Annual Report - DWC

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

KWCEA
December 10-11, 2015

Coal Workers' Pneumoconiosis

- 416 cases transferred to Judge Case this calendar year.
- Reasonable success.
- 115 resolved through agreement.
- 113 dismissed.

What's in the Works..

Litigation Management System (LMS)

The LMS system went into production for the DWC internal users on November 4th, 2015. This system, for all intents and purposes, replaces both the existing database structure for the DWC as well as incorporates the imaged documents into a new SharePoint environment. The vendor, CapTech is still working with the DWC to finalize the remaining processes to be incorporated into the LMS system. It is expected that these two sprints will wrap up December 16, 2015.

What We Do Now

- Regulatory Change-in the review process
- Projection: Late January, 2016 begin registering (registration only) attorneys
- Projection: Late February, 2016 begin registering (registration only) non-attorneys
- Projection: External training around the state to begin starting in late Spring 2016
- Interact with the Court of Justice

Project Overview

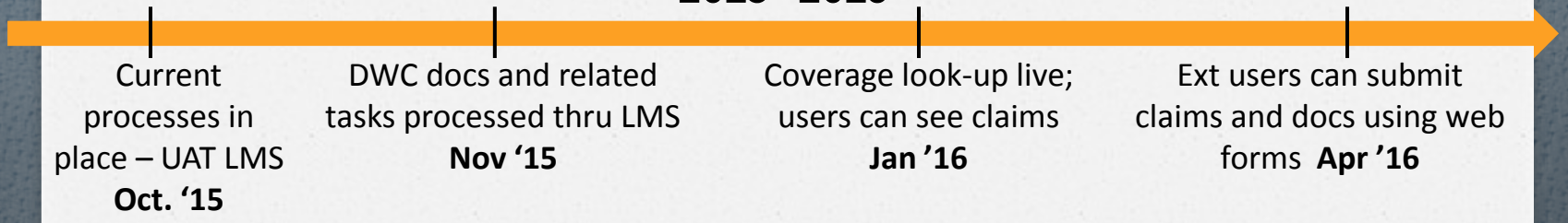
LMS Business Case and Functionality

LMS is designed to support the efficient execution of existing processes, without reliance on paper documents

- Paper document mailing is replaced by posting key documents to LMS for claim party viewing
- LMS prompts users (attorneys, etc.) to complete essential claim information eliminating back-and-forth mailings to correct documents
- LMS maps to DWC processes and associated documents and decisions

Key Milestones

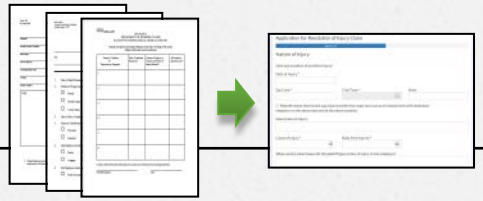
2015 - 2016



LMS Overview

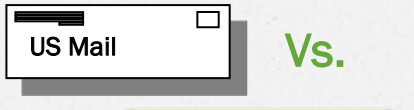
Process Areas Impacted by LMS

Form Completion



40+ paper forms converted into logic-driven web forms that prompt responses based on prior answers or claim status

Form Submission

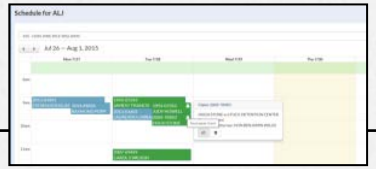


LMS enables users to submit and manage claims using electronic signatures and paperless receipts

Records Management

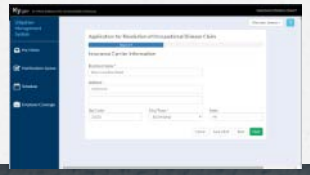
With a few clicks, users can load and search for claim documents.

Conference Scheduling



A shared docket calendar, which is linked to claims, simplifies scheduling of hearings and Benefit Review Conferences

Insurance Coverage



Self Insured Employers will file Proof of Coverage online with new self-insurance applications – ***not in the initial implementation.***

Registering on LMS

From the log on screen select “Register”

Registering on LMS

Attorneys and Other

Process Steps

1 Email & Password Setup

At the initial Account Registration, users must create a password as well as complete three security questions and responses.

2 Selecting User Type

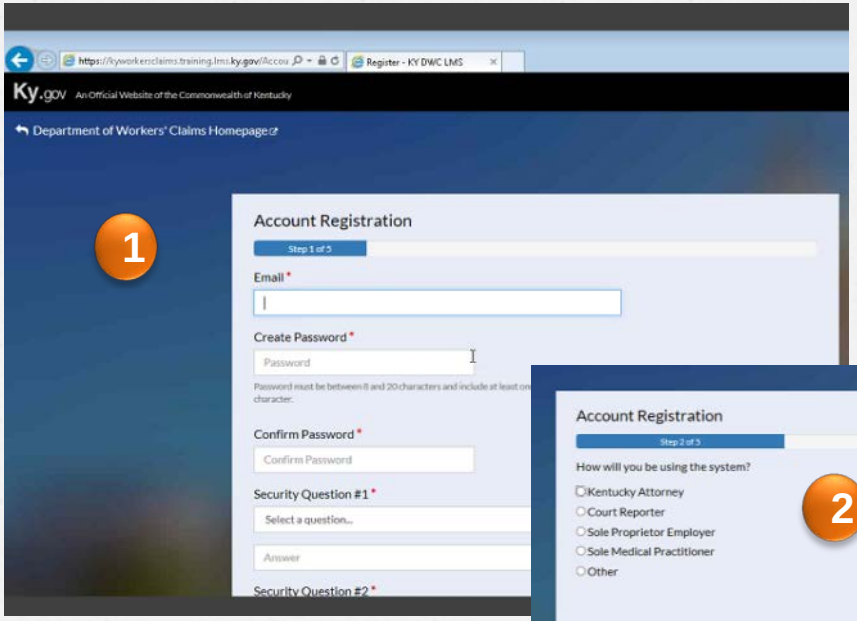
Users must define how they will be using LMS by selecting a user type. This selection will be in effect for all associated claims.

