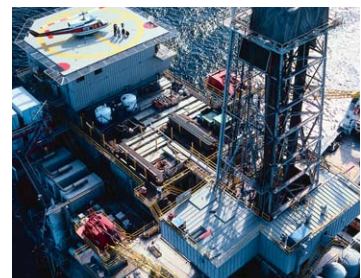


OWCA

2008 ANNUAL REPORT



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STATEWIDE DISTRICT DIRECTORY

EXECUTIVE SUMMARY

In order for Louisiana to be competitive in today's economy the Louisiana Department of Labor was transformed into the Louisiana Workforce Commission in 2008 and is charged with providing the workforce solutions needed by Louisiana's current and future employers. The Office of Workers' Compensation Administration (OWCA) embraces these goals and is committed to improving its services to its customers and continuing to focus on preventing workplace injuries and illnesses.

The Workplace Safety section identified 809 safety and health hazards and of this number 699 were serious hazards. The section conducted 599 on-site visits. The unit also participated in some 15 Safety and Health Achievement Recognition Program (SHARP) for Louisiana employers. The unit distributed thousands of quarterly safety reports (LWC-WC-1017-A) which identify employers who are experiencing above-average injuries for their industry classification.

In 2008, the Hearings section continued to effectively manage disputed workers' compensation claims and assist parties in resolving their disputes. The section received 7,691 disputed claims in 2008, an increase of 979 disputed claims from 2007. Through efforts of the section, approximately 2,873 trials were held in 2008, compared to 2,407 in 2007, which represents a 16 percent increase. Four thousand nine hundred sixty settlements were also approved in 2008.

The Medical Services section continued to process disputed medical claims in less than 30 days from date of receipt. A total of 397 independent medical examination (IME) requests were received in 2008, a decrease of 20% in the number of requests during the same reporting period for 2007. In 2008 the average time to review and schedule an independent medical exam was 3.84 days, a 1% increase from the same reporting period for 2007 of 3.82 days. The section received 701 disputed medical reimbursement claims during the 2008 reporting period, a decrease of 17% for the same period in 2007. An average of 107 medical claims per month were received in 2008, a decrease of 9% over the 2007 reporting period.

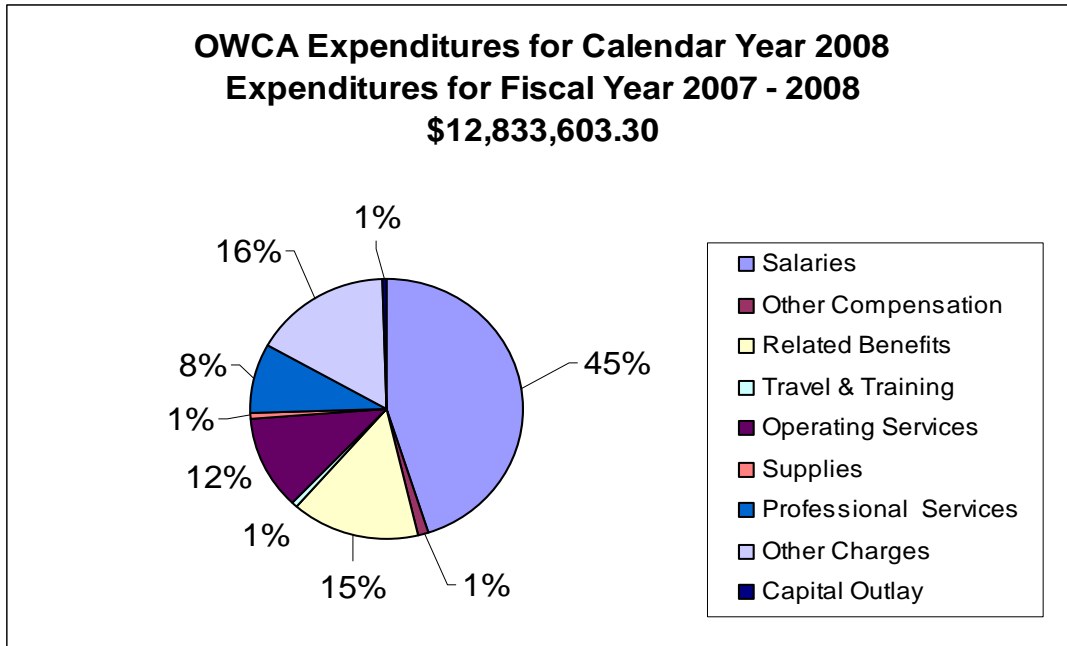
The Records Management section responded to more than 9,494 requests for public information, with a response time of less than three days. In 2008, 31,796 workers' compensation reporting claim forms were reported to the section, an increase of 1 percent from the previous year. The number of workers' compensation reporting claim forms processed decreased by 9 percent. The number of electronic LWC-WC-1007 forms continues to increase as more customers utilize the system.

