



Workers' Compensation Claim Management and Reporting



Managing Workers' Compensation

- Roles and Responsibilities
- Timely Triage and Reporting
- Key Items for reporting claims
- Medical Management
- Return-To-Work Program
- Managing TPA
- Managing Fraud
- Preventing Litigation

Roles and Responsibilities

Director Risk Management

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ITT Corporation

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Third Party Administrator

ESIS

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Account Executive

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Carrier

ACE Insurance Company

WORKERS COMPENSATION CONSULTANT

Advanced Consulting, Inc.

Haleh Khodayari 310-459-8545

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Broker

AON

Reporting

(Prior to Reporting, contact Haleh Khodayari to be set up with ITT Corp's AIMS system)

Via phone – 1-888-782-5442

Via fax – 1-866-300-8206

Via e-mail ITT_Corp@firstnotice.com (Please note there is an “underscore” between ITT and Corp)

Via internet – www.claimcapture.com

Important Reminders

- Report Claims within 24 hours of notification.
- Advise the Carrier how you would like your claim set up (Slide 6)
- Provide all the documents listed on slide 7 and 8
- If it is a CA claim, you must provide a Claim form and MPN notices to the employee within 24 hours and obtain a signature to confirm receipt

INVESTIGATION

How To Report An Injury

- Record Only / First Aid
- Medical-Only
- Managed Medical (Enhanced Medical)
- Indemnity

Investigation

Important Documents for TPA

- Job Analysis
- Wage Statement
- Internal Investigation Report
- All Information with Regard to Prior Injuries, Claims and Medical Conditions
- Summary of Your Discussion with the Employee
- Witnesses
- Subrogation – Third Party Investigation/Preserving the scene
- Your Observation of “Red Flags”

RED FLAGS



- » Monday / Friday Accidents
- » No Witnesses
- » Prior History of Claims
- » Performance Issues
- » Reason to Retaliate
- » Post Termination Claims
- » Employee too versed in WC
- » Late Reporting of Accident
- » Not willing to return to work
- » Missing doctor appointments
- » Frequently not available at home during disability period
- » Inappropriate length of disability
- » First notice of injury received from an Attorney
- » Frequent change in treating physicians
- » Objective findings not consistent with subjective complaints

BENEFITS

1. TEMPORARY DISABILITY
2. PERMANENT DISABILITY
3. MEDICAL TREATMENT
4. DEATH BENEFITS

Temporary Total Disability

| | TDD Rate | Weekly TDD Min/Max Rates | Waiting Period | Rate Changes |
|----------------|----------|-----------------------------|----------------|---------------------------|
| Alabama | 66 2/3% | \$ 204.00 \$ 740.00 | 3 Days | Annually July 1st |
| California | 66 2/3% | \$ 148.00 \$ 986.69 | 3 Days | Annually |
| Louisiana | 66 2/3% | \$ NA \$ 579.00 | 7 Days | Annually September 1st |
| Mississippi | 66 2/3% | \$ NA \$ 422.31 | 5 Days | Annually January 1st |
| North Carolina | 66 2/3% | \$ 30.00 \$ 834.00 | 7 Days | Annually January 1st |
| Texas | 70% | \$ NA \$ 766.00 | 7 Days | Annually October 1st |
| Utah | 66 2/3% | \$ 45.00 \$ 732.00 | 3 Days | |

MEDICAL MANAGEMENT

- CA MPN
- TX HCN
- All Others: *PPO*

MEDICAL MANAGEMENT

(CONT'D)

Health care providers do not:

- Generally understand WC terminologies
- Understand your workplace
- Work-relatedness and probability vs. possibility

Let the Dr. know in advance:

- Whether you have light duty
- How the injury happened, the mechanics and any possible motivations
- Whether you are questioning the claim
- Prior injuries or medical conditions that you know of...

