

RECORD REQUESTS FREQUENTLY ASKED QUESTIONS

I am a third party vendor needing records for the purpose of, investigating the compensability of a claim. Am I able to obtain the personal identifying records of an injured or deceased employee from the Division of Workers' Compensation?

No. Effective 7/1/2017 only a carrier pursuant to § [440.02\(5\)](#), Florida Statutes, or an employer pursuant to § [440.02\(19\)](#), Florida Statutes, who is investigating the compensability of a claim may obtain records.

I am a third party administrator (TPA) or claims-handling administrator needing records for the purpose of investigating the compensability of a claim. Am I able to obtain the personal identifying records of an injured or deceased employee from the Division of Workers' Compensation?

No. Effective 7/1/2017 only a carrier pursuant to § [440.02\(5\)](#), Florida Statutes, or an employer pursuant to § [440.02\(19\)](#), Florida Statutes, who is investigating the compensability of a claim may obtain records.

I am a third party company that performs background checks and I need a workers' compensation history report for someone employed or seeking employment with a company to which I provide services. Am I able to obtain the personal identifying records of an injured or deceased employee from the Division of Workers' Compensation?

No. This information is confidential and exempt pursuant to section § [440.1851](#), Florida Statutes, and can only be disclosed to specific, authorized individuals or entities.

I am a party litigant in a matter pending before the Office of the Judges of Compensation Claims (OJCC). Am I able to obtain the personal identifying records of an injured or deceased employee from the Division of Workers' Compensation?

Yes. You must complete the [Records Release Authorization Form](#) for the Division to respond to your records request. The Records Release Authorization Form must be notarized and returned to the Division. Additionally, a Notice of Appearance reflecting your name as legal counsel must be on file with the OJCC and viewable on the OJCC website.

I am an injured worker and need records for Social Security, Medicare, Medicaid, or other government entity. What do I do?

Please have the government entity contact the Division directly via email at DWC-PublicRecordsRequest@myfloridacfo.com. The Division will work directly with the government entity to make sure they receive the necessary documents to fulfill their request.

Can I continue to receive the monthly claims data extract, which provides a listing of all newly reported claims the Division? Or, is there a way to obtain the list through the website or by other means?

No. This information is confidential and exempt pursuant to section § [440.1851](#), Florida Statutes, and can only be disclosed to specific, authorized individuals or entities.

Is the online Workers' Claims Database broken and when will it be fixed?

The Workers' Compensation Claims Database has been discontinued effective 7/1/2017. This information is confidential and exempt pursuant to section § [440.1851](#), Florida Statutes, and can only be disclosed to specific, authorized individuals. During the 2017 Legislative Session, HB 1107, a bill relating to public records, created § [440.1851](#), Florida Statutes. This statute provides an exemption from public records requirements for personal identifying information filed with the Department of Financial Services and other agencies pursuant to the Workers' Compensation Law.

Pursuant to § 440.1851, Florida Statutes, I am authorized to receive records. How do I request the records?

Please complete the [Records Release Authorization Form](#) to enable the Division to respond to your public records request. The Records Release Authorization Form must be notarized and returned to the Division. Return instructions are located at the bottom of the form.

Does § 440.1851, Florida Statutes, have any impact on Subpoenas?

Obtaining records through the subpoena process is not affected.

Must I submit a Records Release Authorization Form every time I request records containing personal identifying information of an injured or deceased employee?

Yes. The Division uses the Records Release Authorization Form to validate if the requester meets the requirements of s. [440.1851](#), Florida Statutes, and to ensure the correct records are provided to the requester.