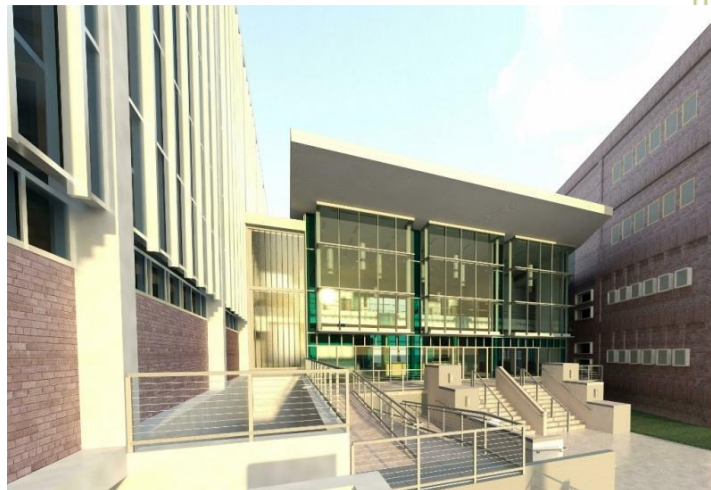




We put people to work.

2013

Office of Workers' Compensation Administration Annual Report



The Louisiana Workforce Commission (LWC), Office of Workers' Compensation Administration (OWCA), respectfully submits its 2013 Annual Report. This report, past annual reports and other OWCA information are available on the LWC's website www.laworks.net and the Louisiana State Library. In accordance with the Executive Order BJ-08-08, the OWCA will disseminate this Annual Report via electronic means whenever possible. However, 75 hard copies of the 2013 Annual Report have been published, at a cost of \$118.21. LA. R.S 43.31 requires copies to be made available upon request to individuals without the ability to receive this information in an electronic format. This document was published by the Louisiana Workforce Commission and OWCA, Post Office Box 94040, Baton Rouge, Louisiana 70804-9040.

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Introduction

The Louisiana Office of Workers' Compensation Administration (OWCA) was created in 1983 in order to administer the Louisiana Workers' Compensation Act. Although many significant changes to its provisions have been made since then, the basic premise and purpose of that law have remained much the same. The premise is that employees injured in the workplace should be compensated regardless of who is at fault. The purpose is to provide protection to the injured employee through employer safety efforts, medical treatment, and partial compensation for lost income. The office exercises its authority under Chapter 10 of Title 23 of the Louisiana Revised Statutes and is established within the Louisiana Workforce Commission (LWC). The OWCA is administered by a director of the LWC pursuant to R.S. 36:307. The OWCA operates on a fiscal year that begins July 1 each year and ends on June 30 of the following year.

RS 23:1310.10, Subsection 1310.10, provides that the Louisiana Workforce Commission (LWC), Office of Workers' Compensation Administration (OWCA) shall:

Report to Governor, state Supreme Court, and Legislature annually, on or before the first day of April, commencing in 1990, the director shall prepare and submit a report for the prior calendar year to the Governor, the chief justice of the Supreme Court, the president of the Senate, the speaker of the House of Representatives, and each member of the Legislature, which shall include a statement of the number of awards made and the causes of the accidents leading to the injuries for which the awards were made, total workload data of the workers' compensation judges, a detailed report of the work load of each workers' compensation judge, a detailed statement of the expenses of the offices of the director of workers' compensation and the workers' compensation judges, together with any other matter which the director deems proper to report, including any recommendations he may desire to make.

This 2013 Annual Report includes all of the aforementioned requirements to satisfy §1310.10. Furthermore, the report gives an overview on the progress that the OWCA has made in the last calendar year. It demonstrates its dedication to the LWC's mission to promote workforce development and improve workplace safety and health throughout Louisiana. The report, however does not cover all aspects of what happens in the OWCA, nor is it intended to do so, although all of those elements are important.

More detailed information is available upon request by contacting owca@lwc.la.gov.

Executive Summary

In 2013, the Office of Workers' Compensation Administration (OWCA) continued re-directing its focus to the question of improving service levels. Internal processes were subjected to detailed review, and the rollout of new delivery models began.

In 2013, the Hearings section received 4,973 disputed claims for compensation, 205 fewer than were filed in 2012. The section continues to assist parties in resolving their disputes. It does so through both adjudication and mediation. In 2013, the Hearings section conducted 2,649 trials and mediated 2,136 disputes. Additionally, 5,353 settlements were approved. In 2012, the average delay for resolving disputed claims for compensation was a high of 10 months. During 2013, the Hearings Section achieved its lowest resolution rate ever, seven months. By January 2014, the resolution rate remained steady at seven months. Despite this accomplishment, the Hearings' Section is striving to reach a goal of 180 days, or six months, for resolution of disputed claims.

The Finance and Audit Section conducted 54 audits of self-insured employers and group funds in 2013. These audits resulted in the collection of additional OWCA assessments of \$107,835.43 and additional Second Injury Board assessments of \$303,050.29 due to under-reported benefit payments. Early in the year the unit initiated the use of desk audits in addition to the sight audits historically performed, enabling the unit to perform more audits annually and to perform audits of out-of-state accounts. The accounts receivable section integrated the use of bank lock-boxes and check scanners for depositing assessments, court fees, fraud penalties, etc. This initiative resulted in improved processing times, error rates and man-hours. Additional outreach to all self-insured employers was initiated to insure accuracy of records. The unit aggressively pursued delinquent collections, reducing OWCA and Second Injury Board receivables to a negligible amount. The goal is to reach zero outstanding receivables. This year efforts to increase product consistency, to improve data collection and storage and to evaluate and improve major processes began. We expect to report positive outcomes in the next year resulting from efforts initiated in 2013.

The Fraud section provides the OWCA with an aggressive program to fight fraud in the workers' compensation system. During 2013, the Fraud section continued high standards of investigation and ensured the continued prosecution of criminal activity. The section participated in training seminars to educate the public about the penalties for workers' compensation fraud and encouraged the use of its nationwide toll-free hotline (800) 201-3362, as well as internet resources to report suspected fraud directly to the office. The OWCA Fraud section continued working cooperatively with the Office of Unemployment Insurance Administration in both claim and tax fraud investigations. These joint efforts should result in an increase in fraud detection during the coming years. In 2013, the Fraud section performed 2,796 investigations of those individuals, self-insured entities and employers who were alleged to have violated the Louisiana Workers' Compensation Act. Twenty-four referrals for prosecution were submitted to the Attorney General's office to determine if further investigation was warranted, with 11 arrests being reported. The number of referrals for unemployment insurance fraud increased for the fifth consecutive year. There was an increase of 41 percent over referrals made in 2012. This upward trend is expected to continue.

The Records Management section responded to more than 12,611 requests for public information, with an average response time of less than three days. There were 29,851 workers' compensation reporting claim forms (forms processed by mail) reported to the section, an increase of 10 percent from the previous year. The Records Management section is a support section for the OWCA. The section

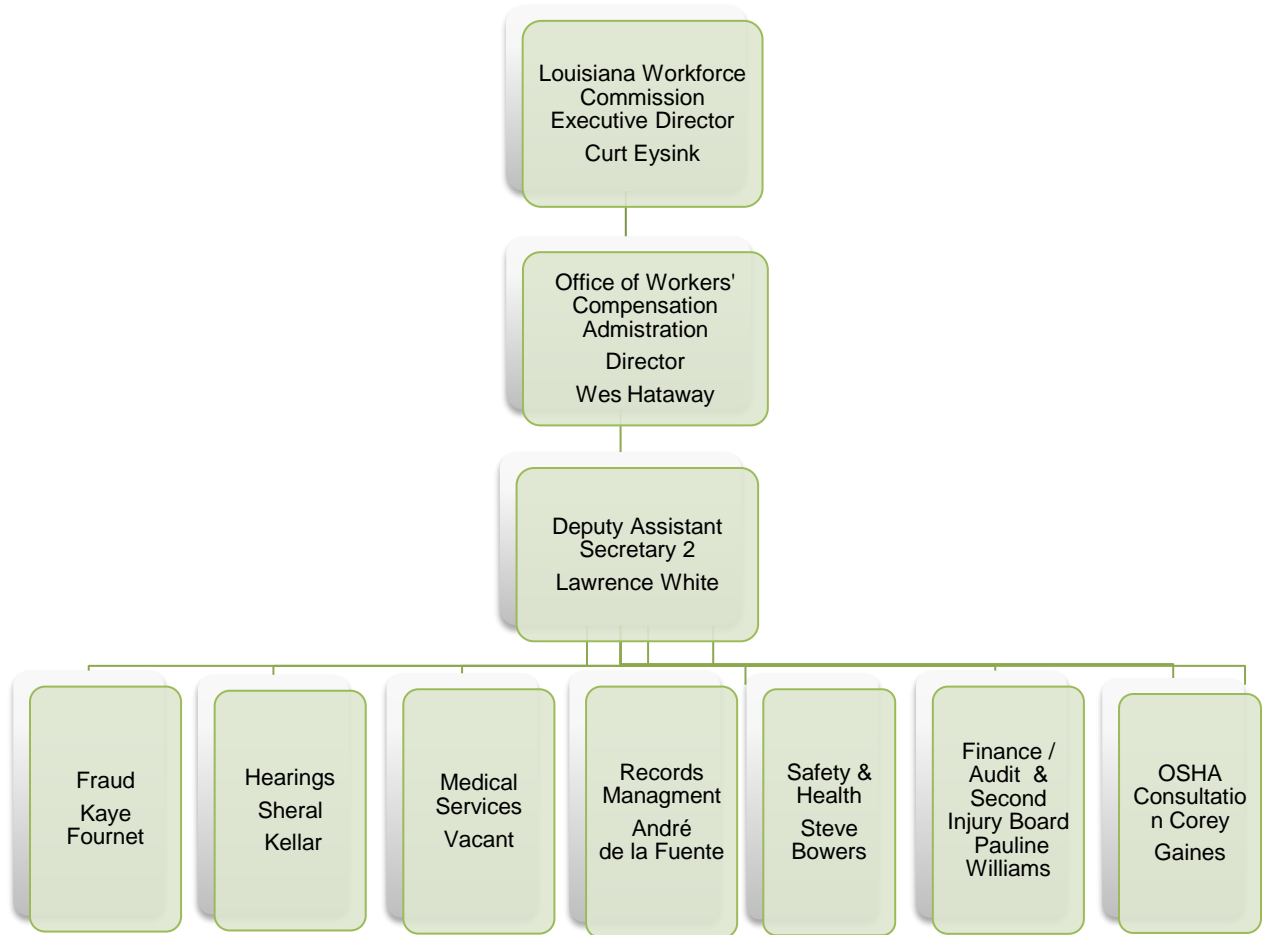
publishes the OWCA Annual Report and Quarterly Activity Reports, which highlight accomplishments of the OWCA concerning workplace fatalities, injuries and illnesses. The new LWC-WC-1002 became effective August 2013 (the last five months of 2013), which drove the 40 percent over-the-year increase in the number of hard-copy 1002s processed in 2013. Also worth noting, the Louisiana Legislature passed laws mandating trading partners (insurers, self-insured employers, and claim administrators) to submit the First Report of Injury (FROI) electronically effective Jan. 1, 2014. Testing began in 2013 at <http://lwcedi.info>. Records Management also serves as a repository for workers' compensation records and oversees the imaging of records of the office.

