



Office of Workers' Compensation Administration Annual Report

2016

Workers' Compensation Administration Annual Report



John Bel Edwards
Governor

Ava Dejoie, Executive Director
Louisiana Workforce Commission

Sheral Kellar, Director
Office of Workers' Compensation Administration

The Louisiana Workforce Commission, Office of Workers' Compensation (OWCA), respectfully submits its 2016 Annual Report. This report, past annual reports and other OWCA information are available on the LWC's website, www.laworks.net and at the Louisiana State Library. In accordance with Executive Order BJ-08-08, the OWCA will disseminate this Annual Report via electronic means whenever possible. However, 125 hard copies of the 2016 Annual Report have been published at a cost of \$289.40. L.S.A.-R.S 43.31 requires copies to be made available upon request to individuals without the ability to receive this information in an electronic format. This document was published by the Louisiana Workforce Commission and OWCA, Post Office Box 94040, Baton Rouge, Louisiana 70804-9040.

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L.S.A.-R.S 23:1310.10 provides that:

Annually, on or before the first day of April, commencing in 1990, the director shall prepare and submit a report for the prior calendar year to the governor, the chief justice of the supreme court, the president of the Senate, the speaker of the House of Representatives, and each member of the legislature, which shall include a statement of the number of awards made and the causes of the accidents leading to the injuries for which the awards were made, total workload data of the workers' compensation judges, a detailed report of the work load of each workers' compensation judge, a detailed statement of the expenses of the offices of the director of worker's compensation and the workers' compensation judges, together with any other matter which the director deems proper to report, including any recommendations he may desire to make.

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Letter To Governor

Dear Governor Edwards,

The 2016 Workers' Compensation Administration Annual Report serves as an overview on the progress of the Office of Workers' Compensation Administration (OWCA) under the Louisiana Workforce Commission (LWC).

The Louisiana Office of Workers' Compensation Administration (OWCA) was created in 1983 to administer the Louisiana Workers' Compensation Act. Although significant changes to the law's provisions have occurred, the premise has remained the same: employees injured in the workplace should be compensated regardless of who is at fault. OWCA's purpose is to provide protection to the injured employee through employer safety efforts, medical treatment and partial compensation for lost income. The office exercises its authority under Chapter 10 of Title 23 of the Louisiana Revised Statutes and is established within the Louisiana Workforce Commission (LWC). The OWCA is administered by a director of the LWC pursuant to R.S. 36:307. OWCA operates on a fiscal year that begins July 1 each year and ends June 30 of the following year.

Please feel free to reach out to me or Sheral Kellar, Director of the OWCA, with any questions or concerns about this report. Thank you for your time.

Sincerely,

Ava Dejoie
Executive Director
Louisiana Workforce Commission



Executive Summary

In 2016, the Office of Workers' Compensation Administration (OWCA) continued to direct its focus on the improvement of services that promoted an early return to work with the improvement of workplace safety and health throughout Louisiana.

In 2016, the Hearings Section received 4,242 disputed claims for compensation, a decrease from 2015. This section assists parties in resolving their disputes through both adjudication and mediation. In 2016, the Hearings Section conducted 2,035 trials and mediated 1,921 disputes. An additional 5,200 settlements were also approved. The average delay for resolving disputed claims for compensation was seven months. Despite this accomplishment, the Hearings Section strives to reach a goal of 180 days, or six months, for resolving disputed claims.

During the 2016 calendar-year, the Finance and Audit Section of the OWCA completed five percent more audits of self-insured employers and group funds than it completed in calendar-year 2015. As some of these entities had never been audited, this increase is admirable given the complexity of first-time audits. The ultimate goal is to have 100% of auditable entities reviewed at least once every three years. Delinquent receivables for OWCA and Second Injury Board remain at historically-low levels, while increased scrutiny of the securities posted has resulted in increases of over \$14 million in posted security.

The Fraud Section provides the OWCA with a strong program to fight both employee and employer fraud. During 2016, the Fraud Section continued high standards of investigation and ensured the continued prosecution of criminal activity. The section participated in training seminars to educate the public about the penalties for workers' compensation fraud and encouraged the use of its nationwide toll-free hotline (800-201-3362) and online resources to report suspected fraud directly to the OWCA. This section continued to work cooperatively with the Office of Unemployment Insurance Administration on both claim and tax-fraud investigations. These joint efforts will result in an increase in fraud detection in the coming years. In 2016, the Fraud Section conducted investigations of individuals, self-insured entities and employers. Subsequently, it referred numerous files to the Louisiana Attorney General for criminal prosecution.

The Records Management Section responded to more than 9,910 requests for information with a goal of responding in three days. There were 24,786 workers' compensation claim forms - 1007s (135), 1002s (20,362) and 1003s (4,289) mailed to the section, a decrease of two percent from the previous year. The Records Management Section publishes the OWCA Annual Report, which highlights accomplishments of the OWCA concerning workplace fatalities, injuries and illnesses. The Louisiana Legislature passed laws mandating that trading partners including insurers, self-insured employers and claim administrators submit the First Report of Injury (FROI) by Electronic Data Interchange (EDI) effective Jan. 1, 2014.

Executive Summary

As of January 2017, approximately 163 Trading Partners have reported 790 unique Subsidiary Insurers. In 2016 the OWCA received 8,048 First Report of Injury (FROI) claims with a 2016 date of injury with more than seven days of lost time. In 2016, the office anticipates 100% FROI compliance via <http://lwcedi.info/>.

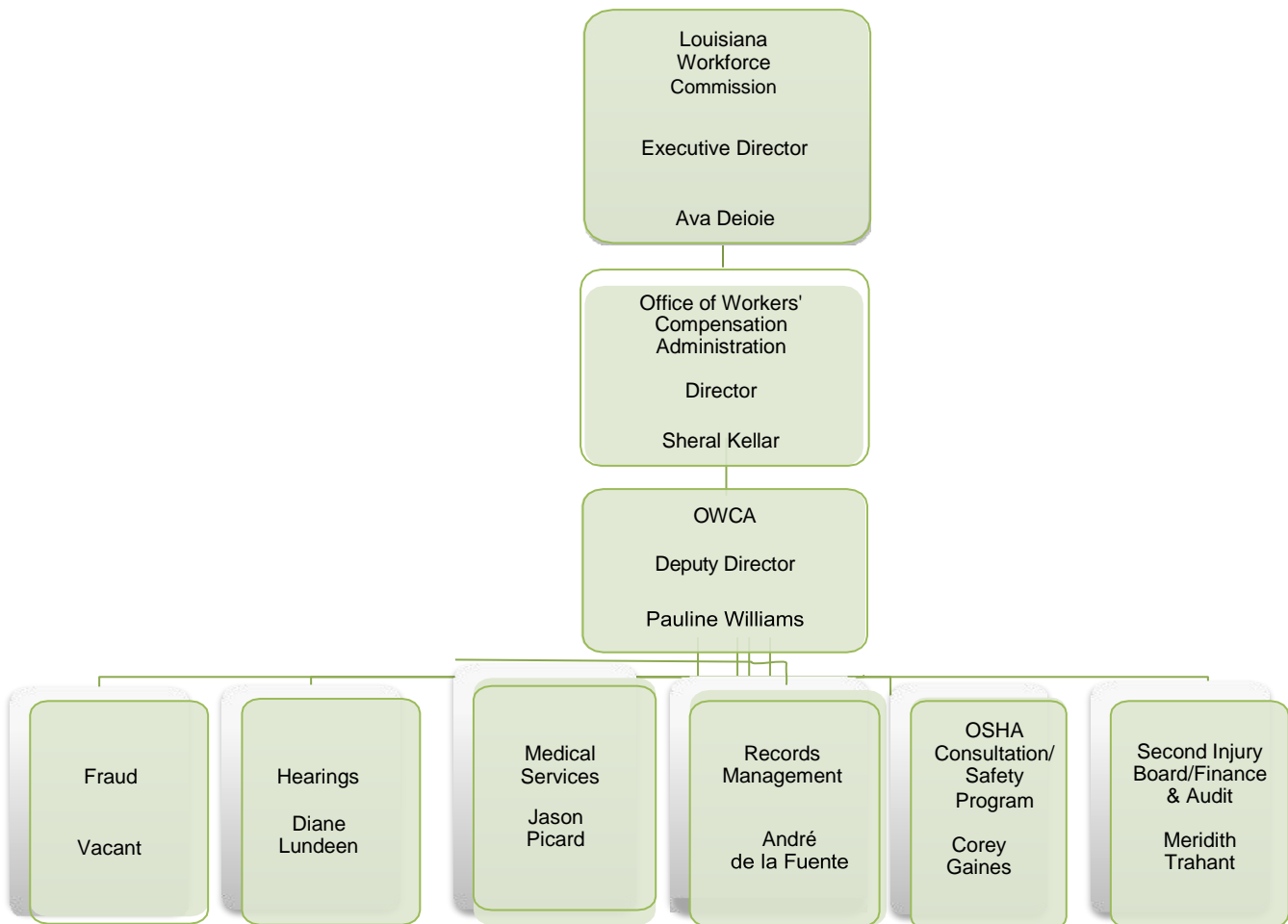
The Second Injury Board Accounting Unit finished 2016 with 188 outstanding reimbursement requests, 79% of those being less than 30 days old. At year-end 2016, the outstanding reimbursement request number dropped to 54 non-settlement requests with 100% of those requests being less than 30 days old.

