HEADQUARTERS, UNITED STATES FORCES, KOREA
UNIT #15237
APO AP 96205-5237

REPLY TO
ATTENTION OF:

FKCP

0 8 OCT 2008

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: Medical Care Benefits for Work-related Diseases or Injuries

1. Reference Section V, USFK Reg 690-1, Civilian Personnel Regulations and Procedures – Korean Nationals, dated 4 Oct 2007

2. This office has recently received a few notices and medical bills from the ROK National Health Insurance Corporation (NHIC) regarding insurance payments made to USFK employees for their work-related diseases or injuries. This memorandum is to inform employees and supervisors of the issues raised by the NHIC in processing cases involving work-related diseases or injuries.

3. Under Article 48 of the National Health Insurance Act, when a person receives or is eligible to receive insurance benefits or compensations under other laws and regulations, e.g., Industrial Accident Compensation Insurance Act, due to work-related diseases or injuries, NHIC shall not provide any insurance benefits. Therefore, even though all or part of their medical expenses are covered by the National Health Insurance Plan (NHIP) when employees first go to a hospital, after the diseases or injuries are determined as work-related by the Korea Labor Welfare Corporation (KLWC), medical expenses are no longer covered by the NHIP and will be covered by the Industrial Accident Compensation Insurance Plan (IACIP). The insurance payments already made for the employees' medical care by the NHIP will be reimbursed to the NHIC by the KLWC.

4. According to the NHIC, some employees do not request medical care benefits under the IACIP even though they are eligible to receive benefits under the IACIP due to work-related diseases or injuries. In those cases, if employees go to a hospital, all or part of their medical expenses are automatically covered by the NHIP. However, NHIC monitors and screens probable work-related disease and injury cases covered by the NHIP, and requests employers to reimburse the insurance payments made for the employees' treatments based on Article 48 of the National Health Insurance Act. Therefore, if employees are eligible to receive benefits under the IACIP, employees and supervisors must request medical care benefits under the IACIP when they first go to a hospital or at the earliest time possible after receiving treatment from a hospital. Otherwise, employees or the organizations may have to reimburse the insurance payments to the NHIC later.

5. When employees go to a hospital due to work-related diseases or injuries, KLWC will only recognize and pay for "necessary" treatments. KLWC usually approves treatment at only one hospital a day for the same disease or injury. If employees go to more than one hospital (including western hospital and oriental doctor) a day for treatment for the same disease or injury, the KLWC will pay for only one treatment, unless they determine dual treatments are necessary. NHIP will not cover the medical expenses either, if the disease or injury is work-related. Therefore, please note that employees will be responsible for the medical expenses if they go to more than one hospital a day without approval by the KLWC.

6. The point of contact at this office is Ms. Yi, Tok-hui at 724-4111, or, e-mail: tok.hui.yi@korea.army.mil.

JOHN M. MCCRAREY
Director, Civilian Personnel

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SUBJECT: Medical Care Benefits for Work-related Diseases or Injuries

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MEMORANDUM FOR SEE DISTRIBUTION

제목: 업무상 질병 또는 부상에 대한 요양급여

1. 2007 년 10 월 4 일자 주한미군규정 690-1, 민간인 인사규정 및 절차 – 한국인 직원, 제 5 장 참조.

2. 주한미군 인사국은 최근에 업무상 질병 또는 부상으로 인하여 주한미군 직원들이 받은 보험급여와 관련하여 국민건강보험공단으로부터 통보서와 납부금고지서를 몇 차례 받았습니다. 이 메모의 목적은 직원들과 감독자들에게 국민건강보험공단에서 업무상 질병 또는 부상 사건을 처리하는 데 있어서 제기된 문제점들을 알리고자 하는 것입니다.

3. 국민건강보험법 제 48 조에 따르면, 보험급여를 받을 수 있는 자가 업무상 질병이나 부상으로 인하여 다른 법령, 예를 들면, 산업재해보상보험법에, 의한 보험급여나 보상을 받거나 받을 수 있는 때에는 국민건강보험공단은 보험급여를 지급하지 아니한다고 규정하고 있습니다. 따라서, 직원들이 처음 병원에 갈 때에는 요양비의 전부 또는 일부에 대해 국민건강보험에 의한 급여가 지불된다고 하더라도, 근로복지공단에 의해 그 질병이나 부상이 업무상 질병이나 부상으로 판정되면, 그 후로는 국민건강보험에 의한 급여는 중단되고, 산업재해보상보험에 의한 급여가 지급될 것입니다. 국민건강보험에서 이미 지급된 요양비에 대한 보험급여도 근로복지공단에서 국민건강보험공단으로 환불될 것입니다.

4. 국민건강보험공단에 따르면, 직원들이 업무상 질병이나 부상으로 인하여 산업재해보상보험에 따른 급여를 받을 수 있음에도 불구하고, 산업재해보상보험에 따른 요양급여를 신청하지 않는 경우가 있다고 합니다. 그런 경우에, 직원들이 병원에 가면, 요양비의 전부 또는 일부에 대해 자동적으로 국민건강보험에 의한 급여가 지급됩니다. 그러나, 국민건강보험공단은 국민건강보험법 제 48 조를 근거로, 국민건강보험에 의한 급여가 지급된 사건 중 업무상 질병이나 부상일 가능성이 있는 경우들을 조사하고 가려내어, 직원들에게 지급된 보험급여를 사용주에게 반환하도록 요구합니다. 따라서, 직원들이 산업재해보상보험에 의한 급여를 받을 수 있는 경우에는 직원들과 감독자들은 처음 병원에 갈 때, 또는 병원에서 치료를 받은 후 가능한 한 빠른 시간 내에, 반드시 산업재해보상보험에 의한 급여를 신청하여야 합니다. 그렇지 않으면, 직원 또는 해당 사무실에서 보험급여를 국민건강보험공단에 추후에 환불하여야 할 수 있습니다.

FKCP
제목: 업무상 질병 또는 재해에 대한 요양급여

5. 직원들이 업무상 질병이나 부상으로 병원에 갈 때, 근로복지공단은 "필요한" 요양만을 승인할 것입니다. 근로복지공단은 대체로 동일한 질병이나 부상에 대하여 같은 날에 한 병원에서의 치료만을 승인합니다. 만약, 직원들이 동일한 질병이나 부상에 대하여 같은 날에 (양방과 한방을 포함하여) 한 곳 이상의 병원에서 치료를 받는다면, 근로복지공단이 이중진료가 필요하다고 판단하지 않는 한, 근로복지공단은 하나의 치료에 대해서만 급여를 지급할 것입니다. 건강보험공단도 업무상 질병이나 부상이라면 요양급여를 지급하지 않을 것입니다. 따라서, 근로복지공단의 승인없이, 같은 날에 한 곳 이상의 병원에 간다면, 직원들 스스로 그 요양비에 대해 책임을 져야 한다는 것에 유의하시기 바랍니다.

6. 의문점이 있으시면, 주한미군 인사국 이덕희, 전화 724-4111 또는 이메일 tok.hui.yi@korea.army.mil 로 연락하시기 바랍니다.

존 엠 맥크레리
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