The Finance and Compliance section received and approved applications for self-insured status, examined statutory compliance regarding workers' compensation coverage, and conducted on-site audits. In 2008 within the state, 493 companies were approved to be self-insured. Some 300 insurance companies were authorized to sell workers' compensation insurance.

INTRODUCTION

The Louisiana Office of Workers' Compensation Administration (OWCA) was created in 1983 in order to administer the Louisiana Workers' Compensation Act. The office exercises its authority under Chapter 10 of Title 23 of the Louisiana Revised Statutes.

The Office of Workers' Compensation Administration Budgeted Expenditures – 2008



ADMINISTRATION

The OWCA offers numerous services to the employees and employers of Louisiana. Currently, the office's sections are Administrative, Finance and Compliance, Fraud, Hearings, Information Systems, Legal, Medical Services, Records Management, Second Injury Fund, and Workplace Safety.

ADMINISTRATIVE SECTION

Chris Broadwater, Office of Workers' Compensation Director

The OWCA is headed by a Director who is appointed by and serves at the pleasure of the Governor.

The telephone number for the Administrative section is (225) 342-7561. The FAX number is (225) 342-5665. The email address for the director is cbroadwater@lwc.la.gov.

FINANCE AND COMPLIANCE SECTION

Preston (Petty) Pecue, Manager

The Finance and Compliance section evaluates and approves or disapproves applications for self-insured status, examines statutory compliance regarding workers' compensation coverage, and conducts audits of benefits paid by insurance companies, group self-insured funds and individual self-insurers. This section is also responsible for the calculation and collection of the annual administrative assessment. The administrative assessment for 2008 is \$12,344,546.

The telephone numbers for the Finance and Compliance section are (800) 201-3448 or (225) 342-5658. The FAX number is (225) 342-7578. The email address for its manager is ppecue@lwc.la.gov.

FRAUD SECTION

Kaye Fournet, Manager

The Fraud section detects and deters workers' compensation fraud and educates the public about the penalties for workers' compensation fraud. It conducts investigations within 30 days of reported workers' compensation fraud. The Fraud Section provides resources to employers and insurers to increase their awareness of potentially fraudulent claims and offers guidance to avoid future instances of fraud. These resources include training seminars, the promotion of the use of written and electronic material, with its nationwide toll-free fraud hotline (800) 201-3362, as well as Internet resources to report suspected fraud directly to the office.

The telephone number for the Fraud section is (225) 342-7558. The FAX number is (225) 342-1880. The email address for its manager is kfournet@lwc.la.gov.

HEARINGS SECTION

Sheral Kellar, Manager

The Hearings section's primary duty is to resolve disputed workers' compensation claims filed with the Office of Workers' Compensation Administration. A claim for benefits, the controversion of entitlement to benefits, or other relief under the Workers' Compensation Act is initiated by filing the appropriate form ([LWC-WC-1008](#)) with the office. There are ten district

offices located statewide: [Alexandria](#), [Baton Rouge](#), [Covington](#), [Harahan](#), [Houma](#), [Lafayette](#), [Lake Charles](#), [Monroe](#), [New Orleans](#), and [Shreveport](#).

