

The background of the entire page is a silhouette of a construction worker standing on a platform, pointing towards the right. A large crane is positioned behind the worker, extending upwards. The sky is a mix of blue and orange, suggesting a sunset or sunrise. A dark blue curved shape is at the top left, and an orange shape is at the top right. A semi-transparent dark blue horizontal band is across the middle of the page.

# Pennsylvania Workers' Compensation and Workplace Safety

## 2013 Annual Report

TOM CORBETT, GOVERNOR ■ JULIA K. HEARTHWAY, SECRETARY



This is a publication of the  
PA Department of Labor & Industry,  
Bureau of Workers' Compensation.

Questions or comments regarding this report  
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Chairman, Workers' Compensation Appeal Board ..... Alfonso Fioni  
Statistician ..... Peter J. Phelan



*Auxiliary aids and services are available upon request to individuals with disabilities.  
Equal Opportunity Employer/Program*

## MESSAGE FROM

**Julia K. Hearthway**

SECRETARY



The Pennsylvania Workers' Compensation Act was enacted in 1915 to protect workers and employers from the potentially devastating consequences of work injuries. Today, nearly 100 years later, the Department of Labor & Industry's Bureau of Workers' Compensation and Office of Adjudication carry out the provisions of the act with superior service, innovation and excellence. This report expands on our 2013 accomplishments, as well as our goals for further improvement.

A primary aim of the workers' compensation system is to reduce workplace injuries. In this effort, as of 2013, more than 10,500 employers have developed state-certified workplace safety committees that represent 1.4 million employees in Pennsylvania, nearly a quarter of all Pennsylvania employees. These employers are entitled to workers' compensation insurance premium discounts, which have totaled more than \$500 million to date. We look forward to helping Pennsylvania companies become safer workplaces by establishing many more workplace safety committees in the coming years.

The Uninsured Employers Guaranty Fund (UEGF) has increased its efforts to secure critical funding by providing statistical and financial analysis in support of future UEGF reforms. The UEGF has also improved its accounting to maintain proper control of criminal and civil recoveries. The fund manages more than 400 active claims in litigation and provides information to the BWC's Compliance and Legal Divisions to support criminal prosecutions and liens.

In 2013, the Pennsylvania Training for Health & Safety resource (PATHS) conducted 262 training sessions for more than 13,100 Pennsylvania employees and has more than 106 safety training topics available for employers. These trainings are aimed at reducing business costs in Pennsylvania. Defensive driving classroom training was provided to more than 1,900 attendees who regularly operate vehicles throughout their workday.

These efforts illustrate the Bureau of Workers' Compensation's commitment to improving workplace safety and keeping costs low for employers. Our achievements mean that more money can be reinvested in Pennsylvania's workforce. As our economy grows, our future depends on how well we protect workers' health, safety and ability to earn.

Sincerely,

A handwritten signature in black ink that reads "Julia K. Hearthway". The signature is fluid and cursive, with a long, sweeping tail on the final letter.

Julia K. Hearthway

## MESSAGE FROM

**Eugene C. Connell**

DEPUTY SECRETARY FOR COMPENSATION AND INSURANCE



In 2013, the Pennsylvania Bureau of Workers' Compensation, the Workers' Compensation Office of Adjudication and the Workers' Compensation Appeal Board worked to provide superior customer service and to upgrade and improve the workers' compensation system. The 2013 annual report outlines achievements workers' compensation accomplished throughout the year.

WCAIS, The Workers' Compensation Automation and Integration System, was fully implemented in 2013, creating a single online information system that provides 24/7 self-service online claims filing, tracking, management and communication. With WCAIS, Pennsylvania is leading the way in customer service as the first jurisdiction in the country to introduce a workers' compensation system that provides web-based integration across the three workers' compensation program areas, coupled with quick, accurate and efficient electronic filing of claims transactions through Electronic Data Interchange (EDI).

The old computer systems were antiquated, costly to maintain and primarily paper-based, resulting in copying and mailing costs, time lost in sharing information between the three program areas, slower claims processing and a heavy drain on personnel time in responding to claim inquiries.

As training and outreach efforts to the external workers' compensation community continue, the community is discovering WCAIS to be a powerful and valuable tool: users can file and track claims, petitions, appeals, forms and correspondence online, with a common case file shared between public users and staff. The result is greater transparency and communication, faster claims processing and adjudication, fewer staff hours and less paperwork.

WCAIS is an innovation in customer service: it saves time and money and is estimated to have replaced more than 205,500 paper forms, a 32 percent reduction.

I congratulate and thank everyone who has helped the Bureau of Workers' Compensation, Workers' Compensation Office of Adjudication and the Workers' Compensation Appeal Board provide excellent customer service. We all remain committed to improving safety for all Pennsylvania employees and employers, reducing costs and ensuring an efficient and fair workers' compensation system in the years to come.

Sincerely,

A handwritten signature in black ink that reads 'Eugene C. Connell'. The signature is written in a cursive style with a large initial 'E' and a long, sweeping tail.

Eugene C. Connell

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# Overview of the PA Workers' Compensation Program



## Director, Bureau of Workers' Compensation

Stephen J. Fireoved

### A Brief History of Pennsylvania Workers' Compensation Law

In 1915, the Pennsylvania Legislature enacted the Pennsylvania Workmen's (Workers') Compensation Act (act). The statute charges the Department of Labor & Industry (department) and the Bureau of Workers' Compensation (bureau) with carrying out the administrative and appeal obligations defined in the act and specifies compensation for employees who are injured as a result of employment without regard to fault. Amendments eventually merged the compensation for injuries and occupational diseases into this act. The statute defines the benefits available to Pennsylvania workers, the conditions under which benefits are available and the procedures for obtaining them.

The workers' compensation system protects employees and employers. Employees receive medical treatment and are compensated for lost wages associated with work-related injuries and disease, and employers provide for the cost of such coverage while being protected from direct lawsuits by employees.

Workers' compensation coverage is mandatory for most employers under Pennsylvania law. Employers who do not have workers' compensation coverage may be subject to lawsuits by employees and to criminal prosecution by the commonwealth.

Some employers are exempted from workers' compensation coverage. Exemptions include: people covered under other workers' compensation acts, such as railroad workers, longshoremen and federal employees; domestic servants (coverage is optional); agricultural workers who work fewer than 30 days or earn less than \$1,200 in a calendar year from one employer; and employees who have requested, and been granted, exemption due to religious beliefs or their executive status in certain corporations.

In Pennsylvania, employers can obtain workers' compensation insurance through a licensed insurance carrier or the State Workers' Insurance

Fund. In addition, employers can apply to the bureau to seek approval to self-insure their liability. Self-insurance is granted by the bureau based on criteria established by the act and the department.

Employees are covered for the entire period of their employment. Therefore, coverage begins the first day on the job. Injuries or diseases caused or aggravated by employment are covered under workers' compensation, regardless of the employee's previous physical condition.

### Mission Statement

The Pennsylvania workers' compensation program was established to reduce injuries and provide lost wages and medical benefits to Pennsylvania employees who become ill or injured through the course of their employment so they can heal and return to the workforce.

The bureau and the Office of Adjudication are responsible for carrying out the provisions of the act and related legislation, and for fulfilling the overall purpose of Pennsylvania's workers' compensation system. In carrying out the act's requirements, the bureau and Office of Adjudication have several primary roles:

- Obtain, review and maintain records on certain lost time work injuries and benefit documents.
- Certify individual self-insured employers and self-insured employer pools, and determine their monetary security requirements.
- Resolve areas of contention among the participants in the workers' compensation system.
- Enforce the act's provisions.
- Promote the health and safety of employees in accordance with the 1993 and 1996 amendments to the act.
- Enforce the act's occupational disease provisions.

### Basic Benefits

#### Replacement of Lost Wages

A portion of the worker's salary – up to a maximum amount provided by law – is paid for the time lost from work as a result of a work-related disability, if the disability lasts longer than seven calendar

## Overview of the PA Workers' Compensation Program (cont.)

days. These payments are tax free. The maximum allowable weekly benefit for calendar year 2013 was \$917. Partial disability benefits consisting of two-thirds of the gross difference in wage loss for up to 500 weeks are paid to employees who suffer a partial disability resulting from a work-related injury or disease. Benefits can possibly be subject to other reductions or offsets.

### Payment of Medical Expenses

Reasonable and necessary work-related medical expenses are paid regardless of the duration of required treatment and apply even though the employee may not have lost time from work.

### Specific Loss Benefits

Benefits are payable if a work-related injury results in loss of vision, hearing and/or the use of limbs (including fingers and toes). Specific loss benefits are paid without regard to the amount of time lost from work. A separate healing period is also defined for each loss.

### Disfigurement Benefits

Benefits are payable if there is a serious, permanent disfigurement of the head, face or neck.

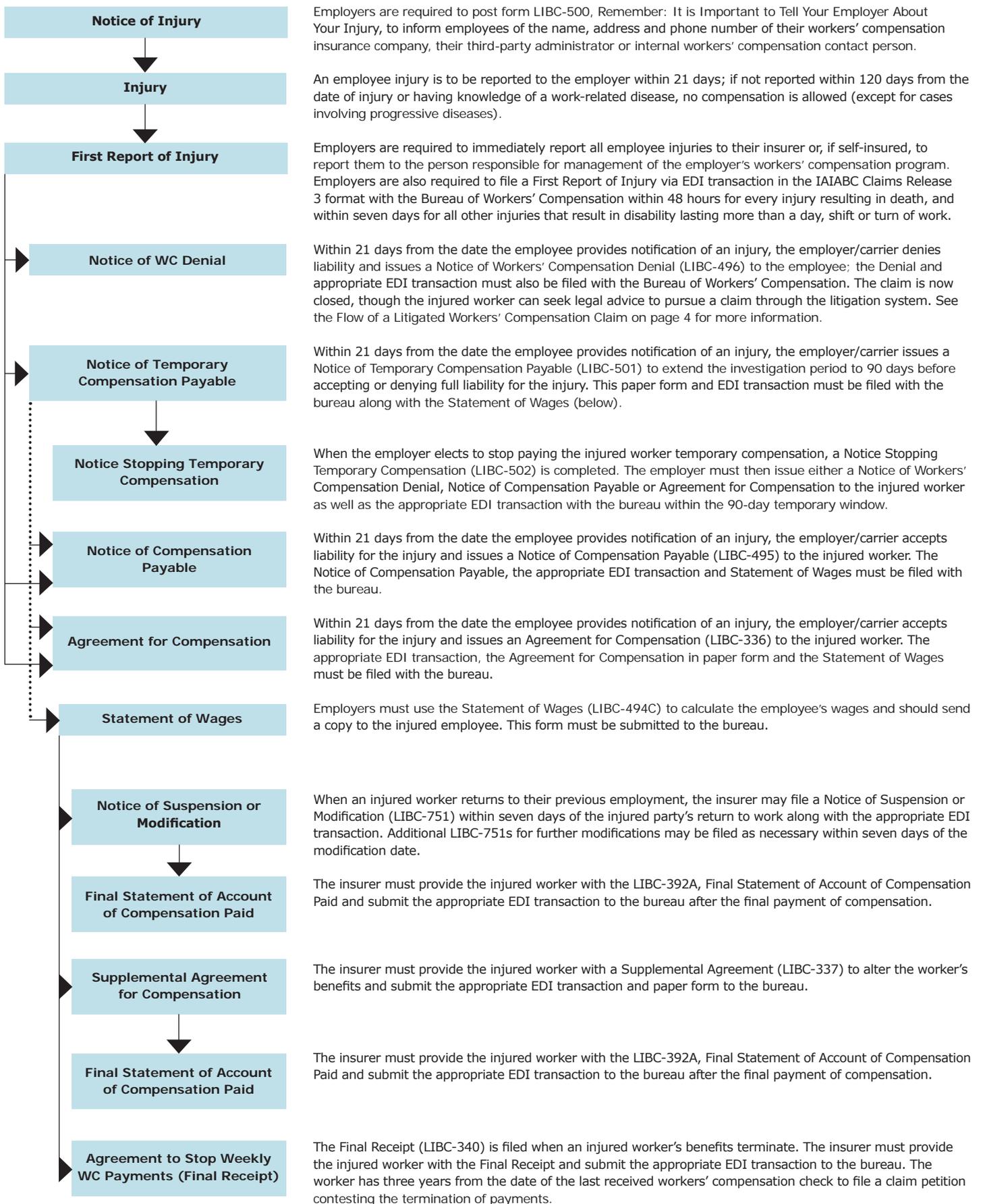
### Death Benefits

The employee's dependents may claim benefits if a work-related injury or disease results in the employee's death. Also, reasonable burial expenses are payable to a maximum amount set by law.

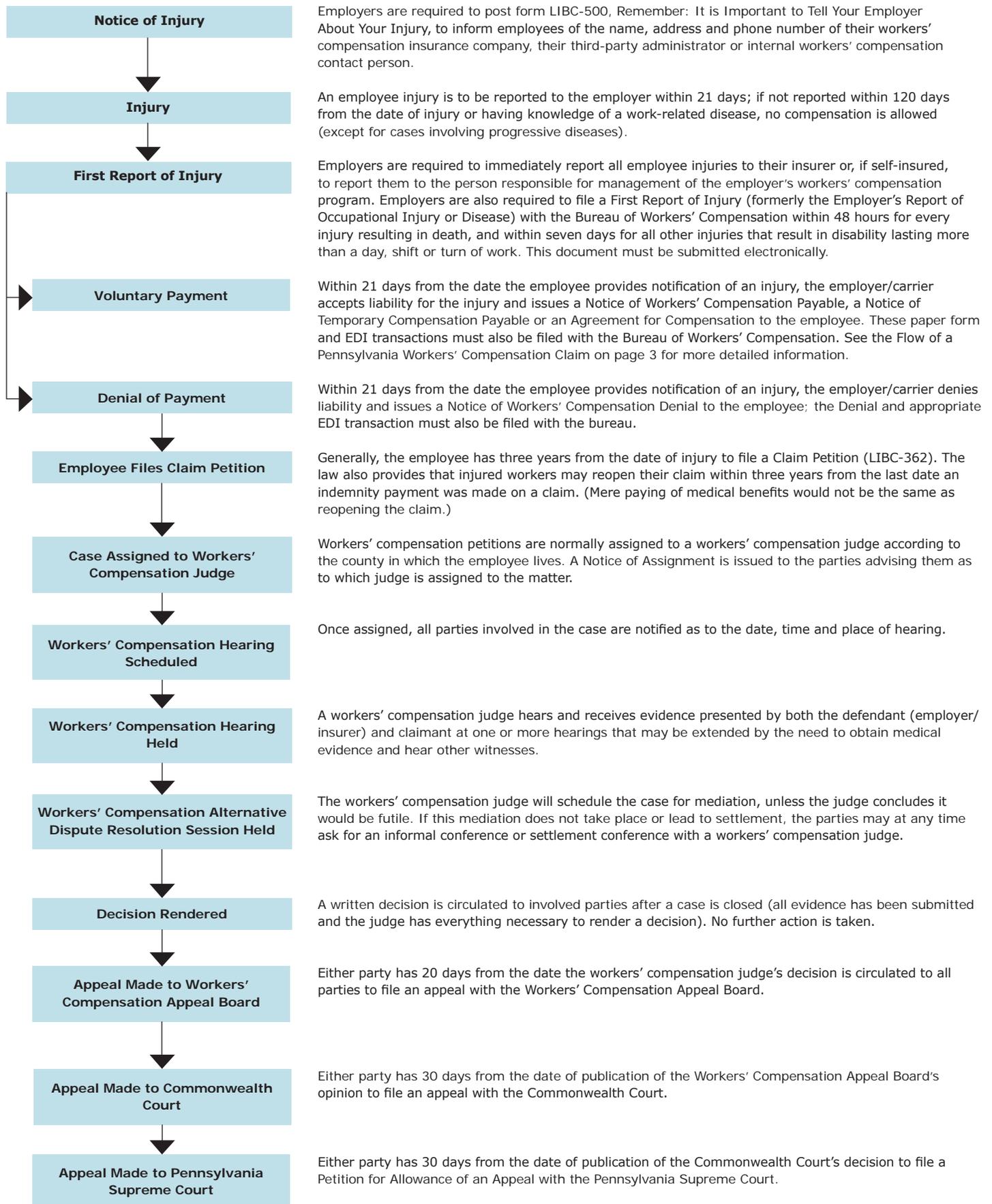
### Subsequent Injuries

Additional compensation may be available through the Subsequent Injury Fund. This fund is administered by the commonwealth and pays workers who have had a specific loss of use for a hand, arm, foot, leg or eye and who incur total disability caused by loss of use of another hand, arm, foot, leg or eye. The commonwealth makes payments for the duration of the workers' total disability.

