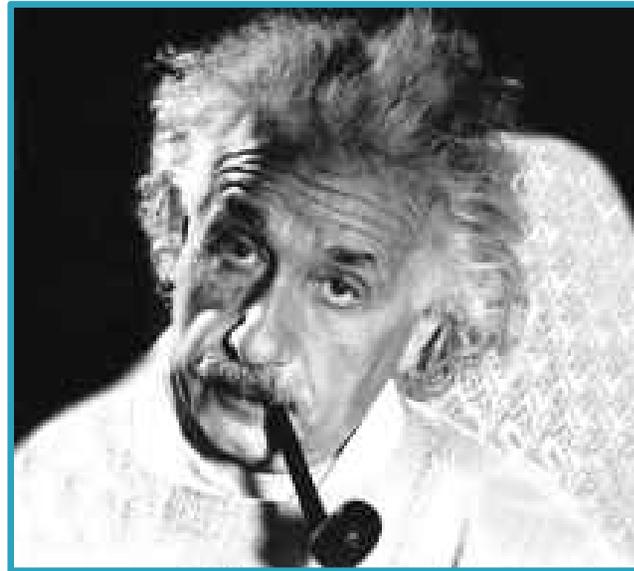


# *Some Things to Think About*



*Kentucky Department of Workers' Claims*  
Dwight T. Lovan, Commissioner

22<sup>nd</sup> Annual WC Seminar  
June 6 & 7, 2013

# What We Have..

## Online Open Records Requests

1. “Yes, it costs more”
2. Precursor to Online Filing
3. Slowly but surely, more people are using it



# What We Have..

## Medical Dispute Program

1. Trying Something Different
2. Trying To Learn As We Go
3. More and Better Information from Judge Gott and Judge Swisher



# What We Have..

## Video Conference Capability

1. For Use With BRCs
2. May Allow For Medical Dispute Hearings
3. Way You Can Plug In...



# What We Want..

- ▶ Online review capabilities for parties. We will need a registration process
- ▶ Electronic Transmission of Records to the ALJs and Workers' Compensation Board
- ▶ ONLINE FILING! –We have made a final proposal.



# What We Need..

- ▶ Regulatory Change
- ▶ Training internally and externally
- ▶ Interact with the Court of Justice
  - See HB 238 Non-Codified. Support agency bonds of \$28 million for case and docket management system.



# What You Need to Pay Attention To...

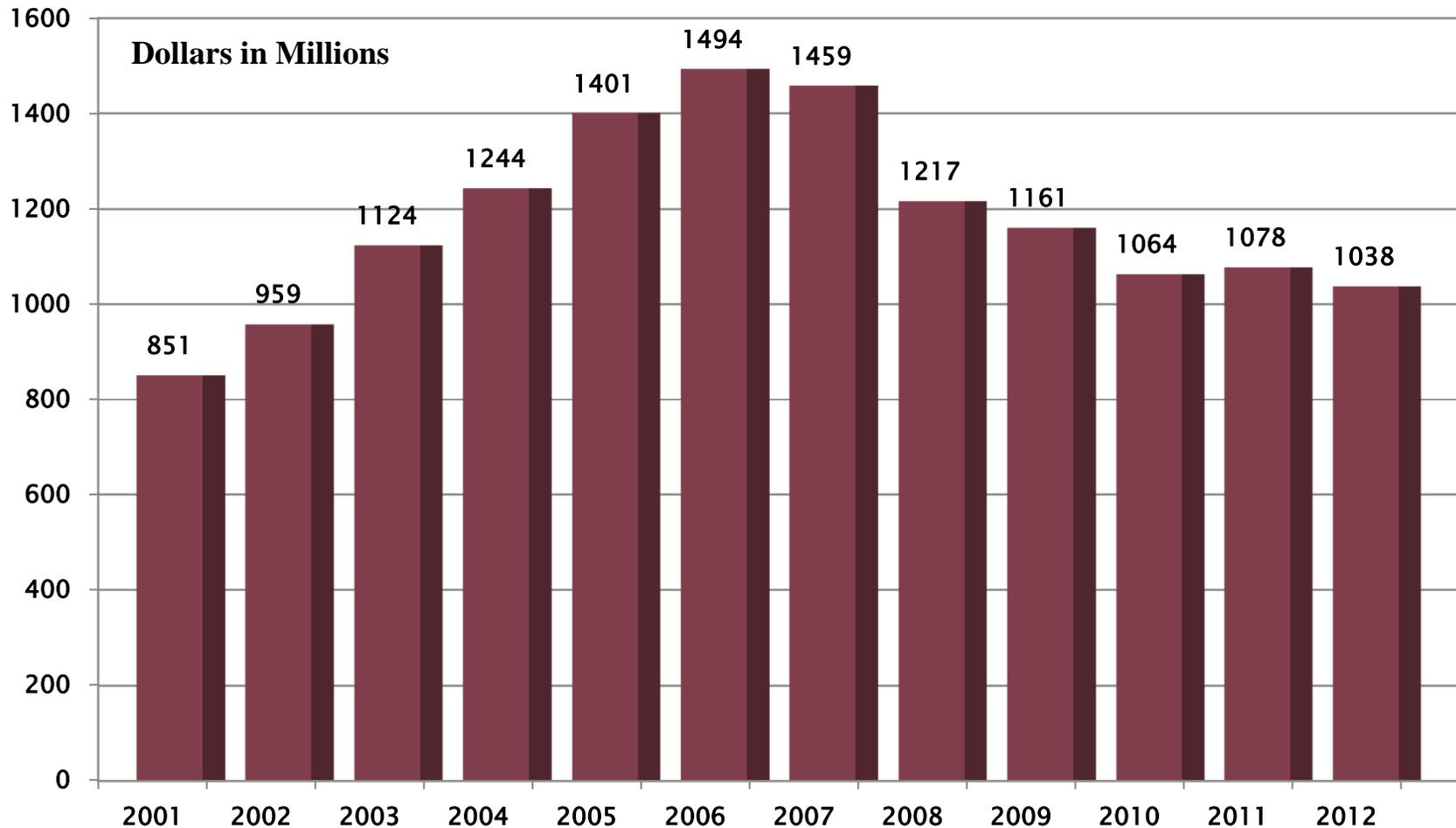
- ▶ HB 1 (2012 Special Session) with 'tweaks' and new regulations in 2013
- ▶ Legislation
  - SB 89 – Misclassification of Workers
  - SB 113 – Lots of Things
  - SB 157 – Intoxication Defense
- ▶ CWP – Present Process
- ▶ CWP Work Group



# Statistical Update

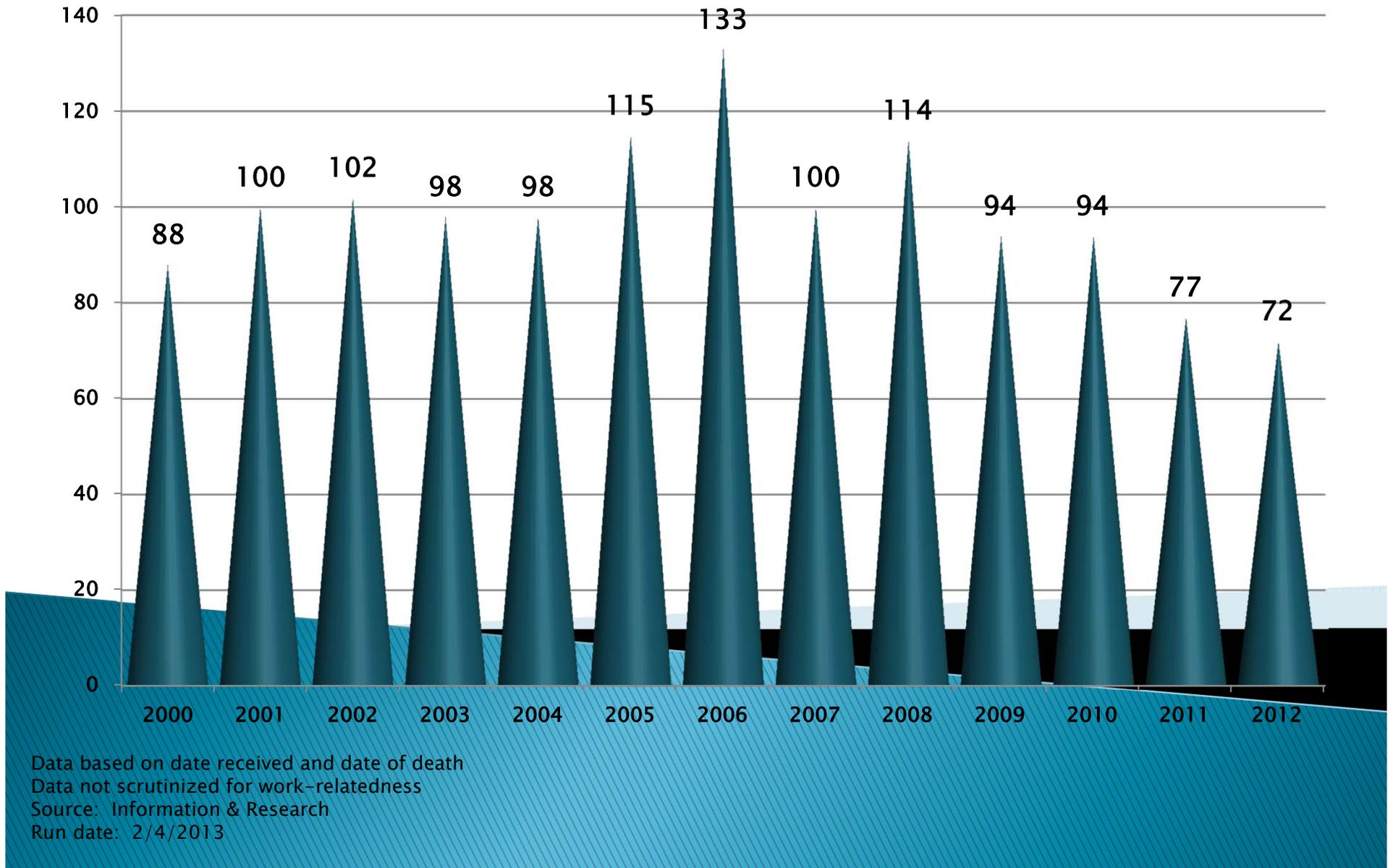


# Workers' Compensation System Costs by Calendar Year

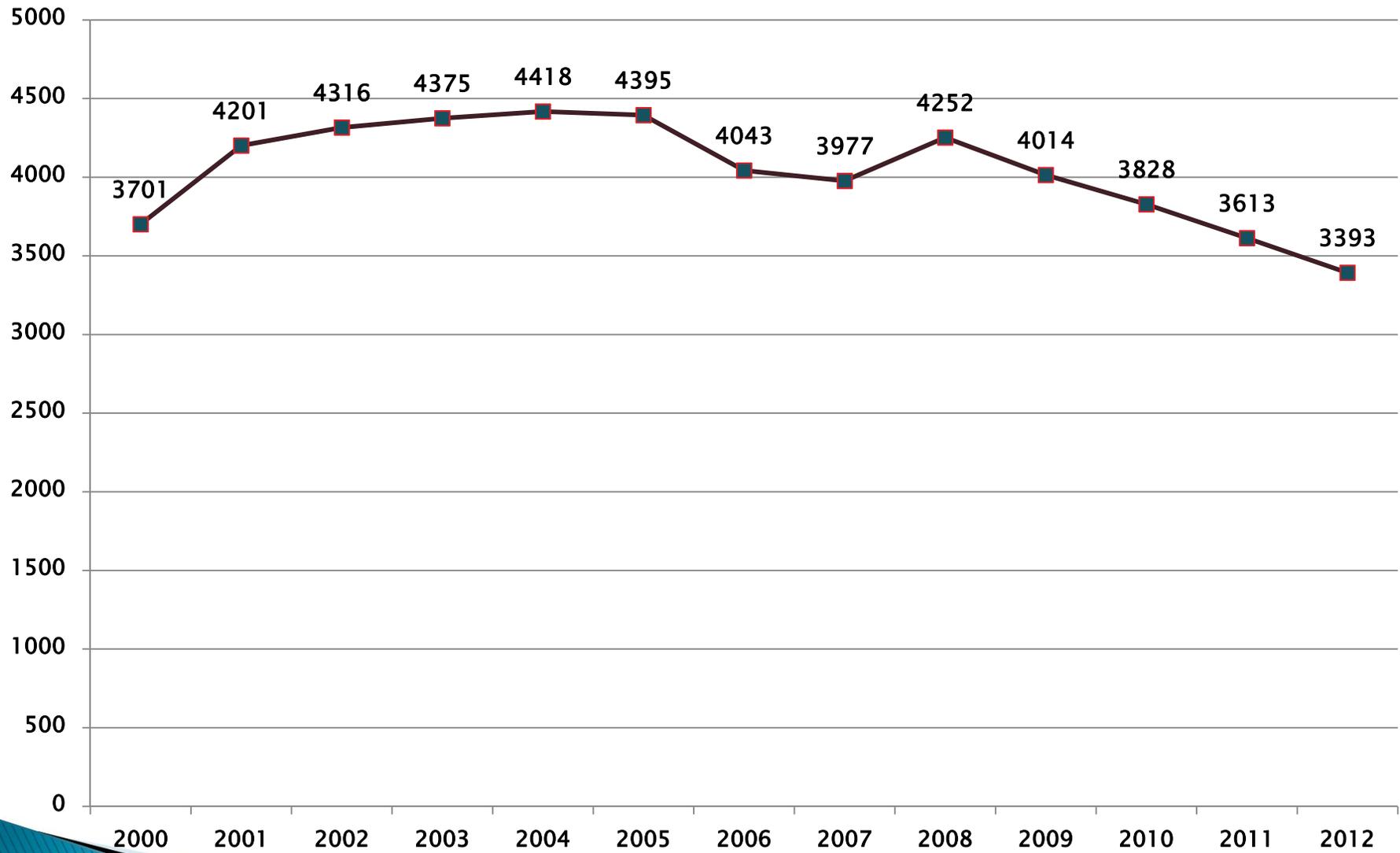


Source: WC Funding Commission 4/2013  
Total system costs defined as total WC cost to employer.  
These figures are unaudited and subject to change.

