

Minutes: Workers' Compensation Insurers' Task Force

Date: Nov. 17, 2021

Time: 9 to 10:30 a.m.

Location: Via Webex

Call to order

- Roll call by Gretchen Longbehn

Approval of agenda

- Agenda has been approved

Department update: Commissioner Roslyn Robertson

Medical cannabis case law update: Office of General Counsel, Ethan Landy

Work Comp Campus update and status: Workers' Compensation Modernization Program, Brad Morse

Compliance, Records and Training update: Director Chris Leifeld

Copy file review discontinuance of providing paper copies from division files

- As of Nov. 22, 2021, the Department of Labor and Industry (DLI) will no longer be printing documents for individuals who can access division file documents in Work Comp Campus by obtaining proper permission and access (such as with a notice of appearance or representation, or a signed authorization).
- Requests for documents submitted before the Nov. 22 deadline will be fulfilled.
- Step-by-step instructions, with screenshots, for accessing and printing from Campus have been created to guide users through the process.

Prompt First Action Report on Workers' Compensation Claims

- There are inaccuracies in some of the related data for the Prompt First Action Report on Workers' Compensation Claims, which has made some first actions erroneously appear untimely.
- While these issues have been logged since Campus went live, resources have been prioritized elsewhere – including on external application fixes for our stakeholders; therefore, the prompt first action issues have not yet been fixed.

- DLI will not publish a report with inaccurate data that may harm stakeholders by making them appear to have a lower percentage of timely first actions on claims than they should.
- Minnesota Statutes section 176.223 gives DLI the authority to “exclude incomplete or unreliable data” from the prompt first action report; therefore, the report for calendar-year 2021 will not include claim-specific data.
- The 2022 report will focus on definitions, education, and frequently seen issues and questions, and will be a helpful tool for stakeholders. DLI can then focus on the 2022 calendar-year report (to be published in March 2023) and beyond.

File audit

- Staff members are reviewing files and sending them to RFIs via Campus.
- RFIs are sent to the claim adjuster, if DLI can identify one and they have permission; if not, DLI will send RFIs to the designated contact who has RFI-recipient permissions; and, if there is not one, then to the group administrator if no one has permissions for RFIs.
- RFIs and penalties can setup using unique email boxes. Must have an individual identified on the account. Contact Cheryl Scherbel at 651-284-5135 or Lynne Knowles at 651-284-5390 to help you set these up.
- Unfortunately, many responses are not timely or do not exist at all. Often second and third requests are sent.
- It is OK to upload response in Campus.
- Final notices (FNs) are being filed without any final medical reports, which should also be filed at that time.
- When permanent partial disability (PPD) is paid, DLI needs medical reports uploaded and the PPD webform filed.
- NOD webform (NOID #3) needs to also file the suspension of benefits (SX).

Penalties

- Compliance, Records and Training began sending penalties in mid-September.
- Penalties are sent to the insurer’s staff members who have a designated contact for penalties and, if there are none, then the group administrator: for insurers or third-party administrators (TPAs) via encrypted email, other parties are served by the U.S. Postal Service.
- Payment and objection information contained in body of email message.
- Invoices sent by Financial Services include the claim number. Invoices are sent to a billing address. Both by U.S. mail.
- Payments: Include the penalty number, such as PN - **_****_****.
- Objections must be filed through Campus. If there are problems, contact the CSO who issued the penalty.
- Can pay penalty online.
- Must include the state’s tax I.D. number when submitting the payment.
- Show proof of payment to the employee via electronic data interchange (EDI) (included in the penalty notice email language).
- New first report of injury (FROI) filing requirements (see Minn. Stat. section 176.231, subdivision 1).

Reimbursements update: Special Compensation Fund, Karen Kask-Meinke

Proposed WCITF 2022 meeting dates

- Wednesday, March 16; 9 to 10:30 a.m.
- Wednesday, May 18; 9 to 10:30 a.m.

- Wednesday, Sept. 21; 9 to 10:30 a.m.
- Wednesday, Nov. 16; 9 to 10:30 a.m.

Adjournment

[Play meeting recording](#) (one hour, 33 minutes)