



# COMPUS JURIS SAWCUNDUM

Southern Association of Workers' Compensation Administrators

*Kathy Oliver - President*

*January 2006*

*Robert B. Collyer - Editor*

## HAPPY NEW YEAR!!!

### President's Message

*by Kathy Oliver*



**Kathy Oliver**  
*President*

2005 began with a Tsunami and ended with Wilma, with a few notable events in between; such as Katrina & Rita...What a Year!

We begin 2006 with many people still displaced and still rebuilding, but, as always resourceful, with people helping people. They are in our thoughts and prayers.

Appropriately, at the All-Committee Conference in Miami a panel provided a very valuable presentation on Disaster Planning. Representatives of companies who directly experienced the hurricanes came together to share both their pitfalls and successes so we could all learn from their experiences. The General Session also included a presentation on the value of mediation and how you can make it work for you in resolving difficult claims and we concluded the General Session with a presentation by an OSHA representative that provided many practical solutions to eliminating workplace hazards.

As usual the Standing Committee meetings included in-depth discussions on relevant topics. The committee chairs do a great job developing interesting agendas for both the All-Committee Conference and the Convention. If you haven't been attending the committee meetings, you should plan on attending one of the following committee meetings at the July convention; Adjudication, Administration and Procedures, Management of Information Systems, Managed Care and Rehabilitation, Safety and Loss Prevention and Self-Insurance and Insurance. We decided to change the Self-Insurance Committee to the Self-Insurance and Insurance Committee as so many of the same issues affect both Self-Insurance and Insurance. The new Chair of the committee is Greg Jenkins from Florida. For more information, please go to the SAWCA website at [www.sawca.com](http://www.sawca.com).

A highlight of the meeting was a visit and tour of the NCCI headquarters. It fit in beautifully with our discussion of Disaster Planning since we were able to both see and hear about the disaster plan that NCCI has in place. We were all impressed.

Now on to future plans ...“Workers’ Compensation is a Hard Shell to Crack” ...the theme of the 58th Annual Convention which is going to be held at the Hyatt Regency on the Inner Harbor in Baltimore, Maryland, July 15-19, 2006. Look for the brochure and registration packet in mid-February. We are busy putting together the final program but we already have sessions planned to cover Medical Treatment Guidelines, Multi-State Issues and the ever present Medicare Set-Asides. With the change that becomes effective January 1, 2006 regarding prescription drugs plus the ongoing settlement issues, this is a session you won't want to miss. Baltimore has so much to offer from Camden Yards to the Aquarium to Little Italy and more and more. As usual we have some great social events on the schedule too, so mark your calendar to come to Baltimore & Crack Some Crabs!

### Table of Contents

|  |   |
|--|---|
| President's Message .....                            | 1 |
| A & P Committee Meeting Minutes .....                | 2 |
| SAWCA in Baltimore 2006 .....                        | 2 |
| Medical/Rehabilitation Committee Meeting Minutes ... | 3 |
| Minutes of the Adjudication Committee .....          | 3 |
| Self-Insurance Committee Minutes .....               | 3 |
| Calendar of Events.....                              | 4 |

## SAWCA ACC REPORTS • DECEMBER '05 • MIAMI BEACH, FL

### Administration & Procedures Committee

The A&P Committee had an interesting and informative meeting despite a small turn-out. In attendance were Mary Ahearn (Maryland), Liles Williams (Mississippi), Laura Feight (New Mexico), Cathy Booth (NCCI) and Linda Presutti (NCCI).

The meeting began with a presentation by Laura Feight on the involvement of their agency with the Quality New Mexico Program. Laura began with an explanation of the Quality New Mexico Program and a description of the Baldrige National Quality Program. She indicated that the purpose for becoming involved with the program was to receive the evaluation by the Baldrige Examiners and to incorporate the feedback and recommendations with the organization's improvement process and strategic direction. Laura described the many benefits that their organization has gained from its participation (improved communication, energized and motivated employees, better-defined values and measures that tie-in the entire agency to the strategic goals which has led to improving the delivery of core services).

Laura provided the Committee with hand-outs of the New Mexico WCA's Journey to Quality program as well as some background information on the Baldrige program. Discussion continued with NCCI contributing how it has used strategic planning at all levels of its organization, how to get feedback from external customers and the encouragement and support of employees to be a valued member of the local community. Laura Feight agreed to lead a follow-up discussion at the A&P meeting at the annual conference in Baltimore in July 2006.

