

SELF ASSESSMENT TEST

1. Industrial Disability Leave paid to certain state employees that sustain industrial injuries, is the equivalent to temporary total disability?

True False

2. Reimbursement of home care provided by a family member—Home care services provided by a family member are equivalent to those normally rendered by a licensed vocational nurse may be reimbursed at the current hourly rate for vocational nurses in the community?

True False

3. Vocational rehabilitation maintenance allowance at the delay rate is paid for delay in providing vocational rehabilitation services regardless of the cause of the delay.

True False

4. Once participation in a vocational rehabilitation plan has begun, the maximum maintenance allowance is specified in Labor Code §139.5(d)(1). The delay rate prevails only for the period of the delay?

True False

5. If the last payment of temporary disability indemnity was made for any period of temporary disability ending before January 1, 2005, then the 1997 rating schedule applies to determine the extent of permanent disability, pursuant to Labor Code §4660(d)?

True False

6. An Appeals Board panel is empowered to resolve conflicts in the evidence, make its own credibility determination and upon reconsideration to reject the findings of the WCJ and enter its own findings on the basis of its review of the record so long as its decision is supported by substantial evidence in light of the entire record?

True False

7. Aggregate disability payments for a single injury causing temporary disability shall not extend more than 104 compensable weeks within a two-year period from the date of commencement of temporary disability payments?

True False

8. There is no time limit on total temporary disability payments to workers who were injured on or after January 1, 1979 and before April 19, 2004?

True False

9. When prior to January 1, 2005, a treating physician issues a report finding the injured worker's condition to be permanent and stationary and describes factors of permanent disability, the old Permanent Disability Rating Schedule applies?

True False

10. A WCJ is required to follow an Agreed Medical Examiner's opinion?

True False

11. The post-termination defense refers to actions taken by the employer to terminate a worker. A resignation by the worker does not constitute a termination?

True False

12. Once an employer is advised of a possible workers' compensation claim, the employer may be estopped to assert a statute-of-limitations defense if the employer has not given the employee the required claim form and notices?

True False

13. Whether an injury-causing machine is a power press is a factual question?

True False

14. Commercial traveler status may arise by virtue of an employee's unilateral, voluntary decision to engage in an activity which offers a minor benefit to the employer?

True False

15. An employee may create a special mission by his own unilateral action which action was not expected or anticipated by the employer?

True False

16. Wrongful death and loss of consortium claims do not relate back to the decedent's original personal injury claim?

True False

17. The new rating schedule applies when none of the exceptions in Labor Code §4660(d) apply?

True False

18. An employee is entitled to be rated for permanent disability on the basis of a physician's prophylactic restrictions. This is true even if the employee may physically be able to perform the prohibited activity?

True False

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- This self-study activity has been approved for Minimum Continuing Legal Education credit by the State Bar of California in the amount of one hour.
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