

# Annual Report - DWC

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

KWCEA  
December 10-11, 2015



# Coal Workers' Pneumoconiosis

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

# What's in the Works..

## Litigation Management System (LMS)

The LMS system went into production for the DWC internal users on November 4<sup>th</sup>, 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

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

# Project Overview

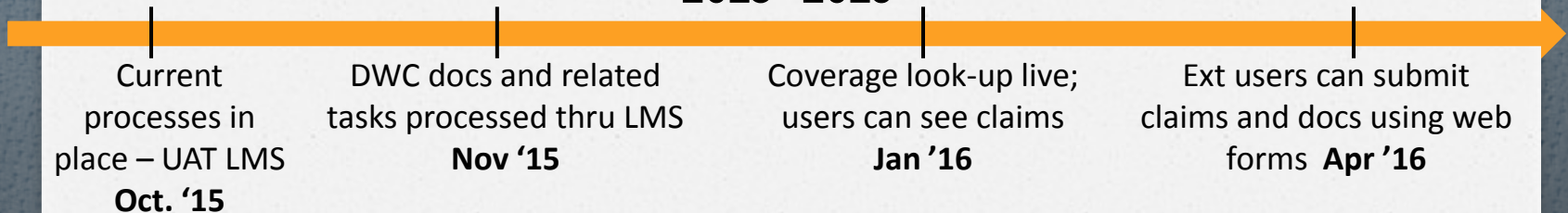
## LMS Business Case and Functionality

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

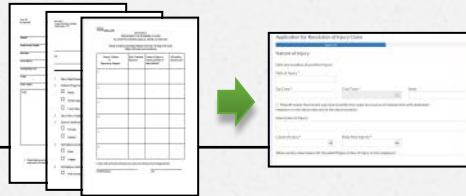
2015 - 2016



# 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



Vs.



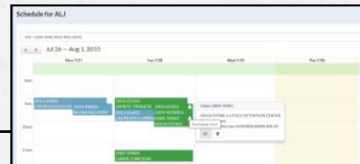
LMS enables users to submit and manage claims using electronic signatures and paperless receipts

### Records Management



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

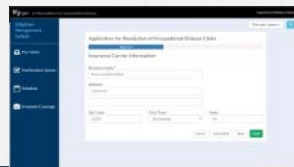
### Conference Scheduling



Online Search 

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

The screenshot shows the homepage of the Kentucky Department of Workers' Claims Litigation Management System. At the top, there is a navigation bar with the 'Ky.gov' logo and a search bar. Below this is a breadcrumb trail: 'Department of Workers' Claims Homepage'. The main content area features a large image of the Kentucky State Capitol building. Overlaid on this image is a dark blue box containing the following text: 'Welcome to the Kentucky Department of Workers' Claims Litigation Management System'. Below the welcome message is a paragraph explaining that registration is required and listing the actions users can perform after registration. There are two input fields: 'Email' and 'Password'. At the bottom of the registration form, there are links for 'Register' and 'Forgot Password', and a green 'Sign In' button. A red box highlights the 'Register' link, and a yellow arrow points to it from a callout box below the screenshot.

Ky.gov An Official Website of the Commonwealth of Kentucky

Search Kentucky.gov...

Department of Workers' Claims Homepage

## Welcome to the Kentucky Department of Workers' Claims Litigation Management System

Registration is required to use the Kentucky Workers' Claims Litigation Management System. Once registered, you will be able to do the following, depending on your role: administer self-insurance, submit a claim, view a claim, or join an existing claim as attorney or claimant.

Email

Password

[Register](#) | [Forgot Password](#) [Sign In](#)

From the log on screen  
select "Register"

# Registering on LMS

## 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.

The screenshot shows the 'Account Registration' page, Step 1 of 3. The browser address bar shows 'https://kyworkclaims.training.lms.ky.gov/accou...'. The page header includes 'Ky.gov - An Official Website of the Commonwealth of Kentucky' and 'Department of Workers' Claims Homepage:'. The form fields include: 'Email \*' (text input), 'Create Password \*' (password input), 'Confirm Password \*' (password input), 'Security Question #1 \*' (dropdown menu), and 'Security Question #2 \*' (text input). A large orange circle with the number '1' is overlaid on the left side of the form.

The screenshot shows the 'Account Registration' page, Step 2 of 3. The form asks 'How will you be using the system?' with radio button options: 'Kentucky Attorney', 'Court Reporter', 'Sole Proprietor Employer', 'Sole Medical Practitioner', and 'Other'. A large orange circle with the number '2' is overlaid on the right side of the form.

The screenshot shows the 'Account Registration' page, Step 4 of 3. The text reads: 'I acknowledge by selecting "Yes" below that I am signing up for paperless communication. Where possible, the DWC will send me notifications electronically and I acknowledge that the DWC may send me paper if necessary or if required by law.' Below this are two radio button options: 'Yes, I want to sign up for paperless notifications.' and 'No, please continue to send me paper.' A large orange circle with the number '3' is overlaid on the top right of the form.

