

OWCA

annual report 2005



LOUISIANA WORKS™
DEPARTMENT OF LABOR

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CONTENTS

EXECUTIVE SUMMARY

INTRODUCTION

ADMINISTRATION

- Administrative Section
- Finance and Compliance Section
- Fraud Section
- Hearings Section
- Information Systems Section
- Legal Section
- Medical Services Section
- Records Management Section
- Second Injury Fund
- Workplace Safety Section

AN OVERVIEW OF OWCA CLAIMS AND SECTIONS' ACTIVITIES 2001-2005

- Workers' Compensation Claims
- Hearings
- Number of Disputed Claims Received by OWCA Offices
- Number of Mediations Held by OWCA Offices
- Number of Trials Held by OWCA Offices
- Number of Decisions Rendered by OWCA Offices
- Number of Settlements Approved by OWCA Offices
- Number of Appeals Filed by OWCA Offices
- Medical Services
- Estimated Amounts for Hospital Outliers (Special Reimbursements)
- Estimated Amounts of Medical Reimbursement Disputed Claims
- Records Management
- Second Injury Fund
- Workers' Compensation Fraud Claims
- Workplace Safety

STATISTICAL SUMMARY TABLE AND CHART

- Workplace Injury by Cause, 2001-2005

WORKPLACE FATALITY REPORTED CLAIMS, 2001-2005

STATEWIDE DISTRICT DIRECTORY

EXECUTIVE SUMMARY

The Office of Workers' Compensation Administration (OWCA) in the Louisiana Department of Labor presents its 2005 Annual Report. It is intended to assist the public in understanding the functions and activities of the OWCA and to answer some of the most frequently asked questions about work-related injuries.

In 2005, the OWCA persevered in its goals of minimizing the occurrence of workplace injuries, while assuring prompt delivery of appropriate services. The office maintained its commitment to provide quality management in its efforts to accomplish major improvements in the workers' compensation system for the present and in the future.

The Workplace Safety section identified 1,909 safety and health hazards and of this number 780 were serious hazards. The section conducted 1,029 on-site visits. The unit also awarded 11 Cost Containment Program ([CCP](#)) certificates and participated in some 14 Safety and Health Achievement Recognition Program (SHARP) awards for Louisiana employers. The unit also distributed thousands of quarterly safety reports (LDOL-WC-1017-A) which identify employers who are experiencing above-average injuries for their industry classification.

In 2005, the Hearings section continued to effectively manage disputed workers' compensation claims and assist parties in resolving their disputes. The section received 5,548 disputed claims in 2005, a decrease of 955 disputed claims from 2004. Through efforts of the section, 1,664 trials were held in 2005, compared to 1,919 in 2004, which represents a 13 percent decrease. Four thousand four hundred thirty-four settlements were also approved in 2005.

The Medical Services section continued to process disputed medical claims in less than 30 days from date of receipt. A total of 839 independent medical examination (IME) requests were received in 2005, a decrease of 12% in the number of requests during the same reporting period for 2004. In 2005 the average time to review and schedule an independent medical exam was 16.71 days, a 15% decrease from the same reporting period for 2004 of 19.18 days. The section received 735 disputed medical reimbursement claims during the 2005 reporting period, an increase of 53% for the same period in 2004. An average of 131 medical claims per month were received in 2005, an increase of 18% over the 2004 reporting period.

The Records Management section responded to more than 6,332 requests for public information, with a response time of less than three days. In 2005, 34,251 workers' compensation reporting claim forms were reported to the section, a decrease of only 16 percent from the previous year. The preliminary number of workers' compensation reporting claim forms processed decreased by 27 percent. The number of electronic LDOL-WC-1007 forms continues to increase as more customers utilize the system.