The Second Injury Board was able to maintain good production levels while experiencing turnover in several aspects of its operation. It is notable that two of the Board's long term Compliance Officers retired during the 2013 calendar year. The compliance section closed 200 more claims than were received during the year resulting in an 11.5percent reduction in the number of claims pending. The legal unit reduced pending litigation by 10 percent in 2013 following a 20 percent reduction in 2012. The accounting unit was successful in reducing outstanding reimbursement requests greater than six months old by 81 percent to 75 while reducing total outstanding reimbursements by 20 percent to 1552. The Second Injury Board is fully staffed and it is anticipated that with experience, the current staff will make even greater strides in production and work quality in the upcoming year.

In 2013, the Workplace Safety Section distributed thousands of quarterly safety reports. (LWC-WC-1017A) forms which help identify employers who are experiencing above-average injuries for their industry classification. This section also provided on-site facility inspections to ensure compliance with workplace safety provisions

The Louisiana On-Site OSHA Consultation is strong and will continue improving. According to the federal Bureau of Labor Statistics, there were an estimated 30,600 private industry nonfatal work-related injuries and illnesses in 2012, down from 32,500 in 2011. This also is in conjunction with a recent report of Louisiana's private industry incidence rate dropping to 2.3 in 2012 from the previous year's 2.5. That ranks Louisiana as the second safest in the nation, which makes Louisiana one of the nation's leaders in maintaining workforce safety. The Louisiana On-Site OSHA Consultation Program continues to provide a quality product in terms of overall consultation visits, effective outreach, and employee training. The increasing numbers of employees the program reaches has greatly increased and several new initiatives have been put in place. Injury and illness rates in Louisiana continue to be low and the number of fatalities in our state is decreasing.

Organizational Chart



Biographies

Curt Eysink

Curt Eysink has led the Louisiana Workforce Commission through five years of reforms that have helped make Louisiana the best state in the country to get a job or grow a business. Appointed by Gov. Bobby Jindal in 2009, Eysink has cut red tape so all agency staff help to strengthen the workforce and improve Louisiana's business climate. Through partnerships with employers, the LWC continues to gain deeper understanding of Louisiana's employment demands.

Under Eysink's leadership,

- Louisiana has become one of the top 10 states for people served by its Workforce Investment Act program
- The LWC has expanded its workforce development programs to include Louisiana Rehabilitation Services, and re-engineered the unemployment insurance system into a re-employment program
- Louisiana's Unemployment Insurance Trust Fund is now one of the five strongest in the nation
- The LWC has implemented workers' compensation medical treatment guidelines.

Previously Eysink served as director of marketing for Louisiana Health Care Review Inc., and as city editor of The Advocate newspaper in Baton Rouge. He holds a bachelor's degree in journalism from Louisiana State University in Baton Rouge.

Wes Hataway

Wes Hataway joined the LWC in February 2010, and was appointed director of the Office of Workers' Compensation Administration in February 2011. Previously, Hataway worked on the staff of the Attorney General's Office where his primary responsibilities included prosecuting workers' compensation fraud cases and providing legislative assistance. From 2004 to 2010, Hataway was in private law practice with two Baton Rouge-area firms. His main focus then was workers' compensation and insurance defense. He also has worked as an assistant district attorney in East Baton Rouge Parish. Hataway earned a bachelor's degree from Louisiana College and a law degree from LSU Law Center.

Larry White

Larry White was named to the position of Deputy Director, Office of Workers' Compensation Administration in January 2009. Previously White served as the I.T. Management Consultant for the office beginning in 1986. Prior to coming to the OWCA, he served in various capacities in the Louisiana Workforce Commission (LWC) IT department. White has a total of 46 years with the Louisiana Workforce Commission.

Office of Workers' Compensation Funding and Expenditures

The Office of Workers' Compensation Administration's (OWCA's) sole source of funding is a tax assessment paid by workers' compensation insurance carriers and self-insured. While the fund is considered to be "self-generated" and "dedicated," the OWCA's budget and expenditures are nonetheless subject to legislative oversight and approval.

All insurers and employers that pay Louisiana workers' compensation benefits submit a report annually to the OWCA, on a form provided by the OWCA, showing the amount of actual Louisiana workers' compensation benefits paid the previous calendar year. It is important to note that this assessment funds the operation of the OWCA, but it does not pay workers' compensation benefits for injured workers.

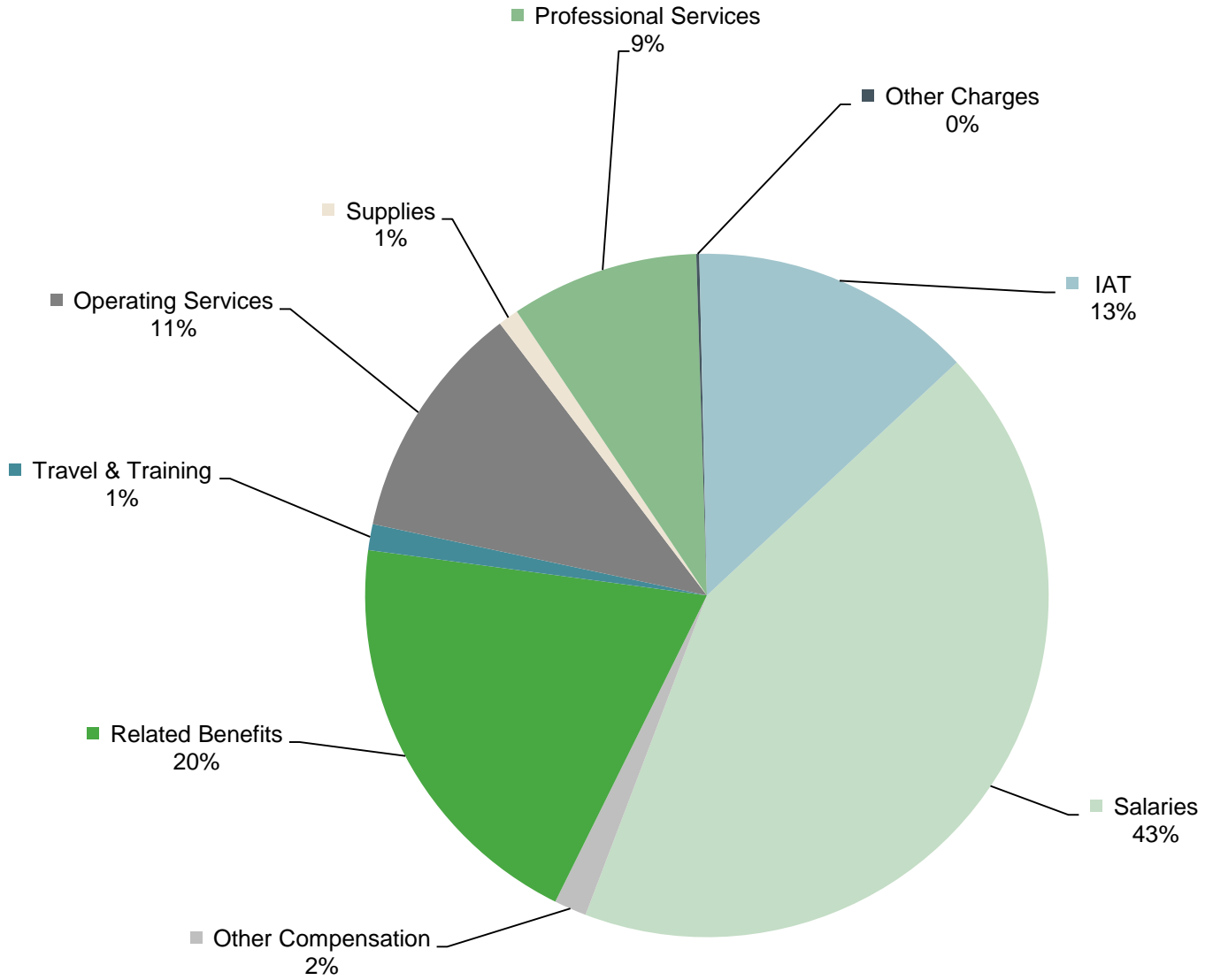
The approved budget for fiscal year (FY) 2013 was \$14,513,298, and the budget includes revenue increases, expenditure reductions and service restructuring with the intent to deliver the results the public expects. The increases in expenditures are attributed to the office maintaining administrative service levels in most areas and making significant improvements in technology. During 2013, sections within the OWCA continued to "hold the line" in the face of growing state budget deficits.

Table 1 shows that in FY 2013 Salaries accounted for 43 percent and Other Charges accounted for seven percent. Related Benefits accounted for 19 percent and the remaining 35 percent was Other Compensation, Travel and Planning, Operating Services, Supplies, Professional Services, Acquisitions and Inter Agency Transfers (IAT).

TABLE 1
Estimated Expenditures to Administer the Workers' Compensation Act Fiscal Years 2009 – 2013

Description	Fiscal Year 2009	% of Total	Fiscal Year 2010	% of Total	Fiscal Year 2011	% of Total	Fiscal Year 2012	% of Total	Fiscal Year 2013	% of Total
Salaries	\$ 5,819,214	46	\$ 6,190,146	48	\$ 6,143,302	46	\$6,172,183	43	\$6,200,538	43
Other Compensation	\$ 166,438	1	\$ 190,127	1	\$ 171,508	1	\$223,190	2	\$223,190	2
Related Benefits	\$ 1,856,783	15	\$ 2,149,376	17	\$ 2,218,945	17	\$2,735,225	19	\$2,874,351	20
Travel & Planning	\$ 103,374	1	\$ 84,405	1	\$ 109,704	1	\$198,387	1	\$178,387	1
Operating Services	\$ 1,521,870	12	\$ 1,381,096	11	\$ 1,425,573	11	\$1,639,342	12	\$1,639,062	11
Supplies	\$ 87,309	1	\$ 120,783	1	\$ 140,740	1	\$202,656	1	\$140,619	1
Professional Services	\$ 1,056,081	8	\$ 1,115,918	8	\$ 960,734	7	\$1,390,452	10	\$1,290,452	9
Other Charges	\$ 1,920,217	15	\$ 1,566,748	12	\$ 1,126,567	8	\$1,019,867	7	\$20,147	0
Acquisitions	\$ 132,169	1	\$ 68,032	1	\$ 203,463	2	\$00	0	\$00	0
IAT					\$ 885,623	6	\$721,991	5	\$1,946,552	13
Total	\$ 12,663,455	100	\$ 12,866,631	100	\$ 13,386,159	100	\$14,303,29	100	\$14,513,298	100

OWCA Expenditures for Calendar Year 2013 \$14,513,298



Administration

The Office of Workers' Compensation Administration (OWCA) is headquartered in Baton Rouge, Louisiana. Its mission is to ensure a manageable, cost effective workers' compensation system. It is led by a strong administration team that meets the day-to-day challenges with great focus on customer service and driving employment.

Sections within OWCA:

Administrative Section

Wes Hataway, Office of Workers' Compensation Director

The OWCA is headed by a director who is appointed by and serves at the pleasure of the Governor.

The telephone number for the Administrative section is (225) 342-7561. The facsimile number is (225) 342-5665. The email address for the director is whataway@lwc.la.gov.

