you have any questions.

General Information		
Policyholder Name FEIN Policy Number Main Address Phone Number Fax Number Company Website		
Company Contacts for Invoice Questions/Issues		
Primary Contact Name Office Phone Number Cell Phone Number Fax Number Email Address	Alternate Contact Name Office Phone Number Cell Phone Number Fax Number Email Address	
Company Contacts for Payroll Questions/Issues		
☐ Check if same as Primary Contact Name Office Phone Number Cell Phone Number Fax Number Email Address	Alternate Contact Name Office Phone Number Cell Phone Number Fax Number Email Address	
Company Contacts for Policy Questions/Issues		
Check if same as Primary Contact Name Office Phone Number Cell Phone Number Fax Number Email Address	Alternate Contact Name Office Phone Number Cell Phone Number Fax Number Email Address	
Company Contacts for Claims Questions/Issues		
☐ Check if same as Primary Contact Name Office Phone Number Cell Phone Number Fax Number Email Address	above Alternate Contact Name Office Phone Number Cell Phone Number Fax Number Email Address Submitter Information	
Completed by Title	Date Signature	

Fax the completed form to us at 844-761-8402 or email it to customerrelations@omahanational.com.