

## Claims Cost Containment Part 2 – Incident Investigations

If an employee is injured at work, the primary objective is to ensure the employee receives immediate medical treatment for the injury. A secondary objective is to do an incident investigation; usually performed by the veterinarian or supervisor on duty. The investigation can provide your veterinary practice and insurance company with valuable information that prevents recurrence of the incident; helps contain claims costs; determines if the injury is work related; and in some cases, aids in the recovery of claim costs from third parties.

An incident investigation:

- Identifies the cause(s) of the incident and actions needed to prevent recurrence
- Meets regulatory requirements
- Shows employees that you're concerned for their safety and well-being

In a veterinary practice, what may seem like a small, insignificant injury, can become more complex because of biologic or chemical safety hazards. Symptoms from exposure to zoonotic diseases, for example, may not appear for several days after the actual bite or scratch occurred, so strongly encourage employees to report ALL injuries no matter how insignificant. Prompt reporting can result in quick and proper medical treatment, accurate facts surrounding the incident, and a record that an injury occurred. Incident investigation is also one of the seven elements of your Injury and Illness Prevention Program (IIPP). Cal/OSHA requires a documented incident investigation that includes recommended corrective actions that will prevent recurrence.

### Gathering Facts

To ensure accurate information is gathered from the investigation, it needs to occur promptly after the incident/injury occurs. Keep a folder readily available in the office that contains incident investigation forms. A near-miss incident, one that doesn't result in injury, can provide as much valuable information as an injury incident. Provide supervisors with instructions about how to conduct an effective investigation. Needed information includes the employee's name, specific time and place of injury, employee's job title, body part(s) injured, type of injury, a detailed description of how the injury occurred, and names of any witnesses.

The initial step is fact gathering. This begins with a visit to where the injury happened, and an interview of the injured



employee and witnesses. If tools, machines, or materials were directly involved in the incident, take these out of service and place them in a secure location, if possible. There could be a product failure that contributes to the incident, allowing us to recover monetary losses from a third party on your behalf. For more serious injuries, take pictures of the accident scene to help with later review.

Information gathered from an investigation and later shared with the claims examiner helps focus the insurance company's investigation on facts and issues specific to circumstances surrounding the injury. For example, if the incident investigation identifies that an employee strained his or her lower back from lifting a large dog, we will aggressively question medical treatment or injury allegations to other parts of the body that the doctor may include in the injury diagnosis and treatment schedule.

An investigation may uncover information that helps determine if the injury is compensable under workers' compensation laws. Injuries that "arise out of and in the course of employment" are compensable. This means there must be a connection between an employment requirement and the cause of injury.

If you suspect that an injury is not related to work, tell the examiner, but don't make your suspicions public to the injured worker or witnesses. This could distort the information gathered from an investigation. Let us know if the employee had prior injuries from playing sports, hobbies, motor vehicle accidents, or prior work injuries.

When an employee is injured through the negligence of someone who is not associated with the business, claims may be brought against the negligent third party. Common third party involvement occurs from auto accidents, product failures, or off premises incidents.

Third party liability can be a complex issue to prove. It's critical that tools, machines, or materials be removed from service immediately after an accident and preserved for further analysis. If an injury occurs off premises, go to the

accident scene as quickly as possible and take pictures where the accident occurred. If other employees are at the scene, ask them to take pictures and get statements from them describing what happened.

### Interviewing Tips

During any aspect of the investigation, approach the fact gathering from a positive perspective to obtain productive information. Let employees know that the information they provide can prevent similar incidents and injuries from happening. Make the atmosphere during the interview one of cooperation and not interrogation.

Put the person being interviewed at ease. A simple explanation of why the investigation is being done can help assure the individual that no one is out to get him or her or point a finger of blame.

Interview employees/witnesses at the scene when possible. The "show & tell" provides the interviewer and the person being interviewed the opportunity to accurately relate circumstances and details that immediately preceded the incident.

Interviews should be in private, one on one. Avoid group interviews. Group interviews can be counterproductive to gathering accurate facts. If a group gathers during the interview, tell them that each person will be interviewed separately to allow everyone an opportunity to relate what they saw or heard. When conflicts are discovered in information, re-interview individuals separately to resolve conflicting details.

Ask questions that require an explanation. Ask questions that start with WHO, WHAT, WHERE, WHEN, or HOW. Avoid asking WHY questions until you think all other information has been obtained. A WHY question can put people on the defensive, so use with care.

### Preventing Accident Recurrence

Be prepared to tell the examiner how the injury could have been prevented. This gives us insight into how we will proceed with an investigation, should it become necessary.

Sharing information gathered from the investigation sets the stage for the claim examiner working with your practice to ensure the employee gets the proper medical treatment and that costs are contained. ■

## Veterinary Insurance Services Company's (VISC) Workers' Compensation Coverage – Tailored to the Needs of the Veterinary Profession

Your clients shouldn't trust their pet's care with just anyone and you shouldn't place your workers' compensation insurance with just any insurance carrier.

VISC's new workers' compensation carrier, **Preferred Employers Insurance Company**, knows your business, its unique challenges, and needs. Preferred Employers Insurance Company is a specialty workers' compensation insurance company with expert knowledge of the veterinary profession, offering lower premiums while providing loss prevention advice and tools to help identify workplace risks and prevent workplace injuries.

Review your current policy and contact a VISC account representative for a quote! The call could lower your costs and reduce workplace injuries. While you are at it, ask your VISC representative about the wide range of professional and personal insurance coverages also available to you and your employees.

Contact your VISC insurance specialist for a quote by calling 888.762.3143 or via email at [info@visc-ins.com](mailto:info@visc-ins.com).

VISC is a wholly-owned subsidiary of the California Veterinary Medical Association | CA Lic # 0F64180

