WEST VIRGINIA CODE: §23-4-1B

§23-4-1b. Report of injuries by employers.

It is the duty of every employer to report every injury sustained by any person in his or her employ to its workers' compensation insurance carrier or claims administrator, if applicable. The report shall be on forms prescribed by the Insurance Commissioner and shall be made within five days of the employer's receipt of the employee's notice of injury as required by §23-4-1a of this code. The five-day period may not be extended by the employer's workers' compensation insurance carrier or claims administrator, if applicable, but the employer has the right to file a supplemental report at a later date. The employer's report of injury shall include a statement as to whether, on the basis of the information available, the employer disputes the compensability of the injury or objects to the payment of temporary total disability benefits in connection with the injury. The statements by the employer shall not prejudice the employer's right thereafter to contest the compensability of the injury, or to object to any subsequent finding or award, in accordance with §23-5-1 *et seq*. of this code; but an employer's failure to make timely report of an injury as required in this section, or statements in the report to the effect that the employer does not dispute the compensability of the injury or object to the payment of temporary total disability benefits for the injury, shall be considered to be a waiver of the employer's right to object to any interim payment of temporary total disability benefits with respect to any period from the date of injury to the date of receipt of any objection made to the interim payments by the employer.

WV Legislature