
CHAPTER 4

WSCD Needs to Improve Customer Service in Claims Processing

WSCD often receives incomplete information from injured workers, their employers, and health care providers. This contributes to delays in issuing compensability decisions and in making subsequent benefit decisions, starting with Temporary Total Disability (TTD), while more information is requested. In turn, injured workers wait longer for benefit payments. When submitting claims, individuals are responsible for filling out the forms accurately and completely. However, the Division also bears responsibility to make clear what information is required, what the time constraints are, and what the consequences for non-compliance will be.

Division does not make clear what is required of claimants.

WSCD is not providing a level of customer service necessary for claimants (injured workers and health care providers) and employers to navigate the claims system efficiently. Improving written materials and education, and creating a customer service unit, can help the Division more effectively communicate the Workers' Compensation process. In turn, this will reduce delays in payment for those who are eligible for lost wage benefits.

WSCD Frequently Requests Additional Information

Delays in lost wage payments cause hardship for injured workers.

To an injured worker who may have no other income and who needs to compensate for income that has been cut off, prompt payment of lost wage benefits is extremely important. However, obtaining Workers' Compensation benefits requires the worker first to wait for WSCD to determine the injury compensable, and then for it to process a separate application for lost wage benefits. Thus, two waiting periods may occur. We examined these two steps to determine why payment of benefits is delayed.

Requesting more information gives the Division up to 60 days to determine a case

In many cases, injury reports and TTD applications lack required information. Analysts then must send form letters to workers, employers, or health care providers requesting what is missing, such as a missing signature from a worker or employer or a missing note from a doctor verifying appointment dates. Sending a form letter is the mechanism that gives the Division additional time (a total of 60 days) to make a decision.

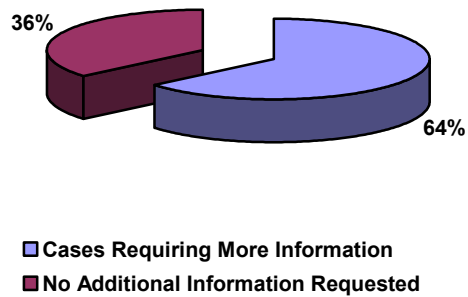
Division requests for more information result in delays for workers.

We reviewed two types of decisions, initial compensability and TTD eligibility decisions, in 600 cases. We looked for the frequency with which the Division requested more information from claimants and employers in TTD cases because most claims for lost wage benefits are for TTD. In more than half the compensability decisions in this sample, analysts requested more information, and for TTD eligibility, nearly two-thirds needed more information. In addition, in making decisions on compensability or TTD, analysts sometimes send more than one letter, although WSCD does not track those numbers.

Figure 4.1

LSO case study shows additional information is often required.

Requests for More Information
200 TTD Cases in February '03



Source: LSO analysis of WSCD data

WSCD should improve materials for claimants to decrease delays.

Lack of timeliness points to a disconnect between the Division and involved parties

Delays in making TTD eligibility decisions, combined with high numbers of letters requesting more information, point to a lack of clarity in the materials or instructions WSCD makes available to injured workers, employers, and providers. This increases delays in getting lost wage benefits to workers. If in more cases, analysts receive the information needed to process claims, the Division will be better able to meet the statutory requirement that it pay benefits to workers quickly and efficiently.

WSCD materials should be easy to read and understand.

Division Materials for WSCD Claimants and Employers Are Not User-Friendly

Information for injured workers should be as complete and clear as possible. The average education level of injured workers in Wyoming who apply for benefits is 12th grade. Since they are not likely to be familiar with the claims process and with statutory language, the legal requirements of Workers' Compensation need to be expressed in terms that are easily understood. The more understanding applicants have of the material, the more likely they are to comply with Division rules and time requirements.

Injury report is difficult to complete.

