

WSIA Liaison Committee Report

**Laura Merritt, Manager Safety & Claims, King County
Patrick Reiman, Asst. V.P. WA Claims, Sedgwick
January 3, 2019**

The Liaison Committee met with representatives from the Department of Labor & Industries on January 3rd. Present for the meeting in whole or part of meeting from the Department were Jim Nylander, LaNae Lien, Mike Ratko, Brian Schmidkofer, Simone Javaher, Gina Mayo, Jevahly Wark, Zach Gray, Kelli Zimmerman, Starla Treznowski and Lisa Wood. Present from WSIA were Kris Tefft, Lisa Vivian by phone, Patrick Reiman, Laura Merritt, Tylar Edwards, King County and Lloyd Brooks, WSIA.

As your representatives for the WSIA Liaison Committee we can provide assistance in resolving claim management issues, policy or procedure concerns or specific individual claim related issues through our bi-monthly meetings with the L&I representatives.

Please contact Employer Representative Laura Merritt at 206-477-3380 or email Laura.Merritt@kingcounty.gov or TPA Representative Pat Reiman at 206-214-2813 or email at patrick.reiman@sedgwick.com with any issues you would like discussed during our next scheduled meeting in March.

GENERAL

Introduction and welcome. Safety tip- check adequacy of your windshield wipers this time of year given rainfall.

WSIA ITEMS

Denial Codes

Discussion around examples provided by Seattle Children's Hospital where L&I didn't use requested codes, but different ones than requested. Concern is SIE has communicated to their employee the reason for denial, but gets different reasons on denial order & notice. Concern expressed it also limits defense to codes selected by L&I vs. those requested which may have broader implications and impact the defense of the Order. State Fund developed denial codes as they are not codified in WAC or RCW. Agreed Jim will check with AG on broad use vs. narrow use of codes. Also suggested L&I adjudicator outreach to SIE/TPA if using codes other than requested with explanation. Further may be chance to republish codes and provide examples of where may be appropriate to use. This will also be part of new SIF4 form review.

Dispute Process

Multicare suggested L&I look at formalizing dispute process with potential for more disputes given Rules Modernization. WSIA suggested review current metrics being tracked as post Rules Modernization some may no longer need tracked and new ones such as dispute tracking should be added. L&I to come back with recommendations next meeting.

Medical Provider Network daily updates

Is there an alternate way to get updates to SIE/TPA vs. daily feed that can take multiple hours to load into SIE/TPA software to track?

SELF-INSURANCE UPDATE

Issue Based Audit Proof of Concept

Brian discussed use of medical EDI. IT building a query and anticipate last 1Q2019 outcomes. Proof of concept will be around timely medical bill payment per RCW 51.36.080 (copy attached). Initially as recognize may be challenges with date from initial bill receipt might use measurement from claim allowance. Will continue to keep WSIA Liaison team and Audit Governance team informed as date gets developed. Seeking outliers with volume of payments outside 60 days.

Willful Misrepresentation

Brian provided draft proposed changes and new checklist. Concerns expressed on ordering of checklist and necessity of check boxes on required documentation and explanation if not checked. Brian to review this and perhaps change order and some of language. Tylar also strongly expressed concern with 30 day notice to employee prior to order issuance and potential employment relationship impacts including potential union grievances. Discussion held on case re public disclosure law as pertains to public employers who are Self-Insured and State Fund. Concern also expressed less SIE likely to utilize this tool if proposed changes adopted. Jim to take back review of letter to employee with notice of willful misrepresentation request from employer to see if can add language to make stronger from ER/Dept. of review of submitted information, but unwilling not to give employee 30 days to respond to request for willful misrepresentation order by employer.

OMD Updates

Simone, Zach (Epidemiologist) and Jevahly (Occupational Nurse Consultant) went over attached slides on acupuncture and master level therapy status.

Rules Modernization

Lanae, Starla (Presumptive Team) Kelli (SI Training) and Lisa (Mgmt Analyst) covered implementation plan and communication as effective 7/1/2019. Draft copies of forms/templates have been distributed internally to audit, adjudication team and externally to WSIA, LEP work group and those who may have had input at public hearings for review/input by 1/16. Anticipate finalizing forms/templates by Mar/Apr. SI section will be providing mandatory training in Mar/Apr for certified examiners in Tukwila, Spokane, Vancouver and Tumwater locations, dates still being set. SI section will put out monthly communications on list serve on progress. Discussed employer portal buildout as tool to communicate with L&I. Also discussed electronic forms which would be a later date. Claim Adjudication Guide will also be updated. Discussed consideration of adding presumption language on appropriate letters/templates. Also discussed focus updates on wage orders not required or should be requested unless disputed while emphasizing presumption of correctness and no SIE penalty if not disputed timely but found to be in error at later date.

Development of Core Curriculum-Dept. provided framework of Categories, required topics and what they should include for potential providers which is attached along with changed WAC. They anticipate 6 hour courses with 3 courses per topic to reach 72 hours to meet training program. WA Certification test will still need to be passed. Could be multiple providers and potential multiple “professional designations” to lead up to this. Clarified 3 month (paragraph c(i)) retake of exam just if in grace period and thereafter 6 month (paragraph 4) retake. Kelli prepared for monthly exams if needed, but at this point all are planned to be done in Tumwater.

SI-CLAIMS PERFORMANCE METRICS

Report to be provided. See above on potential change of metrics.

Audit

Report to be provided.

Staffing

Lester Bell has retired. New WAC3 Brad Gunderson, Tia Harrison and Sheila Johnson, all with State Fund experience. New Lead Carolyn Roberts, external with paralegal WC experience.

New Certs

1/1/19 Allen Brothers, Samson Rope Technologies, Roy Farms and Bethlehem Construction