Finance and AuditPauline Williams, Manager

The Finance and Audit section is made up of a manager, supervisor, two auditors and an administrative coordinator. The unit is responsible for evaluating and recommending approval or denial of applications to become approved self-insured employers or approved Third Party Administrators for workers compensation programs. The unit determines appropriate levels of self-insurance retention and appropriate levels of security to be posted with the OWCA. This unit also collects and maintains records to ensure that self-insured employers remain financially sound, maintain proper levels of retention and security and remain in compliance with all self-insurance requirements. The unit is responsible for recommending annual assessment rates for the OWCA Administrative assessment and the Second Injury Board assessment. Following approval of the assessment rate, Finance and Audit issues the assessment notices, posts receivables and acts on delinquent collections.

In 2013, the unit initiated a desk audit program in an effort to complete audits on companies that had not been audited regularly due to location and travel restrictions. This has proven to be a successful venture as 18 desk audits were completed for a total of \$79,094.90 in additional assessments collected. This program will be continued going forward.

Also in 2013, the process of scanning checks and using a bank lock-box was implemented for all deposits. In addition, document scanning for electronic storage has proven to be an efficient administrative change. As of 2013, 99.8 percent of all delinquent assessment payments were collected.

Contact Information

Telephone: 225-342-7866

Toll Free: 800-201-3448

Facsimile: 225-342-7578

Manager: Pauline M. Williams pwilliams2@lwc.la.govSupervisor: Jessica G. Griffis jgriffis@lwc.la.gov

Fraud Section

Kaye H. Fournet, Manager

The Fraud and Compliance Unit investigates allegations of workers' compensation fraud by any person or entity as well as monitors the compliance of employers with respect to the workers' compensation laws of the State of Louisiana.

Prohibited activities investigated by the Fraud Division include, but are not limited to:

- Any person who knowingly and willfully making a false statement or representation for the purpose of obtaining or defeating any workers' compensation benefit or payment as outlined in R.S.23:1208
- Any employer who knowingly or willfully fails to provide security for compensation required by R.S.23:1168
- Any employer who knowingly or willfully provides false information to misrepresent the fact that he has provided or provides security for workers' compensation insurance as required by R.S.23:1168
- Any person who assists, aids, or abets another to commit a violation of the workers' compensation act.

All referrals for criminal prosecution are made to the State Attorney General's office. Criminal penalties for violations of the workers' compensation statute include, but are not limited to, fines of \$500 to \$10,000 and imprisonment, with or without hard labor from one to ten years.

All records, reports and other documentation obtained during the course of investigation by the Fraud Division are held confidential and not subject to subpoena or public records requests.

The Compliance Division is responsible for monitoring Louisiana's employers for compliance with the workers' compensation act. Civil fines assessed and collected by the Compliance Division and deposited into the Workers' Compensation Administrative Fund. Any employer may appeal any penalty assessment to the workers' compensation judge.

Employers who are found to be in violation of Louisiana's compliance laws on multiple occasions may be served with a cease and desist order to prohibit operations until proof of compliance can be provided, in addition to being subject to criminal sanctions for willful violations.

The Fraud and Compliance Unit continues to offer training seminars to educate the public about the penalties for workers' compensation fraud and non-compliance, and to encourage the use of the nationwide toll-free fraud hotline (800) 201-3362 and online fraud reporting.

Contact Information

Telephone: (225) 342-7558

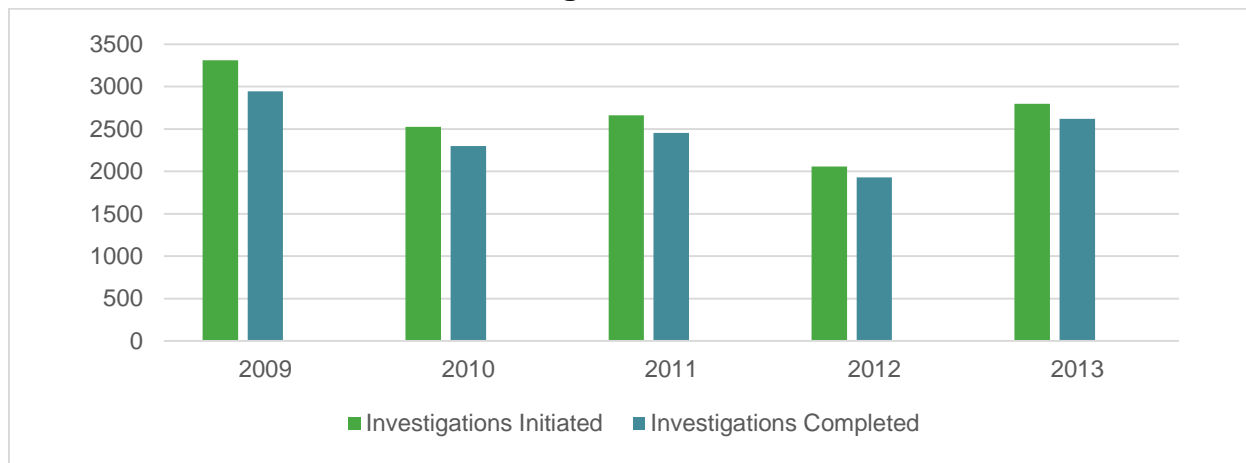
Fax: (224) 342-1880

Manager: Kaye H. Fournet, kfournet@lwc.la.gov.

Fraud and Compliance Unit

In 2013, the Fraud Division continued its efforts to combat fraud in the workers' compensation system. Continued partnerships with other state and federal agencies including the Office of Unemployment Insurance, the U.S. Department of Labor, and the Louisiana Attorney General's office resulted in an increase in the number of investigations conducted. During 2013, there were a total of 2,796 investigations opened. Of these, 2619 were closed in a timely manner.

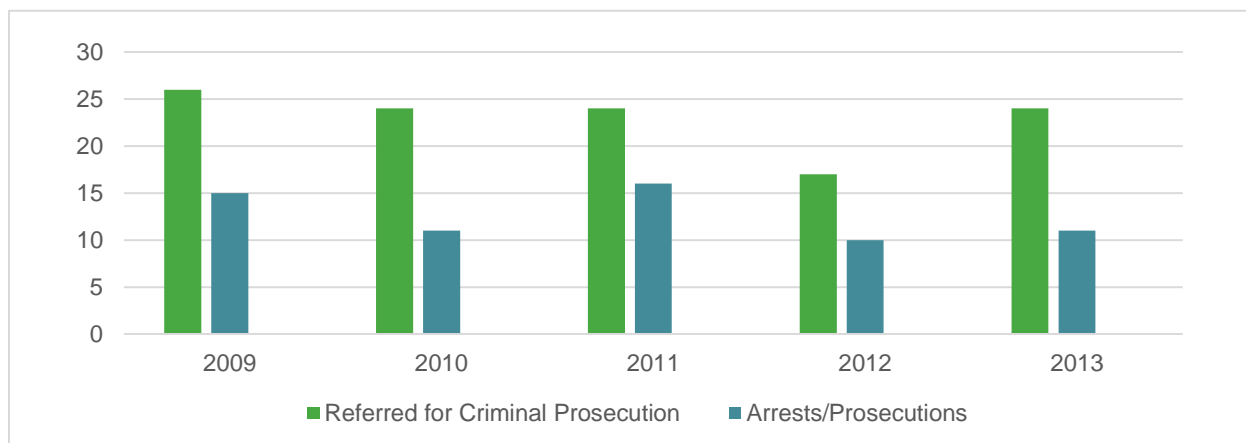
Investigations Initiated



During 2013, the Fraud Division made 24 criminal referrals to the Louisiana Attorney General's office, alleging the total amount of \$476,485.37 in suspected fraud claims.

WORKERS' COMPENSATION FRAUD CLAIMS							
Year	Investigations Initiated	Investigations Completed	Referrals for Prosecution	Arrests & Prosecutions	Referrals for U.I. Fraud	Convictions	Percent of Investigations Completed
2009	3,310	2,944	26	15	16	2	94%
2010	2,524	2,298	24	11	19	2	91%
2011	2,660	2,455	24	16	24	1	92%
2012	2,056	1,928	17	10	35	5	94%
2013	2,796	2,619	24	11	42	5	96%

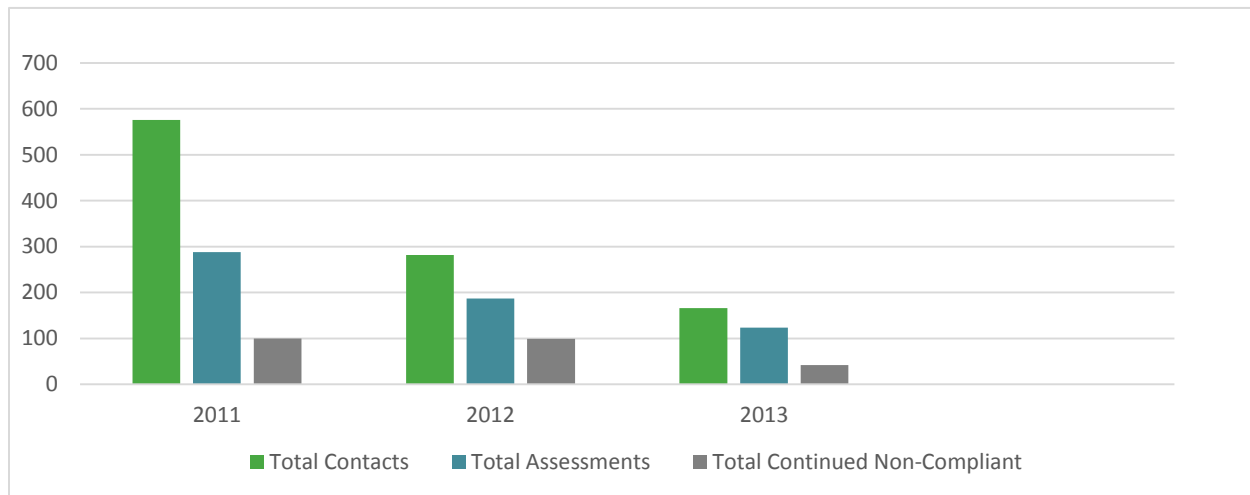
Criminal Referrals



Employer compliance continues to be of concern to the Office of Workers' Compensation. Employers who fail to provide the necessary worker' compensation insurance put their employees at risk of receiving no medical or wage loss benefits if they are injured on the job. Non-compliant employers may also have an unfair advantage over competitors by not securing coverage as required by law.

In 2013, the Compliance Division contacted 166 employers requesting proof of workers' compensation coverage. Of these contacts, 124 either provided proof that they had coverage in place or became compliant. Forty-two of these failed to provide proof to the Office of Workers' Compensation and are under continued investigation.

Employer Compliance



Hearings Section

Sheral Kellar, Workers' Compensation Chief Judge

In 2013, the Hearings section received 4,973 disputed claims for compensation, a decrease of 205 from the disputes filed in 2012. The section continues to assist parties in resolving their disputes. It does so through both adjudication and mediation. In 2013 the Hearings section conducted 2,649 trials and mediated 2,136 disputes. Additionally, 5,353 settlements were approved in 2013. In 2013, the average delay for resolving disputed claims for compensation was seven months. The Hearings Section is striving to reach a goal of 180 days, or six months for resolution of disputed claims.

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, Disputed Claim for Compensation (LWC-WC-1008), with the office. There are 10 district offices located statewide: Alexandria, Baton Rouge, Covington, Harahan, Houma, Lafayette, Lake Charles, Monroe, New Orleans, and Shreveport.