# The Flow of a Pennsylvania Workers' Compensation Claim



# The Flow of a Pennsylvania Workers' Compensation Claim (Litigated)



# Funding for Pennsylvania Workers' Compensation System

The administration of the Pennsylvania workers' compensation system is funded by a spending authorization appropriated by the state legislature and approved by the governor. The money for these expenditures comes from five special funds established through assessments:

## The Workers' Compensation Administration Fund

**Purpose:** Provides funding for the administrative operations of the bureau, the Workers' Compensation Office of Adjudication and the Workers' Compensation Appeal Board.

**Assessment Amount:** For fiscal year 2012-13, the amount assessed totaled \$79,977,952 and represented 2.81 percent of compensation paid in calendar year 2011.

## The Supersedeas Fund

**Purpose:** To provide relief to employers/insurers for payments made during litigation of claims contesting whether compensation is payable. When an employer/insurer files a petition for termination, modification or suspension of benefits, a supersedeas hearing can also be requested. At this hearing, the workers' compensation judge can deny the request or grant a temporary order of partial or total suspension of benefits. If the request is denied, but the final decision of the judge is that compensation was not payable, the employer/insurer may apply to be reimbursed from the Supersedeas Fund for "overpayments" made following the initial denial.

**Assessment Amount:** For fiscal year 2012-13, the amount assessed was \$121,961,056 and represented 0.76 percent of compensation paid in calendar year 2011.

## The Subsequent Injury Fund

**Purpose:** To compensate workers who experience certain losses (for example: arm, hand, leg, foot, eye) subsequent to a prior loss.

**Assessment Amount:** The total amount of the fund equals the amount expended from the fund in the preceding year. Law requires the fund to have a minimum funding of \$100,000. For the 2012-13 fiscal year, the amount assessed totaled \$197,748 and represented 0.007 percent of compensation paid in calendar year 2011.

## The Self-Insurance Guaranty Fund

**Purpose:** To make payments to any eligible claimant or dependent upon the default of the self-insurer liable to pay compensation or associated costs due under the Pennsylvania Workers' Compensation Act and the Pennsylvania Occupational Disease Act. This fund is used when the securities posted by defaulting companies are exhausted, but can only be used for injuries occurring after the 1993 amendments. With the passage of Act 53 of 2000, the General Assembly created a restricted account within the Guaranty Fund called the Prefund Account. The purpose of the Prefund Account is to provide for the continuation of benefits to workers who were injured prior to 1993 and whose self-insured employers have gone bankrupt. The financing of the Prefund Account is a budget item of the Administration Fund.

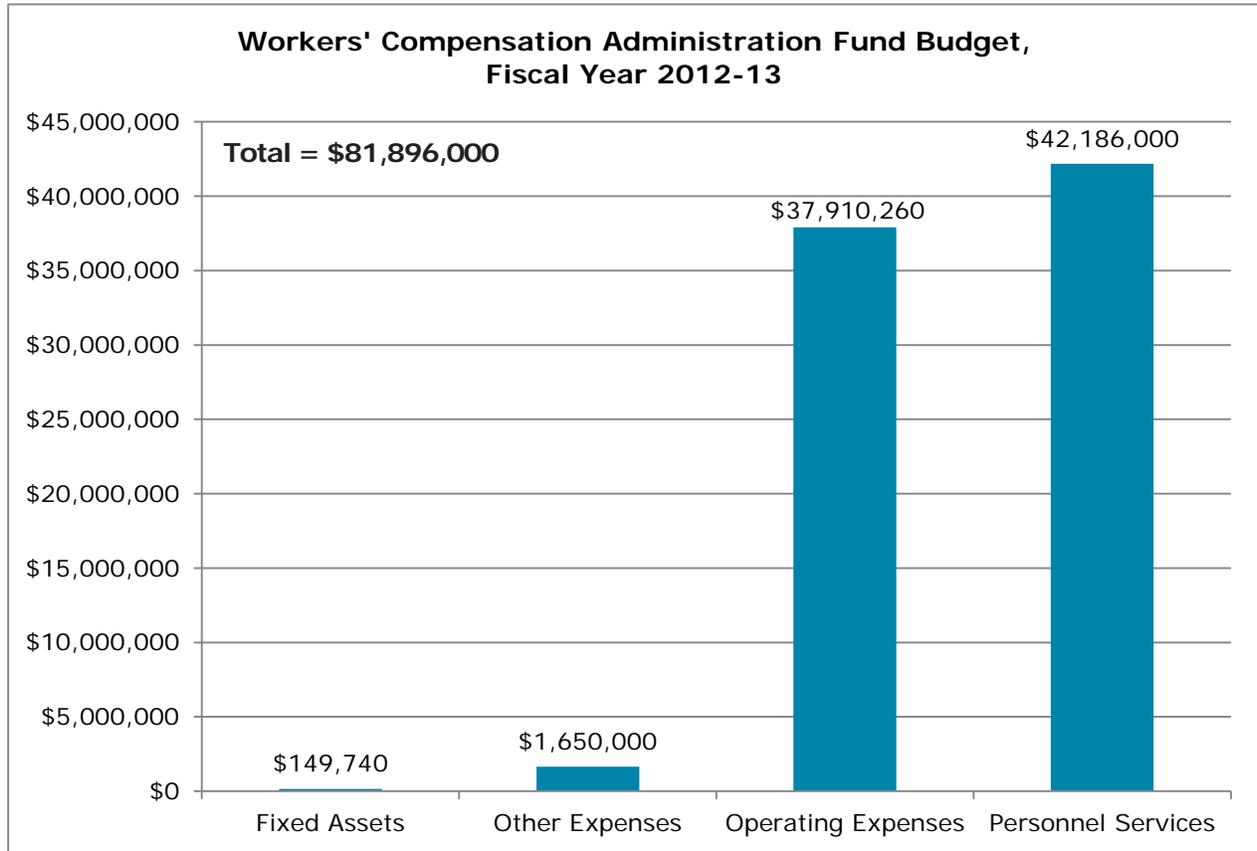
**Assessment Determination/Amount:** For new self-insurers starting self-insurance after Oct. 30, 1993, the assessment is 0.5 percent of their modified premium for the 12 months immediately preceding the start of self-insurance. Existing and former self-insurers with runoff claims may be assessed on an as-needed basis at the rate of up to 1 percent of compensation paid annually. For fiscal year 2012-13, the amount assessed was \$57,812 and represented 0.5 percent of the annual modified premium of employers starting self-insurance.

## Uninsured Employers Guaranty Fund

**Purpose:** To extend workers' compensation benefits to injured workers whose employers fail to insure, or be approved to self-insure, their liability for work-related injuries. Initial money for the fund was transferred from the Administration Fund, with subsequent funding made from assessments to insurers and self-insured employers.

**Assessment Amount:** Assessments have been made annually since 2007. This fund assessed \$2,848,924 during 2012-13.

# Workers' Compensation Administration Fund Budget



Source: Bureau of Workers' Compensation, Pennsylvania Department of Labor & Industry

# Workers' Compensation Updates

## Workers' Compensation Automation and Integration System

The Pennsylvania Department of Labor & Industry began development of a new computer system in January 2011. Replacement of the existing system was warranted, due to aging technology and the need to move away from a paper-based system. The new system provides 24-hour online access to claim information.

Staff from three program areas worked with our vendor to develop the Workers' Compensation Automation and Integration System, or WCAIS. The new computer system integrates the three program areas of workers' compensation: the Bureau of Workers' Compensation, the Workers' Compensation Office of Adjudication and the Workers' Compensation Appeal Board.

In September 2012, the Workers' Compensation Appeal Board and part of the Bureau of Workers' Compensation (the Helpline) were moved to the new system during the Release 1 phase of the project. Release 2 went live on Sept. 9, 2013, and incorporated the Worker's Compensation Office of Adjudication and the Bureau of Workers' Compensation. Release 2 completed the process to bring about a seamless link between the three workers' compensation program areas and our stakeholders.

The workers' compensation community, including third party administrators, attorneys, insurance carriers, self-insurers and medical providers, have real-time access to claim-related information. Electronic Data Interchange (EDI) Release 3 was mandated as of Sept. 9, 2013. EDI will provide faster claims processing and electronic record keeping, resulting in a large decrease in the use of paper forms as well as a reduction of manual processing and hard copy mailings, improving productivity for internal and external stakeholders. For more information and training resources, visit the WCAIS Project at [www.dli.state.pa.us/wcais](http://www.dli.state.pa.us/wcais). To register for WCAIS and utilize the system, visit the main WCAIS site at <http://www.wcais.pa.gov>.

## The Workers' Compensation Rules Committee

The Special Rules of Administrative Practice and Procedure Before the Workers' Compensation Appeal Board and Before Workers' Compensation Judges were last amended in October 2009. In 2011, the Workers' Compensation Rules Committee reconvened to discuss revisions to the rules pertaining to such subjects as service, subpoenas,

attorney fees, the UEGF (Uninsured Employers Guaranty Fund) and the interplay between the rules and electronic filing. Between 2011 and 2013, the committee met on multiple occasions to consider suggested revisions and to discuss proposed rule changes with various stakeholders.

The committee last met on May 2, 2013, and approved a number of suggested changes to the rules. The suggested rule changes were then submitted for regulatory review. After review, the revised rules were published in proposed form in The Pennsylvania Bulletin on Feb. 22, 2014. Interested parties were given 30 days within which to submit written comments. All comments are to be reviewed and considered for possible revision prior to final form submission. The committee anticipates that the revisions will be ready for final form submission in 2014.

The Workers' Compensation Rules Committee's purpose is to assist in the improvement of the administration of workers' compensation proceedings. The committee consists of the chair of the Senate Labor & Industry Committee, the chair of the House Labor Relations Committee, the director of the Office of Adjudication, the bureau's deputy chief counsel, two Workers' Compensation Appeal Board representatives, four Workers' Compensation Judges and attorneys representing both employers and employees.

Any interested party who wishes may submit suggestions or recommendations for consideration by the committee in the future. These suggestions or recommendations should be submitted to John W. McTiernan, Esquire, Chair of the Committee. Attorney McTiernan can be reached at 412-391-9860 or by email at [jmctiernan@cbmclaw.com](mailto:jmctiernan@cbmclaw.com).

## Workers' Compensation Advisory Council

The Workers' Compensation Advisory Council was created under Section 447 of the Workers' Compensation Act. The council is composed of eight members, and the secretary of Labor & Industry is the ex officio member. Members are appointed as follows: one employee and employer representative by the president pro tempore of the Senate, one employee and employer representative by the speaker of the House of Representatives, one employee and employer representative by the minority leader of the Senate and one employee and employer representative by the minority leader of the House of Representatives. Members serve a term of two years or until their successors have been appointed.

## Workers' Compensation Updates (cont.)

The council reviews requests for workers' compensation funding by the department and any assessments against employers or insurers related thereto, makes recommendations regarding certification of utilization review organizations and preferred provider organizations, reviews proposed legislation and regulations and reviews the annual medical accessibility study. The findings are reported to the governor, the department secretary and the legislature.

Two co-chairs, representing labor and management, and the rest of the council hold public meetings to discuss various issues of the department, bureau and legislature.

### **Kids' Chance of Pennsylvania Inc.**

*Hope, opportunity and scholarships for kids of injured workers*

What happens when a child loses a parent to a work-related fatality? What happens when a family's income drops drastically because mom or dad can't return to a well paying job, or when the family income is affected by a long period of disability? For more than 15 years, Kids' Chance of Pennsylvania, Inc. (Kids' Chance of PA) has proudly made a significant difference in the lives of affected Pennsylvania families by providing scholarship grants for college and vocational education to children of Pennsylvania workers who have been killed or seriously injured in a work-related accident resulting in financial need.

With total scholarship awards surpassing the \$1 million mark since its inception in 1997, Kids' Chance of PA continues to increase its scholarship giving every year in order to provide financial support to deserving young people who are pursuing their educational dreams. For the 2013-2014 academic year, 56 scholarships were awarded to students totaling \$170,250. These scholarships were made possible due to the generous contributions made by Scholar Sponsors, Corporate and Community Partners, Kids' advisors and individual and organization donors. We are extremely grateful to those who help us help students.

Through the scholarship program, Kids' Chance of Pennsylvania is making a significant difference in the lives of all children affected by a workplace injury or death by helping them pursue and achieve their educational goals. Jessica, one of our current student scholarship recipients currently attending West Chester University, shares:

My dad was the main financial provider, and so the loss of his work income has greatly impacted my family. This is especially so when it comes to our college education because that was my father's main goal in life... to get his two daughters through college. We could not have done this without Kids' Chance.

For more information about becoming a Corporate and Community Partner, please contact Kids' Chance of Pennsylvania at 610-970-9143 or [info@kidschanceofpa.org](mailto:info@kidschanceofpa.org) and visit [www.kidschanceofpa.org](http://www.kidschanceofpa.org).

### **21-Day Compliance**

The Pennsylvania Workers' Compensation Act, Section 406.1(a)(c), requires insurers and self-insured employers to either make first payment or deny a claim no later than 21 days after the employer has notice or knowledge of the claimant's disability. Additionally, the rules and regulations require a form to accept or deny a claim be sent to the claimant, or the claimant's dependent, and the bureau no later than 21 days after the employer has notice or knowledge of the claimant's disability.

Since 1999, the Bureau of Workers' Compensation has been monitoring the 21-day compliance rate of insurers and self-insured employers. The bureau's formula for calculating 21-day compliance is to compare the file date of the Notice of Compensation Payable, Agreement for Compensation, Denial or Temporary Notice of Compensation Payable against the Employer Notified Date or the Date Disability Began from the First Report of Injury, using the later of the two (to account for delayed disability situations). The bureau then selects one random quarter per year, as a sampling, to complete this comparison and determine an insurer/self-insurer's compliance rating.

The 2013 report was drawn from the reporting period of April 1, 2013 – June 30, 2013. It identifies each insurer and self-insured employer by name, bureau code, number of claims filed in the reporting period and the percentage of compliance. The statewide industry average was 72 percent.

