

# LOWCA

2006  
Annual Report



**LOUISIANA WORKS™**  
DEPARTMENT OF LABOR

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## EXECUTIVE SUMMARY

The Office of Workers' Compensation Administration (OWCA) in the Louisiana Department of Labor presents its 2006 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 2006, the OWCA continued its responsibility of providing its customers the knowledge of developing a safe workplace and strengthening the system for the future.

The Workplace Safety section identified 1,539 safety and health hazards and of this number 924 were serious hazards. The section conducted 847 on-site visits. The unit also awarded 5 Cost Containment Program ([CCP](#)) certificates and participated in some 4 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 2006, the Hearings section continued to effectively manage disputed workers' compensation claims and assist parties in resolving their disputes. The section received 5,671 disputed claims in 2006, an increase of 123 disputed claims from 2005. Through efforts of the section, 1,715 trials were held in 2006, compared to 1,664 in 2005, which represents a 30 percent increase. Four thousand eight hundred fifty-two settlements were also approved in 2006.

The Medical Services section continued to process disputed medical claims in less than 30 days from date of receipt. A total of 759 independent medical examination (IME) requests were received in 2006, a decrease of 10% in the number of requests during the same reporting period for 2005. In 2006 the average time to review and schedule an independent medical exam was 10.86 days, a 35% decrease from the same reporting period for 2005 of 16.71 days. The section received 1,142 disputed medical reimbursement claims during the 2006 reporting period, an increase of 55% for the same period in 2005. An average of 95 medical claims per month were received in 2006, an increase of 65% over the 2005 reporting period.

The Records Management section responded to more than 8,201 requests for public information, with a response time of less than three days. In 2006, 27,408 workers' compensation reporting claim forms were reported to the section, a decrease of only 20 percent from the previous year. The number of workers' compensation reporting claim forms processed increased by 38 percent. The number of electronic LDOL-WC-1007 forms continues to increase as more customers utilize the system.

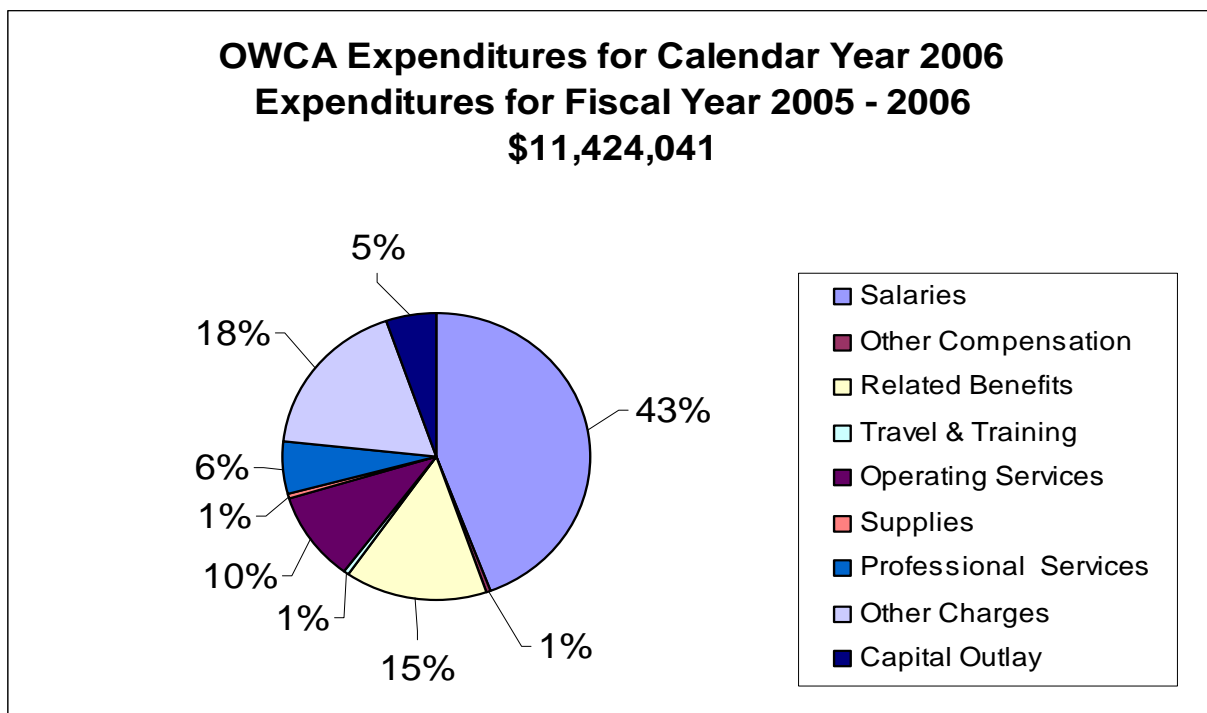
The Finance and Compliance section received and approved applications for self-insured status, examined statutory compliance regarding workers' compensation coverage, and conducted on-site audits. In 2006 within the state, 493 companies were approved to be self-insured. Some 300 insurance companies were 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 – 2006