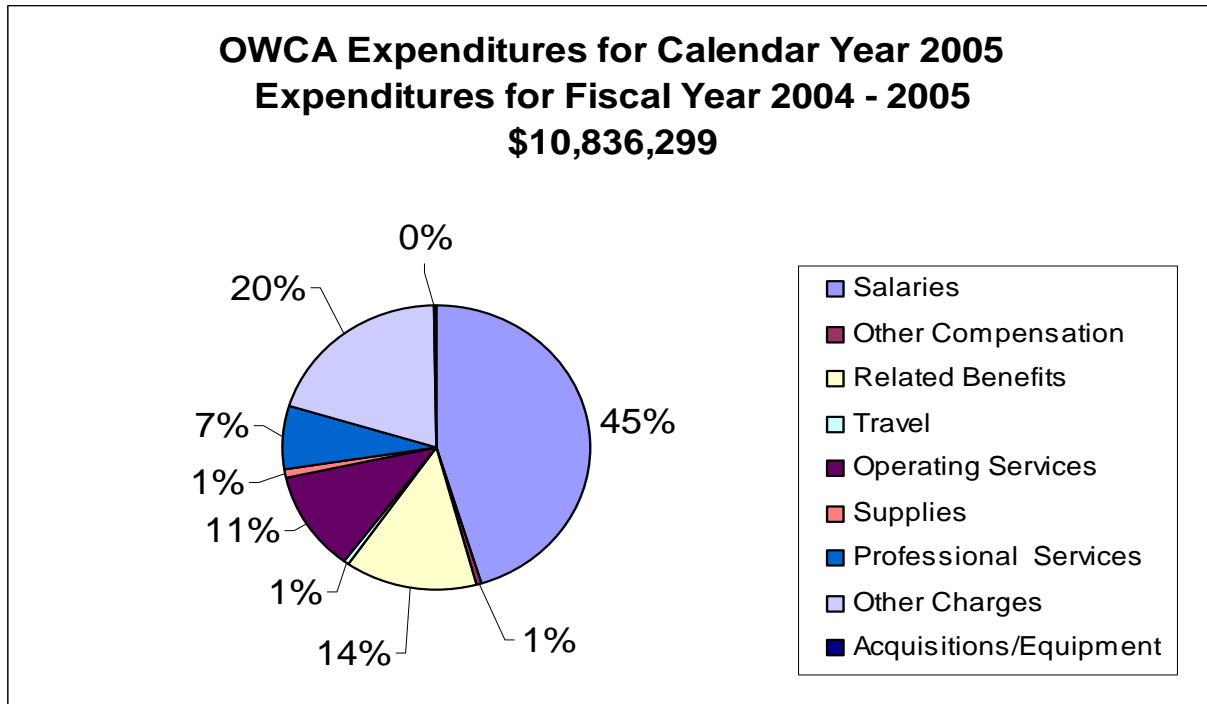
The Finance and Compliance section received and approved applications for self-insured status, examined statutory compliance regarding workers' compensation coverage, and conducted on-site audits. In 2005 within the state, 514 companies were approved to be self-insured. Some 309 insurance companies were authorized to sell workers' compensation insurance.

INTRODUCTION

The Louisiana Office of Workers' Compensation Administration (OWCA) was created in 1983 in order to administer the Louisiana Workers' Compensation Act. The office exercises its authority under Chapter 10 of Title 23 of the Louisiana Revised Statutes.

The Office of Workers' Compensation Administration Budgeted Expenditures – 2005

The assessment rate for fiscal year 2004–2005 decreased .28 percent over the previous fiscal year. The decrease was due to the recovery of \$4 million in back owed assessments.



ADMINISTRATION

The OWCA offers numerous services to the employees and employers of Louisiana. Currently, the office's sections are Administrative, Finance and Compliance, Fraud, Hearings, Information Systems, Legal, Medical Services, Records Management, Second Injury Fund, and Workplace Safety.

ADMINISTRATIVE SECTION

Karen Reiners Winfrey, Assistant Secretary/Director

The OWCA is headed by an Assistant Secretary of Labor, who is also Director of the office. The Director is appointed by and serves at the pleasure of the Governor.

The telephone number for the Administrative section is (225) 342-7561. The FAX number is (225) 342-5665. The email address for the director is kwinfrey@ldol.state.la.us.