The telephone numbers for the main office of the Hearings section are (800) 201-2499 or (225) 342-7970. The FAX number is (225) 342-4790. The email address for its manager is skellar@lwc.la.gov.

INFORMATION SYSTEMS SECTION

Larry White, Manager

The Information Systems section is a support section for the OWCA. The primary function of this unit is to support the Workers' Compensation personnel on a statewide network. The network utilizes Windows XP software and consists of 170 PCs. The Information Systems section completed the implementation of the Justware Court Docketing & Case Management system in August 2008.

All Helpdesk calls for Workers' Compensation personnel are referred to the Information Systems section for resolution. The section also serves as the liaison between the LWC Information Technology section and Workers' Compensation. In addition, Larry serves on the executive committee and as the MIS committee chairperson for the Southern Association of Workers' Compensation Administrators (SAWCA). The annual conference for the SAWCA will be July 20-24 in Destin, FL.

The telephone numbers for the Information Systems section are (800) 201-2496 or (225) 342-7574. The FAX number is (225) 342-7562. The email address for its manager is lwhite@lwc.la.gov.

LEGAL SECTION

The Legal section serves in an advisory capacity to the Director and the office staff in legal matters falling under the jurisdiction of the OWCA. It also represents the OWCA in all matters in which the Director or the office are named. It also represents the State of Louisiana in defending constitutional challenges to the workers' compensation statutes and procedures.

The telephone numbers for the Legal section are (800) 201-3405 or (225) 342-7557. The FAX number is (225) 342-7593.

MEDICAL SERVICES SECTION

Sue Newman, R.N.

The Medical Services section enforces the reimbursement schedule, audits specific medical bills, schedules independent medical examinations (IMEs), and reviews files for medical necessity of treatment.

All disputes presented to the section are informally resolved by issuance of a recommendation by the Director of the OWCA.

The telephone numbers for the Medical Services section are (800) 201-2494 or (225) 342-7559. The FAX number is (225) 342-9836. The email address for Medical Services is snewman@lwc.la.gov.

RECORDS MANAGEMENT SECTION

Brenda D. Williams, Manager

The Records Management section is a support section for the OWCA. The section publishes the OWCA Annual Report, which highlights accomplishments of the OWCA in a given year and offers statistical information concerning workplace injuries and illnesses. It provides OWCA reporting forms, as well as instructions for their completion, by means of electronic filing on the LWC website (www.LAWORKS.net). The section responds to public record requests. It also serves as a repository for workers' compensation records and oversees the imaging of records of the office. In addition, the section provides copies of those records that are considered public records, whether on microfilm, electronically imaged, or on paper. In 2008 the Records Management Section acquired the Occupational Safety and Health (OSH) Unit, which was previously in the Office of Occupational Information Services Division. This unit partners with the U.S. Department of Labor's Bureau of Labor Statistics (BLS) to provide estimates based on work-related injuries and illnesses.

The telephone numbers for the Records Management section are (800) 201-3457 or (225) 342-5662. The FAX numbers are (225) 342-7582 and (225) 342-3539. The email address for its manager is bwilliams@lwc.la.gov.

SECOND INJURY FUND

Pauline Williams, Director

The Second Injury Fund (SIF), is an employer/insurer funded program, whose purpose is to encourage the employment of individuals with pre-existing permanent partial disability that is a hindrance or obstacle to obtaining employment. The SIF promotes the hiring of these individuals by protecting employers/insurers from excess liability for workers' compensation. The SIF reimburses employers/insurers for the medical and compensation costs paid to employees who have met the statutory qualifications and deductibles. The SIF provides an economic incentive to employers to hire or retain individuals with pre-existing disabilities. The SIF provides online claim status to employers and insurers. In addition, the SIF makes electronic fund transfer ([EFT](#)) options available to employers.