The screenshot shows an email titled 'Activate your LMS account!' from 'no-reply@ky.gov' to 'me', received at 11:08 AM (2 minutes ago). The email body says: 'Hello Banjo, Thank you for signing up with the Litigation Management System. To activate your account, please visit the URL link below.' It includes a long URL for account activation and contact information for the Department of Workers' Claims at support@ky.dwc.gov. A large orange circle with the number '4' is overlaid on the top right of the email.



# Coverage Lookup – January 1, 2016

## 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!”

**1** Coverage Lookup

Welcome to the Department of Workers' Claims Coverage Lookup tool. You may subscribe to Coverage Lapse Notices by selecting policies and providing your email address for notifications. For one year, you will be notified if the selected policy is cancelled or has locations removed.

Employer Name: Walmart | City: | Zip Code: | FEIN: | ID #: | Search

Show	Name	Address	City, State	ZIP
Location	WALMART	690 CRENSHAW BLVD	HOPKINSVILLE, KY	42240
Insured	WALMART OF MOUNT STERLING	259 INDIAN MOUND DRIVE	MOUNT STERLING, KY	40353
Location	WALMART OF MOUNT STERLING	259 INDIAN MOUND DRIVE	MOUNT STERLING, KY	40353

**2** Insured Details

Main Record: Insured ID: 790719950, Name: DONUT BANK, INC., Status: 1 - Current coverage, Governing Class: 9083 - Restaurant, fast food, Legal Status: 03 - Corporation

Policy #	Carrier	Effective Date	Cancel Date	DC Date	Notifications
00C10000111100156	KY EMPLOYERS SAFETY ASSOC (0400)	7/15/2013			Select
00C10000111100156	KY EMPLOYERS MUTUAL INS (0506)	7/15/2014			Select
00C10000111100156	AMERICAN ECONOMY INS CO (0300)	7/15/2014	3/15/2014		Select
00C10000111100156	AMERICAN ECONOMY INS CO (0300)	7/15/2013			Select

