

勞工職業災害保險－傷病給付（含照護補助）常見問答

Labor Occupational Accident Insurance – FAQ of Injury or sickness benefit (including care subsidy)

序號	問題	回答
1	<p>職災保險傷病給付的請領資格及給付基準各如何？</p> <p>What are the eligibility requirements and payment standards for occupational accident insurance injury or illness benefits?</p>	<p>請領資格： Eligibility： 被保險人因執行職務而致傷害或罹患職業病不能工作，致未能取得原有薪資，正在門診或住院治療中，可自不能工作的第4日起，請領職災保險傷病給付。</p> <p>If the insured is unable to work due to an injury or an occupational disease caused by the performance of his duties, and thus fails to receive his original salary, and is undergoing outpatient or inpatient treatment, he can apply for the injury and illness benefit from occupational accident insurance from the 4th day of his inability to work.</p> <p>給付基準： Payment Criteria: 職災保險傷病給付為自不能工作之第4日起發給至恢復工作之前1日止，前60日部分是按被保險人發生保險事故之當月起前6個月平均日投保薪資發給，超過60日部分則是按平均日投保薪資之70%發給，合計最長以2年為限。</p> <p>Occupational Accident Insurance Injury and Disease Benefit is paid from the 4th day of being unable to work until 1 day before resuming work. The first 60 days part is paid based on the average daily insured salary for the 6 months before the month when the insured has an insured accident. For the part exceeding 60 days, 70% of the average daily insured salary will be paid, up to a maximum of 2 years in total.</p>
2	<p>如何申請職災保險傷病給付？應備哪些文件？</p> <p>How to apply for occupational accident insurance injury and sickness benefits? What documents should be prepared?</p>	<p>請領職災保險傷病給付，應檢送下列書據證件： Please submit the following documents: 勞工職業災害保險傷病給付申請書及給付收據。 Labor Occupational Accident Insurance Injury or Sickness Benefits Temporary Disability Benefits) Care subsidy Application Form and Payment Receipt 傷病診斷書正本。 The original copy of the injury diagnosis certificate. 相關證明文件〔如雇主（業主）及目擊者證明、出</p>

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		<p>勤及請假紀錄、領薪紀錄等」。</p> <p>Relevant supporting documents (such as employer (owner) and witness certificates, attendance and leave records, salary records, etc.).</p> <p>如為交通事故，首次申請時請一併填具勞工職業災害保險被保險人上下班（公出）途中發生事故而致傷害陳述書。</p> <p>In the case of a traffic accident (first time), please fill in the document titled as "Statement of Injury on the Way to or from Getting off Work (Business Trip) of the Insured Under Labor Occupational Accident Insurance.</p>
3	<p>請領失能給付後，是否仍可請領職災保險傷病給付？</p> <p>After claiming disability benefits, can I still claim injury and sickness benefits from occupational accident insurance?</p>	<p>被保險人因傷病治療終止，領取「終身不能從事工作」之失能給付後，自不能再請領傷病給付，惟如被保險人領取失能給付後，「尚在加保中者」，其因該傷病仍須再治療(住院或門診診療)，不能工作，未能取得原有薪資，得繼續申請傷病給付。</p> <p>After the insured is terminated due to the treatment of injury and illness, after receiving the disability benefit of "being unable to work for the rest of his life", he can no longer claim the disability benefit. If the injury or illness still requires further treatment (inpatient or outpatient diagnosis and treatment), cannot work, and fails to obtain the original salary, the applicant may continue to apply for the injury and illness benefit.</p> <p>最後更新日期：2022-03-07</p> <p>The lasted update : 2022-03-07</p>
4	<p>職災勞工依規定繼續參加勞工保險普通事故保險後，可否繼續請領職災保險傷病給付？</p> <p>After occupational accident workers continue to participate in the ordinary accident insurance of labor insurance according to the regulations, can they continue to apply for injury and illness benefits from occupational accident insurance?</p>	<p>職災勞工於退保後，依職業災害勞工醫療期間退保繼續參加勞工保險辦法規定自願繼續參加勞工保險普通事故保險者，得請領同一職業傷病及其引起疾病之職災保險傷病給付。</p> <p>After an occupational accident worker withdraws from the insurance, he/she voluntarily continues to participate in the ordinary accident insurance of the labor insurance according to the provisions of the regulations on the occupational accident workers' medical treatment period to withdraw from the insurance and continue to participate in the labor insurance.</p>
5	<p>被保險人發生職業傷害後，半天工作、半天到醫院復健，取得部分薪資，能不能申請職災保險傷病給付？</p> <p>After the insured suffers an occupational injury, he works</p>	<p>職災保險傷病給付係以遭遇職業傷病致「全日」不能工作4日以上為給付要件，因此，被保險人雖發生職災事故，但每日仍有工作之事實者，無論工作時間長短，均不得請領職災保險傷病給付。</p> <p>Occupational Accident Insurance Injury and Disease Benefit is based on the fact that the insured is unable to</p>