The assessment rate for fiscal year 2005–2006 increased .30 percent over the previous fiscal year. The increase was due to our return to normal budgetary events. In fiscal year 2003-2004, the OWCA's tax base increased significantly and in fiscal year 2004-2005 the OWCA recovered \$4 million in back owed assessments. These two extraordinary events allowed for the reduction in the assessment. No such events occurred in fiscal year 2005-2006.



## **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**

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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](mailto:kwinfrey@ldol.state.la.us).

### **FINANCE AND COMPLIANCE SECTION**

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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 increased from \$9,845,949 in assessment year 2005 to \$11,469,735 for assessment year 2006, which represents a 16.5 percent increase.

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](mailto:ppecue@ldol.state.la.us).

### **FRAUD SECTION**

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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](mailto:kfournet@ldol.state.la.us).

### **HEARINGS SECTION**

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Sheral Kellar, Manager

The Hearings section's primary duty is to resolve 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](mailto:skellar@ldol.state.la.us).

## **INFORMATION SYSTEMS SECTION**

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Larry White, Manager

The Information Systems section is a support section for the OWCA. The primary function of this unit is to support the Workers' Compensation personnel on a statewide network. The network utilizes Windows 2000/XP software and consists of 170 PCs. The Information Systems section completed an upgrade to the office imaging system in January 2007 and will be implementing a Court Docketing system in mid 2007.

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](mailto:lwhite@ldol.state.la.us).

## **LEGAL SECTION**

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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**

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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](mailto:snewman@ldol.state.la.us).

## **RECORDS MANAGEMENT SECTION**

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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](http://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](mailto:bwilliams@ldol.state.la.us).

## **SECOND INJURY FUND**

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Jill Breard, 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 qualifications and deductibles. 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. The email address for its manager is [jbreard@ldol.state.la.us](mailto:jbreard@ldol.state.la.us).

## **WORKPLACE SAFETY SECTION**

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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](mailto:wcallihan@ldol.state.la.us).

## OWCA's SECTIONS' ACTIVITY, 2002-2006

The following tables give details of the activities of the OWCA sections for the years 2002-2006:

Section 1 [Workers' Compensation Claims, 2002-2006](#)

Section 2 [Hearings](#)

[Number of Disputed Claims Received by OWCA Offices, 2002-2006](#)

[Number of Mediations Held by OWCA Offices, 2002-2006](#)

[Number of Trials Held by OWCA Offices, 2002-2006](#)

[Number of Decisions Rendered by OWCA Offices, 2002-2006](#)

[Number of Settlements Approved by OWCA Offices, 2002-2006](#)

[Number of Appeals Filed by OWCA Offices, 2002-2006](#)

Section 3 [Medical Services](#)

[Estimated Amounts for Hospital Outliers \(Special Reimbursements\), 2002-2006](#)

[Estimated Amounts for Medical Reimbursement Disputed Claims, 2002-2006](#)

Section 4 [Records Management, 2002-2006](#)

Section 5 [Second Injury Fund, 2002-2006](#)

Section 6 [Workers' Compensation Fraud Claims, 2002-2006](#)

Section 7 [Workplace Safety, 2002-2006](#)



