



Workers' Compensation Basics for State of South Dakota Employees

The Bureau of Human Resources administers Worker's Compensation for State employees.

What do I do if I'm injured on the job?

If you are injured while working for the State of South Dakota, you must provide notice of your injury or medical condition to your employer within three business days as required by South Dakota State Law. It is important that you submit a First Report of Injury to the Bureau of Human Resources Workers' Compensation Program as soon as possible. Even if you don't believe the incident will result in the need for medical treatment, the First Report of Injury protects you if unforeseen issues arise.

The First Report of Injury form and instructions are available online at <https://benefits.sd.gov/workerscompensation.aspx>. If you have questions, you can call BHR at 605.773.3148.

What is worker's compensation?

Workers' Compensation is an insurance program that pays medical and disability benefits for work related injuries and illnesses. Workers' Compensation protects both employees and employers. South Dakota State employees are eligible for Workers' Compensation benefits for injuries or illnesses found to be work-related. Generally, in return, he or she forfeits the right to sue the employer for job-related injuries.

Who is covered?

All state employees are covered by Workers' Compensation. Independent contractors are not.

Benefits are not allowed when injury is due to willful misconduct, intoxication, illegal use of drugs or failure to use a furnished safety appliance. A false representation as to health at the time of obtaining employment may also preclude awarding of benefits.

What medical coverage is provided?

South Dakota State Employees receive reasonable and necessary medical treatment for injuries and medical conditions found to be work-related. This also can include suitable and proper care such as medical and surgical supplies, apparatus, artificial members, and body aids. Prosthetic devices, if damaged, are considered an injury. Repair or replacement of hearing aids, prescription eye glasses, eyeglass frames, or contact lenses and dentures must also be furnished if damaged or destroyed in an accident which caused bodily injury compensable under the law. You have the right to the initial selection of your medical provider.

Travel, lodging and meal reimbursement incurred as a result of securing necessary medical treatment are also compensable in certain instances. Generally, such expenses will only be allowed if an employee is required to travel outside the location of his or her home or workplace to obtain medical treatment.

Will I be paid if I am injured?

Workers' Compensation provides for partial payment of lost wages. If an injury results in death, the spouse or surviving children are eligible to receive compensation.

For more information or to report fraudulent collection of Workers' Compensation benefits, please contact the Bureau of Human Resources at 605.773.3148 or visit our website at bhr.sd.gov/workerscompensation.



BHR's mission is to build, develop and support a high-performing and healthy workforce. We carry out our mission by providing talent acquisition, talent management and talent retention services to state agencies and bureaus.