

Before You Settle Your Workers' Compensation Case...

In recent years, Section 32 settlements have become more prevalent. The vast majority of Section 32 settlements involve a complete and final resolution of all issues in a claim, past, present and future. In almost all of these cases, this includes the claimant waiving any future right to causally related medical treatment. In short, if a case is fully settled then the insurance company has no liability to pay for future medical costs.

In many cases, it makes sense to settle a claim. However, if you are contemplating a full and final settlement but are concerned about her future medical expenses, understand two important facts:

1. If you are Medicare eligible, Medicare will **NOT** automatically pick up where Workers' Compensation left off. In fact, there are complicated rules and regulations regarding the protection of Medicare's interests when a compensation claim is settled.
2. Do not assume that a private health insurance policy will pick up when Workers' Compensation medical treatment ends. Some insurance policies will but many won't. It is best to contact your private health insurance company, if you are unsure, and ask for a written statement confirming that they will pick up medical benefits for your Workers' Compensation injury, once you settle your claim. The terms of your private policy will determine whether or not the private insurance company has an ongoing liability to pay for the Workers' Compensation medical care.

Before you settle your [Workers' Compensation case](#), you should be sure that you have thought it out and understand all of the implications of settlement.