### **Total Disability Weekly Workers' Compensation Rates**

The following table illustrates the weekly workers' compensation rates used to calculate benefits payable to an injured employee.

## Workers' Compensation Updates (cont.)

The compensation rate is 66.66 percent of the employee's average weekly wage. If 66.66 percent of the employee's average weekly wage is greater than the maximum, the rate of compensation payable is equal to the maximum. If the benefit calculated is less than 50 percent of the statewide average weekly wage, then the compensation rate shall be the lower of 50 percent of the statewide average weekly wage or 90 percent of the employee's average weekly wage. There is no absolute minimum.

The maximum compensation rate payable is calculated annually and is effective Jan. 1 of each year. The calculation of the average weekly wage is defined by the act. Corresponding figures for years prior to 2002 are maintained by the bureau. For partial disability, other calculations and definitions apply.

### Total Disability Weekly Workers' Compensation Rates

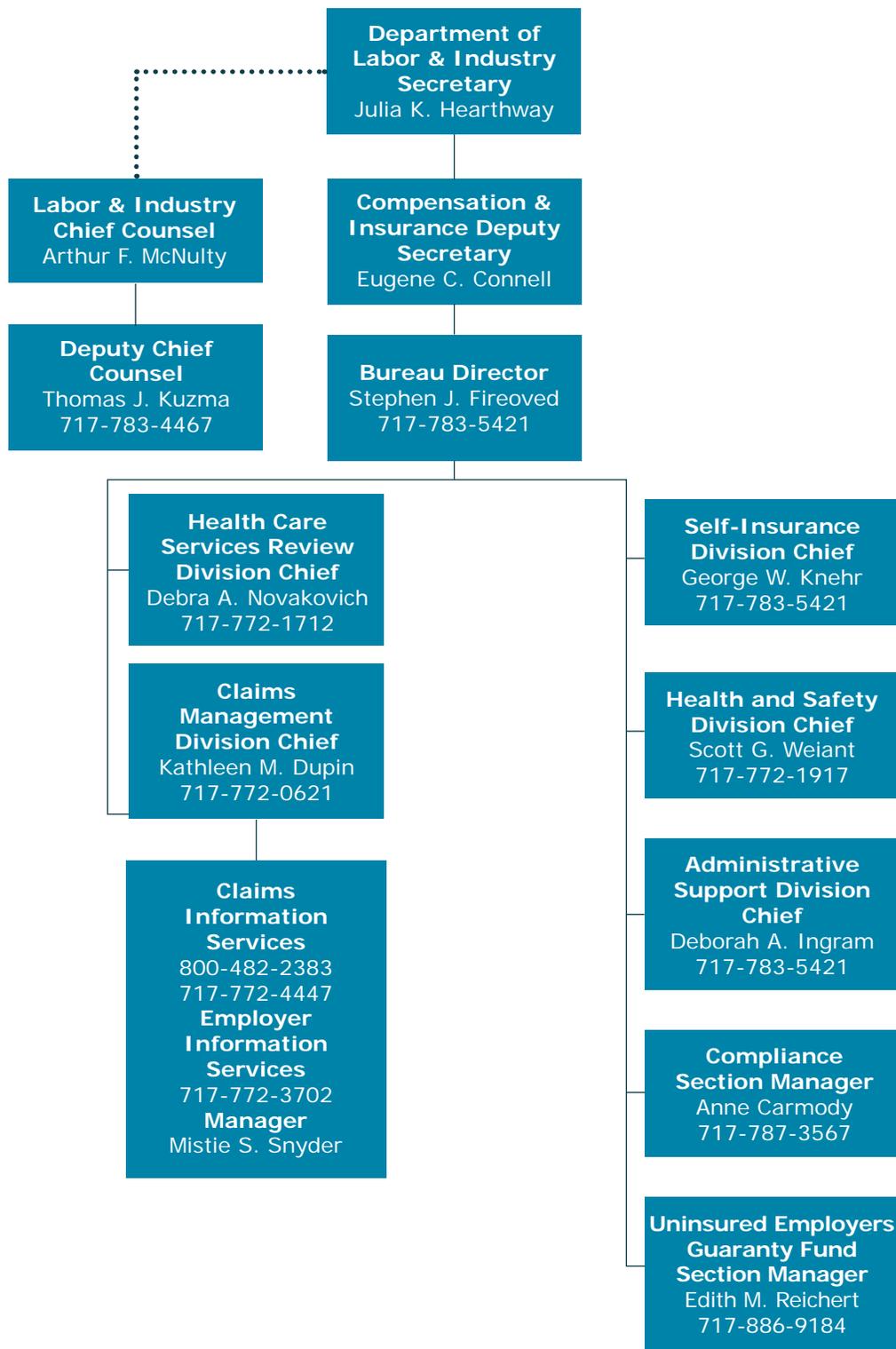
Year	Statewide Average Weekly Wage/ Maximum Compensation Rate Payable	50 Percent of Statewide Average Weekly Wage/50 Percent of Maximum Compensation Rate Payable
2002	\$662.00	\$331.00
2003	\$675.00	\$337.50
2004	\$690.00	\$345.00
2005	\$716.00	\$358.00
2006	\$745.00	\$372.50
2007	\$779.00	\$389.50
2008	\$807.00	\$403.50
2009	\$836.00	\$418.00
2010	\$845.00	\$422.50
2011	\$858.00	\$429.00
2012	\$888.00	\$444.00
2013*	\$917.00	\$458.50

\*For purposes of calculating the update to payments for medical treatment rendered on and after Jan. 1, 2013, the percentage increase in the statewide average weekly wage was 3.3 percent.

# Bureau Personnel

## Organization Chart

As of Dec. 31, 2013



## Bureau Divisions



### Director's Office Compliance Section

Anne Carmody

#### Primary Functions

Ensure compliance with the Workers' Compensation Act, regulations enacted pursuant to the act and orders issued by workers' compensation judges. These functions are accomplished through:

Educating employers regarding the requirement to insure their workers' compensation liability.

Investigating reports of employers' alleged failure to insure their liability and prosecuting cases of noncompliance in accordance with the criminal provisions provided by the act.

Referring allegations of employee fraud to the appropriate insurance carrier and prosecuting authority and allegations of employer, insurer or medical provider fraud to the proper prosecuting authority.

Reviewing all work-related injuries suffered by minors to determine if potential child labor law violations existed, referring said violations to the Bureau of Labor Law Compliance for determination and collection of any additional compensation due to injured minors.

Notifying dependents of their survivor rights under the act when work-related fatalities occur.

### Director's Office Information Writer

#### Primary Functions

Provide employees, employers, the public, workers' compensation professionals, health care providers and government agencies with accurate and comprehensive workers' compensation information.

With department press office approval, provide the media with accurate and timely workers' compensation information.

Reviewing and investigating allegations of insurer, self-insurer or third-party administrator violations of the act to determine if further action is warranted.

Processing statutorily permissible exceptions, exemptions and elections for inclusion under the act.

#### 2013 Accomplishments

Mailed the Employer Information pamphlet to 17,350 new or modified businesses to better educate employers about their workers' compensation responsibilities, along with certificates of insurance to secure information assuring their compliance; 5946 businesses failed to respond, resulting in a second mailing.

Instituted 993 new investigations of potential employer failure to insure workers' compensation liability and referred 22 cases to the bureau's Legal Division for prosecution.

Referred eight complaints of employee fraud to the proper insurance carrier for investigation.

Processed 1,474 corporate executive officer exceptions and 1,340 religious exemptions for exclusion under the act as well as 138 domestic elections for inclusion under the act.

Investigated 1,512 potential child labor law violations that could result in the collection of a 50 percent additional compensation penalty.

Notified 1,911 insurers of their requirement to pay a fee review determination that has not been appealed.

Support the department secretary, the bureau director and bureau staff in their missions.

#### 2013 Accomplishments

Mailed 62,962 Workers' Compensation and the Injured Worker pamphlets to workers for whom the bureau received a First Report of Injury indicating loss of more than a day, shift or turn of work as a result of an alleged work-related injury.

Published the bureau's quarterly newsletter, News & Notes. This publication provides an overview of workers' compensation policies, programs and updates.

## Bureau Divisions (cont.)

Submitted articles for inclusion in the Pennsylvania Self-Insurer's Association newsletter.

Coordinated the posting of new material and updates to department websites on behalf of the bureau.



### Director's Office Uninsured Employers Guaranty Fund

Edith M. Reichert

#### Primary Functions

The Workers' Compensation Act was amended on Nov. 9, 2006, to include Act 147, which established the Uninsured Employers Guaranty Fund (UEGF) to extend benefits to injured workers whose employer failed to insure their liability for work-related injuries. The UEGF became effective Jan. 7, 2007. Initially, the Bureau of Workers' Compensation shared the processing of UEGF claims between its divisions and the Third Party Administrator (TPA), with the bureau director responsible for managing the overall administration of the fund.

In December 2011, the UEGF Section was created, composed of three staff: Michelle Carricato, Clerk Typist II, who processes all Notices of Claims Against the Uninsured Employer and assembles the claim files; Jody Weaver, Management Technician, who receives the claim files, researches the uninsured employers, sends the files to counsel, creates and maintains accounting and financial records to monitor criminal and civil restitutions for the UEGF and provides collection information to the Compliance Section and Legal Division; and Edith Reichert, Administrative Officer I and manager of the UEGF.

The UEGF Section is responsible for reviewing UEGF Notices of Claims to ensure that they are compliant with the act. UEGF determines through the Compliance Section if the employer has coverage, notifies the uninsured employer of its potential obligation to the injured worker and assigns a Notice of Claims to the TPA to complete an initial investigation within 21 days, or prior to the receipt of a UEGF Claim Petition. Receipts of UEGF Claim Petitions and Notices of Assignment to workers' compensation judges are followed so that the UEGF may assign the claims to counsel after

Coordinated publication of The Pennsylvania Workers' Compensation and Workplace Safety Annual Report.

research concerning the uninsured employer and injured worker is performed and upon the advice of the Legal Division. The UEGF also collects statistical and financial information on the management of the UEGF Notices of Claims and Claim Petitions in order to prepare reports to the Workers' Compensation Advisory Committee, the secretary of the Department of Labor & Industry, the Compliance Section and the Legal Division.

Since inception, the UEGF has received 2,172 Notices of Claims Against the Uninsured Employer and 1,718 UEGF Claim Petitions. Currently, the UEGF pays ongoing benefits to 44 injured workers and directs the handling of those claims through the TPA.

#### 2013 Accomplishments

Provided guidance to the TPA and counsel on over 400 active UEGF claims. Provided negotiating authority on settlements concerning claim petitions, criminal prosecution restitution and civil recoveries.

Researched and gathered all recoveries from assessments, County Clerks of Courts, direct defendant restitutions, liens and subrogation claims since 2007. Created tracking mechanisms to update monthly.

Provided financial reports and created lien tracking data on uninsured employers involved with UEGF claims to support the Legal Division with filing civil liens.

Assisted with UEGF legislative reform by providing statistical and financial information to the Secretary of the Department of Labor & Industry and the legislature.

Provided statistical and financial reports to the Workers' Compensation Advisory Committee.

Reviewed all requests for payments against UEGF claims by the TPA, approved payments and forwarded Interface Reports to the Department of Treasury for the issuance of checks.

Tested and retested the Workers' Compensation Automation & Integration System (WCAIS). Entered enhancements and defects.

## Bureau Divisions (cont.)



### Administrative Support Division

Deborah A. Ingram

#### Primary Functions

Prepare yearly budget request for the Administration Fund. Project, analyze and report on the Administration Fund expenditures (which include the bureau, the Office of Adjudication, the Workers' Compensation Appeal Board, the Office of Chief Counsel, the Office of Information Technology and Labor & Industry bureaus that charge the fund for services).

Issue, collect and record assessments to replenish the Administration Fund, Supersedeas Fund, Subsequent Injury Fund, Self-Insurance Guaranty Fund and the Small Business Advocate Fund.

Process supply, equipment and furniture requests and procure items for bureau offices, the Office of Adjudication and the Workers' Compensation Appeal Board.

Provide administrative support to all divisions and field offices within the bureau.

Provide personnel advice and services to bureau employees and managers.

Provide mailroom and optical character recognition (OCR) services to the bureau.

Coordinate bureau training.

#### 2013 Accomplishments

Budgeted, monitored and adjusted the Administration Fund as necessary.

Assisted the Claims Management Division in processing petition assignments within five days (mailroom and OCR).

Improved the processing of all paper documents into the electronic system to within five days.

Provided timely status information on collection of assessments and bureau conference deposits. The amounts assessed for the 2012-2013 fiscal year are as follows:

Administration Fund	\$79,977,952
Supersedeas Fund	\$21,961,056
Subsequent Injury Fund	\$197,748
Self-Insurance Guaranty Fund	\$57,812
Uninsured Employers Guaranty Fund	\$2,848,924

Processed personnel actions within seven working days of request.



### Claims Management Division

Kathleen M. Dupin

#### Primary Functions

Serve as a repository for workers' compensation records.

Process, record and review documents and electronic data received for claims.

Provide records to claimants, attorneys, workers' compensation judges and others.

Work with the Centers for Workforce Information and Analysis in the collection and assembly of statistics for workers' compensation injuries. Evaluate carrier and employer compliance with the reporting requirements of the Workers' Compensation Act (act).

Serve as conservator of the Supersedeas Reimbursement and Second Injury Funds.

Pay claims where the bureau has liability under 305.1(WCOD), 306(h), Occupational Disease, Subsequent Injury Fund and the Supersedeas Fund.

Aid the insurer and self-insured community to improve filing efforts. Communicate with the insurer and self-insured community to monitor compliance with the act and to expeditiously and accurately process claims.

## Bureau Divisions (cont.)

Provide continued educational efforts to alleviate processing deficiencies and improve our ability to communicate and support the rights and entitlements of all injured workers.

Coordinate the annual workers' compensation conference.

Provide insurance information researched through the Pennsylvania Compensation Rating Bureau to the workers' compensation community.

### 2013 Accomplishments

Processed 35,407 requests for records in 2013.

Responded to more than 61,000 workers' compensation inquiries (compared to 50,000 in 2012): 58,639 (48,653) telephone calls and 2,771 (1,659) email questions from employers, employees, health care providers, lawyers and others involved in the Pennsylvania workers' compensation system.

Assisted 366 non-English-speaking callers and visitors with workers' compensation concerns using Language Services, a language interpretation service, down from 471 in 2012.

Researched and responded to 415 (538 in 2012) inquiries regarding the workers' compensation insurance coverage of employers through the Pennsylvania Compensation Rating Bureau database.

Assisted 35 (39 in 2012) walk-in visitors with their workers' compensation questions and issues.

Responded to more than 2,700 (1,700 in 2012) written workers' compensation inquiries received from the workers' compensation community.

Developed, planned and coordinated the June 2013 bureau conference. A total of 1,427 representatives from the workers' compensation community attended the two-day event, including employers, insurers, health care providers and attorneys. This educational conference offered the popular "As the Claim Turns" role-play presentation, as well as sessions addressing the basics of workers' compensation, the interplay between workers' compensation and other programs, litigation issues, etc.

Researched workers' compensation coverage status of employers who cancelled or failed to renew their insurance policy with the State Workers' Insurance Fund to ensure compliance under the act. Information on employers found lacking coverage is forwarded to the bureau's Compliance Section for further investigation and possible action.