*Fatalities Reported to DWC by Calendar Year (2000-2012)  
Work-Relatedness Not Determined*

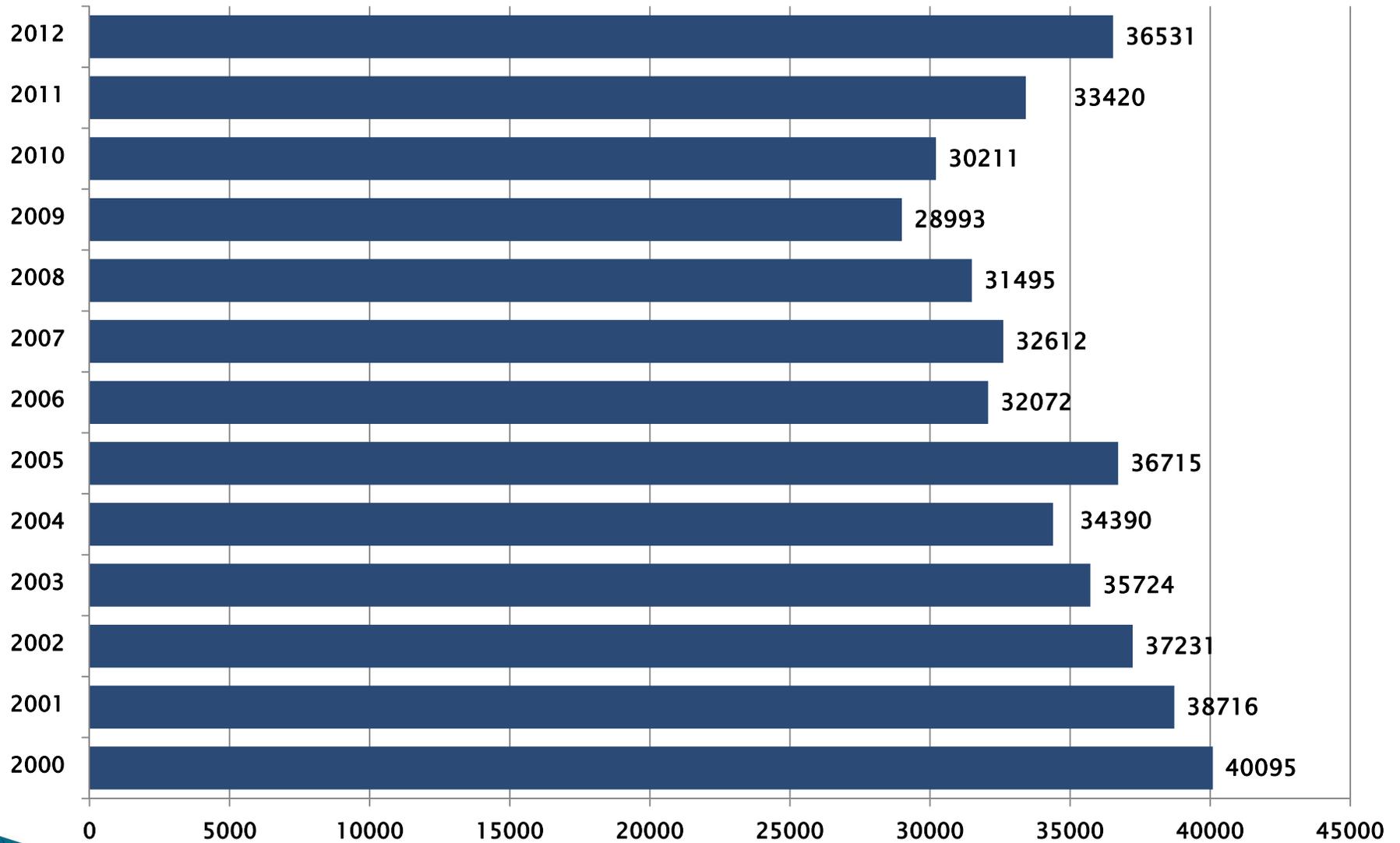


## *Prelitigated Agreements by Calendar Year (2000-2012)*



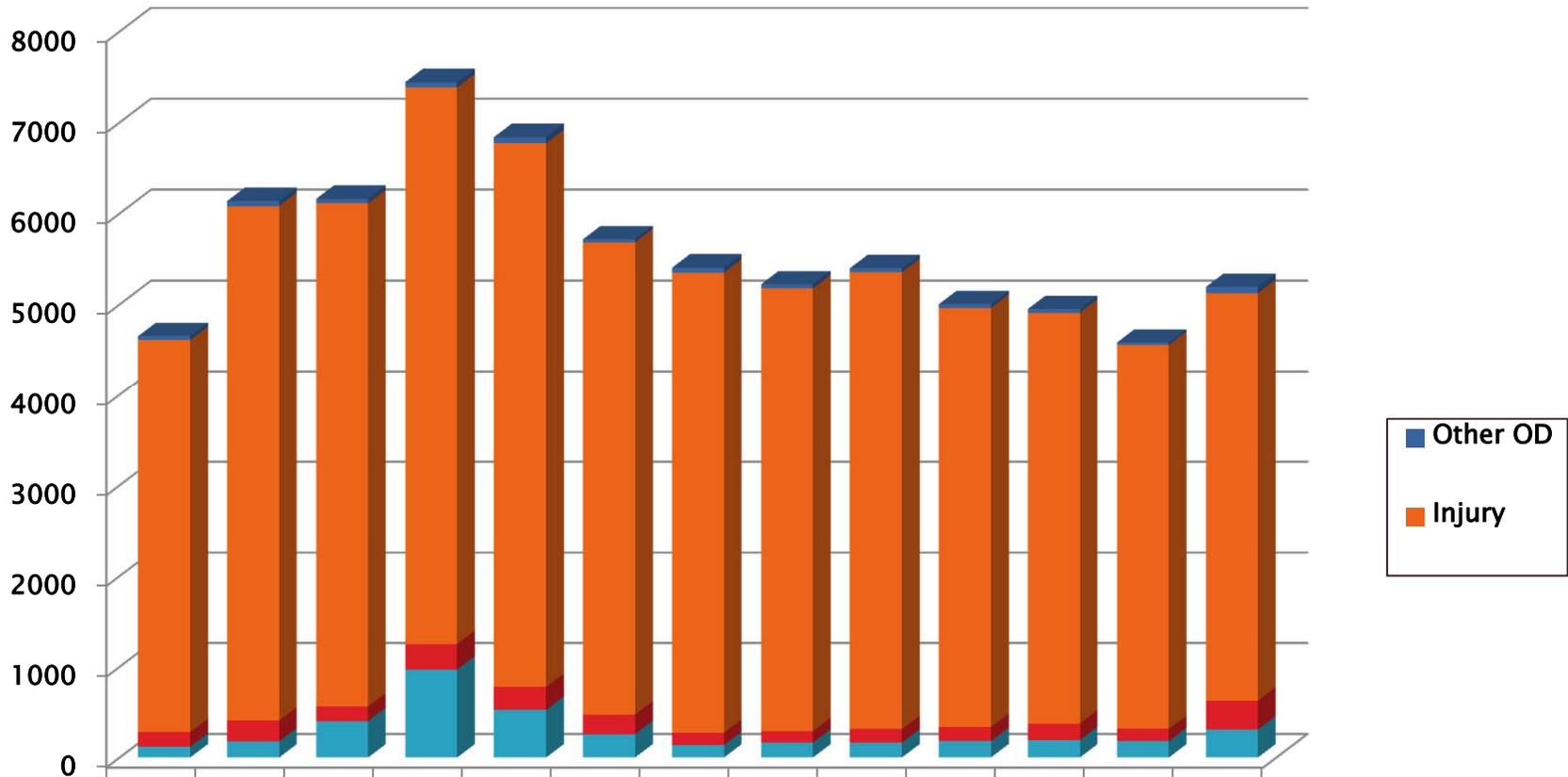
Source: Information & Research  
Run date: 2/4/2013

## *First Reports of Injury by Calendar Year (2000-2012)*



Excludes no lost time reports  
Data based on date received by DWC.  
Source: Information & Research  
Run date: 2/4/2013

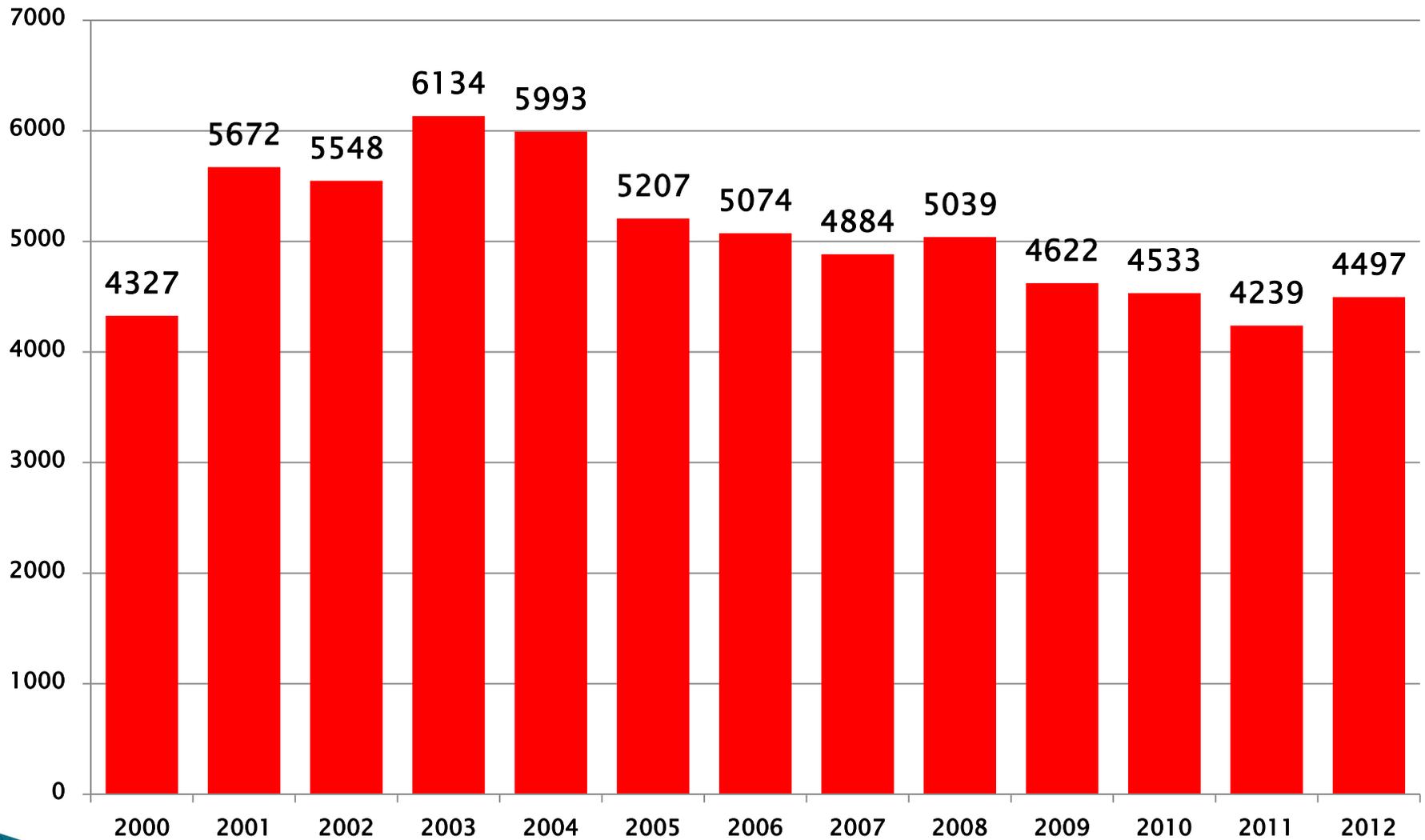
## *Claims by Nature Type by Calendar Year (2000-2012)*



