

# Lake County Safety Council Thursday, April 8 Meeting



LAKE COUNTY  
**SAFETY COUNCIL**  
Working Towards A Safer Workplace

## *Top 10 Common Mistakes – Workers Compensation*

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Occupational Services*

April 8, 2021

# Top ten common mistakes employers make when managing workers' compensation

Presented by:

**Barb Lessman, Account Executive**

**Todd Keserich, AVP Client Services**



- Most workers' compensation mistakes are a result of:
  - Lack of knowledge
  - Lack of communication; or
  - Lack of involvement or knowledge

## — Mistakes can negatively impact an employer's profitability:

- The lack of knowledge, communication and involvement can negatively impact an employer's bottom line.
- Workers' compensation process
- Claims management – vs - medical management
- Rates

## — Top ten common mistakes:

1. Not understanding the workers' compensation management system
2. Not being involved
3. Not having a knowledgeable point person
4. Not having an injury reporting process in place
5. Missing deadlines/lapse in coverage/true-up
6. Not understanding how rates are established
7. Not understanding how a claim can impact your bottom line
8. Not taking advantage of rating discount programs
9. Not understanding and utilizing claim cost control Strategies
10. Lack of communication with MCO/TPA/BWC/claimant

## — Not understanding the workers' compensation system:

- It can be complicated, but employers need to know how the system works so they can make good business decisions.
- Employers need to understand:
  - Rating;
  - Claim reporting and claim management; and,
  - BWC programs.
- It is important to understand the responsibilities of all parties in the system:
  - Employer  Claimant  MCO  BWC  TPA



## — MCO/TPA responsibility slide : MCO

- Initial report of injury
- Return to Work questions
- Change of physicians
- MCO network of physicians
- Fraud
- Injury Reporting Materials
- Questions on medical bills
- Prescription drug questions
- Medical records/documentation
- Rehabilitation
- Utilization management
- MCO procedures
- Modified Duty/Transitional Work Questions
- Questions on treatment/treatment plans

## — MCO/TPA responsibility slide : TPA

- Report of injury
- Questions on certification and compensability
- Independent Medical Exams (IME)
- Lump sum settlement
- Safety programs
- BWC/IC orders
- Claim status
- Return to Work questions
- Receipt of hearing notice
- Fraud
- Excessive treatment
- Rate questions & payroll audits
- Policy and coverage issues
- Violation of specific safety requirements(VSSR)

## — Not being involved :

- Ownership, management and employees need to be involved
- Be proactive

## — Not having a knowledgeable point person:

- Develop a good relationship with your MCO case manager, TPA claims examiner and BWC representative
- They are all essential in managing your workers' compensation program.

## — Not having an injury reporting process:

- Do your employees and supervisors know what to do when an injury occurs?
- Do your supervisors know how to investigate an accident?
- Contact MCO and TPA as soon as possible after a claim occurs.
- Claims must be reported at the time of occurrence.

## — What to do when you have a injury – Supervisor – witness – IW incident statement – checklist :

1. If injury is serious or life threatening, call 911 immediately
2. Report and Investigate
3. Obtain medical documentation
4. Meet with Workers' Compensation Coordinator to discuss POA
5. Return to work protocol
6. Maintain contact with injured worker

## — Missing deadlines/Lapsed coverage:

- True-up failure can result in being removed from BWC discount programs.
- Failing to meet requirements and missing deadlines for BWC programs.
- Lapsed coverage can result in uncovered claims and rejection from group rating programs.

## — Premium payment for private – Important dates for privates :

Jan 31: Group RETRO, Individual RETRO, One Claim and Deductible deadline

May 28: Destination Excellence enrollment deadline (DFSP, ISSP, TWP)

June 21: First installment payment for July 1<sup>st</sup> policy due (2% rebate if paid in full)

Aug 13: True-Up report and premium payment deadline for prior policy year

Sept 30: Survey date to establish claim costs for premium rates

Nov: Group Rating enrollment deadline – Monday before Thanksgiving



## — Premium payment for private – Important dates for publics :

Feb 12: True-Up report and premium payment deadline for prior policy year

Mar 31: Survey date to establish claim costs for premium rates

May 28: Group Raring enrollment deadline

July 30: Group Retro, Individual Retro, One Claim and Deductible enrollment deadline

Nov 30: Destination Excellence enrolment deadline (DFSP, ISSP, TWP)

Dec 20: First installment for 2022 premium due (2% rebate if paid in full)

## — Not understanding how rates are established:

- How EM is established
- What is TLL ?
- What is TML?
- $(TML - TLL) / TLL = EM$
- $EM \times \text{base rate} = \text{premium rate}$

## — Not understanding how a claim impacts your bottom line:

- Know your claims
- Claims impact your premium rates for four years
- Know your company's TLL/TEL
- Know your company's max value claim amount

## — Not taking advantage of rating discount and refund programs:

- Traditional group rating
- Group retrospective rating
- Individual retrospective rating

# — Alternative discount program and BWC's Destination Excellence program :

Go Green

Lapse Free

Industry Specific Safety Program

Drug Free Work Place Program

Safety Council

Transitional Work

## — Cost Control Techniques :

Salary Continuation

Vocational rehabilitation

Lump sum settlement

Modified duty off site (MDOS)

Handicap reimbursements

Transitional work program

## — Lack of communication with MCO/TPA/BWC/Claimant:

- Communication is extremely important
  - Certify?
  - Change in the claim / work status?
  - Work restrictions
  - Separation of employment
- Don't assume that everyone involved knows what is going with the claim.
- An injured worker should report their injury to their supervisor at the time of the injury.

## — BWC Updates:

- **MCO Open Enrollment: May 3 – May, 28 2021**
- **Private Employers - 8871 – Clerical Telecommuter**
  - 8810 stays 8810 even if working from home
  - Employee still performs same duties from home
  - Continue to use regular manual code
- **Public Employers - 9444 - Public Employee Clerical Telecommuter**
- **Public employee teachers who conduct classes on-line working from home**
  - Use classification 9444
- Employer is responsible for recording, tracking, and documenting
- To request: call 1-800-644-6292 or send an email to [RTSclass@ohiobwc.com](mailto:RTSclass@ohiobwc.com)
  - Remember to include your policy number in your email request.



THANK  
Thank you  
YOU