

Home Health: Nurse Gets Worker’s Comp For Auto Accident.

A home health nurse was en route from her home to the home of a client of the home-health agency for whom she worked when she decided it would be convenient to stop by the agency’s office to drop off her time slips.

On the way to the office she was injured in an automobile accident.

The general rule is that an employee commuting to work at the employer’s premises is not covered by worker’s compensation if he or she is injured in an auto accident.

The Court of Appeals of North Carolina, however, ruled in the nurse’s favor by applying the “traveling salesman” exception to the general rule. An employee who has no fixed hours and no fixed place of employment is considered in the course and scope of employment, and eligible for worker’s comp, while traveling to carry out business for the employer. **Munoz v. Caldwell Memorial Hosp.**, __ S.E. 2d __, 2005 WL 1545134 (N.C. App., July 5, 2005).