FINANCE AND COMPLIANCE SECTION

Preston (Petty) Pecue, Manager

The Finance and Compliance section evaluates and approves or disapproves applications for self-insured status, examines statutory compliance regarding workers' compensation coverage, and conducts audits of benefits paid by insurance companies, group self-insured funds and individual self-insurers. The total assessment amount decreased from \$10,985,000 in assessment year 2004 to \$9,845,949 for assessment year 2005, which represents a 10.6 percent decrease.

The telephone numbers for the Finance and Compliance section are (800) 201-3448 or (225) 342-5658. The FAX number is (225) 342-7578. The email address for its manager is ppecue@ldol.state.la.us.

FRAUD SECTION

Kaye Fournet, Manager

The Fraud section detects and deters workers' compensation fraud and educates the public about the penalties for workers' compensation fraud. It conducts investigations within 30 days of reported workers' compensation fraud. The Fraud Section provides resources to employers and insurers to increase their awareness of potentially fraudulent claims and offers guidance to avoid future instances of fraud. These resources include training seminars, the promotion of the use of written and electronic material, with its nationwide toll-free fraud hotline (800) 201-3362, as well as Internet resources to report suspected fraud directly to the office.

The telephone number for the Fraud section is (225) 342-7558. The FAX number is (225) 342-1880. The email address for its manager is kfournet@ldol.state.la.us.

HEARINGS SECTION

Sheral Kellar, Manager

The Hearings section's primary duty is to resolve and/or adjudicate disputed workers' compensation claims filed with the Office of Workers' Compensation Administration. A claim for benefits, the controversion of entitlement to benefits, or other relief under the Workers' Compensation Act is initiated by filing the appropriate form ([LDOL-WC-1008](#)) with the office.

There are ten district offices located statewide: [Alexandria](#), [Baton Rouge](#), [Covington](#), [Harvey](#), [Houma](#), [Lafayette](#), [Lake Charles](#), [Monroe](#), [New Orleans](#), and [Shreveport](#).

The telephone numbers for the main office of the Hearings section are (800) 201-2499 or (225) 342-7970. The FAX number is (225) 342-4790. The email address for its manager is skellar@ldol.state.la.us.

INFORMATION SYSTEMS SECTION

Larry White, Manager

The Information Systems section is a support section for the OWCA. The primary function of this unit is to support the PCs on a statewide network. The network utilizes Windows 2000/XP software and consists of 170 PCs. The introduction of imaging technology throughout the OWCA was completed in 2003.

The telephone numbers for the Information Systems section are (800) 201-2496 or (225) 342-7574. The FAX number is (225) 342-7562. The email address for its manager is lwhite@ldol.state.la.us.

LEGAL SECTION

The Legal section serves in an advisory capacity to the Director and the office staff in legal matters falling under the jurisdiction of the OWCA. It also represents the OWCA in all matters in which the Director or the office are named. It also represents the State of Louisiana in defending constitutional challenges to the workers' compensation statutes and procedures.

The telephone numbers for the Legal section are (800) 201-3405 or (225) 342-7557. The FAX number is (225) 342-7593.

MEDICAL SERVICES SECTION

Sue Newman, R.N.

The Medical Services section enforces the reimbursement schedule, audits specific medical bills, schedules independent medical examinations (IMEs), and reviews files for medical necessity of treatment.

All disputes presented to the section are informally resolved by issuance of a recommendation by the Director of the OWCA.

The telephone numbers for the Medical Services section are (800) 201-2494 or (225) 342-7559. The FAX number is (225) 342-9836. The email address for Medical Services is snewman@ldol.state.la.us.

RECORDS MANAGEMENT SECTION

Brenda D. Williams, Manager

The Records Management section is a support section for the OWCA. The section publishes the OWCA Annual Report, which highlights accomplishments of the OWCA in a given year and offers statistical information concerning workplace injuries and illnesses. It provides OWCA reporting forms, as well as instructions for their completion, by means of electronic filing on the LDOL website (www.LAWORKS.net). The section responds to public record requests. It also

serves as a repository for workers' compensation records and oversees the imaging of records of the office. In addition, the section provides copies of those records that are considered public records, whether on microfilm, electronically imaged, or on paper.