	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012
Other OD	46	56	49	58	71	35	54	46	45	44	41	27	69
Injury	4327	5672	5548	6134	5993	5207	5074	4884	5039	4622	4533	4239	4497
Hearing Loss	161	231	161	282	253	218	138	127	150	158	183	136	318
CWP	118	178	402	968	523	257	137	164	164	179	193	179	308

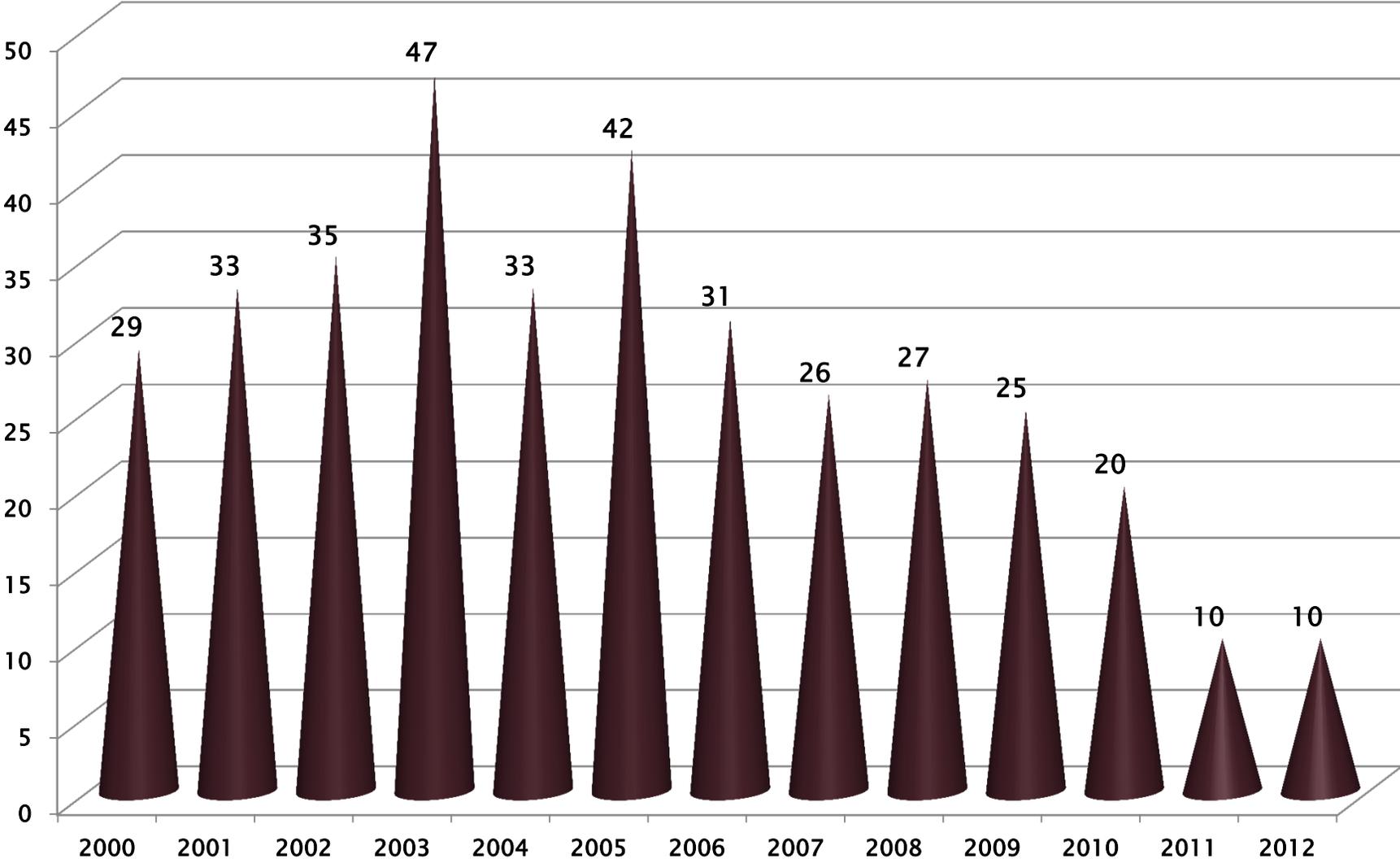
Data based on acknowledged claims by nature type - by File Date.  
 Source: Information & Research  
 Run date: 2/4/2013

## *"Injury" Claims by Calendar Year (2000-2012)*



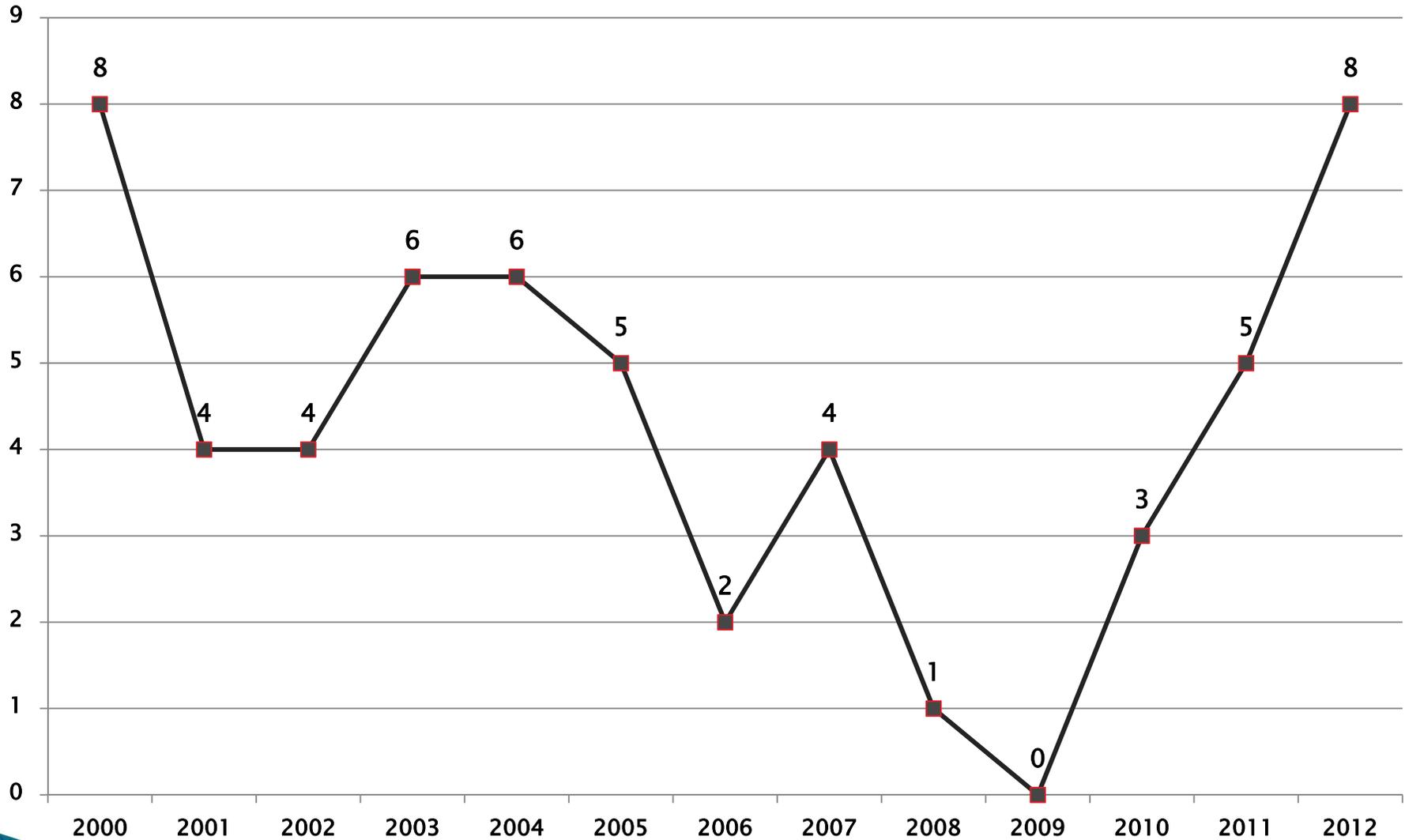
Data based on 'injury' nature type.  
Calendar year based on file date.  
Source: Information & Research  
Run date: 2/4/2013

# Occupational Disease Claims by Calendar Year (2000-2012)



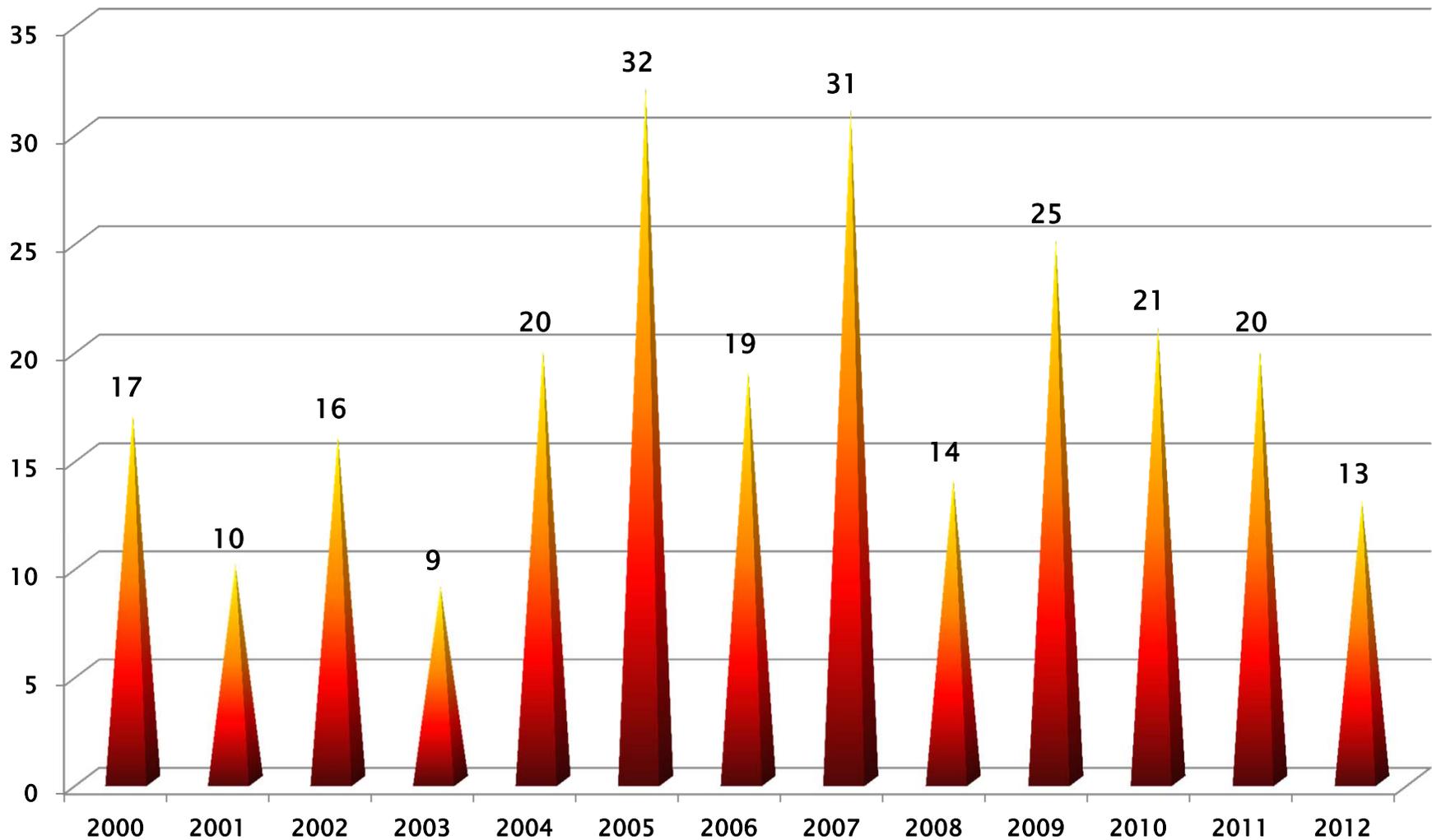
OD Claims by date of last exposure. Natures restricted to 61, 63, 64, 65, 66, 67, 68, 70, 71, 73, 74, 75, 76.  
Based on date of last exposure.  
Source: Information and Research/Run date: 2/5/2013