Contact Information

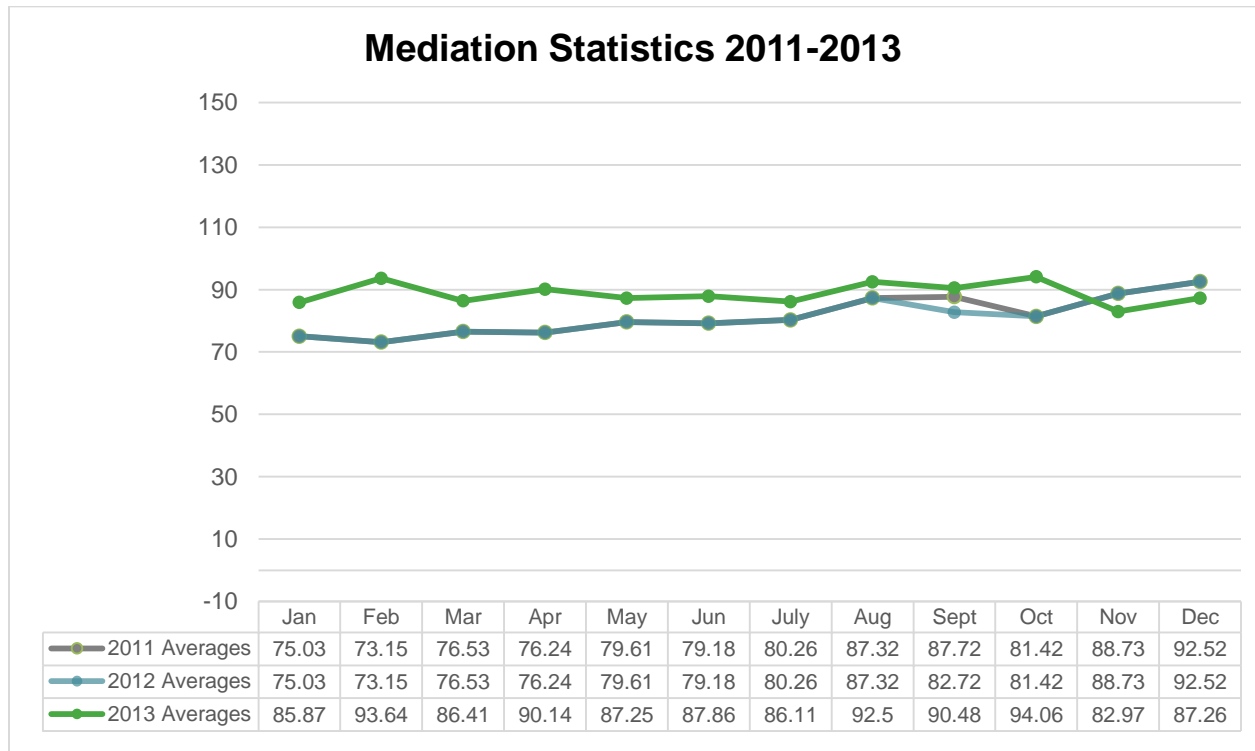
Telephone: (225) 342-7970.

Toll Free: (800) 201-2499

Fax: (225) 342-4790.

wchearings@lwc.la.gov

Mediation Statistics 2011-2013

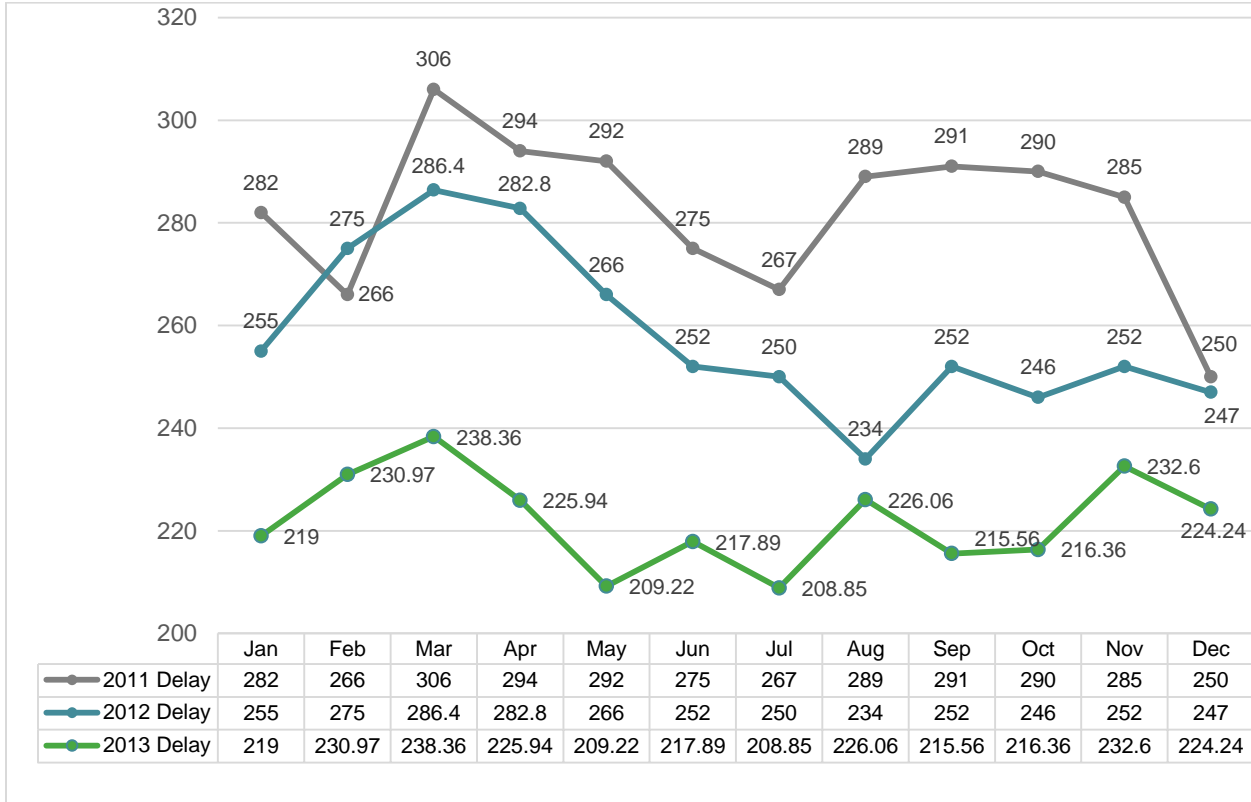


Overview of OWCA Claims and Section Activities, 2009 – 2013

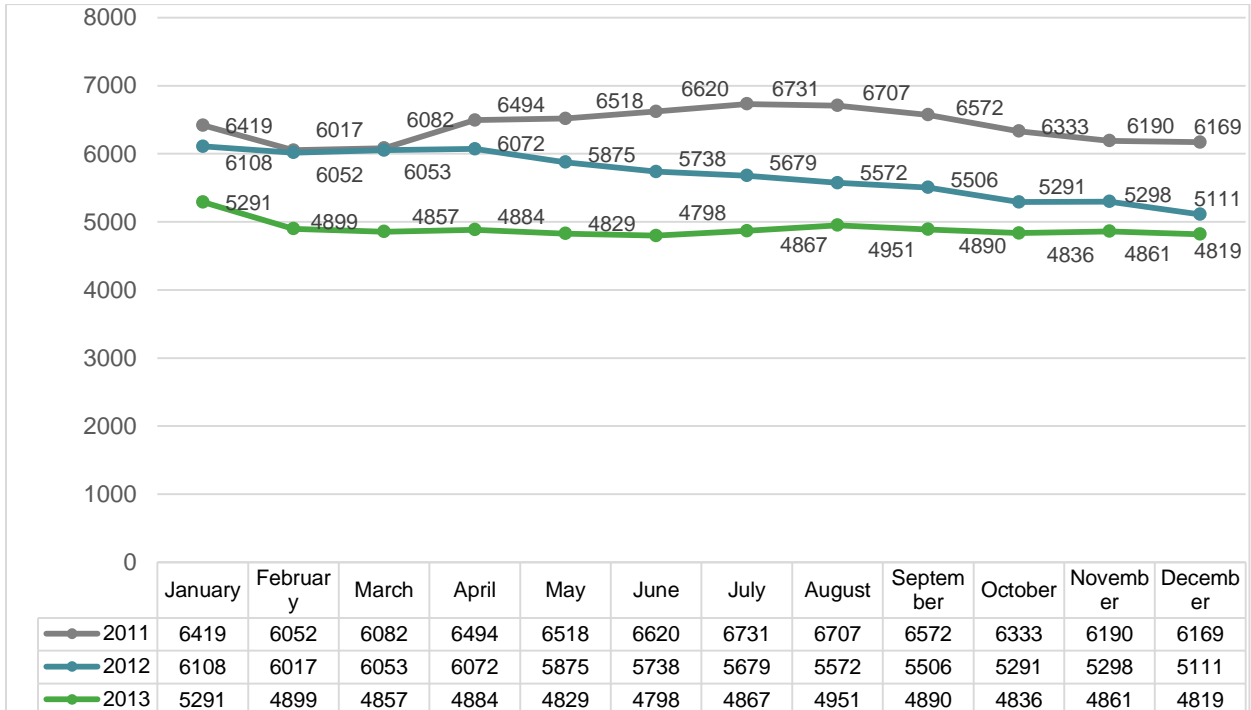
Workers' Compensation Claims

Hearings										
Year	Disputed Claims Filed	Mediation Conferences Held	Claims Resolved Prior To Trial	Trails Held	Claims Closed	Decisions Rendered	Appeals Filed	Settlements Approved		
2009	7,691	3,955	2,516	1,536	5,968	1,508	176	4,960		
2010	7,562	3,674	5,302	3,035	4,512**	3,054	192	5,007		
2011	5,045	1,980	5,122	3,081	5,457**	3,981	217	4,382		
2012	5,178	1,968	3,597	2,797	3,597	4,881	187	4,872		
2013	4,973	2,136	1,583	2,649	9,561	2,459	182	5,353		
Number of Disputed Claims Received by OWCA Offices										
Year	1W Shreveport	1E Monroe	2 Alexandria	3 Lake	4 Lafayette	5 Baton	6 Covington	7 Harahan	8 New	9 Houma
2009	845	373	795	747	961	805	739	1,045	728	524
2010	365	289	501	760	590	708	495	499	401	437
2011	457	347	359	532	1,069	625	496	538	439	408
2012	560	317	326	654	770	649	521	574	389	418
2013	635	262	294	639	575	613	501	583	424	447
Number of Mediation Conferences Held by OWCA Offices										
Year	1W Shreveport	1E Monroe	2 Alexandria	3 Lake Charles	4 Lafayette	5 Baton Rouge	6 Covington	7 Harahan	8 New Orleans	9 Houma
2009	330	236	521	380	497	406	475	457	370	283
2010	287	206	649	373	399	321	368	390	350	331
2011	235	151	406	286	241	405	146	133	212	179
2012	246	183	251	289	116	366	138	217	164	156
2013	270	156	246	312	102	358	138	160	209	185
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 Harahan	8 New Orleans	9 Houma
2009	123	69	141	144	184	123	148	148	334	122
2010	108	115	317	192	402	312	464	273	587	265
2011	221	133	158	270	427	240	563	320	473	276
2012	177	109	146	202	427	250	310	356	537	279
2013	166	125	186	218	378	216	351	292	465	252
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 Harahan	8 New Orleans	9 Houma
2009	146	61	154	97	169	149	156	154	304	118
2010	44	117	208	189	304	290	439	384	612	269
2011	221	132	171	234	342	194	384	298	205	242
2012	112	108	145	185	376	137	198	458	189	281
2013	139	109	151	148	357	133	228	362	606	226
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 Harahan	8 New Orleans	9 Houma
2009	16	15	35	16	28	3	11	14	24	14
2010	22	11	41	16	9	27	23	23	15	5
2011	10	14	18	53	29	22	25	17	15	14
2012	4	14	18	49	22	11	17	35	15	15
2013	11	10	15	62	25	15	16	8	12	8
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 Harahan	8 New Orleans	9 Houma
2009	500	336	521	377	720	828	459	461	406	399
2010	233	362	267	432	631	741	469	508	376	363
2011	317	391	244	417	706	979	527	507	357	391
2012	478	401	429	401	794	986	432	503	380	403
2013	461	381	507	424	791	1040	457	503	400	389

2011, 2012 and 2013 Average Delay for 1008's



Number of Active Disputed Claims 2011 - 2013



Medical Services SectionManager (Vacant)

The Medical Services section supports and complies with the reimbursement schedule, audits specific medical bills, schedules independent medical examinations (IMEs) and reviews files for medical necessity of treatment using the Medical Treatment Guidelines.

