

# SELF-INSURING EMPLOYERS EVALUATION BOARD

Karen L. Gillmor, Ph.D., *Chairman*  
Gary E. Lucas, *Member*  
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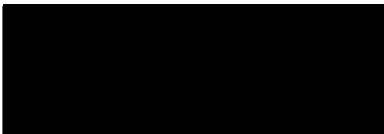
## IN THE MATTER OF:

Ford Motor Company (Employer), Risk No. 20002551-1

and

[REDACTED] (Claimant), Claim No. [REDACTED]

Complaint No. 18100



Ford Motor Company  
Paula Gorby  
7845 Northfield Rd.  
Walton Hills, OH 44146

Seaman Garson LLC  
Jeff Johnson  
614 W. Superior Ave., Suite 1600  
Cleveland, OH 44113-1306

O.G.C. Ford Motor Co.  
18300 Snow Rd.  
Cleveland, OH 44142-1415

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On November 25, 2013, [REDACTED] (Claimant) filed a complaint against Ford Motor Company (Employer). On November 27, 2013, the Employer's representative submitted its response to the Bureau of Workers' Compensation (BWC).

On December 23, 2013, BWC's Self-Insured Complaint Resolution Unit sent a letter finding the complaint to be invalid. On January 2, 2014, the Claimant verbally requested reconsideration. On January 3, 2014, BWC sent a Notice of Request for Reconsideration to the parties and their representatives. On January 10, 2013, BWC's Chief of Field Operations affirmed the finding that the complaint was invalid and, therefore, dismissed the complaint.

On January 19, 2014, the Claimant filed an appeal of BWC's dismissal of the complaint to the Self-Insuring Employers Evaluation Board (SIEEB). On February 25, 2014, a "Notice of Presentation to the Self-Insuring Employers Evaluation Board" was sent to the parties. This matter then came before the Self-Insuring Employers Evaluation Board on March 31, 2014.

### Relevant History of the Complaint:

On November 25, 2013, the Claimant filed a complaint alleging the Employer was not helping the Claimant to seek medical treatment in Texas where he now lives. The Claimant had been unable to find a doctor in Texas who would accept out-of-state workers' compensation patients.

The Self-Insured Complaint Resolution Unit found the Complaint was invalid. The BWC Legal Department affirmed the decision. The records indicated the Employer made reasonable efforts to assist the Claimant in finding a BWC-certified provider in Texas. The Employer was unsuccessful in its efforts. The Employer's Workers' Compensation Administrator attempted to contact Dr. Beal and Dr. Wassereurger in Texas. The Employer also contacted the BWC and the Claimant's representative for assistance in trying to find a doctor for the Claimant. Since the BWC's dismissal of the complaint, new information had not been provided.

R.C. 4123.352(B) provides as follows:

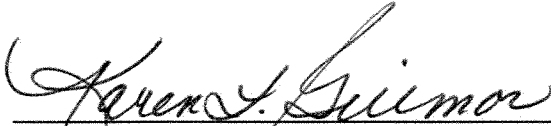
In addition to the grounds listed in section 4123.35 of the Revised Code pertaining to criteria for being granted the status as a self-insuring employer, the grounds upon which the administrator may revoke or refuse to renew the status includes failure to comply with any rules or orders of the administrator or to pay contributions to the self-insuring employers' guaranty fund established by section 4123.351 of the Revised Code, continued failure to file medical reports bearing upon the injury of the claimant, and failure to pay compensation or benefits in accordance with law in a timely manner. A deficiency in any of the grounds listed in this division is sufficient to justify the administrator's revocation or refusal to renew the employer's status as a self-insuring employer. The administrator need not revoke or refuse to renew an employer's status as a self-insuring employer if adequate corrective action is taken by the employer pursuant to division (C) of this section.

Since the BWC's dismissal of the complaint, new information was not provided. The Claimant did not demonstrate that the Employer failed to fulfill any of its duties under R.C. 4123.352.

DETERMINATION:

Therefore, based on the foregoing, the Self-Insuring Employers Evaluation Board hereby denies the appeal filed by the Claimant [REDACTED] on January 19, 2014, and finds Complaint No. 18100 filed by Claimant [REDACTED] against the Employer [Ford Motor Company] on November 25, 2013, is invalid and is hereby dismissed.

**SELF-INSURING EMPLOYERS EVALUATION BOARD**



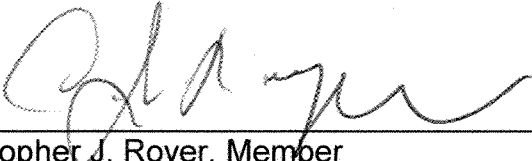
Karen L. Gillmor, Ph.D., Chairman

Yes



Gary E. Lucas, Member

Yes



Christopher J. Royer, Member

Yes

DATE MAILED:

18<sup>th</sup>

DAY OF

August

, 2014