

What Happens When a Georgia Workers' Compensation Doctor Releases You to Full Duty but You're Still Hurt?

A Full-Duty Release Can Stop Your Weekly Checks, but Georgia Law Gives You Ways to Push Back

When the authorized treating physician in your [Georgia workers' comp claim](#) releases you to full duty, the insurance company can move to stop your weekly checks with as little as 10 days' notice. That release isn't the last word, though, if you're still in pain or can't physically do your job.

Our Georgia workers' compensation attorneys at [Gary Martin Hays & Associates](#) regularly see releases that don't match what an injured worker is living with. The law gives you several ways to challenge one, but some of them come with deadlines that are easy to miss.

What To Do Next

- **Keep Your Medical Appointments** – A full-duty release doesn't end your medical benefits, and gaps in treatment can be used against you later.
- **Tell the Doctor What You Can't Do** – Describe specific tasks, such as lifting, standing, or climbing, that still cause pain, and ask that it go in your chart.
- **Consider a Change of Physician** – Georgia lets you make one switch to another doctor on your employer's panel without anyone's approval.
- **Request Your Independent Medical Exam** – You're entitled to one exam by a doctor you choose, paid for by the employer, if you act within the statute's 120-day window.
- **Request a Hearing If Your Checks Stop** – If you believe your benefits were suspended incorrectly, you can ask for a hearing by filing Form WC-14.

What a Full-Duty Release Means for Your Weekly Checks

While you're out of work, Georgia pays temporary total disability benefits of two-thirds of your average weekly wage, up to \$800 per week for accidents on or after July 1, 2023, according to the [State Board of Workers' Compensation](#). A release to full duty is the insurer's usual trigger for ending those payments.

Under [Board Rule 221\(i\)](#), the insurer can suspend temporary total benefits after a release without restrictions by filing Form WC-2, giving you 10 days' notice, and attaching the treating doctor's report. That doctor must have examined you within 60 days of the release date.

The [WC-2 form](#) itself tells injured workers that if they believe benefits were suspended incorrectly, they should request a hearing by filing Form WC-14. A suspension that skips the required steps can be challenged, and back benefits can be at stake.

Your Medical Care Doesn't Automatically End

Returning to work and finishing medical treatment aren't the same thing. For non-catastrophic injuries on or after July 1, 2013, [O.C.G.A. § 34-9-200](#) requires the employer to provide authorized medical care for up to 400 weeks from the date of injury.

If your pain returns or never went away, keep going back to the authorized doctor and describe exactly what you can and can't do. A chart that records ongoing symptoms carries far more weight later than a complaint you never reported.

Can You Switch to a Different Doctor?

Yes, within limits. Under [O.C.G.A. § 34-9-201](#), you may make one change from one physician to another on your employer's posted panel without prior approval from the Board.

The Board can also order a change of physician or treatment when you or the employer asks for one. Many workers use their one free change to move from a general clinic to a specialist, such as an orthopedist, who's also on the panel.

Using Your One Independent Medical Exam

Georgia gives you the right to one examination by a physician of your own choosing, paid for by the employer. Under [O.C.G.A. § 34-9-202\(e\)](#), the exam must take place within 120 days of receipt of any income benefits, in Georgia or within 50 miles of your home, with written notice to the employer or insurer in advance.

The exam generally can't repeat diagnostic tests already done since your injury unless someone other than the employer or insurer pays any cost above \$250. Because the 120-day window is tied to your benefit payments, it's worth acting on this right early, before a release ever comes.

An independent physician's report gives the judge a second medical opinion to weigh against the treating doctor's release at a hearing.

What If the Work Is Too Much or Your Condition Gets Worse?

If you return to work at lower pay because of your injury, you may qualify for temporary partial disability benefits of up to \$533 per week for accidents on or after July 1, 2023, for a maximum of 350 weeks from the date of injury, according to the [Board's summary of benefit provisions](#).

If your condition worsens after benefits stop, [O.C.G.A. § 34-9-104](#) allows you to seek benefits again based on a change in condition. That request generally must come within two years of the last payment of temporary total or temporary partial benefits.

When a release leaves you able to do only lighter or lower-paying work, a [vocational expert](#) can help show which jobs you can realistically perform.

Say a warehouse worker in Gwinnett County hurts his lower back lifting boxes and is released to full duty after eight weeks of physical therapy, even though bending still sends pain down his leg. The insurer files a WC-2 and plans to stop his checks in 10 days.

He could use his one panel change to see an orthopedist, schedule his independent medical exam within the statutory window, and file a WC-14 asking a judge to reinstate his benefits. If he returns to lighter work at lower pay, he could also pursue temporary partial benefits.

What Evidence Helps at a Hearing?

A judge deciding whether to reinstate benefits looks at the whole medical and work picture, not just one release form. The records that tend to matter most include:

- **Treatment Notes** – Records from every visit that document ongoing pain, limited motion, or other symptoms after the release.
- **The Independent Exam Report** – A second physician's findings on your restrictions, diagnosis, and need for more treatment.
- **Your Job's Physical Demands** – A written job description or testimony showing the lifting, standing, or climbing the job actually requires.
- **Any Attempt to Return** – Proof of what happened if you tried to go back and couldn't keep up with the work.

Does a Full-Duty Release Mean You Have No Permanent Injury?

Not necessarily. Once you reach maximum medical improvement, the doctor may assign a permanent impairment rating, and [O.C.G.A. § 34-9-263](#) provides permanent partial disability benefits based on that rating under the AMA Guides, fifth edition.

Those benefits are paid at two-thirds of your average weekly wage and begin only after temporary total and temporary partial benefits end. A full-duty release is often exactly when a rating should be addressed, so it's worth understanding all the [types of workers' comp benefits](#) available to you.

Insurers may treat a full-duty release as the end of the claim. Here's how some common positions compare with what Georgia law provides:

What the Insurer May Say	What Georgia Law Provides	Statute
The doctor released you, so your case is over	Authorized medical care can continue for up to 400 weeks from the injury for non-catastrophic injuries on or after July 1, 2013	O.C.G.A. § 34-9-200
You're stuck with this doctor	You can make one change to another panel doctor without approval, and the Board can order a change	O.C.G.A. § 34-9-201

What the Insurer May Say	What Georgia Law Provides	Statute
Our doctor's opinion is the only one that counts	You're entitled to one employer-paid exam by a doctor you choose within the 120-day window	O.C.G.A. § 34-9-202(e)
Once benefits stop, they're gone for good	You can seek benefits again for a change in condition within two years of the last temporary benefit payment	O.C.G.A. § 34-9-104(b)
A full-duty release means no more money	Permanent partial disability benefits based on an impairment rating can be owed after temporary benefits end	O.C.G.A. § 34-9-263

Other Options Beyond the Workers' Comp Claim

Workers' comp doesn't pay for pain and suffering, but a negligent driver, subcontractor, or equipment maker can be held responsible in a separate [third-party claim](#). That claim isn't limited by the comp doctor's release, and it can matter a great deal in cases like [construction accident injuries](#).

Protecting Your Benefits After an Early Release

A full-duty release can feel final, especially when the checks stop a week and a half later. The right response depends on your medical records, the insurer's filings, and deadlines that start running before most people realize it.

A Georgia workers' comp lawyer on our team can review the release, the WC-2, and your options for a new doctor or an independent exam. [Schedule a free consultation](#) to find out how to protect your benefits and your health. You won't pay a fee unless we recover benefits for you.