The telephone numbers for the Second Injury Fund section are (800) 201-2493 or (225) 342-7866. The FAX number is (225) 219-5968. The email address for its director is pwilliams2@lwc.la.gov.

WORKPLACE SAFETY SECTION

Willis E. Callihan, Director

The Workplace Safety section provides voluntary and confidential workplace inspections, on-site training and program assistance to employers in the state. The section administers the Cost Containment Program ([CCP](#)), which offers eligible employers the opportunity to lower their workers' compensation insurance premiums. The section is responsible for distribution and processing of quarterly reports ([LWC-WC-1017A](#)) which identifies employers who are experiencing above-average injuries for their industry classification. The report is due one month from the quarter reported. In addition, the section provides on-site facility inspections to identify hazards and assess program elements to ensure compliance with workplace safety provisions.

The telephone numbers for the Workplace Safety and Consultation section are (800) 201-2495 or (225) 342-9601. The FAX number is (225) 342-5158. The email address for its director is wcallihan@lwc.la.gov.

OWCA's SECTIONS' ACTIVITY, 2004-2008

The following tables give details of the activities of the OWCA sections for the years 2004-2008:

Section 1 [Workers' Compensation Claims, 2004-2008](#)

Section 2 [Hearings](#)

[Number of Disputed Claims Received by OWCA Offices, 2004-2008](#)

[Number of Mediations Held by OWCA Offices, 2004-2008](#)

[Number of Trials Held by OWCA Offices, 2004-2008](#)

[Number of Decisions Rendered by OWCA Offices, 2004-2008](#)

[Number of Settlements Approved by OWCA Offices, 2004-2008](#)

[Number of Appeals Filed by OWCA Offices, 2004-2008](#)

Section 3 [Medical Services](#)

[Estimated Amounts for Hospital Outliers \(Special Reimbursements\), 2004-2008](#)

[Estimated Amounts for Medical Reimbursement Disputed Claims, 2004-2008](#)

Section 4 [Records Management, 2004-2008](#)

Section 5 [Second Injury Fund, 2004-2008](#)

Section 6 [Workers' Compensation Fraud Claims, 2004-2008](#)

Section 7 [Workplace Safety, 2004-2008](#)

