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WC ALERT

ATTN: Medical Providers/Billing Companies
From: Joseph A. Massood, Esq. & Tara McCluskey, Esq.
**Re: BAD NEWS – NJ DOES NOT HAVE JURISDICTION
OVER MPC CLAIMS WHEN WORKER IS INJURED
OUT OF STATE**

On October 7, 2020, the Appellate Division held that the NJ Worker's Compensation Court does not have jurisdiction to decide medical provider claims for reimbursement if the injured worker filed a claim in another state. In order for the NJ Worker's Compensation Court to have jurisdiction to decide medical provider claims, the injured worker would also need to have a valid claim in the State of NJ.

Based upon this unpublished case, we anticipate that every worker's compensation judge will dismiss the medical provider's case where the worker was injured out of state. The only good news, if you can call it that, is this is an unpublished case which means it is technically only binding upon the parties to that case. If your case gets dismissed for the aforementioned reasons, this unpublished case does not preclude you from filing an appeal.

If you want to appeal the worker's compensation judge's decision, you may contact us to discuss representation. Please note that if the case is dismissed, the law firm is not automatically required to file an appeal with the Appellate Division. That would require the law firm to accept the appeal and would require a separate retainer agreement.

If you would like to read the decision, please use the following link which will direct you to our website - <http://www.dmcklawgroup.com/workers-compensation-alert/>