The telephone numbers for the Records Management section are (800) 201-3457 or (225) 342-5662. The FAX numbers are (225) 342-7582 and (225) 342-3539. The email address for its manager is bwilliams@ldol.state.la.us.

SECOND INJURY FUND

Vacant, Manager

The Second Injury Fund (SIF), is an employer/insurer funded program, whose purpose is to encourage the employment of physically handicapped individuals with a pre-existing permanent partial disability that is a hindrance or obstacle to obtaining employment. The SIF promotes the hiring of these individuals by protecting employers/insurers from excess liability for workers' compensation. The SIF reimburses employers/insurers for the medical and compensation costs paid to employees who have met the statutory qualification. The SIF provides an economic incentive to employers to hire or rehire individuals with pre-existing disabilities. The SIF provides online claim status to employers and insurers. In addition, the SIF makes electronic fund transfer ([EFT](#)) options available to employers.

The telephone numbers for the Second Injury Fund section are (800) 201-2493 or (225) 342-7866. The FAX number is (225) 219-5968.

WORKPLACE SAFETY SECTION

Willis E. Callihan, Director

The Workplace Safety section provides voluntary and confidential workplace inspections, on-site training and program assistance to employers in the state. The section administers the Cost Containment Program ([CCP](#)), which offers eligible employers the opportunity to lower their workers' compensation insurance premiums. The section is responsible for distribution and processing of quarterly reports ([LDOL-WC-1017A](#)) which identifies employers who are experiencing above-average injuries for their industry classification. The report is due one month from the quarter reported. In addition, the section provides on-site facility inspections to identify hazards and assess program elements to ensure compliance with workplace safety provisions.

The telephone numbers for the Workplace Safety and Consultation section are (800) 201-2495 or (225) 342-9601. The FAX number is (225) 342-5158. The email address for its manager is wcallihan@ldol.state.la.us.

OWCA's SECTIONS' ACTIVITY, 2001-2005

The following tables give details of the activities of the OWCA sections for the years 2001-2005:

Section 1 [Workers' Compensation Claims, 2001-2005](#)

Section 2 [Hearings](#)

[Number of Disputed Claims Received by OWCA Offices, 2001-2005](#)

[Number of Mediations Held by OWCA Offices, 2001-2005](#)

[Number of Trials Held by OWCA Offices, 2001-2005](#)

[Number of Decisions Rendered by OWCA Offices, 2001-2005](#)

[Number of Settlements Approved by OWCA Offices, 2001-2005](#)

[Number of Appeals Filed by OWCA Offices, 2001-2005](#)

Section 3 [Medical Services](#)

[Estimated Amounts for Hospital Outliers \(Special Reimbursements\), 2001-2005](#)

[Estimated Amounts for Medical Reimbursement Disputed Claims, 2001-2005](#)

Section 4 [Records Management, 2001-2005](#)

Section 5 [Second Injury Fund, 2001-2005](#)

Section 6 [Workers' Compensation Fraud Claims, 2001-2005](#)

Section 7 [Workplace Safety, 2001-2005](#)