RETURN-TO-WORK PROGRAMS

Light duty:

- Return employees to useful employment
- Controls medical costs
- Controls WC cost
- Improves employee morale
- Reduces litigation

Communicate with your health care provider:

- Job Description
- List of restricted-duty assignments
- Assurance that restrictions will be honored

MANAGING TPA

- ACI Database
- GRA – GLOBAL RISK ADVANRAGE
- Understanding Roles and Responsibilities
- Teamwork
- Building Expectations
- ESIS/ITT Account Instructions
- Claim Reviews/Audits
- PGP- Performance Guarantee Program

MANAGING FRAUD

- WC Fraud costs insurers \$5 billion a year
- Material evidence with intention
- Providing your TPA with new information
- Surveillance and Activities Checks
- Trace America
- Index Check

PREVENTING LITIGATION

- Forms, posters, and brochures
- Provide prompt emergency medical care
- Provide information as requested
- Document facts and events
- File the “First Report” in a timely fashion
- Address hazards promptly
- Train supervisors
- Follow policies consistently
- Make full and factual documentation of the reason for termination

Q & A



Advanced
CONSULTING, INC.
A Risk Management Company

Temporary Total Disability

One of the four divisions of disability compensable under workers compensation. This level of disability reflects an injury that has rendered the employee completely unable to perform any job functions on a temporary basis. The employee is expected to make a full recovery and return to work. In the interim, compensation paid is usually a percentage of weekly wages until the worker returns to the job.

Alabama TTD Specifics

- ▣ The waiting period for Alabama is 3 days. This applies for TTD benefits but not for TPD benefits. After 21 days of disability the 3 day waiting period can be paid to the employee. If the total disability is less than 21 days the employee is not eligible for payment of the waiting period.
- ▣ As of 7-1-10 the max rate for TTD is \$740.00 and the minimum rate is \$204.00. The reimbursement for mileage for medical treatment is currently .50 cent per mile.
- ▣ There is a 2 yr statute of limitations in Alabama running from either the date of injury or last date TTD paid. Suit has to be filed to toll the statute. However this statute does not pertain to the medical coverage which is life time as long as the Dr relates the need for treatment to the work injury. TTD benefits are suspended once the employee reaches MMI. The judge has to approve payment of the impairment.

California TTD Specifics

- The Max TD for 2010 is \$986.69 weekly. The minimum is \$148.00 weekly.
- There is a 3 day waiting period, however if the employee is hospitalized immediately after injury or if the employee is off work for 14 days or more, the waiting period is issued.

Louisiana TTD Specifics

- ▣ Max comp rate if \$579.00 which changes every September. Compensation rate is based on 66 2/3% of AWW based on the last 4 wks of gross pay prior to date of injury.
- ▣ TTD benefits are paid within 14 days of injury or disability date
- ▣ There is a 7 day waiting period , the first 7 days are held, if the Injured worker remain off work 6 wks or more , the waiting period is issued.
- ▣ At initial disability benefits started with the 8th day of disability.

Mississippi TTD Specifics

- ▣ MAX Comp rate is \$422.31 which changes every January. Compensation rate is based on 66 2/3% of the AWW based on the last 52 wks gross pay prior to the date of injury.
- ▣ TTD benefits are paid within 14 days of injury or disability date.
- ▣ There is a 5 day waiting period, the first 5 days is held, if Injured worker remains off work for 14 days or more, the 5 days will be paid.
- ▣ Initially disability benefits start as of the 6th day of disability.

North Carolina TTD Specifics

- The North Carolina Industrial Commission has established the maximum weekly benefit for 2010 . Effective January 1, 2010, the maximum weekly benefit applicable to all injuries and claims shall be eight hundred and thirty-four dollars (\$834.00).
- The minimum weekly benefit is thirty dollars (\$30.00) as set forth in N. C. General Statute §97-28.
- Seven-day waiting period; exceptions.
- No compensation shall be allowed for the first seven calendar days of disability resulting from an injury, except the benefits provided for in G.S. 97-25. Provided however, that in the case the injury results in disability of more than 21 days, the compensation shall be allowed from the date of the disability. Nothing in this section shall prevent an employer from allowing an employee to use paid sick leave, vacation or annual leave, or disability benefits provided directly by the employer during the first seven calendar days of disability.

Texas TTD Specifics

- The rate changes in Texas every October 1st – it is currently \$766 (maximum) for Temporary Income Benefits and \$536 (maximum) for the Impairment Income Benefits. The benefits are paid at 70% of the average weekly wage up to the state max.
- The waiting period is 7 days and would not be paid unless the employee is off work a full 14 days.

Utah TTD Specifics

- The minimum TTD rate in Utah is \$45.00. If they are married or have dependents they receive an additional \$5.00 per dependents up to a maximum of 5 dependents.
- The maximum TTD rate in Utah is \$732.00.
- The waiting period in Utah is 3 days. If the employee is off work less than 14 days the first three days are subtracted and only the remaining days are paid. If the employee loses 14 days or more they are paid for each day missed.