## Occupational Disease Awards by Calendar Year (2000-2012)



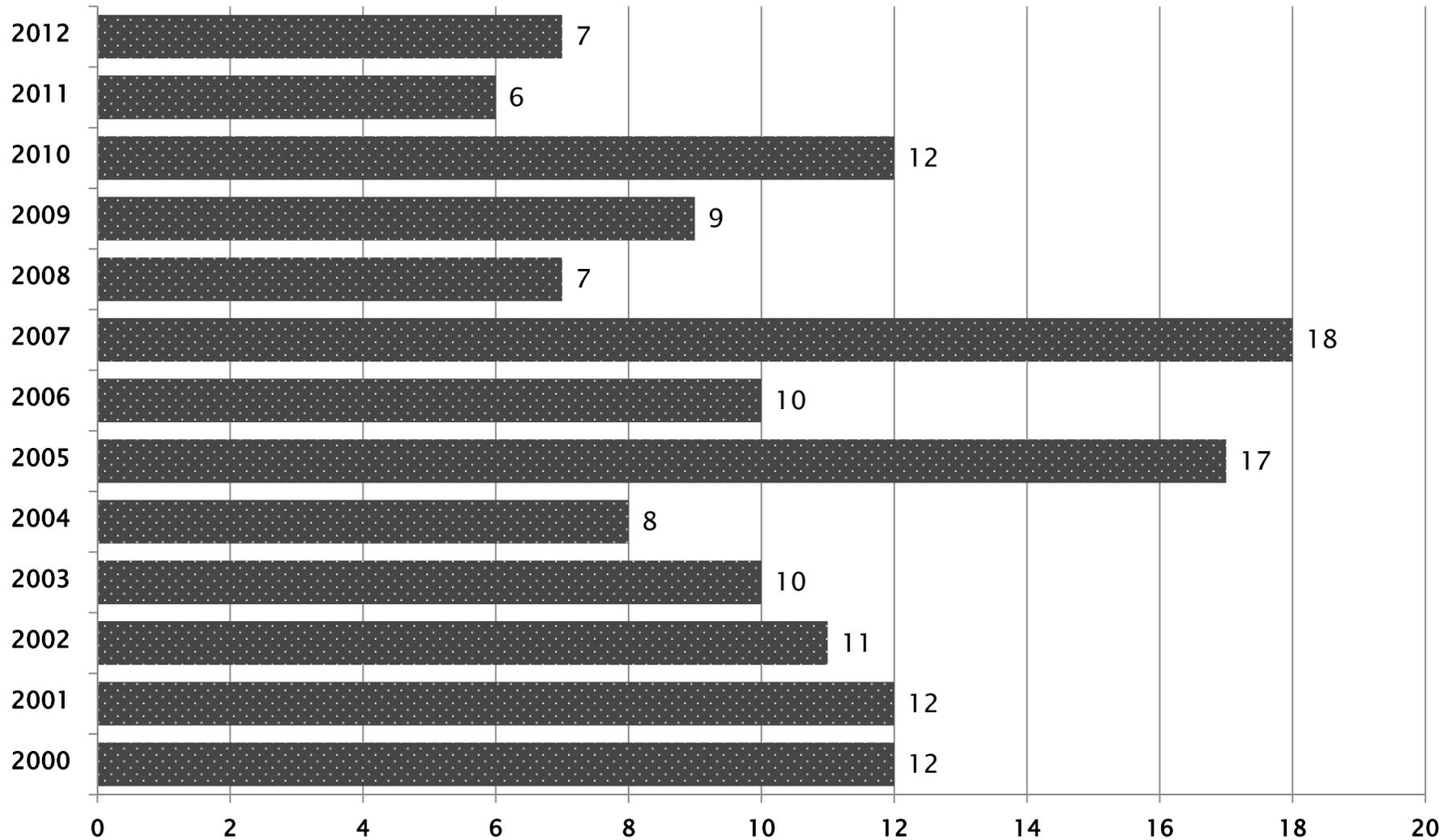
Calendar year based on award date. Natures restricted to 61, 63, 64, 65, 66, 67, 68, 70, 71, 73, 74, 75, 76.  
Based on OD Claims filed by date of last exposure.  
Source: Information and Research/ Run date: 2/5/2013

## *Occupational Disease Agreements by Calendar Year (2000-2012)*



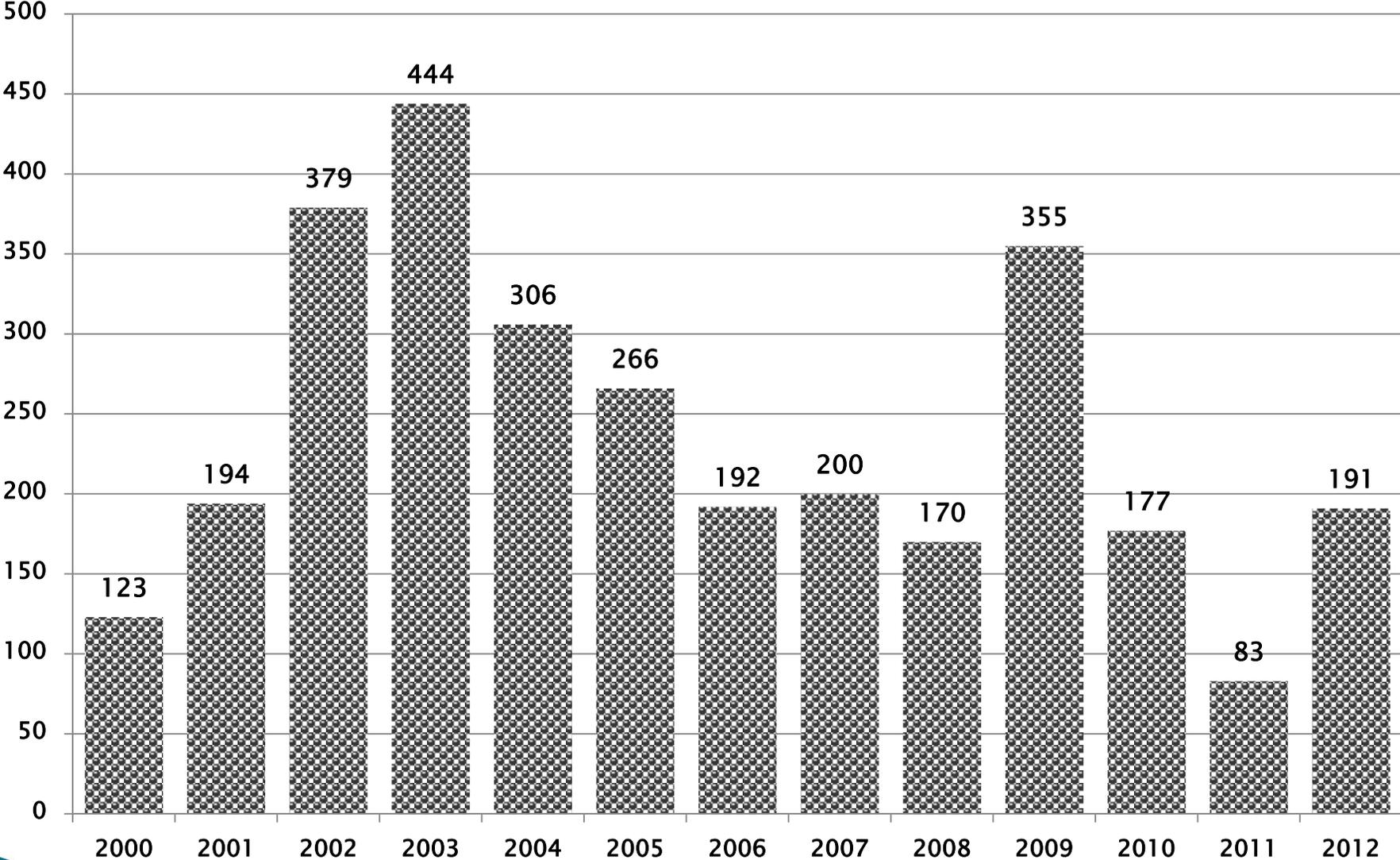
Calendar year based on agreement date. Natures restricted to 61, 63, 64, 65, 66, 67, 68, 70, 71, 73, 74, 75, 76.  
Based on OD Claims filed by date of last exposure.  
Source: Information and Research/Run date: 2/5/2013

## Occupational Disease Dismissals by Calendar Year (2000-2012)



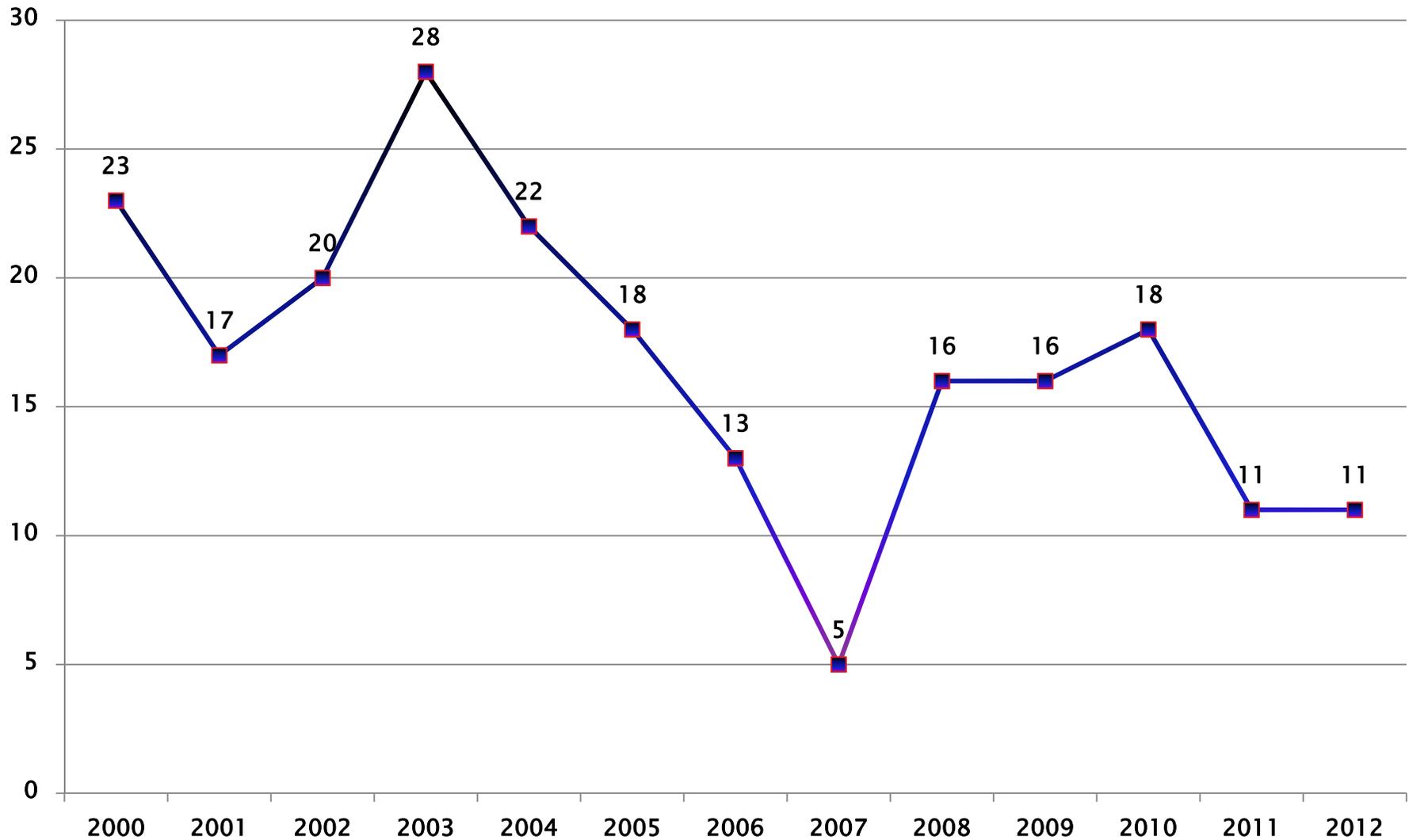
Calendar year based on status date. Natures restricted to 61, 63, 64, 65, 66, 67, 68, 70, 71, 73, 74, 75, 76.  
Based on OD Claims filed by date of last exposure.  
Source: Information and Research/Run date: 2/5/2013