The Compliance Unit had an increase in pending claims for 2016. An effort was made in 2016 to address that increase, and resulted in year-end 2015 pending claim counts falling to 789. This is down from 1,040 at year-end 2014 or a 24% decrease. Litigated file counts are up 15% over last year.

The Workplace Safety Section receives information that assists it in identifying employers experiencing above-average injuries for their industry classification. Employers identified may receive incentive discounts for attending cost containment meetings held by this section. In addition, the section provides on-site facility inspections to identify hazards and assess written program elements to ensure compliance with LA RS 23:1291(b)(4). The Workplace Safety Section's objective is to continuously improve the efficiency, quality and effectiveness of service to Louisiana employers and employees. To this end, the Workplace Safety Section completed 300 on-site visits in 2016. Additionally, the section provided telephone assistance to 453 employers during this period. This section also oversees the Office of Risk Management's Loss Prevention Program as it applies to the Louisiana Workforce Commission. To accomplish this, the unit works closely with 60 safety coordinators located at each of our offices throughout the state.

This has been an exceptional year for the OSHA Consultation Program. It continued to focus on developing a working relationship with the construction, logging and oil and gas industries, the Bureau of Labor Statistics (BLS) Illness and Injury Recordable (IIR) rates indicate that overall construction industry rates in Louisiana are decreasing. The program identified 884 serious and imminent hazards and removed 52,227 workers from serious risk. Fewer workplace injuries and less-severe occurrences resulted in decreased Louisiana worker's compensation insurance rates in 2016. This is the third year in a row and the eighth time in 10 years that rates have fallen. For the fourth consecutive year, Louisiana has been ranked as the second-safest in the nation in terms of the number of injuries and accidents rates. The Louisiana On-site Consultation Program continues to provide a quality product in terms of overall consultation visits, effective outreach and employee training. The increasing number of employers the program reaches has greatly increased as several new initiatives have been put in place.

Organization Chart



Ava Dejoie, Executive Director



Ava Dejoie is the acting executive director of the Louisiana Workforce Commission. She was appointed by Governor John Bel Edwards in January 2016. As Executive Director, Dejoie is responsible for providing the strategic vision to enhance the growth of Louisiana’s economy and its workforce. This is achieved by putting people to work in fulfilling, family-sustaining careers. The commission monitors employment, administers unemployment compensation and tax funds, provides training resources for employers and job-seekers and oversees worker compensation benefits. Additionally, the LWC gathers and provides information on the labor market and occupational sectors in Louisiana.

Dejoie has more than 15 years of leadership experience in public administration and is passionate about finding solutions that make Louisiana an outstanding place in which to live, work and grow a business.

Her focus on the public policy field took root when she served as an intern in the office of U.S. Sen. John Breaux, D-La.

Dejoie joined the LWC in 2012 and most recently served as a statewide coordinator of its Rapid Response Team. In this role, she directed resources to workers displaced by corporate layoffs, shut-downs and other job reduction actions. She earlier served as director of LWC special projects in the New Orleans area, including supervising the Avondale Employee Transition Center.

Her extensive background in Louisiana workforce development includes experience as a business liaison for the Louisiana Department of Education. She has also served as a board member of the Louisiana Community and Technical College System from 1998-2007.

Dejoie also served as vice president of the Welfare to Work Partnership, a nonpartisan nonprofit organization in New Orleans that provides innovative workforce solutions for companies through the hiring, retention and promotion of welfare recipients and other unemployed workers. Supervising the creation of the partnership’s law project, her efforts were recognized for the accomplishment by President George W. Bush in ceremonies at the White House. While with the partnership, she helped secure funding for a process technology laboratory at L.B. Landry High School in New Orleans.

Dejoie is a native of New Orleans and graduate of Ursuline Academy. She holds a Bachelor of Arts degree in political science and government from Loyola University of New Orleans.

Sheral Kellar, OWCA Director



Sheral Kellar is the Director of the Office of Workers' Compensation Administration at the Louisiana Workforce Commission (formerly the Louisiana Department of Labor). She was appointed in January 2016 by Governor John Bel Edwards and LWC Executive Director Ava Dejoie. She is responsible for strategic planning and operation of the Louisiana workers' compensation system. Expanding efforts to improve outreach to both employers and injured workers, she has repurposed existing personnel resources to increase compliance from carriers and proactively pursuing the misclassification of employees. Having a positive impact on state revenues, this is one of her most crucial services that her department provides.

Before her appointment as Director of the Office of Workers' Compensation Administration, Kellar served as a Workers' Compensation Chief Judge for over seventeen years and as a sitting workers' compensation judge in Lafayette, Alexandria, Natchitoches and Shreveport for eight more.

As a workers' compensation judge, Kellar ruled on thousands of workers' compensation disputed claims. Prior to her service as a workers' compensation judge, Kellar was a state civil service referee and a staff attorney with the state's attorney general's office where she was a litigator in the Department of Justice Corrections Section.

Kellar has extensive experience as an administrative law judge and as a litigator. She has represented clients in personal injury cases and in cases before both city and state court. She is also a business owner, owning Strategic Alternative Conclusions, a general business enterprise since 2014.

Kellar is a licensed attorney and current fellow of the College of Workers' Compensation Lawyers. She is a member of the Louisiana State and Baton Rouge Bar Associations. In 2015, she was appointed to the Louisiana State Bar Association's Access to Justice Committee by Louisiana Supreme Court Chief Justice Bernette J. Johnson. Kellar currently serves on the Board of Directors of the National Association of Workers' Compensation Judges and on its Curriculum Committee. She also serves as an advisory committee member for the Workers' Compensation Research Institute, chairman of the Louisiana Workers' Compensation Advisory Council and member of the Louisiana Second Injury Board. Receiving a bachelor's degree from Louisiana State University, she'd go onto earn her law degree from the Paul M. Hebert Law Center at Louisiana State University.

Pauline M. Williams, OWCA Deputy Director



Pauline M. Williams was named Deputy Director of the OWCA in June 2015. She served previously as the Executive Director of the Louisiana Second Injury Board and manager of the OWCA Finance and Audit Section. In this position, she was responsible for all operations of the Second Injury Board, self-insurance approval and compliance, third-party administration provider approval and compliance and annual assessments and collections.

She has been employed by the Louisiana Office of Workers' Compensation since 2007 and has more than 25 years of experience in the insurance industry. Her prior roles have included claims management, quality control and training for insurance carriers and third-party administrators. Her work has been primarily in Louisiana workers' compensation, but does include other lines of property and casualty insurance claims throughout the Eastern U.S. Pauline holds the CRM, CWCP and CMSP designations as well as a BA in business administration from Southeastern Louisiana University. She is formerly a member of the Kids' Chance Scholarship Committee and the Baton Rouge Claims Association.

OWCA Funding and Expenditures

The OWCA is funded by an assessment paid by workers compensation insurance carriers, self-insured group funds and authorized self-insured employers. In addition, OWCA receives matching funds from the Federal Government to support the OSHA Consultation program. The assessment funds the operation and administration of the OWCA. It does not pay benefits to injured workers. The OWCA is responsible for regulating workers compensation benefits and workers compensation coverage compliance, as well as providing OSHA and Safety Consultation.

The fund is considered to be self-generated and dedicated. The OWCA's budget and expenditures are subject to legislative oversight and approval.

All insurers who pay Louisiana workers compensation benefits are required to submit an Annual Report of Workers Compensation Costs (WC-1000). The information collected on the report is the basis for the annual assessment.

