

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 – 98 full time, filled positions

Recurring operating expenses - \$23,345,360

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 wage loss benefits and attendant medical expenses. To this end, the Commission approves voluntary agreements, adjudicates disputes, issues findings and awards, hears and rules on appeals, and closes out pending cases through full and final stipulated agreements.

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 the 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 2021, the Commission's Safety Program Officers 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 statutory provisions. 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) created 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 resolution and returning injured workers to productive jobs. These goals are closely monitored by the Commission through manual and automated reporting systems.

Injured workers 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 develop and implement safety programs resulting in reduced accidents, injuries, medical costs and lost workdays. During the COVID-19 pandemic, Safety Program Officers have continued to service employer sites and promote safety and health programs in the workplace virtually, and in-person when appropriate. During the period of July 1, 2020 through June 30, 2021, Safety Program Officers conducted in-person and virtual visits to 1,932 employer sites. Since the inception of the program, 47,975 employer sites have been visited and 4,852 safety and health committees covering 854,599 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.

The Commission continues its efforts to ensure that claims are not unduly delayed, through the continued education of Commissioners regarding penalties and fees, active engagement with self-insured organizations, insurance carriers, attorneys and unions, and through timely adjudication of workers' compensation claims pursuant to the Workers' Compensation Act.

Improvements/Achievements for Fiscal Year 2020-2021

During the fiscal year ending June 30, 2021, the Commission continued its efforts to ensure injured workers are receiving proper medical treatment, while controlling medical costs. Rates for workers' compensation insurance decreased on average for the seventh consecutive year.

The Commission continues to revise and update medical protocols for the treatment of injuries to the knee, cervical spine, lumbar spine, shoulder and hand, and foot and ankle with input from the Medical Advisory Panel and other medical professionals. The Commission also 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 Chairman also continues to consult with the Legal Advisory Panel for policy matters relating to the agency's quasi-judicial dispute resolution activities and administration.

Pursuant to Conn. Gen. Statutes Sec. 31-284, the Commission reviews and approves applications for self-insurance. As of June 30, 2021, 33 municipalities and 60 companies, with 264 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, 2021, 2,263 employers and 508,087 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 of first hearings. Hearing backlogs have reduced dramatically over the years for both Informal and Formal hearings, ensuring that no cases are unnecessarily delayed.

The Compensation Review Board continues to process cases expeditiously. This year, new appeals numbered 41. Meanwhile, there were 50 dispositions, including 22 written opinions. As of June 30, 2021, there are 22 appeals pending before the Appellate and Supreme Court.

The Commission is presently transitioning its website to the statewide web platform to bring greater consistency and enhanced user friendliness. 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 working on a public portal which will allow the public to interact with the Workers Compensation System (WCS), the agency's system of record, in numerous beneficial ways. Portal users will have the ability to query claims status and dockets online, perform electronic document and form submission where applicable, and use various other services that are currently not offered electronically.

The Commission is also working on modernizing the First Report of Injury (FRI) submission tool and analyzing ways to replace the WCS system to meet modernization goals.

The Commission continues to ensure injured workers receive benefits in a timely manner by:

- shortening the claims process and minimizing delay;
- eliminating duplicate and erroneous claims;
- identifying and reporting non-insured employers;
- 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.

The Commission has enacted many policies to ensure the safety of the public and our staff amidst this pandemic while also guaranteeing parties have the ability to utilize the services of WCC effectively. WCC's offices were closed to the public during the pandemic, however WCC

continued to hold hearings and provide other services *throughout* the pandemic telephonically and via Microsoft Teams. WCC offices reopened to the public for the filing of documents and assistance with claims on June 1, 2021 and WCC resumed in-person hearings effective July 1, 2021.

Information Reported As Required by State Statute

Pursuant to the Workers' Compensation Act, during fiscal year 2021 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 \$1,373.00 for injuries occurring on or after October 1, 2020. Operating expenses were provided to the Treasurer in accordance with statute for the yearly workers' compensation assessment.

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 2020-2021:

- Injuries/Illnesses – 49,687
- Informal Hearings – 44,094
- Formal Hearings – 423
- Pre-formal Hearings – 6,653
- Voluntary Agreements – 7,628
- Stipulations – 6,734
- Awards – 1,012
- Dismissals – 82
- Education Services:
 - First Report of Injury Letter/Forms – 38,676
 - Commissioner Evaluation Surveys mailed – 8,685
 - Information Request Responses – 80,489
- Website – 197,781 visits; 540,586 page views; 73,196 forms, publications, and other downloads.