AN OVERVIEW OF OWCA CLAIMS AND SECTIONS' ACTIVITIES, 2001-2005

WORKERS' COMPENSATION CLAIMS (Section #1)											
Year	Undisputed Claims Processed			Disputed Claims		Claims Closed			Claims Settled		
2001	15,684			6,719		6,738			4,997		
2002	12,680			7,056		4,764			3,849		
2003	10,365			6,547		*5,771			4,739		
2004	*17,798			6,503		*8,315			4,725		
2005	*12,981			5,548		*6,206			4,434		
HEARINGS (Section # 2)											
Year	Disputed Claims Filed		Mediation Sessions Held		Claims Resolved at Mediation or Prior		Trials Held		Formal Decisions	Appeals Filed	Settlements Approved
2001	6,719		5,919		1,055		1,679		1,231	289	4,997
2002	7,056		4,554		1,800		1,317		1,007	226	3,849
2003	6,547		5,271		2,227		1,961		1,568	308	4,739
2004	6,503		5,121		2,162		1,919		1,657	203	4,725
2005	5,548		4,229		2,235		1,664		1,448	196	4,434
Number of Disputed Claims Received by OWCA Offices											
Year	1W Shreveport	1E Monroe	2 Alexandria	3 Lake Charles	4 Lafayette	5 Baton Rouge	6 Covington	7 Harvey	8 New Orleans	9 Houma	
2001	601	363	624	563	738	754	723	930	989	434	
2002	585	415	649	590	724	959	743	959	956	476	
2003	504	363	733	622	650	780	776	712	886	521	
2004	563	411	592	661	699	682	699	768	853	575	
2005	521	381	579	942	699	531	578	520	408	389	
Number of Mediations Held by OWCA Offices											
Year	1W Shreveport	1E Monroe	2 Alexandria	3 Lake Charles	4 Lafayette	5 Baton Rouge	6 Covington	7 Harvey	8 New Orleans	9 Houma	
2001	377	488	636	801	592	645	646	685	695	354	
2002	328	305	505	517	520	503	501	454	499	422	
2003	519	348	448	698	511	662	624	441	561	459	
2004	433	292	692	725	627	305	514	626	468	439	
2005	430	375	394	679	404	281	524	334	356	452	
Number of Trials Held by OWCA Offices											
Year	1W Shreveport	1E Monroe	2 Alexandria	3 Lake Charles	4 Lafayette	5 Baton Rouge	6 Covington	7 Harvey	8 New Orleans	9 Houma	
2001	99	162	159	174	240	151	172	215	128	179	
2002	55	97	144	89	193	134	143	180	147	135	
2003	120	125	172	154	214	177	209	291	246	253	
2004	240	131	151	193	252	148	209	198	240	157	
2005	92	124	176	162	264	159	149	169	224	145	
Number of Decisions Rendered by OWCA Offices											
Year	1W Shreveport	1E Monroe	2 Alexandria	3 Lake Charles	4 Lafayette	5 Baton Rouge	6 Covington	7 Harvey	8 New Orleans	9 Houma	
2001	54	146	124	117	196	111	123	143	124	93	
2002	12	82	126	69	154	119	97	125	122	101	
2003	93	109	137	127	201	170	159	217	184	171	
2004	230	106	112	160	226	142	170	180	203	128	
2005	67	103	154	140	240	148	123	149	202	122	
Number of Settlements Approved by OWCA Offices											
Year	1W Shreveport	1E Monroe	2 Alexandria	3 Lake Charles	4 Lafayette	5 Baton Rouge	6 Covington	7 Harvey	8 New Orleans	9 Houma	
2001	568	445	543	374	641	487	454	587	580	318	
2002	400	310	381	419	505	311	365	496	422	240	
2003	457	407	488	442	648	218	553	555	601	370	
2004	503	400	527	453	687	155	535	542	581	342	
2005	401	399	500	447	673	358	482	408	426	340	
Number of Appeals Filed by OWCA Offices											
Year	1W Shreveport	1E Monroe	2 Alexandria	3 Lake Charles	4 Lafayette	5 Baton Rouge	6 Covington	7 Harvey	8 New Orleans	9 Houma	
2001	17	13	41	26	31	34	47	32	9	39	
2002	33	10	28	18	23	23	27	16	32	17	
2003	20	18	40	31	34	19	43	32	34	37	
2004	19	14	20	26	16	5	39	17	33	14	
2005	13	6	35	27	32	8	22	25	16	12	