Linda Presutti followed the discussion with a Powerpoint presentation on employer compliance programs of two jurisdictions who have applied very different approaches to

ensuring that employers have the requisite insurance coverage. Linda demonstrated the employer compliance programs adopted by Utah and Florida. Florida utilizes an extensive people-based system while Utah relies on technology and its unemployment data and tax records as the universe of employers to track its employers. New Mexico and Maryland discussed the programs currently in place in their respective states. NCCI also mentioned the remote coverage verification service that it offers to NCCI states through the individual state's website.

The discussion raised further questions and interest in this topic (how has technology been adopted to facilitate the employer compliance program; what type of resources does the program require; what is the authority of the compliance officers, what impact has the program made on claims filed against uninsured employers, etc.). NCCI has offered to do a further review of other states to see how their employer compliance programs work and report back to the committee at the annual conference.

An announcement was made that Joe San Marco (Louisiana Second Injury Board) is developing a presentation on second injury funds/boards for the A&P meeting at the annual conference in Baltimore. The presentation will focus on how the funds operate in the different jurisdictions; the problems with continuing or disbanding a fund; the assessment mechanisms and various thresholds utilized in each jurisdiction.

There was a very limited discussion on PEO's. Mary Ahearn closed the meeting with comments that Maryland is looking forward to hosting the 2006 annual conference in Baltimore, and that the program for both the A&P Committee as well as the general program is packed with exciting topics and speakers.

*Mary Ahearn, Chair*

### SAWCA in Baltimore 2006

The 2006 SAWCA Conference in Baltimore promises to offer topical discussions & presentations as well as fantastic activities unique to the city. We're planning a "Taste of Maryland" harbor cruise featuring Baltimore's famous seafood, award-winning Maryland wines and entertainment sure to be a night to remember. Take in a night game at our famous Oriole Park at Camden Yards. The City of Baltimore is a great conference host and the Hyatt Regency Hotel, the site for SAWCA 2006, overlooks Baltimore's crown jewel, the Inner Harbor. You can simply step outside and visit scores of great attractions: the Baltimore Aquarium's new Animal Planet Australia or experience an IMAX at the Maryland Science Center; see the Hard Rock Café, ESPN Zone or Sports Legends Museum at Camden Yards (adjacent Oriole Park); ride a paddle boat around the Inner Harbor or take a water taxi to visit Fort McHenry- the birthplace of our National Anthem; sample Maryland's famous seafood at the many restaurants in and around our famous Harbor Place; check out the shopping in the historic neighborhoods of Fell's Point & Federal Hill; explore the new African American History & Culture Museum, renovated Walters Art Gallery or American Visionary Art Museum; experience the panorama from atop the World Trade Center; catch a performance at the restored Hippodrome Theater; visit the Babe Ruth Birthplace or Edgar Allen Poe's resting place; or simply relax by the Harbor with a cool drink in hand. We'll have plenty of informational materials on hand and the new Visitors' Bureau is just outside the Hyatt's front door. For calendars, maps and more information on July 2006 happenings in Baltimore visit <http://www.baltimore.org>.

*Mary Ahearn, President Elect  
Host, Baltimore*

## Self Insurance Committee

Steve Novak and I co-chaired the Self-Insurance Committee that met on Monday, December 12, from 9am to noon. We had a lengthy round table discussion on employer exemption issues, loss portfolio transfers, and the complexities of managing self-insurance funds vs. individually self-insured employers.

As regulators of self-insurance, we discussed the need to have state by state comparison information that included minimum asset requirements, excess requirements, security deposit requirements, claims competency requirements and a few others. I asked the committee members to provide me electronic copies of their administrative rules and statutes. Upon receipt of the information, I was going to summarize the information on a central excel spreadsheet and have various states' data posted along with the spreadsheet on the SAWCA web site.

We also discussed potential topics for the upcoming annual convention in Baltimore. We seem to agree on having a large employer walk us through the thought process of how you decide to "self-insure". Steve Novak and I will be shoring the topic up and submitting to Kathy Oliver soon.

The following individuals were present at the committee meeting: *Steven Jones - Maryland, Liles Williams - Mississippi, Gary Mongilutz - Industry (KY), Gary Davis - Industry (KY), Ron Hirsch - Industry (FL), Preston Williams - Mississippi, Shawn Weir - Kentucky, Charles Green - District of Columbia, Carol Griffin - Georgia, Kathy Oliver - Georgia, Alonzo Patterson - District of Columbia, Steve Novak - Industry (MN), Greg Jenkins - Florida*

If you have any questions, please let me know.

*Thanks,  
Greg Jenkins, Chair*

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## Adjudication Committee

The Adjudication Committee met on Monday, December 12, 2005 at 9 o'clock a.m. Present were representatives from Mississippi (Lydia Quarles) and Georgia (David Imahara), NCCI (Mona Carter) and program presenter Stacey Jefferson from the Texas Division of Workers' Compensation.