Provided webinars, conference calls and one-on-one calls with the external community in preparation for, and implementation of, the Workers' Compensation Automation and Integration System (WCAIS) as well as Electronic Data Interchange (EDI) Claims Release 3.

Created the EDI Section to support the additional functions of electronic claim submission.

Participated in development and extensive user acceptance testing of division's WCAIS processes and applications.

Worked with the WCAIS Project Team on data cleansing efforts in anticipation of WCAIS implementation and continued that effort post its Sept. 9, 2013, implementation.

Processed 824 claims and distributed payments of more than \$19.5 million from the Supersedeas Reimbursement Fund during the 2012-13 fiscal year.

Issued the sixth annual Claims Status Report to insurers and self-insured employers and received feedback on 66.9 percent of claims on the report. The feedback resulted in status verification or correction of claim records for (a) claims initiated in calendar years 2004 and 2009 and (b) no filing activity to the bureau for calendar year 2012. *Last year's annual report noted feedback from 99.2 percent of insurers and self-insured employers for the claims initiated in calendar years 2004 and 2008 with no filing activity to the bureau for calendar year 2011. Follow-up efforts on this year's report were limited, as the division focused on WCAIS efforts, resulting in the comparative percentage reduction.*

Monitored individual insurers'/self-insured employers' 21-day compliance rates for 2013. The 21-Day Compliance Report, which was drawn from the period of April 1, 2013, through June 30, 2013, was published on our website for comparison

## Bureau Divisions (cont.)

purposes. Training was, and continues to be, offered to assist in raising compliance rates.

Continued to offer external training on form submission and processing to insurers and third party administrators.



### Health and Safety Division

Scott G. Weiant

#### Primary Functions

Evaluate employer applications to determine certification of employer workplace safety committees and eligibility for workers' compensation insurance premium discounts as allowed under Article X of the act. Provide assistance, guidance and training to employers in establishing safety committees, interpreting requirements for certification and correcting application deficiencies prior to submission.

Provide safety-related information and training to Pennsylvania employers aimed at reducing workplace injury/illness occurrences and workers' compensation costs associated with workplace incidents through the Pennsylvania Training for Health & Safety (PATHS) resource.

Provide safety committee certification renewal forms for certified employers and evaluate submitted forms to determine eligibility for continuing premium discounts.

Review annual reports of accident and illness prevention services and programs from Pennsylvania licensed workers' compensation carriers, self-insured employers and group self-insurance funds. Formulate recommendations of program or service adequacy for consideration in continuance of licensure or self-insurance status.

Determine the necessity for, and conduct on-site audits of accident and illness prevention services and programs and certified safety committees. Configure and monitor deficiency-correction programs as necessary to resolve program or service inadequacies.

Develop and disseminate health and safety-related information to members of the regulated community

Worked with the Centers for Workforce Information and Analysis to help implement their statistical and data support for various bureau responsibilities.

and the general public concerning: workplace safety committee certification/recertification procedures and requirements; mandatory accident and illness prevention program and service elements; safety-related training; and annual reporting requirements.

Administer the process to review credentials in the health and safety field for recognition by the department as acceptable qualifications for accident and illness prevention service providers. Review individual qualifications for acceptability as accident and illness prevention service providers and recognized safety committee instructors.

Manage the process to nominate, select and recommend employers for the Governor's Award for Safety Excellence.

Provide Pennsylvania employers with coordinated safety and health training resources through easy access and affordability. Services provided by the PATHS resource enable participants in the workers' compensation system to achieve greater efficiencies in the implementation of their workers' compensation cost-containment efforts by creating a safe, accident-free workplace.

#### 2013 Accomplishments

Granted initial certification to a cumulative total of 10,429 workplace safety committees covering more than 1,387,728 employees as of December 2013. The cumulative number of approved workplace safety committee certification renewals totaled 62,337.

Received and processed a total of 581 workplace safety committee initial applications and 5,839 workplace safety committee renewal applications.

Continued to update email databases for various client groups to provide an electronic means of communicating with the workers' compensation safety clients.

Released all necessary self-insured, group fund and insurer-required filing reports within required time frames.

## Bureau Divisions (cont.)

Evaluated the acceptability of accident and illness prevention programs and services of 1,438 insurers and self-insured employers through annual required reports.

Conducted 293 on-site audits of licensed workers' compensation insurer and self-insured employer accident and illness prevention programs and services and certified workplace safety committees.

Participated in the process to select and award the Governor's Award for Safety Excellence to 10 Pennsylvania companies, which included conducting on-site visits and reviewing 56 award applications.

Updated and added additional resources and web documents to the PATHS resource. PATHS is a training resource consisting of on-site safety and health training and web-based safety training applications, including webinars, PowerPoint presentations, sample safety programs, safety talk materials, posters and more. The PATHS website

includes a schedule of health and safety-related training and information available to all Pennsylvania stakeholders. Knowledgeable and experienced trainers are available to provide training and information sessions upon request to employers, employees and stakeholder groups.

Conducted a cumulative total of 2,969 on-site audits of accident and illness prevention programs and services of self-insured employers and licensed workers' compensation insurers and employers with state-certified workplace safety committees.

Division personnel conducted 117 safety training sessions on 26 different topics for more than 4,397 representatives of employers, insurers and self-insured employers.



### Health Care Services Review Division

Debra A. Novakovich

#### Primary Function

Administer the fee review process for health care providers who are disputing the timeliness or amount of payment received for medical services provided to Pennsylvania injured workers.

Manage and monitor chagemaster fee schedule data. Under amendments to the act in 1993, medical reimbursement was capped based on 1994 Medicare rates that are adjusted annually.

Authorize utilization review organizations, or UROs, to review the reasonableness and necessity of medical treatment when requested by the employer/insurer or injured worker. The division also trains, audits and monitors UROs for compliance with regulatory requirements.

Promulgate a list of physicians qualified to perform impairment rating examinations, or IREs, and designate an initial IRE physician when requested by employers/self-insured employers.

Act as a liaison to independent consultants performing medical access studies.

Act as a resource for all involved parties.

#### 2013 Accomplishments

Issued 16,550 fee review decisions and determinations.

Continued to update the courtesy copy of the fee schedule quarterly on the department's website.

Ensured timely and correct quarterly updates for insurers and self-insured employers.

Processed and approved 20 annual reports for utilization review organizations/peer review organizations (URO/PRO). A total of 20 URO/PROs are currently authorized.

Received, reviewed and approved nine URO/PRO reauthorization applications.

Maintained a reviewer database to monitor URO/PRO reviewer qualifications and updated this information regularly.

5,381 Utilization Review Requests were processed with 4,224 full determination reports rendered.

## Bureau Divisions (cont.)

Maintained a list of 89 IRE physicians in 222 geographic locations who may be designated to perform impairment rating evaluations under the Sixth Edition of the AMA Guides to the Evaluation of Permanent Impairment. This list is also maintained on the department's website and includes the physician's specialty.

Received and processed 2,306 IRE requests for designation.

Received and reviewed the 2012 Medical Access Study. The study continues to indicate injured workers are overall satisfied/very satisfied with their medical treatment. It also indicates that injured workers with access to provider panel lists return to work two weeks sooner and continue to treat with the panel providers after the initial 90 days. Education of employers and injured workers is still needed. The study also continues to report PPO

discounts and untimely payment as the health care providers' frequently cited issues.

Fee Review section continues to provide information packets as requested to interested parties.

Post the September 2013 "go-live," provided stakeholders with the ability to file online their Fee Reviews, Utilization Review Requests and IRE Requests for designation through the Workers' Compensation Automation and Integration System (WCAIS), a web-based claims filing and information system.



### Self-Insurance Division

George W. Knehr

#### Primary Function

Process and decide applications of individual employers for self-insurance status under Section 305 of the Workers' Compensation Act and Section 305 of the Pennsylvania Occupational Disease Act. Set conditions for self-insurance and monitor self-insured employers' compliance with these conditions. As of Dec. 31, 2013, there were 734 employers authorized to self-insure their liability.

Process and decide applications of groups of employers to operate as group self-insurance funds under Article VIII of the act. Regulate and monitor the financial conditions of the group funds, including the setting of rates, the maintenance of surplus and the distribution of dividends to members. As of Dec. 31, 2013, 18 group self-insurance funds were operating, covering 825 employers in the commonwealth.

Collect and tabulate information needed to issue assessments against insurers and self-insurers to maintain special funds established under the act.

Monitor the claims payments and outstanding liabilities of former self-insurers to ensure that they maintain adequate security or assets to cover their self-insurance claims. As of Dec. 31, 2013, there were 316 individual employers and one group fund in runoff status.

Administer the Self-Insurance Guaranty Fund and the use of financial security to remedy defaults of self-insurers. The guaranty fund and its special prefund account, which applies to claimants injured before 1993, provide benefits to approximately 284 claimants, with total reserves of \$26 million. The division also monitors the payments, balances and administration of 21 default situations being satisfied by private securing entities, such as sureties, corporate trustees or guarantors, involving 292 claims and \$30 million in liabilities.

#### 2013 Accomplishments

Processed almost 700 renewal applications and 122 new applications for individual self-insurance status, 286 claims status reports of runoff self-insurers, 37 group annual reports and rate requests and 74 semi-annual reports monitoring the status of self-insurance defaults.

Calculated and issued five assessments to finance the operation of special funds under the act. Renewed contract (second of three years) for

## Bureau Divisions (cont.)

adjusting and claims handling for the Self-Insurance Guaranty Fund and the Uninsured Employer Guaranty Fund and selected and entered a contract with a third-party administrator, ACS Services.

Coordinated webinars with Deloitte to train self-insured employers and group self-insureds.



### Legal Division

Thomas J. Kuzma

#### Primary Functions

The Governor's Office of General Counsel through the Department of Labor & Industry's Office of Chief Counsel coordinates all legal services provided to the bureau. Attorneys representing the bureau and Office of Adjudication, through the Legal Division and its support staff, are responsible for providing legal advice to bureau and adjudication personnel and defending legal challenges to the implementation of the workers' compensation system.

The division is responsible for advising, defending and monitoring the defense of claims filed against the Uninsured Employers Guaranty Fund (UEGF). Created in 2007, the UEGF provides workers' compensation benefits to injured workers whose employers failed to insure or self-insure their workers' compensation liability at the time of the injury. Last year, 255 claims for benefits were filed by workers who alleged injuries suffered in the course and scope of employment with uninsured employers.

The division guides the bureau in administering claims brought against other statutorily created funds and provides legal counsel in the defense of such claims. For example, division attorneys represent the commonwealth in claims against the Supersedeas, Subsequent Injury and Self-Insurance Guaranty Funds as well as claims brought under the Occupational Disease Act.

The division is responsible for preparing and coordinating criminal prosecutions of employers who fail to maintain workers' compensation coverage for workers.

The division advises department personnel regarding the impact of statutes and regulations (federal and state) that address workers' compensation concerns. In addition, the division drafts bills, regulations and statements of policy at the behest of the client in order to correct deficiencies or make enhancements to the system.

The division routinely answers inquiries from the public, both directly and on behalf of clients within the department.

#### 2013 Accomplishments

*Seitzinger v. Commonwealth of Pa. (Pa Supreme Ct.):* In a per curiam order, the Supreme Court affirmed the July 28, 2011, Decision of the Commonwealth Court in this matter. The Commonwealth Court had sustained the Department of Labor & Industry's (department's) preliminary objections and dismissed the plaintiff's challenge to the constitutionality of Sections 442 and 449 of the Workers' Compensation Act (act), 77 P.S. §§ 998 and 1000.5. Of particular significance, Section 442 places a cap on the percentage of fees claimants' attorneys can receive when a workers' compensation case settles.

*Amwest Surety Insurance Co. (In Liquidation):* The department secured Amwest's Liquidator's agreement to recognize the department's claim in the amount of \$250,000 against a bond issued to cover the workers' compensation liabilities of Lukens Steel Corporation. Lukens previously defaulted on workers' compensation payments, and Amwest was declared insolvent. The liquidator's payment, approximately \$137,500, will be used to pay the claims of Lukens' injured former employees who are currently receiving payments from the department.

*UEGF Recoveries:* During 2013, the division represented the bureau's UEGF in recovering monies owed by uninsured employers. As the result of such representation, the UEGF recovered \$298,132.72 in criminal restitution and \$795,619.57 from civil collection efforts, for a total of \$1,093,752.29.

*Criminal Prosecutions (Failure to Insure):* During 2013, the division assisted in the following

## Bureau Divisions (cont.)

*Commonwealth v. Cassidy, Daniel B./RRDC, Inc. d/b/a The Pizza Company* – On Dec. 17, 2013, the defendant pled guilty to 47 misdemeanor counts of failure to carry workers' compensation insurance with a year of probation to be served for each count and was ordered to pay restitution in the amount of \$55,611.70.

*Commonwealth v. Cokley-Washington, Charlene/Allegheny Caregivers, Inc.* – The defendant entered the ARD program and was ordered to pay restitution in the approximate amount of \$8,300.

*Commonwealth v. Cottage, Terry d/b/a Terry's Lawn* – Prior to trial on Dec. 12, 2013, the parties reached a no contest plea agreement to 20 misdemeanor counts of failure to carry workers' compensation insurance. The defendant was ordered to pay restitution in the amount of \$79,256.69.

*Commonwealth v. Doncheski, Lee d/b/a David Distributing* – The employer was admitted into the ARD program for a period of two years and was ordered to pay restitution to the UEGF in the amount of \$20,579.64.

*Commonwealth v. Gottwald, Adam d/b/a the Firehouse/Adam Ethan, Inc./Ethan Adam, Inc.* – The defendant pled guilty to a single count of failure to carry workers' compensation insurance, was sentenced to a year of probation, and was ordered to pay restitution in the amount of \$4,540.98

*Commonwealth v. Leroux, Paul* – On Jan. 4, 2013, the defendant entered into an ARD program and was ordered to pay the associated court costs as well as restitution in the amount of \$203,663.66.

*Commonwealth v. Manza, James C./American Roller Skating & Sports Center* – In August 2013, the parties agreed to resolve this criminal matter and the related civil matter for a lump sum payment of \$16,000. Upon payment of \$16,000, the commonwealth agreed to *nolle pros* the charges.

*Commonwealth v. Martin, Dale L./Wright, Douglas P./Conrad Enterprises, Inc.* – The defendants jointly paid restitution in the amount of \$26,772.30. Upon the department's receipt of \$26,772.30, the Lebanon County Office of the District Attorney agreed to *nolle pros* the charges.

*Commonwealth v. Petrakis, Michael/Solebury Home & Solebury Corp./Qwest International, Inc./Qwest International Holdings Corp.* – The defendant entered the ARD program, was required to perform 24 hours of community service, and was ordered to pay restitution in the amount of \$24,413.81.

*Commonwealth v. Troiani, Joseph/Troiani Construction Services, Inc.* – The defendant pled guilty to 25 misdemeanor counts of failure to carry workers' compensation insurance, was sentenced to 10 years of probation, and was ordered to pay \$240,059.51 in restitution. The defendant has appealed the sentence.

*Commonwealth v. Whited, Nancy J. & Roger D. d/b/a Bruin Service Center/Bruin Service, Inc.* – Defendant Roger Whited pled guilty to two misdemeanor counts of failure to carry workers' compensation insurance and was ordered to pay restitution in the amount of \$29,757.28.