AN OVERVIEW OF OWCA CLAIMS AND SECTIONS' ACTIVITIES, 2001-2005

MEDICAL SERVICES (Section # 3)								
Year	Medical Reimbursements		Independent Medical Exams		Utilization Reviews		Special Reimbursement Consideration Appeal Requests (Outliers)	
2001	56		604		158		117	
2002	84		839		183		130	
2003	145		803		151		186	
2004	324		781		169		100	
2005	581		683		156		154	
Estimated Amounts for Hospital Outliers (Special Reimbursements)								
Year	Hospital Outlier Cases		Billed Amounts		Recommended Reimbursements		Estimated Savings	
2001	117		\$4,506,901.48		\$669,234.35		\$3,772,471.12	
2002	130		\$6,109,748.11		\$771,708.09		\$5,337,381.00	
2003	186		\$10,003,246.37		\$3,241,751.72		\$7,333,154.18	
2004	100		\$4,354,930.06		\$1,612,030.49		\$3,409,899.57	
2005	154		\$8,058,032.44		\$3,609,585.14		\$4,448,447.30	
Estimated Amounts for Medical Reimbursement Disputed Claims								
Year	Disputed Claims		Billed Amounts		Recommended Reimbursements		Estimated Savings	
2001	56		\$341,928.38		\$132,928.38		\$238,475.51	
2002	84		\$464,917.95		\$309,346.95		\$155,571.00	
2003	145		\$1,257,180.49		\$689,272.61		\$567,910.37	
2004	324		\$1,717,277.02		\$960,541.94		\$765,732.08	
2005	581		\$4,128,728.73		\$2,867,399.67		\$1,252,375.46	
RECORDS MANAGEMENT (Section # 4)								
Year	Forms Reported		Requests for Forms, Brochures & Publications			Records Requests		
2001	48,302		2,431			3,774		
2002	56,013		268			5,808		
2003	43,690		134			4,247		
2004	40,998		63			4,574		
2005	34,251		33			6,332		
SECOND INJURY FUND (Section # 5)								
Year	Claims Received	Claims Closed	Decisions Rendered	Claims Pending	Ongoing Claims	Assessment Actual	**Reimbursement	Total Administrative Costs
2001	1,188	1,199	422	3,370	2,588	\$29,787,739	\$27,804,479	\$503,095
2002	1,361	1,137	1,260	3,584	2,509	\$33,170,744	\$30,566,375	\$543,165
2003	999	1,166	934	3,398	3,229	\$36,491,115	\$33,098,458	- \$665,250
2004	946	754	777	3,802	2,646	\$40,192,150	\$34,911,465	\$628,124
2005	914	610	752	4,265	2,659	\$43,992,861	\$33,181,235	\$806,569
WORKERS' COMPENSATION FRAUD CLAIMS (Section # 6)								
Year	Investigations Initiated	Investigations Completed	Referrals to Legal & Civil Penalties	Referrals for Prosecution	Arrests & Prosecutions	Referrals for U.I. Fraud	Convictions	Percent of Investigations Completed
2001	2,922	2,672	3	21	10	8	6	94%
2002	4,744	4,287	0	24	14	16	2	90%
2003	2,379	2,262	0	22	11	7	7	95%
2004	2,109	2,020	0	12	15	23	9	96%
2005	6,444	5,924	0	12	17	88	5	96%
WORKPLACE SAFETY (Section # 7)								
Year	Clients Assisted	Facility/On-site Inspections	Seminars, Training & Speaking Engagements	Number of Safety & Health Hazards Identified	Number of Serious Health Hazards Identified	Consultation Inquiries	On-site Visits Conducted	Requests Received for Services
2001	22,245	576	12	1,983	1,786	783	576	459
2002	62,584	1,093	140	1,611	1,598	2,518	1,093	612
2003	21,565	1,023	1,023	2,414	1,007	1,768	1,023	311
2004	18,422	1,500	149	2,944	1,392	1,236	1,500	618
2005	13,311	1,029	31	1,909	780	640	1,029	320