# Hearing Loss Claims by Calendar Year (2000-2012)



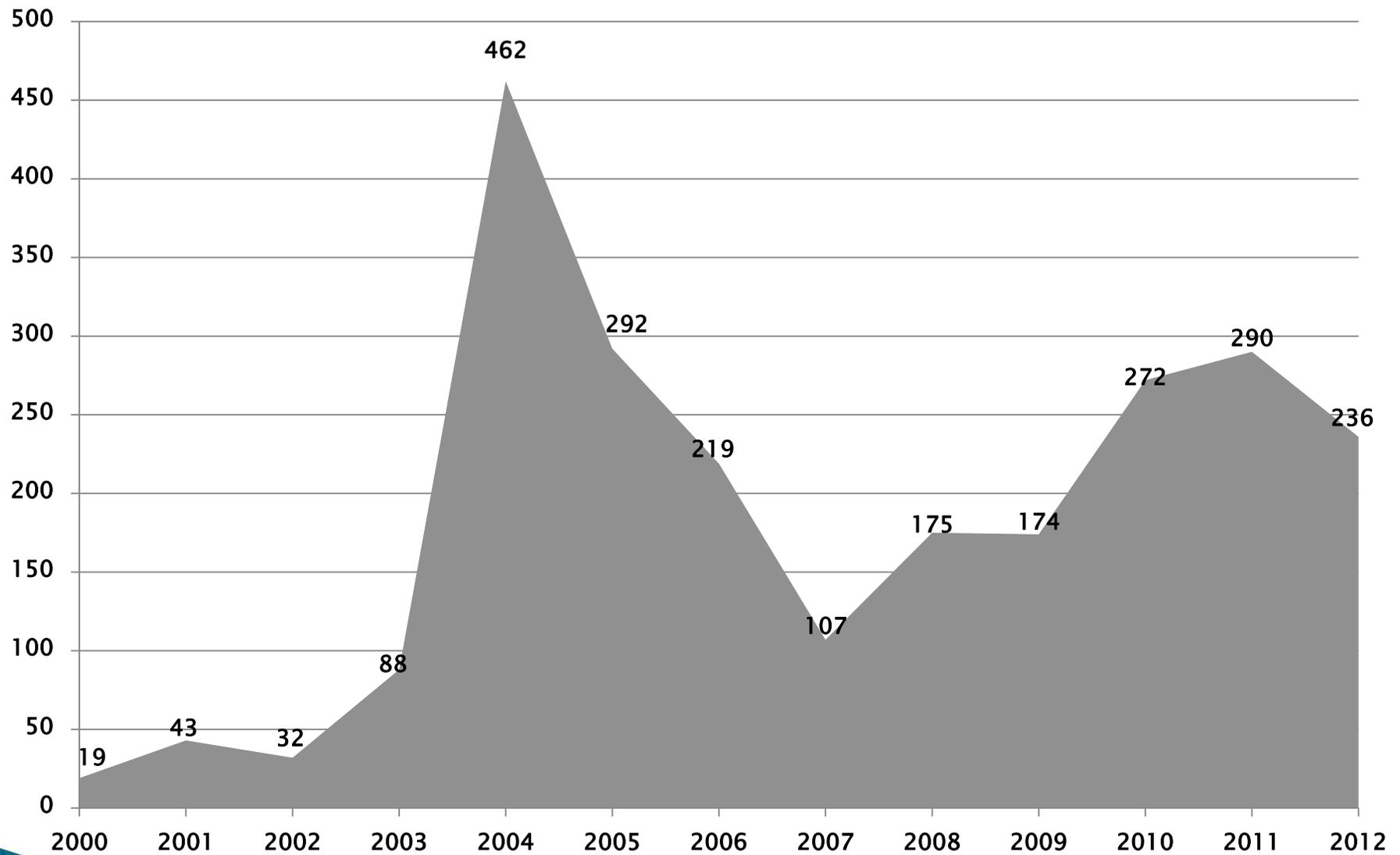
Hearing loss claims filed by date of last exposure  
Natures restricted to 72. 2012 Data includes natures 31 and 72.  
Source: Information and Research  
Run date: 2/5/2013

## Hearing Loss Awards by Calendar Year (2000-2012)



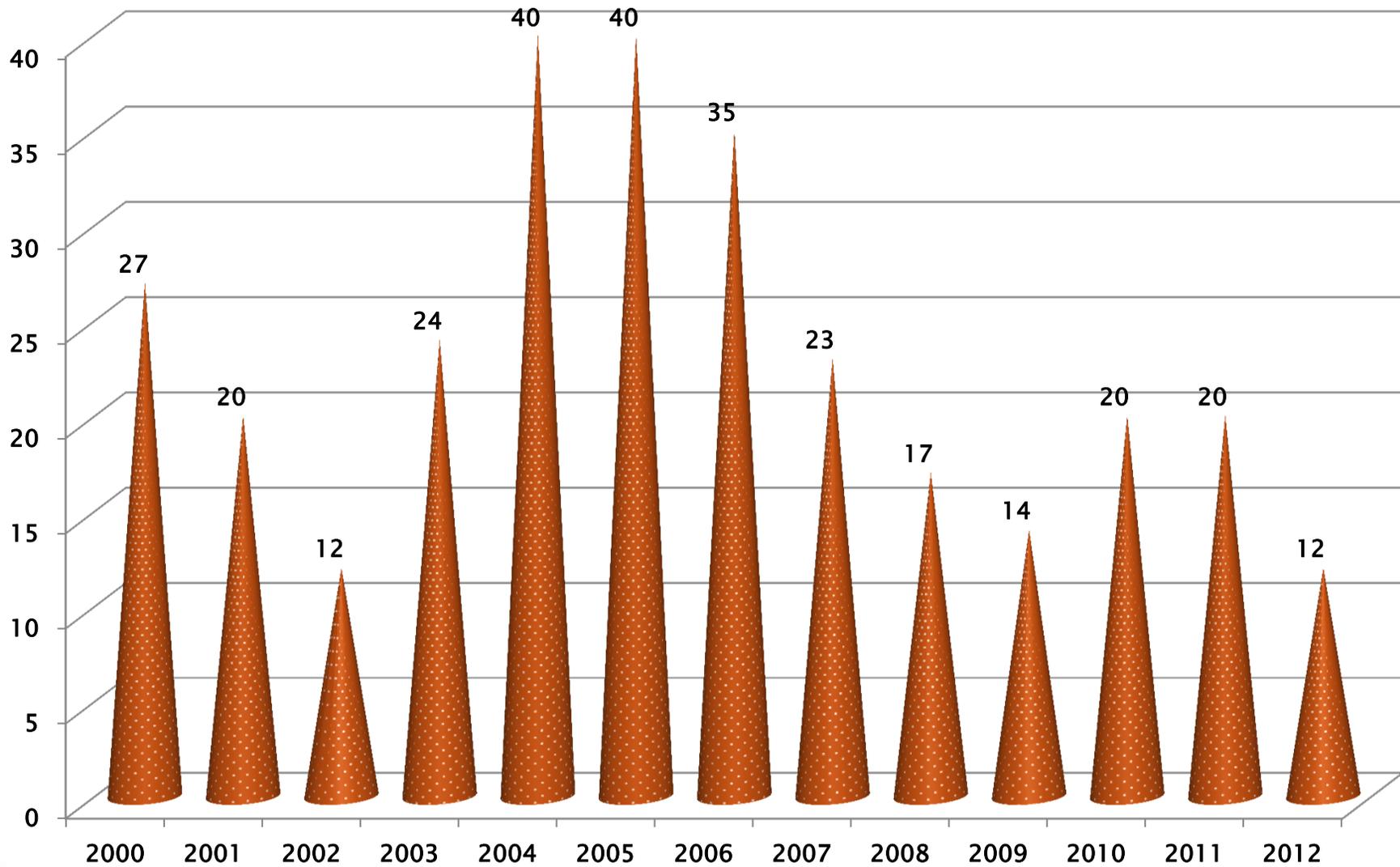
Awards based on hearing loss claims based on date of last exposure.  
Natures restricted to 72. CY 2012 data includes natures 31 and 72.  
Source: Information and Research  
Run date: 2/6/2013

## Hearing Loss Agreements by Calendar Year (2000-2012)



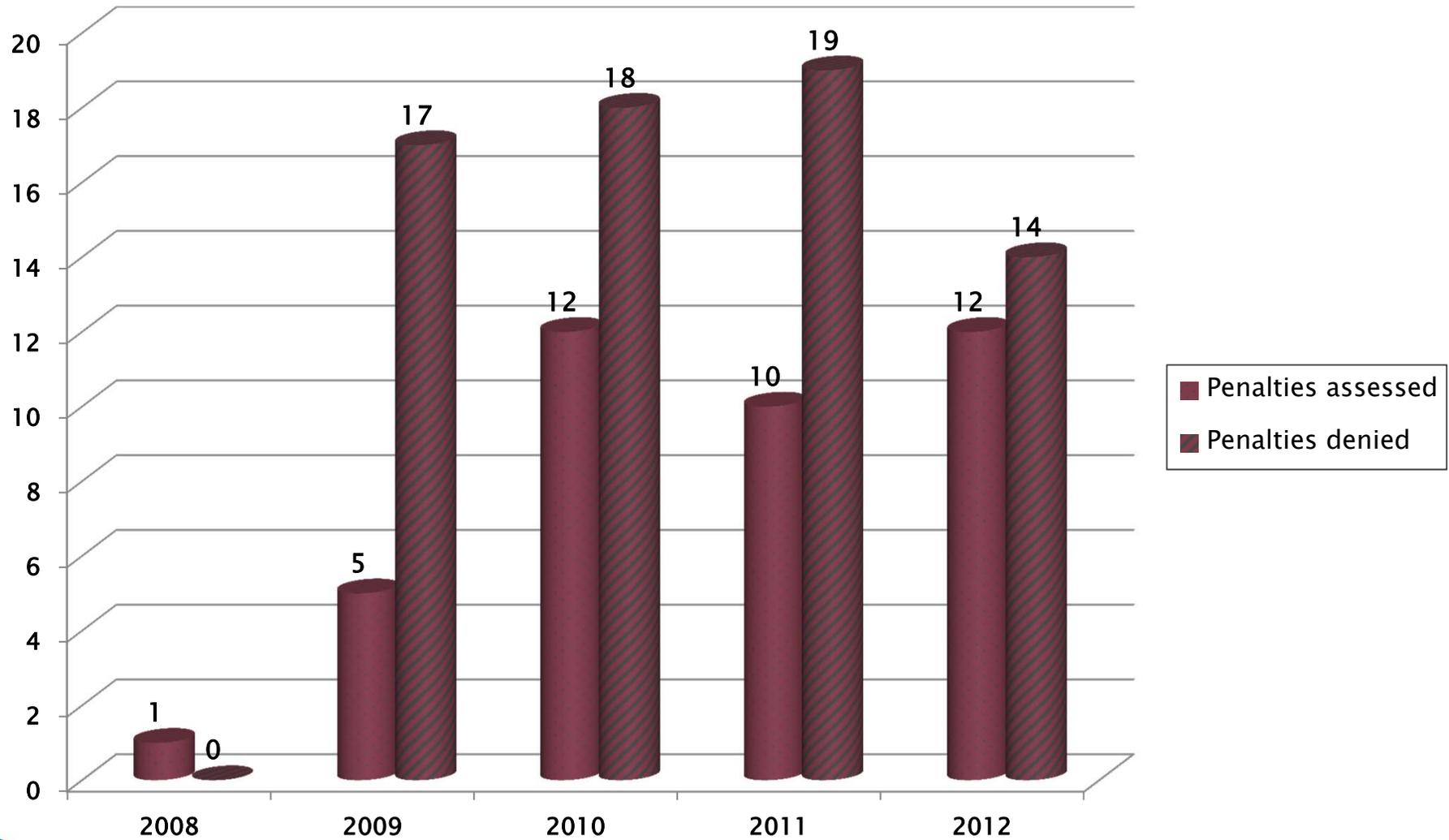
Agreements based on hearing loss claims based on date of last exposure.  
Natures restricted to 72. CY 2012 data includes natures 31 & 72.  
Source: Information and Research/Run date: 2/6/2013

## Hearing Loss Dismissals by Calendar Year (2000-2012)



Dismissals based on hearing loss claims based on date of last exposure.  
Natures restricted to 72. CY 2012 data includes natures 31 and 72.  
Source: Information and Research/Run date: 2/6/2013

## Safety Penalties by Calendar Year (2000-2012)



Data based on status codes SVPD and SVPA.