The Medical Services section processes any Disputed Claim for Medical Treatment, also known as the Medical Guidelines Dispute or MGD (form 1009). Once a health care provider sends a request (form 1010) for medical treatment to the insurance carrier, the carrier has five business days to respond. If a request for medical treatment is approved by the carrier, this office never sees it. However, if the 1010 is denied by the insurance carrier, or if it is a tacit denial (no response from carrier within five days), the claimant's (patient/injured worker), health care provider or claimant's attorney has the right to appeal the denial by submitting a form 1009 to the Medical Services section within 15 days of the denial via facsimile, mail or email. Once all required documentation is received in a timely manner, the appeal is electronically sent to the OWCA Medical Director, who has 30 days to reach a decision as to whether the appeal is approved or denied. The Medical Director adheres to the Medical Treatment Guidelines when arriving at a decision. If any involved parties do not agree with the Medical Director's decision regarding the 1009, they have the right to file a Disputed Claim for Compensation (form 1008) that goes to the appropriate District Office for a decision.

There is a training course online that gives detailed instructions on completing the 1010 or 1009. This course provides guidance to health care providers and medical carriers on completing the LWC–WC–1010 and LWC–WC–1009 forms. It takes approximately 30 minutes to complete the entire course: http://www.laworks.net/WorkersComp/OWC_Courses.asp

Contact Information

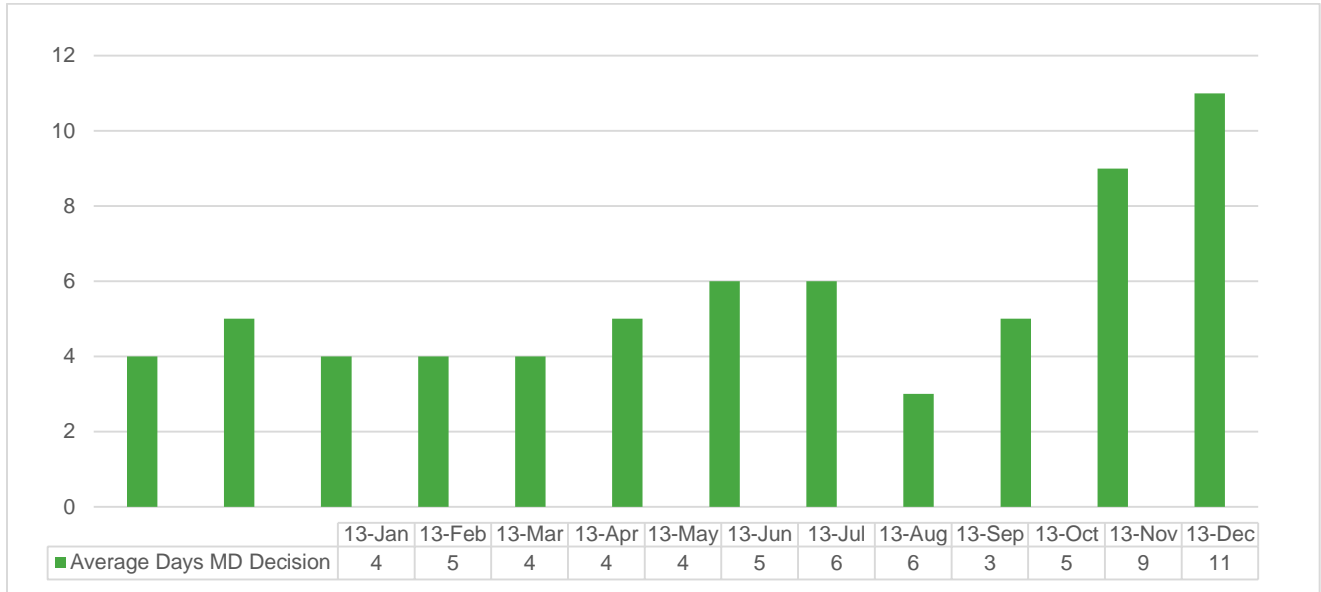
Telephone: (225) 342-7555

Toll Free: (800) 201-2494

Fax: (225) 342-9836

medicalservices@lwc.la.gov

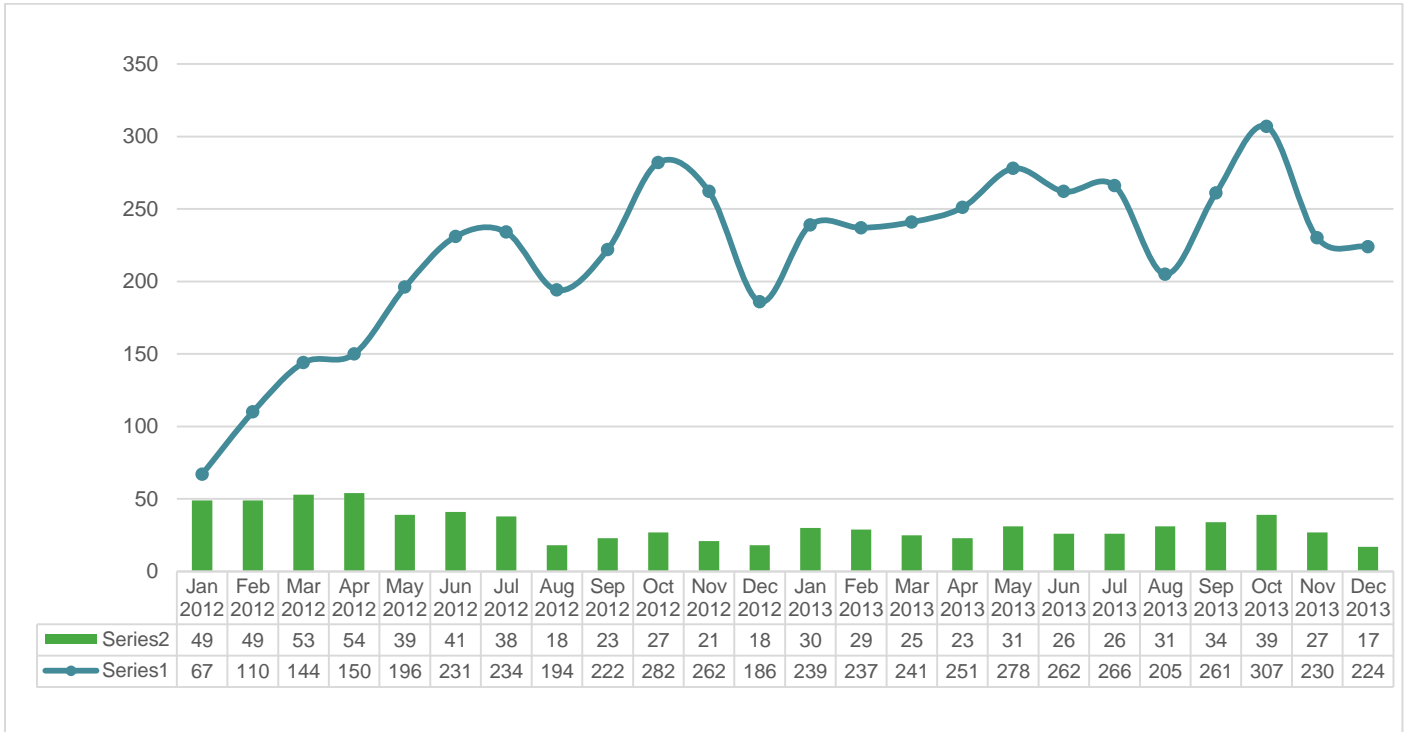
**Average Days for OWCA Medical Director to Render a Decision Regarding MGDs (1009)
January 2013 - December 2013**



LA RS 23:1203.1 subpart J states “The medical director shall render a decision as soon as is practicable, but in no event, not more than thirty calendar days from the date of filing.” However, since inception of this statute, the Medical Director has averaged 5.6 days to render a decision regarding a Medical Guidelines Dispute (MGD or form 1009).

Medical Guidelines Disputes

Medical Guidelines Disputes (MGD or 1009) and Independent Medical Examinations (IME) Comparison
January 2012- December 2013



Since the Medical Treatment Guidelines (MTG), which are adhered to in resolving the Medical Guidelines Disputes (MGD or form 1009), went into effect in July 2011, the amount of Independent Medical Exams (IMEs) has declined drastically.

Records Management SectionAndré de la Fuente, Manager

The Records Management section is a support section for the OWCA and is functionally divided into four units: the Audit and Publication Unit, the Occupational Safety and Health Unit, the Operations Unit and the Uncontested Unit.

The Audit & Publication Unit publishes the OWCA Annual Report and Quarterly Activity Reports, which highlight accomplishments of the OWCA concerning workplace fatalities, injuries and illnesses prevention and treatment (legally and medically). It also responds to requests asking whether or not an employee has been involved in a Workers' Compensation dispute and can provide copies of these public records. A total of 12,611 requests were made in 2013. Parties to a disputed Workers' Compensation case are provided copies of their non-public records. Every effort is made to respond in less than three days. The OSH Unit partners with the U.S. Department of Labor's Bureau of Labor Statistics (BLS) to provide nationally comparable, work-related fatality counts and estimates of work-related injuries and illnesses to aid in communicating where safety resources can be allocated more effectively, visit BLS at <http://www.bls.gov/iif/oshstate.htm#LA> and get more detailed Louisiana statistics at http://www.laworks.net/Downloads/Downloads_OSHS.asp.

The Operations Unit serves as a repository for workers' compensation records and oversees the imaging of records of the office. It also processes records requests from internal stakeholders such as the Hearings offices.