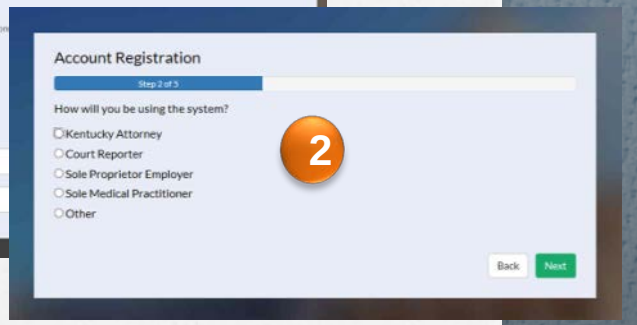
3 Agreeing to Go Paperless

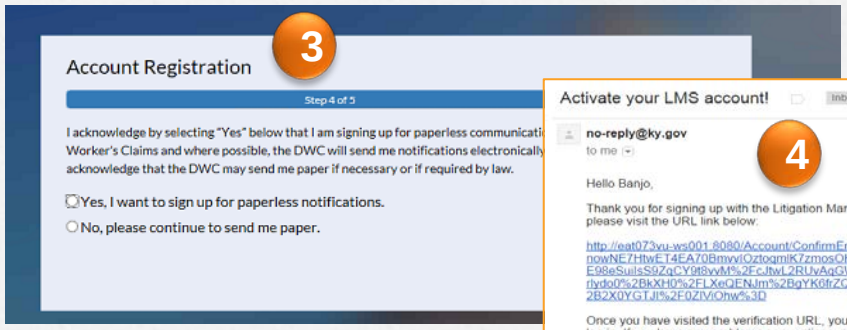
At the time of registration, users may elect to sign up for paperless notifications. Paperless users will be notified in the LMS and by email about changes to their claims.

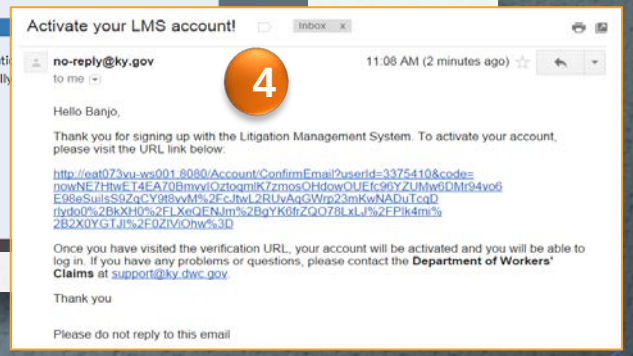
4 Activate Account

Users will receive an email with a link that will allow them to log on.









Coverage Lookup – January 1, 2016

External Users

Lookup Options

1 Landing Page – Search

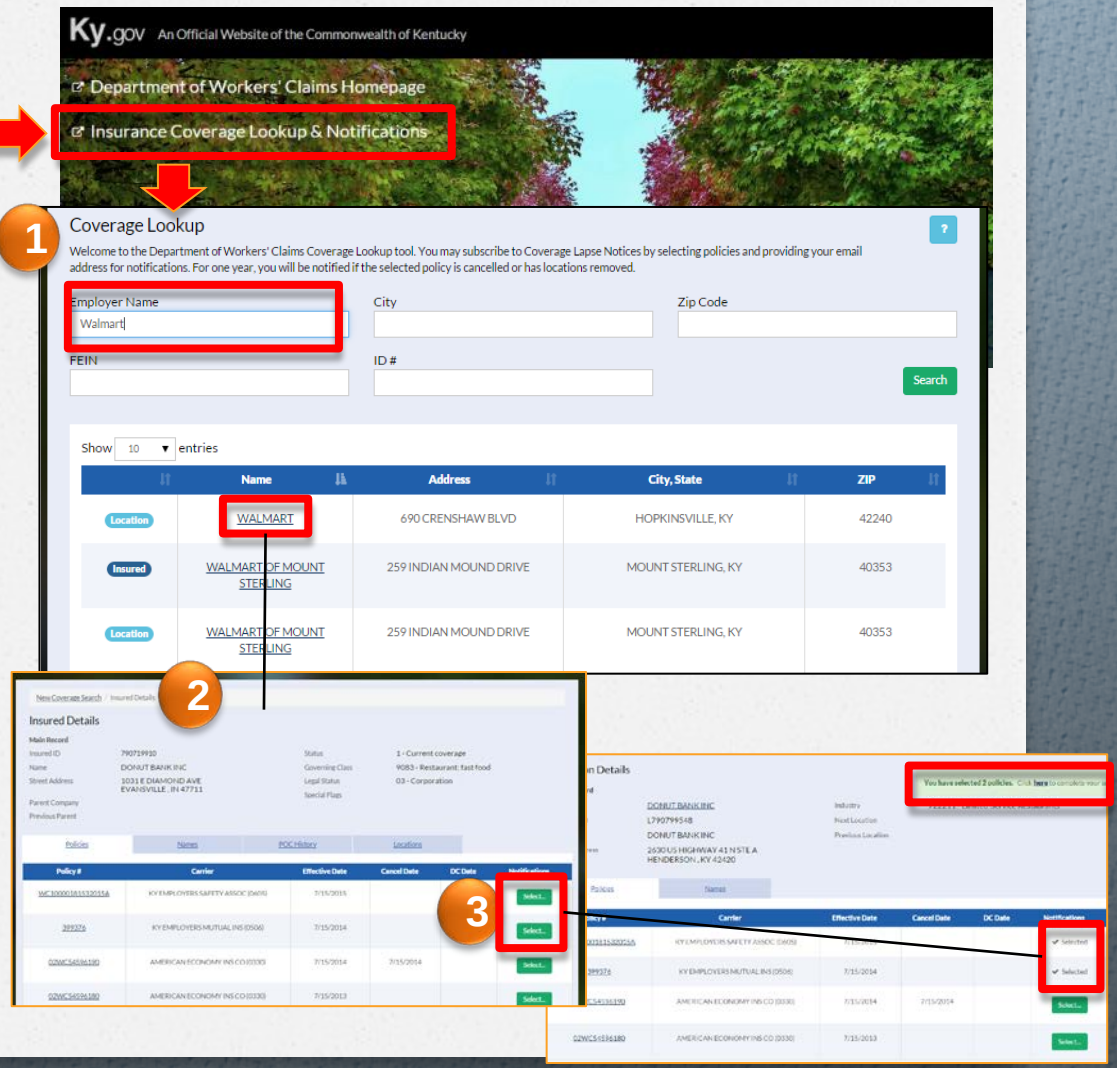
The Coverage Lookup landing page can be accessed by clicking on the "Insurance Coverage Lookup & Notification" link on the top-left area of the LMS login page. Once there, you can search using the available fields.

