

SELF ASSESSMENT TEST

1. An employer self-insured for workers' compensation purposes provides "other insurance" within the meaning of Insurance Code §1063.1(c)(9)?

True False

2. When the workers' compensation carrier for the general employer has become insolvent, and where there are no specific exclusions in the certificate of self insurance of the special employer, the certificate of self insurance provided by of the special employer is "other insurance available to the claimant or insured" pursuant to Insurance Code § 1063.1(c)(9) and is not a "covered claim" for which CIGA has liability?

True False

3. Psychiatric injuries are not compensable if the injured worker was not employed for six months, unless the injury is the result of a sudden and extraordinary employment condition?

True False

4. Chiropractic treatment, occupational therapy and physical therapy visits are limited to 24 visits per industrial injury?

True False

5. An outpatient surgery center has the affirmative burden of proving that its line is reasonable. Neither the amount that an outpatient surgery center usually accepts nor the amount that in-patient providers usually accept will necessarily be determinative of what constitutes a reasonable outpatient surgery center fee?

True False

6. The amount charged by the outpatient surgery center will be found to be reasonable if it is in the amount accepted by other outpatient and inpatient facilities in the same geographical area for the same or similar services?

True False

7. The liability of general and special employers for workers' compensation benefits to the injured worker is joint and several, and the injured worker can look to both employers' for compensation benefits?

True False

8. A special employer may satisfy its obligation to secure payment of compensation benefits by a valid and enforceable agreement under which the general employer agrees to obtain workers compensation coverage for the special employee?

True False

9. When the workers' compensation carrier for the general employer has become insolvent, and where there are no specific exclusions in the workers' compensation policy of the special employer, the policy provided by the insurer of the special employer constitutes "other insurance available to the claimant or insured" and CIGA

has no liability for payment of benefits?

True False

10. A worker acts in the course of employment if engaged in an activity that is expressly or impliedly authorized by the employer or is engaged in activities reasonably incidental to the employment?

True False

11. When an employee engages in a special activity which is within the course of his employment, and which is reasonably undertaken at the request or invitation of the employer, an injury suffered while traveling to and from the place of such activity is also within the course of employment and is compensable?

True False

12. The words "within the course of employment" as used in section 3600(a)(2), signify that the injury occurred within the time and space limitations of the employment?

True False

13. All reasonable doubts as to whether the injury arose out of employment are to be resolved in the employee's favor?

True False

14. A plaintiff in a personal injury action may not recover the difference between the full amount of the medical providers' bills and the lesser amount paid by the private health care insurer in case payments to the medical providers that the medical providers agreed to accept as payment in full pursuant to their agreements with the insurer?

True False

15. The cost of living adjustments pursuant to Labor Code §4659(c) for life pensions and total permanent disability indemnity, are added to those payments starting January 1, 2004 and every January thereafter and not from the date of injury?

True False

16. When a worker is injured, an employer must pay temporary disability compensation for the period the employee, while unable to work, is undergoing medical diagnostic procedure and treatment for an industrial injury?

True False

17. Generally, the employer's obligation to pay temporary disability ceases when either: 1) the injured employee returns to work, 2) the employee is deemed able to return to work, or 3) when the employee's condition becomes permanent and stationary?

True False

18. The right to permanent disability compensation does not arise until the injured worker's condition becomes 'permanent and stationary'?

True False

CERTIFICATION

- 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.

- The State Bar of California certified that this activity conforms to the standards for approved education activities prescribed by the Rules and Regulations of the State Bar of California governing Minimum Continuing Legal Education (MCLE).

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