AN OVERVIEW OF OWCA CLAIMS AND SECTIONS' ACTIVITIES, 2004-2008

WORKERS' COMPENSATION CLAIMS (Section #1)											
Year	Undisputed Claims Processed			Disputed Claims		Claims Closed		Claims Settled			
2004	17,619**			6,503		7,545		4,725			
2005	13,446**			5,548		6,155**		4,434			
2006	18,523**			5,671		8,781**		4,852			
2007	16,150**			6,712**		5,168**		5,279			
2008	14,761*			7,691		5,991*		4,960			
HEARINGS (Section # 2)											
Year	Disputed Claims Filed	Mediation Sessions Held		Claims Resolved at Mediation or Prior		Trials Held		Formal Decisions		Appeals Filed	Settlements Approved
2004	6,503	5,121		2,162		1,919		1,657		203	4,725
2005	5,548	4,229		2,235		1,664		1,448		196	4,434
2006	5,671	4,586		2,549		1,715		1,469		157	4,852
2007	6,712	2,544		2,703		2,407		2,309		89	5,279
2008	7,691	3,219*		4,019*		2,873*		2,548*		160	4,960
Number of Disputed Claims Received by OWCA Offices											
Year	1W Shreveport	1E Monroe	2 Alexandria	3 Lake Charles	4 Lafayette	5 Baton Rouge	6 Covington	7 Harahan	8 New Orleans	9 Houma	
2004	563	411	592	661	699	682	699	768	853	575	
2005	521	381	579	942	699	531	578	520	408	389	
2006	525	377	572	726	1,099	404	522	585	465	396	
2007	532	386	735	1,475	1,096	676	498	515	395	404	
2008	646	365	666	1,603	1,121	1,056	641	694	487	412	
Number of Mediations Held by OWCA Offices											
Year	1W Shreveport	1E Monroe	2 Alexandria	3 Lake Charles	4 Lafayette	5 Baton Rouge	6 Covington	7 Harahan	8 New Orleans	9 Houma	
2004	433	292	692	725	627	305	514	626	468	439	
2005	430	375	394	679	404	281	524	334	356	452	
2006	383	378	618	949	432	205	521	230	409	461	
2007	276	216	313	309	308	140	293	10	488	191	
2008	307	21*	592	534	563	64*	11*	457	454	216	
Number of Trials Held by OWCA Offices											
Year	1W Shreveport	1E Monroe	2 Alexandria	3 Lake Charles	4 Lafayette	5 Baton Rouge	6 Covington	7 Harahan	8 New Orleans	9 Houma	
2004	240	131	151	193	252	148	209	198	240	157	
2005	92	124	176	162	264	159	149	169	224	145	
2006	185	149	140	100	237	170	194	31	237	272	
2007	209	148	195	180	308	219	173	9	653	312	
2008	237*	158*	237*	128*	283*	191*	218*	219*	690*	512*	
Number of Decisions Rendered by OWCA Offices											
Year	1W Shreveport	1E Monroe	2 Alexandria	3 Lake Charles	4 Lafayette	5 Baton Rouge	6 Covington	7 Harahan	8 New Orleans	9 Houma	
2004	230	106	112	160	226	142	170	180	203	128	
2005	67	103	154	140	240	148	123	149	202	122	
2006	120	127	123	81	215	169	138	23	226	247	
2007	164	130	176	277	282	218	134	11	637	279	
2008	202*	128*	230*	108*	263*	191*	193*	191*	778*	264*	
Number of Settlements Approved by OWCA Offices											
Year	1W Shreveport	1E Monroe	2 Alexandria	3 Lake Charles	4 Lafayette	5 Baton Rouge	6 Covington	7 Harahan	8 New Orleans	9 Houma	
2004	503	400	527	453	687	155	535	542	581	342	
2005	401	399	500	447	673	358	482	408	426	340	
2006	434	410	562	471	679	661	539	239	438	419	
2007	452	401	542	460	726	762	546	205	724	461	
2008	461	387	459	468	720	738	506	410	462	349	
Number of Appeals Filed by OWCA Offices											
Year	1W Shreveport	1E Monroe	2 Alexandria	3 Lake Charles	4 Lafayette	5 Baton Rouge	6 Covington	7 Harahan	8 New Orleans	9 Houma	
2004	19	14	20	26	16	5	39	17	33	14	
2005	13	6	35	27	32	8	22	25	16	12	
2006	15	16	27	27	13	4	33	2	10	10	
2007	3	11	16	11	11	0	15	1	13	8	
2008	21	19	33	16	17	3	19	4	17	11	