# Overview of the Office of Adjudication



## Director, Workers' Compensation Office of Adjudication

Elizabeth Crum

### Primary Function

The Workers' Compensation Office of Adjudication (WCOA) is responsible for the resolution of disputed workers' compensation matters. There are 84 workers' compensation judges, four judge managers, five administrative officers and 22 field offices that comprise the Office of Adjudication. The workers' compensation judges conduct hearings in disputed matters and render reasoned decisions in a timely manner. Judges also provide alternative dispute resolution services in contested matters.

### 2013 Accomplishments

Kept the statewide average time to hear and decide workers' compensation cases below seven months for the fifth consecutive year. At 6.5 months for a third year, it is down from 6.9 months in 2010.

Continued to expand the availability of alternative dispute resolution services to the parties by increasing the number of judges providing mediation services, increasing the number of judges trained in alternative dispute resolution and improving the delivery of the services through the hearing offices.

Continued to provide new and expanded opportunities for the judges to meet the training requirements of the act, including specially designed courses in ethics and mediation as well as through the 2013 Workers' Compensation Judges' Conference.

Continued to work with the judges and district safety committees to identify and address safety concerns. Implemented a security screening program to screen all individuals attending hearings and mediations in our 22 field offices and all remote hearing sites.

Continued to support employee training and certification in CPR, AED and first aid as well as monitor and update AED equipment as necessary.

Encouraged participation by the judges as speakers at educational events, such as the

workers' compensation conference, bar association presentations and other industry gatherings.

Continued to update and refine training materials for new judges to ensure that newly-hired judges received the most comprehensive training possible.

Continued to educate parties on the department's limited-English-proficiency policy and the procedure for requesting language interpretation services at hearings and mediations.

Continued to provide enhanced online services for Pennsylvania workers' compensation system users. WCOA and BWC staff jointly developed new web forms for the submission of information and implemented the WCAIS system in partnership with the Workers' Compensation Appeal Board.

### Mission Statement

The Workers' Compensation Office of Adjudication provides an efficient and effective dispute resolution system that is a model for other resolution systems, by promptly, impartially, and with integrity, adjudicating and mediating workers' compensation disputes.

Through a continuous improvement process, WCOA is committed to provide quality services in a timely, cost effective manner by leveraging technology, instituting procedural changes and promoting quality results that advance and streamline the dispute resolution process.

Workers' Compensation Judges are held to the highest of standards and issue reasoned decisions in a timely manner. As final finders of fact, they adhere to a strict code of professionalism and ethics.

### Judge Managers

In addition to managing their own caseloads, the judge managers supervise the judges in the Office of Adjudication field offices in their respective regions and the five administrative officers.



Susan Caravaggio



David Cicola



Joseph Hagan



Karen Wertheimer

## Overview of the Office of Adjudication (cont.)

Among other duties, judge managers are responsible for balancing workloads among judges, reassigning petitions among judges, assigning judges to handle informal conferences, performing or assigning other judges to perform hearing duties for judges who are absent, training and evaluating new judges, interfacing with stakeholders and evaluating the impact of proposed policy and legislative changes.

### **Administrative Officers**

The five administrative officers manage the Office of Adjudication field office facilities and clerical staff, supporting the judges in their respective districts. They develop enhancements of the adjudication processes in the field and provide innovative

technology, necessary equipment and appropriate training for field office staff. The administrative officers are the Office of Adjudication's liaisons with the various divisions of the bureau and the department. They provide support to field offices that helps judges render timely decisions.

The Administrative Officers are:

Saundra Parker – Southeastern District

Gloria Gallagher – Eastern District

Rhonda Joy – Central District

Kenneth Kuklar – Western District

Stevi Leech - Western District

# Office of Adjudication Updates

## Compromise and Release Agreements

The parties may settle matters in dispute under the act by entering into a Compromise and Release Agreement. The agreement must contain detailed information about the settlement and be presented to the judge on form LIBC-755, Compromise and Release Agreement.

The Office of Adjudication schedules mandatory mediation sessions as required by the act as well as voluntary mediation sessions upon request of the parties. In 2013, the Office of Adjudication conducted mediations in 9,436 cases, resulting in resolution of 4,219 claims.

## Alternative Dispute Resolution Services

The Office of Adjudication is pleased to offer mandatory mediation services, voluntary mediation services and informal conferences under the act. Under this system, the decision is placed in the hands of the parties through a process of self-determination to reach an amicable agreement. The judge's role is to facilitate the parties' discussion, provide guidance through the process in identifying each party's interests and to assist the parties in determining creative solutions for possible settlements.

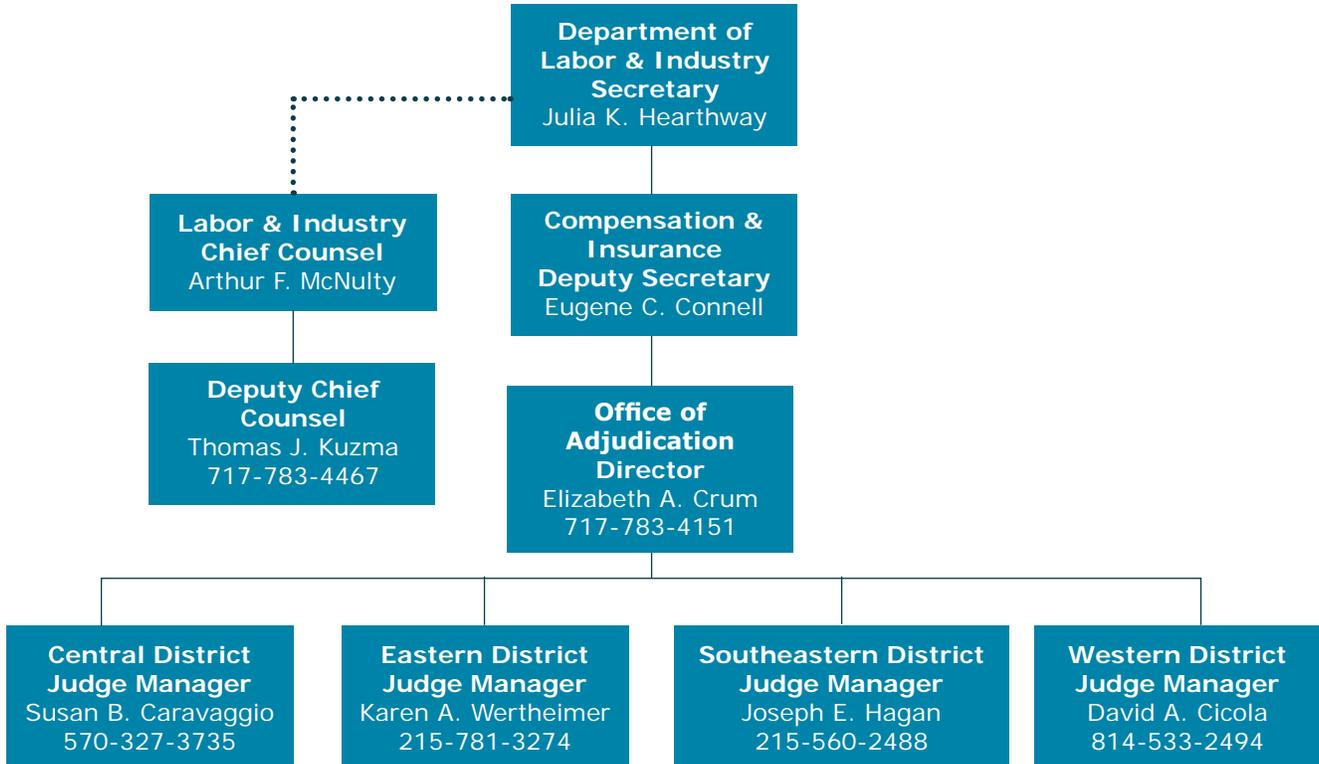
Parties retain control over the outcome. There is no cost when a workers' compensation judge serves as the neutral party. Other potential benefits of this system include:

- Informal sessions
- Open communication between the parties
- Expedition of the claims process

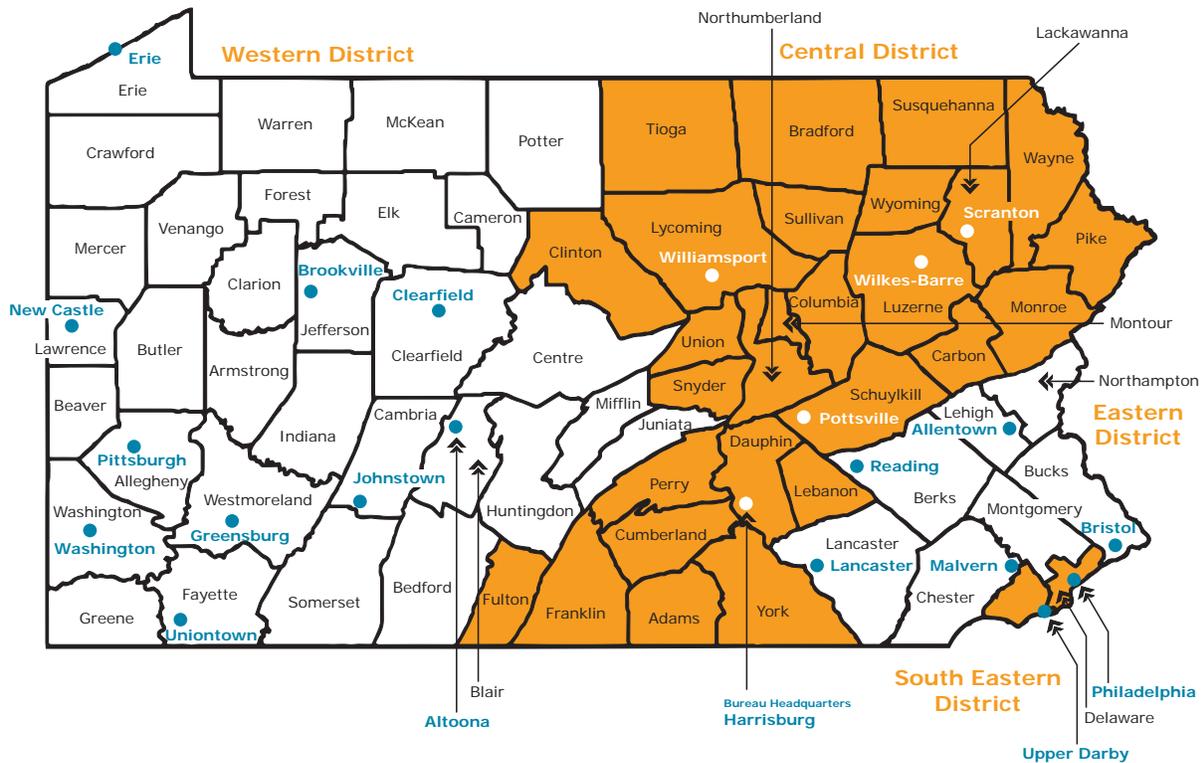
# Office of Adjudication Personnel

## Organization Chart

As of Dec. 31, 2013



# Office of Adjudication District Offices



See telephone directory on page 38 for names, telephone numbers and office locations of workers' compensation judges.

## Western District

### Altoona

615 Howard Ave., Suite 202  
Altoona, PA 16601-4813  
814-946-7355

### Brookville

18 Western Ave., Suite F  
Brookville, PA 15825-1540  
814-849-5382

### Clearfield

241 E. Market St.  
Clearfield, PA 16830-2424  
814-765-6398

### Erie

3400 Lovell Place  
13<sup>th</sup> & Holland Streets  
Erie, PA 16503-2621  
814-871-4632

### Greensburg

144 N. Main St., Suite 1A  
Greensburg, PA 15601-2404  
724-832-5310

### Johnstown

607 Main St., Suite 100  
Johnstown, PA 15901-2119  
814-533-2494

### New Castle

Cascade Galleria  
100 S. Jefferson St., Suite 146  
New Castle, PA 16101-3900  
724-656-3084

## Pittsburgh

411 7<sup>th</sup> Ave., Room 310  
Pittsburgh, PA 15219-1944  
412-565-5277

## Uniontown

108 N. Beeson Blvd., Suite 200  
Uniontown, PA 15401-7401  
724-439-7420

## Washington

Millcraft Center, Suite 120 LL  
90 W. Chestnut St.  
Washington, PA 15301-4528  
724-223-4595

## Eastern District

### Allentown

7248 Tilghman St., Suite 150  
Allentown, PA 18106-9355  
610-366-6060

### Bristol

1242 Veterans Highway  
Bristol, PA 19007-2512  
215-781-3274

### Lancaster

315 W. James St., Suite 206  
Lancaster, PA 17603-2979  
717-299-7591

## Malvern

72 Lancaster Ave., 2<sup>nd</sup> Floor  
Malvern, PA 19355-2142  
610-251-2878

## Reading

Reading State Office Bldg.  
625 Cherry St.  
Reading, PA 19602-1151  
610-621-2370

## Central District

### Director's Office

East Gate Center  
1010 N. 7<sup>th</sup> St., Room 318  
Harrisburg, PA 17102-1400  
717-783-4151

### Harrisburg

East Gate Center  
1010 N. 7<sup>th</sup> St., Room 319  
Harrisburg, PA 17102-1400  
717-783-4419

### Pottsville

112 S. Claude A. Lord Blvd.  
Pottsville, PA 17901-3602  
570-621-3146

### Scranton

400 Spruce St., Suite 500  
Scranton, PA 18503-1814  
570-963-4580

## Wilkes-Barre

101-105 N. Main St.  
2<sup>nd</sup> Floor Rear  
Wilkes-Barre, PA 18701-2097  
570-526-2577

