

From: Ohio Bureau of Workers' Compensation

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SI Newsletter

Assessment invoices and payment due dates

Self-insuring (SI) employers receive assessment invoices each year at the end of January and July. The payment deadline is Feb. 28, Feb. 29 in a leap year and Aug. 31, respectively. The payment due date means the payment must post to the employer's account by the due date to consider it on time. There's no grace period.

Employers can pay invoices by electronic check, automated clearing house transfer, credit card and check. It's important BWC receives payment at the address noted on the invoice with enough time to allow processing and posting to the appropriate account. To ensure prompt and timely processing, it's essential to include the policy number on the check and to attach the stub included with the invoice. Without this information, delay in the payment process will likely happen.

Online electronic payments

Paper payment

Ohio Bureau of Workers' Compensation, P.O. Box 89492, Cleveland, Ohio 44101-6492

Overnight payment

Ohio Bureau of Workers' Compensation, Attn: Lockbox 89492, 4910 Tiedeman Road, Cleveland, Ohio 44144

Self-insured invoice details

If an employer disagrees with a late payment penalty, the employer may request a review of the penalty, with proof of timely submission of the payment. BWC will not consider a postmarked envelope as sufficient evidence of a timely submission. Sufficient support of timely submission may include, but is not limited to the following:

- A timely electronic confirmation;
- Overnight receipt confirmation;
- BWC date stamp with timely receipt date.

The employer should submit a request for review of a late payment penalty to SIINQ@bwc.state.oh.us. If the employer disagrees with the review findings, he or she may refer the matter to the SI Review Panel. The employer requests a hearing before the Self-Insured Review Panel (SIRP), the SI department refers it for a hearing.

BWC September self-insured department workshops

The self-insured (SI) department conducts workshops to provide information to SI employers and their representatives. The workshops are generally at BWC's facilities in Columbus, Cincinnati and Cleveland. These workshops cover multiple topics, which may be of interest. BWC is exploring options to conduct workshops in other areas of the state.

The May 2017 workshops were also open to providers. They included panel discussions with providers and employer representatives. The discussions were positive. They provided the audience and panel participants with ideas to improve relationships between SI employers and providers. BWC intends to have more discussions on this important topic, to ensure proper care and satisfactory outcomes for injured workers and employers.

On Sept. 13, 14 and 20, 2017, the SI department held a series of workshops discussing the SI underwriting financial review. The review is a tool the SI department as part of the annual renewal process. It determines the financial strength and default risk for new SI applicants and existing SI employers. BWC also discussed:

- SI assessment rates for 2017-2018 assessments;
- Ohio Administrative Code 4123-6-32;
- Claims management items.

The SI financial underwriting team completes a detailed financial report, which assesses the employer default risk rating with each renewal. The team uses this report to help determine whether security is necessary as part of the annual renewal. The establishment of the rating system used is similar to Moody's Bond Rating measures.

The financial underwriting team uses several resources to evaluate an employer's current financial strength. While the report addresses many measures, an employer's leverage and liquidity are of high importance. BWC evaluates the claims risk to determine the number of active claims within the statute of limitations, current reserves and a consideration of incurred but not reported claims. This helps us understand the actual exposure should an SI employer default. It's important to understand the number of open or closed claims that may still be within the statute of limitations.

The presentation material for this and any other previous workshops are available on the SI employer [tools and resources web page](#).

Please email us if there's a topic you would like to hear about at future workshops at SIINQ@bwc.state.oh.us, or contact [Dave Sievert](#) at 614-728-7605.

Stay tuned for announcements of future workshops.

2017-2018 assessment rates

The 2017-2018 overall assessment rates have remained the same for 2017-18 and the previous fiscal years. While the Self-Insured Employer Guaranty Fund (SIEGF) has increased, the mandatory surplus fund (MSF) rate continues to go down at an equal rate. BWC uses the MSF to pay defaulted SI employer claims with a date of injury prior to 1987. With the date of injury beginning in 1987, BWC has used the SIEGF for defaulted SI employer claims. Payments in both funds have trended downward during the past five years. The administrative cost funds for BWC, the Ohio Industrial Commission and the Safety & Hygiene funds have remained the same at 2016-2017 rates. The current assessment rates are comparable to the rates from 10 years ago.

BWC bases the assessments for each active and canceled SI employer on reported compensation for the previous calendar year. The aggregate reported compensation has dropped significantly during the past 10 years. The impact came from reducing claims

volumes, more emphasis on safety and return to work programs, and economic changes in the state.

View the [current assessment rates](#).

BWC has also prepared a [frequently asked questions sheet](#), which includes payment information.

Legal updates

Ohio Revised Code (ORC) 4123.84 - Claim reporting time frame requirements

When you begin a new claim, you must report to BWC or an employer within one year of the date of injury. You must report Injuries occurring prior to Sept. 29, 2017, within two years of the date of injury. This change to [ORC 4123.84](#) only applies to injury claims. The reporting time frames for occupational disease claims remain the same. You must report death claims resulting from an injury within one year after the incident date effective Sept. 29, 2017. The time frame for death claims resulting from an occupational disease claim has not changed.

Ohio Administrative Code (OAC) 4123-6-32 - Low back treatment

With an expected effective date of Jan. 1, 2018, providers must comply with the new rule regarding lumbar fusion surgery. Before surgery approval, BWC expects conservative care for at least 60 days. In the rule, in detail, you will find the nature of conservative care.

Overtured claims reimbursement

Self-insuring employers who participate in the optional Overtured Claims Reimbursement Assessment Fund are eligible for reimbursement of compensation and medical costs that result from an Ohio Industrial Commission or court decision that will later overturn. When applying for reimbursement, complete the [Self-Insured Claims Reimbursement \(Sysco\) Application \(SI-52\)](#) using the primary policy owner's address to ensure eligible payments can be properly reimbursed. Email the completed form to SIINQ@bwc.state.oh.us.

Please include a copy of all relevant hearing orders along with detailed payment documentation showing the paid benefits and copies of fee bills and disability records. Also, note whether you took a credit on a previously submitted Report of Paid Compensation and Case Reserves (SI-40). BWC will likely delay a determination until resolving all litigation in a claim.

Generally, all forms of compensation and medical payment will be eligible for reimbursement. Lump sum settlements, Disabled Workers' Relief Fund and allocated expenses will not be eligible.

If an employer receives reimbursement for a claim and is still paying benefits in that claim, the employer must reimburse BWC according to the overpayment schedule.

If BWC denies a request, an employer may appeal the decision to the SI Review Panel for adjudication.

Important dates

- Feb. 28, 2018 – SI-40 due date
- March 1, 2018 – Assessment and Disabled Workers' Relief Fund invoice payments due
- Dec. 31, 2017 - Professional employer organization certification applications due

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Questions? Please call 1-800-644-6292



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