**3** You have selected 2 policies. Click [here](#) to complete your subscription!

# Self Insurance

- o Individual Self Insurance
- o Coal
- o Self Insurance Groups

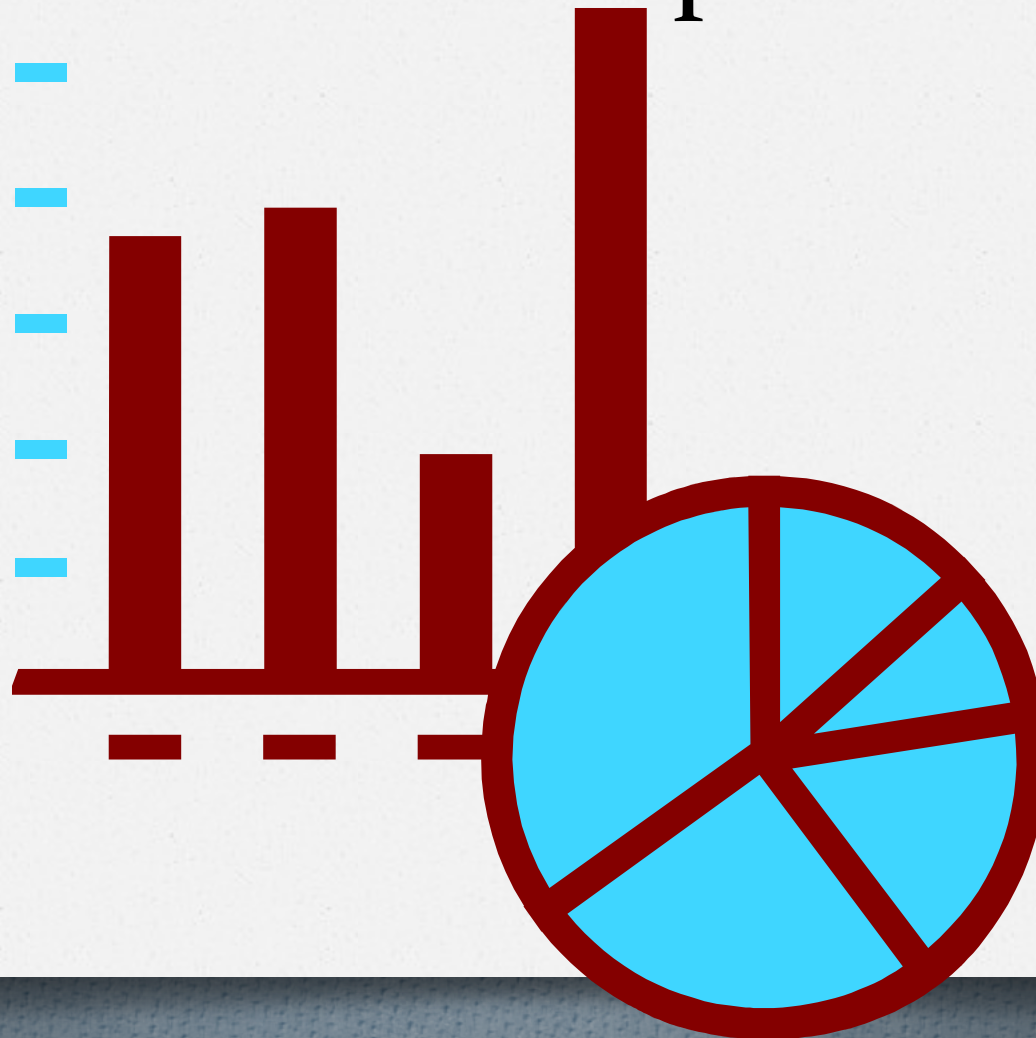
# Self Insurance

- o Surety Program
- o Bankruptcy