2 Insured Details

Select the employer or location for which you want to subscribe to notices. From the Insured Details page (or Locations Details), determine the policy or policies you want to monitor. Then click the green "Select" button

3 Subscribe to Notices

After selecting the policies you will notice the green button is replaced by a check mark and the word "Selected." A light green box will also appear toward the top of the screen with the sentence, "You have selected 2 policies. Click **here** to complete your subscription!"



Self Insurance

- Individual Self Insurance
- Coal
- Self Insurance Groups

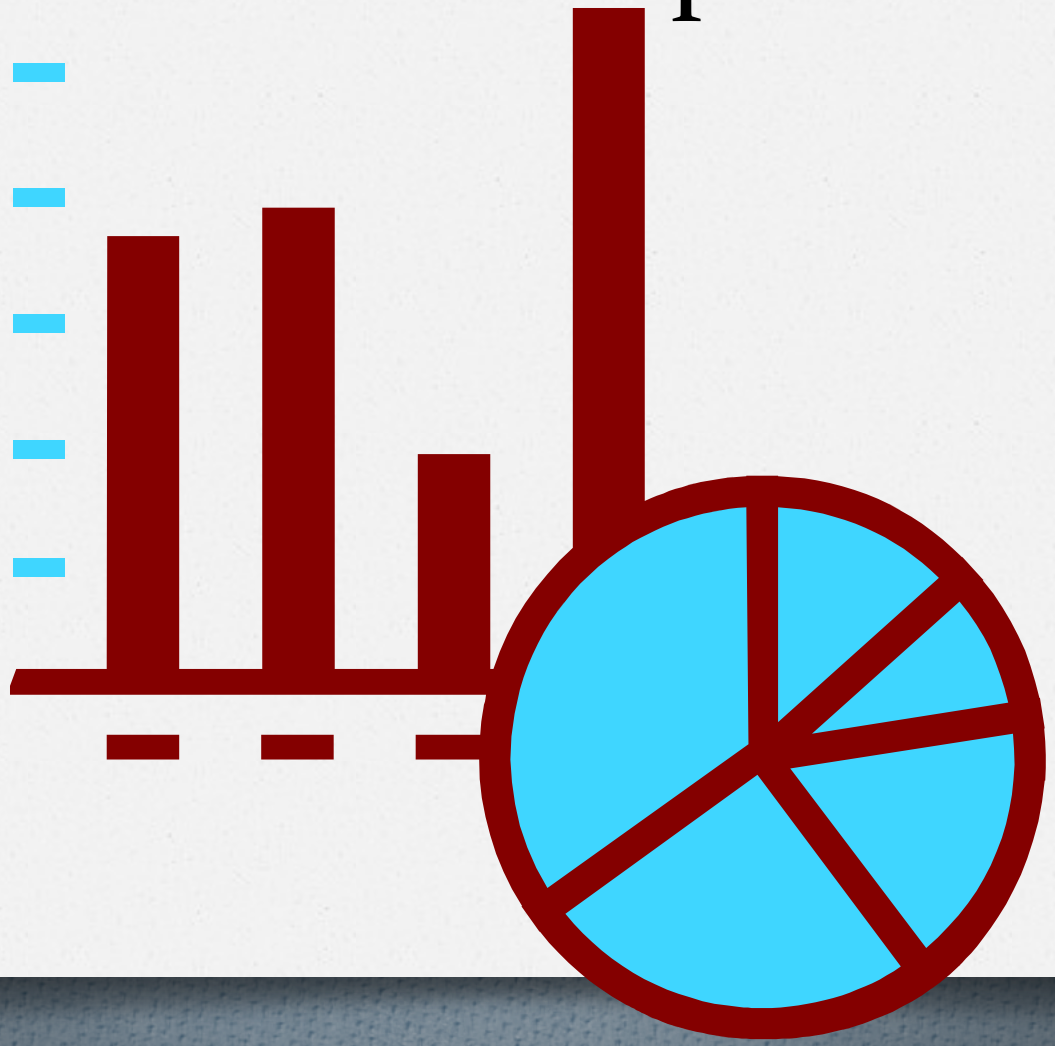
Self Insurance

- Surety Program
- Bankruptcy
- Default

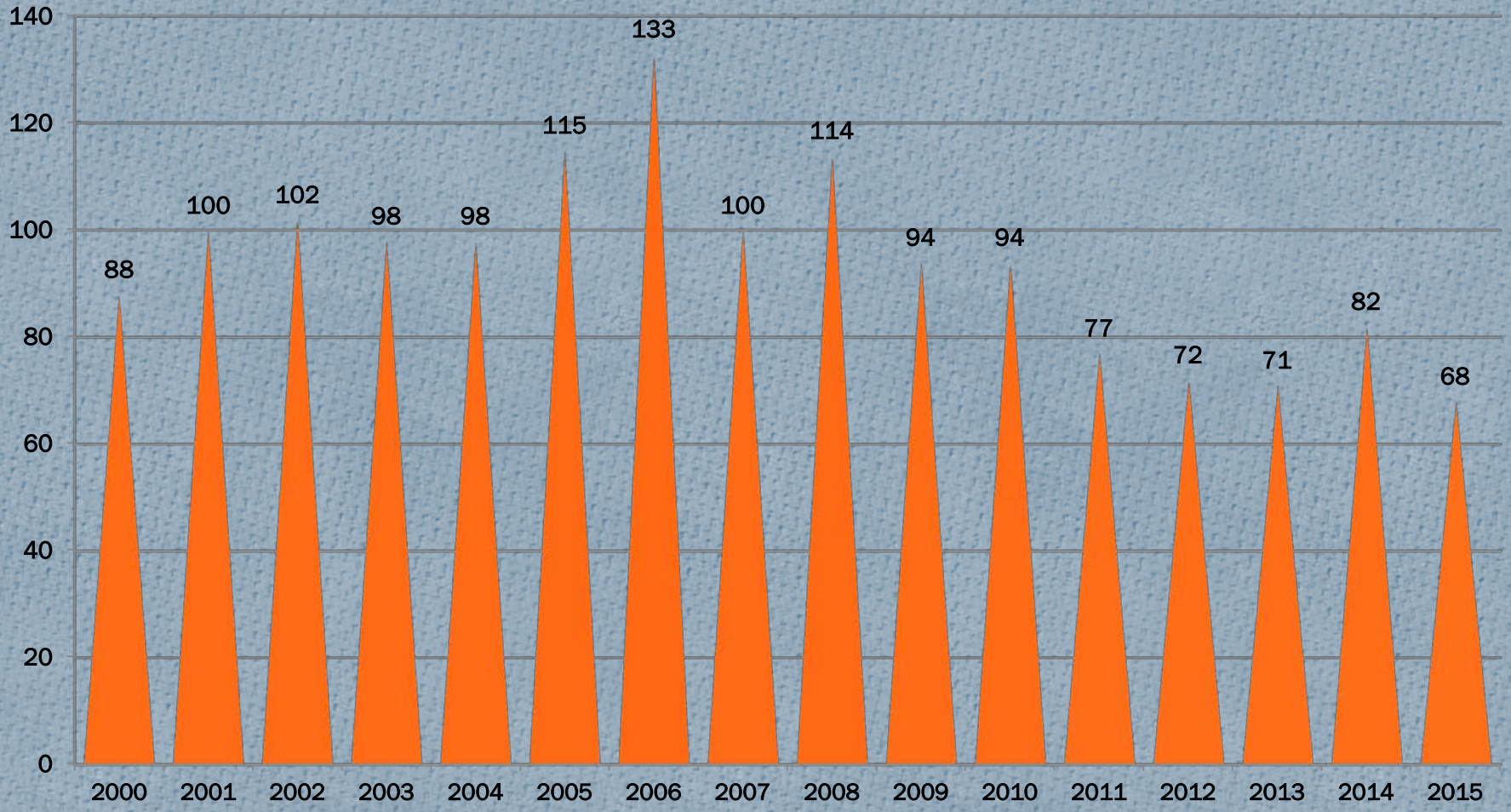
Open Records

It is a goal of the DWC to have the Online Open Records process within the Litigation Management System. However, currently all open records requests must be made by Mail or Fax.