Source: Information and Research

Run date: 2/6/2013

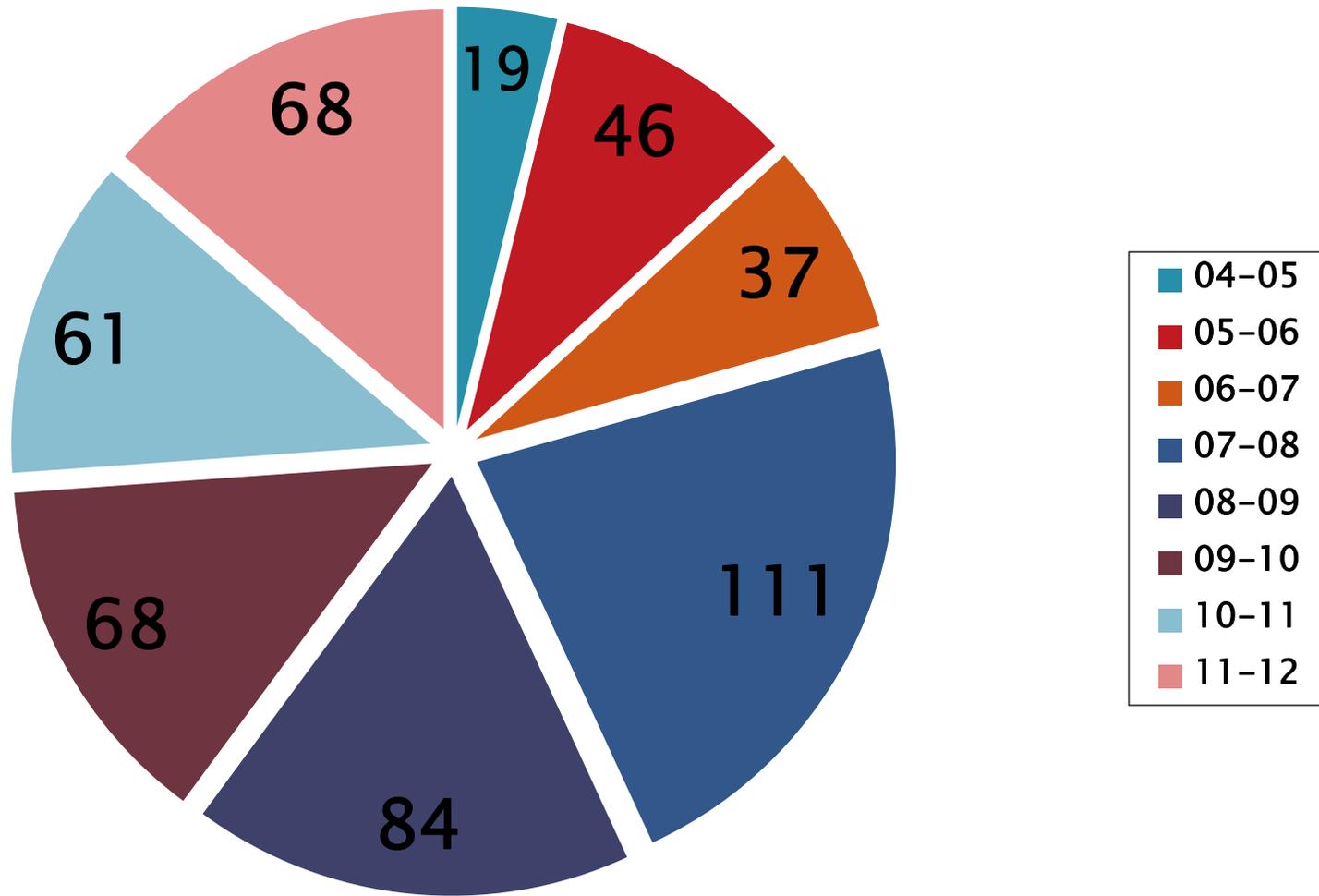
# *DWC Enforcement Actions by Fiscal Year*

## *Investigation Analysis*

	FY 06-07	FY 07-08	FY 08-09	FY 09-10	FY 10-11	FY 11-12
Number of Investigations	10,049	10,415	10,798	11,400	10,497	9,574
Number of Citations	1,000	966	979	1,015	958	772
Penalties Collected (\$)	\$1,362,754	\$1,061,324	\$1,533,629	\$1,703,578	\$1,777,307	\$1,360,663

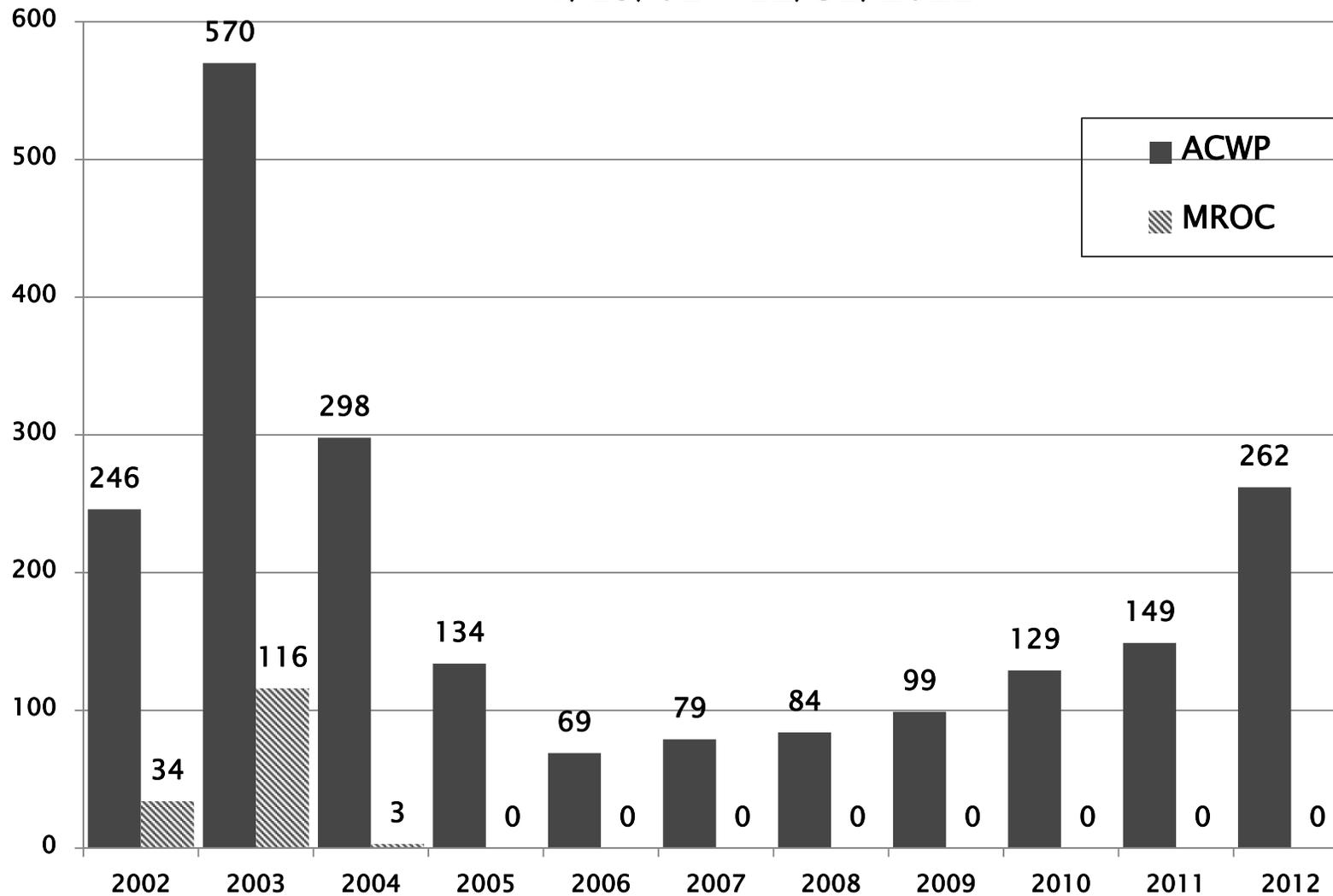
Source: Security & Compliance Division

*Unfair Claims Practices  
Penalties and Cases by Fiscal Year*



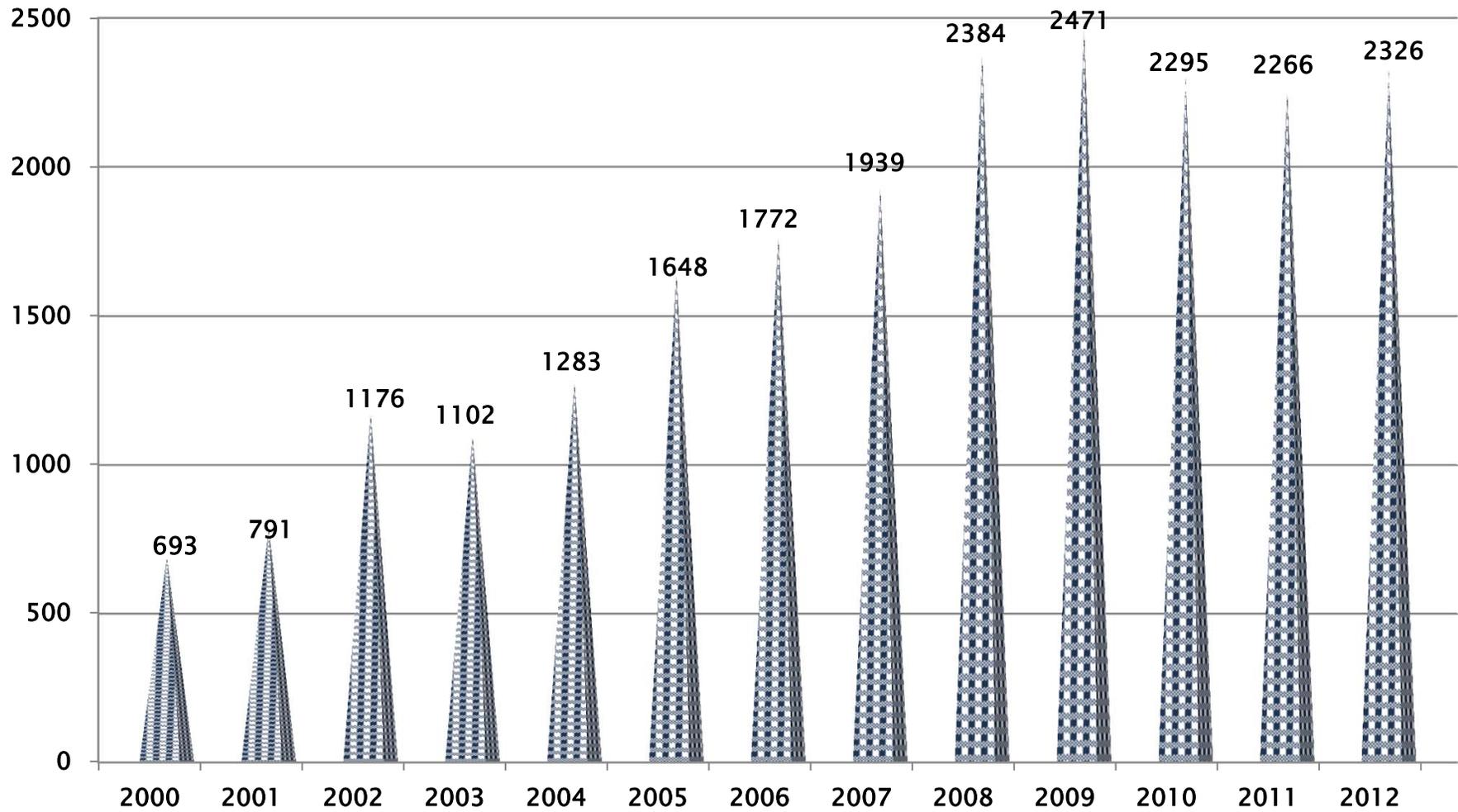
Source: Office of General Counsel DWC

*House Bill 348 Claims Filed by Calendar Year*  
7/15/02 – 12/31/2012



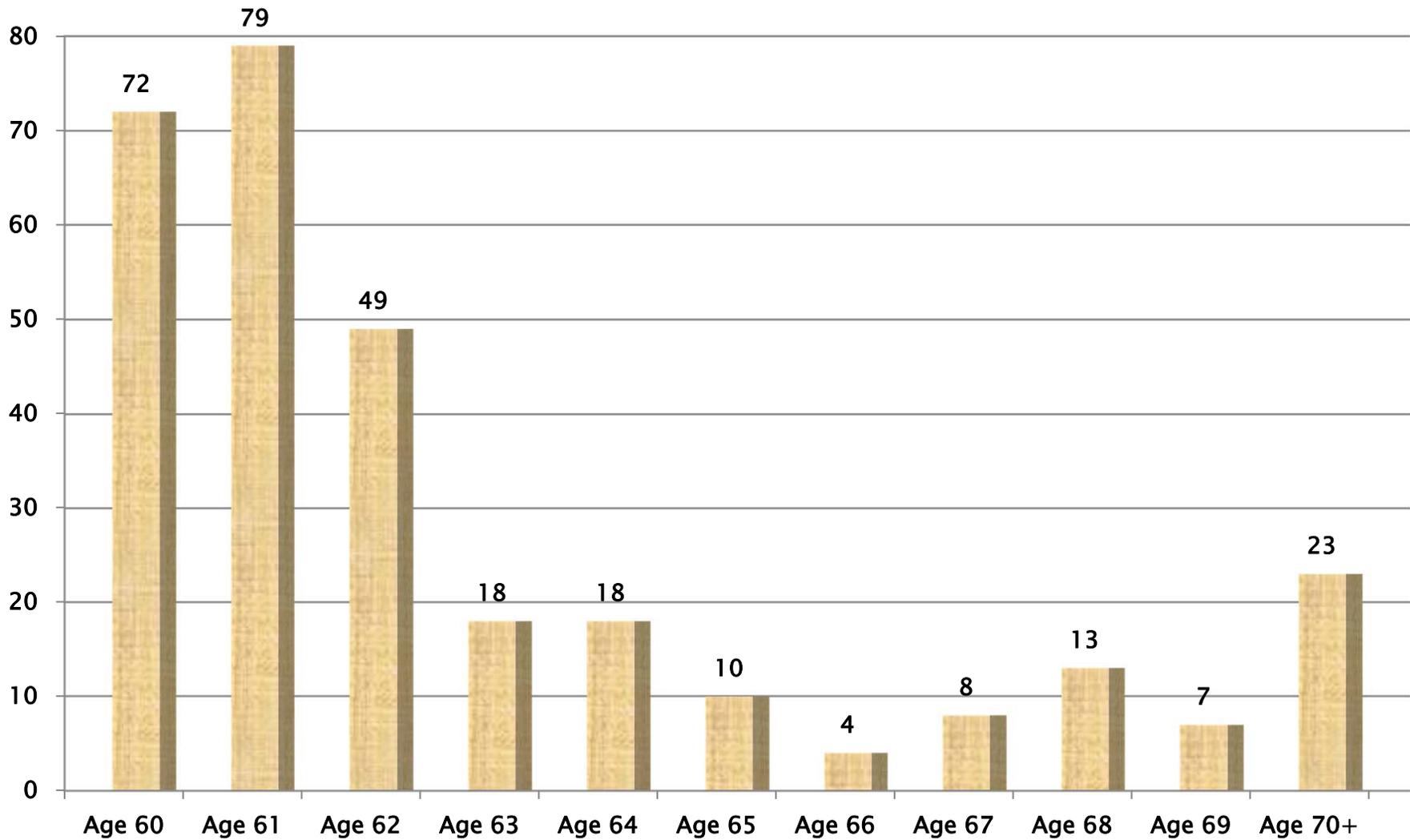
Claims filed/motions to reopen/reconsideration based on status codes created specifically for HB 348 (ACWP, MROC). These may include reopenings from HB 1 (1996)  
Source: Information and Research/DWC/Run date: 2/6/2013

