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Processing Work in WC Pending Reports

- Wage Status will be discussed in the Wage session.
- We're going to give some pointers on how to process work in the WC Pending Report.
- A good reference guide is the "FAQ" at the beginning of each category on the pending report.

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FROI Tips (WKC-12)

- While submitting a WKC-12, when coding the injury, only use “all other” when absolutely needed.
- Some descriptions of injuries can affect how the Division runs reports.
 - Primarily affects claims that may have a safety violation.
- Hernia claims:
 - When coding the claim use **hernia** in the “nature of injury code.” Don’t use strain, sprain, rupture, etc., because if you do, our system will require a final medical report. Hernia claims do not require a final medical report.



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FROI Tips (WKC-12)

- Use explicit descriptions for injuries.
- Be sure to enter date of hire: this can affect setting of wages.
- If there is NO LOST TIME or claim is denied, you do not need to submit a WKC-12.
- If the claim is NO LOST TIME but later there is Permanent Partial Disability (PPD), you will then need to submit the WKC-12.



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Hearing Loss: Occupational and Traumatic

- Occupational hearing loss claims:
 - Do not close these out as NO LOST TIME or DENIED. We need an audiogram and medical report to do a worksheet. These will always be no lost time. We will extend the expected date on these for the first WKC-13.
- Traumatic hearing loss claims are due to an injury and should be handled like any other claim.



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Waiting for First Supplemental Report: WKC-13

- By law, first supplemental WKC-13s are due by the later of 30 days:
 - From the date of injury, or
 - From the last day worked prior to the first day of lost time.
- Overdue reports are subject to \$100 surcharges and may be referred to the Office of Commissioner of Insurance (OCI) or the Bureau of Insurance Programs (BIP) for self-insured employers.



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Waiting for First Supplemental Report: WKC-13 (cont.)

- If a claim is submitted to the Division, a WKC-13 is required regardless of whether:
 - There is no lost time,
 - The claim is denied, or
 - The claim is being investigated.
- WKC-13s can be submitted through our online WC Pending Report application.



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Waiting for First Supplemental Report: WKC-13 (cont.)

- Within 30 days from the date you submit the WKC-12, you must either:
 - Submit a WKC-13 showing the first payment, or
 - Advise DWD the claim is NO LOST TIME, denied, or being investigated.
- If you do not respond in those 30 days, the claim can be subject to a surcharge.



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Denials and Salary Continuation

- Denials:
 - Submit through the pending report, or
 - Send a physical letter of denial.
 - Do not enter denials as "claim denied" on our Journal screen!
- WKC-13 still required when employer is continuing employee's salary. Salary is considered a disability benefit and should be reported as "salary continued + sick leave."



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Changing Last Day Worked (LDW)

- Changing the LDW:
 - Online before you submit the first WKC-13, or
 - If you have already sent the first WKC-13 showing payment, you will need someone in the Division to change the LDW. You can either call or email us.



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TTD and TPD in the Same Week

- You cannot pay Temporary Total Disability (TTD) and Temporary Partial Disability (TPD) in the same week.
- If a person returns to work with a wage loss in the middle of the week, the total week must be figured as TPD.
- TPD is reported by using Sunday to Sunday dates, using the earnings from Sunday to Saturday.
 - The only day other than a Sunday that a period of TPD can begin on is the date of injury (DOI).



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Waiting for Results of Insurer Investigation

- Investigations may be submitted online.
 - By law, you have only 30 days to reply.
 - Need an extension of time to reply? Request by email or phone.
 - Extension of time will not show up online, but once you have requested it, you can assume we extended it.



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Waiting for Results of Insurer Investigation

- We know it takes time to investigate a claim, especially if you are getting an IME.
 - Make every effort to complete the investigation within a reasonable time frame.
- During investigation, it is not necessary to make a “good faith” payment.
 - Advise the claimant you’re investigating and put the claim in investigation status.
- If claimant isn’t cooperating (refusing to attend an IME), deny the claim. The burden is then on the claimant.



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Due Date for Subsequent WKC-13

- Although the worker may still be receiving temporary disability, the Division will request an updated WKC-13 by the “due date” so we have current payment information on our system.
- For temporary disability claims, the “due date” is generally 180 days from the date the Division received the last WKC-13.
- When PPD is due, the due date is when the PPD would be all due and accrued.



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Last Supplemental Report WKC-13

- By law, final supplemental WKC-13s are due within 30 days after the date of final payment.
- Since the Division does not request or record the final payment date, the Division considers these reports to be prompt if they are received within 45 days from the most recent reported return to work date.
- When PPD is due on a claim, the accrual date will reflect the date the final WKC-13 is due.