## AN OVERVIEW OF OWCA CLAIMS AND SECTIONS' ACTIVITIES, 2002-2006

<b>WORKERS' COMPENSATION CLAIMS (Section #1)</b>											
Year	Undisputed Claims Processed			Disputed Claims		Claims Closed		Claims Settled			
2002	12,680			7,056		4,764		3,849			
2003	10,365			6,547		4,953		4,739			
2004	17,618			6,503		7,545		4,725			
2005	13,447			5,548		6,312		4,434			
2006	18,568			5,671		8,910		4,852			
<b>HEARINGS (Section # 2)</b>											
Year	Disputed Claims Filed	Mediation Sessions Held		Claims Resolved at Mediation or Prior		Trials Held		Formal Decisions		Appeals Filed	Settlements Approved
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
2006	5,671	4,586		2,549		1,715		1,469		157	4,852
<b>Number of Disputed Claims Received by OWCA Offices</b>											
Year	1W Shreveport	1E Monroe	2 Alexandria	3 Lake Charles	4 Lafayette	5 Baton Rouge	6 Covington	7 Harvey	8 New Orleans	9 Houma	
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	
2006	525	377	572	726	1,099	404	522	585	465	396	
<b>Number of Mediations Held by OWCA Offices</b>											
Year	1W Shreveport	1E Monroe	2 Alexandria	3 Lake Charles	4 Lafayette	5 Baton Rouge	6 Covington	7 Harvey	8 New Orleans	9 Houma	
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	
2006	383	378	618	949	432	205	521	230	409	461	
<b>Number of Trials Held by OWCA Offices</b>											
Year	1W Shreveport	1E Monroe	2 Alexandria	3 Lake Charles	4 Lafayette	5 Baton Rouge	6 Covington	7 Harvey	8 New Orleans	9 Houma	
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	
2006	185	149	140	100	237	170	194	31	237	272	
<b>Number of Decisions Rendered by OWCA Offices</b>											
Year	1W Shreveport	1E Monroe	2 Alexandria	3 Lake Charles	4 Lafayette	5 Baton Rouge	6 Covington	7 Harvey	8 New Orleans	9 Houma	
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	
2006	120	127	123	81	215	169	138	23	226	247	
<b>Number of Settlements Approved by OWCA Offices</b>											
Year	1W Shreveport	1E Monroe	2 Alexandria	3 Lake Charles	4 Lafayette	5 Baton Rouge	6 Covington	7 Harvey	8 New Orleans	9 Houma	
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	
2006	434	410	562	471	679	661	539	239	438	419	
<b>Number of Appeals Filed by OWCA Offices</b>											
Year	1W Shreveport	1E Monroe	2 Alexandria	3 Lake Charles	4 Lafayette	5 Baton Rouge	6 Covington	7 Harvey	8 New Orleans	9 Houma	
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	
2006	15	16	27	27	13	4	33	2	10	10	

## AN OVERVIEW OF OWCA CLAIMS AND SECTIONS' ACTIVITIES, 2002-2006

<b>MEDICAL SERVICES (Section # 3)</b>									
Year	Medical Reimbursements		Independent Medical Exams		Utilization Reviews		Special Reimbursement Consideration Appeal Requests (Outliers)		
2002	84		839		183		130		
2003	145		803		151		186		
2004	324		781		169		100		
2005	581		683		156		154		
2006	1,010		630		129		132		
<b>Estimated Amounts for Hospital Outliers (Special Reimbursements)</b>									
Year	Hospital Outlier Cases		Billed Amounts		Recommended Reimbursements		Estimated Savings		
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		
2006	132		\$6,138,000.00		\$1,889,632.00		\$4,248,368.00		
<b>Estimated Amounts for Medical Reimbursement Disputed Claims</b>									
Year	Disputed Claims		Billed Amounts		Recommended Reimbursements		Estimated Savings		
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		
2006	1,010		\$19,744,600.00		\$2,525,522.00		\$17,219,078.00		
<b>RECORDS MANAGEMENT (Section # 4)</b>									
Year	Forms Reported		Requests for Forms, Brochures & Publications			Records Requests			
2002	56,013		268			5,808			
2003	43,690		134			4,247			
2004	40,998		63			4,574			
2005	34,251		33			6,332			
2006	27,408		0			8,201			
<b>SECOND INJURY FUND (Section # 5)</b>									
Year	Claims Received	Claims Closed	Decisions Rendered	Claims Pending	Ongoing Claims	Assessment Actual	Reimbursement	Total Administrative Costs	
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	\$44,252,151	\$48,206,127	\$806,569	
2006	955	1,748	792	4,330	2,413	\$42,573,324	\$38,540,285	\$809,349	
<b>WORKERS' COMPENSATION FRAUD CLAIMS (Section # 6)</b>									
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	
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%	
2006	2,119	2,070	0	7	8	42	7	97%	
<b>WORKPLACE SAFETY (Section # 7)</b>									
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	
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	
2006	16,860	847	34	1,539	924	508	847	254	