AN OVERVIEW OF OWCA CLAIMS AND SECTIONS' ACTIVITIES, 2004-2008

MEDICAL SERVICES (Section # 3)								
Year	Medical Reimbursements	Independent Medical Exams	Utilization Reviews			Special Reimbursement Consideration Appeal Requests (Outliers)		
2004	324	781	169			100		
2005	581	683	156			154		
2006	1,010	630	129			132		
2007	791	502	125			55		
2008	703	397	141			49		
Estimated Amounts for Hospital Outliers (Special Reimbursements)								
Year	Hospital Outlier Cases	Billed Amounts	Recommended Reimbursements			Estimated Savings		
2004	100	\$4,354,930.06	\$1,612,030.49			\$3,409,899.57		
2005	154	\$8,058,032.44	\$3,609,585.14			\$4,448,447.30		
2006	132	\$6,138,000.00	\$1,889,632.00			\$4,248,368.00		
2007	55	\$3,663,920.00	\$1,448,792.00			\$2,215,128.00		
2008	49	\$3,279,941.00	\$1,793,706.00			\$2,462,515.00		
Estimated Amounts for Medical Reimbursement Disputed Claims								
Year	Disputed Claims	Billed Amounts	Recommended Reimbursements			Estimated Savings		
2004	324	\$1,717,277.02	\$960,541.94			\$765,732.08		
2005	581	\$4,128,728.73	\$2,867,399.67			\$1,252,375.46		
2006	1,010	\$19,744,600.00	\$2,525,522.00			\$17,219,078.00		
2007	791	\$4,963,907.35	\$3,083,703.01			\$1,880,207.34		
2008	703	\$4,467,933.54	\$3,338,686.79			\$1,121,056.80		
RECORDS MANAGEMENT (Section # 4)								
Year	Forms Reported		Requests for Forms, Brochures & Publications			Records Requests		
2004	40,998		63			4,574		
2005	34,251		33			6,332		
2006	27,408		0			8,201		
2007	31,502		0			7,856		
2008	31,796		0			9,494		
SECOND INJURY FUND (Section # 5)								
Year	Claims Received	Claims Closed	Decisions Rendered	Claims Pending	Ongoing Claims	Assessment Actual	Reimbursement	Total Administrative Costs
2004	946	754	777	3,802	2,646	\$40,192,150	\$34,911,465	\$628,124
2005	914	610	752	4,265	2,659	\$44,252,151	\$48,206,127	\$806,569
2006	955	891**	741**	4,162 **	2,413	\$42,573,324	\$38,540,285	\$809,349
2007	979	951	1,060	3,929	2,223	\$42,447,476	\$41,549,518	\$862,811
2008	957	1,192	947	3,902	2,243	\$42,429,319	\$42,181,211	\$1,081,014
WORKERS' COMPENSATION FRAUD CLAIMS (Section # 6)								
Year	Investigations Initiated	Investigations Completed	Referrals to Legal & Civil Penalties	Referrals for Prosecution	Arrests & Prosecutions	Referrals for U.I. Fraud	Convictions	Percent of Investigations Completed
2004	2,109	2,020	0	12	15	23	9	96%
2005	6,444	5,924	0	12	17	88	5	96%
2006	2,119	2,070	0	7	8	42	7	97%
2007	1,833	1,731	0	8	6	10	5	94%
2008	1,987	1,698	0	4	6	4	1	85%
WORKPLACE SAFETY (Section # 7)								
Year	Clients Assisted	Facility/On-site Inspections	Seminars, Training & Speaking Engagements	Number of Safety & Health Hazards Identified	Number of Serious Health Hazards Identified	Consultation Inquiries	On-site Visits Conducted	Requests Received for Services
2004	18,422	1,500	149	2,944	1,392	1,236	1,500	618
2005	13,311	1,029	31	1,909	780	640	1,029	320
2006	16,860	847	34	1,539	924	508	847	254
2007	23,780	1,102	23	1,013	997	415	1,102	224
2008	23,359	599	17	809	699	304	599	152

* Due to integration of a new claims management system, not all data was available at the time of publication and this information will be amended.