WSCD materials are difficult to use

For the Division to determine compensability of an injury, a worker must first file an injury report. However, to complete the report, the worker is asked to code the injury type and the nature of the injury, as well as locate the employer class code, employer number, and account number. This information may not be readily available to an injured worker. Those who have questions can refer to the "Wyoming Department of Employment Notice to Employees" poster which must be displayed at all workplaces; it displays a 1-800 number that leads callers to a recorded message. The recording lists services no longer provided by phone, and suggests the caller leave a message so someone at the Division can return the call. A second number on the poster is not toll-free.

Materials to claimants do not provide a clear picture of process.

After receiving an injury report, the Division sends the worker an information handbook. The handbook is meant to be a guide to the claims process, including information about medical and indemnity (lost wage) benefits. However, it is written in a style and format much like statute and is organized in a way that is difficult to access. It also lacks essential information such as a description of the claims process from start to end, and information about contested case procedures.

For most injured workers the terminology used by Workers' Compensation is new, and deciphering the meanings and process is a daunting task. WSCD materials do not make the task any easier. The injury report requires information that may be hard for an employee to find, and it does not designate what information is essential for the claim to be processed.

Providers and employers are not informed how their actions affect injured workers.

Materials do not provide the bigger picture

For health care providers, Division materials consist of billing guidelines and bulletins about new procedures; employers receive blank copies of the injury report and a poster. Collectively, this information does not offer a larger context that explains an employer's or a provider's role in the claims process. It is not made clear what effect their non-compliance or failure to fill out information may have on the injured worker's claim for benefits.

Other states' programs provide easy to read materials.

Other states offer models

We reviewed the materials other monopolistic states provide to guide an injured worker through the workers' compensation claims process. North Dakota prints a toll free help line phone number on its injury report, instructing claimants to call with any questions. Ohio and West Virginia provide instruction sheets explaining what is required on every line of the injury report. Similarly, North Dakota publishes an easy-to-use guide for injured workers, as well as one for employers.

Recommendation: WSCD should improve its written materials for claimants and employers.***Information needs to be clear for the average worker unfamiliar with Workers' Compensation.***

To effectively assist claimants through the process of applying for benefits and obtaining payment, WSCD needs to review and upgrade the materials it requires them to use. All workers' compensation materials should be designed for easy use by the average worker and should state information about requirements and procedures in simple, clear terms. This is particularly true for paperwork injured workers must fill out; if they inadvertently make errors, they are likely to encounter otherwise avoidable delays in getting benefits.

Education Provided to Claimants and Employers Reaches a Small Audience

WSCD's efforts to educate claimants (employees and health care providers) are limited. If injured on the job, employees throughout the state depend primarily on the Workers' Compensation poster and their employer for information and help. Although the Division will deliver training on request, it offers no regularly scheduled employee training except to new state government employees.

Claimants are not adequately educated about Workers' Compensation.

Also on request, the Division conducts some health care provider training. However, interviews we conducted indicate that providers and staff at medical clinics could benefit from more training on Workers' Compensation procedures, to reduce misunderstandings associated with medical billing practices. More informed and involved providers can contribute to better outcomes for injured workers.

Three divisions within the Department of Employment offer "Workers' Comp 101" training for employers at irregular intervals. In addition, WSCD has a goal for analysts to visit two employers per year to provide training. However, these education efforts reach only a small segment of the state's

WSCD education for employers reaches a small audience.

employers. If analysts routinely meet their yearly goal, and if employer training sessions are at full capacity, these education efforts would reach approximately four percent of Wyoming employers.

More importantly, most businesses in Wyoming are small employers with few resources to devote to human resource matters. Small employers with fewer than 50 employees represent 94 percent of the Workers' Compensation employer count. These employers provide work for 42 percent of the Wyoming workforce covered by Workers' Compensation. While WSCD should be commended for developing a training program and attempting to visit employers, these efforts need to increase.

Recommendation: WSCD should expand education for claimants and employers.

Educating claimants and employers will yield better outcomes.

A workers' compensation agency is responsible for informing claimants and health care providers about the importance of prompt and complete reporting when accidents occur on the job. The Division's current education efforts reach only a small audience. WSCD needs to expand education efforts to reach more employees, employers, and health care providers, so they will be more informed about the claims process and their responsibilities within the system. Well-informed claimants and employers are more likely to send the necessary information the first time, thus avoiding payment delays for injured workers.

