



Florida Highway Patrol Policy Manual

SUBJECT	POLICY NUMBER	ISSUE DATE
FIRST REPORT OF INJURY OR ILLNESS	17.09	02/01/1996
	TOTAL PAGES	REVISION DATE
	4	03/17/2021

17.09.01 PURPOSE

To establish policy concerning the reporting of on-the-job injuries and injuries suffered by non-employees while in custody or on Division premises.

17.09.02 POLICY

It is the policy of the Florida Highway Patrol to timely report all on-the-job injuries and to comply with the Florida Workers' Compensation Law, Section 440.185(2), Florida Statutes and to maintain a reporting procedure for non-employees who are injured while in custody or on Division premises.

17.09.03 OBJECTIVES

- A. To ensure that all employees comply with notification procedures when reporting on-the-job injuries.
- B. To ensure proper completion and submission of the First Report of Injury or Illness form by the appropriate supervisor.
- C. To ensure members are aware of the circumstances for reporting posttraumatic stress disorder, tuberculosis, heart disease and hypertension under workers' compensation.
- D. To ensure that all employees comply with the Florida Workers' Compensation Law, Section 440.185(2), Florida Statutes.
- E. To ensure that all injuries suffered by non-employees while in custody or on Division premises are properly documented.

17.09.04 RESPONSIBILITIES

- A. Any employee receiving an on-the-job injury must report the injury to the on-duty or responsible supervisor immediately, or if not practicable, within 24 hours.
- B. The on-duty or responsible supervisor is responsible for notifying the Troop Watch Supervisor, initiating an investigation and completing the First Report of Injury or Illness, (Form DFS-F2-DWC-I), as well as following the procedures for reporting workers' compensation claims.
- C. If the member was killed or injured in the line of duty, the Troop/Bureau Commander must record the incident on the Law Enforcement Officer Killed or Assaulted Report Supplement (HSMV 62050) and forward the form to the Office of Professional Compliance.

17.09.05 PROCEDURES

A. EMPLOYEE INJURIES

1. Duties of the Supervisor

- a. The carrier information, forms, and steps for processing workers' compensation claims are located on the Division's Workers' Compensation site on the SafetyNet at the following web address:
<http://hsmvsafetynet/bps/BMS/Pages/WorkersCompensation.aspx>
- b. The Florida Workers' Compensation Law requires that within seven days of actual knowledge of an injury or death, the employer must report the accident to the carrier using the prescribed First Report of Injury or Illness form (Form DFS-F2-DWC-1).
- c. Additionally, the supervisor will provide the member with the Workers' Compensation Responsibility Form which explains the member's responsibilities and document the member's work status on the DHSMV Workers' Compensation Work Status Report form (HSMV 91851).

2. Post-traumatic Stress Disorder (PTSD)

- a. Section 112.1815(5)(a), Florida Statutes, recognizes that for law enforcement officers there are some instances where PTSD is an occupational disease which does not require a physical injury and is not subject to certain limitations of benefits otherwise applicable under the Florida Workers' Compensation Law. The PTSD must be demonstrated by clear and convincing medical evidence.

- b. The PTSD must be the result of the member acting within the course of employment and arise from exposure to one of the events listed in Section 112.1815(5)(a), Florida Statutes. The member must be diagnosed by a licensed psychiatrist who is an authorized treating physician under the Florida Workers' Compensation Law.
 - c. The member has an additional 90 days to notify his or her supervisor of the injury from the qualifying event or the onset manifestation of the disorder, whichever is later. However, the claim must be properly noticed within 52 weeks of the qualifying event.
 - d. The Division must provide training on mental health awareness, prevention, mitigation, and treatment to sworn members annually.
3. Tuberculosis, Hepatitis, Meningococcal Meningitis, Heart Disease, and/or Hypertension
- a. Sections 112.18 and 112.181, Florida Statutes, recognize that law enforcement officers suffering from any condition or impairment of health caused by tuberculosis, hepatitis, meningococcal meningitis, heart disease, or hypertension resulting in total or partial disability or death are presumed to have been suffered in the line of duty unless the contrary be shown by competent medical evidence.
 - b. Members must have successfully passed a physical examination upon entering employment which failed to reveal any evidence of any such condition.
 - c. Members are not covered by this provision if at any time they depart in a material fashion from the physician's prescribed course of treatment and the departure is demonstrated to have resulted in a significant aggravation of the disease resulting in disability or increasing the disability or need for medical treatment.
 - d. According to the Florida Workers' Compensation Law, the member must notify his or her supervisor within 90 days after the date of or the initial manifestation of the injury. Additionally, the member must make the claim of benefits prior to or within 180 days after leaving the employment of the Division.

B. NON-EMPLOYEE INJURY (Not as a result of a Use of Control)

In the event an incident occurs in which a non-employee is injured, however slight, while in custody or for any other reason while on Division premises (including all real property controlled by the Division, motor vehicles, and aircraft) or resulting from any actions taking place as a result of contact with a member, the member shall notify the appropriate supervisor immediately. The member shall complete an appropriate report of the incident detailing the circumstances which led to the injury and actions taken by the member after the injury occurred, prior to the end of the work shift. The supervisor shall conduct an appropriate investigation of the incident, prior to the end of the work shift. The completed investigative report shall be forwarded via the chain of command to the Office of Professional Compliance and the member's appropriate Chief. The Troop Commander shall forward a copy of the completed investigative report to the Troop Legal Advisor.