The Uncontested Unit processed nearly 30,000 work related injury claim forms in 2013. These forms received by mail, fax or email are an increase of 10 percent from the previous year. The Louisiana legislature passed laws mandating First Report of Injury (FROI) electronic submissions replace the hard copy Form 1007 based on the International Association of Industrial Accident Boards and Commission (IAIABC). New in 2014 and in accordance with Chapter 10, Title 23 §1306 Employer Reports (B) (1) (a), First Reports of Injury Forms are now being submitted and accepted via Electronic Data Interchange (EDI). Trading partners can enroll in mandatory electronic submission at <http://lwcedi.info>. Hard copy 1007 forms received after January 1, 2014, are returned to trading partners (insurers, self-insured employers, and claim administrators). In the future, the Notice of Payment (Form 1002) and Stop Payment (Form 1003) will be reviewed for feasibility to transition to the electronic Subsequent Report of Injury (SROI).

Contact Information

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STATISTICAL REVIEW

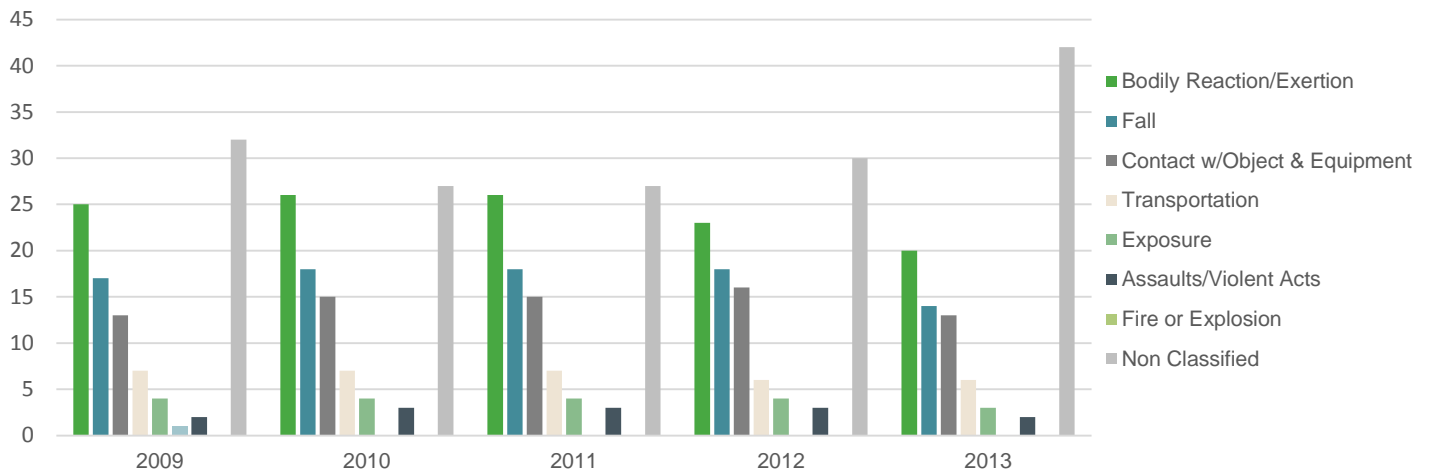
For the past five years, the OWCA has been reviewing the manner in which injuries and illness occurred in the workplace. Over a five-year period, there were 72,098 workers' compensation cases (LWC-1007), reviewed for cause of injury and illness. According to the table below for classified injuries reported in 2013, per year, Bodily Reaction/Exertion was cited as having the highest percentage of cases (20). Falls are the second most common cause of injury followed by Contact with Objects or Equipment. This year, six percent of the cases reported resulted from Transportation Accidents. Exposure and Assaults/Violent Acts had the least percentage of injuries.

Percentage of Workplace Injury by Cause, 2009 - 2013

Cause of Injury	2009	2010	2011	2012	2013
Bodily Reaction/Exertion	25	26	26	23	20
Fall	17	18	18	18	14
Contact w/Objects or Equipment	13	15	15	16	13
Transportation	7	7	7	6	6
Exposure	4	4	4	4	3
Assaults/Violent Acts	2	3	3	3	2
Fire or Explosion	0	0	0	0	0
Non Classified	32	27	27	30	42

Note: The claims reported are workplace injuries that are identified through the filings of the LWC-WC-1007 form.

Percentage of Workplace Injury by Cause, 2009 - 2013



Workplace Fatalities

Each year, a small number of workplace fatalities result in the tragic death of workers. The number of workplace fatalities reported in 2013 decreased by 40 percent from 2009. The number of workplace fatalities was calculated by using data from the LWC-WC-1007 form.

The information represents workplace fatalities in instances that were reported where:

- Death occurred while on the employer's premises and is work-related
- Death occurred off the employer's premises and is work-related

Workplace Fatality Reported Claims, 2009 - 2013

Year	Number of Fatalities	Percentage of Change from Prior Year
2009	62	-7%
2010	56	-10%
2011	47	-16%
2012	47	0%
2013	37	-21%

Workplace Fatality Reported Claims, 2009 - 2013



Records Management

Year	Printed Forms	Records Requests
2009	29,716	10,150
2010	28,178	18,423
2011	29,567	19,169
2012	27,229	14,444
2013	29,851	12,611

Cause of Workplace Fatalities

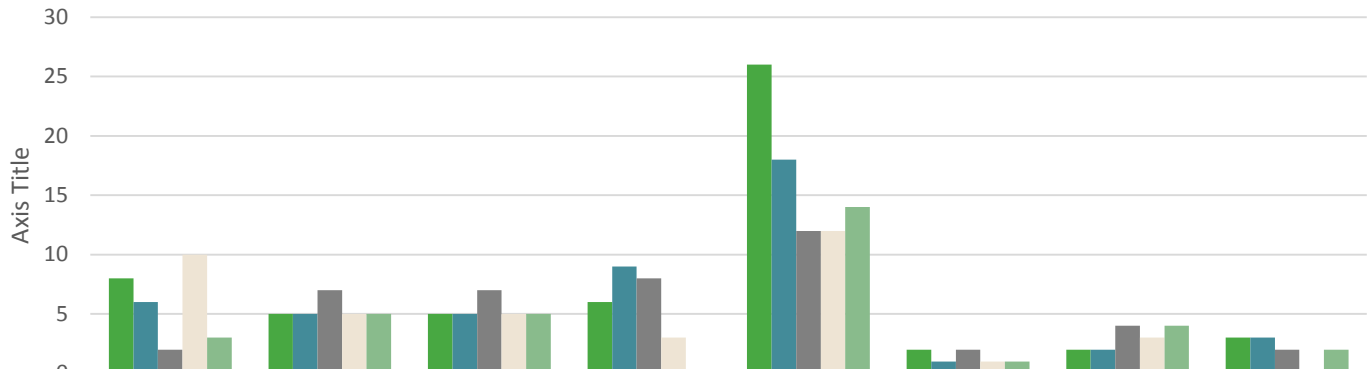
The table below represents the cause of workplace fatalities over a five-year period. Transportation accidents registered the highest claim rate which was 33 percent of the claims. More than 50 percent of all transportation accidents were caused by motor vehicles. Over a five-year period motor vehicle accidents accounted for an average of 82 cases, aircraft crashes accounted for an average of 20 cases, water accidents accounted for an average of two cases, and railway accidents accounted for an average of two cases. Bodily Reaction and Exertion, a non-impact injury primarily associated with lifting and body motions, which causes stress or strain to some part of the body, amounted to 21 percent of the claims. Heart attacks, which are bodily reaction and exertion, accounted for 40 of the 53 claims.

Cause of Workplace Fatalities, 2009 – 2013

Year	Contact With Object & Equipment	Falls	Bodily Reaction & Exertion	Exposure to Harmful Substances or Environment	Transportation Accidents	Fires & Explosions	Assaults & Violent Acts	Non Classifiable	Total
2009	8	5	10	6	26	2	2	3	62
2010	6	5	12	9	18	1	2	3	56
2011	2	7	10	8	12	2	4	2	47
2012	10	5	13	3	12	1	3	0	47
2013	3	5	8	0	14	1	4	2	37
Total	29	27	53	26	82	7	15	10	249

Note: The claims reported are workplace fatalities that are identified through the filings of the LWC-WC-1007 form. Data has been revised for all years as additional 1007s are processed or duplicates eliminated.

Cause of Workplace Fatalities, 2009-2013



	Contact with Object & Equipment	Falls	Bodily Reaction & Exertion	Exposure to Harmful Substances/Environments	Transportation Accidents	Fires & Explosions	Assults & Violent Acts	Non Classifiable
■ 2009	8	5	5	6	26	2	2	3
■ 2010	6	5	5	9	18	1	2	3
■ 2011	2	7	7	8	12	2	4	2
■ 2012	10	5	5	3	12	1	3	0
■ 2013	3	5	5	0	14	1	4	2

Second Injury Board SectionPauline Williams, Director

The Second Injury Board (SIB) section is made up of a manager, supervisor, three Compliance Officers, three Accounting Specialists, three Administrative Assistants and three Attorneys.

The Second Injury Board is an employer/insurer funded program, whose purpose is to encourage the employment of individuals with pre-existing permanent partial disabilities that are a hindrance or obstacle to obtaining employment. The SIB promotes the hiring of these individuals by protecting employers from excess liability for workers' compensation costs resulting from a job injury when statutory requirements are met. The SIB reimburses employers or their insurers for excess benefits paid to these employees on claims meeting those requirements. The SIB makes electronic fund transfer (EFT) options available to employers or their insurers for the payment of reimbursements.

The Second Injury Board annual assessment rate for 2013 was 5.75 percent for a total assessment of \$49,090,123.

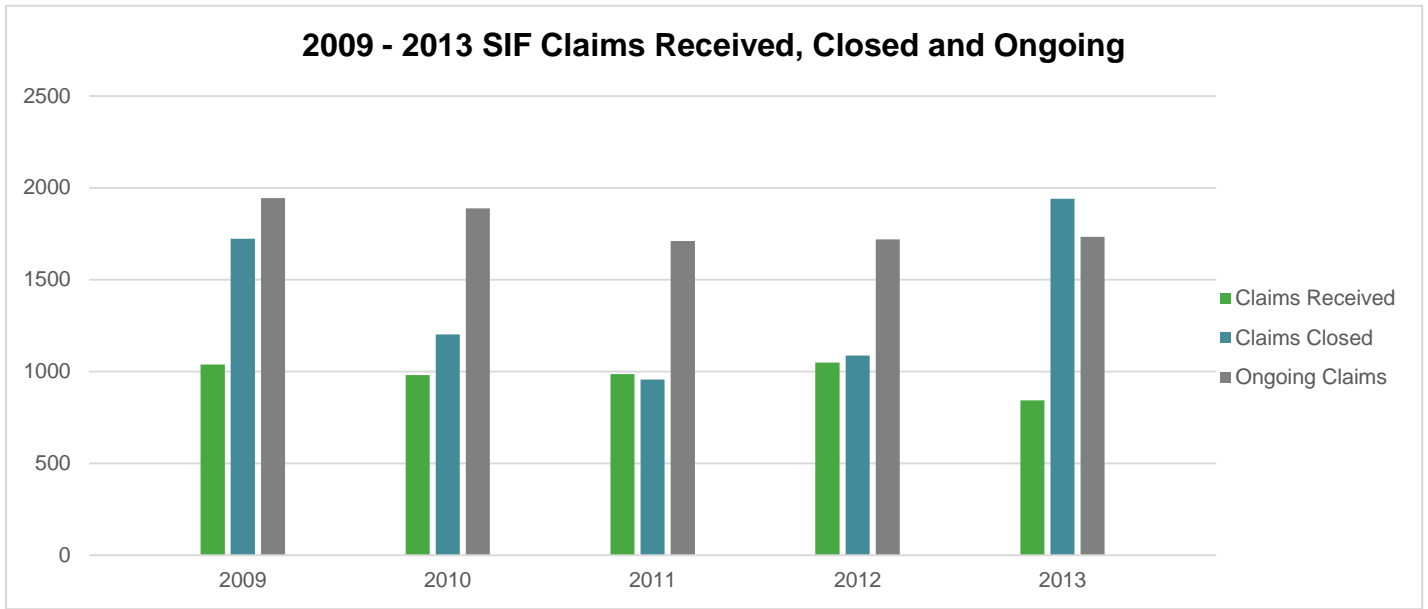
In 2013 the Compliance Section maintained high performance levels despite the retirement of two long-term compliance officers. In fact, the section achieved an 11.5 percent reduction in pending claims from the prior year.