- o Default

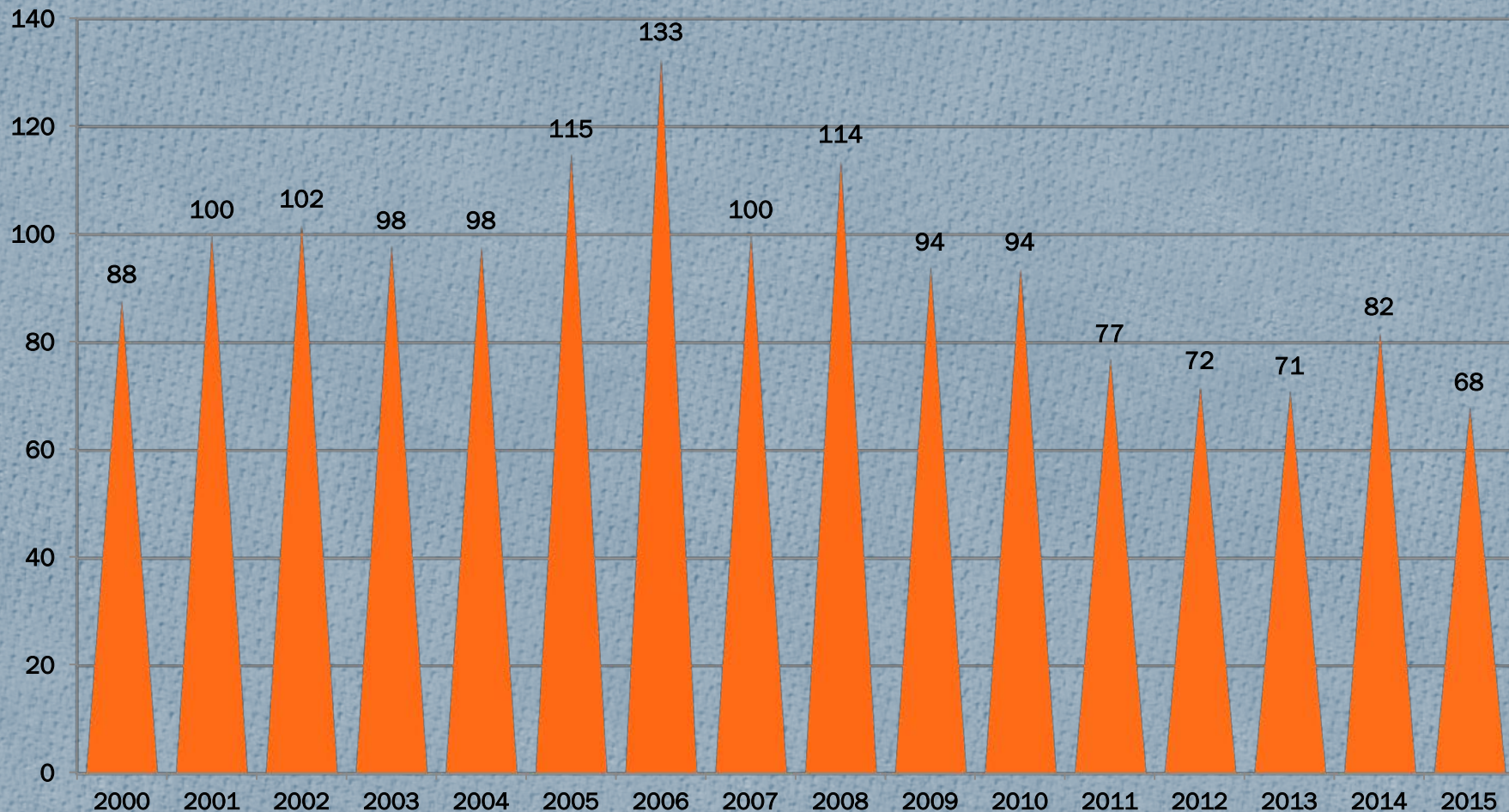
# Open Records

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

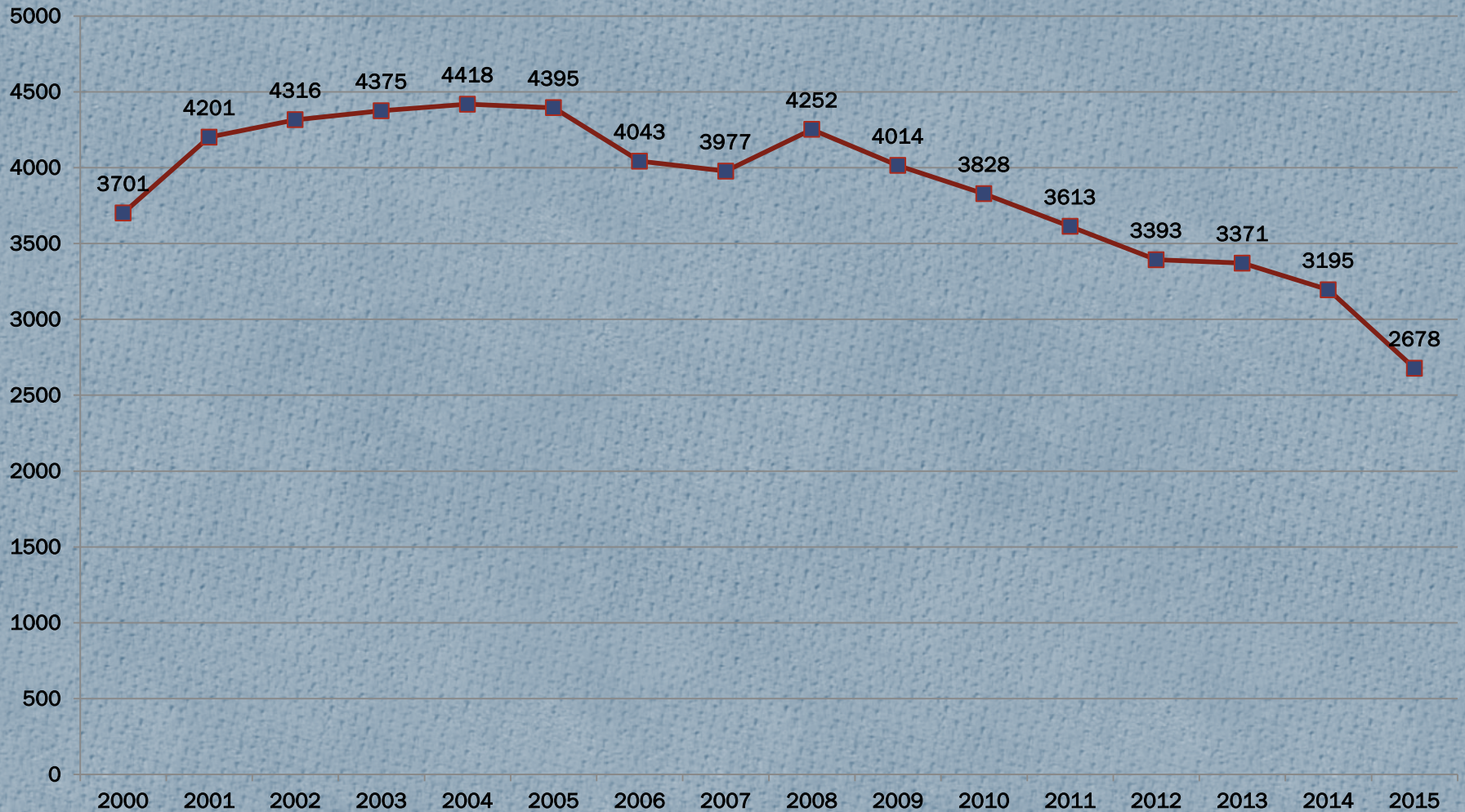


Data based on date received and date of death  
Data not scrutinized for work-relatedness