## *Medical Disputes by Calendar Year (2000-2012)*



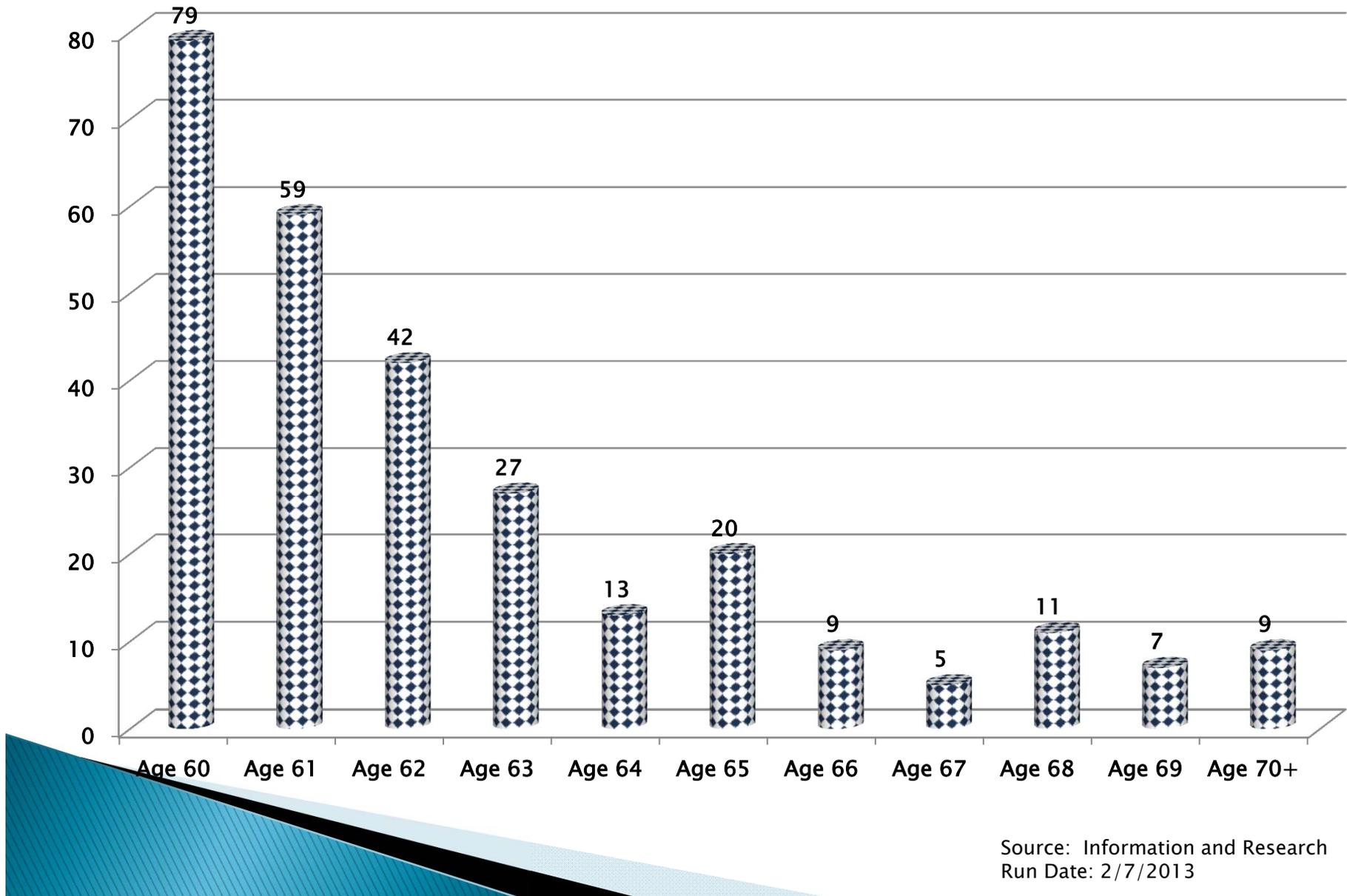
Data based on status date.  
Source: Information and Research/DWC  
Run date: 2/6/2013

