



Virginia Workers' Compensation Commission

333 E. Franklin St., Richmond, VA 23219

Phone: 1-877-664-2566

Website: <http://www.workcomp.virginia.gov>

WebFile: <https://webfile.workcomp.virginia.gov>

Telephone Disclosure Guidelines

GUIDELINES FOR TELEPHONE DISCLOSURE OF INFORMATION CONTAINED IN FILES AND COMPUTER DATABASE

The Commission has promulgated guidelines to its employees to help ensure that information for determining eligibility for employment is not provided without the written consent of the employee. The following guidelines are used by Commission personnel in determining what information will be disclosed upon telephone inquiry by the following specific category of callers:

1. Anyone seeking information for determining eligibility for employment:

Disclose no information, and refer the call to the Clerk's Office. This information can be obtained by submitting a notarized affidavit specifically authorizing the Commission to release this information. There is a \$25.00 search charge.

2. Parties to a claim including the claimant, employer, carrier, or claims administrator;

Attorneys of record for the claimant, employer or carrier;

Claimant's family members provided we have received verbal or written permission from the claimant;

Health care providers who have filed a claim, and their attorneys of record:

Disclose all information in the file and database, with the following exceptions:

- a. information relating to the terms of a compromise settlement, including the Attorney Information Letter, which should be retained under seal. (Claims Examiner or Deputy Commissioner may disclose Settlement information relating to medical awards to health care providers, and their attorneys. Refer these requests to a Claims Examiner.);
- b. file notes on the database;
- c. Deputy's hearing notes, and unissued drafts of opinions or other documents;
and
- d. interoffice communications.

3. Attorneys not yet noted as counsel of record who verbally state that they now represent, or are considering whether to represent, a party:

Disclose only:

- a. information contained in awards and opinions,
- b. the existence of a claim and the number;
- c. the identity of counsel of record of all parties, including the party which the inquiring attorney purports to represent; and
- d. the date and location of any scheduled hearings.

4. Attorneys who previously represented a party:

Same as 2, above, except that only information in existence at the termination of the attorney's representation may be disclosed.

5. Claimant's medical providers not included in 2 above:

Disclose only:

- a. information contained in awards and opinions;
- b. the existence of a claim and the claim number; and
- c. name and address of Insurance carrier.

6. Anyone else:

Disclose only:

- a. information contained in awards and opinions; and
- b. the existence of a claim and the claim number.

Information relating to the terms of a compromise settlement may not be disclosed. The Attorney Information Letter should be retained under seal.

CAVEAT:

If the information requested is not readily available, is voluminous or otherwise difficult to supply to the caller, or if the legitimacy of the inquiry is uncertain, the Commission employee may advise the caller that the request must be submitted in writing to the Clerk of the Commission