The legal unit also reduced pending litigation by 10 percent in 2013, following a 20 percent reduction in 2012.

The accounting unit worked diligently to reduce outstanding reimbursement requests by a total of 20 percent overall. The most significant decrease occurred in requests over six-months old which experienced an 81 percent reduction in 2013.

Contact Information

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Supervisor: Danielle "Michelle" Sumrall dsumrall@lwc.la.gov



Second Injury Board

Year	Claims Received	Claims Closed	Decisions Rendered	Claims Pending	Ongoing Claims	Assessment Actual	Reimbursement	Total Administrative Costs
2009	1,037	1,722	1,351	3,208	1,944	\$44,573,893	\$38,419,534	\$1,049,408
2010	981	1,201	1,035	3,281	1,888	\$45,754,077	\$43,690,296	\$1,085,819
2011	985	955	977	3,189	1,710	\$47,234,806	\$49,605,570	\$1,250,631
2012	1,049	1,086	1,022	3,298	1,719	\$46,906,356	\$37,755,535	\$816,394
2013	842	1,941	1,054	2,903	1,732	\$49,085,256	\$32,394,616	\$939,927

Workplace Safety Section

Steve Bowers, Manager – Safety & Health

Corey S. Gaines, Manager – OSHA Consultation

The Workplace Safety section is responsible for distribution and processing of quarterly reports ([LWC-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. The unit processed 8,594 1017A forms in 2013. In addition, the section provides on-site facility inspections to identify hazards and assess written program elements to ensure compliance with workplace safety provisions. The Louisiana Workplace Safety Program's objective is to continuously improve the efficiency, quality and effectiveness of service to Louisiana employers and employees. To this end, the Louisiana Workplace Safety Section completed 662 on-site visits in 2013. Additionally, the section provided telephone assistance to 1,489 employers during this period. This section also oversees the Office of Risk Management's Loss Prevention Program as it applies to the Louisiana Workforce Commission. To accomplish this, the unit works closely with 60 Safety Coordinators located at each of our offices throughout the state.

The Louisiana OSHA Consultation Program

The Louisiana OSHA Consultation Program, which entered the 21(d) consultative program in 1987, is a unit of the Office of Workers' Compensation Administration of the Louisiana Workforce Commission located at 1001 North 23rd Street, Baton Rouge, Louisiana, 70802. The Project Manager is Corey S. Gaines, who can be reached at 800-201-2495 or e-mail to cgaines2@lwc.la.gov.

The Louisiana OSHA Consultation Program shares LWC's current vision, mission and values: The Louisiana Workforce Commission will be an indispensable provider of workforce solutions. Louisiana On-Site OSHA Consultation services are provided through facility on-site consultative visits upon the request of Louisiana employers, with special emphasis being given to employers listed as high-hazard industries based on their occupational exposure and illness and injury experiences. Decreases in Louisiana industry workers' compensation premiums, as mandated by the Workers' Compensation Cost Containment Act (Cost Containment Program), LSA R.S.23: 1175 et seq., as amended by Act 1992, No. 794, are promoted by on-site annual training. Employer facility exemptions from programmed Federal OSHA Compliance inspections are considered under the National Safety and Health Achievement Recognition Program (SHARP). Additional training and education are supplied to employers through outreach programs, participation in employer/employee organizations and employer/employee association seminars, safety and health program packages, promotional materials and LWC's web page, laworks.net.

The program completed 565 total safety and health audits in 2013, an increase of 201 audits over the number completed in 2012. The program focused on the construction and manufacturing industries. Statewide training was conducted for several residential construction contractor associations throughout the state. While the program focused on fall protection, the program also concentrated on information to create a culture of safety to the members. Feedback from the trainings indicates that they were informative and helped improve overall safety and health management systems.

In 2012, the national average for incidence rates for construction was 3.7 per 100 full-time workers. However, the average for incidence rates in construction in Louisiana was only 1.8 per 100 full-time workers. The national average in incidence rates for manufacturing was 4.3 per 100 full-time workers. During the same time, the average rates in Louisiana were only 2.6 per 100 full-time employees. The workplace fatal injuries for the construction industry were 23 with an increase of only one fatality more than the previous year. Also, the workplace fatal injuries for the manufacturing industry were nine,

which is a decrease of 2 compared to 11 in 2011. The overall fatality rate in Louisiana has decreased from 111 in 2011 to 106 in 2012. This decrease is testament that the program is headed in the right direction.

The National Council on Compensation Insurance (NCCI) recently recommended that Louisiana cut workers' compensation rates by 5 percent because of fewer workplace claims, among other factors. The NCCI recommended additional cuts in manufacturing by 7 percent, contracting by 5 percent, office and clerical by 6 percent and miscellaneous industry groups by about 3 percent. NCCI also reported in a separate medical study that from 2010 to 2011, Louisiana employees saved an average of \$2,000 per case in overall workers' compensation medical coverage, making it the first annual decrease in the last 10 years that the association has been tracking costs. On Dec 27, 2013, the Louisiana State Insurance Commissioner approved a 5.1 percent decrease in workers' compensation loss cost submitted by NCCI. The Commissioner cited improved safety led fewer workplace injuries across most employment classes. The 2014 loss cost reduction marks a cumulative drop of 35 percent since 2004. The most recent reduction in workers' compensation loss cost was 4.3 percent in 2010. Prior loss reductions include a 17.4 percent decrease in 2009, an 8.6 percent reduction in 2008 and a 15.8 percent reduction in 2007. During 2013, the program began several exciting new outreach programs as well. These programs are:

Workplace Safety Taskforce

The program helped to develop a committee called the Workplace Safety Task Force. This Task Force brings together business leaders, academics, legislators and lay workers to study trends and data to better identify dangerous work practices and to recommend ways to reduce injuries and fatalities in the workplace. The Task Force focuses on prevention and proper response to workplace accidents. The group meets once every other month at various locations.

One of its most notable accomplishments was securing funding for a study of fatality rates in the transportation industry in Louisiana. The study will identify the habits and mythology of higher safety performing companies and lower safety performing companies to develop a road map for lower performers to follow that will lead to fewer fatalities and increased training. Thus, the lower performing companies will in time, become higher performers, and the state will see a decrease in transportation incidents and fatalities. Currently, transportation-related fatalities out number every other industry in Louisiana.

Outreach

The Workplace Safety Section has increased outreach efforts throughout the state. As a result, the program more than doubled the number of first-time clients. Last year, the program was directed to expand its services to become more diverse. In response, the number of interventions visits in fiscal year 2013 more than tripled. Outreach efforts concentrated on less-populated areas of the state and targeted those facilities that may have otherwise gone unnoticed. In addition, the program created an aggressive email campaign to assist in its efforts. The program saw an increase in visits, and the number of partnerships and first time clients increased tremendously. Additional activities include joint outreach efforts such as the Logging Partnership, Residential Construction and all National Emphasis Program and Local Emphasis Program.

The logging partnership is ongoing, and relationships are strengthening between the logging industry and government. This office actively participates in the quarterly training provided to loggers by the Louisiana Forestry Association and Louisiana Logger's Association.

The LAWorks Safe Award

The LAWorks Safe Award provides recognition and support to businesses of any size that implement and operate an exemplary safety and health management system. To participate in the LAWorks Safe Award, an employer must first request a consultation visit by the Louisiana Workforce's safety and health unit. Each business must involve its employees in the consultation process, correct any hazards, implement and maintain a safety and health management system that address OSHA guidelines, lower and maintain a lost workday injury and illness rate below the national average and agree to notify Workplace Safety before making any changes in working conditions or introducing new processes into their workplace. Following approval, a formal letter of commendation and certificate is provided recognizing management and labor's efforts in implementing and maintaining an effective injury and illness prevention program.

Youth Initiative

The purpose of the youth initiative is to instill in our future and emerging workforce knowledge that "youth" does not mean invincible, and that safe work practice is a mandatory ingredient in a successful career choice. In FY2012, the youth initiative reached nearly 500 students. This year, the program reached more than 1,700 students. The list of participating schools and other youth partners are steadily increasing. The program has received positive feedback from teachers and students who have benefited from the program.