## Williamsport

208 W. Third St., Rear  
Williamsport, PA 17701-6450  
570-327-3735

## Southeastern District

### Philadelphia

110 N. 8<sup>th</sup> St., Suite 401  
Philadelphia, PA 191142-1000  
215-560-2488

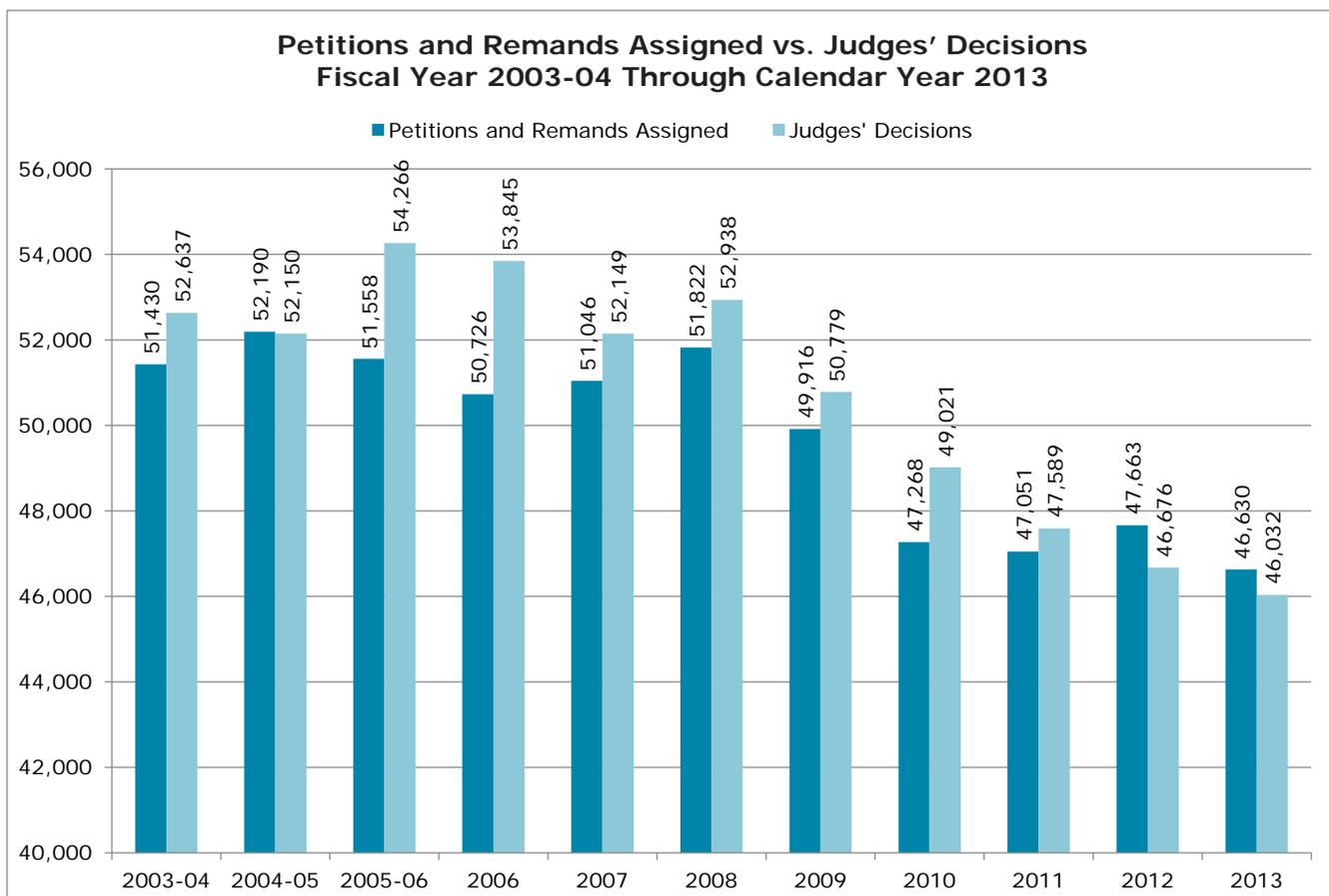
### Upper Darby

Barclay Square Center  
2<sup>nd</sup> Floor  
1500 Garrett Road  
Upper Darby, PA 19082-4519  
610-284-6913

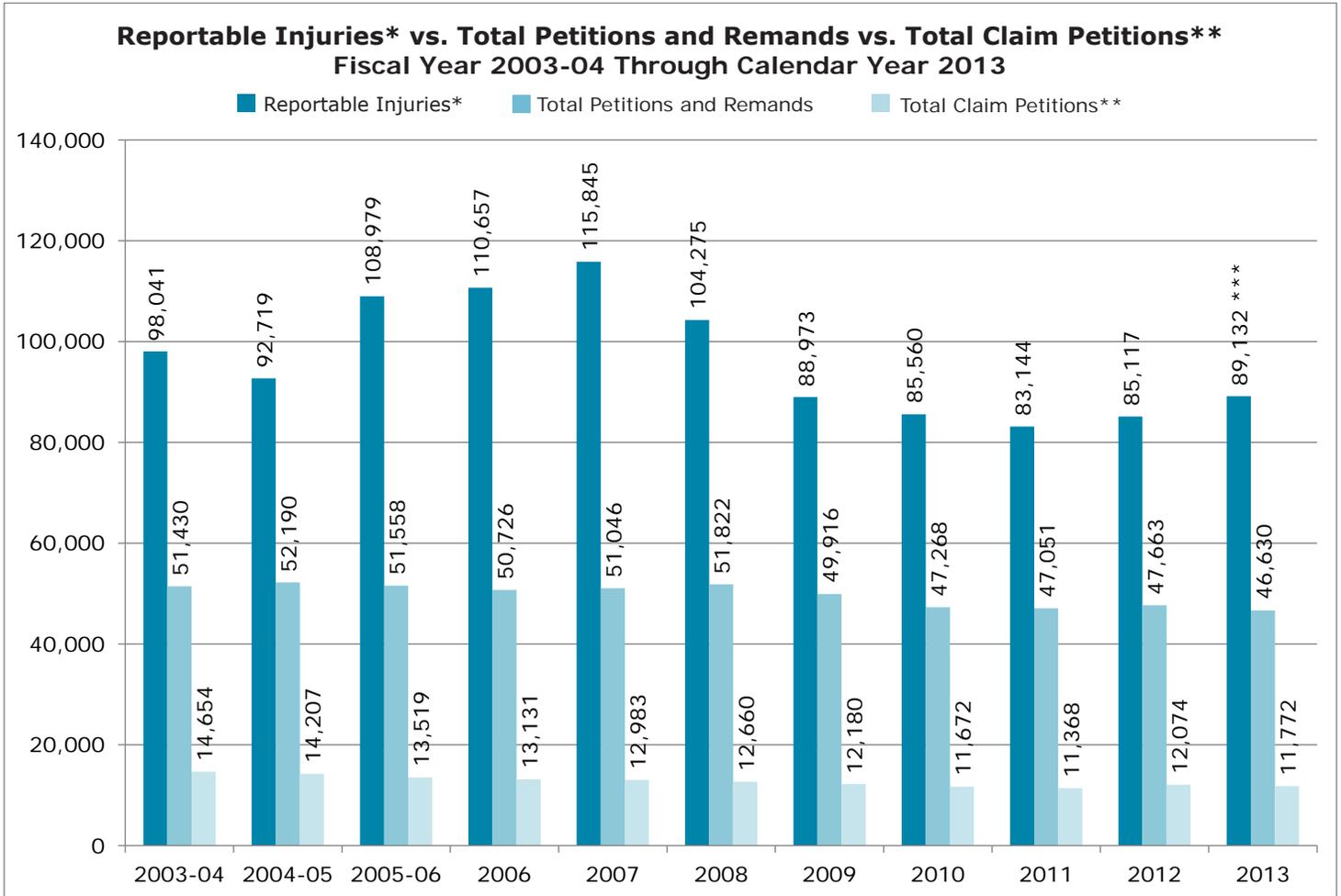
# Office of Adjudication Statistical Review

## Petitions Assigned to Judges (Not Remands) Calendar Year 2008 through Calendar Year 2013

TYPE OF PETITION	2008	2009	2010	2011	2012	2013
Claim Petition	9,990	9,393	9,060	8,936	9,451	9,280
Commutation Petition	4	1	1	0	3	4
Employee Challenge	794	790	784	785	775	850
Fatal Basic OD Petition	4	5	4	2	0	1
Fatal Claim Petition	78	81	76	76	99	90
Fatal Other OD Petition	11	3	5	3	8	3
Interview Petition	327	301	259	243	245	N/A
Joinder Petition	323	367	326	272	324	330
OD 301(j) Petition	21	19	13	14	7	13
Penalty Petition	6,967	6,594	6,308	6,040	6,367	6,154
Petition to Modify Compensation	3,174	3,038	2,917	2,758	2,791	2,605
Petition to Reinstate Compensation Benefits	2,522	2,650	2,489	2,315	2,484	2,349
Petition to Review Benefit Offset	331	334	292	307	240	286
Petition to Review Compensation Benefits	4,249	4,278	4,177	4,212	4,446	4,260
Petition to Review Medical Treatment	1,059	1,067	997	1,009	1,151	1,076
Petition to Seek Approval of Compromise & Release	6,688	6,647	6,106	5,650	5,788	5,809
Petition to Set Aside Final Receipt	34	29	25	22	25	36
Petition to Suspend Compensation	4,776	4,181	3,790	3,717	3,773	3,465
Petition to Terminate Compensation Based on Physician's Affidavit	908	865	734	685	695	907
Petition to Terminate Compensation Benefits	4,575	4,404	4,461	4,426	4,776	4,734
Physical Exam Petition	2,127	2,024	1,862	1,719	1,718	N/A
Physical Examination and Interview Petition	N/A	N/A	N/A	N/A	N/A	1,984
SFR Petition	75	70	49	59	66	17
Subsequent Injury Fund Petition	N/A	7	2	1	1	3
UEGF Claim Petition	227	293	262	255	295	380
UR Petition	1,920	1,986	1,917	1,842	1,837	1,829
<b>Total</b>	<b>51,184</b>	<b>49,427</b>	<b>46,916</b>	<b>45,348</b>	<b>47,365</b>	<b>46,465</b>



# Office of Adjudication Statistical Review



\* Missed more than one day, shift or turn of work due to injury.

\*\* Claim petitions include: claim, reinstatement, fatal, set aside final receipt, 301(i) and OD fatal.

\*\*\* Estimated number. Final total of reportable injuries to be updated.

Source: Workers' Compensation Office of Adjudication, Pennsylvania Department of Labor & Industry



# Overview of the Workers' Compensation Appeal Board

## Primary Functions

The Workers' Compensation Appeal Board (WCAB) is granted statutory authority under the Workers' Compensation Act to adjudicate all appeals from decisions rendered by the approximately 90 workers' compensation judges (WCJ) throughout Pennsylvania.

Any aggrieved party may appeal the decision of a workers' compensation judge by filing a Notice of Appeal with WCAB within 20 days of the issuance of the WCJ's Decision & Order. WCAB reviews the WCJs' decisions to assure that they are supported by substantial, competent evidence and are legally in accordance with the Workers' Compensation Act.

In addition to adjudicating appeals of the orders of workers' compensation judges, the Appeal Board retains original jurisdiction over the Appointment of Fiduciary Guardianships under Section 307 of the act, Commutation Petitions under Section 316, Truited Payments under Section 317, Attorney Fee Petitions under Sections 442 and 501, total disability conversion determinations under instances of dual specific loss claims under Section 306, and Rehearing Petitions under Sections 425 and 426 of the act.

WCAB hears appellate arguments regularly, according to caseload, in Philadelphia, Pittsburgh, Harrisburg, Scranton, Johnstown and Erie.

WCAB commissioners possess statewide jurisdiction. The commissioners customarily sit in panels of two. Decisions and Orders of WCAB are required by statute to be concurred on by a majority of all commissioners.

## 2013 Accomplishments

In 2013 WCAB received 2,361 appeals and cross-appeals, filed in approximately 1630 cases. WCAB issued Opinions and Disposition Orders in 2,174 cases and also issued approximately 1,000 supersedeas determinations. WCAB was the first to "go-live" with the Release 1 phase of the new Workers' Compensation Automation & Integration System (WCAIS) in September 2012, following over a year and a half of designing, testing and implementing the new system. Now in the Release 2 phase, WCAB, in concert with the Office of Adjudication and the Bureau of Workers' Compensation, continues to work toward a faster and more efficient means of facilitating all facets of its work through automation in its ultimate goal

of improving public service while maintaining the integrity of the legal system and the administrative appellate process.

## Mission Statement

The mission of The Pennsylvania Workers' Compensation Appeal Board is to provide every injured worker and aggrieved party the opportunity to seek redress from an adverse Decision & Order of a workers' compensation judge by assuring that each decision issued was reasoned, supported by substantial, competent evidence and comported with applicable law.

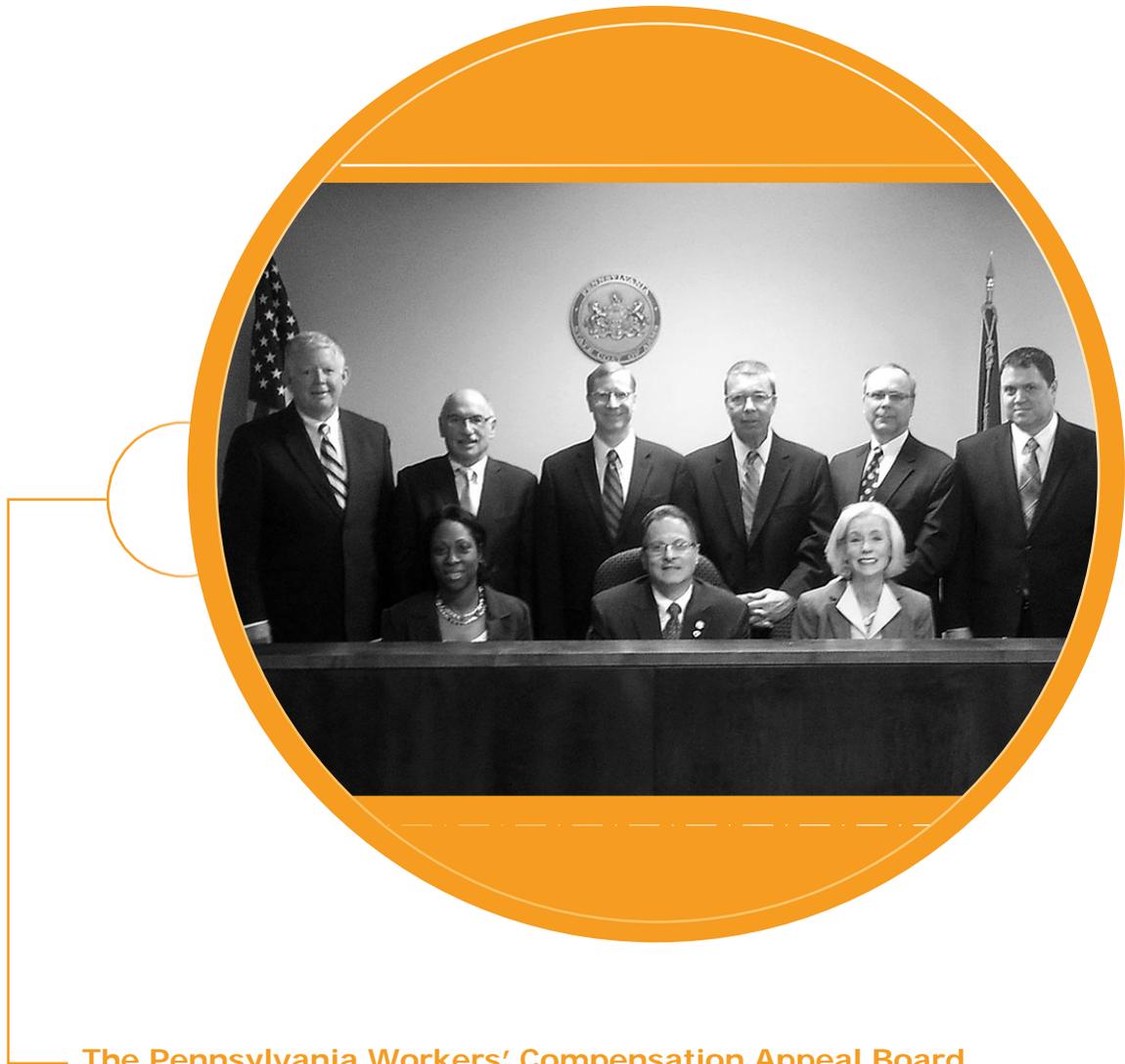
WCAB shall continually strive to provide adequate opportunity for oral and written appellate argument; to issue objective, learned and responsive decisions in a timely manner; and to allocate sufficient resources to commissioners and staff to provide a positive, efficient and productive work environment in service to the public.