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

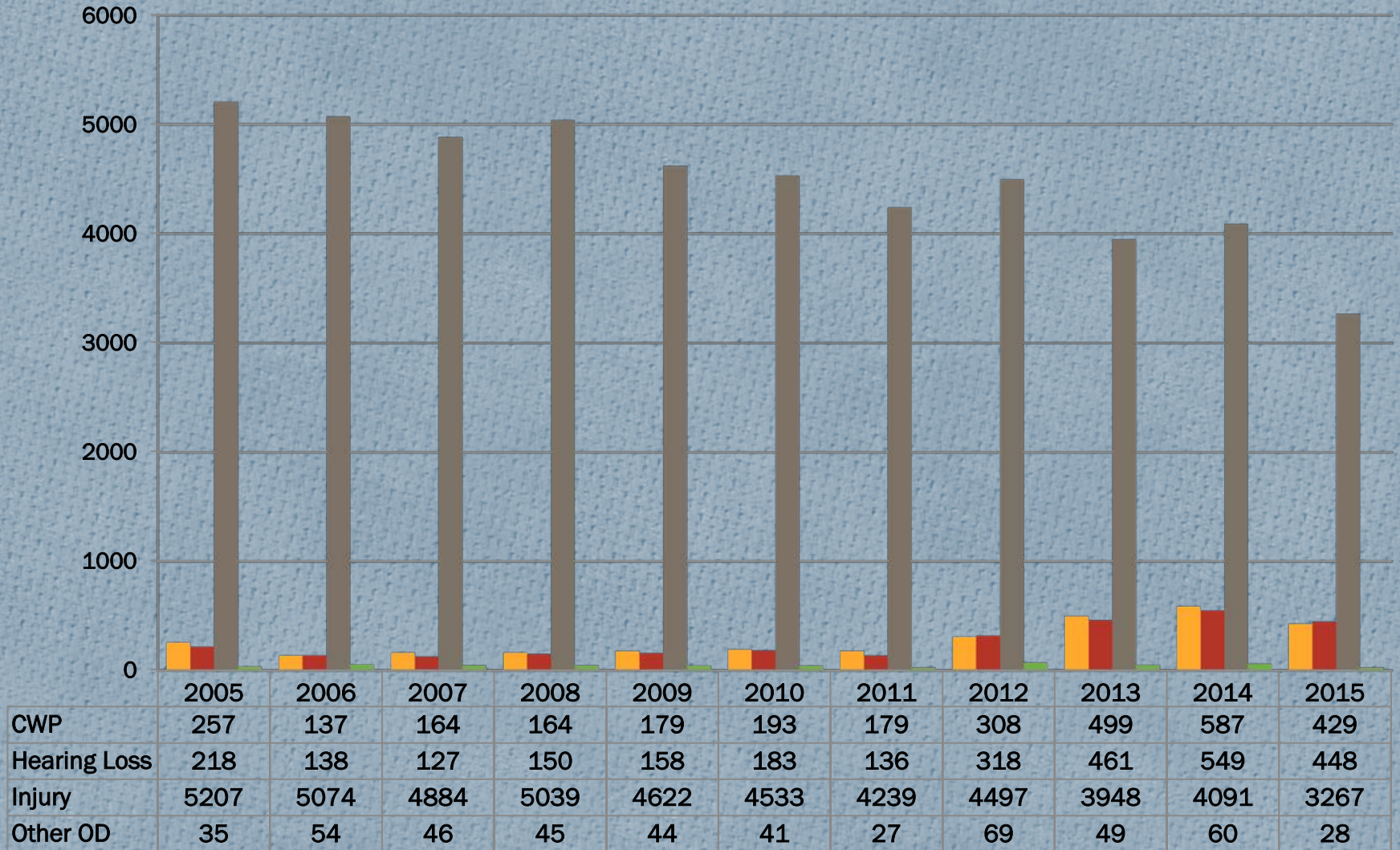
# *First Reports of Injury by Calendar Year (2000-2015\*)*



