



PIP Coverage Personal Injury Protection

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What is PIP Coverage?

- Delaware Code Title 21 §2118
- Also called No-Fault coverage
- All vehicles registered in the State of Delaware are required to have PIP coverage with a minimum of \$15,000 per person and \$30,000 per accident.
- State of Delaware PIP limits are \$25,000 per person and \$300,000 per accident.
- This coverage applies to each occupant of the State of Delaware owned vehicles.

AUTO ACCIDENT IN A STATE-OWNED VEHICLE

- Any auto accident involving a state-owned vehicle must be reported to the ICO within 24 hours.
- The Auto Accident Form is located on the ICO's website [DHR - Insurance Coverage Forms \(delaware.gov\)](https://delaware.gov/dhr/insurance-coverage-forms).
The report can also be obtained from the Office of Fleet Services or by contacting the ICO.
- The Auto Accident Report can also be reported online using the ICO's online reporting portal. [Origami Risk – Welcome](#)
- The ICO's in-house staff of professional and licensed Claim Representatives handles all claims related to automobile accidents.

WHAT DOES PIP COVER?

- Any necessary medical treatment for injuries caused by the automobile accident, including hospital bills, prescriptions, doctor's fees, physical therapy, chiropractic care, rehabilitation, and any medical equipment.
- Compensation for lost wages caused by the automobile accident.
- Per case law, the PIP coverage is primary over Workers' Compensation.

PIP APPLICATION FORM

- The PIP Application Form and the Statute of Limitations Letter are mailed to the employee with a carbon copy provided to the employing agency's/division's Human Resources (HR) Department.
- The PIP Statute of Limitations is two (2) years from the date of the automobile accident. The necessary medical treatment and lost wages must be incurred within this timeframe.
- The completed PIP Application form is needed before any payment for medical bills and lost wages can be issued.

WAGE AND SALARY VERIFICATION FORM

- The Wage and Salary Verification Form is required if an employee is losing time from work due to the injuries from an automobile accident.
- The Insurance Coverage Office emails the Wage and Salary Verification Form to the employing agency's/division's HR Representative for completion.
- In addition to the completed Wage and Salary Verification form, a copy of the disability slips corresponding with the period of absence must be provided to the ICO. If the employee continues to be out of work past the initial period of absence, continue providing the ICO with a copy the disability slips.

PIP WAGE CALCULATIONS

- PIP wages are not taxable.
- There is no waiting period and there is no maximum PIP rate per week.
- PIP lost wage benefits pays 80% of the gross income.

Example:

\$1,234.56 bi-weekly gross per week (PHRST data)

$\$1,234.56 \times 80\% = \987.65

$\$987.65 / 2 = \493.83 net/week – **PIP RATE per week**

PIP WAGE CALCULATIONS (cont.)

- If the employee consistently works overtime (OT), the ICO will consider the OT wages paid for the past 26 weeks prior to the date of the automobile accident in the lost wages calculations.
- The employee receives a physical check issued by the Office of the State Treasurer.
- A PIP claim is a Workers' Compensation (WC) eligible claim. It also must be reported to the WC Third-Party Administrator.
- You recoup the PIP wages just like you do the WC wages.
- You charge sick and annual leave just like you do for WC claims.

PIP WAGE CALCULATIONS (cont.)

- Salary Supplement applies – 3 months or 12 months
- Wage & Benefits Paying and Repayment instructions/worksheets can be found in the Statewide Benefits Secured Ben Rep Site under Paying/Repayment – WC, PIP and STD.
- Time off for medical appointments due to injuries from an automobile accident are not payable under the PIP claim. The employee must be charged sick or annual leave for the absence.

HOW DOES HR KNOW WHAT HAS BEEN PAID?

- The ICO will email a copy of the Payment Voucher and the PIP Wage Calculation Worksheet to the agency's/division's HR Representative so the recoup can be completed.
- For the employees who consistently work OT, the ICO's PIP Wage Calculation Worksheet will show the PIP net OT wage calculation separate from the PIP net base wage calculation.
- Only the PIP net base wages can be recouped from the employee. The ICO's Wage Calculation Worksheet will indicate the amount to be recouped from the employee.

