



Washington State Department of
Labor & Industries



**Self-Insurance
Training Presents:**

Management of Claims

2024 Quarterly Training

Safety Tip



Resources

- **Forms & Publications**
- **Claim Adjudication Guidelines**
 - Miscellaneous Claim Issues
 - Management of Claims
- **Claims Management Tools**
 - Forms & Templates
 - Training Matrix
- **GovDelivery Subscription**

Handling of Claims

- **WAC 296-15-350** What elements must a self-insurer or third-party administrator (TPA) have in place to ensure appropriate handling of claims?
- **WAC 296-15-550** Self-insured third-party administrator (TPA) duties and performance requirements.

Claim Administrators

- Have sufficient numbers of certified claims administrators
- Must be a certified claims administrator or in the process of getting their certification within 2 years of hire
- Demonstrate handling in all areas of the comprehensive core curriculum under WAC 296-15-360(5)
- Manage claims in accordance with Title 51 RCW, WACs, L&I policies, L&I medical treatment guidelines, and medical aid fee schedule.

Claim Administrators

- Excluded from needing to be certified are those who indirectly support claims administrators
 - Human resources, accounting, or executive management.
- If all certified claims administrators leave, the SIE may apply for a temporary waiver for up to six months pending hiring of a replacement.

Claim Administrators

- Every person making claim decisions includes:
 - Those persons who manage claims directly.
 - Take action on claims under WAC 296-15-425
 - Payment of compensation WAC 296-15-340.
 - Request to allow or deny claims under WAC 296-15-420.
 - Close claims under WAC 296-15-450.

Claim Records

- Have procedures securing the confidentiality of claims.
- Keep and preserve the claim records and make available to the department upon request.
- When a TPA leaves, transfer all claim records to the SIE or new TPA.
- If the SIE defaults the TPA must transfer:
 - All open claims to the department within 5 business days
 - All closed claims to the department within 30 calendar days

Claim File

- Who can request claim file?
- What is a claim file?
 - Medical chart notes
 - Emails
 - Phone call logs
- Confidential exclusions

Delay of File Penalties

- SIE/TPA must submit all requested claim information within 10 working days of receipt of the department's certified mail request (WAC 296-15-420(6)).
- Day one is the day after receipt of the request, and they are not required to mail the file until the 10th day.

Contact

- Designate one certified claims administrator as the department's primary contact person for claim issues.
- Designate one address for the mailing of all claims-related correspondence.
 - The SIE should forward documents to the appropriate location if claims are managed by multiple organizations.
- Provide workers with a current contact name and phone number to address their questions and concerns.

Response Requests

- Establish procedures to promptly respond to inquiries, answer questions and address concerns from workers, the department, ombuds office, and medical providers
 - Telephone inquiries within 3 business days; and
 - Written correspondence within 15 business days, unless otherwise specified.

Communication

- Include the department's claim number in all claim-related communications with workers, providers, and L&I.
- Legibly date stamp on incoming correspondence
 - Identifying the date received and the location that received it.
- Ensure a means of communicating with all workers.
- Use correct forms and templates per WAC 296-15-425
- Provide the reason(s) for independent medical examination in the IME appointment letter.

Forms and Templates

- **WAC 296-15-001** Definitions “Substantially similar”
- **WAC 296-15-420** Requesting allowance or denial, or interlocutory order from the department—Providing claim file.
- **WAC 296-15-425** Communicating to injured workers during the course of the claim.
- **WAC 296-15-440** Use of Independent Medical Examinations
- **WAC 296-15-450** Closure of Self-insured claims

Substantially Similar

- Defined in WAC 296-15-001 as:
 - The text of the department's document has not been altered or deleted
 - The SIE document has the text:
 - In approximately the same font size
 - With the same emphasis (bolding, italics, underlining, etc.)
 - In approximately the same location on the page as the department's document.

SIF-2

- Provide an SIF-2 upon notification of injury or illness
- Assist with filing a claim
- Provide explanation of worker's rights and responsibilities with copy of completed SIF-2

Requests to the department

- Send the CAR, IR or CDR within 60 days
 - SIF-2
 - SIF-5A
 - Copy of claim file excluding bills (IR and CDR)
 - Pay Provisional time-loss if eligible (IR and CDR)

Knowledge Check



Who can make decisions on a claim?

Certified Claim Administrators
Claim Trainees

How many days does an SIE have to return a phone call?

3 Business Days

What should be sent to the department after a claim file request?

Emails

Phone logs

Medical chart notes

Orders and letters

Wage Documentation

Dan the CA received a phone message from the worker on Friday at 1:00PM. He returned the call on Tuesday at 4:00PM. Did Dan violate a rule?