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

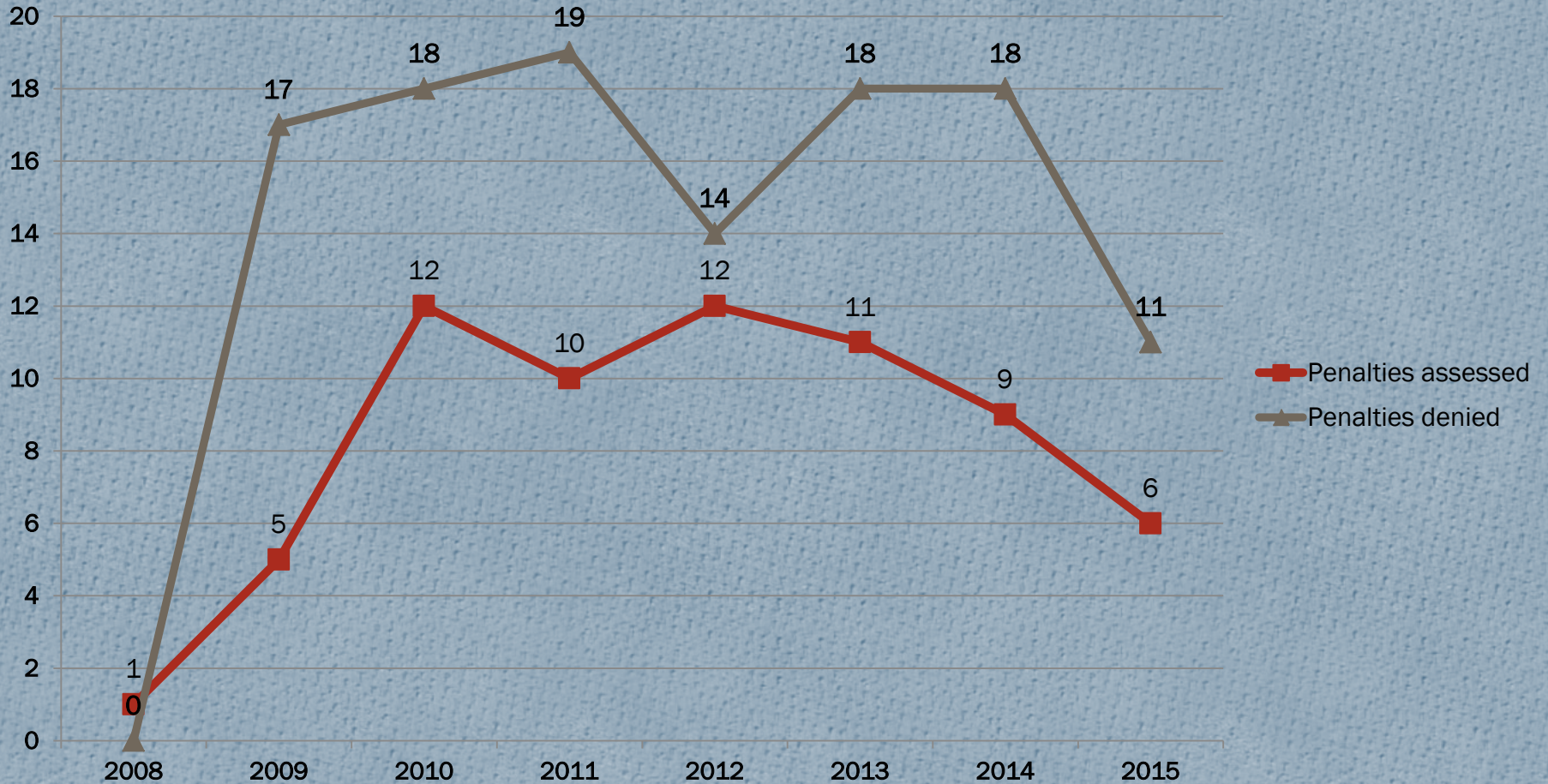


## Claims by Nature Type by Calendar Year (2000-2015\*)



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

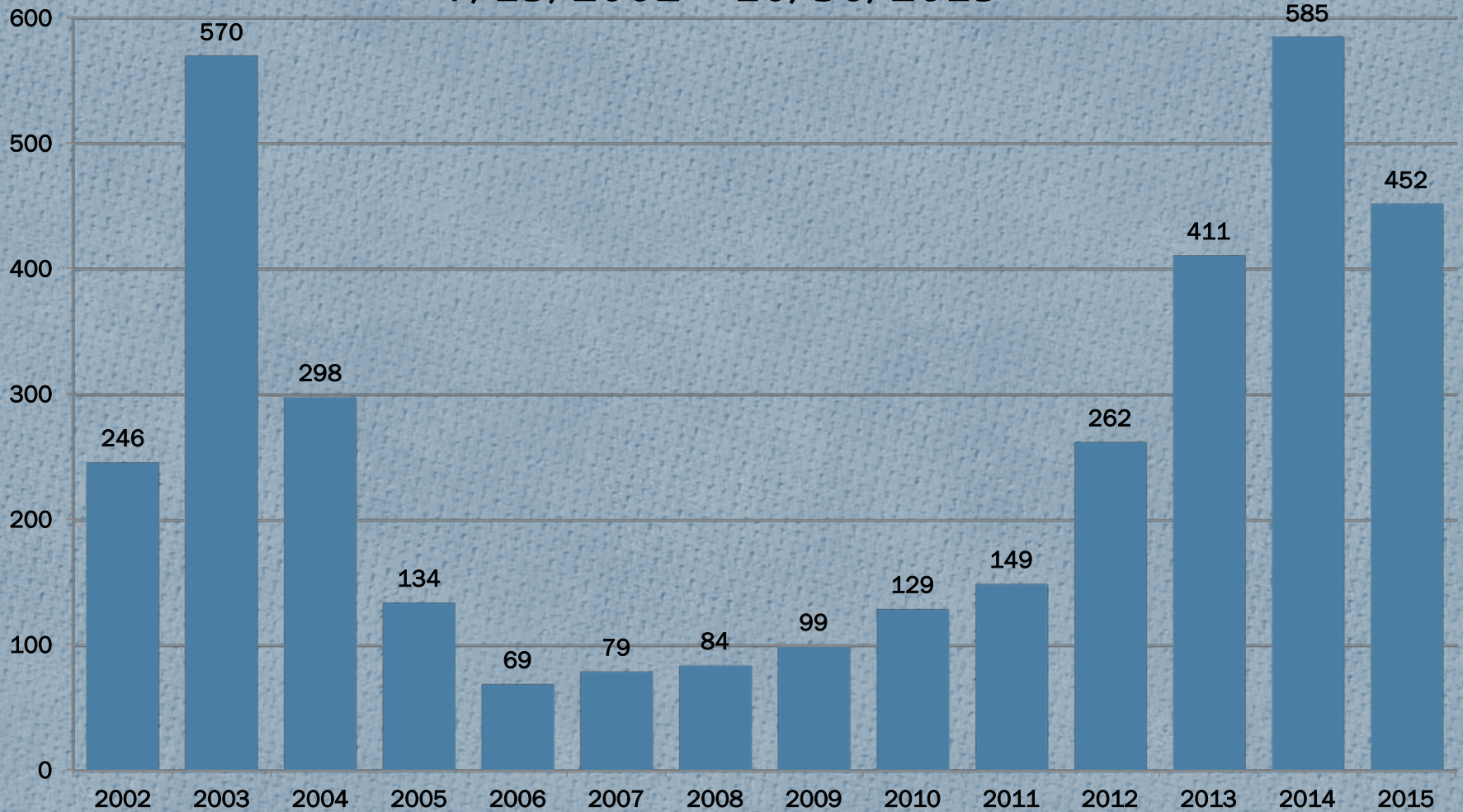
# *DWC Enforcement Actions by Fiscal Year*