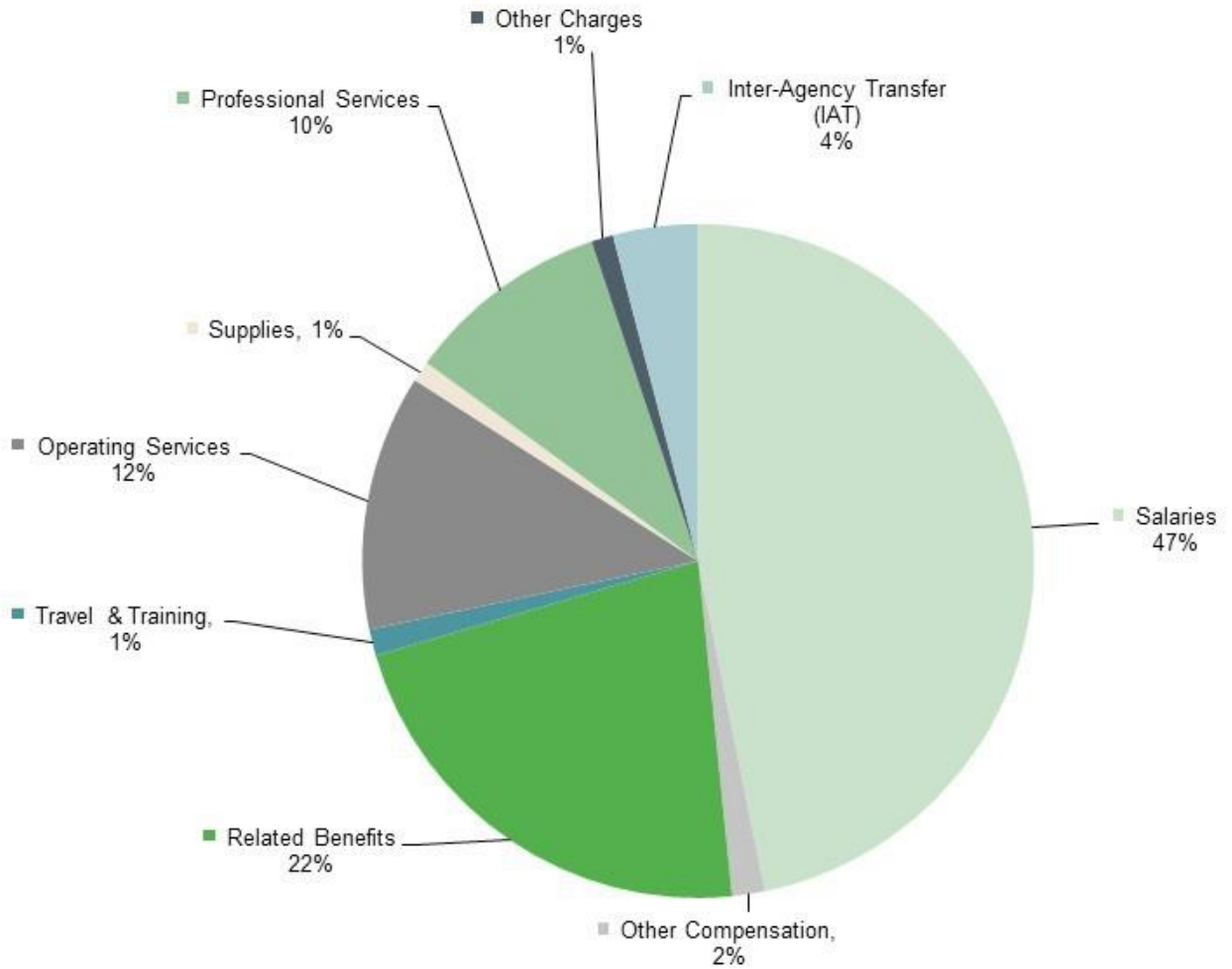
The approved budget for fiscal year 2016 was \$15,615,829.00. During 2016, sections within the OWCA remained strong in the face of state budget deficits.

Table 1 shows OWCA expenditures for the past five years. OWCA Expenditures Table

Estimated Expenditures to Administer the Workers' Compensation Act Fiscal Years

Description	FY 2012	% of Total	FY 2013	% of Total	FY 2014	% of Total	FY 2015	% of Total	FY 2016	% of Total
Salaries	6,795,378	45.90%	6,647,832	45.20%	6,853,177	44.20%	7,112,091	43.50%	6,542,910	43.60%
Other Compensation	231,941	1.60%	143,389	1.00%	210,022	1.40%	241,316	1.50%	92,253	0.60%
Related Benefits	3,313,014	22.40%	3,505,101	23.80%	3,740,005	24.10%	4,334,760	26.50%	3,929,066	26.20%
Travel & Training	72,608	0.50%	117,339	0.80%	130,699	0.80%	166,775	1.00%	121,826	0.80%
Operating Services	1,766,297	11.90%	1,816,003	12.40%	2,008,553	13.00%	1,617,051	9.90%	1,292,477	8.60%
Supplies	165,101	1.10%	129,118	0.90%	135,342	0.90%	158,459	1.00%	99,528	0.70%
Professional Services	1,218,863	8.20%	1,239,877	8.40%	1,160,570	7.50%	1,145,314	7.00%	1,192,756	7.90%
Other Charges	525,871	3.60%	38,596	0.30%	47,123	0.30%	(49,934)	-0.30%	250,744	1.70%
Acquisitions	130,660	0.90%	87,798	0.60%	294,410	1.90%	121,170	0.70%	343	0.00%
IAT	577,050	3.90%	978,020	6.70%	921,789	5.90%	1,495,686	9.20%	1,494,515	10.00%
Total	14,796,783	100%	14,703,074	100%	15,501,690	100%	16,342,689	100%	15,016,418	100%

OWCA Expenditures Chart
OWCA Expenditures for Calendar Year 2016
\$15,016,418



Administrative Section

The OWCA is headquartered in Baton Rouge, Louisiana at 1001 N. 23rd St. Its mission is to ensure a manageable, cost-effective workers' compensation system. It is led by a strong administration team that meets the day-to-day challenges with a focus on customer service, early return to work and the improvement of workplace safety and health throughout Louisiana.

Administrative Section

Sheral Kellar, Office of Workers' Compensation Director

The OWCA is headed by a director who is appointed by and serves at the pleasure of the governor.

Contact Information

Telephone: 225-342-7561

Fax: 225-342-5665

Email: skellar@lwc.la.gov

Fraud Section

Vacant, Manager

The Fraud Section investigates allegations of workers' compensation fraud by any person or entity and monitors the compliance of employers with respect to the workers' compensation laws of Louisiana.

Prohibited activities investigated by the Fraud Section include, but are not limited to:

- Any person knowingly and willfully making a false statement or representation for the purpose of obtaining or defeating any workers' compensation benefit or payment as outlined in L.S.A.-R.S.23:1208;
- Any employer knowingly or willfully failing to provide security for compensation required by L.S.A.-R.S.23:1168 and
- Any employer knowingly or willfully providing false information to misrepresent the fact that he has provided or provides security for workers' compensation insurance as required by L.S.A.-R.S.23:1168 and
- Any person assisting, aiding, or abetting another to commit a violation of the Workers' Compensation Act.

All referrals for criminal prosecution are made to the Louisiana Attorney General's office. Criminal penalties for violations of the workers' compensation statute include, but are not limited to, fines of \$500 to \$10,000 and imprisonment, with or without hard labor from one to 10 years.

All records, reports and other documentation obtained during the course of investigation by the Fraud Section are confidential and are not subject to subpoena or public records requests.

The Fraud Section is responsible for monitoring Louisiana's employers for compliance with the Workers' Compensation Act. Civil fines are assessed by the workers' compensation courts, collected by the Compliance Unit and deposited into the Workers' Compensation Administrative Fund. An employer may appeal any penalty assessment to the appellate courts.

Employers who are found to be in violation of Louisiana's compliance laws on multiple occasions may be served with a cease and desist order to prohibit operations until proof of compliance is provided in addition to being subject to criminal sanctions for willful violations.

In 2016, the Fraud Section continued its efforts to combat fraud in the workers' compensation system and engaged in successful partnerships with other state and federal agencies including the Office of Unemployment Insurance, the U.S. Department of Labor and the Louisiana Attorney General's office. During 2016, a total of 809 investigations were opened, with 742 closed in a timely manner.

Fraud Section

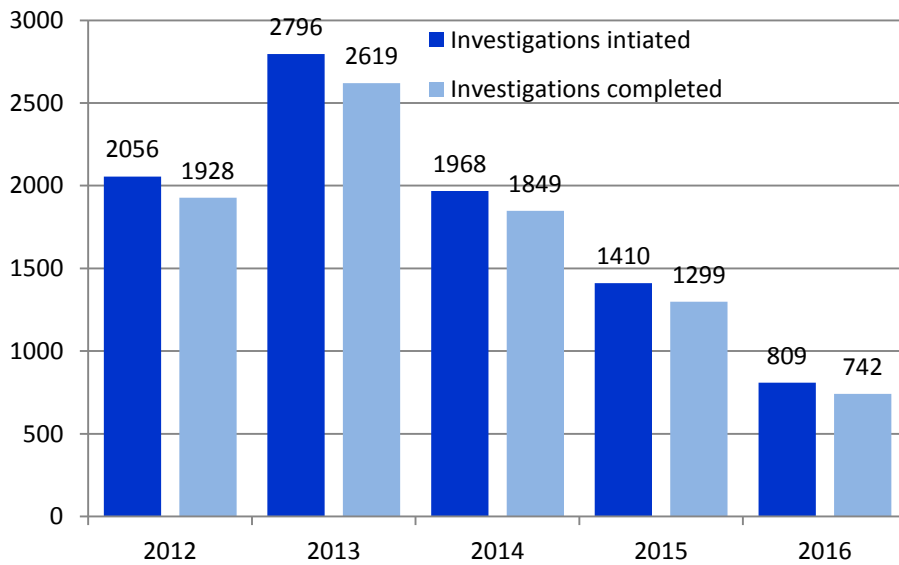
The Fraud Section continues to offer training seminars to educate the public about the penalties for workers' compensation fraud and non-compliance. To encourage this behavior, the use of the nationwide toll-free fraud hotline (800-201-3362) and online fraud reporting is recommended by the Fraud unit.

