



First Aid Reporting Requirements

California Department of Insurance

First aid treatment for injuries is part of the medical care that all employers must provide to their employees. 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 when a physician is involved.

The Labor Code ([Section 5401](#)) defines first aid as “any one-time treatment and 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 of a work related injury or illness, where there is no lost time from work, is considered first aid even though treatment was provided by a physician.”



If a physician does treat 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. A DFR is not required if a physician is not involved in providing first aid treatment.

State Fund will send a copy of the DFR to the Division of Labor Statistics and Research of the Department of Industrial Relations, as required. State Fund will also 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 a first aid treating physician, at the request of an employer, fails to submit a DFR to the workers' compensation insurer, the Department of Insurance and the Department of Industrial Relations may consider the arrangement improper and view it as contributing to possible criminal violations related to premium fraud and the fraudulent denial of workers' compensation benefits to an injured worker.

This fact sheet is not intended to be exhaustive. The discussion and best practices suggested herein should not be regarded as legal advice. Readers should pursue legal counsel or contact their insurance providers to gain more exhaustive advice

For additional information on this topic please contact ACWA JPIA Risk Control Department, Terry Lofing, Administrative Assistant (tlofing@acwajpia.com) or 800-231-5742