No, he returned the call within 3 business days

Time-Loss Payments

- Statement of benefits with each time-loss payment.
- Continue at regular semi-monthly or bi-weekly intervals.
- Initial payment may be aligned with normal pay dates but made within ten days of the entitlement period.
- May provide automatic deposit of benefit checks
 - Overpayments may only be taken from future benefits, and never from the worker's account.

Delay of Benefits

- Delay of benefits penalty may be reasonable if the SIE hasn't paid benefits to the worker in a timely manner.
 - Delay must be unreasonable (RCW 51.48.017).
 - WAC 296-15-266: penalty can be assessed for failure to pay a benefit if there is no medical, vocational, or legal doubt that benefits were payable.
 - Ellerbroek v. CHS inc (2020)

Department-Developed Templates

- Why?
 - Improve communication, clarification and efficient claims processing and resolving disputes
- When?
 - Within 5 days of taking action
- What?
 - Action and dispute rights

Independent Medical Exams

- Mailed no later than 28 calendar days prior to the exam
- One of the reasons outlined by RCW 51.36.070 for the exam.
- RCL language.
- If workers plans not to attend, they must give 5 business days notice language.
- Failure to fully cooperate language.
- Dispute rights.
- Companion and recording language.

Closure Options

- Medical Only claims
- TL/PPD within jurisdiction
 - SIF-2
 - Closing orders and CCR
- Request department closure

SIE Closing Forms

- Medical only, use form F207-020-000.
- Time-loss and LEP, use form F207-070-000.
- Medical only claims with PPD, use form F207-165-000.
- Time-loss or LEP with PPD, use L&I form F207-164-000.

Forwarding to the department

- Be sure to send within 5 working days
 - Disputes
 - Protests
 - Appeals
 - Reopening applications
 - SIVRF after ending time-loss

Audits

- Audits may include, but are not limited to
 - Review timeliness, accuracy or entitlement to benefits
 - Complaint-based audits
 - Issue-based audits.

How are Penalty Requests Received

- Written request submitted by worker or their representative.
- Documentation is preferred but may not be available to support reasons for the penalty request.
- Department can review any claim for a penalty without an external request.

Self-Insurance Chapter 48 Penalty Table

| RCW / Title | 51.48.017 Self-Insurer delaying or refusing to pay benefits | 51.48.030 Failure to keep records and make reports | 51.480.040 Inspection of employer's records | 51.48.080 Violation of Rules |
|---|---|--|---|--|
| July 1, 2023 – June 30, 2026 | \$1161.00 or 25% of amount due or underpayment made to the claimant | \$580.00 or 200% of the quarterly tax for each offense, whichever is greater | Not to exceed \$580.00 for each offense | Not to exceed \$1161.00 |
| September 1, 2020 – June 30, 2023 Effective for penalties requested on or after these dates. | \$1000.00 or 25% of amount due or underpayment made to the claimant | \$500.00 or 200% of the quarterly tax for each offense, whichever is greater | Not to exceed \$500.00 for each offense | Not to exceed \$1000.00 |

Continuing Education Credits

- Maintain certified claims administrator status with continuing education credits
 - You must earn 45 credits every 3 years.
 - Relevant workers' compensation subjects.
 - All training specific to Washington law.
 - Any mandatory training by the department.

Continuing Education Credits

- Those who fail to earn sufficient credits, must retake the written test to maintain certified status.
- Track and report earned credits in SI-CATS.
- Obtain and retain signed verification of courses attended.
 - Credit verifications must be received before certification expires
- Extensions will not be granted.
- The department may audit the reported credits.

Continuing Education Credits

- Sign up for GovDelivery to get updates on what trainings are offered and when
- 3 more chances this year to attend Web Resources, Test Prep and SI-CATS training

Knowledge Check



How many credits need to be earned to maintain certification in continuing education cycle?

45 credits every 3 years

True or False?

If you do not have enough credits after 3 years and retake the test within 2 years of expiring, you do not need to re-complete the comprehensive goal-oriented curriculum.

True

Hallie stepped in a hole, spraining her right ankle on 1/2/24 and was unable to return to work for 14 days. The claim meets prima facie and time-loss is certified.

Which department-developed forms and/or templates need to be sent?

SIF-2, SIF-5A with cover letter, Start Compensation Benefits and Claim Allowance Request (CAR)

True or False?

As long as the information is provided to the worker in a letter, it is okay to reword the department developed templates.

False

Resources

- **Forms & Publications**
- **Claim Adjudication Guidelines**
 - Penalties
 - Management of Claims
- **Claims Management Tools**
 - Forms & Templates
 - Training Matrix



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