* Preliminary

** 2001 Reimbursements are recorded on Fiscal Basis

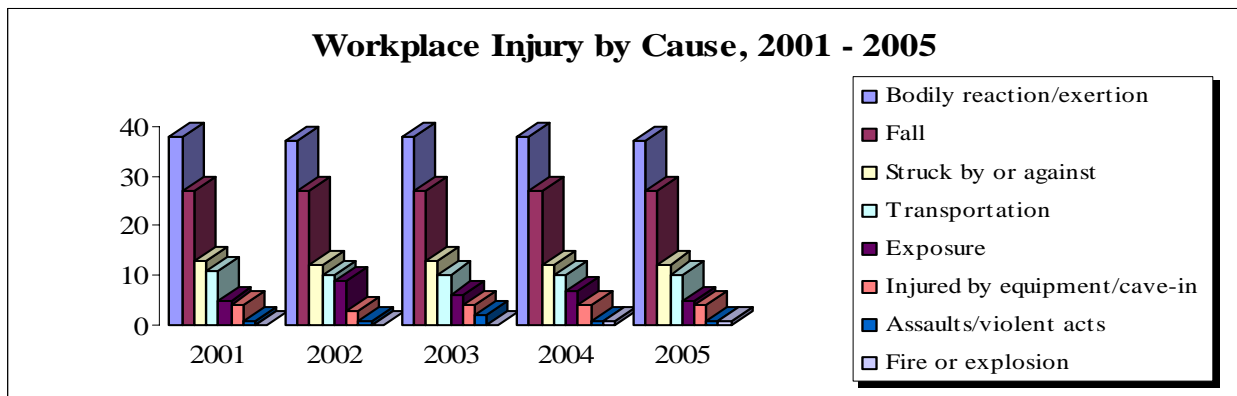
- Prior years administrative expenses are below actual

STATISTICAL SUMMARY

The OWCA conducted a study of 5,448 disputed claims ([LDOL-WC-1008](#)) that were closed in 2005. The purpose of this analysis was to identify the causes of workplace injuries. The results are reported below.

Workplace Injury by Cause, 2001-2005

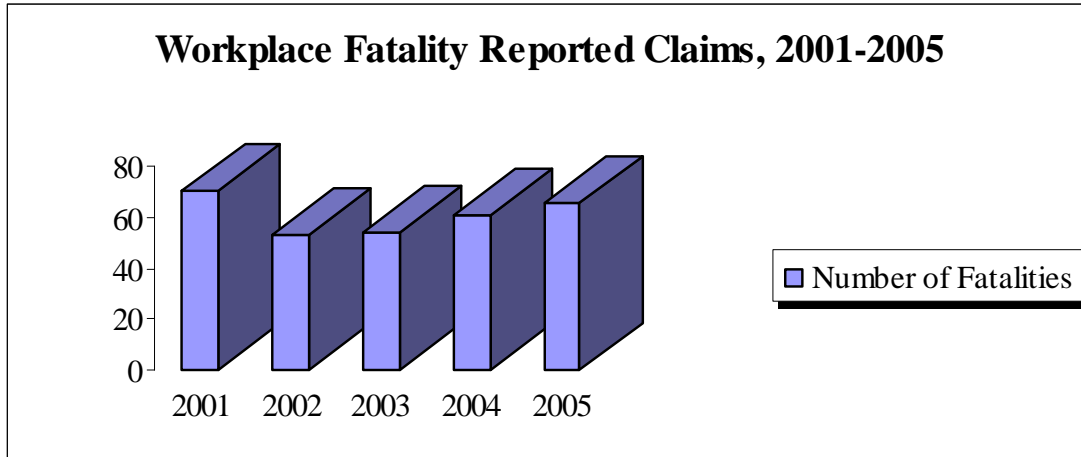
Cause of Injury	2001	2002	2003	2004	2005
Bodily reaction/exertion	38	37	38	38	38
Fall	27	27	27	27	27
Struck by or against	13	12	13	12	12
Transportation	11	10	10	10	10
Exposure	5	9	6	7	6
Injured by equipment/cave-in	4	4	4	4	4
Assaults/violent acts	1	1	2	1	2
Fire or explosion	-	-	-	1	1



Note: Dash (-) indicates there are no claims for this category.

Workplace Fatality Reported Claims, 2001 – 2005

Year	Number of Fatalities	Percentage of Change from Prior Year
2001	70	-29%
2002	53	-24%
2003	54	2%
2004	61	13%
2005	66	8%



Note: The claims reported are workplace fatalities that are compensable under Louisiana’s compensation statute. Data were derived from the form LDOL-WC-1007.