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	half a day and goes to the hospital for rehab to get part of his salary. Can he apply for occupational accident insurance for injury and illness benefits?	work "full-time" for more than 4 days due to an occupational injury or disease. Therefore, even if the insured has an occupational accident, but the fact that he still works every day, regardless of the length of the working hours, will be paid. No claim for injury and sickness benefits from occupational accident insurance.
6	<p>被保險人發生職災傷病已按原領薪資數額取得補償者，可否請領職災保險傷病給付？</p> <p>If the insured has been compensated according to the original salary amount due to occupational accident, injury and illness, can he apply for occupational accident insurance for injury and illness benefits?</p>	<p>被保險人發生職業傷病，雇主依勞動基準法第 59 條規定給予原領工資數額之補償，屬補償金性質，與工資不同，非屬「原有薪資」，故被保險人仍得請領職災保險傷病給付。雇主已先行支付之補償費用，仍得依規定予以抵充，勞雇雙方如對補償費用或抵充事宜有爭議，因涉及勞動基準法問題，請向投保單位所在地之縣（市）政府勞工行政機關申請調解處理。</p> <p>If the insured suffers an occupational injury or illness, the employer will compensate the original salary amount according to Article 59 of the Labor Standards Act, which is of a compensation nature, and is different from the salary, not the "original salary", so the insured can still apply for a Injury or sickness benefit . The compensation paid in advance by the employer can still be offset according to regulations. If there is any dispute between the employer and the employee on the compensation or offset, due to the issue of the Labor Standards Act, please report to the labor administration of the county (city) government where the insured unit is located. The agency applies for mediation.</p>
7	<p>發生傷病事故時在 2 個單位加保，應透過哪家投保單位申請職災保險傷病給付？</p> <p>In the event of an injury or illness, I have added insurance in 2 units. Which insured unit should I apply for occupational accident insurance for injury and illness benefits?</p>	<p>被保險人如因執行職務而致傷害或職業病，應由事故發生當時從事工作之投保單位檢送相關書件申請職災保險傷病給付。若被保險人在同一月份有 2 個以上月投保薪資，於計算職災給付平均月投保薪資時，應以最高者為準，與其他各月份之月投保薪資平均計算。</p> <p>If the insured suffers from injury or occupational disease due to the performance of his duties, the insured unit who was working at the time of the accident should submit relevant documents to apply for occupational accident insurance injury and disease benefits. If the insured has more than 2 monthly insured salaries in the same month, when calculating the average monthly insured salaries for occupational disaster benefits, the highest shall prevail, and the average monthly insured salaries of other months shall be calculated.</p>
8	<p>有重大傷病卡，是否可請領職災保險傷病給付？</p> <p>If I have a major injury and</p>	<p>被保險人請領職災保險傷病給付與是否領有重大傷病卡無關，如被保險人於參加職災保險期間，因執行職務、上下班公出途中而致傷害或罹患職業病</p>

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	illness card, can I apply for occupational accident insurance for injury or sickness benefits?	<p>「不能工作」，以致「未取得原有薪資(或取得部分薪資)」，「正在治療中(門診或住院)」，自全日不能工作之第4日起，得請領職災保險傷病給付。</p> <p>The insured's claim for occupational accident insurance injury and illness benefits has nothing to do with whether he has a major injury or illness card. If the insured suffers an injury due to performing duties, commuting to and from get off work during the period of participating in occupational accident insurance, or suffers from an occupational disease "unable to work", resulting in "Have not received the original salary (or received part of the salary)", "under treatment (outpatient or hospitalization)", from the 4th day of being unable to work full-time, you may apply for occupational accident insurance for injury and illness benefits.</p>
9	<p>因傷病留停期間，是否仍可請領職災保險傷病給付？</p> <p>During the period of stay due to injury or sickness, can I still claim the injury and illness benefit from occupational accident insurance?</p>	<p>職災保險被保險人因職災傷病留職停薪期間繼續加保，如仍因該職災傷病門診或住院診療，不能工作，得依規定續領職災保險傷病給付。</p> <p>Occupational Accident Insurance Insured Persons who remain on duty without pay due to occupational accidents, injuries and diseases will continue to add insurance coverage. If they are still unable to work due to outpatient or inpatient treatment due to occupational accidents, injuries and diseases, they may continue to receive occupational accident insurance injury or illness benefits in accordance with regulations.</p>
10	<p>被保險人遭遇職業傷病，於退保後可否請領職災保險傷病給付</p> <p>If the insured suffers from occupational injury or illness, can he claim the injury and illness benefit from occupational accident insurance after surrendering the policy?</p>	<p>被保險人在加保有效期間內所發生之職災傷病事故，於保險效力停止後1年內，得請領同一傷病及其引起的疾病之職災保險傷病給付。</p> <p>For occupational accidents, injuries and illnesses that occur to the insured during the validity period of the insurance coverage, within 1 year after the insurance coverage ceases, the insured may apply for the same injury and illness and the diseases caused by occupational accident insurance for injury and illness benefits.</p>