

Workers' Compensation Commission



At A Glance

STEPHEN M. MORELLI, *Chairman*

Established - 1913

Statutory authority – Title 31, Chapter 568 of the Connecticut General Statutes

Central office – 21 Oak St 4th Floor, Hartford, CT, 06106

Number of employees – 110

Recurring operating expenses - \$23,235,119

Organizational structure -Administration, Compensation Review Board, Business, Human Resources, Management Information Systems, Research and Statistics, and Education, Safety and Health Services units are located in the Office of the Chairman. Fifteen Trial Commissioners preside over dispute resolution hearings at the agency's eight district offices currently located in Hartford, Norwich, New Haven, Bridgeport, Waterbury, New Britain, Stamford and Middletown.

Mission

The Workers' Compensation Commission administers the workers' compensation laws of the State of Connecticut with the ultimate goal of ensuring that workers injured on the job receive prompt payment of lost work time benefits and attendant medical expenses. To this end, the Commission facilitates voluntary agreements, adjudicates disputes, makes findings and awards, hears and rules on appeals, and closes out cases through full and final stipulated settlements.

Statutory Authority

Since the Workers' Compensation Act (Conn. Gen. Statutes Chapter 568) was adopted in 1913, numerous enhancements and modifications in coverage and benefits have been enacted by the Connecticut Legislature. With few exceptions, all workers and employers are now covered by the workers' compensation laws. A worker who has suffered a job-related injury or illness is entitled to certain well-defined wage replacement and medical benefits.

The adjudicatory purpose of the Workers' Compensation Commission is to ensure injured employees' rights are fully protected, and that workers and employers fully carry out their legal responsibilities. There are sixteen Workers' Compensation Commissioners who are appointed by the Governor and confirmed by legislative approval. One Commissioner serves as Chairman of the Commission, at the pleasure of Governor. The Chairman is responsible for administration of the Commission. The Chairman also serves as Presiding Commissioner of the Compensation Review Board (CRB) along with two other Commissioners appointed for one-year terms to hear appeals of cases decided by the Commissioners. Fifteen Commissioners serve at-large, functioning as trial commissioners in the agency's eight district offices throughout the state.

The Commission also educates employers and employees about their legal rights. During FY 2019, the Commission's Safety Program Officers effectively monitored worker safety committees throughout the state. Prevention and education are integral to the Commission's statutory responsibilities. A Statistical Unit within the Management Information Systems Division measures and monitors the caseload and performance of the Commission.

In the early 1990's, two landmark reform bills were enacted. The first, (Public Act 91-339) centralized administrative duties and powers in the person and Office of the Chairman to more effectively implement enforcement of the law. Twenty-three specific duties were assigned to the Chairman, including budgetary and personnel matters, assignment of Commissioners, and regulation of attorneys, physicians, and preferred provider organizations. The Chairman and his staff implement these responsibilities, guided by an Advisory Board composed of business and labor representatives, including an injured worker. The Advisory Board also submits written recommendations to the Governor on the renomination of Commissioners.

The second bill, (Public Act 93-228) effected historic reforms of the Connecticut workers' compensation laws effective July 1, 1993. The benefit modifications and related reforms contained in this Act, combined with the efficiencies engendered by Public Act 91-339, have resulted in hundreds of millions of dollars in savings.

Public Service

The Commission constantly strives to upgrade service to its constituency. Two key goals are expediting disputed claims settlement and returning injured workers to productive jobs. These goals are closely monitored by the Commission through manual and automated reporting systems.

Injured workers routinely receive information packets detailing their rights and responsibilities within five days of receipt of the filing of an initial report of injury. Education coordinators are available to the public to answer questions about the Commission's services and adjudicatory process. The Chairman frequently participates in educational seminars and forums to inform and discuss workers' compensation laws, regulations, guidelines and protocols with various stakeholders.

Safety Program Officers work cooperatively and confidentially with employers to devise and implement safety programs resulting in reduced accidents, injuries, medical costs and lost workdays. During the period of July 1, 2018 through June 30, 2019, Safety Program Officers visited 1,833 employer sites. Overall, 44,605 employer sites have been visited, and 4,954 safety and health committees covering 863,083 employees are currently approved. As statutorily required, employers with medical care plans, including preferred provider organizations, are reviewed for compliance with workplace safety and health committees.

The Commission monitors and educates the public on legislation and Higher Court decisions that impact the administration of workers' compensation claims.

Following the passage of Public Act 19-17, the Commission has updated its Claim for Compensation form (Form 30C) to ensure claims for post-traumatic stress disorder brought by police officers, firefighters and parole officers are filed in accordance with the act and tracked appropriately. The Commission will be working in consultation with the Legislature's Labor and Public Employees Committee on evaluating the feasibility of expanding the availability of benefits for post-traumatic stress disorder outlined in the act to emergency medical services personnel.

The Commission will also be participating in a legislative task force pursuant to Special Act 19-10, which will study remedies and potential liability for unreasonably contested or delayed workers' compensation claims. The Commission continues its efforts to ensure that claims are not unduly delayed, through the continued education of Commissioners on penalties and fees, and the active engagement with self-insured organizations, insurance carriers, attorneys and unions.