## *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

# *CWP Claims Filed by Calendar Year*

## *7/15/2002 – 10/30/2015*

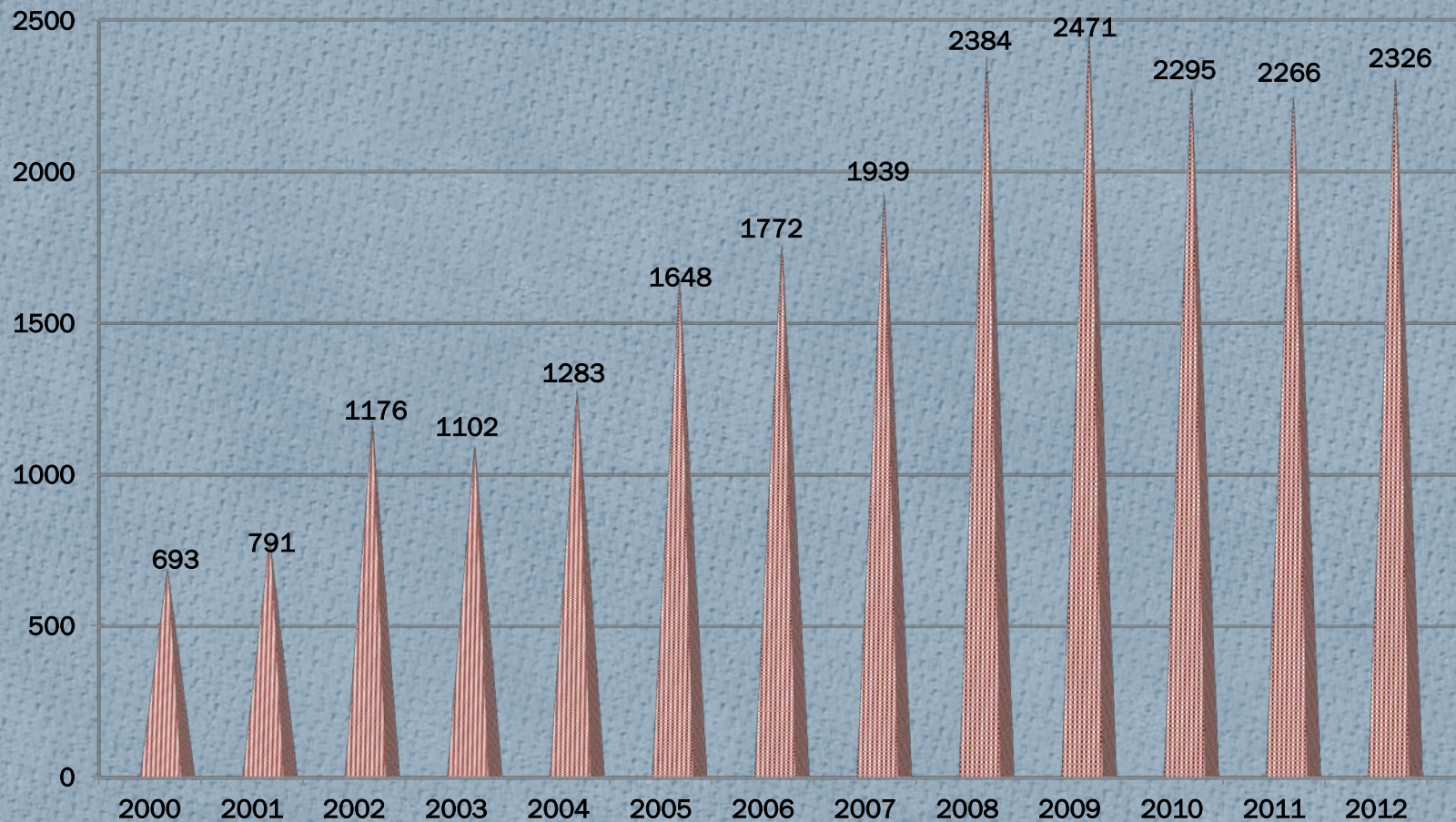


Claims filed based on status codes created specifically for HB 348 (ACWP)