WHAT IS NOT COVERED UNDER PIP

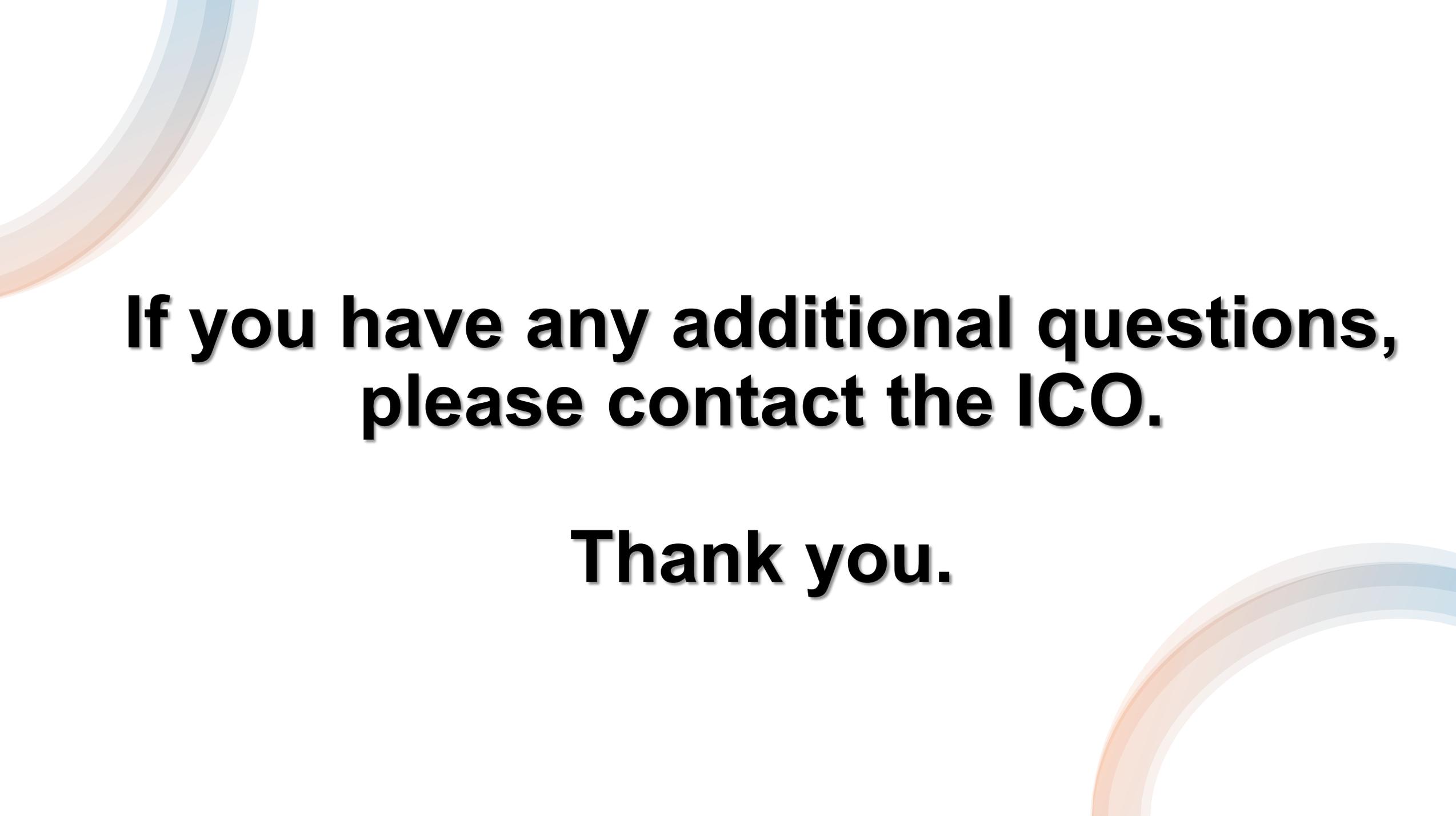
- Permanency
- Disfigurement (scarring)
- Mileage

COORDINATION OF BENEFITS BETWEEN PIP and WC

- Per case law, an injured employee or an attorney representing an injured employee can request the benefits to be paid concurrently under both programs.

Example:

- ❖ Medical bills to be paid under WC and Lost Wages to be paid under PIP.
- ❖ Medical bills and 66 2/3 lost wages to be paid under WC and PIP to pay the difference in wages (80% less 66 2/3).
- The State agency/division HR Rep can recoup both the WC and PIP lost wage payments.

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**If you have any additional questions,
please contact the ICO.**

Thank you.