Statistical Update

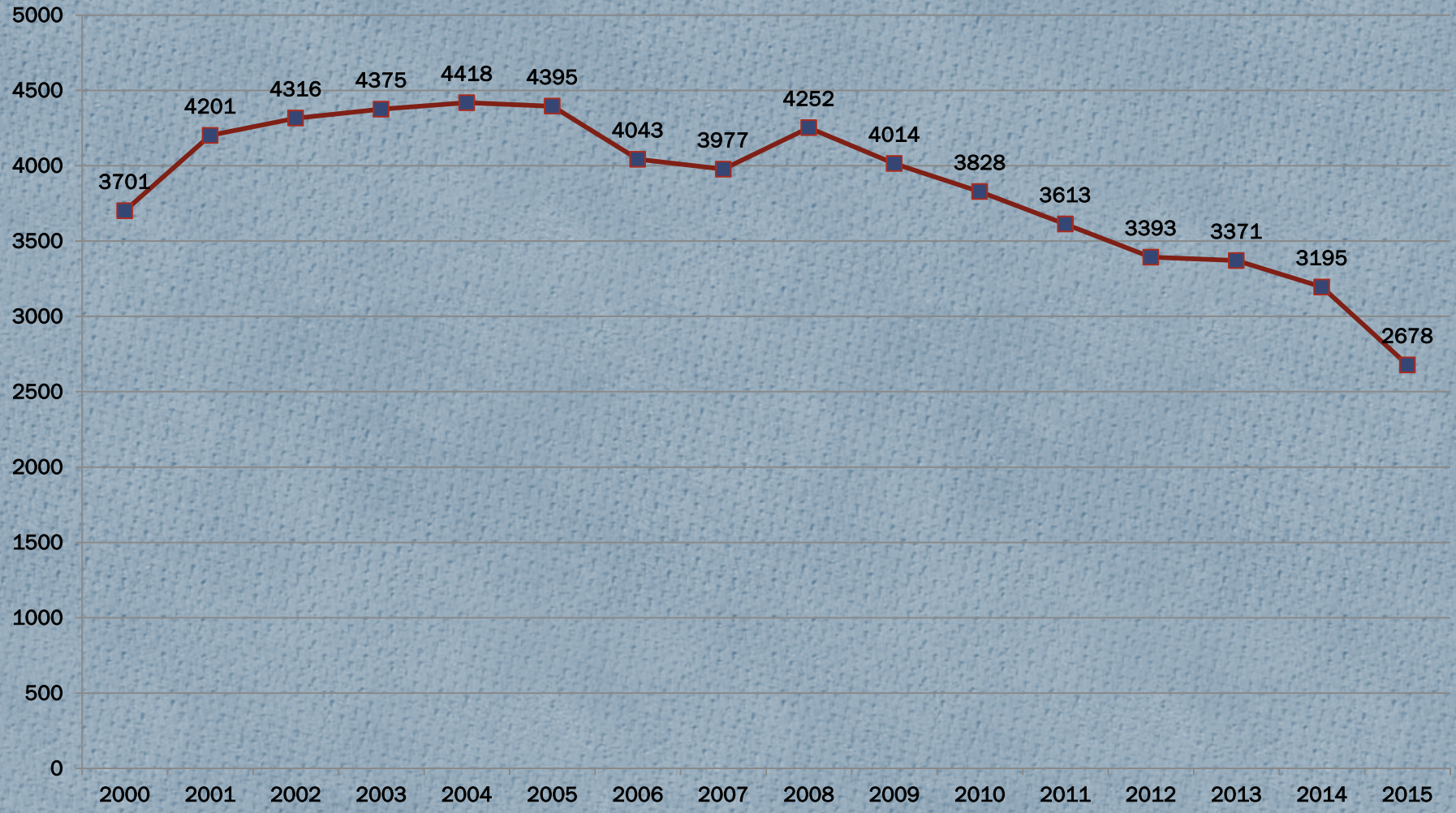


Fatalities Reported to DWC by Calendar Year (2000-2015*) - Work-Relatedness Not Determined



Data based on date received and date of death
Data not scrutinized for work-relatedness
Source: Information & Research – *2015 data includes information from 1/1/15 – 10/30/2015
Run date: 11/30/2015

Pre-litigated Agreements by Calendar Year (2000-2015)*



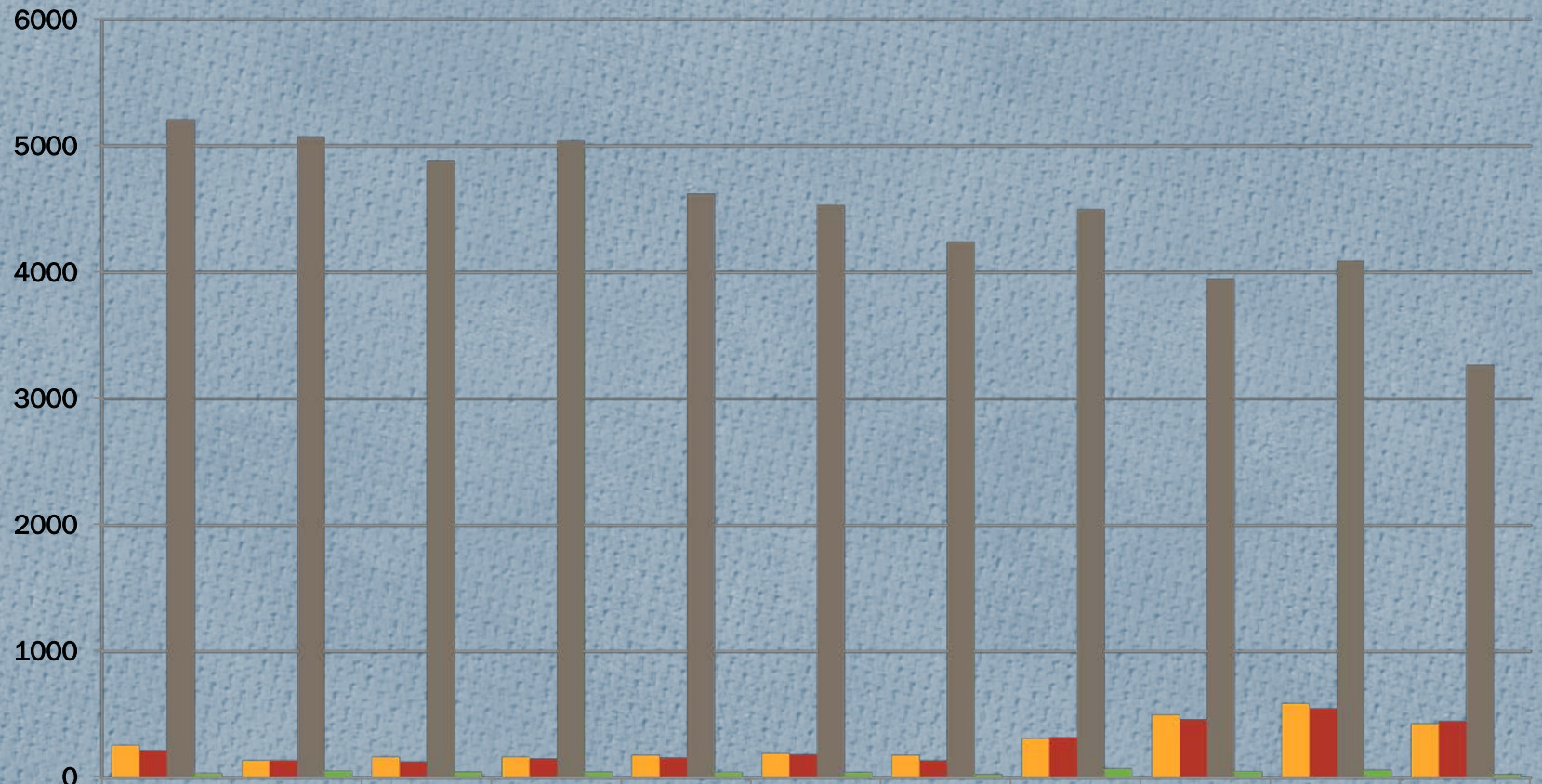
Source: Information & Research

Run date: 12/1/2015; Current year includes information from 1/1/15 – 10/30/15

First Reports of Injury by Calendar Year (2000-2015)*

Excludes no lost time reports; Data based on date received by DWC.
Source: Information & Research - *2015 data from 1/1/15 through 10/30/2015
Run date: 12/1/2015