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Last Supplemental Report WKC-13 (cont.)

- When submitting a final WKC-13 showing payments made, answer “no” to the question – “Do you have more payment information to enter at this time?”
- If you do not enter “no,” the claim will stay open, and you could receive a status letter (WC-86A) asking for further payments due. If you do not answer that letter, you could be subject to a surcharge of \$100.



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Waiting for Final Medical Report

By law, final medical reports are required for all claims involving:

1. Permanent disability,
2. More than three (3) weeks of temporary disability (TTD or TPD),
 - o This includes salary continuation by the employer
3. Surgery, or
4. Amputation or severance.



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Waiting for Final Medical Report (cont.)

- Medical reports are due with the final WKC-13 30 days after the final payment.
- If you cannot submit the final medical report on time, you are required to notify the Division:
 - o **Why** it could not be sent, and
 - o Approximately **when** you anticipate sending the report.



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Waiting for Final Medical Report (cont.)

- If you would like to extend a medical report expected date, use the “send medical information” button. This can only be used if the status is “waiting for final medical report.”
 - If you are unable to extend the date through the pending reports medical information button, use the email reply function of the pending reports or contact us by phone to request an extension.



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Waiting for Final Medical Report (cont.)

- When on the pending report and you notice the expected medical report date is coming up soon, you will want to extend that date.
 - If you do not update the expected medical report date in time, a surcharge automatically goes out on the actual expected date.
 - Do not wait until 2 or 3 days before the due date to send us an email! We handle emails from the pending report the day after we receive them. An email sent on Monday will not be acted upon until Tuesday.



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Waiting for Final Medical Report (cont.)

- Reports are considered final only if the doctor has indicated:
 1. If permanent disability resulted,
 2. The healing period has ended, and
 3. The patient is discharged from care.
- Reports from Independent Medical Examinations (IMEs) are not considered final. We still require a final medical report from the treating doctor.



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Waiting for Final Medical Report (cont.)

- Final medical reports showing PPD will be entered as Final Perm, unless further information, such as an operative report, is needed.
- The last WKC-13 status must be “not final” because if it isn’t changed, the claim would go to “Ready to Close” status and someone may come along and close the claim before the medical report is reviewed.



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Waiting for Final Medical Report (cont.)

- If you are having difficulty getting a claimant to return to the doctor, you can send a 30-day letter to the claimant telling them they should return to the doctor or you will close the claim. You are then leaving it up to the claimant whether they need further treatment.



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Fatal and Permanent Total Disability

- By law, the Division requires updates on permanent total disability claims whenever there is a change in:
 - The injured worker's condition, or
 - Dependency information
- Annual updates for Fataals and Perm Totals are required. The Division will send a paper status request form asking for updated claim status and amount paid.
 - AU03 form for Perm Totals
 - AU04 form for Fatal claims



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Fatal and Permanent Total Disability (cont.)

- First reports for Fatal claims must be submitted on paper.
- Generally, updates for Fatal and Perm Total claims must be submitted on paper.
- We do accept updates through email if all the information on the status request form is addressed.



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Balance Due

- If you receive a balance due letter from the Division and are making an additional payment of TTD, TPD, or PPD, go to the View Payments screen to see what dates are on our system.
 - Enter the exact type code and dates that were previously reported.
 - Add the balance due amount to the previously paid amount.
 - Do not add an additional line showing the balance due being paid.



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Litigated Claims

All documents for litigated claims must be faxed to

608-260-3053

rather than submitted online.



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Temporary Partial Disability (TPD)

- Injured workers are eligible for TPD when, under the treating doctor's authorization, they:
 - Are only able to work part of their normally scheduled hours and receive partial wages (sustain a wage loss), or
 - Temporarily return to restricted work at a lower wage rate, until the restriction is lifted or made permanent.
- If the employer is not able to accommodate the work restrictions or reduced hours, TTD continues.



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Temporary Partial Disability (cont.)

- TPD can be paid instead of TTD if the employee has a second job, depending on when the employee obtained the second job. If the second job was obtained after the injury, TPD is due if the employee would be earning less than on the job where they were injured.
 - If the employee had a second job at the time of the injury, the insurance carrier can only pay TPD for the second job, if the employee was injured on a part-time job which was expanded to either full time or the minimum 24 hours for part of a class.



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Temporary Partial Disability (cont.)

- Vacation pay cannot be counted as earnings while the injured employee is on TTD or TPD, because vacation pay is an earned benefit. (102.30(2))



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Questions?

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