How TO and NOT TO Manage Claims

A tale of 2 Claims
Time = $$$

- What control do you have over events?
- What happens if you ignore key events?
- Can you do better managing the process?
- Does it matter?
Dealing with the Injured Worker

A tale of 2 claims
Policies & Procedures

• Injury Reporting – Set Expectations
• Medical Release form
• Return to Work
• Panel of Physicians
• Current Job Descriptions
• Claims kit for area Managers
Lagtime

• Employee lagtime
• Employer lagtime
• Delayed Reporting
  – Complicates claims handling by Insurance Co.
  – Increases claims costs
  – Increases likelihood of litigation
  – Decreased employee morale
Who’s involved

- Employer
- Injured Worker
- Claims Adjustor
- Medical Provider
## Competing Interest

<table>
<thead>
<tr>
<th>Stakeholders</th>
<th>Financial</th>
<th>Personal</th>
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</thead>
<tbody>
<tr>
<td>Employer</td>
<td>Minimize Value of Claim</td>
<td>Take Care of Injured Employee</td>
</tr>
<tr>
<td>Injured Associate</td>
<td>Max/Min Value of Claim</td>
<td>Get Back to Normal Life Routine</td>
</tr>
<tr>
<td>Claims Adjuster</td>
<td>Maximize Savings</td>
<td>Close File ASAP</td>
</tr>
<tr>
<td>Medical Provider</td>
<td>Maximize Patient Revenue</td>
<td>Cultivate relationship</td>
</tr>
</tbody>
</table>
“Claimant” or “Patient”?

• Plant the seed early

• Care, Concern, Compassion

• Consequences of Failing
Communication Skills

• Respectful communication can encourage:
  – Early reporting of injuries
  – Shorter time away from work
  – Fewer disability claims

• Communication skills include:
  – Two-way communication
  – Active listening
  – Responding appropriately
Communication Skills

- Solicit input from employees
- Encourage early reporting
- Be approachable
- Meet privately
- Keep it confidential
10 Red Flags to look for

1. First notice of injury is delayed.
2. There are inconsistencies in reporting of injury
3. First notice of claim is a letter of representation from an attorney or a hearing notice from the Worker’s Compensation Commission.
4. Employee fails to show up for work and reports the injury after being absent for several days.
5. Employee frequently changes doctors or requests to do so.
10 Red Flags to look for

• 6. Employee has been at work for only a short time.
• 7. Employee has a history of worker’s comp claims.
• 8. Employee has recently had a negative job evaluation.
• 9. Employee is a new worker.
• 10. Back injuries are the most likely type of injury to be fraudulent.
Parameters for Dealing with an Injured Worker

- Step 1: Responder Psychology
- Step 2: Assessing the Problem
  - Step 2a: Problem Monitoring
  - Step 2b: Accompany on Medical Visit
- Step 3: Post-Accident Contacts
Step 1: Responder Psychology

- Initial Contact
- Care, Concern and Compassion
- Personal Feelings
- Emotions
- Claims Adjusting
- Earn Trust – do the right thing
Step 2: Assessing the Problem

- Be a good listener
- Take notes
- Care, Concern and Compassion
- Ask the right questions in the right manner
Assessing the Problem

• What is the problem?
• When did it begin?
• Was it sudden or gradual?
• What were you doing?
• Is it constant or sporadic?
• Has it been a problem before?
• Do they think they need to see a doctor?
Step 2A: Problem Monitoring
(No Advanced Medical Care)

- Maintain Positive Contact
- Document Contacts
- Monitor carefully
- Communicate
Step 2B: Accompany on Medical Visit

- Shows employee you are truly concerned
- Opportunity to communicate with medical office
- Opportunity to communicate with worker
Accompany on Medical Visit

• Get the Employee the attention they need
  – Make phone calls while you wait
    • Calling spouse or emergency contact to inform them
    • Where is the best place to take them for treatment?
• Take Job Description and other forms
• Explain to doctor and employee your Return to Work Program
• Willingness to accommodate with “modified” Duty not “Light” duty.
Step 3: Post-Accident Contacts

- Frequent contacts important
- Shows concern
- Monitor recovery
- Communications is critical
- Earn trust
Lack of Communication

- Frustation
- Speculation
- Negative Feelings
- Distrust
- A Difficult Claim
Likelihood of returning to work

Effects of disability on likelihood of return to work

<table>
<thead>
<tr>
<th>Amount of time off work due to disability</th>
<th>6 months</th>
<th>12 months</th>
<th>2 years</th>
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<tbody>
<tr>
<td>% Likelihood of return to work</td>
<td>70%</td>
<td>50%</td>
<td>20%</td>
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<td></td>
<td>60%</td>
<td>40%</td>
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Enjoy health through physiotherapy
Secondary Gain

When a worker is out of work for an extended period of time several things play to their favor:

• 66 2/3 of indemnity payment is not taxed
• No more gas expense
• No more child/adult care expenses
• No more stressful commute
• No more working with difficult manager
• Attention from friends and family
Examples of Valuable Information that can be obtained with Effective Communications

- EE told MD that co. did not offer modified duty
- EE not motivated to return to work
- EE now working second job
- EE not following therapy, dislikes the doctor
- EE not pleased with treatment
- EE considering getting an attorney
- EE having financial problems
- MD would not release EE who is ready and OK
Key Points

- Responder Psychology
- Accompany to Medical Visit
- Problem Monitoring
- Post-Accident Contacts