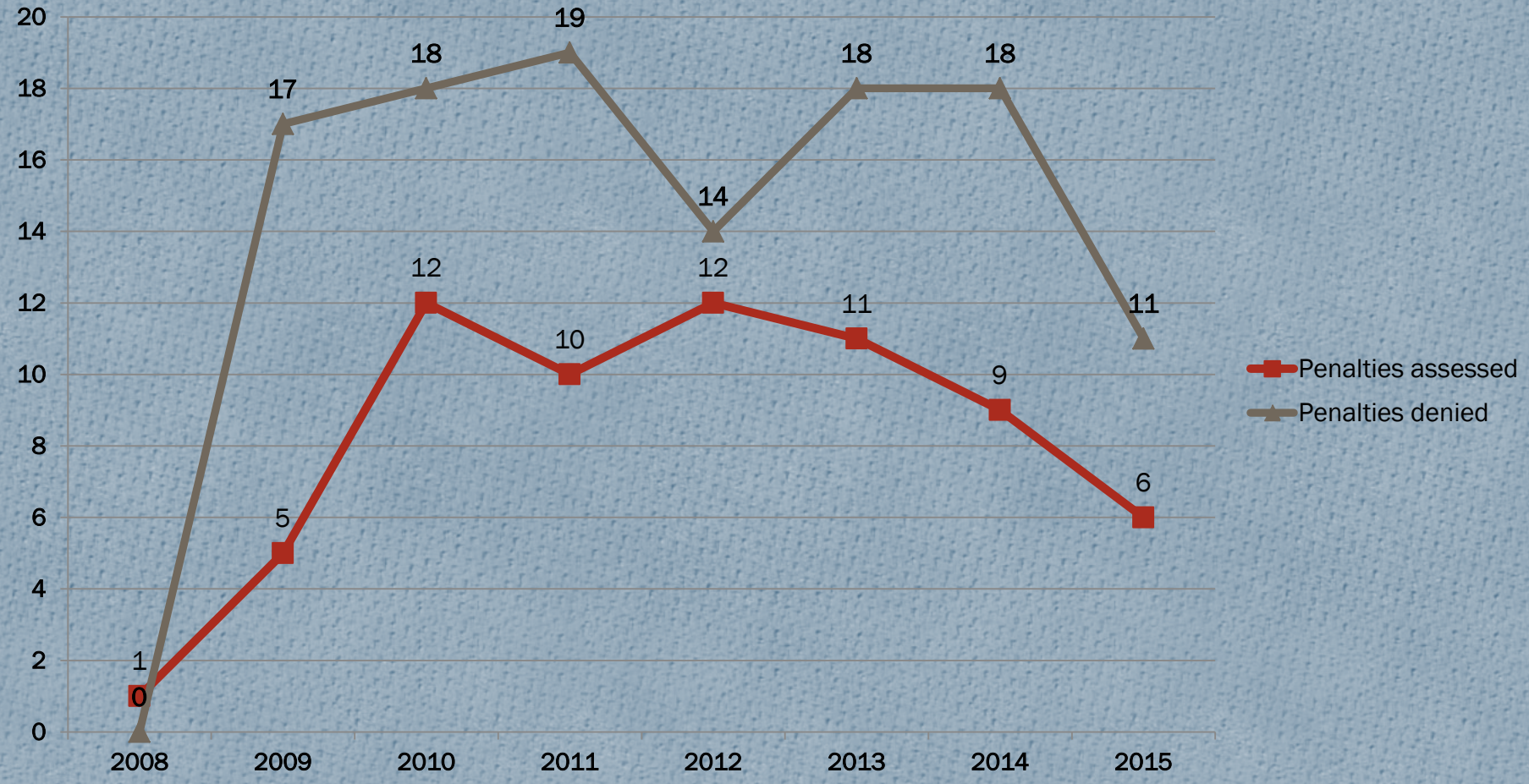
Claims by Nature Type by Calendar Year (2000-2015)*



	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015
CWP	257	137	164	164	179	193	179	308	499	587	429
Hearing Loss	218	138	127	150	158	183	136	318	461	549	448
Injury	5207	5074	4884	5039	4622	4533	4239	4497	3948	4091	3267
Other OD	35	54	46	45	44	41	27	69	49	60	28

Data based on acknowledged claims by nature type – by File Date.
Source: Information & Research - *2015 data from 1/1/15 through 10/30/2015
Run date: 12/1/2015

Safety Penalties by Calendar Year (2000-2015)*



Data based on status codes SVPD and SVPA.
Source: Information and Research
*2015 data from 1/1/15 through 10/30/2015
Run date: 12/1/2015