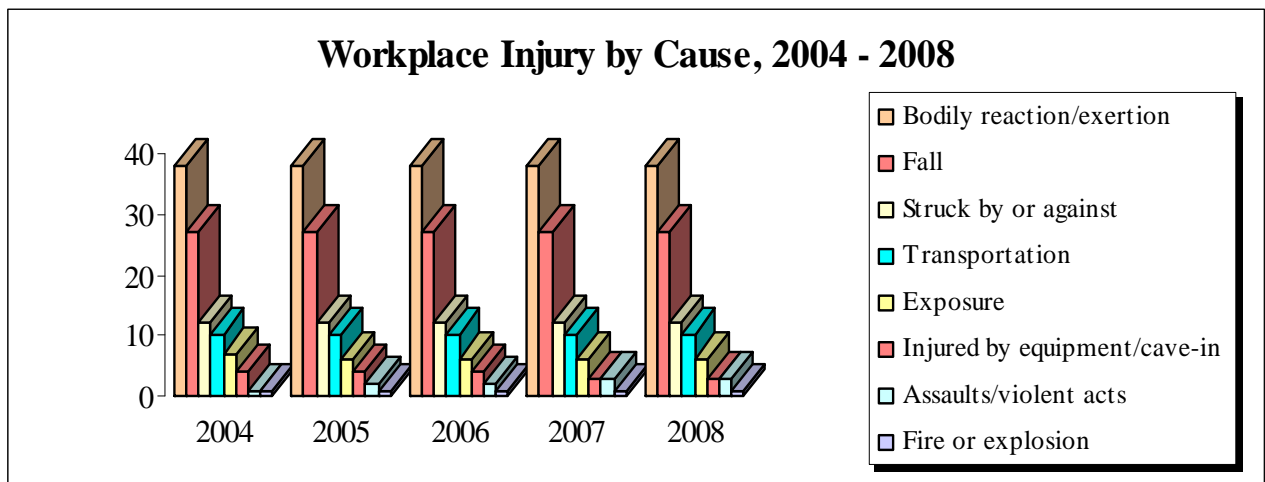
** Data has been amended

STATISTICAL SUMMARY

The OWCA conducted a random sample of 6,239 workers' compensation claims. The purpose of this analysis was to identify the causes of workplace injuries. The results are reported below.

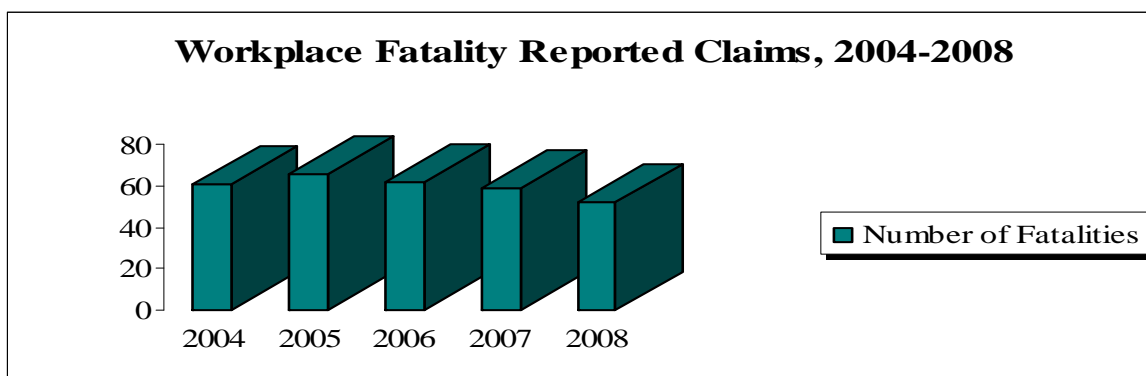
Workplace Injury by Cause, 2004-2008

Cause of Injury	2004	2005	2006	2007	2008
Bodily reaction/exertion	38	38	38	38	38
Fall	27	27	27	27	27
Struck by or against	12	12	12	12	12
Transportation	10	10	10	10	10
Exposure	7	6	6	6	6
Injured by equipment/cave-in	4	4	4	3	3
Assaults/violent acts	1	2	2	3	3
Fire or explosion	1	1	1	1	1



Workplace Fatality Reported Claims, 2004 – 2008

Year	Number of Fatalities	Percentage of Change from Prior Year
2004	61	13%
2005	66	8%
2006	62	-6%
2007	59	-5%
2008	52	-2%



Note: The claims reported are workplace fatalities that were identified through filings of the LWC-WC-1007 form.

