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MAE News: Newsletter from the Office of Monitoring, Audit and Enforcement, Winter 2007

Maine Workers' Compensation Board

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MAE News

Newsletter from the Office of Monitoring, Audit and Enforcement Maine Workers' Compensation Board

Winter 2007

Volume 2, Number 4



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Training Sessions Are Set for the Spring

Workers' compensation adjusting can be a highly complicated job. It gets especially difficult if you're an adjuster who handles more than one state. Far too often many adjusters take their current interpretation of the Maine Workers' Compensation Act and its rules for granted and end up processing claims incorrectly. The best way to avoid this pitfall is to make sure you and/or your staff have the most up-to-date information on how to best administer a claim in Maine. This information is available from one of the Board's "Introductory Compliance" or "Advanced Compliance" Training Seminars. These sessions are scheduled in an open format in our Portland Regional Office. The next Open Training Session is scheduled for May 10 and 11, 2007.

If your company is in need of training on form filing and compliance issues, please contact Anne Poulin at (207) 287-7067 or send her an e-mail at Anne.Poulin@Maine.Gov. We can custom tailor our training to suit your needs.

Trends in Late Filed Coverage Notices

The Board is seeing an upward increase in the number of complaints generated each week due to late filed proof of coverage notices. This was not anticipated.

While seasonal issues (i.e. renewal cycles) do account for spikes in the numbers of policies written and the amount of late filed notices, there must be other factors at work in the insurance community. Currently there are anywhere from 40 to 80 late filed notices per week. The MAE Staff has tracked many of these issues to work system problems in some underwriting offices.

Please contact your underwriting departments and make them aware that Maine is a manual state and that we require the paper Proof of Coverage Notice (WCB-1A). This form must be filed within 14 days of the effective date of the coverage to be considered compliant and not subject to a fine due to the late filing.

The Board can assist in some instances with contact information (phone numbers, e-mail addresses, fax numbers) to help speed up the information exchange process. Please let us know if we can assist you.

Keep a Copy of EDI Transmission Records

Here's another reminder from the MAE Staff. It's important that you keep a record of the success or failure of your EDI transmissions (First Reports and NOCs). You may be able to use this information to rebut the Monitoring Division's compliance-related figures or to use as evidence in other Board-related proceedings.

These records are just as important in the EDI world as fax and e-mail confirmation records are with manual filings.

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Auditor's Corner – Want Credit for Filing that Wage Statement or Schedule of Dependents?

As many of you are aware, the Monitoring, Auditing and Claims Management Divisions are working together to collect all outstanding Wage Statements (WCB-2s) and Schedules of Dependents (WCB-2As). WCB-2s and 2As are required within 30 days after notice or knowledge of a claim for compensation. This includes non-disputed claims that have exceeded the waiting period and any claim that has a NOC filed that disputes Lost Time. The Monitoring, Auditing and Claims Management Divisions have noticed many WCB-2s and 2As that were filed with Regional Offices rather than the Central Office. Please follow this rule:

Board Rules and Regulations, Chapter 3, Section 2.1 states:

"Except as specifically provided in 39-A M.R.S.A. § 101 et seq. or in these rules, all forms and correspondence, including, but not limited to petitions, shall be filed in the
“Central Office of the Workers’ Compensation Board.”

For those of you that like to bring wages, schedules, etc. with you to mediations, please remember to also file the forms with the Board’s Central Office!

Maine Bureau of Insurance Revokes Adjuster’s License for “Questionable Claims Handling Techniques”

On November 20, 2006, Superintendent of Insurance of the Maine Bureau of Insurance, Alessandro Iuppa, signed an order revoking the adjuster’s license of Dustin Black, formerly an adjuster for ESIS. The full text of the order can be found at the following link: www.state.me.us/pfr/ins/orders.

This finding came as a result of a Workers’ Compensation Board Audit of ESIS. The audit can be found at the Board’s website at the following link www.maine.gov/wcb/departments/mae/Audit.

The Bureau of Insurance order cites a number of “specific grounds” behind the revocation order:

- 1) Violations of Insurance Laws;
- 2) Fraudulent, Coercive or Dishonest Practices; Incompetence or Untrustworthiness; and
- 3) Failure to Meet the Basic Qualifications for Adjuster License.

EDI Transmission Failure? – Verify “UIAN” and “FEIN” Numbers Early to Avoid Problems Later

Venessa Fredette, EDI Coordinator for the Board, reports that inaccurate and incomplete UIAN and FEIN numbers are the most frequent causes for EDI Transmission “rejections”. It is the insurer’s responsibility to get this information from the employer and report it to the Board accurately so that the appropriate coverage and claims administrator can be posted to each claim. Claims/EDI Reporting staffs should be working with their underwriting staffs to verify that the correct information is being collected accurately at the time policies are written so that they can avoid the problems that arise when incorrect information is sent to the Board (i.e.: Transmission Rejected or Failure).