

Self-Insurance Quarterly Workshop

August 2018



Agenda

- Preparation for Industrial Commission Hearings
- Navigating BWC's website
- Regulatory and SI Updates
- Construction Wrap Up



Preparation For IC Hearings

Beryl Piccolantonio - Chief Ombudsperson, Ohio Workers'
Compensation

Tom Connor- Industrial Commission- Director of Hearing Services

Dave Sievert- Interim Director, Self-Insured Department



Ohio Industrial Commission

- Charged with responsibility of resolving disputes regarding compensation and medical benefits
- Medical Examinations
- Adjudicate PTD claims
- Approve settlements



Hearing Preparation

Industrial Commission Hearing Administrator

- Prepares files for hearings
- Address continuation and cancellation requests
- Ensures the claim record is sufficient for the hearing



Evidence and Discovery

- Notify BWC and Injured worker of contested issue
- Ensure evidence is available to all parties as soon as possible prior to the hearing (OAC-4121-3-09 (A) (1) (a))
- Free exchange of relevant information is encouraged. If there is a dispute, hearing administrator may schedule a pre hearing conference and issue a compliance letter



Evidence and Discovery

- Evidence should be able to establish the IC's jurisdiction to consider the claim and determine injured workers right to an award
- May be an affidavit, deposition, oral testimony, written statement, document, or other forms of evidence (OAC-4121-3-09 (A))
- Failure to meet this standard may result in moving hearing to end of docket or future date with instructions to comply

Hearing Preparation

- Provide medical reports from treating physician and consulting physicians to injured worker and BWC (OAC 4123-19-03 (K) (4))
- Prior to hearing in a contested claim matter, employer must provide reports from treating physician and physicians who have seen injured worker in consultation.(OAC 4121-3-13-(E))

Hearing Preparation

- Employer must also provide the following documents:
 - FROI
 - Allowed conditions
 - Wage information if AWW or FWW is disputed
 - Compensation and medical payments if statute of limitations is disputed
 - Compensation history if compensation is disputed

Hearing Preparation

Self-Insured Department

- Ensure the employer is complying with all claims management requirements
- Address complaints relating to claim file maintenance and sharing information
- Conduct audits which will look at the employer's methods of furnishing information to the injured worker and representatives and BWC/IC

BWC.Ohio.Gov

The screenshot shows a web browser window displaying the BWC.Ohio.Gov website. The browser's address bar shows the URL <https://info.bwc.ohio.gov>. The website header features the Ohio logo and the text "Bureau of Workers' Compensation". Navigation options include "SEARCH", "MENU", and "MY ACCOUNT". A large banner image shows a worker in a yellow uniform and cap handling boxes in a warehouse. A text box on the banner reads: "Making workplaces safer; Helping injured workers recover; Providing service and savings for Ohio businesses." Below the banner are three blue buttons: "File a claim", "Apply for coverage", and "Find a provider". At the bottom, there are three smaller images with labels: "Worker" (a worker wearing safety glasses), "Employer" (two people in business attire), and "Provider" (two people in a clinical setting). The browser's status bar at the bottom right shows "100%".

BWC.Ohio.Gov

- Employer Tab
 - Viewing Policy Information
 - View Policy Documents-Invoices
 - Self-Insured Employers Tab
 - Maintaining a Policy
 - Renewal Process
 - SI 40 and SI 40 backup
 - Assessment Information
 - Invoice Details
 - Security

BWC.Ohio.Gov

- Employer Tab
 - Self-Insured Employers Tab
 - Updating an SI Policy
 - Managing SI Claims
 - Procedural Guide
 - Billing and Reimbursement Manual/Fee Schedule
 - Update Claims Allowance
 - Claim Expenses/DWRF/Non-Compliance/VSSR Transactions
 - PTD Tools

BWC.Ohio.Gov

- Employer Tab
 - Self-Insured Employers Tab
 - Self-Insured Resources
 - Workshops and Newsletter
 - Sysco Reimbursement
 - Construction Wrap Up

Regulatory Updates

- Excess Insurance- Proposing rule to require BWC be named on excess policies
- Assessment Payments- Proposing rule to require Self-Insured employers to pay assessments on line
- Rule clarification- SI 38 is required. Consider waiving requirement if ultimate domestic parent documents inability to provide toe contract of guaranty
- Updating Securitization Matrix for renewals after 1/1/19, beginning with renewal submissions due 10/1/18

Securitization

- Matrix initiated in 2011, updated in 2015
- Require actuarial study for more high default risk employers
- Currently Actuarial Study is 2 to 2 ½ times reported reserves
- Remove LOC requirement for some low default risk

Current Securitization Matrix

Ohio Bureau of Workers' Compensation

Security Matrix

Effective January, 2015

CREDIT RISK

Size Bucket	Reserve Minimum	LOC Size Factor		SI Rating / LOC Rating Factor								
				A3 or Higher	Baa1	Baa2	Baa3	Ba1	Ba2	Ba3	B1 to B3	Caa1 or Lower
				0%	0%	0%	50%	75%	100%	125%	150%	150%
10	\$7,400,000	100%	LOC % of Reserve	0%	0%	0%	50%	75%	100%	125%	150%	Actuarial Study
9	\$3,700,000	90%	LOC % of Reserve	0%	0%	0%	45%	68%	90%	125%	150%	Actuarial Study
8	\$2,200,000	80%	LOC % of Reserve	0%	0%	0%	40%	60%	80%	125%	150%	Actuarial Study
7	\$1,000,000	70%	LOC % of Reserve	0%	0%	0%	35%	53%	70%	125%	150%	Actuarial Study
6	\$750,000	60%	LOC % of Reserve	0%	0%	0%	30%	45%	60%	125%	150%	150%
5	\$500,000	50%	LOC % of Reserve	0%	0%	0%	25%	38%	50%	125%	150%	150%
4	\$250,000	40%	LOC % of Reserve	0%	0%	0%	20%	30%	40%	125%	150%	150%
3	\$150,000	30%	LOC % of Reserve	0%	0%	0%	0%	0%	30%	125%	150%	150%
2	\$50,000	0%	LOC % of Reserve	0%	0%	0%	0%	0%	0%	0%	0%	0%
1	\$ -	0%	LOC % of Reserve	0%	0%	0%	0%	0%	0%	0%	0%	0%

CLAIMS RISK

Construction Wrap Up

- Must be self-insured employer or public school district
- Project cost must exceed \$100,000,000.00
- No more than six years
- Submit application 90 days prior to start date
- Provide a list of contractors and update quarterly

Questions?

Contacting BWC

When contacting the BWC self-insured department, please include self-insured policy number

614-466-6773 or 1-800-OHIOBWC, select SI

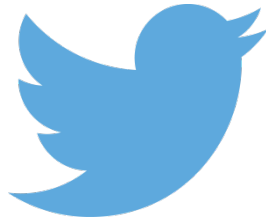
30 W. Spring St., Level 22

Columbus, OH 43215

Email: SIINQ@bwc.state.oh.us

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breaking news on workers' compensation?**

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**Our special investigations department also uses social media in its
efforts to detect and deter workers' compensation fraud**



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