

2008-2009

ANNUAL REPORT

OF THE

WORKERS' COMPENSATION COMMISSION

AUGUST 31, 2009

HISTORICAL AND STATISTICAL DATA FOR THE ANNUAL REPORT

DATA AS OF JUNE 30, 2009

Workers' Compensation Commission
(Title of Agency)

Administrative Head ---- John A. Mastropietro, Chairman
(Name and Title)

Established -- 1913

Statutory Authority -- Chapter 568, General Statutes

Central Office -- 21 Oak St., Hartford, CT 06106
(Address) (Zip Code)

Telephone No. -- 860-493-1500

Average number of full-time employees 128.

Recurring operating expenditures, 2008-2009 - \$14,860,475

Capital outlay - \$0

Organization Structure -- Organizational Structure - Chairman, Chief Administrative Officer, Compensation Review Board, Business, Personnel, Information Systems, Education, Rehabilitation, and Statistical units are located in the Chairman's Office. Fifteen additional trial Commissioners preside over dispute resolution hearings at the eight district offices.

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 (Chapter 568, C.G.S.) was adopted in 1913, numerous enhancements and modifications in coverage and benefits have been made by the Legislature. With few exceptions, all workers and employers are now covered by the workers' compensation laws. When a worker has suffered a job-related injury or illness, he or she is entitled to certain well-defined wage replacement and medical benefits. The mission 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 fifteen At-Large Commissioners who serve in eight district offices throughout the state. They are appointed by the Governor with legislative approval. A sixteenth Commissioner serves as Chairman of the Commission. The Chairman is responsible for administration of the entire Commission. The Chairman also serves as Chief of the Compensation Review Board (CRB) along with two other Commissioners appointed by him for one-year terms to hear appeals of cases decided by the Commissioners. The Commission also educates employees about their legal rights and helps rehabilitate and return injured workers to gainful employment. During FY 2009, the Commission's Safety Program Officers worked hard and effectively to monitor worker safety committees throughout the state. Prevention, education and rehabilitation are integral to the Commission's statutory responsibilities. A Statistical Division measures and monitors the caseload and performance of the Commission.

In recent years, 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 second, (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 reduced payouts. Cumulative savings over these past years are over \$750 million dollars compared to what costs would have been without the 1993 reforms.

Public Service

The Commission constantly strives to upgrade service to its clientele. 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.

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, 2008 to June 30, 2009, Safety Program Officers visited 2,405 employer sites. In total, 23,368 employer sites have been visited, and more than 5,000 safety and health committees, covering more than 865,083

employees, have been approved. A reduction of 48,873 employees occurred due to a combination of business closings and non-compliant companies. Medical care plans, including preferred provider organizations, are also reviewed for compliance with workplace safety and health laws.

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

Improvements/Achievements 2008-2009

During the Fiscal Year ending June 30, 2009, the Commission moved aggressively to provide more effective and efficient service delivery.

All duties and responsibilities continue to be executed effectively and punctually with fewer full-time employees than in the last several years.

Continual monitoring of hearing backlogs at the eight district offices, and reassignment of resources to meet heavy workloads, have resulted in a major decrease in time between initial hearing request and the date the hearing is actually held. Hearing backlog is down dramatically for both informal and formal hearings. The Chairman actively monitors cases ensuring that no cases are unnecessarily delayed.

The Compensation Review Board continues to process cases expeditiously. This year, new appeals numbered 115. Meanwhile, there were 127 dispositions, including 87 written opinions.

During FY 2009, 979 initial interviews for rehabilitation assistance were completed. An additional 1,534 individuals received various types of rehabilitation services. Through guidance, counseling and cost-effective short-term training programs, 389 injured workers returned to the workforce, including 151 who received funding for re-training. The program saved a total of \$258,435 by utilizing Pell grants as first dollar.

This high success rate was achieved despite a major reduction of the program's staff and budget authorization. The staff, which had numbered thirteen professional counselors, including a director, and a clerical worker, now numbers just seven employees, six professional and one clerical. Worker Rehabilitation vocational education coordinators have been assigned to specific district offices, allowing greater familiarity with client needs and resources available in various geographic areas of the state. Highly cost effective on-the-job training programs have replaced an earlier emphasis on formal education programs. The clients of worker's rehabilitation services who return to work can now support themselves and their

families, and are paying taxes as a direct result of workers' rehabilitation programs.

To help monitor medical costs, (comprising more than 40 percent of total workers' compensation payments), the Commission reviews and approves applications for managed care plans. As of June 30, 2009, 3,485 employers active and 552,635 employees, have approved plans.

A steadily increasing percentage of on-line reporting of workplace injuries has resulted in more accurate data at lower cost. During Fiscal Year 2009, the implementation of an injury reporting system facilitating web-based as well as value added network submission of first reports continued to attract additional fully-automated trading partners resulting in greater accuracy and cost effectiveness in injury reporting. The Commission, will soon mandate that all such first reports are transmitted through value added networks or web-based reporting. Injured workers now routinely receive information packets detailing their rights and responsibilities within five days of receipt of the initial report of injury.

The Commission's web site has expanded vastly, providing vital, up-to-date information on all aspects of the Commission's resources and services including the law, CRB decisions and

late-breaking news. Additionally, the Commission's major forms are now available in fill-able PDF format.

The Commission offers an enhanced capability to its online fillable PDF-formatted forms which enables customers to not only fill them in online, but also to save them along with their input data (a technical first which saves customers from having to spend hundreds of dollars per computer to buy special software to perform this task) and this new capability is now provided free to the public.

Two new online services, the Coverage Verification Service (CVS) and First Report of Injury Submission (FRIS) Service, were both officially launched this past fiscal year. These two innovations are the agency's first interactive online services provided to the general public through our website, and provided at no charge.

During FY 2009 the Commission continued major upgrades, affecting most of the Commission's core functions, including claims processing, rehabilitation services, and health and safety programs. Operating systems and office mail are currently "state of the art". Additionally, planning was completed during FY 2009 on the acquisition of powerful new servers, and the migration of data and applications to a Department of Information Technology based standard. All

aspects of the Commission's operations are being addressed with an eye toward increased efficiency and responsiveness to the needs of injured workers and the general public. All Commission employees received new desk top computers to help ensure the fastest possible processing of vital business transactions.

Committees on the claims process, forms design, and intra-office communications, established in prior years continue their productive work. The Commission's strategic planning goals are:

- shortening the claims process in order to get benefits to injured workers as soon as possible;
- elimination of duplicate claims;
- identification of non-insured employers;
- quick retrieval of records, saving personnel costs;
- sophisticated data analysis to identify trouble spots before they become serious, thus affording greatly enhanced service to Connecticut workers; and,
- worker rehabilitation case tracking for Connecticut workers.

Information Reported As Required by State Statute

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 its personnel officer. The commission continues its commitment to the state Affirmative Action Program.

Key Performance Measures

FY 2009

Injuries/Illnesses - 67,408

Fatalities - 27

Informal Hearings - 51,601

Formal Hearings - 1,347

Pre-formal Hearings - 10,513

Voluntary Agreements - 21,534

Stipulations - 6,788

Awards - 1,203

Dismissals - 159

Education Services Information

Responses - 73,016

Website - 650,423 visits; 3,405,764 page views; and, 249,541 forms, publications and news feeds downloaded.