

Claim Suppression

What Is Claim Suppression?

When an employer tries to keep a worker from reporting an on the job injury, it is considered claim suppression which is against the law. Claim suppression happens when an employer intentionally encourages an employee not to report an injury, to treat an injury as an off-the-job injury, or suppresses legitimate insurance claims (including discrimination, harassment, retaliation, and fighting valid L&I claims). The reason why an employer suppresses a claim is simple: to save money. A claim not filed or allowed keeps the employer's Washington L&I premiums low.

How To Spot Claim Suppression

If you are injured on the job and your employer makes comments like, "You don't need to file a claim, we'll take care of it," or asks, "didn't you hurt yourself at home?" Be wary. Offering incentives for not making a claim, such as being offered a bonus for keeping work place accidents down, is also a warning sign. You may be threatened that you will lose your job or endure a difficult work environment if you make a claim. Or you could be asked to put your injury on your health insurance as if the injury happened on your own time. If an employer suggests any of these scenarios or tries to persuade you not make a claim for any reason, know this is claim suppression, which is illegal and against your worker's rights.

What Can You Do If You Experience Claim Suppression?

There are several things you can do if your employer tries to suppress your claim:

- Talk to a [Washington State L&I attorney](#)
- File a Workers' Compensation Claim
- [File a complaint](#) against your employer
- Have your complaint investigated by L&I

Beware Of Company Doctors & Nurses

Though the majority of doctors and nurses are reputable care providers who try to help their patients, company doctors and nurses or company clinics may be motivated to minimize employee injuries. The law requires all medical professionals to inform injured workers of their rights. However, any doctor or nurse who contributes to claims suppression is acting unethically and should be reported for unprofessional conduct. If your employer or self-insured claims manager sends you to an unethical doctor to aid in suppressing your claim, your employer may have conspired to commit claim suppression.

What Can You Do If This Happens To You?

Report the health care provider to the entities who license them such as The Washington State Department of Health. You can fill out a [physician complaint form](#), a [nurse complaint form](#) and complete the [health professional complaint process](#). You can also contact L&I as the director has the authority to audit any health care provider.

[Read More](#)

What Happens If Your Employer Is Caught For Claim Suppression?

If an employer breaks the law by suppressing a claim, the employer is subject to penalties and serious actions. For example, an employer may be assessed a penalty anywhere between \$250- \$5000 per offense.

The employer is also prohibited from any current or future participation in a retrospective rating program. If the employer is self-insured, the director shall withdraw certification. The employer must also allow extra time for the injured worker to file the L&I claim, in the form of a discretionary waiver of the Statue of limitations for filing a claim within two years of the worker's accident. All of this translates to financial losses for the employer and for any self-insured employer, the risk that it might lose its self-insured status.

Stand Up For Your Rights

If you were hurt on the job and your employer tries to keep you from making a claim, know that claim suppression is against the law. Stand up for your rights. Talk to an L&I attorney at Emery Reddy to get the treatment you deserve. Call for a free consultation today **(206) 442-9106**.