

**5218.0250 NOTICE TO EMPLOYEE BY EMPLOYER.**

An employee who is otherwise covered by a certified managed care plan is not required to receive services under a managed care plan until the employer gives the employee notice of items A to E. For employees enrolled after November 30, 1993, this individual notice must be given at the time of enrollment. The notice must also be offered to an employee when the employer receives notice of an injury. In addition, the employer must post a notice of items A to E at a prominent location on the employer's premises. The posted notice shall remain posted as long as the employees are covered by the managed care plan. The posted and individual notices must include the information in items A to E:

A. that the employer has enrolled with the specified managed care plan to provide all necessary medical treatment for workers' compensation injuries. An employee with an injury prior to enrollment may continue to receive treatment from a nonparticipating provider until the employee changes doctors. The notice to employees must specify the effective date of the managed care plan, which must be later than the date the notice is posted;

B. the contact person and telephone number of the employer and the managed care plan who can answer questions about managed care;

C. that the employee may receive treatment from a medical doctor, chiropractor, podiatrist, osteopathic physician, or dentist, if the treatment is available within the community and is appropriate for the injury or illness;

D. how the employee can access care under the managed care plan and the toll-free 24-hour telephone number of the managed care plan that informs employees of available services;

E. that the employee is required to receive services from a health care provider who is a member of the managed care plan, except in the following circumstances:

(1) if the employee has established a documented history of treatment before the injury with a health care provider who maintains the employee's medical records under the requirements in part 5218.0500, subparts 1 and 2, except that if the employee changes doctors it must be to a doctor within the managed care plan;

(2) in an emergency; and

(3) if the employee's place of employment and residence are beyond the mileage parameters set forth in part 5218.0100, subpart 1, item F, subitem (7); and

F. the St. Paul, Duluth, and toll-free telephone numbers of the Department of Labor and Industry for questions.

**Statutory Authority:** *MS s 176.1351*

**History:** *18 SR 1379; L 2106 c 119 s 7*

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