Contact Information

Telephone: 225-342-7558

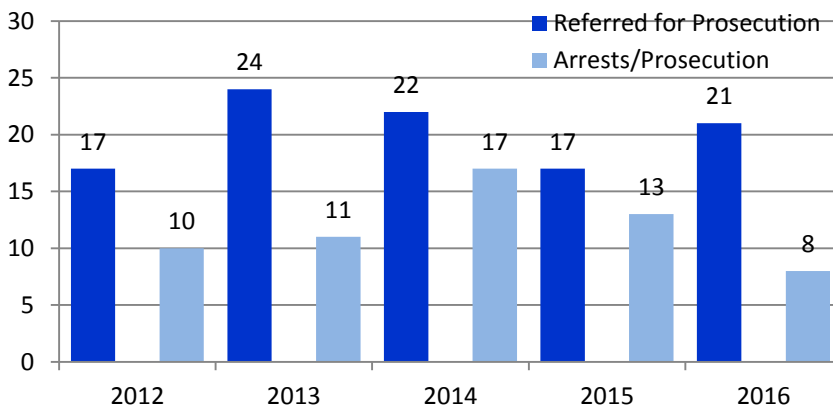
Fax: 225-342-1880

Manager: Vacant



Fraud Investigations Initiated and Completed

During 2016, the Fraud Section made numerous referrals to the Louisiana Attorney General's office. Of these referrals, suspected injured worker fraud totaled \$391,018.41. Referrals of suspected employer fraud totaled \$1,359,641.00.



Fraud Section

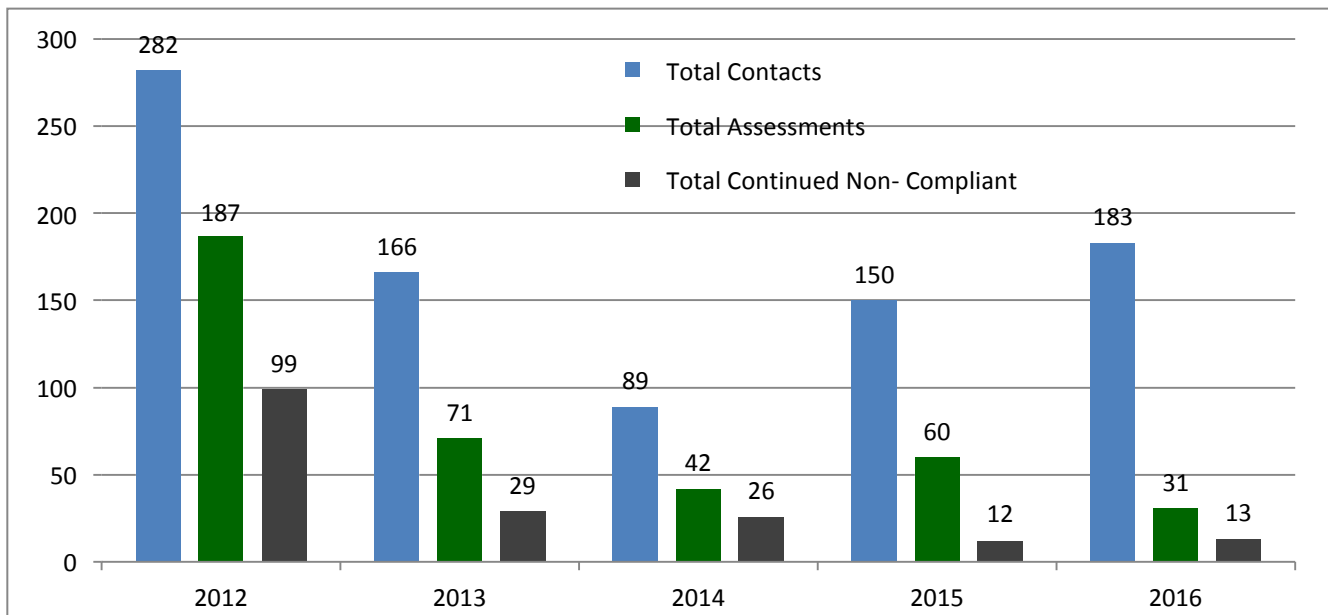
The OWCA continues to focus on employer compliance. Employers who fail to provide the necessary workers' compensation insurance, put employees at risk of receiving no medical or wage loss benefits if they are injured on the job. Non-compliant employers may also have an unfair advantage over competitors by not securing coverage as required by law.

During 2014, legislative changes were made to the workers' compensation statute, streamlining the enforcement process of employer compliance. Louisiana employers that conduct business without mandatory workers' compensation insurance are now penalized by a workers' compensation judge.

Penalties collected are deposited into the Workers' Compensation Administrative Fund. During 2016, a total of 183 employers were contacted to provide proof of workers' compensation coverage. There were 31 hearings held throughout the workers' compensation district offices resulting in the assessment of civil fines and orders for employers to provide proof as required by statute. Of the 60 employers who were penalized by the courts, only 13 remained non-compliant. Further legal action is pending.

The Office of Workers' Compensation Administration created an automated system to aid in the tracking and recording of all compliance activities. The Mandatory Insurance Compliance System (MICS) was created in-house utilizing the same software and docketing system operating within the workers' compensation courts.

EMPLOYER COMPLIANCE



Employers, employees, insurers and other interested parties are encouraged to use the online Coverage Verification System located on the Louisiana Workforce Commission's website, LAWorks.net, to assist in determining whether an employer has workers' compensation insurance in the state of Louisiana. This tool is also available through a smart phone app offered free of charge (WC Coverage Verification).

Any questions concerning workers' compensation fraud or compliance should be directed to 800-201-3362.

Hearings Section

Diane Lundeen, Workers' Compensation Chief Judge

In 2016 the Hearings Section received 4,137 disputed claims for compensation. The section continues to assist parties in resolving disputes through both adjudication and mediation. In 2016, the Hearings Section conducted 2,492 trials and hearings and mediated 1,752 disputes. Additionally, 5,361 settlements were approved in 2016. In 2016, the average delay for resolving disputed claims for compensation was 6.97 months. The Hearings Section is striving to reach a goal of 180 days, or six months, for resolution of disputed claims.

The Hearings Section's primary duty is to resolve disputed workers' compensation claims filed with the OWCA. 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, a Disputed Claim for Compensation (LWC-WC-1008) with the Workers' Compensation Court. There are 10 district courts located statewide: Alexandria, Baton Rouge, Covington, Harahan, Houma, Lafayette, Lake Charles, Monroe, New Orleans and Shreveport.

Contact Information

Telephone: (225) 342-7970

Toll Free: (800) 201-2499

Fax: (225) 342-4790

wchearings@lwc.la.gov

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	Total
2012	4	14	18	49	22	11	17	35	15	15	200
2013	11	10	15	62	25	15	16	8	12	8	182
2014	9	12	14	39	21	22	14	21	18	11	181
2015	12	15	19	17	18	4	15	15	11	8	134
2016	6	13	8	22	15	3	11	15	10	10	113

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	Total
2012	478	401	429	401	794	986	432	503	380	403	5207
2013	461	381	507	424	791	1040	457	503	400	389	5353
2014	556	346	352	395	755	1164	539	489	401	377	5374
2015	424	359	372	417	651	1068	555	568	462	354	5230
2016	448	306	332	402	678	1087	500	663	448	336	5200

Number of Claims Resolved Prior to Trial

Year	1W Shreveport	1E Monroe	2 Alexandria	3 Lake Charles	4 Lafayette	5 Baton Rouge	6 Covington	7 Harahan	8 New Orleans	9 Houma	Total
2012	230	198	621	316	601	487	192	313	337	302	3597
2013	178	118	200	211	90	242	170	127	124	123	1583
2014	218	104	215	167	94	284	241	105	109	109	1646
2015	145	129	213	172	63	209	258	169	180	90	1628
2016	181	109	169	195	63	212	183	169	94	67	1442

Number of Claims Closed

Year	1W Shreveport	1E Monroe	2 Alexandria	3 Lake Charles	4 Lafayette	5 Baton Rouge	6 Covington	7 Harahan	8 New Orleans	9 Houma	Total
2012	1151	338	556	1171	1444	1004	578	755	510	628	8135
2013	746	344	456	778	981	783	464	579	404	505	6040
2014	782	295	337	842	1024	731	546	460	358	446	5821
2015	439	253	1010	369	440	630	595	742	470	434	5382
2016	435	251	975	413	461	639	458	982	924	395	5393

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	Total
2012	560	317	326	654	770	649	521	574	389	418	5178
2013	635	262	294	639	575	613	501	583	424	447	4973
2014	429	274	296	524	618	593	491	554	472	417	4668
2015	354	263	254	434	625	662	493	604	456	380	4525
2016	369	255	230	486	626	599	463	507	377	330	4242

