

WISCONSIN



DWD

Reports and Notices

FAITH HOWE

Dispute Resolution Specialist
DWD Division of Worker's Compensation

Reports and Notices

What's the big deal about Reports and Notices?

Why should I care?



Reports and Notices

Here's one reason:

Performance Indicator Reports

- Authorized by DWD 80.02(3)
- <https://dwd.wisconsin.gov/wc/insurance/perfreports.htm>

Here's another reason:

Surcharge Report



Claims Handling Performance Reports

Claims Handling Performance Reports

The claims handling performance report is published quarterly for major insurers of Wisconsin Worker's Compensation claims. Select Summary Level - Claim Handling Performance Indicator Reports to view quarterly, year to date and three year performance indicator data; this site is available to the public. Select Detail Level - Claim Handling Performance Indicator Reports to view quarterly detail data for the various performance indicators; this site is secured and requires a Wisconsin User ID and password.

Surcharge Report

The Surcharge Report is published annually for insurers and self-insurers of Wisconsin Worker's Compensation claims. Select Detail Level - Claim Handling Performance Indicator and Surcharge Reports to view annual surcharge data; this site is secured and requires a Wisconsin User ID

Please read [How to Get Access to WC Secured Sites Using the DWD/WI Logon Management System](#) before you attempt your first login.

- [Introduction to Claims Handling Performance Indicators](#)
- [Summary Level - Claims Handling Performance Indicator Reports](#) (Public Information)
- [How to Get Access to WC Secured Sites Using the DWD/WI Logon Management System](#)
- [Detail Level - Claims Handling Performance Indicator and Surcharge Reports using the DWD/WI](#)



Reports and Notices

What's the difference between a Report and a Notice?

- Both are authorized by DWD 80.02
- Report – on a specific form or in a specific electronic format that DWC has deemed acceptable for sending the required information
- Notice – sender gets to submit the information in a way that suits the situation, their own needs, and DWC's requirements



Notices

DUE	SEND TO	CODE
7 days	DWD Employee	DWD 80.02(2)(g)1. Written notice of Suspension When payments are stopped for any reason. If any payments are stopped for a reason other than an employee's return to work, the notice shall explain why payments were suspended and shall advise the employee what to do to reinstate payments.
14 days	Employee	DWD 80.02(2m)(a)2. Written notice of Investigation Notice to advise that claim is not being paid because it is still under investigation. The notice shall specify if additional medical or other information is needed to complete the investigation and shall advise the employee of the right to a hearing.



Notices

DUE	SEND TO	CODE
7 days	DWD Employee	DWD 80.02(2)(g)2. Written notice of Denial When a decision is made to deny liability for payment of compensation <u>after a concession of liability is made</u> , giving the reason for the denial and advising the employee of the right to a hearing before the Division.
14 days	Employee	DWD 80.02(2m)(a)1. Written notice of Denial Notice to advise that liability for payment of compensation is being denied, with the specific reason for the denial and advising employee of the right to a hearing.



Notices

DUE	SEND TO	CODE
30 days	DWD	DWD 80.02(2)(i) Final Receipt on Safety Violation If increased compensation is due, a final receipt within 30 days of the final payment to the employee.
13 weeks	DWD	DWD 80.42 Notice of disability beyond 13 weeks Notice to advise that disability is to extend beyond 13 weeks. Notice should include a copy of a current practitioner's report.
7 days	DWD	DWD 80.02(2)(g)3. Written notice of Amputation requiring artificial member or appliance.



Reports and Notices

Reports

- Requirements found in DWD 80.02
- Who needs to send?
- When do you need to send it?
- Who do you need to send it to?
- What do you need to send?



Required Reports

Employer reports – accident or occupational disease;
death claims

- DWD 80.02(1)
- Report all claims to insurance carrier
- Within seven (7) days of accident or, in case of occupational disease, beginning of lost time
- Within one (1) day for death claims



Required Reports: Claim Administrator Reports

- DWD 80.02(2)(a)
- WKC-12 – First Report of Injury
- Report to DWD
- On or before the 14th day after an accident or first day of disability from occupational disease
- BUT don't send medical only (less than 3 days of lost time) or denials
- File electronically – not on paper!



Required Reports: First Reports

WKC-12 = First Report of Injury

DUE	REPORT/FORM	CODE REQUIREMENT
1 day	WKC-12, First Report of Injury	DWD 80.02(1) An employer shall within one day after the death of an employee due to a compensable injury, report the death to the department and the employer's insurance carrier.
14 days	WKC-12, First Report of Injury	DWD 80.02(2)(a) A first report of injury... on or before the 14th day after an accident or the beginning of a disability from occupational disease.



Required Reports: Subsequent Reports

DUE	REPORT/FORM	CODE REQUIREMENT
30 days	WKC-13 Supplemental Report	DWD 80.02(2)(b) A supplementary report, with information required by form WKC-13 on or before the 30th day following the day on which the injury occurred. (First payment & wage info)
30 days	WKC-13-A Wage Information	DWD 80.02(2)(c) The wage information required by form WKC-13-A if the wage is less than the maximum wage.
30 days	Part-time employee's restriction statement, if applicable	DWD 80.02(2)(d) A signed statement from the employee to verify that the employee restricts his/her availability on the labor market to part-time employment and is not actively employed elsewhere.



Required Reports: Subsequent Reports

DUE	REPORT/FORM	CODE REQUIREMENT
30 days from event	WKC-13, Supplemental Report (Accompanied by WKC-16, Final Medical, at end of healing when <ul style="list-style-type: none"> • More than 3 weeks of temporary disability, • Any PPD, or • Surgery as a result of injury) 	DWD 80.02(2)(e) A WKC-13 report within 30 days after each of the following events, with a copy to the employee: <ul style="list-style-type: none"> • Payment type is changed to PPD from TTD or salary continuation in lieu of compensation • TTD benefits or salary continuation in lieu of compensation are reinstated • TPD is paid including information 30 days from event required by form WKC-7359 - also send the form WKC-7359 • Final payment of compensation is made or salary continuation in lieu of compensation ended



Required Reports: Subsequent Reports

DUE	REPORT/FORM	CODE REQUIREMENT
At time of event	WKC-13, Supplemental Report	DWD 80.02(2)(f) To be filed when submitting a stipulation or compromise, and at the time of hearing
June 30 annually	WKC-140-E	DWD 80.02(2)(k) Report listing date and amount of payment for permanent total disability and supplemental benefits during the previous calendar year



Performance Indicator Reports

Six reporting indicators are currently being measured:

- Promptness of Submitting First Reports (WKC-12)
- Promptness of First Indemnity Payments
- Promptness of Submitting First Supplement Reports (WKC-13)
- Accuracy of Weekly Rates and Total Payments
- Completeness of Submitting Required Wage Supplement Reports
- Promptness of Submitting Wage Reports



Other Notes on Reporting

- 102.35 Wis. Stats. authorizes penalties for failure to make required reports or for filing false reports.
- Litigation and reporting
 - Claim is not litigated until DWC processes a Hearing Application
 - Even if you have an attorney, if the claim is not litigated, you must still make your required reports



Questions?

Faith Howe

(608) 318-7755

faith.howe@dwd.wisconsin.gov

