

2014-2015

ANNUAL REPORT

OF THE

WORKERS' COMPENSATION COMMISSION

SEPTEMBER 1, 2015

HISTORICAL AND STATISTICAL DATA FOR THE ANNUAL REPORT

DATA AS OF JUNE 30, 2015

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 112.

Recurring operating expenditures, 2014-2015 - \$11,841,559.00

Capital outlay - \$124,891.00

Organization Structure -- Organizational Structure - Chairman, Chief Administrative Officer, Compensation Review Board, Business, Personnel, Information Systems, Education, 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. During FY 2015, the Commission's Safety Program Officers worked hard and effectively to monitor worker safety committees throughout the state. Prevention and education 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, 2014 to June 30, 2015, Safety Program Officers visited 2,221 employer sites. In total, 36,731 employer sites have been visited, and 4,993 safety and health committees, covering 1,049,589 employees, have been approved. 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 2014-2015

During the Fiscal Year ending June 30, 2015, the Commission moved aggressively to provide more effective and efficient service delivery. In an effort to control the rising medical costs, (now comprising 50% of total workers' compensation payments), the Commission has, with input from the medical advisory panel, revised and updated medical protocols for the treatment of injuries to the back, neck and shoulder. Revisions are underway on the medical protocols for treatment of the knee and hand. New protocols for the treatment of the foot/ankle as well as psychological pain assessment guidelines are currently being worked on by the Commission and its medical advisory board. Additionally the Commission has established, for the first time, Opioid Management protocols and has convened a Narcotics Task Force in response to the widespread use and abuse of opioid medications. A fee schedule for prescriptions dispensed by physician offices has also been established as historically the prescription fee schedule applied only to those dispensed by a pharmacy. In addition, the Commission reviews

and approves applications for managed care plans. As of June 30, 2015, 2,956 employers and 542,368 employees have approved plans.

During the Fiscal Year ending June 30, 2015, the Commission continued its efforts to control rising medical costs on workers' compensation claims. Revisions to the medical protocols for the Hand, Wrist and Elbow as well as the Knee have been completed and published. In consultation with the Medical Advisory Board the Commission continues its work on pain assessment guidelines and protocols for the treatment of injuries to the foot and ankle. In response to the legislative mandate in Public Act 14-167 the Commission has established and published Medicare-based formulae for payment to hospitals and ambulatory surgical centers for treatment of work-related injuries. This new facility fee schedule was published on January 1, 2015 with an April 1, 2015 effective date.

All duties and responsibilities continue to be executed effectively and punctually with fewer full-time employees than in earlier 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 76. Meanwhile, there were 87 dispositions, including 50 written opinions.

A steadily increasing percentage of on-line reporting of workplace injuries has resulted in more accurate data at lower cost. During Fiscal Year 2015, 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, mandates 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 online services, the Coverage Verification Service (CVS) and First Report of Injury Submission (FRIS) Service, were both officially launched in the fiscal year 2009. 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 2015 the Commission continued major upgrades, affecting most of the Commission's core functions, including claims processing, scheduling, and health and safety programs. Hearing notices are beginning to be sent by electronic mail to interested parties in hearings, thereby saving staff time and postage expenses. Operating systems and office mail are currently "state of the art". 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 have updated

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; and,
- sophisticated data analysis to identify trouble spots before they become serious, thus affording greatly enhanced service to 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 2015

Injuries/Illnesses - 57,472

Fatalities - 28

Informal Hearings - 45,330

Formal Hearings - 702

Pre-formal Hearings - 7,849

Note that the number of all three types of hearings are lower for this year and last year than the count in prior years because of a revision in the concept of what constitutes an actual held hearing. Prior year counts are based on scheduled hearing slots. This year's numbers are lower because they reflect the fact that multiple hearings scheduled for a particular claimant are often combined into a single hearing and does not reflect a downward trend in actual hearing activity.

Voluntary Agreements - 21,644

Stipulations - 7,240

Awards - 1,976

Dismissals - 138

Education Services Information
Responses - 66,626

Website - 279,585 visits; 706,417 page views; and, 155,340 forms, publications and news feeds downloaded.