Number of Mediation Conferences 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	Total
2012	246	183	251	289	116	366	138	217	164	156	2126
2013	270	156	246	312	102	358	138	160	209	185	2136
2014	264	134	305	283	81	344	223	137	155	161	2087
2015	159	169	221	247	103	260	188	234	147	133	1861
2016	191	171	221	301	98	269	180	276	114	100	1921

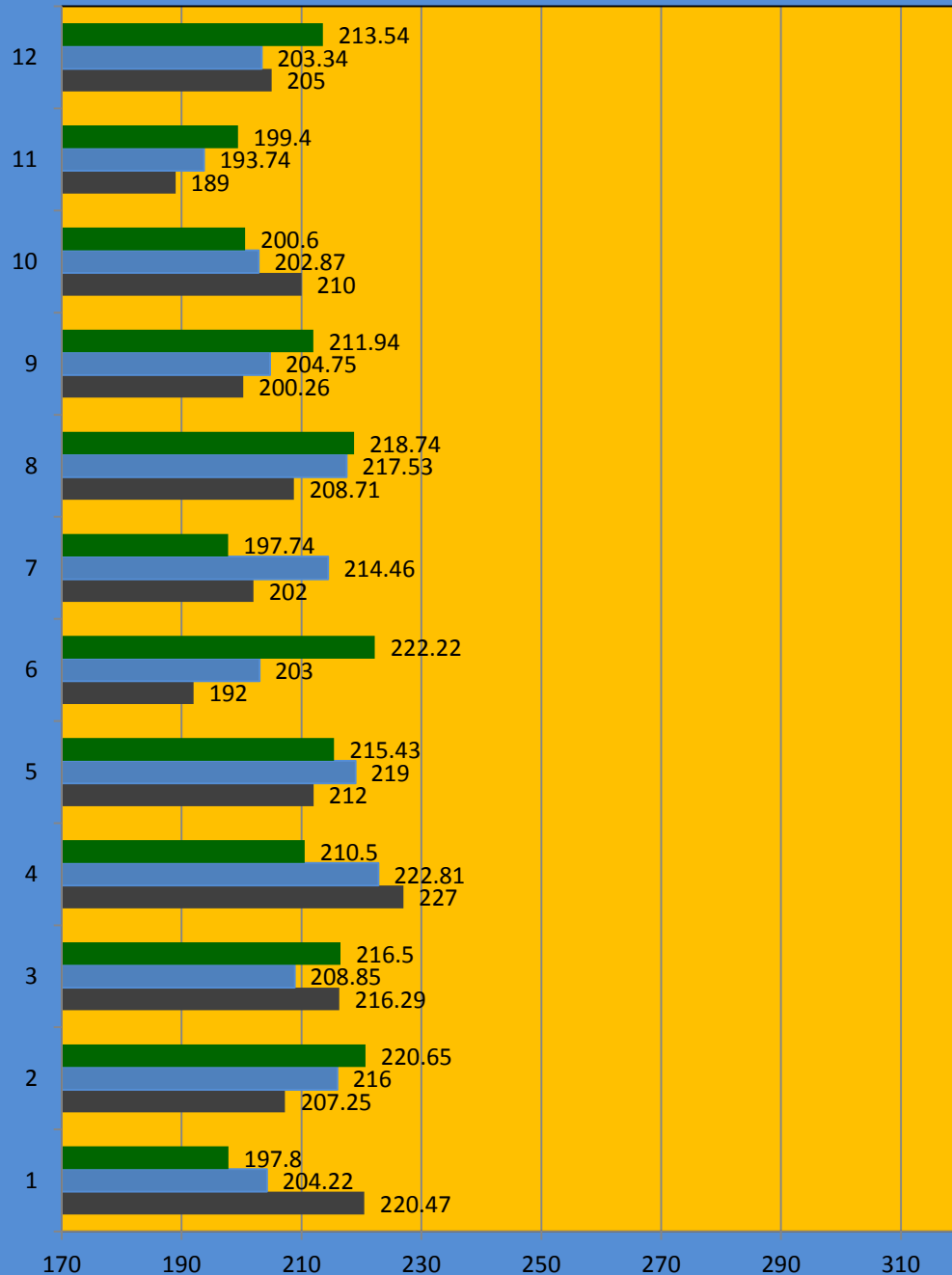
Number of Trails/Hearings Held by OWCA

Year	1W Shreveport	1E Monroe	2 Alexandria	3 Lake Charles	4 Lafayette	5 Baton Rouge	6 Covington	7 Harahan	8 New Orleans	9 Houma	Total
2012	177	109	146	202	427	250	310	356	537	279	2793
2013	166	125	186	218	378	216	351	292	465	252	2649
2014	159	100	150	187	393	241	287	260	573	254	2604
2015	99	87	136	100	319	141	377	322	557	247	2385
2016	103	82	166	282	63	143	266	339	350	223	2035

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	Total
2012	112	108	145	185	376	137	198	458	189	281	2189
2013	139	109	151	148	357	133	228	362	606	226	2459
2014	136	100	142	156	332	101	199	326	738	186	2416
2015	78	81	157	86	247	62	320	566	839	186	2622
2016	102	82	175	82	271	102	637	653	523	181	2808

2014 - 2016 Average Delay for 1008's



	1	2	3	4	5	6	7	8	9	10	11	12
■ 2016 Delay	197.8	220.65	216.5	210.5	215.43	222.22	197.74	218.74	211.94	200.6	199.4	213.54
■ 2015 Delay	204.22	216	208.85	222.81	219	203	214.46	217.53	204.75	202.87	193.74	203.34
■ 2014 Delay	220.47	207.25	216.29	227	212	192	202	208.71	200.26	210	189	205

Medical Services Section

Dr. Jason Picard, Medical Director

The Medical Services Section manages the appeals of recommended medical treatment that are filed on the disputed claim for Medical Treatment Appeals form (LWC-WC-1009) and Special Reimbursement Consideration Appeals (LWC-WC-3000). In addition, the Medical Services Section also manages Requests for Independent Medical Examinations (LWC-WC-1015), which addresses only disputes regarding work status and/or physical condition.

List of FAQs:

http://www.laworks.net/FAQs/FAQ_MainMenu.asp

Workers' Compensation Forms:

http://www.laworks.net/Downloads/Downloads_OWC.asp#Forms

Workers' Compensation Training Courses:

http://www.laworks.net/WorkersComp/OWC_Courses.asp

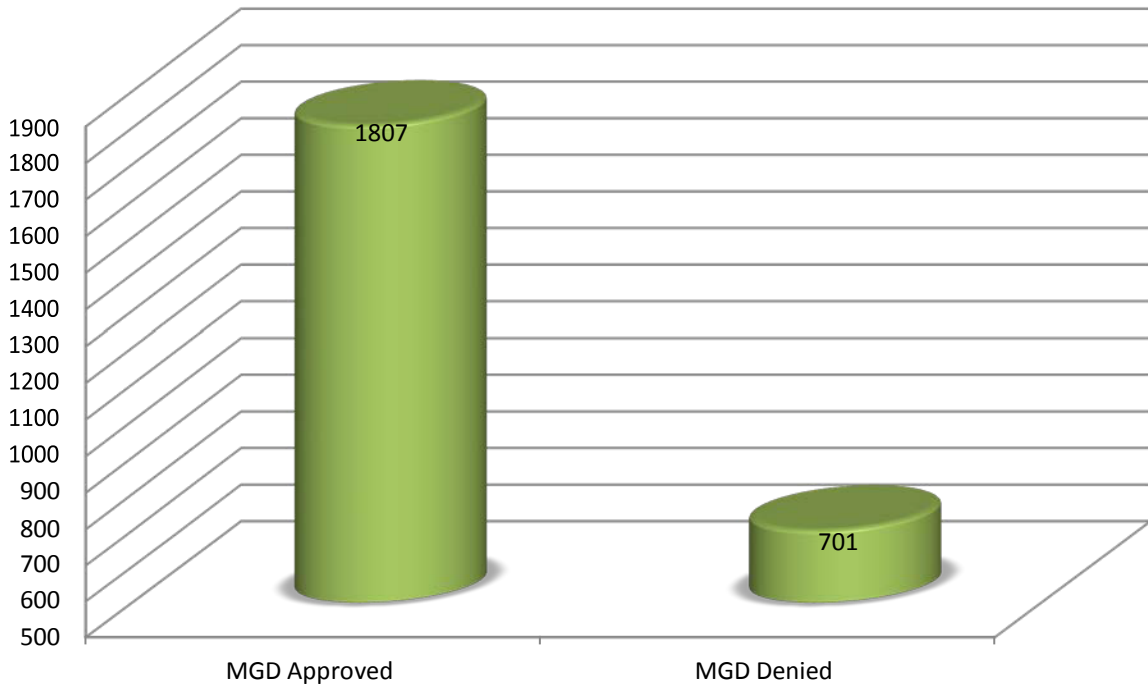
Contact Information

Telephone: (225) 342-7555

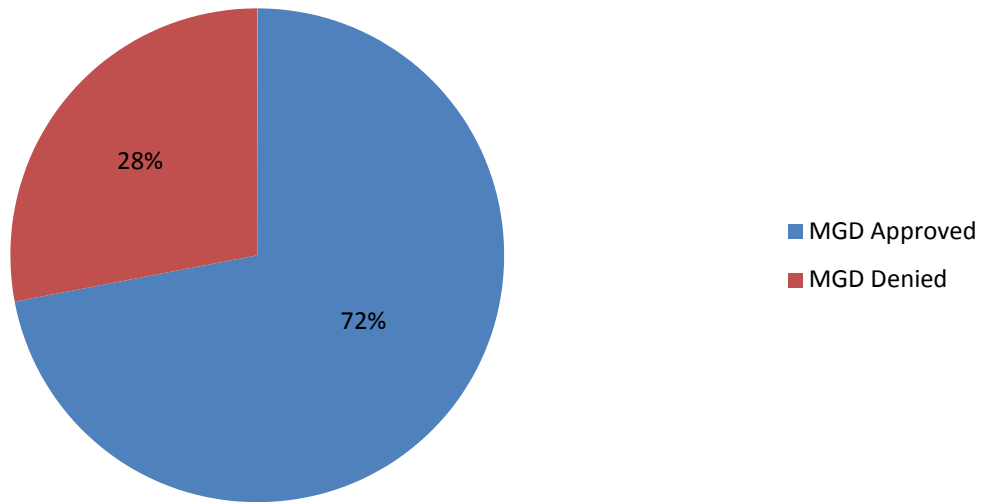
Fax: (225) 342-9836

medicalservices@lwc.la.gov

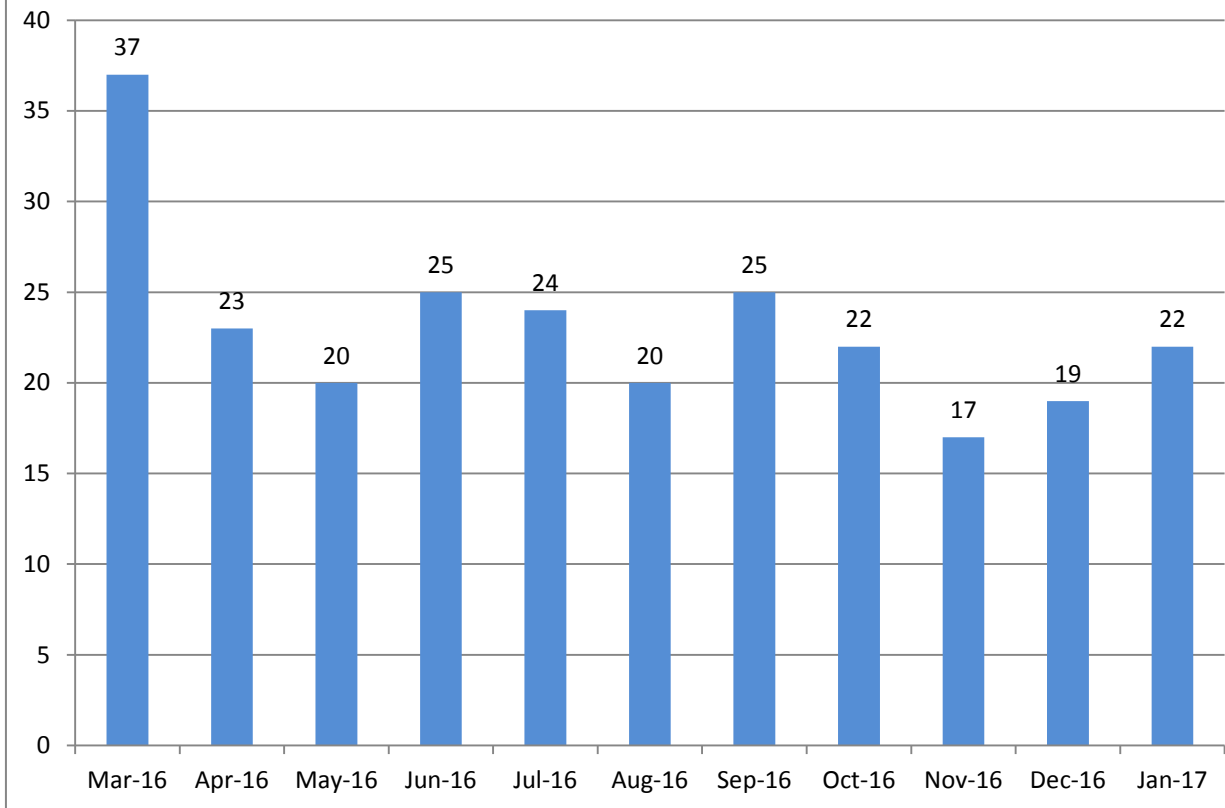
Cases from 3/1/2016 to 1/31/2017



MGDs: Approved vs. Denied



Average Days to Render a Decision



Andre de la Fuente, Manager

Records Management is a support section for the OWCA and is comprised of four units: Administrative, Audit and Publication, Occupational Safety and Health (OSH) and Uncontested.

The Administrative Unit serves as a repository for workers' compensation records and oversees the imaging of records of the office. The division also processes record requests from internal stakeholders such as the Hearings Section, and external stakeholders such as employers, employees, insurers and administrators.

The Audit and Publication Unit publishes the OWCA Annual Report and Quarterly Activity Reports, highlighting accomplishments of the OWCA in regards to workplace fatalities, injuries and illnesses prevention and treatment legally and medically. This unit also responds to requests for employees who have been involved in a workers' compensation dispute. A total of 9,910 requests were made in 2016. The unit makes every effort to respond to requests from parties concerning disputed workers' compensation claims [for example, LWC-WC-1008 (Disputed Claim for Compensation) and/or LWC-WC-1009 (Disputed Claim for Medical Treatment)]. A total of 500 requests from parties to a 1008 and/ or 1009 were received in 2016. For copies of Annual Reports, visit: http://www.laworks.net/WorkersComp/RecordsManagement/OWC_StatisticsMenu.asp. For answers to Frequently Asked Questions about Rights and Responsibilities in Workers' Compensation, visit: http://www.laworks.net/FAQs/FAQ_WorkComp_RightsAndResponsibilities.asp.

Occupational Safety and Health (OSH) partners with the U.S. Department of Labor's Bureau of Labor Statistics (BLS) to provide work-related fatality counts and nationally-comparable estimates of work-related injuries and illnesses. This helps to determine where safety resources can be allocated more effectively. The number of work-related fatalities in 2015 in Louisiana was 112, according to the U.S. Bureau of Labor Statistics (BLS) in its Census of Fatal Occupational Injuries. The figure decreased from the revised total of 120 in 2014. 2015 Survey of Occupational Injuries and Illnesses data showed Louisiana ranked first among 41 participating states, trailing only the District of Columbia for the rate of non-fatal work-related injuries and illnesses. Louisiana's private rate improved to an estimated 1.9 incidents per 100 full-time workers, down from 2.0 the previous year. This is in direct comparison to the national average of 3.0 incidents per 100 full-time workers.

Visit BLS at <http://www.bls.gov/iif/oshstate.htm#LA> and get more detailed Louisiana statistics at http://www.laworks.net/Downloads/Downloads_OSHS.asp. The section added select charts to the state website to provide additional visual perspectives in addition to the spreadsheets with numbers in table format. At the 2016 Louisiana Governor's Safety and Health Conference, staff distributed and discussed prevention of injuries, illnesses and fatalities utilizing the Louisiana Workplace Injuries, Illnesses and Fatalities publications.

The Uncontested Unit processed 24,786 hard-copy work-related injury claim forms in 2016 (LWC-WC-1007s, 1002s and 1003s), a decrease of 471, or two percent from the previous year's total of 25,257. This includes a total of 135 hard-copy 1007 forms received in 2016 and returned to trading partners (insurers, self-insured employers and claim administrators) for electronic submission.

In accordance with Chapter 10, Title 23 §1306 Employer Reports (B) (1) (a), we received 8,034 First Report of Injury (FROI) claims with a 2016 date of injury, a decrease of 1,567 from 2015's revised 9,961 claims. These claims were submitted via Electronic Data Interchange (EDI) based on the International Association of Industrial Accident Boards and Commission (IAIABC) standards. Our trading partners enroll in mandatory electronic submission at <http://lwcedi.info>. The Uncontested Unit is emailing scorecards to trading partners to assist with increasing the number of Transactions Accepted (TAs), hence transitioning to more data compliance and analysis in addition to data processing.

Data generated from all forms are used in accident prevention and compliance efforts. In the future, the Notice of Payment, Modification, Suspension, Termination, Controversion of Compensation, Medical Benefits (LWC-WC-1002) and Stop Payment (LWC-WC-1003) forms will be reviewed for feasibility to transition to EDI and renamed the Subsequent Report of Injury (SROI).