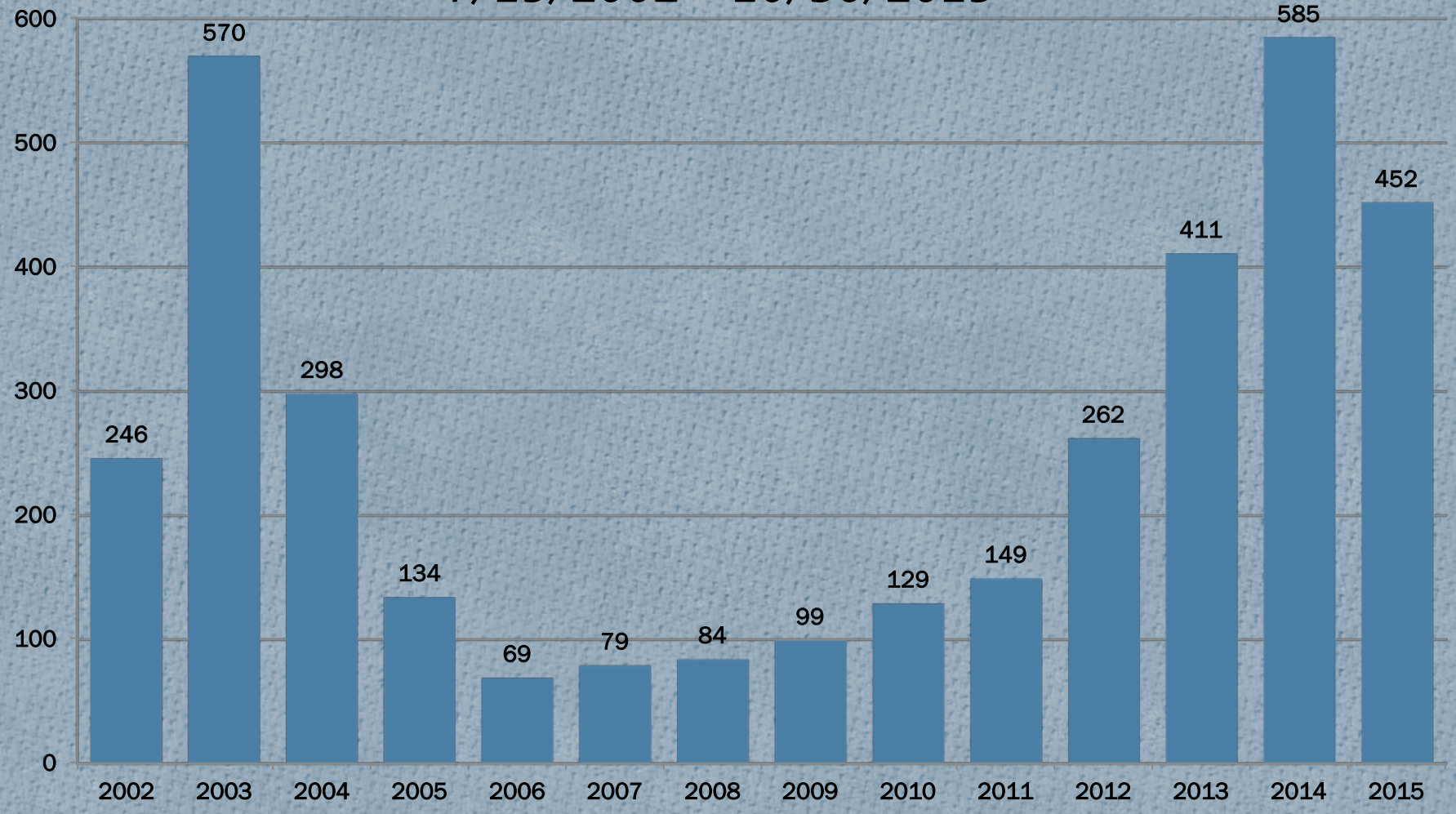
DWC Enforcement Actions by Fiscal Year

Investigation Analysis

	FY 09-10	FY 10-11	FY 11-12	FY 12-13	FY 13-14	FY 14-15
Number of Investigations	11,400	10,497	9,574	9,842	9,700	7913
Number of Citations	1,015	958	772	848	781	844
Penalties Collected ($)	$1,703,578	$1,777,307	$1,360,663	$1,079,945	$1,818,399	$1,490,964

