

Missouri Division of Workers' Compensation (<https://labor.mo.gov/injured-workers>)



Colleen Joern Vetter, DWC Director
June 2021

What a Difference a Year Makes!

- DWC 2020 Annual Report -
 - online flip book - DWC website
- Over \$378 million -
 - benefits approved for injured workers in 2020

What a Difference a Year Makes!

- Covid cases reported as work-related in 2021
 - 3,413 (10,173 in 2020)
- Covid cases denied:
 - 128 (483 in 2021)

Electronic Document Submission via box.com

- Attorneys/Law Firms
 - Claims for Compensation and Answers to Claims for Compensation
 - Entries of Appearance
- Insurers/TPAs
 - WC-151 Information Request Letter
 - WC-9 Medical Treatment Form
 - WC-2 & WC-3 Notice of Commencement/Termination of Compensation
 - WC-299, WC-300, WC-301 & WC-302 Change of Address Forms
 - Settlement offer, Denial letter
 - Certificate of Liability Insurance
- ElectronicFiling@labor.mo.gov - send an email to receive an invitation to create a Box account or call (573) 526-4943

Electronic Document Submission via box.com

- To create box.com accounts for Other DWC services
- Copy work/Records requests: DWCCustomerService@labor.mo.gov
- Medical Fee Disputes: workerscomp@labor.mo.gov
- Exhibits: Stacy.Benoist@labor.mo.gov or Dawn.Livingston@labor.mo.gov
- Self-Insurance Unit: DWCSelfInsurance@labor.mo.gov

Electronic Document Submission via box.com

- YOUR LAW FIRM BOX MAY HAVE SEVERAL FOLDERS - USE THEM PLEASE
- Claims/Answers/Entries: Law Firm Name-DWC Electronic Filing
- Copy work/Records requests: Law Firm Name-Records Request
- Medical Fee Disputes: DWC MFD-Law Firm Name
- Exhibits: DWCEX-Law Firm Name
- Self-Insurance Unit: DWC SELF INSURANCE - Law Firm Name

Adjudication Updates

- All Adjudication staff have had their equipment upgraded to provide faster processing speed, more memory, cameras and microphones, and larger monitors in order to provide better and more efficient services
- Hearings and some mediations are available either in-person or by video
- Jefferson City, St. Louis, and Kansas City have courtrooms equipped for hybrid settings which allow for in-person and video appearance

Adjudication Updates

- Judge Gina Mitten was appointed to serve in the St. Louis office after Judge Marvin Teer retired at the end of December
- Judge Margaret Landolt retired from the St. Charles office
- Nasreen Esmail retired from the Central office

Adjudication Updates - Hearing Exhibits

- When a hearing is scheduled, a court reporter will send information to the attorneys to guide submission of electronic exhibits by Box.com
- Exhibits are to be submitted AT LEAST 3 BUSINESS DAYS BEFORE the hearing
- WHY so early? (What's in it for You?)
- So the court reporter can make a full set of exhibits available to All
 - Exceptions - impeachment evidence and day of hearing corrections
 - Please have these exhibits and an amended exhibit list ready in an email to send to the judge and all parties on the day of hearing
- Keep your Audience in mind - Beware the inclination to submit all medical records you have ever received just because electronic submission is so easy!

Electronic Document Submission via Email

- Requests for approval of: Stipulations for Compromise Settlements, Subpoenas, **Form 43s**
- Requests for Dismissal and Withdrawal
- Requests for settings: Conference, Pre-hearing, **Mediation**, Motion, Hearing
- Requests for Change of Venue or Judge
- Any other Request for an Administrative Law Judge to consider

Adjudication Updates - Practice Reminders

- WHO can submit an email to an adjudication office with a request for approval or setting?
 - An Attorney
 - An Attorney's paralegal or assistant
 - ONLY IF the message says the submission is made on the Attorneys' behalf
 - AND the Attorney (and all parties/attorneys) are included on the email
 - Only an Attorney can Advocate for a client (484.010 RSMo)
 - Which includes asking an ALJ to approve something, or request a continuance, etc.

Adjudication Updates - Practice Reminders

- HOW to submit a request for approval or setting
 - In the email subject line:
 - Injury# Last Name Type of Document or Setting
 - Ex: 19-205024 Vetter Stipulation 19-205024 Vetter Mediation
 - Same for naming Attachments:
 - Ex: 19-205024 Vetter Stipulation 19-205024 Vetter Medical
- Be sure the Attachments are legible PDFs
 - A year ago it was okay to send a photo image of a signed form
 - We know more now - help your client download a free scan tool
 - Or they can mail to you and you can scan as a PDF

Adjudication Updates - Practice Reminders

- WHO should receive a request for approval or setting
 - Local docketing email
 - **All Attorneys entered on the case**
 - Docket clerks may return an email for proper notice
 - Please Do Not also send to an ALJ - it is duplicative and confusing and could result in delay in processing
 - IF the email contains information ONLY an ALJ should see then send only to the ALJ
 - Mediation summary or medical reports for a mediation

Adjudication Updates - Timing

- WHEN should a request for setting be sent to the local docketing email
 - **After you have spoken with the other parties about the case**
 - Please be intentional - use the ALJ's time to resolve issues
 - Hearing Requests
 - After all discovery is complete
 - Be careful what you wish for - you may get a date within weeks!