Contact Information

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Toll Free: (800) 201-3457

Records Management Section

For the last three years, the OWCA has been reviewing the manner in which injuries and illnesses occurred in the workplace. In the last two years, there were 26,909 workers' compensation First Report of Injury (FROI) cases reviewed for cause of injury and illness. According to the table below for classified injuries reported in 2016, "Falls" were cited as having the highest number of claims in 2016. "Strains" made up the second-most common cause of injury followed by "Struck or Injured By." 774 claims reported resulted from "Motor Vehicle Accidents." "Burns/Exposure to Heat and Cold" and "Striking Against/Stepping On" had the fewest number of claims.

Workplace Injury by Cause, 2014-2016

Cause of Injury	2014	2015	2016
Striking Against or Stepping On	233	253	212
Burn or Scald – Heat or Cold	264	262	217
Cut, Puncture, Scrape	414	405	387
Caught In, Under or Between	443	426	357
Motor Vehicle	860	782	774
Miscellaneous	861	708	554
Struck or Injured By	1,312	1,207	1116
Strain or Injury By	2,703	2,428	2203
Falls, Slip or Trip Injury	2,830	2,470	2214
*Total	9920	8941	8048

The claims reported are workplace injuries that are identified through the filings of electronic First Report of Injury (FROI) or LWC-WC-IA-1 forms. The 2014, 2015 and 2016 claims utilize the Workers' Compensation Insurance Organization (WCIO) Injury Description codes submitted via Electronic Data Interchange (EDI).

- * These claims are subject to revision as new claims are received.
- * The cause "Rubbed or Abraded By" is excluded due to low claim counts.

Records Management Section

Workplace Fatalities

Each year, a small number of workplace accidents result in the tragic death of workers. The number of workplace fatalities reported in 2016 decreased by 12% from 2015. The number of workplace fatalities was calculated by using data from the electronic LWC-WC-IA-1 forms.

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

Workplace Fatalities Reported Claims, 2014-2016

Year	Number of Fatalities	Percentage of Change from prior year
2014	71	29%
2015	69	-3%
2016	61	-12%

Data has been revised for 2015 due to the processing of additional information and the elimination of duplicates.

Year	Printed Forms *	Records Requests
2012	27,229	14,444
2013	29,851	12,611
2014	25,660	17,133
2015	25,257	12,117
2016	24,786	9,910

*Includes LWC-WC-1007s, 1002s and 1003s

Records Management Section

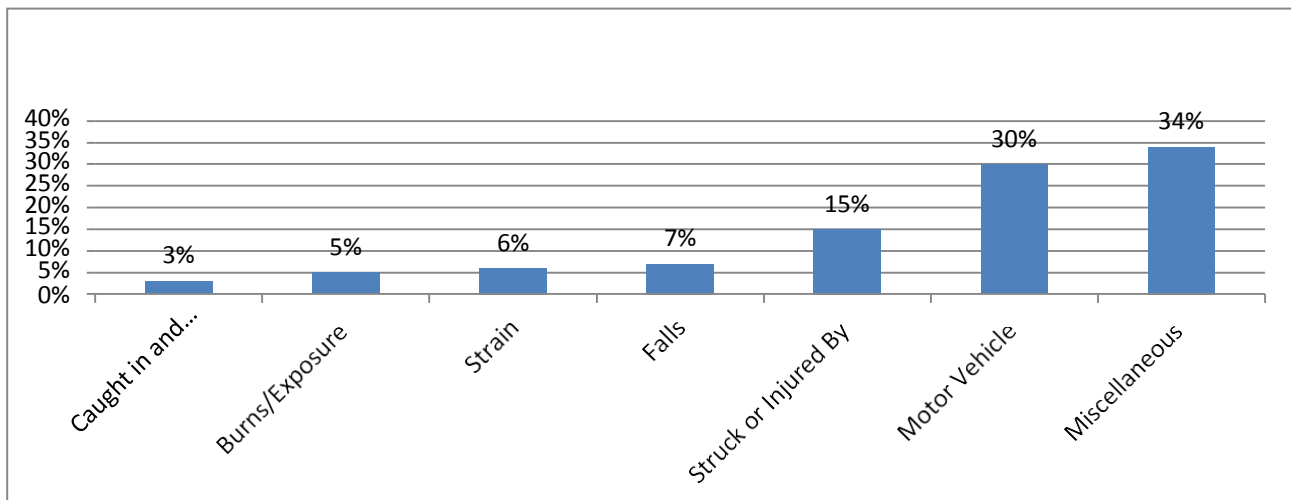
The table below represents the cause of workplace fatalities over a three-year period.

Causes of Workplace Fatalities, 2014-2016

Year	Caught In, Under or Between	Struck or Injured By	Falls, Slip or Trip	Strain or Injured by	Burn or Scald-heat or cold exposure	Motor Vehicle Accidents	Miscellaneous	Total
2014	0	13	5	4	2	25	25	74
2015	2	8	5	2	5	22	25	69
2016	4	9	5	6	3	15	19	61
Total	6	30	15	12	10	62	69	204

Note: The claims reported are workplace fatalities that are identified through the filings of the First Report of Injury (FROI), or the LWC-WC-IA-1, using Electronic Data Interchange (EDI). Data has been revised for all years as additional information is processed and duplicates eliminated.

Causes of Workplace Fatalities (in percent)



Miscellaneous accidents registered the highest claim rate at 34 percent. Miscellaneous accidents include heart attacks, gunshots, natural disaster, etc. Over a three-year period, motor vehicle accidents accounted for an average of 62 cases. More than 50 percent of all transportation accidents were caused by motor vehicles. Aircraft crashes accounted for an average of three cases and railway accidents accounted for an average of one case. Stuck or Injured By accounted for 15 percent of the claims.

Second Injury Board & Finance and Audit Sections

Meridith J Trahant, Director

The Second Injury Board (SIB) and Finance & Audit Sections have a multitude of responsibility. Some of their duties include managing the claims for reimbursement filed with the SIB, disbursing funds for approved claims for reimbursement from the Second Injury Fund, approve applications for self-insured employers, determine the levels of self-insurance retentions and making recommendations on annual assessment rates for the OWCA and SIB.

The Second Injury Board (SIB) consists of a director, a compliance supervisor, three compliance officers, two accounting technicians, three administrative assistants and three attorneys.

The SIB is an employer/insurer-funded program whose purpose is to encourage the employment of individuals with pre-existing permanent partial disabilities that are an obstacle to obtaining employment. The SIB promotes the hiring of these individuals by protecting employers from excess liability for workers' compensation costs, resulting from a job injury when statutory requirements are met. The SIB reimburses employers or their insurers for excess benefits paid to these employees on claims meeting those requirements.

The SIB annual assessment levied in November 2016 was based upon a rate of 5.95 percent of total compensation benefits paid in 2015. The 2016 SIB assessment was \$51,521,391.58.

The SIB Director additionally oversees the Finance and Audit Section. This section comprises a manager, an audit supervisor, two auditors and an administrative coordinator. The unit is responsible for evaluating and recommending approval or denial of applications to become authorized self-insured employers or approved third-party administrators for workers' compensation programs. The unit determines appropriate levels of self-insurance retention and appropriate levels of security to be posted with the OWCA. This unit also collects and maintains records to ensure that self-insured employers remain financially sound, maintain proper levels of retention and security and remain in compliance with all self-insurance requirements. They are also responsible for recommending annual assessment rates for the OWCA administrative assessment and the Second Injury Board assessment. Following approval of the assessment rate, Finance and Audit issues the assessment notices, posts receivables and acts on delinquent collections. The unit improved the total percentage of all controlled entities being audited within 3 years from 84% to 97%. Ultimately setting a goal of 100%, delinquent receivables remain at historically-low levels.

