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MAE News: Newsletter from the Office of Monitoring, Audit and Enforcement, Spring 2009

Maine Workers' Compensation Board

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MAE News

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

Spring 2009

Volume 5, Number 1



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Summer Training Sessions to Be Held In Augusta

Open training sessions will take place on **June 24, 25 and 26, 2009** in the Elkins Training Room on the campus of the former Augusta Mental Health Institute (AMHI). The Elkins Training Room can be found in Room 110 of the Williams Pavilion, which is a building connected to the Eastside Wellness Center ("the gym") on the AMHI campus across from Riverview Psychiatric Center.

The June 24th session will present the Board's Basic Compliance program that provides forms compliance as well as basic payment training. The June 25th session will present the Board's Advanced Compliance program that provides advanced AWW and partial benefit calculation training. The June 26th session will be a special half-day Claims Workshop that offers you the opportunity to go over "nuts and bolts" form filing issues. This is a great opportunity to meet the staff in the Claims Management Unit who work with you on a daily basis.

To sign up for one or more of these sessions, contact Anne Poulin at (207) 287-7067 or send her an e-mail at Anne.Poulin@maine.gov. Also, if your company is in need of personalized training on form filing or other compliance issues, please contact Anne Poulin. We can design our training to suit your needs.

Counting 21 Days for a WCB-8

When filing a (21-day) Certificate of Discontinuance or Reduction of Compensation, WCB-8, please remember to discontinue (Box 19) or reduce (Box 25) benefits no earlier than 21 days after the date that you mail (Box 29) the form to the injured employee (and Board) via Certified Mail.

For example:

$$\begin{array}{r} \text{April 13 (date certificate is mailed, Box 29)} \\ \quad \quad \quad + \quad 21 \text{ (days)} \\ \hline = \quad \text{May 4} \end{array}$$

Please pay benefits through this date, which is the effective date of the discontinuance (Box 19) or reduction (Box 25).

Additional instructions are available in the Board's Forms and Petitions Manual. And, remember to save those postmarked Sender's Receipts!

Looking to Increase Your MOP Filing Compliance? Keep an Eye Out for Days Mail Did Not Move!

In the first quarter of 2009 there were several days when mail did not move.

The following were State holidays in Maine during the first quarter of 2009: January 1, January 21 and February 18. Also, on February 13 all State offices were closed due to snow.

If you had a MOP that appears late on your Reconciliation Report due to the mail not moving, you can ask your contact within the Monitoring Division to reconsider your measurement.



How Do I Report a Day or More of Sporadic Hours/Wages Lost (Without Looking Like the First Report is Late)?

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Example 1 (Hours Lost): An employee who ordinarily works five 8-hour days (M-F) is injured on the job. The employee lost 3 hours from work each Monday for 3 weeks (3/23/09, 3/30/09 & 4/6/09) to attend medical appointments (9 hours lost, collectively).

Transmit a First Report to the Board via EDI as follows:

1. Box 43 "Date Of Incapacity" (DN56) = 3/23/09 (the initial date disability began)
2. Box 43 "Date Employer Notified" (DN281) = 4/6/09 (the date notified of a day or more collectively lost from work)
3. Box 47 (RTW Date) (DN68) = 3/24/09 (the initial return-to-work date)

Example 2 (Wages Lost): An employee who ordinarily works five 8-hour days (M-F) is injured on the job. The employee's AWW is \$385 (daily wages = \$77). The employee lost \$32/week for 3 weeks (w/e 3/29/09, 4/5/09 & 4/12/09) due to restricted duty (\$96 lost, collectively). Transmit a First Report to the Board via EDI as follows:

1. Box 43 "Date Of Incapacity" (DN56) = 3/23/09 (the initial date disability began)
2. Box 43 "Date Employer Notified" (DN281) = 4/13/09 (the date notified of a day or more collectively lost from work)
3. Box 47 (RTW Date) (DN68) = 3/24/09 (the initial return-to-work date)

The First Report will not be late if it is filed within 7 days from the date the employer was notified of a day or more of lost time/wages (Box 43B/DN281).

Transaction accepted with errors ("TE")

The Board is currently in the midst of implementing computer programming necessary to ensure compliance with Board Rule 3.4(2) regarding application acknowledgement code "TE". This change can have major implications regarding the 14-Day Rule for Payment of Benefits: A denial can be rejected if there are outstanding TEs on a claim.

Rule 3.4(2)(A) defines "application acknowledgement code" as a code used to identify whether or not a transaction has been accepted by the Board. Subsection (2) defines application acknowledgement code TE as follows:

- The transaction was accepted with errors and the First Report of Injury or Subsequent Report of Injury is filed. The error or errors will be identified in the acknowledgement transmission that is sent by the Board. *All identified errors must be corrected within 14 days after the date the acknowledgement transmission was sent by the board or prior to any subsequent submission for the same claim, whichever is sooner.*

Acquired Claims

Claims administrators must send FROI "AQ" transactions to report the acquisition of claims previously reported to the Board by the prior claims administrator. The jurisdiction claim number/WCBN is mandatory for these transactions. Your contact within the Monitoring Division can supply you with a list of claims/WCBNs when you provide written documentation regarding the claims being acquired (this can include coverage notices or e-mails from the account being acquired).

Claims administrators should send FROI "AU" transactions to report the acquisition of claims not previously reported to the Board by the prior claims administrator. Reporting a lost time/indemnity claim not previously reported by the prior claims administrator as an original claim (rather than an acquired claim) could result in a potential Sec. 360.1.B penalty.