## Commissioners

Currently there are eight commissioners:

Commissioner Alfonso Frioni, Jr., Esq., Chairman  
Commissioner Sandra D. Crawford, Esq.  
Commissioner Thomas P. Cummings, Jr., Esq.  
Commissioner William I. Gabig, Esq.  
Commissioner Robert A. Krebs, Esq.  
Commissioner Susan M. McDermott, Esq.  
Commissioner David A. Wilderman, Esq.  
Commissioner James A. Zurick, Esq.  
Mr. William L. Trusky, Jr., Secretary

## Overview of the Workers' Compensation Appeal Board



**The Pennsylvania Workers' Compensation Appeal Board**

**Front Row:** Commissioner Sandra D. Crawford, Chairman Alfonso Frioni, Jr., Commissioner Susan M. McDermott

**Back Row:** Commissioner Thomas P. Cummings, Jr., Commissioner David H. Wilderman, Commissioner Robert A. Krebs,  
Commissioner James A. Zurick, Commissioner William I. Gabig, Board Secretary William L. Trusky, Jr.

# Workplace Safety

## Governor's Occupational Safety and Health Conference

This two-day conference brings together individuals with special interest in the field of workplace health and safety to share ideas and to meet innovators in safety program design and technology.

Using labor-management cooperation, the conference goal is to create a safer workplace and a healthier workforce, and to increase awareness of safety issues in the workplace, the home and throughout local communities.

Featuring nationally-known speakers, the conference highlights one-on-one interaction during two days of workshops. Many of the workshops are created based on needs expressed by attendees at the previous year's conference. In addition, workshops with the most interest from attendees are repeated in the second session of the day to ensure that all participants have the opportunity to participate in the workshops of their interest.

## Governor's Award for Safety Excellence

Providing a safe work environment for Pennsylvania's workers requires complete commitment by employers and employees. This safety initiative provides Pennsylvania employers and employees with the information and technical assistance needed to develop comprehensive safety practices in the workplace. It also recognizes the successful employer-employee joint safety programs, which result in the achievement of safety excellence.

The Governor's Award for Safety Excellence is a competitive award, as evidenced by the high number of nominations received annually. The information gained from these nominations provides valuable best practices that are shared across the state.

Any Pennsylvania employer is eligible for the Governor's Award for Safety Excellence; nominations for the award are voluntary. Information and criteria used to determine finalists include any established joint safety committee; level of labor and management cooperation in prevention efforts; a comprehensive safety plan with a commitment of resources and training; trends experienced in workplace injuries/illnesses over the past five years; number, frequency and severity of workplace injuries/illnesses vs. industry standards; and innovation and strategic development of safety policy and approaches.

Initial review of all nominations is conducted by the Governor's Award for Safety Excellence Review Committee. Semi-finalists are then contacted for an on-site visit conducted by a member(s) of the department's safety team to review the nominee's comprehensive safety program. Site visit reports are written and distributed to the review committee for the determination of finalists. Recommendations are then forwarded to the secretary of Labor & Industry, who makes the final determination.

Awards are presented by representatives of the Department of Labor & Industry at the organization's workplace. Winners receive a "Governor's Award for Safety Excellence" plaque to memorialize the achievement.

For a copy of the award application, visit [www.dli.state.pa.us](http://www.dli.state.pa.us); click on Workers' Compensation," and "Health & Safety Division," then "Governor's Award for Safety Excellence."

## 2013 Governor's Award for Safety Excellence Winners

### **Voith Turbo Inc.** **York County**

Voith Turbo Inc. had zero lost-time work injuries in 2012 and has gone 811 days, or more than 818,000 hours, without a lost time injury. They have also reduced their OSHA recordable rate from 2.31 in 2011 to 2.07 in 2012. The company has undertaken ergonomic considerations of tools and methods, has replaced irritant-containing cleaning solutions with ultrasonic, non-offensive solutions that resulted in less physical labor, and has constructed special carts for holding and transporting large work pieces.

### **AMBECH, Inc.** **Allegheny County**

ABMECH, Inc. is a Silver Contractor Award recipient of the 2011 Theodore H. Brodie Distinguished Safety Award. They are an active participant in the state-certified workplace safety initiative and have an extensive new employee training program. ABMECH also has a safety discipline program, a substance abuse program and daily worksite inspections and self-safety evaluations. Their mission statement is "To provide a workplace culture that is conducive to achieving maximum productivity in dangerous working environments by addressing potential safety deficiencies first and foremost."

### **Dynamic Manufacturing** **Armstrong County**

As of Sept. 13, 2013, Dynamic Manufacturing had worked 1,058,773 hours since their last work-related accident. The company keeps a safety log in the production area that has resulted in a high level of associate awareness and participation. Monthly town talk meetings discuss safety issues that are addressed with all associates. Dynamic Manufacturing also has integrated safety policies and procedures with all employees to stress the philosophy that safety is everyone's top priority.



### **Avery Dennison** **Bucks County**

Avery Dennison's location in Quakertown has achieved 627 days without an injury. Its workplace safety committee's dedication to safety is reflected by the company as a whole, whose motto is "Zero is achievable." They have implemented an "Ideas for Action" program, allowing employees to make suggestions to improve processes and procedures. The company also regularly posts and distributes safety "single point lessons," single laminated sheets explaining when a process or procedure is changed. Color-coded mats and walkways identify danger zones throughout the facility, and the company recently implemented a wellness program and a nurse's station staffed by a certified nurse.

## 2013 Governor's Award for Safety Excellence Winners

### AFS Energy Systems Cumberland County

Advanced Fabrications Systems, Inc., or AFS, has been a SHARP organization, OSHA's Safety and Health Achievement Recognition Program, since 2009 and has been an innovator in safety programs, including an inspection process that has been advanced by SHARP. Inspections include monthly assessments on equipment as well as preventative maintenance policies. They participate in a regular "Safety by Walkthrough" program that has staff walking through the premises, including the site's three buildings, campus and grounds, to find and rectify safety issues. The company also shares their safety program on the Internet to aid other organizations in achieving their safety goals.



### MI Metals, Inc. Dauphin County

MI Metals achieved certification under the OSHA Safety and Health Achievement and Recognition Program (SHARP) in 2008 and continues to be a SHARP facility today. They were also awarded the Governor's Award for Safety Excellence in 2008. MI Metals reduced their injuries from eight in 2004 to zero in 2012, and their workers' compensation costs have dropped from over \$12,000 in 2003 to \$322 in 2012. The company maintains an Injury and Illness Prevention Program based on the American National Standards Institute Z-10 system.



## 2013 Governor's Award for Safety Excellence Winners (cont.)

"call box" for communicating in-house safety issues.

### Lockheed Martin Missiles and Fire Control

#### Lackawanna County

Lockheed Martin Missiles and Fire Control is an OSHA VPP Star site, receiving its five-year certification in March 2013. The company operates a "Close Call" system, an intranet reporting system that allows for proactive and post-accident reporting. A Global Recall system oversees the regular calibration of all equipment in use, and their "Generating Ideas for Tomorrow," or GIFT, program rewards employees for safety suggestions from suggestion boxes located throughout the facility.



### MI Windows and Doors

#### Dauphin County

MI Windows and Doors, LLC has been certified under OSHA's Safety and Health Achievement and Recognition Program (SHARP) for five years and is currently moving toward obtaining VPP status from OSHA. MI has instituted a stretching program for all employees, wherein all employees are given instruction in appropriate stretching exercises prior to starting work or when completing certain tasks. They require all contractors to be trained using MI's Safety & Health Program, and "Safety Alerts" are sent out corporate-wide anytime a serious safety incident or near-miss occurs, so other facilities can be proactive in preventing these issues.

### Equipower

#### Delaware County

Liberty Electric Power is one of 11 plants that make up the Equipower fleet. The plant achieved recognition as a Star site under the OSHA Voluntary Protection Program in May 2011 and continues to be a Star facility. The company makes use of a new employee training and shadowing program and requires contractor orientation with safety videos. They also use a user group email for dissemination of safety issue information as well as an anonymous



### Tobyhanna Army Depot

#### Monroe County

Tobyhanna Army Depot has been an OSHA VPP Star worksite since 2010. Its safety red card program allows employees to show a red card notifying a supervisor to stop and correct unsafe acts. In order to reduce fossil fuel vehicle emissions, the depot initiated an indoor electrical vehicle program. A "Fire Safety House," a contained unit designed to train families about emergency response in the event of a fire or other emergency, can be transported through the community as well as the base itself.

## More Information

### On the Web

Check us out on the web at [www.dli.state.pa.us](http://www.dli.state.pa.us). Click on "Workers' Compensation." Use the left navigation bar to find more exciting and innovative workers' compensation features, including:

### Health and Safety

Find descriptions about a variety of safety-related programs including: safety committee certification, return-to-work, the Governor's Award for Safety Excellence and drug-free workplaces. You'll also learn about HandS, the health and safety online filing system, and the Pennsylvania Training for Health and Safety, or PATHS, free safety training and educational resource. Self-insured employers and insurers can file annual reports online. Employers who want to certify their safety committees or renew existing certification can do so on the web. Health and Safety web pages provide instructions on how to use the HandS system and how to establish a user account.

### Claims Information

WCAIS gives the external community access to their claims in the system. See [www.wcais.pa.gov](http://www.wcais.pa.gov) for registration information and more.

Log on to the EDI web page for information regarding Claims EDI Release 3 and access to the Implementation Guide, supporting documents and more: [www.dli.state.pa.us](http://www.dli.state.pa.us), "Workers' Compensation," "WCAIS," "Electronic Data Interchange."

### Forms Update

Paper copies of the forms listed below are no longer required to be sent to the bureau, as the Electronic Data Interchange (EDI) transaction satisfies the filing requirement. However, written notice to the employee has not changed due to EDI. Paper forms must be sent to the claimant for ALL transactions, as required by the Workers' Compensation Act and Regulations, whether they are forms currently generated by insurer systems or LIBC forms downloaded from the department's website.

1. LIBC-498..... Commutation of Compensation
2. LIBC-392..... A Final Statement of Account
3. LIBC-761..... Benefit Offset
4. LIBC-762..... Notice of Suspension for Failure to Return 760
5. LIBC-763..... Reinstatement of WC

### Medical Treatment Information

The Health Care Services Review Division is pleased to offer online tutorials to assist providers with the completion of the Application for Fee Review (LIBC-507) and Medical Report Form (LIBC-9). The division also provides an online courtesy copy of the workers' compensation fee schedule.

### Other Useful Information

Use the web to access other information such as the Workers' Compensation Act, bureau publications, information on obtaining workers' compensation hearing transcripts, alternative dispute resolution, Kids' Chance of Pennsylvania Inc. and more.

### Publications Available from the Bureau of Workers' Compensation

#### Workers' Compensation Act

The bureau makes the Pennsylvania Workers' Compensation Act available online at [www.dli.state.pa.us](http://www.dli.state.pa.us). Click on "Workers' Compensation," then "Publications," then "WC Act." Hard copies of the act are available for purchase from the State Bookstore of Pennsylvania's website, [www.shopPAheritage.com](http://www.shopPAheritage.com).

#### Employer Information

- Employer's Guide to Self-Insuring Workers' Compensation (LIBC-300) – Information on how to self-insure your workers' compensation coverage.
- Employer Information (LIBC-200) – Includes key aspects of the act that relate specifically to employers.

#### Injured Worker Information

- Workers' Compensation & the Injured Worker (LIBC-100) – General information on the rights and responsibilities of injured workers under the law. This publication is also available in Spanish.

#### Medical Cost Containment Information

- Medical Cost Containment Regulations Reference – workers' compensation medical cost containment regulation highlights.

## More Information (cont.)

### Health and Safety Materials

- Health and Safety Regulations published in the Pennsylvania Bulletin, Vol. 31, no. 28, July 14, 2001
- PA Training for Health and Safety (PATHS) Training Resources and Calendar
- State-Certified Workplace Safety Committee Program (LIBC-733)
- Application for Certification of Workplace Safety Committee Completion Guide (LIBC-372)
- Renewal Application for Safety Committee Certification Completion Guide (LIBC-372R)
- Commonwealth of Pennsylvania Insurer's Initial Report of Accident & Illness Prevention Services (LIBC-211I)
- Insurer's Annual Report of Accident & Illness Prevention Services (LIBC-210I)
- Commonwealth of Pennsylvania Self-Insured Employer's Initial Report of Accident & Illness Prevention Program (LIBC-221E)
- Accident & Illness Prevention Program Status by Individual Self-Insured Employers (LIBC-220E)
- Governor's Award for Safety Excellence application

### Miscellaneous

- News & Notes – Bureau newsletter on policies, procedures and updates on the law.
- Section 305 Prosecutions – A guide to aid Pennsylvania's district attorneys in prosecuting employers who fail to carry the required workers' compensation insurance coverage as outlined in Section 305 of the act.

### Certified Employer Network

For referrals to employers who have volunteered to provide assistance in establishing workplace safety committees, call 717-772-1917.

### Join our Mailing List

To be added to our electronic mailing list, email your name, the county in which you work or reside and your affiliation (claimant attorney, defense attorney, employer, government, health care industry, insurance industry, labor, third-party administrator or other) to RA-LI-BWC-Helpline@pa.gov and RA-LIBWC-NEWS@pa.gov, and ask to be added to our mailing lists.