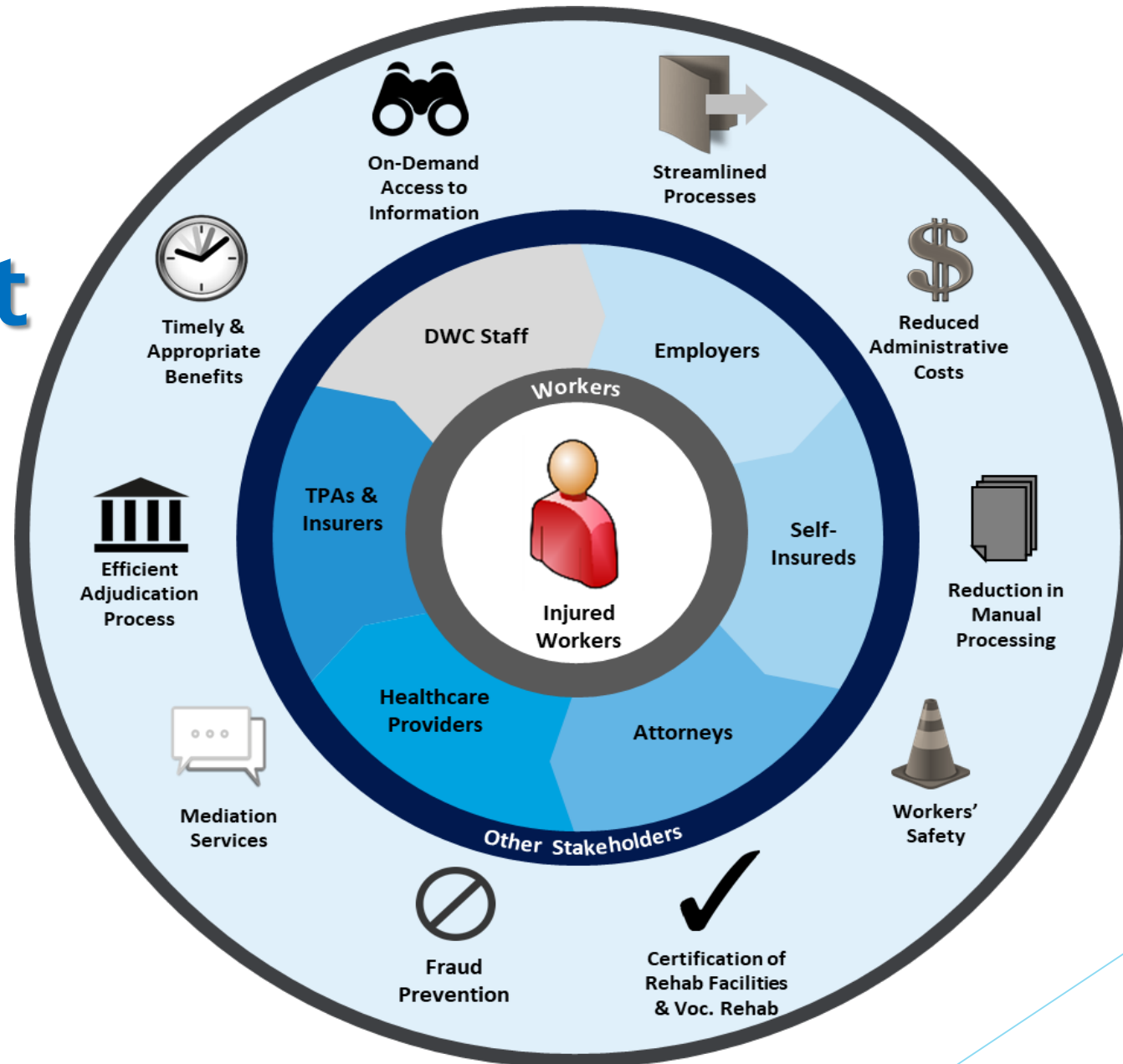
Adjudication Updates - Timing

- WHEN should you follow-up on a request for approval?
 - After 3 Business Days - Most approvals will be returned within this timeframe
 - Please do not re-send the request - could result in confusion and delay
 - Some requests require 10 days for response from opposing counsel
 - Hearing Requests - an adjudication team member will reach out to you when ready to discuss scheduling date of hearing

Change of Address

- PLEASE - send in Changes of Address (you, your firm, your clients)
- We have 300-500 pieces of mail returned weekly - which can cause delay in processing - please double-check addresses now to avoid delay later!
- AddressDWC@labor.mo.gov - “instead of this address ... use this one...”

Work Comp Connect



Website Study Update

- Survey
 - 308 stakeholders completed a survey - 151 Attorneys responded
 - Top response
 - 52.19% - Unable to quickly locate forms
 - 78.32 % - Desire to use electronic web forms (eFiling capabilities)
 - Monitoring of case statuses, similar to Missouri's Case.net Information Lookup
- Focus Group meetings
 - Between January 20 and 29, 2021, 15 one-hour focus groups were held
 - 43 participants; 24 Attorneys
- Creating DWC Website Redesign Plan, to include
 - Current State issues and challenges
 - Future State list of desired functionality
 - Screen Mockups, Persona Paths, Site Map

Business Readiness - Phase 1

- Phase 1 Forms and Correspondence
 - About 45 forms identified for Phase-1 e-filing approach analysis
 - Ability to use self-service portal for forms submission
 - Identifying opportunities for Data Fields - auto-population, mandatory vs. option, data validations, help function etc.
- Plan to reach out to external stakeholders for Forms analysis based focus group sessions
- Documenting Phase 1 User Stories and Test Scenarios
- Documenting end-to-end future state process scenarios/flows

RFP!

Work Comp Connect

