



State of Wisconsin

Department of Industry, Labor and Human Relations

COPY

WORKER'S COMPENSATION DIVISION

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October 8, 1986

Mr. Dan Kelly
General Motors Plant
P.O. Box 629
Janesville, WI 53547

Mr. Kenneth Wolff
U.A.W. Representative
General Motors Plant
P.O. Box 629
Janesville, WI 53547


Dear Messrs. Kelly and Wolff:

This question has been presented to us by the employer and the union representative:

If an employe sustains a compensable injury and as a result of that injury requires medical treatment (in this particular case, physical therapy), but is not disabled, is the employer required to pay compensation for temporary disability if the employe leaves work to obtain treatment?

The employer must pay the cost of the medical treatment if such treatment is rendered within a reasonable distance of the employe's residence. For example, an employe going from Janesville to Madison to obtain treatment would be considered reasonable. However, the employer is only required to pay compensation for temporary disability if the employe is disabled. If the employe is not disabled, then even though he leaves work to obtain treatment, the employer is not liable for payment of compensation for temporary disability. In other words, the fact that an employe requires medical treatment does not necessarily mean that the employe is also disabled. There are a large number of Worker's Compensation cases involving medical expense but no lost time.

Sincerely,


Harry F. Benkert, Director
Legal Services Bureau
WORKER'S COMPENSATION DIVISION

HFB:dmk

cc: Carol A. Lobes, Administrator