

The Digest of Administrative Reports to the Governor
Fiscal Year 2016-2017



At A Glance

WORKERS' COMPENSATION COMMISSION

JOHN A. MASTROPIETRO, *Chairman*

Established: 1913

Statutory authority: Title 31, Chapter 568, Connecticut General Statutes

Central office: Chairman's Office, 21 Oak Street, 4th Floor, Hartford, CT

Number of full-time employees: 110

Recurring operating expenses: \$18,440,458

Organizational structure: Chairman, Compensation Review Board, Business, Human Resources, Management Information Systems, Research and Statistics, Education Services, and Education, Safety and Health units are located in the Chairman's Office. Fifteen Trial Commissioners preside over dispute resolution hearings at the agency's 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 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 as at-large Commissioners 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 2016, 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 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 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 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.

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, 2015 through June 30, 2016, Safety Program Officers visited 1,978 employer sites. Overall, 40,787 employer sites have been visited, and 4,985 safety and health committees, covering 853,787 employees have been approved. As statutorily required, employers' medical care plans, including preferred provider organizations, are reviewed for compliance with workplace safety and health laws. As of June 30, 2017, 2,956 employers and 542,368 employees have approved plans.

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

Improvements/Achievements for Fiscal Year 2016-2017

During the fiscal year ending June 30, 2017, the Commission continued its efforts to ensure injured workers are receiving proper medical treatment, while controlling medical costs which now comprise 50% of total workers' compensation payments.

The Commission has, with input from the Medical Advisory Panel and other medical professionals, revised and updated medical protocols for the treatment of injuries to the knee, cervical spine, and the lumbar spine. Additionally, the Commission established new 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 also reviews and approves applications for managed care plans. As of June 30, 2017, 2,947 employers and 529,957 employees are covered by approved plans.

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

Continuous 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 backlogs have reduced 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 86. Meanwhile, there were 91 dispositions, including 45 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 2016, 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 complete them 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 capability is provided free to the public.

Technology continues to be integral to the Commission's management of claims and hearings, providing the following electronic access to the public:

- Coverage Verification Service (CVS)
- First Report of Injury Submission (FRIS) Service
- Electronic Hearing Notices Service which enables interested parties to receive notices electronically. This project generates in excess of \$35,000 in postage savings annually, in addition to the cost of paper, envelopes, toner and staff time required to process paper mail.
- The Commission continues to evaluate a commercial case management system, which would replace the Commission's aging custom written application. The implementation of such a system would allow for a paperless claims process and the online submission of claims.

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 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 2016-2017

- Injuries/Illnesses – 54,253
- Number of Death Claims Filed – 55¹
- Informal Hearings – 37,821

¹ Death claims are subject to adjudication to determine compensability, and therefore a claim filed may not necessarily be a work related fatality.

- Formal Hearings – 547
- Pre-formal Hearings – 7,163
- Voluntary Agreements – 10,710
- Stipulations – 3,574
- Awards – 1,785
- Dismissals – 168
- Education Services
 - First Report of Injury Letter/Forms – 41,616
 - Chairman’s Mailings – 6 official memos (5,489 pieces)
 - Commissioner Evaluation Surveys mailed – 7,765
 - Information Request Responses – 15,233
- Website – 238,188, visits; 673,941 page views; and, 98,329 forms, publications and news feeds downloaded.