- Prior years administrative expenses are below actual

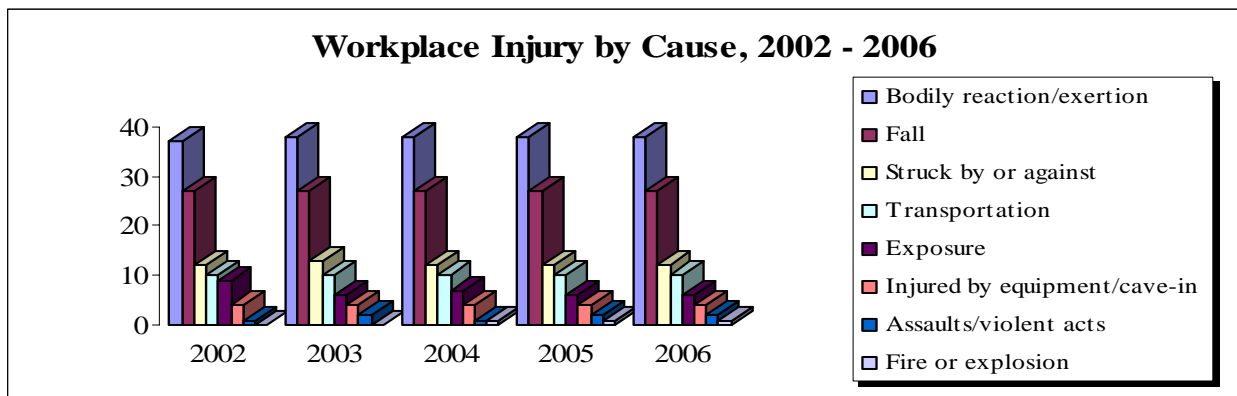
## STATISTICAL SUMMARY

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The OWCA conducted a study of 5,671 disputed claims ([LDOL-WC-1008](#)) that were closed in 2006. The purpose of this analysis was to identify the causes of workplace injuries. The results are reported below.

**Workplace Injury by Cause, 2002-2006**

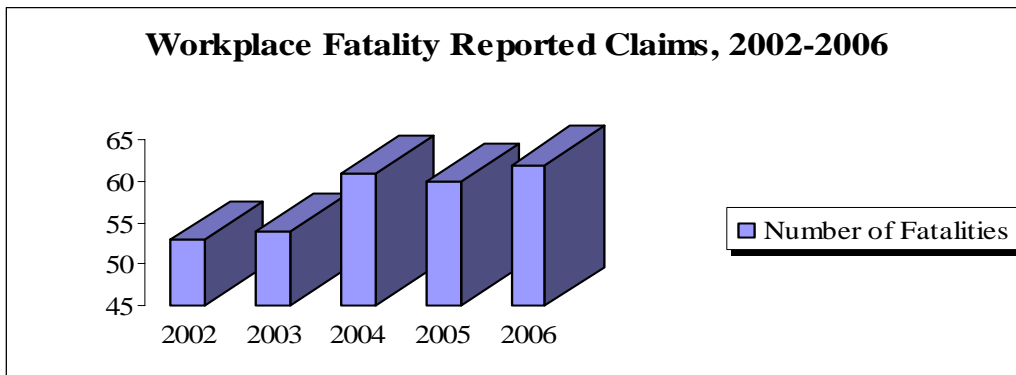
Cause of Injury	2002	2003	2004	2005	2006
Bodily reaction/exertion	37	38	38	38	38
Fall	27	27	27	27	27
Struck by or against	12	13	12	12	12
Transportation	10	10	10	10	10
Exposure	9	6	7	6	6
Injured by equipment/cave-in	4	4	4	4	4
Assaults/violent acts	1	2	1	2	2
Fire or explosion	-	-	1	1	1



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

**Workplace Fatality Reported Claims, 2002 – 2006**

Year	Number of Fatalities	Percentage of Change from Prior Year
2002	53	-24%
2003	54	2%
2004	61	13%
2005	66	8%
2006	62	-6%



**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 2002-2006 is transportation accidents.

## **STATEWIDE DISTRICT DIRECTORY**

### **Baton Rouge Administrative Office**

CHIEF JUDGE SHERAL KELLAR  
OFFICE OF WORKERS' COMPENSATION  
P.O. Box 94040  
1001 North 23<sup>rd</sup> 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: Bridget Ellis  
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: Deborah Garriet  
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., Box 5  
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  
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**District 9**

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