



## **Reporting on First Aid Injuries**

First aid treatment for injuries is part of the medical care employers must provide to their employees. For reporting purposes, it's important to understand when injury treatment is considered "first aid" and when it's not. If injury treatment meets the Labor Code definition of first aid, it's not reportable. But if the injury needs additional care or if it causes lost work time beyond the employee's work shift, it's no longer considered first aid and the injury becomes recordable.

The California Labor Code, Section 5401 defines first aid as "any one-time treatment, and any follow-up visit for the purpose of observation of minor scratches, cuts, burns, and splinters or other minor industrial injuries, which do not ordinarily require medical care. This one-time treatment, and follow-up for purpose of observation, is considered first aid even though provided by a physician or registered medical professional personnel." Similarly, treatment beyond first aid is considered medical treatment even when it is provided by someone other than a physician or other licensed health care professional.

The distinction between first aid and medical treatment, in general, is based on the type of treatment and not necessarily the qualification of the person providing the treatment. However, when a physician is involved in the first aid treatment of an injury, the California Department of Insurance, in conjunction with the Department of Industrial Relations and the Division of Workers' Compensation, wants to remind employers and physicians that they need to comply with Section 6409 (a) of the California Labor Code regarding first aid injury treatment reporting.

If a physician treats an employee for a first aid injury, he/she is required to complete and submit a Doctor's First Report of Injury or Illness (DFR form 5021) to the employee's workers' compensation carrier (State Fund) within five calendar days of the initial examination. State Fund will then determine whether the injury/illness meets the Labor Code definition of first aid. If it does, a copy of the DFR will be sent to the employer along with related bills, upon confirmation that the employer wishes to make payments for the first aid treatment. If no physician is involved in the first aid treatment, a DFR is not required.

A list of treatments that constitute "first aid" is found in the General Recording Criteria of the California Code of Regulations, Title 8, on the Department of Industrial Relations' website at [http://www.dir.ca.gov/t8/14300\\_7.html](http://www.dir.ca.gov/t8/14300_7.html)