The Commission participates in the Connecticut Pain Consortium's efforts to most effectively treat chronic pain for those injured on the job and is also engaged in Retain-CT, an initiative to improve communication and support services targeting early return-to-work (RTW) for musculoskeletal disorders.

The Commission participates in the Connecticut Licensing Information Center, providing one-stop licensing information to state employers via the Internet.

Improvements/Achievements for Fiscal Year 2018-2019

During the fiscal year ending June 30, 2019, the Commission continued its efforts to ensure injured workers are receiving proper medical treatment, while controlling medical costs. Rates for workers' compensation insurance decreased for the fifth consecutive year with a 16.8 percent decrease becoming effective on January 1, 2019.

The Commission continues to revise and update medical protocols for the treatment of injuries to the knee, cervical spine, lumbar spine, shoulder and hand with input from the Medical Advisory Panel and other medical professionals. Effective November 1, 2018 the Commission issued medical protocols for the treatment of the foot and ankle. Additionally, the Commission

revises and updates protocols for opioids, psychological pain assessment and treatment to assist practitioners in effective pain management for injuries occurring within the workers' compensation arena.

The Commission released revised guidelines for mediation services effective November 1, 2018 which will help parties to utilize the program more efficiently and effectively.

Pursuant to Conn. Gen. Statutes Sec. 31-284, the Commission reviews and approves applications for self-insurance. As of June 30, 2019, 34 municipalities and 63 companies, consisting of 280 subsidiaries, are approved to be self-insured. The Commission also reviews and approves applications for managed care plans pursuant to Conn. Gen. Statutes Sec. 31-279. As of June 30, 2019, 2,234 employers and 513,784 employees are covered by approved plans.

All agency duties and responsibilities continue to be executed effectively and punctually with significantly fewer full-time employees than in previous years.

Monitoring of hearing backlogs at the eight district offices and reassignment of resources to meet heavy workloads, continues to result in a decrease in time between initial hearing requests and the date hearings are actually held. Hearing backlogs have reduced dramatically over the years for both Informal and Formal hearings, ensuring that no cases are unnecessarily delayed administratively.

The Compensation Review Board continues to process cases expeditiously. This year, new appeals numbered 55. Meanwhile, there were 81 dispositions, including 52 written opinions.

The Commission is presently transitioning its website to a new government web platform as part of a statewide effort to bring greater consistency and enhanced user friendliness to all State agencies. The new platform will enable the Commission to provide an expanded range of information and services to its website customers, while significantly improving internal organizational efficiency in the maintenance and future development of its online presence.

The Commission continues its efforts to streamline and consolidate administrative functions with technology increasingly becoming integral to the management of claims, hearings, and various other agency functions. The public currently has electronic access to:

- Coverage Verification Service (CVS)
- First Report of Injury Submission (FRIS) Service
- Employer Claim Location Information Service (as enacted by P.A. 17-141)
- Electronic Hearing Notices Service which enables interested parties to receive notices electronically. This service generates thousands of dollars in postage savings annually.

The Commission is making substantial progress on a new claim management computer system, which will replace the Commission's aging custom system. The implementation of this system will allow for a paperless claims process through the online submission of forms and enable for many other services offered by the Commission to be completed electronically.

The Commission's strategic planning goals to ensure injured workers' receive benefits as soon as possible are:

- shortening the claims process and minimizing delay;
- eliminating duplicate and erroneous claims;
- identifying non-insured employers;
- ensuring the compliance of safety committees;
- providing greater access to electronic records which will save personnel costs and other expenses; and
- analyzing data to identify and remedy potential issues before they become serious.

Information Reported As Required by State Statute

Pursuant to the Workers' Compensation Act, during fiscal year 2019 the Commission updated its practitioner fee schedule, hospital and ambulatory surgery center fee schedule and workers' compensation benefit rate tables. Based on information provided by the State Labor Commissioner, the Commission determined the maximum weekly compensation rate for total disability and decedents' dependents to be \$1,298.00 for injuries occurring on or after October 1, 2018.

Working with UConn Health, the Department of Labor and the Department of Public Health, the Commission sponsors a report on occupational diseases in Connecticut which is released each year around Labor Day. The report can be found on UConn Health's website.

The Commission's Affirmative Action Plan is currently in compliance. While the Commission has no full time Affirmative Action Officer, its Affirmative Action Plan and Program are prepared by the Director of Human Resources. The Commission continues its commitment to the state Affirmative Action Program. The Commission has a history of over 20 years of approved Affirmative Action Plans.

Key Performance Measures for Fiscal Year 2018-2019:

- Injuries/Illnesses – 53,589
- Informal Hearings – 39,172
- Formal Hearings – 503
- Pre-formal Hearings – 7,272
- Voluntary Agreements – 9,486
- Stipulations – 8,143
- Awards – 1,322
- Dismissals – 127
- Education Services:
 - First Report of Injury Letter/Forms – 42,201
 - Commissioner Evaluation Surveys mailed – 8,667
 - Information Request Responses – 93,045

- Website - 232,773 visits; 957,353 page views; and, 156,665 forms, publications and news feeds downloaded.