## Claims Breakdown Age 60+ for Calendar Year 2010

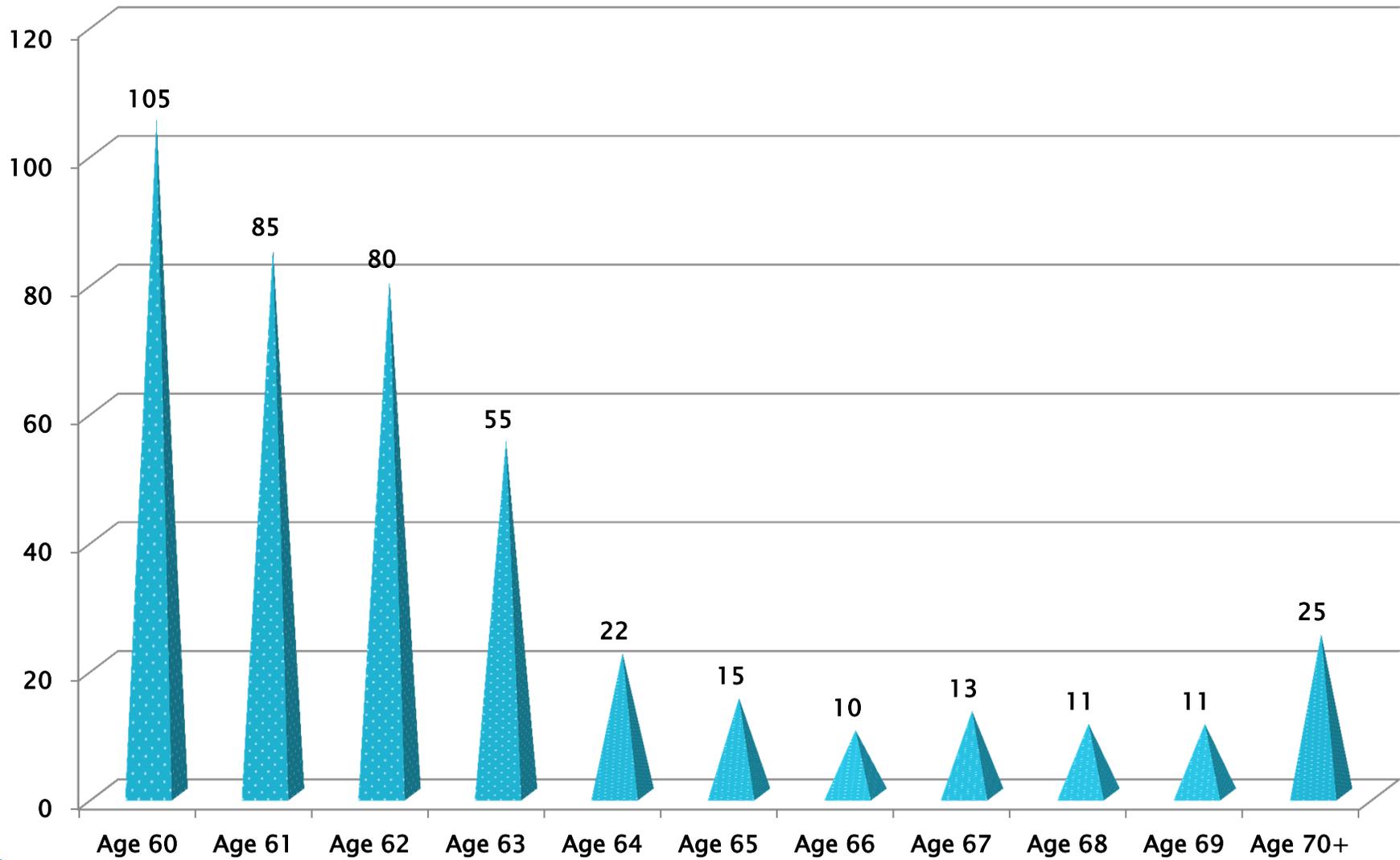


Source: Information and Research  
Run Date: 2/7/2013

## Claims Breakdown Age 60+ for Calendar Year 2011

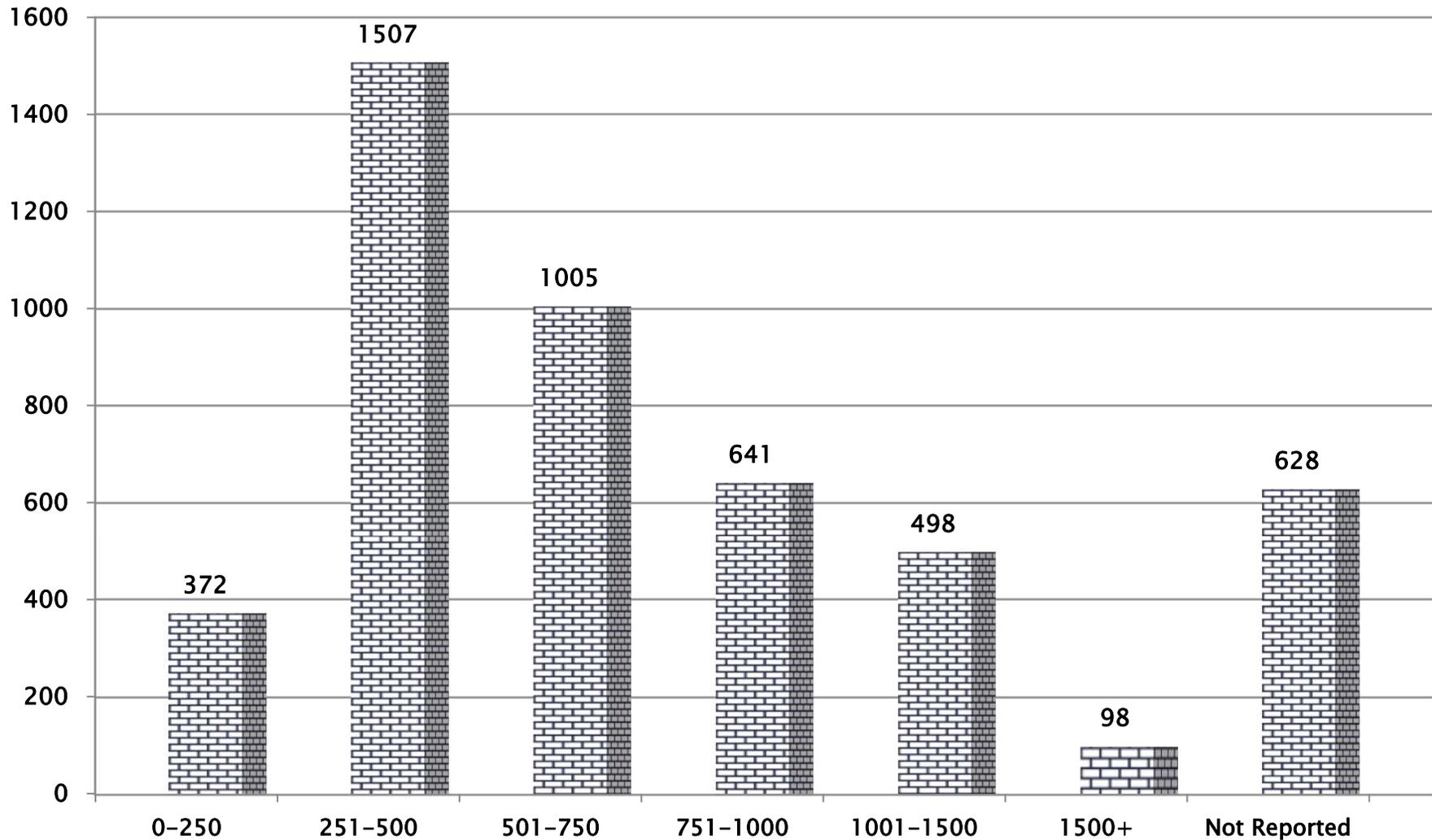


## Claims Breakdown Age 60+ for Calendar Year 2012



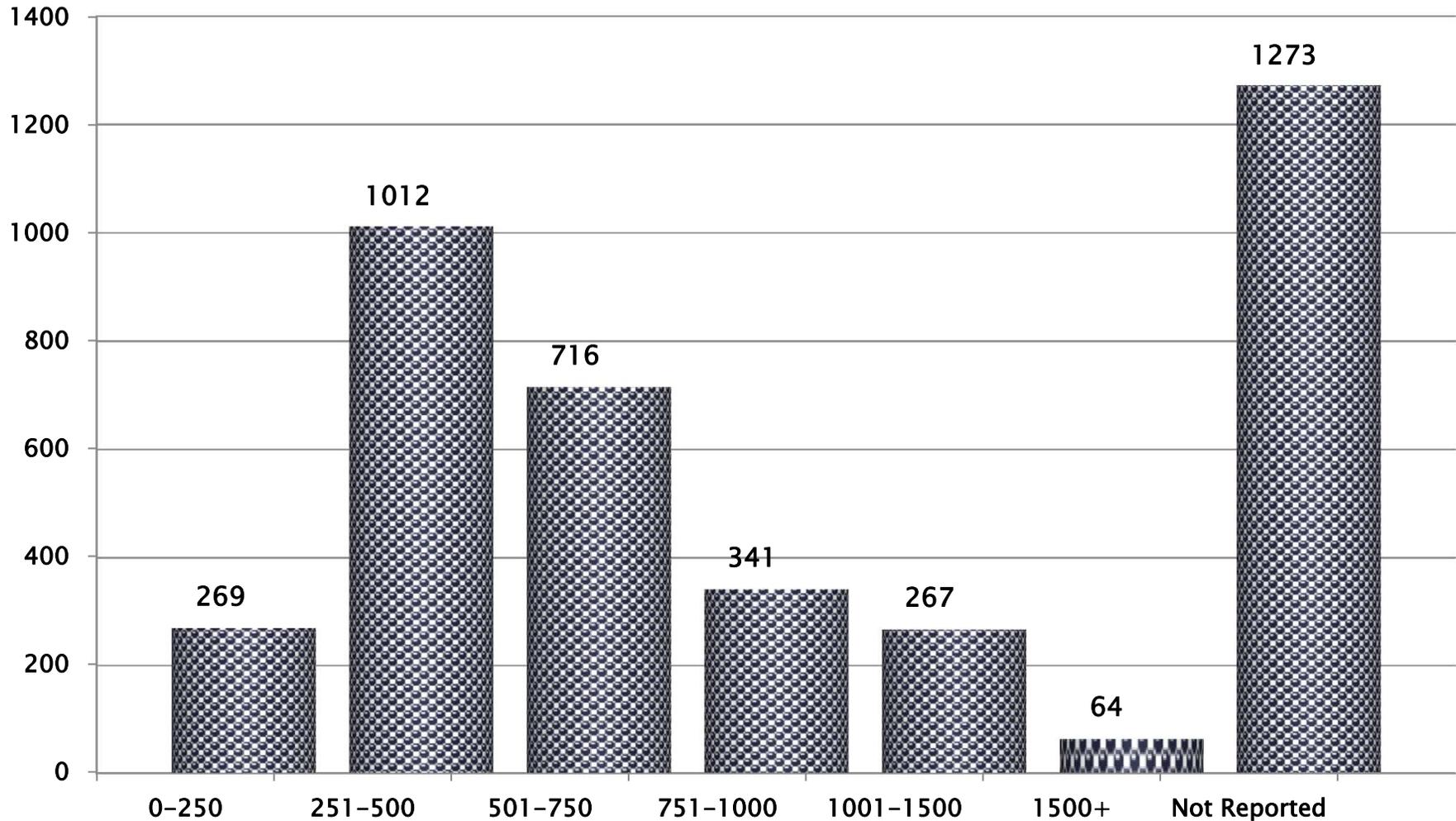
Source: Information and Research  
Run Date: 2/7/2013

## Claims Information by Wage (Per week) Calendar Year 2010



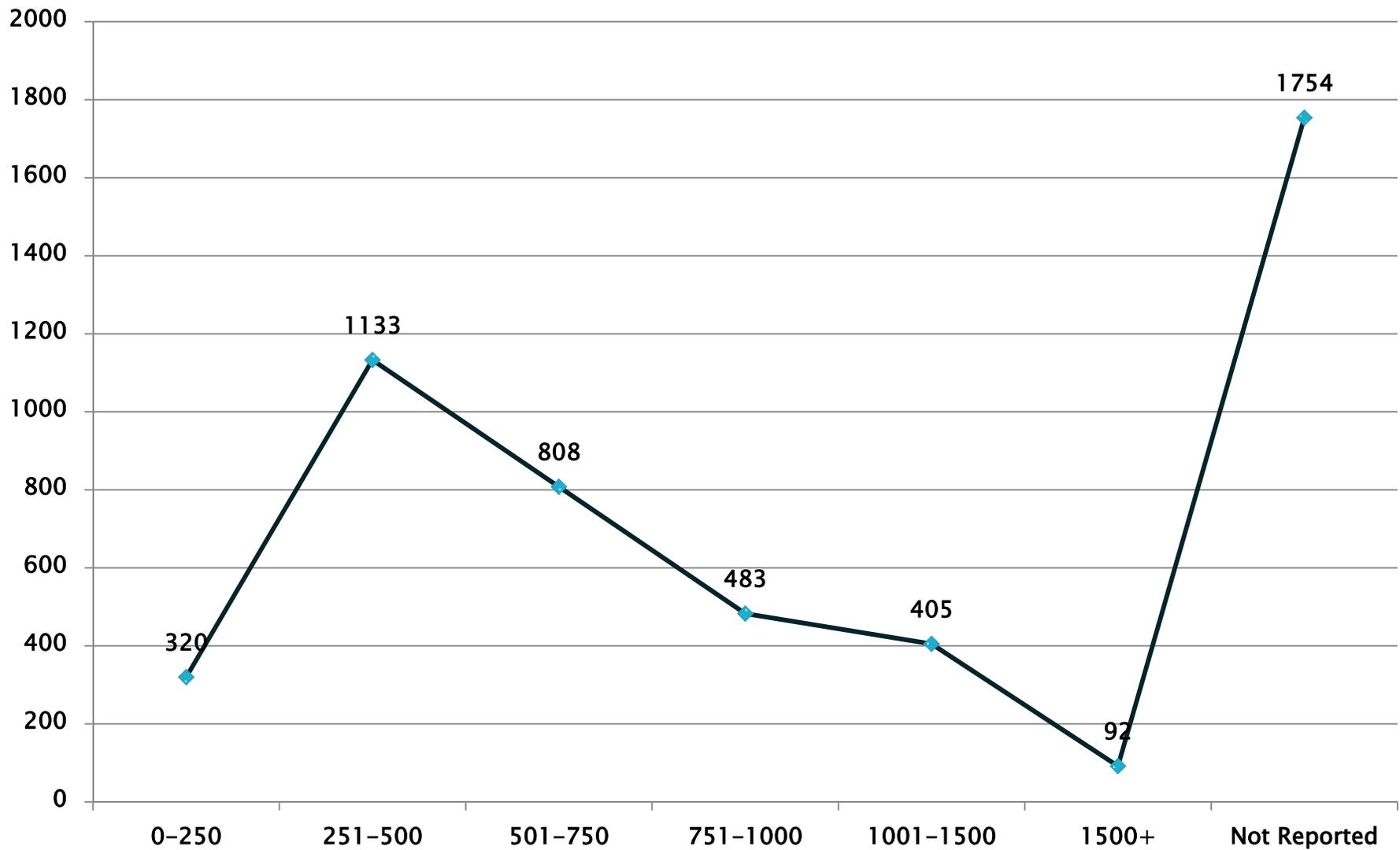
201 Records in this data set were reported at less than \$20.00/week  
Any weekly amounts  $\geq$  \$4000/wk were shifted to per month and  
 $\geq$  \$11K/wk were shifted to year.  
Source: Information and Research/Run Date: 2/7/2013

## *Claims Information by Wage (Per week) Calendar Year 2011*



639 Records in this data set were reported at less than \$20.00/week  
Any weekly amounts  $\geq$  \$4000/wk were shifted to per month and  
 $\geq$  \$11K/wk were shifted to year.  
Source: Information and Research/Run Date: 2/7/2013

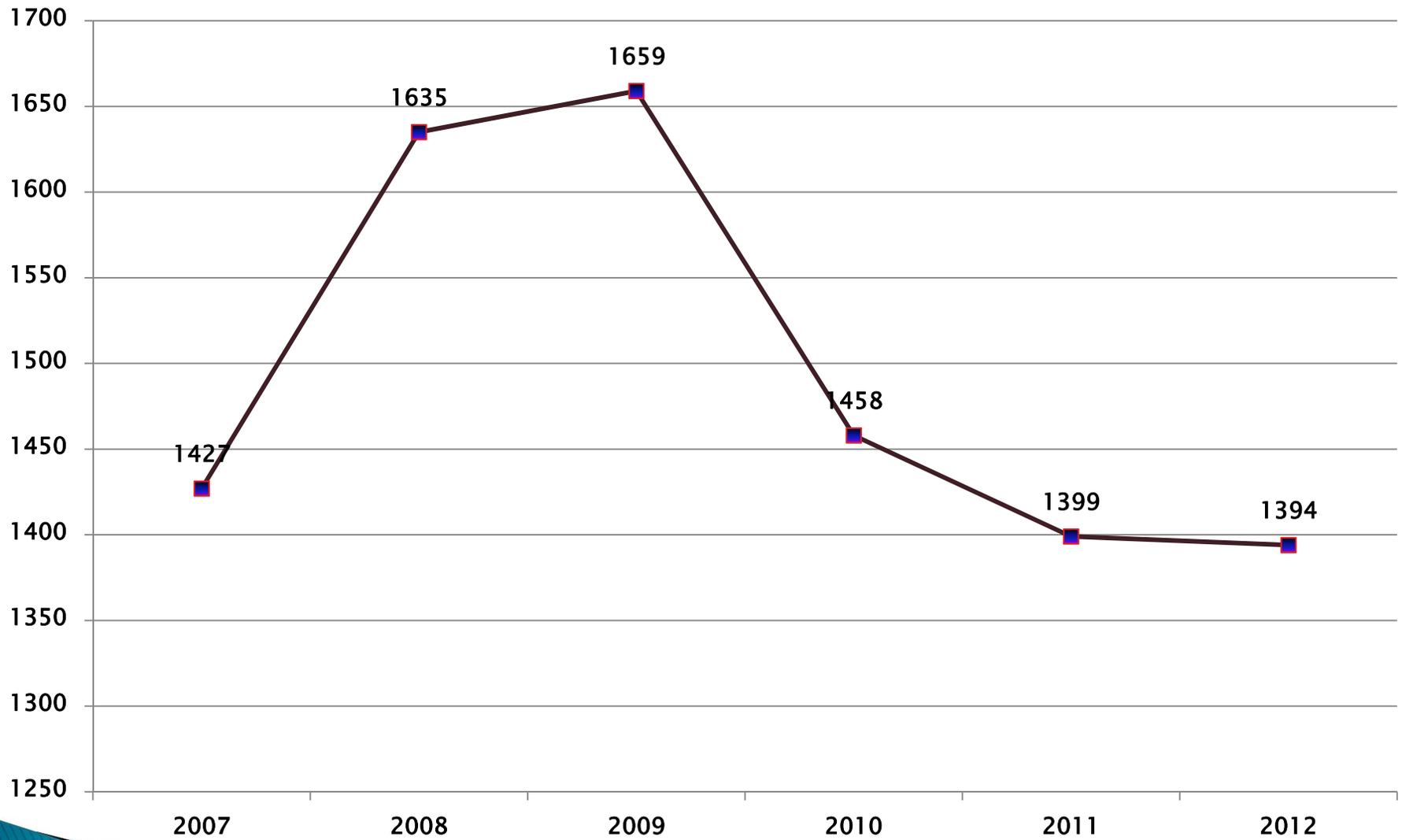
## Claims Information by Wage (Per week) Calendar Year 2012



197 Records in this data set were reported at less than \$20.00/week  
Any weekly amounts  $\geq$  \$4000/wk were shifted to per month and  
 $\geq$  \$11K/wk were shifted to year.

Source: Information and Research/Run Date: 2/7/2013

## Reopenings by Calendar Year (2007-2012)



Data based on status code MROP for reopenings.  
Source: Information and Research  
Run date: 2/8/2013

[www.labor.ky.gov/workersclaims](http://www.labor.ky.gov/workersclaims)

**Thank You!**