Over Time, WSCD Customer Service Has Diminished

WSCD's customer service has been reduced in the past decade, with analysts now expected to provide services that were previously handled by other positions within the Division. For example, industry standards call for workers' compensation agencies to provide a free hotline for injured workers. The four other monopolistic states have customer service units and toll-

Analysts provide customer service and also carry caseloads.

free numbers to assist callers. In Wyoming, the Division formerly accepted the first report of injury through its 1-800 phone number, but it no longer offers this service. Also, at one time WSCD had field representatives to help employees and employers with the process, but these positions were converted to analyst positions.

Analysts have been expected to absorb the function of providing customer service for their caseloads. This approach may have the advantage of economy, but it also has limitations. The employee handbook directs injured workers to contact their analyst if they have questions. Thus, to an injured worker, the only apparent line of contact with the Division is through the assigned analyst. If the analyst is not available, or does not relate well to the worker, there is no customer assistance unit or neutral party to turn to.

Many claimants must make a long distance phone call to receive direct assistance.

Little assistance for filing the injury report

Workers who are filing an injury report may need assistance with the paperwork, but the injury report form does not list a phone number to call for clarification. Workers who are near a Division field office can get help there, but others may need assistance over the phone; it is not clear how an injured worker copes, if unable to pay for a long distance phone call or get to a field office.

WSCD has not planned for on-line injury reporting and medical billing.

Internet site offers limited assistance to claimants and employers regarding claims processing

Injured workers can access WSCD's employee handbook on the internet, and claimants can order forms or download provider billing guidelines and e-mail questions regarding the website. In June 2003, the Division plans to begin offering web services that will give claimants and employers the ability to view their case and bill status online.

However, Division officials believe statute does not permit it to meet its strategic plan goal of "increasing the amount of reports filed electronically." The Division does not accept electronic submittal of medical bills and injury reports, citing W.S. 27-14-501 (a) and W.S. 27-14-805 (d), which require "written medical

1999 legislation allows for on-line injury reporting and medical billing.

reports” and that an injured worker “sign” a waiver. However, the Governmental Electronic Transactions Act, W.S. 9-2-2501, allows state agencies to conduct business electronically in accordance with the Uniform Electronic Transactions Act in Title 40, Chapter 21. Although the state does not require agencies to conduct business electronically, it does not prohibit it.

Two of the other four monopolistic states, Ohio and North Dakota, allow online injury report filing, and all four allow online submission of medical bills. Wyoming statutes are also seen as preventing the Division from adopting standardized national forms; these allow insurance carriers to submit claim and benefit information electronically.

Three-point contact is not tracked

Making three-point contact within 48 hours of receiving injury reports is an industry standard for workers’ compensation agencies and industries. As soon as analysts receive injury reports, they are to call the injured worker, employer, and health care provider to answer questions. Creating open lines of communication by initiating telephone contact is an effective method of problem avoidance.

Internal audit suggests inconsistencies in communication practices.

In contrast to the industry standard, WSCD says it strives to make three-point contact within 15 days. While analysts are reviewed annually as to whether they are making three-point contacts, the Division does not keep this information in aggregate. Thus, we could not determine whether and how quickly these contacts are made in all districts.

A WSCD internal audit of a small random sample of cases found improper documentation for employee and employer contact in 63 percent of the cases reviewed. Also, we note that a 15-day requirement leaves room for inconsistency in analyst practice: while some analysts may be making contact within 48 hours, others may wait 15 days (360 hours). We believe the Division can better serve its customers by making these calls quickly.

Recommendation: WSCD should create a customer service unit.***Customer service units lead to better outcomes for injured workers.***

WSCD needs to focus on improving customer service and at the least, should provide a 1-800 number to contact for more information about the claims process. A customer service unit can provide assistance previously rendered by the various customer service positions the Division had in the past. Many other states have customer service units and have found that this dedication of resources benefits injured workers and leads to more positive outcomes.

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