Contact Information Telephone: 225-342-7866

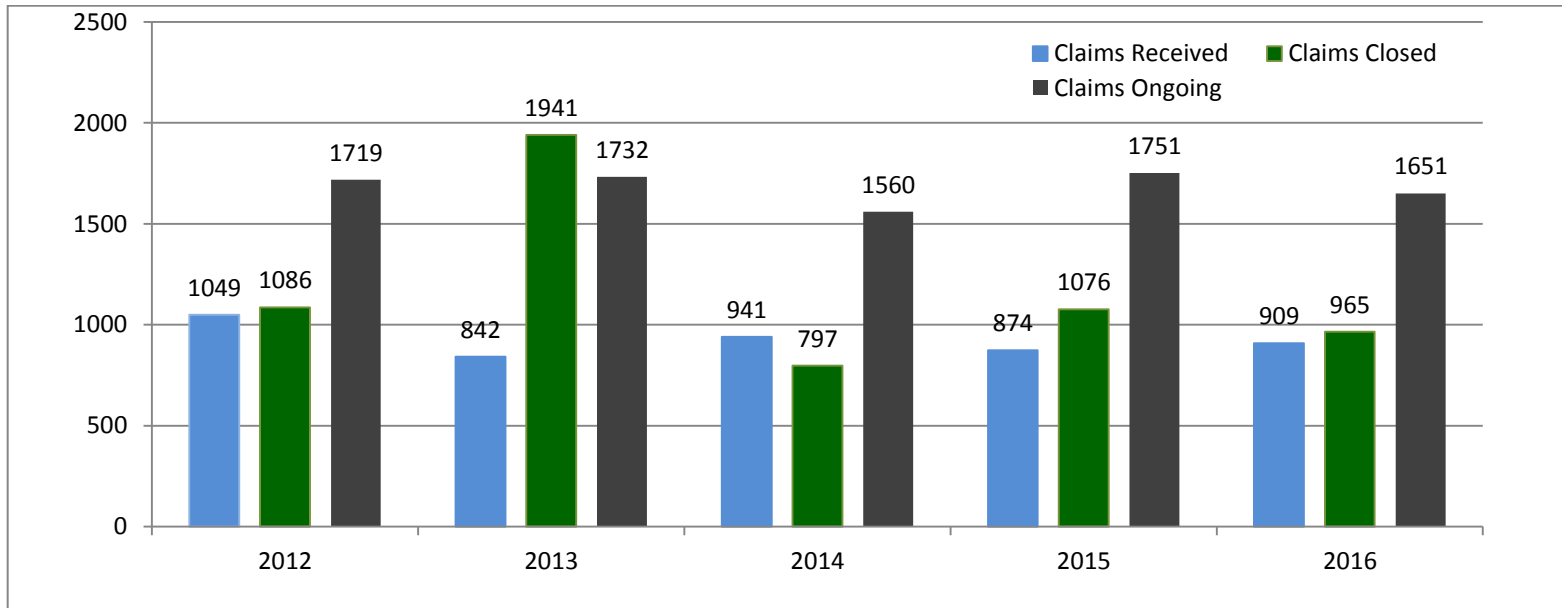
Toll Free: 800-201-2493

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Second Injury Board & Finance and Audit Sections

Claims Received, Closed and Ongoing



Second Injury Board

Year	Claims Received	Claims Closed	Decisions Rendered	Claims Pending	Ongoing Claims	Assessment Actual	Reimbursement	Total Administrative Cost
2012	1049	1086	1022	3298	1719	\$46,906,356	\$37,755,535	\$816,394
2013	842	1941	1054	2903	1732	\$49,085,256	\$32,394,616	\$939,927
2014	941	797	791	3203	1560	\$45,379,348	\$45,379,348	\$838,800
2015	874	1076	1010	3071	1751	\$50,568,670	\$49,353,057	\$907,936
2016	909	965	862	3026	1651	\$51,521,392	\$60,127,056	\$874,099

Corey S. Gaines, Manager

The OSHA Consultation/Safety Section administers the state cost containment program and the federal OSHA Consultation Program. These provide a quality product in terms of overall consultation visits, effective outreach and employee training.

2016 has been another exceptional year for the program as we continued to focus on developing a working relationship with construction, logging and the oil and gas industries throughout the state. The Bureau of Labor Statistics (BLS) Illness and Injury Recordable (IIR) rates indicate that the overall construction industry rates in Louisiana are decreasing. Louisiana Consultation Program's continuing objective is to persistently improve the efficiency, quality and effectiveness of service to employers and employees in Louisiana. This is achieved through consultation visits, outreach campaigns and training and assistance. This is in addition to supporting certain OSHA Performance Goals in FY2016.

According to BLS records, the last two years (2014 & 2015) in Louisiana, 18,861 workers' compensation cases were reviewed for cause of injury and illness. According to the table below for injuries reported in 2015, "Falls" were cited as having the highest number of claims in 2015.

"Strains" made up the second-most common cause of injury followed by "Struck or Injured By." This year, 782 claims reported resulted from "Motor Vehicle Accidents." "Burns/Exposure to Heat and Cold" and "Striking Against/Stepping On" had the fewest number of claims.

The rate of work-related injuries and illnesses among Louisiana's private sector employers improved in 2016, to its highest level in 14 years according to a federal Bureau of Labor Statistics survey.

The survey showed Louisiana improved to 1.9 incidents per 100 full-time workers, down from 2.0 in 2014. This is in direct comparison to the national average of 3.0 incidents per 100 full-time workers. This has Louisiana pegged first among 41 participating states, trailing only the District of Columbia for the rate of non-fatal, workplace-related injuries and illnesses. Louisiana has continuously been below the national average since the federal Occupational Safety and Health Administration revised its record-keeping rules in 2002. Workers' compensation rates in Louisiana are set to decline for the fourth consecutive year, according to the Louisiana Department of Insurance. The National Council of Compensation Insurance has recommended a reduction of an additional 9.8 percent for 2017.

The state's injury and illness rate showed improvement in multiple industry sectors. Among the leaders:

- Real estate and rental and leasing: Down 0.9 incidents per 100 full-time workers from 2014;
- Retail Trade - Down 0.6 incidents per 100 workers;
- Professional, scientific, and technical services - Down 0.5 incidents per 100 workers;
- Management of companies and enterprises: Down 0.4 incidents per 100 workers;
- Transportation and warehousing - Down 0.4 incidents per 100 workers;
- Mining, quarrying, and oil and gas extraction - Down 0.3 incidents per 100 workers; and
- Manufacturing - Down 0.3 incidents per 100 workers.

For the fourth consecutive year, Louisiana has been ranked as the second safest in the nation in terms of the overall injury and accident rates. Companies are reporting fewer injury and illness claims, and as a result, worker's compensation rates continue to decrease. The Louisiana On-Site Consultation Program continues to provide a quality product in terms of overall consultation visits, effective outreach, and employee training. The increasing number of employers the program reaches has greatly increased as several new initiatives have been put in place. Injuries and illness rates in Louisiana continue to decline as the number of fatalities in our state are decreasing.

Contact Information

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Fax: 225-342-6756

Workers' Compensation Councils

Workers' Compensation Advisory Council

Sheral Kellar, Chairman

The Louisiana Workforce Commission's website, www.laworks.net, displays the Workers' Compensation Advisory Council webpage, which includes a listing of past scheduled meetings and locations.

Visit the Louisiana Legislature website for further information:

<http://www.legis.la.gov/legis/BoardMembers.aspx?boardId=820>

Workers' Compensation Medical Advisory Council

The Medical Advisory Council reviews current guidelines and provides recommendations for a medical treatment schedule to guide treatment for workplace illnesses and injuries. It is made up of at least one representative from each of the following disciplines: orthopedic surgeon, neurosurgeon, neurologist, interventional pain management physician, family practice physician, physical and occupational therapists, psychologist and psychiatrists and a representative from the Chiropractic Association of Louisiana. Members of the council are appointed to two-year terms by the director of the OWCA.

Statewide District Directory

Baton Rouge Administrative Office

Chief Judge, Diane Lundeen
Office of Workers' Compensation
P.O. Box 94040
1001 N. 23rd St.
Baton Rouge, LA 70804-9040
Telephone: (225) 342-7970
Telephone: (800) 201-2499
Fax: (225) 342-4790

District 1W

Office of Workers' Compensation
Dispute Resolution Specialist:
LaTonya Martin
9234 Linwood
Shreveport, LA 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
1401 Hudson Lane, Suite 301
Monroe, LA 71301-5730
Telephone: (318) 362-3078
Telephone: (800) 209-7321
Fax: (318) 362-3083

District 2

Office of Workers' Compensation
Dispute Resolution Specialist:
Brandi Mason Foss
3724 Government St.
Alexandria, LA 71302-3327
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Telephone: (800) 209-7329
Fax: (318) 767-6085

District 3

Office of Workers' Compensation
Dispute Resolution Specialist:
Deborah Garriet
120 W. Pujo St., Suite 200
Lake Charles, LA 70601
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Telephone: (888) 768-8745
Fax: (337) 491-2208

District 4

Office of Workers' Compensation
Dispute Resolution Specialist:
Sharon Francis
556 Jefferson St., First Floor
Lafayette, LA 70501-6947
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Telephone: (800) 209-7174
Fax: (337) 262-1106

District 5

Office of Workers' Compensation
Dispute Resolution Specialist:
Shameeka Kaufman
224 Florida Blvd., Suite 100
Baton Rouge, LA 70801-1719
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Telephone: (800) 209-7175
Fax: (225) 219-4377

District 6

Office of Workers' Compensation
Dispute Resolution Specialist:
Janice Westereng
112 Innwood Drive, Suite E
Covington, LA 70433-8813
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Telephone: (888) 575-6149
Fax: (985) 871-1264

District 7

Office of Workers' Compensation
Dispute Resolution Specialist:
Sloane Sullen
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Harahan, LA 70123-3333
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Telephone: (866) 253-5830
Fax: (504) 736-8608

District 8

Office of Workers' Compensation
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Christine Melford
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New Orleans, LA 70112-2001
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Fax: (504) 568-8706

District 9

Office of Workers' Compensation
Dispute Resolution Specialist:
Debra Duplantis
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Telephone: (800) 262-1497
Fax: (985) 857-3781

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