

SAFE HARBOR

A monthly newsletter for the Maritime worker
from

The Law Offices of Lyle C. Cavin, Jr.

August 2020



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.



ARE YOU USING MEDICARE FOR YOUR WORK INJURY?



Many workers today work well past their Medicare eligible age. Where it gets complicated is when those workers suffer an on the job injury and end up having Medicare pay for the treatment. This leads to complications when it comes time to recovering a monetary award or settlement for this injury! Doctors' offices frequently ask for Medicare information for age

eligible workers as it is easy to process for payment, instead of working out the payment arrangement with the employer or employer's insurance company. As a result multiple problems arise during the claim or litigation process. When it comes time to settle the claim it can often take months to satisfy the repayment of Medicare's lien. If you attempt to settle the claim without notifying Medicare the worker will ultimately be responsible for reimbursement as well as his legal counsel, if he/she has one. Always advise the medical provider that you are an injured worker and that payment for their services must be processed through your employer's insurance plan that provides payment for work-related medical treatment.

QUESTION FROM THE BRIDGE



I am 67 years old and was injured on the job. When I went to my doctor's office for treatment they insisted on getting a copy of my Medicare card along with other insurance information. Now that I am trying to settle my claim I have been told by Medicare that they have a lien on my settlement. I thought that Medicare was supposed to pay for my treatment after I qualified for it. What is going on?
Alvin, G.
Houston, TX

Answer: Alvin, if you had an attorney during the claim process this should have been explained to you. Medicare does not have to pay for your work-related medical treatment and is entitled to be repaid. Many medical providers do not want to be bothered with dealing with employers' insurance companies approval for medical treatment and simply bill your Medicare plan. This will often lead to a lengthy delay when you go to settle your claim. And, if you attempt to bypass reimbursing Medicare they will come after you for payment down the road. Even attorneys are not immune from being sued if they attempt to avoid repayment to Medicare!

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 many 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.

Law Offices of Lyle C. Cavin, Jr. & Associates

"Serving the Merchant Mariner Since 1970"

1888CREWLAW or 1888-273-9529

510-444-2501 Fax: 510-444-4209

428 Alice St., Suite 128, Oakland, CA 94607

www.sealawyer.com