Cultivating Safety

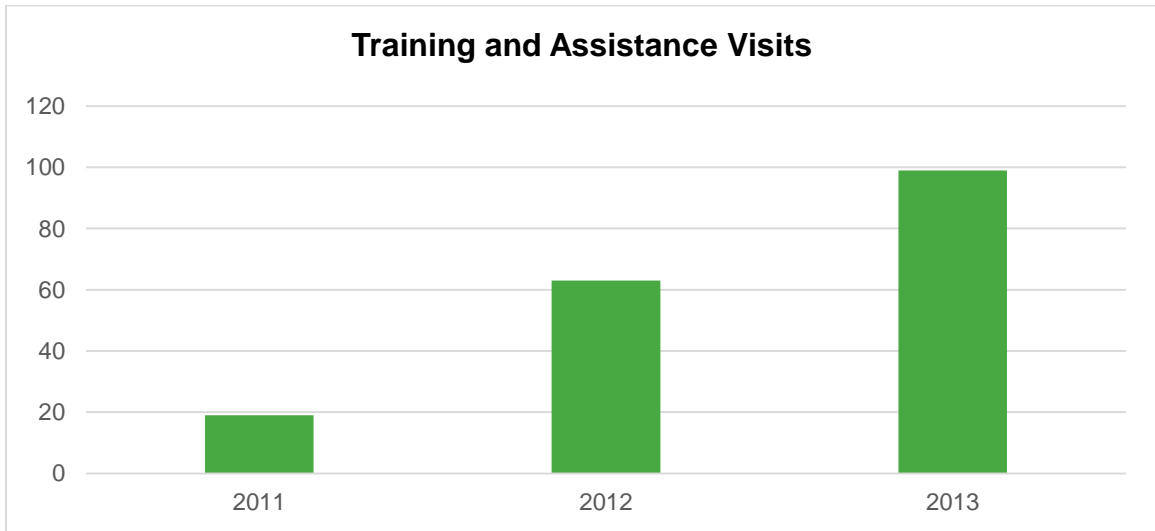
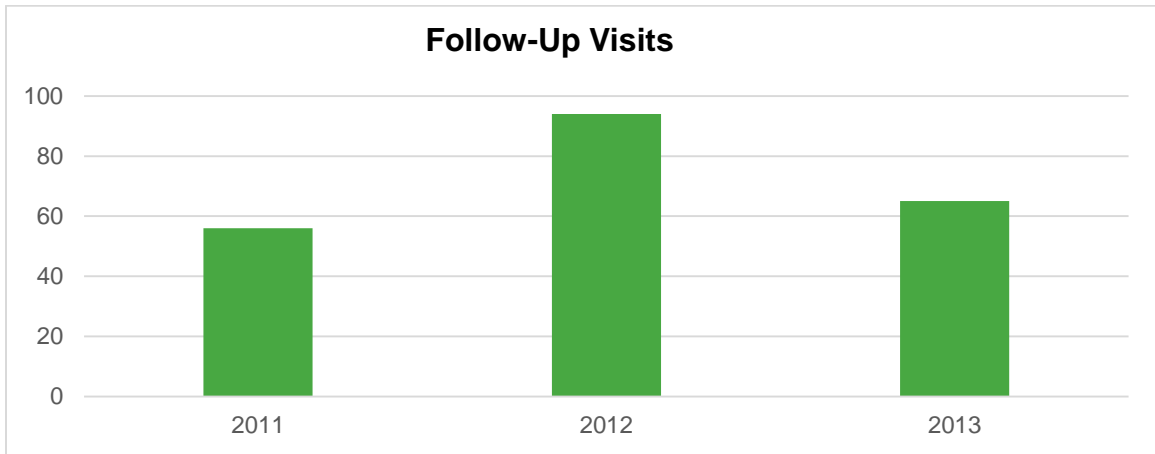
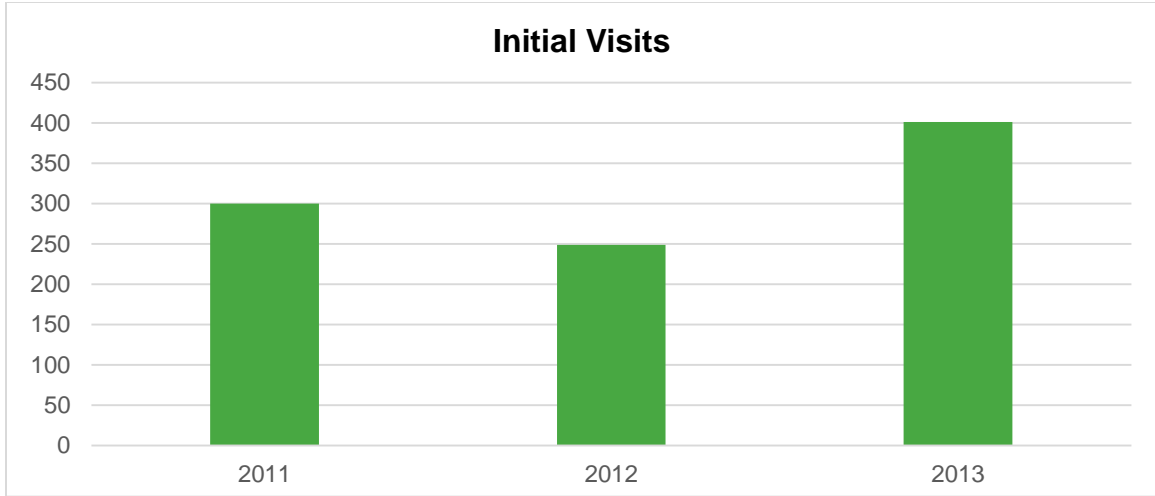
This initiative focuses on providing resource information to the Louisiana's pesticide, fertilizer and other agriculture chemical manufacturing industry. This initiative provides assistance to manufacturers to identify deficiencies in their safety and health management systems. A pair of explosions in the fertilizer industry in 2013 underscores this program's importance.

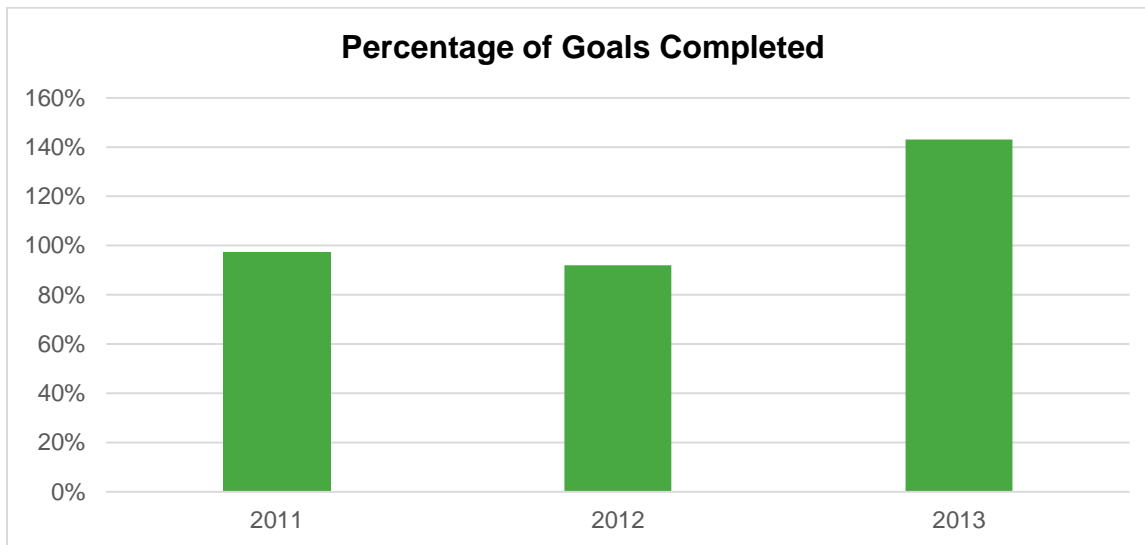
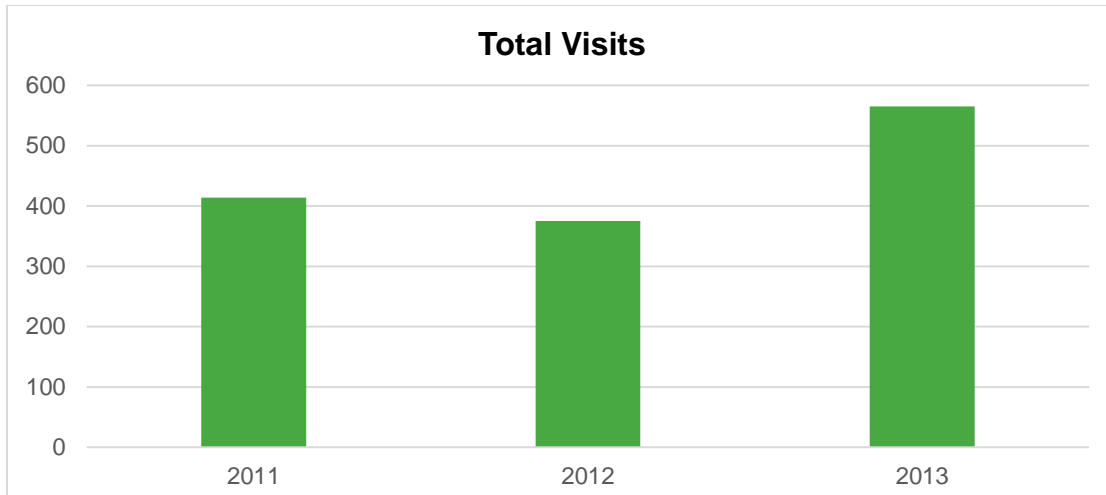
Project 13

Project 13 is a new program to help honor fallen workers in a more personal way. The program plans to recognize fallen workers in an effort to increase safety awareness and draw constructive attention to fatal workplace accidents. This will be done through letters and other methods of sympathy and expressions to fallen workers' families.

According to the federal Bureau of Labor Statistics, there were an estimated 30,600 private industry nonfatal work-related injuries and illnesses in 2012, down from 32,500 in 2011. This is in conjunction with a recent report of Louisiana's private industry incidence rate dropping to 2.3 in 2012 from 2.5 the previous year, second in the nation, and making Louisiana one of the nation's leaders in maintaining workforce safety. The Louisiana On-site Consultation Program continues to provide valuable service in terms of overall consultation visits, effective outreach and employee training. The number of employees the program reaches has greatly increased and several new initiatives have been put in place. Injury and illness rates in Louisiana remain low, and the number of fatalities in the state is decreasing. The Program is strong and will continue improving.

The telephone numbers for the Workplace Safety and Consultation section are (800) 201-2495 or (225) 342-9601. The facsimile number is (225) 342-5158. The email address for the section is workplacesafety@lwc.la.gov





Workplace Safety

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	Requests Received for Services
2009	14,293	1,485	38	1,277	472	1,679	267
2010	15,075	1,127	92	1,035	1,004	1,104	189
2011	14,425	1,131*	65	1,309	1,010	449	409
2012	13,771	1,045*	66	1,460	1,359	367	261
2013	12,083	1,227	68	1,373	345	296	396

Workers' Compensation Councils

Workers' Compensation Advisory Council

Wes Hataway, Chairman

The Louisiana Workforce Commission's website, www.laworks.net, displays the Workers' Compensation Advisory Council web page, which includes a listing of past scheduled meetings and locations.

Visit the Louisiana Legislative Website for further information:

<http://www.legis.la.gov/legis/BoardMembers.aspx?boardId=820>

Workers' Compensation Medical Advisory Council

The Medical Advisory Council reviews current guidelines and provides recommendations for a medical treatment schedule to guide treatment for workplace illnesses and injuries. It is made up of at least one orthopedic surgeon, neurosurgeon, neurologist, interventional pain management physician, family practice physician, physical and occupational therapists, psychologist and psychiatrists and a representative from the Chiropractic Association of Louisiana. Members of the council are appointed to two-year terms by the director of the state workers' compensation office.

The Louisiana Workforce Commission's website, www.laworks.net, displays the Workers' Compensation Medical Council's scheduled meetings and locations.

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: Heather Aymami
9234 Linwood
Shreveport, Louisiana 71106-7001
Telephone: (318) 676-5331
Telephone: (800) 209-7173
Fax: (318) 676-5332

District 1e

Office of Workers' Compensation
Dispute Resolution Specialist: Camelia Antie
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Monroe, Louisiana 71301-5730
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Telephone: (800) 209-7321
Fax: (318) 362-3083

District 2

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District 3

Office of Workers' Compensation
Dispute Resolution Specialist: Deborah Garriet
120 W. Pujo Street, Suite 200
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Telephone: (888) 768-8745
Fax: (337) 491-2808

District 4

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Telephone: (800) 209-7174
Fax: (337) 262-1106

District 5

Office of Workers' Compensation
Dispute Resolution Specialist:
224 Florida Boulevard, Suite 100
Baton Rouge, Louisiana 70801-1719
Telephone: (225) 219-4378
Telephone: (800) 209-7175
Fax: (225) 219-4377

District 6

Office of Workers' Compensation
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Telephone: (888) 575-6149
Fax: (985) 871-1264

District 7

Office of Workers' Compensation
Dispute Resolution Specialist: Sloane Sullen
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Harahan, Louisiana 70123-3333
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Fax: (504) 736-8608

District 8

Office of Workers' Compensation
Dispute Resolution Specialist: Christine Melford
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Fax: (504) 568-8706

District 9

Office of Workers' Compensation
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Telephone: (800) 262-1497 Fax: (985) 857-3781

