

# Basic Guide to Compensation for Medical Expenses

by [admin](#) — last modified 2008-09-12 11:10

All claims for occupational injuries and diseases must be supported by medical reports, directly linking the diagnosis of the injury or disease with the worker's accident/work.

## Application

The Compensation for Occupational Injuries and Diseases Act applies to:

- all employers; and
- casual and full-time workers who, as a result of a workplace accident or work-related disease:
  - are injured, disabled, or killed; or
  - become ill.

This excludes -

- workers who are totally or partially disabled for less than 3 days;
- domestic workers;
- anyone receiving military training;
- members of –
  - the South African National Defence Force, or
  - the South African Police Service;
- any worker guilty of wilful misconduct, unless they are seriously disabled or killed;
- anyone employed outside the RSA for 12 or more continuous months; and
- workers working mainly outside the RSA and only temporarily employed in the RSA.

## See

- [Compensation for Occupational Injuries and Diseases Act](#)

Workers who are affected by occupational injuries and diseases are entitled to compensation

## Transporting Injured or Ill Workers

The Director-General, mutual association or employer must pay the transport cost of ill or injured workers if the accident or illness necessitates transport to the hospital or doctor.

*Based on Legislation in [Section 72](#), of the Compensation for Occupational Injuries and Diseases Act*

## Payment of Medical Expenses

The Director-General, mutual association or employer must pay a worker's reasonable medical aid costs for a maximum of 2 years from the date of an accident or the diagnosis of a disease.

The Director-General may decide to pay the additional cost of further medical aid after a 2-year period if further treatment will reduce a worker's disablement. The Director-General may also direct an employer or mutual association to pay such costs.

*Based on Legislation in [Section 73](#), of the Compensation for Occupational Injuries and Diseases Act*

## **Prohibition on Recovering Medical Costs**

Employers may not deduct the cost of any medical expenses from workers.

*Based on Legislation in [Section 77](#), of the Compensation for Occupational Injuries and Diseases Act*

## **Medical Aid Provided by Employers**

If an employer provides a medical aid to his workers that is better than the legal requirement, and the Director-General has approved such a medical aid, the –

- workers will be entitled to that medical aid;
- employer concerned will not have to pay or provide any other medical aid;
- Director-General may reimburse such an employer or reduce his assessment.

*Based on Legislation in [Section 78](#), of the Compensation for Occupational Injuries and Diseases Act*