**To obtain copies of the publications listed above or for information regarding workers' compensation in Pennsylvania, contact the bureau:**

#### EMAIL

ra-li-bwc-helpline@pa.gov

#### PHONE

Claims Information Services:

- Inside PA toll-free 800-482-2383
- Local and outside PA 717-772-4447
- Employer Information Services 717-772-3702

TTY for hearing and speech impaired:

- Inside PA toll-free 800-362-4228
- Local and outside PA 717-772-4991

#### MAIL

Bureau of Workers' Compensation  
Information Services  
1171 S. Cameron St., Room 324  
Harrisburg, PA 17104-2501

# Workers' Compensation Offices of Adjudication Directory

## ALLENTOWN

7248 Tilghman St., Suite 150  
Allentown, PA 18106-9355  
**610-366-6060**

## ALTOONA

615 Howard Ave., Suite 202  
Altoona, PA 16601-4813  
**814-946-7355**

## BRISTOL

1242 Veterans Highway  
Bristol, PA 19007-2512  
**215-781-3274**

## BROOKVILLE

18 Western Ave., Suite F  
Brookville, PA 15825-1540  
**814-849-5382**

## CLEARFIELD

241 E. Market St.  
Clearfield, PA 16830-2424  
**814-765-6398**

## DIRECTOR'S OFFICE

East Gate Center  
1010 N. 7<sup>th</sup> St., Room 318  
Harrisburg, PA 17102-1400  
**717-783-4151**

## ERIE

3400 Lovell Place  
13<sup>th</sup> & Holland Streets  
Erie, PA 16503-2621  
**814-871-4632**

## GREENSBURG

144 N. Main St., Suite 1A  
Greensburg, PA 15601-2404  
**724-832-5310**

## HARRISBURG

East Gate Center  
1010 N. 7<sup>th</sup> St., Room 319  
Harrisburg, PA 17102-1400  
**717-783-4419**

## JOHNSTOWN

607 Main St., Suite 100  
Johnstown, PA 15901-2119  
**814-533-2494**

## LANCASTER

315 W. James St., Suite 206  
Lancaster, PA 17603-2979  
**717-299-7591**

## MALVERN

72 Lancaster Ave., 2<sup>nd</sup> Floor  
Malvern, PA 19355-2142  
**610-251-2878**

## NEW CASTLE

Cascade Galleria  
100 S. Jefferson St., Suite 146  
New Castle, PA 16101-3900  
**724-656-3084**

## PHILADELPHIA

110 N. 8<sup>th</sup> St., Suite 401  
Philadelphia, PA 19107-2413  
**215-560-2488**

## PITTSBURGH

411 7<sup>th</sup> Ave., Room 310  
Pittsburgh, PA 15219-1944  
**412-565-5277**

## POTTSVILLE

112 S. Claude A. Lord Blvd.  
Pottsville, PA 17901-3602  
**570-621-3146**

## READING

Reading State Office Bldg.  
625 Cherry St.  
Reading, PA 19602-1151  
**610-621-2370**

## SCRANTON

400 Spruce St., Suite 500  
Scranton, PA 18503-1814  
**570-963-4580**

## UNIONTOWN

108 N. Beeson Blvd., Suite 200  
Uniontown, PA 15401-7401  
**724-439-7420**

## UPPER DARBY

Barclay Square Center, 2<sup>nd</sup> Floor  
1500 Garrett Rd.  
Upper Darby, PA 19082-4519  
**610-284-6913**

## WASHINGTON

Millcraft Center, Suite 120 LL  
90 W. Chestnut St.  
Washington, PA 15301-4528  
**724-223-4595**

## WILKES-BARRE

101-105 N. Main St.  
2<sup>nd</sup> Floor Rear  
Wilkes-Barre, PA 18701-2097  
**570-826-2577**

## WILLIAMSPORT

208 W. Third St., Rear  
Suite 202  
Williamsport, PA 17701-6450  
**570-327-3735**

# Bureau of Workers' Compensation Directory

<b>Administrative Support Division .....</b>	<b>717-783-5421</b>
<b>Claims Management Division .....</b>	<b>717-772-0621</b>
Email: ra-CMDClaimsOps@pa.gov (Claims Operations)	
ra-CMDEDI@pa.gov (EDI)	
Records Section .....	717-787-3361
<b>Information Services Helpline .....</b>	<b>717-783-5421</b>
Email: ra-li-bwc-helpline@pa.gov	
Claims Information Services	
Inside PA toll-free .....	800-482-2383
Local and outside PA .....	717-772-4447
Employer Information Services .....	717-772-3702
TTY for hearing and speech impaired	
Inside PA toll-free .....	800-362-4228
Local and outside PA .....	717-772-4991
<b>Regulatory Adherence &amp; Educational Outreach</b>	
Email: ra-cmdRegAd&EdOutrch@pa.gov	
(For Training, 21-Day Compliance and General Questions)	
SFR/Medical Payments .....	717-787-3457
<b>Director's Office .....</b>	<b>717-783-5421</b>
Compliance Section .....	717-783-3567
Uninsured Employers Guaranty Fund (UEGF) .....	717-886-9184
<b>Health and Safety Division .....</b>	<b>717-772-1917</b>
Email: ra-li-bwc-safety@pa.gov (General Questions)	
ra-li-bwc-paths@pa.gov (PATHS Questions)	
Audit/Report Processing .....	717-772-1636
Certification/Education .....	717-772-1635
<b>Health Care Services Review Division .....</b>	<b>717-787-3486</b>
Email: ra-li-bwc-hcsrd@pa.gov	
Fee Review .....	717-772-1900
Utilization Review .....	717-772-1914
<b>Legal Division .....</b>	<b>717-783-4467</b>
Email: gc-li-cameronstoffice@pa.gov	
<b>Self-Insurance Division .....</b>	<b>717-783-4476</b>

## Bureau of Workers' Compensation and Office of Adjudication Contact Information

PERSONNEL	LOCATION	TITLE	TELEPHONE NO.
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Adams, Stacey	Harrisburg HQ	Applications Manager, Self-Insurance	717-783-4476
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Bachman, Patricia	Philadelphia FO	Workers' Compensation Judge	215-560-2488
Baker, Paul	Harrisburg FO	Workers' Compensation Judge	717-783-4419
Baldys, Karl	Williamsport FO	Workers' Compensation Judge	570-327-3735
Beach, Audrey	Allentown FO	Workers' Compensation Judge	610-366-6060
Beck, Lance	Philadelphia FO	Workers' Compensation Judge	215-560-2488
Benedict, Alfred	New Castle FO	Workers' Compensation Judge	724-656-3084
Benischeck, Robert	Bristol FO	Workers' Compensation Judge	215-781-3274
Bloom, Irving	Greensburg FO	Workers' Compensation Judge	724-832-5310
Bowers, Debra	Philadelphia FO	Workers' Compensation Judge	215-560-2488
Briston, Pamela	Pittsburgh FO	Workers' Compensation Judge	412-565-5277
Bulman, Timothy	Philadelphia FO	Workers' Compensation Judge	215-560-2488

Callahan, Bonnie	Malvern FO	Workers' Compensation Judge	610-251-2878
Caravaggio, Susan	Williamsport FO	Workers' Compensation Judge Manager	570-327-3735
Carmody, Anne	Harrisburg HQ	Manager, Compliance	717-787-3567
Cercone, Susan	Pittsburgh FO	Workers' Compensation Judge	412-565-5277
Cicola, David	Johnstown FO	Workers' Compensation Judge Manager	814-533-2494
Clark, Charles	Harrisburg FO	Workers' Compensation Judge	717-783-4419
Coholan, Anne	Uniontown FO	Workers' Compensation Judge	724-439-7420
Costelnock, Paul	Greensburg FO	Workers' Compensation Judge	724-832-5310
Craig, Sandra	Philadelphia FO	Workers' Compensation Judge	215-560-2488
Cummings, Patrick	Scranton FO	Workers' Compensation Judge	570-963-4580
Crum, Elizabeth	Harrisburg HQ	Director, WCOA	717-783-4151

Dietrich, Wayne	Harrisburg FO	Workers' Compensation Judge	717-783-4419
DiLorenzo, Kathleen	Upper Darby FO	Workers' Compensation Judge	610-284-6913
Doman, Bruce	Allentown FO	Workers' Compensation Judge	610-366-6060
Doneker, Beverly	Allentown FO	Workers' Compensation Judge	610-366-6060

## Bureau of Workers' Compensation and Office of Adjudication Contact Information (cont.)

PERSONNEL	LOCATION	TITLE	TELEPHONE NO.
Dupin, Kathleen	Harrisburg HQ	Chief, Claims Management	717-772-0621

Eader, Brian	Harrisburg FO	Workers' Compensation Judge	717-783-4419
Evans, Darrel	Harrisburg HQ	Supervisor, Mailroom Staff – Admin.	717-783-5421

Fegley, Wayne	Pottsville FO	Workers' Compensation Judge	570-621-3146
Fireoved, Stephen J.	Harrisburg HQ	Director, BWC	717-783-5421

Gallagher, Gloria	Lancaster FO	Administrative Officer, WCOA	717-299-7591
Goduto, Robert	Lancaster FO	Workers' Compensation Judge	717-299-7591
Grady, Joseph	Scranton FO	Workers' Compensation Judge	570-963-4580
Guyton, Ada	Greensburg FO	Workers' Compensation Judge	724-832-5310

Hagan, Joseph	Philadelphia FO	Workers' Compensation Judge Manager	215-560-2488
Hakun, Joseph	Malvern FO	Workers' Compensation Judge	610-251-2878
Harlen, Stephen	Philadelphia FO	Workers' Compensation Judge	215-560-2488
Harris, Alan	Wilkes-Barre FO	Workers' Compensation Judge	570-826-2577
Harrison, Marc	Philadelphia FO	Workers' Compensation Judge	215-560-2488
Hemak, Brian	Wilkes-Barre FO	Workers' Compensation Judge	570-826-2577
Henry, David	Pittsburgh FO	Workers' Compensation Judge	412-565-5277
Hetrick, Michael	Lancaster FO	Workers' Compensation Judge	717-299-7591

Ignasiak, Cheryl	Pittsburgh FO	Workers' Compensation Judge	412-565-5277
Ingram, Deborah	Harrisburg HQ	Chief, Administrative Support	717-783-5421

Jefferson, Michael	Harrisburg HQ	Property & Casualty Insurance Actuary	717-783-4476
Jones, Eric	Washington FO	Workers' Compensation Judge	724-223-4595
Joy, Rhonda	Harrisburg HQ	Administrative Officer, WCOA	717-783-4151

Keefer, William	Harrisburg HQ	Manager, Health & Safety	717-772-1636
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## Bureau of Workers' Compensation and Office of Adjudication Contact Information

PERSONNEL	LOCATION	TITLE	TELEPHONE NO.
Kelley, Susan	Malvern FO	Workers' Compensation Judge	610-251-2878
Kilgore, Leandra	Harrisburg HQ	Manager, Reg. Adh. & Outreach – Claims	717-772-0621
Tennis, Angela	Harrisburg HQ	Chief, Self-Insurance	717-783-4476
Knox, Terry	Reading FO	Workers' Compensation Judge	610-621-2370
Koll, Michael	Clearfield FO	Workers' Compensation Judge	814-765-6398
Krass, Denise	Philadelphia FO	Workers' Compensation Judge	215-560-2488
Kuklar, Kenneth	Uniontown FO	Administrative Officer, WCOA	724-439-7420
Kutz, Thomas	Pottsville FO	Workers' Compensation Judge	570-621-3146
Kuzma, Thomas	Harrisburg HQ	Deputy Chief Counsel – Legal Div.	717-783-4467

Laughman, Tammy	Harrisburg HQ	Manager, Calc. Rev. & Comp. Doc. – Claims	717-772-0618
Lawton, Charles	Washington FO	Workers' Compensation Judge	724-223-4595
Leech, Stevi	Johnstown FO	Administrative Officer, WCOA	814-533-2494
Longson, Lac	Harrisburg HQ	Property & Casualty Insurance Actuary	717-783-4476
Lincicome, Francine	Philadelphia FO	Workers' Compensation Judge	215-560-2488
Lorine, Carl	Upper Darby FO	Workers' Compensation Judge	610-284-6913
Lowman, William	Uniontown FO	Workers' Compensation Judge	724-439-7420
Lugo, Carmen	Erie FO	Workers' Compensation Judge	814-871-4632

Mack, Gloria	Harrisburg HQ	Supervisor, Petitions	717-787-3274
Makin, Sarah	Upper Darby FO	Workers' Compensation Judge	610-284-6913
Marderness, Denise	Harrisburg HQ	Supervisor, OCR Staff – Admin.	717-783-5421
McCormick, Andrea	Philadelphia FO	Workers' Compensation Judge	215-560-2488
McManus, Joseph	Bristol FO	Workers' Compensation Judge	215-781-3274
Melcher, Kelly	Malvern FO	Workers' Compensation Judge	610-251-2878
Minckler, Pam	Harrisburg HQ	Manager, Fee Review – HCSR	717-772-1900
Minnich, Steven	Johnstown FO	Workers' Compensation Judge	814-533-2494
Mulligan, Angela	Harrisburg HQ	Supervisor, Clerical Staff – Admin.	717-783-5421

Novakovich, Debra	Harrisburg HQ	Chief, Health Care Services Review	717-772-1900
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## Bureau of Workers' Compensation and Office of Adjudication Contact Information (cont.)

PERSONNEL	LOCATION	TITLE	TELEPHONE NO.
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O'Donnell, Robert	Lancaster FO	Workers' Compensation Judge	717-299-7591
Olin, Scott	Philadelphia FO	Workers' Compensation Judge	215-560-2488

Parker, Rosalia	Pittsburgh FO	Workers' Compensation Judge	412-565-5277
Parker, Sandra	Philadelphia FO	Administrative Officer	215-560-2488
Peckmann, Karl	Harrisburg FO	Workers' Compensation Judge	717-783-4419
Pletcher, Eric	Wilkes-Barre FO	Workers' Compensation Judge	570-826-2577
Polin, Larry	Harrisburg HQ	Property & Casualty Insurance Actuary	717-783-4476
Poorman, Donald	Malvern FO	Workers' Compensation Judge	610-251-2878
Puhala, Brian	Reading FO	Workers' Compensation Judge	610-621-2370

Rabold, William	Harrisburg HQ	Manager, Audits – Admin.	717-783-5421
Rago, Tina	Philadelphia FO	Workers' Compensation Judge	215-560-2488
Rapkin, Wayne	Pottsville FO	Workers' Compensation Judge	570-621-3146
Reichert, Edith	Harrisburg HQ	Manager, UEGF	717-886-9184
Robinson, Patricia	Harrisburg HQ	Manager, Medical Treatment Rev. – HCSR	717-772-1914
Rosen, Michael	Bristol FO	Workers' Compensation Judge	215-781-3274

Sabatino, Cathleen	Allentown FO	Workers' Compensation Judge	610-366-6060
San Angelo, Holly	Philadelphia FO	Workers' Compensation Judge	215-560-2488
Santoro, Pam	Philadelphia FO	Workers' Compensation Judge	215-560-2488
Seacrist, Geoffrey	Brookville FO	Workers' Compensation Judge	814-849-5382
Sebastianelli, Joseph	Wilkes-Barre FO	Workers' Compensation Judge	570-826-2577
Seelig, Todd	Philadelphia FO	Workers' Compensation Judge	215-560-2488
Sheldon, Patrick	Harrisburg FO	Workers' Compensation Judge	717-783-4419
Shaffer, Dan	Harrisburg HQ	Analyst, Self-Insurance	717-783-4476
Snyder, Mistie	Harrisburg HQ	Manager, Helpline – Claims	717-772-4447
Spizer, Howard	Scranton FO	Workers' Compensation Judge	570-963-4580
Stapleton, James	Reading FO	Workers' Compensation Judge	610-621-2370
Steiner, Robert	New Castle FO	Workers' Compensation Judge	724-656-3084

## Bureau of Workers' Compensation and Office of Adjudication Contact Information (cont.)

PERSONNEL	LOCATION	TITLE	TELEPHONE NO.
Stokes, Joseph	Upper Darby FO	Workers' Compensation Judge	610-284-6913
Torrey, David	Pittsburgh FO	Workers' Compensation Judge	412-565-5277
Valley, Kathleen	Pittsburgh FO	Workers' Compensation Judge	412-565-5277
Vonada, Robert	Altoona FO	Workers' Compensation Judge	814-946-7355
Vuxta, Amy	Harrisburg HQ	Management Technician, Self-Insurance	717-783-4476
Walfred, Valerie	Harrisburg HQ	Supervisor, Comp. Doc. – Claims	717-772-0619
Walsh, Kenneth	Williamsport FO	Workers' Compensation Judge	570-327-3735
Weiant, Scott	Harrisburg HQ	Chief, Health & Safety	717-772-1917
Wertheimer, Karen	Bristol FO	Workers' Compensation Judge Manager	215-781-3274
Weyl, David	Harrisburg FO	Workers' Compensation Judge	717-783-4419
Wright, Jean	Erie FO	Workers' Compensation Judge	814-871-4632
Zacks, Amy	Harrisburg HQ	Assistant to Chief, Health & Safety	717-772-1917

### Legend

FO-Field Office - HQ-Headquarters





**pennsylvania**  
DEPARTMENT OF LABOR & INDUSTRY

**Bureau of Workers' Compensation**  
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