Ms. Jefferson presented a dynamic program which gave an overview of Texas' docketing system and data system. Her presentation was of such a high quality, that the committee recommended to the Executive Committee of SAWCA that she be asked to present to a general session at the Annual SAWCA Convention in Baltimore, Maryland on July 15-19, 2006.

There being no other business, the committee opted to attend the program being presented by NCCI in its Boca Raton office the afternoon of the 12th, and adjourned to the general luncheon at noon.

*Respectfully Submitted,  
Lydia Quarles, Chair,  
SAWCA Adjudication Committee*

## Medical/Rehabilitation Committee

The Medical/Rehabilitation Committee convened with seven vibrant and energetic members representing five jurisdictions.

Joel Peeler, MS; Betty Reid, FL; Terri Mandigo, FL; Rosalie Faris, KY; Sue Ann Head, TN; Betty Diaz, GA; and Pat L. Merrill, GA.

Joel Peeler, chairman, opened with a statement regarding a speaker we had scheduled for this meeting with the assistance of Pat Merrill. Mr. Allen Criner, Administrative Director for Occupational Health and Rehabilitation clinics throughout Florida, was invited to speak to us. He had to cancel because he had issues with some of his clinics (8) which he was trying to open at the same time. He also had other commitments as well. He indicated he wanted to become an active member again and he plans to do so.

At this time each member present was given the opportunity to discuss ongoing issues in their respective states. Issues discussed were as follows:

- Managed Care
- Communications from regulatory
- Self Referral agencies to the injured worker
- Fee Schedules
- Physical Therapy

Our discussion continued with a review of our previous SAWCA meeting in St. Petersburg Beach, FL where we discussed topics such as:

- Evidence-Based Treatment Parameters
- Disc Replacement

Joel brought it to the attention of the members that we might be asked to provide a topic and a speaker for the annual convention in Baltimore, Maryland in 2006.

After a brief discussion, the Medical/Rehabilitation Committee members, just as I knew we would, rose to the challenge. We agreed on a person to make a presentation in Maryland. This person could address:

- Physical Therapy
- Self Referral
- Functional Capacity Evaluation

The Medical/Rehabilitation Committee is offering our assistance in securing a speaker, if the program planning committee has a need for one. Joel has made it known that we do not want to interfere with the program planning if the program is already in place.

Joel and Betty encouraged the members, both present and not present, to make plans to attend the 58th ANNUAL SAWCA CONVENTION in Baltimore, Maryland, July 15-19, 2006.

As always, Joel has encouraged all the members to stay in touch with him and Betty to share thoughts and ideas. Joel shared his e-mail address, [jpeeler@mwcc.state.ms.us](mailto:jpeeler@mwcc.state.ms.us), and Betty's e-mail address, [bettyreidrn@earthlink.net](mailto:bettyreidrn@earthlink.net), with the committee.

With no other discussions the meeting was adjourned.

*Presented by,  
Joel Peeler, MS, Chair & Betty Reid, FL, Co-Chair*



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## CALENDAR OF EVENTS

### 9TH ANNUAL TENNESSEE WORKERS' COMPENSATION EDUCATIONAL CONFERENCE

*April 10-11, 2006*

*Nashville Marriott, Nashville, TN*

For further information, call IWCF (386) 304-1993

### 19TH ANNUAL MISSISSIPPI WORKERS' COMPENSATION EDUCATIONAL CONFERENCE

*April 12-14, 2006*

*Pearl River Resort, Choctaw, MS*

For further information, call MWCC (601) 987-4251

### 58TH ANNUAL SAWCA CONVENTION

*July 15-19, 2006*

*Hyatt Regency Baltimore, Baltimore, MD*

For further information, call SAWCA (386) 304-1993

### 92ND ANNUAL IAIABC CONVENTION

*September 24-29, 2006, Little Rock, AR*

For further information, call IAIABC (608) 663-6355

### 11TH ANNUAL NORTH CAROLINA WORKERS' COMPENSATION EDUCATIONAL CONFERENCE

*October 18-20, 2006*

*Sheraton Imperial Hotel,*

*Research Triangle Park, NC*

For further information, call IWCF (386) 304-1993

### 9TH ANNUAL NEW ENGLAND WORKERS' COMPENSATION EDUCATIONAL CONFERENCE

*November 2-3, 2006*

*Hyatt Regency Hotel, Newport, RI*

For further information, call IWCF (386) 304-1993

### 2006 ALL COMMITTEE CONFERENCE

*(Dates To Be Announced)*

*Charleston, SC*

For further information, call SAWCA (386) 304-1993

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