

# SAFE HARBOR

A monthly newsletter for the Maritime worker from  
The Law Offices of Lyle C. Cavin, Jr.

*December 2017*



Thank you for your maritime service and taking the time to review our Newsletter. We at the Law Offices of Lyle C. Cavin, Jr. hope you find the following information helpful. If you have any questions regarding your rights or remedies please contact us at any time. We are here to serve you.



## DOES YOUR DOCTOR KNOW YOUR EMPLOYMENT STATUS?



If you have suffered an injury aboard ship and seeking a treating physician, it is important to tell the doctor's office that your claim is covered under the Jones Act, not by Worker's Compensation. Most doctors are unfamiliar with the Jones Act, and as soon as they hear you were injured on the job they assume you have a Worker's Compensation case, and therefore will be paid less than their regular fees. Explain to them that under the Jones Act they are entitled to be paid a "reasonable and customary rate" for their services, which is usually more than the Worker's Compensation rate. It may be necessary to have your lawyer explain this to them. If you are a worker covered by the Longshoremen & Harbor Worker's Act you may be covered by yet a different fee schedule. More about that next month.

## QUESTION FROM THE BRIDGE



*I was injured aboard ship. When I came home, I called my doctor's office and told them I was injured at work. They told me they do not take Worker's Compensation cases and that I would have to find a different doctor. I like my doctor and don't want to switch. What should I do?*

*Adam G. Galveston, TX*

***Answer:***

Dear Adam,

Unfortunately, this is a common problem, as your doctor does not understand that your work-related injury is not governed by Worker's Compensation law, nor are his billing rates. Instead it is paid by the company and your doctor is entitled to be paid a reasonable and customary rate for his or her service not the lesser amount paid by Worker's Compensation. You should explain this to their office or ask your attorney to explain it for you.

**NOW BACK IN OAKLAND AT**

The Law Offices of Lyle C. Cavin, Jr.  
428 Alice St., Suite 128  
Oakland, CA 94607

## About Our Law Firm

For more than four decades, merchant mariners, longshoremen, fishermen and harbor workers plying their trades at sea, on the docks, on our U.S. coastal waters and inland waterways have turned to the maritime law firm of Lyle C. Cavin, Jr. & Associates in Oakland. Today, we are proud to be recognized as one of the preeminent maritime law firms serving injured marine workers nationwide, as well as one of the most successful personal injury litigation firms serving victims of negligence in the San Francisco Bay Area and throughout the West Coast.

## Team Approach to Every Personal Injury and Jones Act Claim

When you retain Lyle C. Cavin, Jr. & Associates for a Jones Act injury claim, or personal injury claim, you don't get just one attorney, you get our entire team of dedicated professionals. Our attorneys offer more than 150 combined years of courtroom and negotiated claims settlement experience. We will represent your interests with unwavering dedication, speed and expertise.

**Law Offices of Lyle C. Cavin, Jr.**

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