The information represents workplace fatalities in instances that were reported where:

- death occurred while on the employer's premises and is work-related
- death occurred off the employer's premises and is work-related

Leading cause of fatalities from 2004-2008 is transportation accidents.

STATEWIDE DISTRICT DIRECTORY

Baton Rouge Administrative Office

CHIEF JUDGE SHERAL KELLAR
OFFICE OF WORKERS' COMPENSATION
P.O. Box 94040
1001 North 23rd Street
Baton Rouge, Louisiana 70804-9040
TELEPHONE: (225) 342-7970
TELEPHONE: (800) 201-2499
FAX: (225) 342-4790

District 1W

OFFICE OF WORKERS' COMPENSATION
DISPUTE RESOLUTION SPECIALIST: Bridget Powell Hall
9234 Linwood
Shreveport, Louisiana 71106-7001
TELEPHONE: (318) 676-5331
TELEPHONE: (800) 209-7173
FAX: (318) 676-5332

District 1E

OFFICE OF WORKERS' COMPENSATION
DISPUTE RESOLUTION SPECIALIST: Camelia Antie
1908 Stubbs
Monroe, Louisiana 71201-5730
TELEPHONE: (318) 362-3078
TELEPHONE: (800) 209-7321
FAX: (318) 362-3083

District 2

OFFICE OF WORKERS' COMPENSATION
DISPUTE RESOLUTION SPECIALIST: Jeanette Dodge
3724 Government Street
Alexandria, Louisiana 71302-3327
TELEPHONE: (318) 487-5966
TELEPHONE: (800) 209-7329
FAX: (318) 487-5967

District 3

OFFICE OF WORKERS' COMPENSATION
DISPUTE RESOLUTION SPECIALIST: Deborah Garriet
4250 Fifth Avenue, Suite 3
Lake Charles, Louisiana 70607-3812
TELEPHONE: (337) 475-4882
TELEPHONE: (888) 768-8745
FAX: (337) 475-4884

District 4

OFFICE OF WORKERS' COMPENSATION
DISPUTE RESOLUTION SPECIALIST: Norene Fusilier
556 Jefferson Street, First Floor
Lafayette, Louisiana 70501-6947
TELEPHONE: (337) 262-1057
TELEPHONE: (800) 209-7174
FAX: (337) 262-1106

District 5

OFFICE OF WORKERS' COMPENSATION
DISPUTE RESOLUTION SPECIALIST: Audrey Scott
224 Florida Boulevard, Suite 100
Baton Rouge, Louisiana 70801-1719
TELEPHONE: (225) 219-4378
TELEPHONE: (800) 209-7175
FAX: (225) 219-4377

District 6

OFFICE OF WORKERS' COMPENSATION
DISPUTE RESOLUTION SPECIALIST: Jonna Schneider
19374 North Third Street
Covington, Louisiana 70433-8813
TELEPHONE: (985) 871-1258
TELEPHONE: (888) 575-6149
FAX: (985) 871-1264

District 7

OFFICE OF WORKERS' COMPENSATION
DISPUTE RESOLUTION SPECIALIST: Bremenda Gordon
880 West Commerce Road, Suite 401
Harahan, Louisiana 70123-3333
TELEPHONE: (504) 736-8606
TELEPHONE: (866) 253-5830
FAX: (504) 736-8608

District 8

OFFICE OF WORKERS' COMPENSATION
DISPUTE RESOLUTION SPECIALIST: Christine Melford
Amoco Building
1340 Poydras Street, Suite 1450
New Orleans, Louisiana 70112-2001
TELEPHONE: (504) 568-6952
TELEPHONE: (800) 209-7232
FAX: (504) 568-8706

District 9

OFFICE OF WORKERS' COMPENSATION
DISPUTE RESOLUTION SPECIALIST: Debra Duplantis
8026 Main Street, Suite 404
Houma, Louisiana 70360-3407
TELEPHONE: (985) 857-3775
TELEPHONE: (800) 262-1497
FAX: (985) 857-3781