

# Workers' Comp Settlements

BY OLIVIA DEVONMILLE, ESQUIRE

If you have been following my recent columns in this magazine, you have some basic knowledge about lost wage and medical benefits when you are hurt at work. Florida's Workers' Compensation law also allows settlement of claims for a lump sum of money. This is referred to in the system as a "washout" of your claim.



Some basic rules apply to Workers' Compensation settlements. The injured worker can never be forced by the insurance company or the Workers' Compensation Judge to accept a lump sum settlement of their claim. The flip side of this is that no one, including the judge, can force your employer and their insurance company to pay a lump sum settlement. How much is paid for a settlement is negotiated by the parties, but never decided by the judge.

Most claims end in settlement. Settlement gives the injured worker the freedom to choose his or her own doctors. If you stay in the Workers' Compensation system, the insurance company will always control your medical care, including selecting your doctors and only authorizing medical care prescribed by their doctor. Settlement takes away the uncertainty of when or if your next lost wage check is mailed. Settlement allows the injured worker to take back control.

The most frequently asked question regarding settlement is "How much is my case worth?" This is a question that should only be answered after a thorough review of your file, including your medical records. You should know if your treating doctor is recommending future medical treatment, and how much that treatment will cost if you pay for the treatment after you settle. Many other factors can play a role, including your age, the amount of your wages before you were hurt, and the nature of your injury.

If you have been injured at work and would like a free consultation to discuss settlement or any other aspect of your Workers' Compensation claim, please call my office to schedule an appointment.

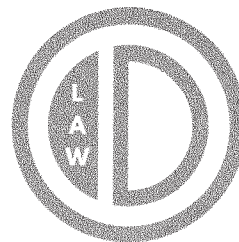
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**OLIVIA  
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*Olivia represents workers  
who are injured on the job.*

*She brings her unique*  
**PERSPECTIVE AND  
EXPERIENCE**

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