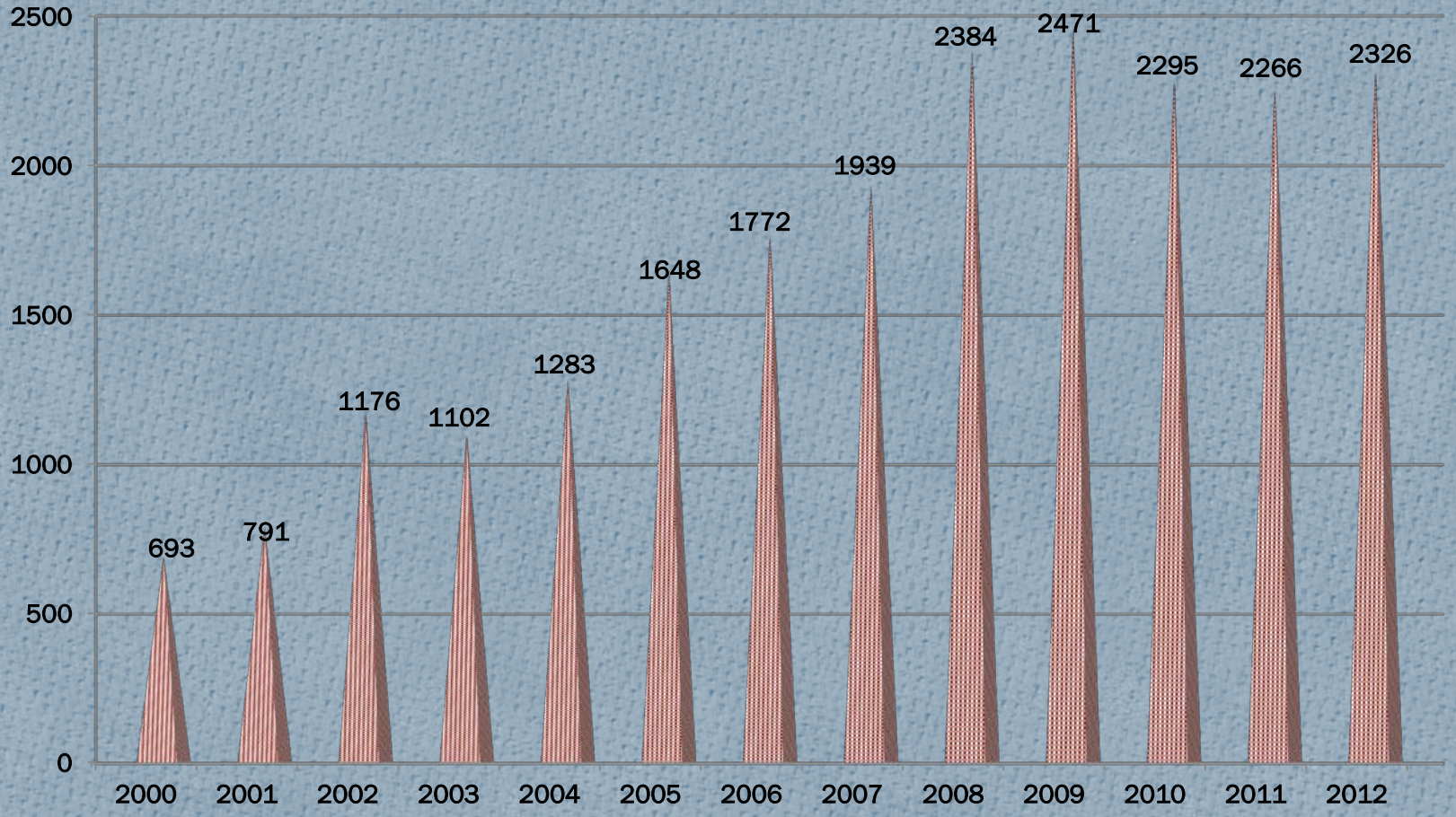
Source: Security & Compliance Division

CWP Claims Filed by Calendar Year
7/15/2002 – 10/30/2015



Claims filed based on status codes created specifically for HB 348 (ACWP)
Data from 1/1/15 through 10/30/2015
Source: Information and Research/DWC/Run date: 12/1/2015

Medical Disputes by Calendar Year (2000-2012)



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

Medical Dispute *Pilot* Statistics
1/1/2013 – 10/30/2015

2013: 1106 New Cases Assigned

2014: 1068 New Cases Assigned

2015: 926 New Cases Assigned

