

STATE OF WISCONSIN



Department of Workforce Development

Tips to Expedite Your Claims

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Tips to Help You

- Common occurrences that may create extra work, delay appropriate benefits, or keep claims open far longer than needed
- Chance to review and re-emphasize points covered in previous presentations
- This list provides a useful reference to identify and resolve common problems.



Claim Number

- When contacting us, please use our claim number.
- DWD has three ways to find the file:
 - Name
 - Social Security Number
 - WC claim number (DWD claim number)
- Using a WC claim number is **preferred** because additional information isn't required to know we have the correct claim.



Operative Reports

- Please send all narrative operative reports to DWD WC.
- We want the narrative operative report by the surgeon.
 - Usually 1-2 pages long
 - Reads like a story and describes the surgeon's actions

IMPORTANT: Do not send hospital records, anesthesiology reports, pre-op physical reports, medication reports, etc. unless explicitly asked.



Statutory Minimums



- Minimum PPD rating required by DWD 80.32.
 - Your question:
 - “What will prevent a delay penalty?”
 - Our question:
 - “What do you reasonably know?”
- If you know that a statutory minimum rating applies, PPD payments **must** start within 30 days of the end of TTD/TPD.



Statutory Minimums: Examples

1

Amputation of some portion of left distal index finger

- You don't know full amount of amputation, but you know it is at least less than 1/3. You are expected to know PPD for this type of injury and pay accordingly.

2

Surgery for meniscectomy or fusion

- You know these are stat. min. surgeries and are expected to pay accordingly.



Statutory Minimums: Examples

3

ROM measurements trigger a stat min.

- The measurements aren't taken until End of Healing (EOH), so you are not expected to pay 30 days after end of TTD/TPD because you can't know this amount until EOH.

Exception: Surgery fuses a joint, so you know there is no movement possible.



Meniscectomy

- **ANY** removal of meniscal tissue is considered a meniscectomy.
- If the operative report includes biting, shaving, trimming, or any other word that indicates removal of at least part of the meniscus, the department considers it a meniscectomy, even if “meniscectomy” is not specifically listed in the op report.
- If you are unsure, call us.



Comparative X-rays

- We need X-rays for both the injured and **uninjured** hand.
- The law requires that we measure and compare the bone length in the two hands.
- We cannot use the following:
 - X-ray reports,
 - X-ray of just the injured hand, or
 - Photocopies of x-ray films.
- The claim will remain open until we get the comparative X-rays.



Final Medical Report (FMR)

- Must be signed by treating provider: a doctor, psychologist, podiatrist, or chiropractor. If it is signed by an APRN or PA, ask for a co-signature from the collaborating physician.
- The FMR **must** include Diagnosis, End of Healing, Discharge, PPD rating assigned to a specific joint or body part, signature, and date of signature.
- WKC-16 is not required but saves time and trouble.
- An IME can **never** be a final medical report.



Off-Work Notes



- Per s. 102.42(2), PAs and APRNs are allowed to treat an injured worker.
- DWD sees the decision to take an injured worker off work as a treatment decision.
- If you have an APRN or PA signature and delay benefit payments because you are insisting on a physician's signature, you may be assessed a delay penalty.



Three Attempts

When you have made three attempts to get the Final Medical Report without a response, ask DWD to write a letter to the doctor.

Three attempts means:

- Three requests to the doctor's office (not the main building of the health care system, not the billing or medical records offices), **and**
- There is at least one month between requests, **and**
- Your request to us is made at least a month after your last request to the doctor.



Three Attempts (cont.)

If the doctor says the injured workers has not yet reached End of Healing, you start over at request one.

- If you want us to write a letter to the doctor:
 1. Ask us, **and**
 2. Send us a copy of each attempt you made and any response from the doctor, **and**
 3. Provide us with the full name of the doctor and the doctor's **physical address.**



Surcharge vs. Delay Penalty

- Surcharges are assessed when you are late reporting required information to the department.
 - Paid to Work Injury Supplemental Benefit Fund.
- These deadlines **can** be extended.
- Delay penalties are penalties charged when you pay the injured worker late.
 - Paid directly to injured worker
- The law **does not allow** for any extension for payment of due and accrued benefits.



Investigation Letter

Mail your investigation letter to the injured worker within 14 days of the first report of injury.

- Letter must clearly state:
 - What you are investigating, **and**
 - How the injured worker can help you obtain the information, **and**
 - The injured worker's hearing rights if the claim is denied.
- This letter is necessary to be allowed four additional weeks for your investigation.
- Investigations should not go beyond six weeks.



Litigation

- For the department to consider a claim litigated, we must have a hearing application on file.
- Even if the injured worker has an attorney, if no hearing application is on file, the insurance carrier is still responsible for providing required reports to the department.
- After the answer is received, the claim remains under the department's jurisdiction until the Alternative Dispute Resolution (ADR) process is complete.



Compromises and Dismissal Requests

- When the claim is in ADR status, all compromises and dismissal requests **must** be processed by our department, DWD WC.
- It is appropriate and preferable to send **all** compromises to DWD WC.
 - Computation techs in our office calculate the worksheets the ALJs need to write orders.
- DWD WC is responsible for WC records retention. Please send all documents to us for imaging to the file. Once uploaded, both DWD WC and OWCH can easily access them.



Questions?

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