The information represents workplace fatalities in instances where:

- death occurred while on the employer’s premises and is work-related
- death occurred off the employer’s premises and is work-related

Leading cause of fatalities from 2001-2005 is transportation accidents.

STATEWIDE DISTRICT DIRECTORY

Baton Rouge Administrative Office

CHIEF JUDGE SHERAL KELLAR
OFFICE OF WORKERS' COMPENSATION
P.O. Box 94040
1001 North 23rd Street
Baton Rouge, Louisiana 70804-9040
TELEPHONE: (225) 342-7970
TELEPHONE: (800) 201-2499
FAX: (225) 342-4790

District 1W

OFFICE OF WORKERS' COMPENSATION
DISPUTE RESOLUTION SPECIALIST: Vacant
9234 Linwood
Shreveport, Louisiana 71106
TELEPHONE: (318) 676-5331
TELEPHONE: (800) 209-7173
FAX: (318) 676-5332

District 1E

OFFICE OF WORKERS' COMPENSATION
DISPUTE RESOLUTION SPECIALIST: Camelia Antie
1908 Stubbs
Monroe, Louisiana 71201
TELEPHONE: (318) 362-3078
TELEPHONE: (800) 209-7321
FAX: (318) 362-3083

District 2

OFFICE OF WORKERS' COMPENSATION
DISPUTE RESOLUTION SPECIALIST: Jeanette Dodge
3724 Government Street
Alexandria, Louisiana 71302
TELEPHONE: (318) 487-5966
TELEPHONE: (800) 209-7329
FAX: (318) 487-5967

District 3

OFFICE OF WORKERS' COMPENSATION
DISPUTE RESOLUTION SPECIALIST: Vacant
4250 Fifth Avenue, Suite 3
Lake Charles, Louisiana 70607
TELEPHONE: (337) 475-4882
TELEPHONE: (888) 768-8745
FAX: (337) 475-4884

District 4

OFFICE OF WORKERS' COMPENSATION
DISPUTE RESOLUTION SPECIALIST: Norene Fusilier
556 Jefferson St., First Floor
Lafayette, Louisiana 70501-6947
TELEPHONE: (337) 262-1057
TELEPHONE: (800) 209-7174
FAX: (337) 262-1106

District 5

OFFICE OF WORKERS' COMPENSATION
DISPUTE RESOLUTION SPECIALIST: Audrey Scott
224 Florida Blvd., Suite 100
Baton Rouge, Louisiana 70801
TELEPHONE: (225) 219-4378
TELEPHONE: (800) 209-7175
FAX: (225) 219-4377

District 6

OFFICE OF WORKER'S COMPENSATION
DISPUTE RESOLUTION SPECIALIST: Mikal Pippins
19374 North Third Street
Covington, Louisiana 70433-8813
TELEPHONE: (985) 871-1258
TELEPHONE: (888) 575-6149
FAX: (985) 871-1264

District 7

OFFICE OF WORKERS' COMPENSATION
DISPUTE RESOLUTION SPECIALIST: Ken Dupre
2150 Westbank Expressway, Suite 403
Harvey, Louisiana 70058-4902
TELEPHONE: (504) 361-6831
TELEPHONE: (800) 209-7162
FAX: (504) 361-6843

District 8

OFFICE OF WORKERS' COMPENSATION
DISPUTE RESOLUTION SPECIALIST: Christine Melford
Amoco Building
1340 Poydras Street, Suite 1450
New Orleans, Louisiana 70112-2001
TELEPHONE: (504) 568-6952
TELEPHONE: (800) 209-7232
FAX: (504) 568-8706

District 9

OFFICE OF WORKERS' COMPENSATION
DISPUTE RESOLUTION SPECIALIST: Debra Duplantis
8026 Main Street, Suite 404
Houma, Louisiana 70360-3407
TELEPHONE: (985) 857-3775
TELEPHONE: (800) 262-1497
FAX: (985) 857-3781



LOUISIANA WORKS™

DEPARTMENT OF LABOR