Medical Disputes Filed During Pendency of the Claim - 1/1/2013 – 10/30/2015

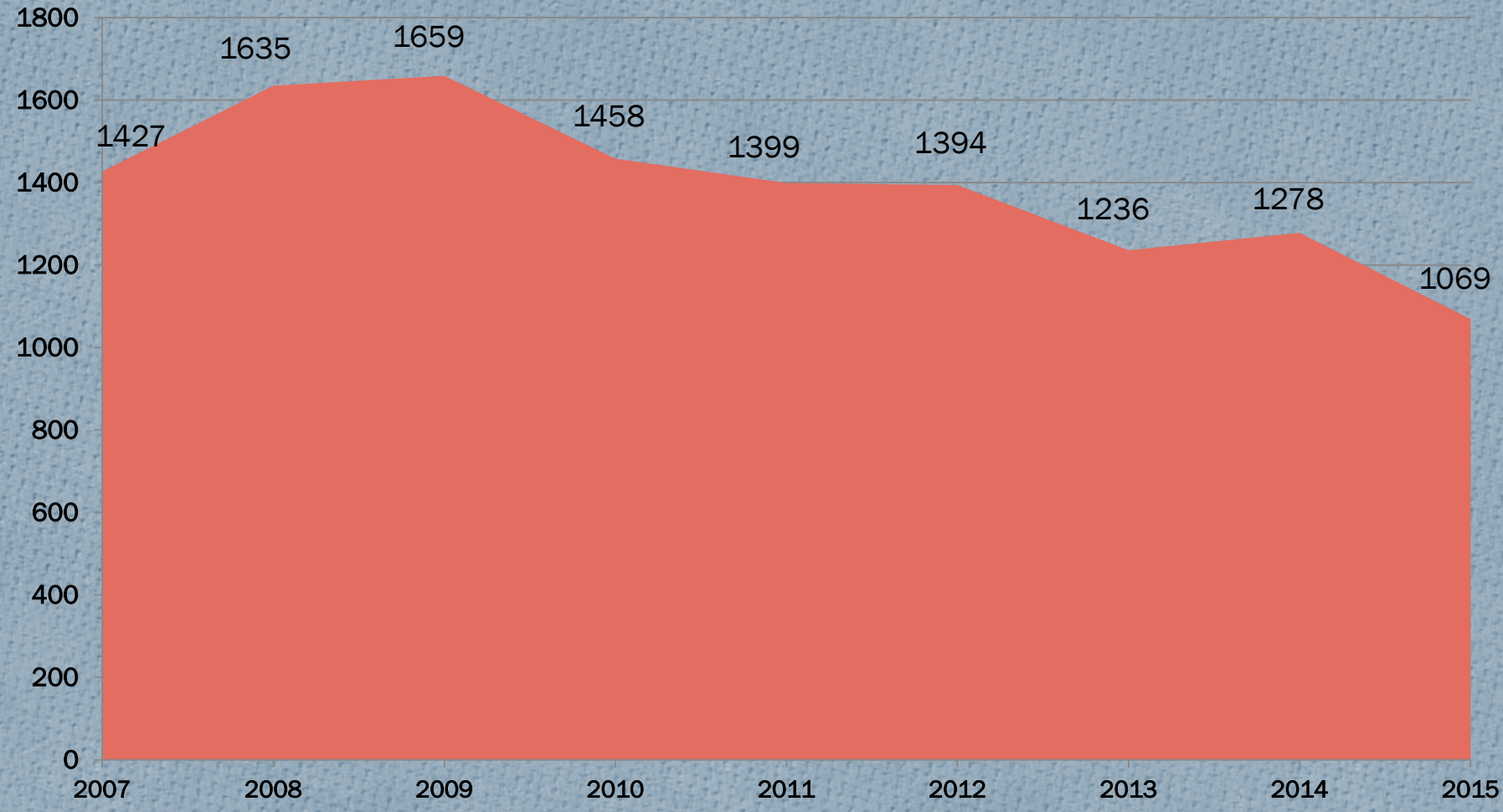
2013: 937 Disputes Filed

2014: 779 Disputes Filed

2015: 508 Disputes Filed

Medical Dispute Pilot Assignments and standard MMFD
Source: I&R; Run date 12/1/2015

Reopenings by Calendar Year (2007-2015)*



Data based on status code MROP for reopenings.. 2013 - 2015 includes reopenings on medical disputes within the pilot project.

*Data includes information from 1/1/15 through 10/30/2015 .

Source: Information and Research

Run date: 12/1/2015

www.labor.ky.gov/workersclaims

Thank You!