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

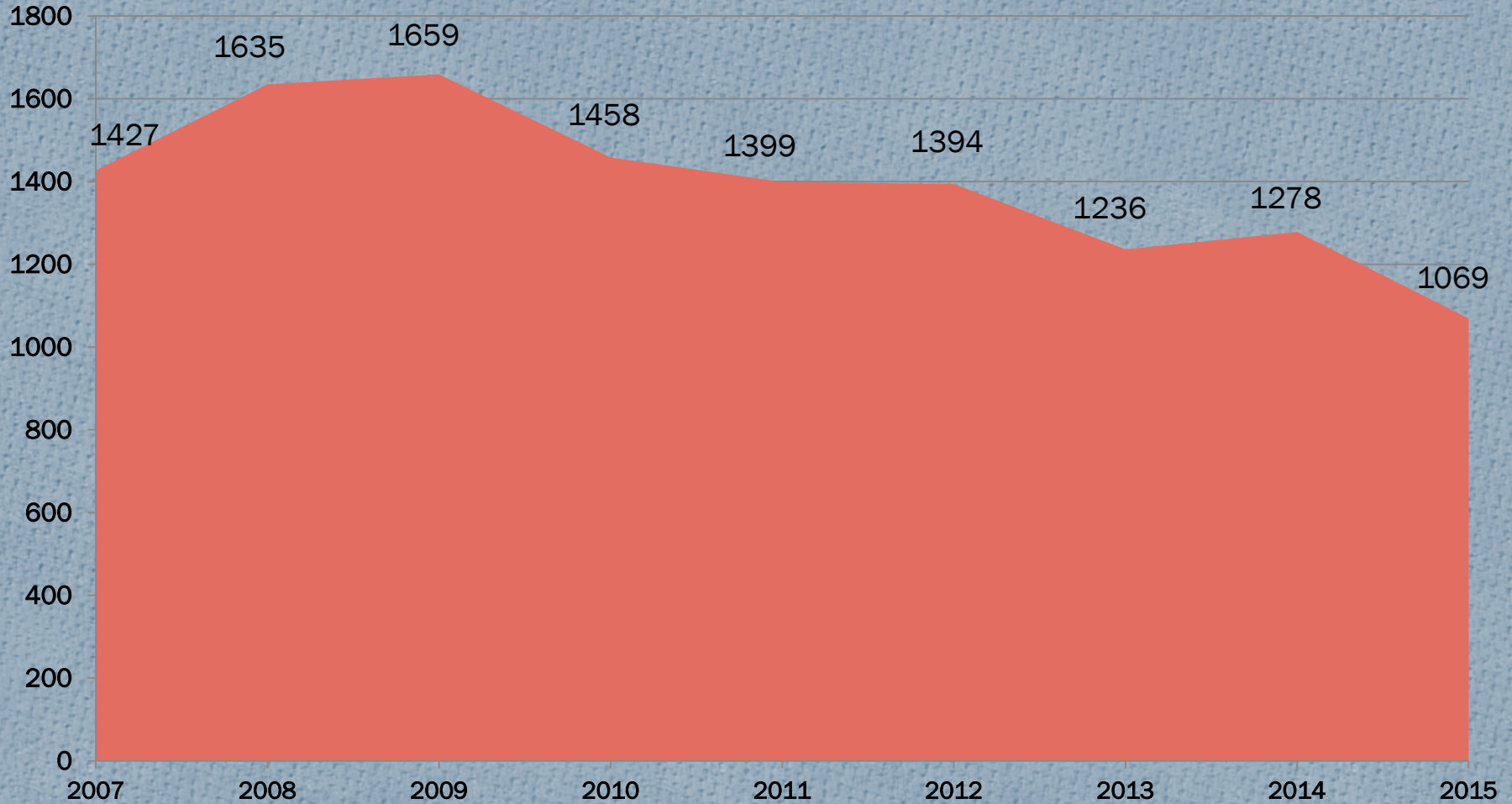
## 1/1/2013 – 10/30/2015

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

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

**Thank You!**