

## WORKERS' COMPENSATION

HBS defends insurers, self-insured employers, servicing agents, and uninsured employers in a wide range of workers' compensation disputes including litigation, mediation, and settlement.

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### Overview

The attorneys in the Workers' Compensation practice of Hall Booth Smith represent insurance carriers, self-insured employers / servicing agents, and uninsured employers in all manner of cases. Our services run the gamut, including negotiating and drafting settlement agreements, providing aggressive representation at mediations and hearings, and providing representation for appeals.

We believe in remaining proactive by advising our clients of practical steps during both the employee hiring process and at the onset of an accident to help reduce the number of claims before counsel is needed.

HBS maintains full time Workers' Compensation attorneys at each of our regional offices. This not only offers our clients access to some of the highest quality legal counsel available within their local community but also enables us to respond rapidly to our clients' diverse needs, properly advise on local community and business nuances, and effectively reduce overall costs when legal counsel is needed.

### Leadership



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[Full Team](#)

### Calculators

[Present Value](#)

# HALL BOOTH SMITH, P.C.

## Solutions

Our attorneys stay active in a number of professional industry related organizations, frequently speak on newsworthy industry issues and concerns, and are heavily involved with the Chairman of the state of Georgia's Board Advisory Council for Workers' Compensation and the Board of Directors of the Workers' Compensation Bar. As such, we bring a unique understanding of your workers' compensation concerns, including the increasing costs of claims.

Our attorneys also have access both to our firm's [Professional Malpractice & Ethics](#) and [Medical Malpractice](#) attorneys who work closely with hospitals, clinics, and individual physicians. These relationships provide us with unmatched communication and access to health care providers, greatly benefiting our clients and reducing overall costs.

HBS offers client representation in nearly every facet in the defense of workers' compensation claims including:

- Defending work-related claims
- Pursuing possible subrogation claims
- Pursuing possible Subsequent Trust fund claims
- Defending catastrophic claims
- Creating and/or assisting in safety and/or panel of physicians programs
- Assisting clients with proactive steps beginning with the hiring process

## Experience

With the professional integrity and skill HBS lawyers bring to the table, we have successfully resolved many cases for our clients through mediation, motion practice, administrative bodies, bench, and jury trials:

- Successfully defended many of Georgia's largest employers before the State Board of Workers' Compensation
- Participated in the favorable resolution of countless claims

[Life Expectancy](#)

[PPD](#)

[Number of Weeks](#)

# HALL BOOTH SMITH, P.C.

through mediation

- Successfully represented Fortune 100 companies, most notably McDonald's and JPMorgan Chase
- Successfully represented clients at the hearing level, settlement and mediation level, and appeals level

## Blog



Our [Workers' Compensation Blog](#) follows news and analyzes lawsuits, verdicts, rulings, appeals, and other legal developments that affect insurance carriers, self-insured employers / servicing agents, and uninsured employers.

We explore how changing lifestyles and technology play larger roles in workers' comp cases, such as the use of physical fitness data from wearable devices and whether injuries sustained at company-sponsored softball games are compensable. We also share practical tips for implementing proactive response systems to minimize the initiation of claims.

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## [Florida Court Clarifies When a](#)

## **Workers' Compensation Carrier's Subrogation Lien Should be Calculated Following a Third-Party Settlement**

February 25, 2025

In the recent case of Liberty Mutual Insurance Company v. Robert A. Lee, et al., Case No.: 6D2023-2377, the Florida Court of Appeals ruled that a workers' compensation carrier's subrogation lien should be calculated following a third-party settlement on the date of equitable distribution rather than the actual date of the third-party settlement.

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## **A Georgia Court of Appeals Decision on Justifiable Refusal of Light Duty Based on COVID-19 Concerns**

February 7, 2025

Attorney Daniel Richardson dives into the latest on Taylor v. Argos, USA. The central issue was whether the employee should have been awarded TTD benefits when he refused to return to work in a light-duty capacity, and his refusal to return was due to his underlying health issues during the COVID-19 pandemic.

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## **South Carolina Workers' Compensation Case Law Update Series, Part III: Brailey v. Michelin North America**

December 11, 2024

# HALL BOOTH SMITH, P.C.

The South Carolina appellate courts have been faced with several questions on workers' compensation in recent months, producing opinions that will affect practice points and claims handling in defending workers compensation claims. This series discusses the rulings and how employers and carriers should be mindful of this precedent going forward.

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