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FEATURES From AASCIF

COMMUNICATIONS CRITICAL DURING COVID-19 CRISIS

Powerful Stories, Multiple Methods Keep the Ohio Bureau of Workers' Compensation and Customers Connected

By Kimberly Norris, Ohio Bureau of Workers' Compensation

When COVID-19 invaded Ohio in March last year, our employees at the Ohio Bureau of Workers' Compensation (BWC) packed up their desks and headed home, spreading our operations from 11 locations to roughly 1,700 homes across the state.

Until that time, our employees had worked exclusively from their offices, so this was new territory for us. That we did so successfully over just a few days (a long weekend) with little to no disruption to our customers is a testament to our agency's agility, resourcefulness, and IT division.

COVID-19 challenged all of us in new ways, of course, but the pandemic presented a particular challenge for our Communications Team: We needed to keep our external and internal customers fully informed on our latest news, assuring them our work continued and we were doing all we could to help our state get through this crisis. Given the dramatic times, the life and death news, capturing their attention wouldn't be easy.

Adding to the pressure, we were just about to launch our new vision, mission, and core values initiative to staff, a critical endeavor designed to unify our personnel around a singular purpose—providing excellent experiences for our customers. Key to that would be humanizing our agency and making personal connections, taking the “bureau” out of Bureau of Workers' Compensation, so to speak.

Creating unity at a time when our employees were scattered across the state, isolated, frightened, and challenged in unprecedented ways, would be a tall order, we thought. Maybe we should hit the brakes on this initiative until times got back to normal.

That wouldn't be necessary, we quickly observed. From our board of directors to our mailroom, the actions of our agency clearly demonstrated that our vision, mission, and core values were not something new to learn, necessarily, but the very essence of who we already were.

As a Communications Team, we would use our storytelling skills and various communications tools and channels to make that case. To our external customers, we would promote our efforts to bring them relief using blogs, news releases, newsletters, and social media. To our internal audience, we would use the language in our vision, mission, and core values in virtually all our messaging—primarily email and intranet articles—helping staff see the connection between their individual roles and our agency’s vision, mission, and values.

Our directive was clear—our agency’s leaders wanted to ensure the following wouldn’t become mere platitudes stenciled on walls, but values imbedded into the fabric of our being, a calling to be our best, a reminder of who we are and why we’re here:

Vision: To transform BWC into an agile organization driven by customer success.

Mission: To deliver consistently excellent experiences for each BWC customer every day.

Core Values: One Agency, Personal Connection, Innovative Leadership, Relentless Excellence

Positioned for Success

The quote attributed to the Roman philosopher Seneca—“Luck is what happens when preparation meets opportunity”—was certainly true in our case.

In the months leading up to the pandemic, our Communications Team deliberately set out to improve and expand our reach and messaging for external and internal audiences. Key to that was social media. We had a presence on Twitter, Facebook, and LinkedIn for years, but it wasn’t a very active presence. One of our staff members handled those duties among her many roles in our department; it wasn’t her full-time gig. Just 10 days before we headed home to work, however, a new employee joined our department, our first social media coordinator. What timing!

Given the onslaught of news coming from Ohio Governor Mike DeWine’s office, our state department of health, and our own agency, we looked for innovative new ways to communicate, and to connect with each other as a team and with the various customers we serve. Social media and the use of videos would be key in delivering news to a vast audience in a timely fashion. (So much for easing a new employee into their job!)

We doubled down on our social media efforts, tweeting and posting news daily, sometimes multiple times a day. We repurposed our news to fit multiple platforms. What might have been a simple news release back in the day was now a tweet, a blog, and a post to Facebook and LinkedIn. If we had a strong story for our internal audience, we’d find a way to share it with our external audience. Case in point: [This blog](#) about a Cleveland business owner who was watching her company slip away until she received a dividend check from us for \$9,450. It was originally an internal story only, written in third person. But with a few tweaks it became a blog by one of our top executives.

Our social media presence and reach skyrocketed in March, the pandemic’s first month in Ohio. We jumped to 101,000 Twitter impressions, compared to 71,000 just one month prior. We gained 94 new followers that month, up from 28 in February, more than 235%! Our Facebook impressions grew by more than 150,000 in 2020 to 364,000. Engagements climbed by more than 10,000, up from 19,400 in 2019.

Our blog readership nearly doubled in 2020, from 35,000 in 2019 to 66,000. We published 18 blogs on a variety of topics, much of it COVID-19 related, including [one from a nurse on our staff](#) who worked weekends in a hospital’s emergency department.

We shifted more focus to the use of video to reach our customers, internally and externally. We added video to virtually every newsletter produced by our agency’s many divisions. We worked with our administrator/CEO to update our internal newsletter to employees, featuring a video every month. We engaged with staff to send us photos and videos of their work from home situations. We used serious and silly videos to help us feel more connected to each other during the pandemic.

Also in 2020, we used our new email delivery system to send roughly 25 million emails containing BWC and state news, most of it pandemic-related and nearly all of them containing videos, to 225,000 recipients.

We shared numerous stories about the difference we were making in the lives of Ohio’s business community and injured workers. We blogged, tweeted, and posted about all our efforts—and there were many—to keep Ohioans safe and help them survive this pandemic.

This included:

- An unprecedented three dividends totaling \$8 billion that we sent to employers in 2020 alone.
- Since late May 2020, we've shipped 46 million face masks to employers around the state to keep their workforce and customers safe through Protecting Ohio's Workforce-We've Got You Covered.
- A [\\$28 million federally funded program](#) we administer to reimburse nursing homes, hospices, substance use treatment centers, and other facilities that serve vulnerable Ohioans for investments that improve their HVAC systems and reduce COVID-19's spread.
- We postponed deadlines and due dates, adopted telemedicine for injured workers, and scoured the state to find and deliver more than 3.5 million pieces of essential supplies and PPE. This included face masks, protective gowns, face shields, sanitizer, pop-up testing equipment, and ventilators to health care settings, hospitals, and frontline workers.

This was all on top of our routine business activities, including webinars and virtual safety trainings, that we also heavily promoted.

Customer Appreciation

Our customers clearly appreciated our efforts. We've received hundreds of thank you notes, tweets, and shout outs for all our agency's pandemic-related work. You don't have to take my word for it. Here's a note from a service company in the oil and gas industry thanking us for last year's dividend checks:

"The bank had given a deadline that we could only meet if we had these funds. (This) is a real lifeline and will save between 20 and 30 jobs... A big thank you to the state of Ohio, the governor, and your office for thinking of small businesses during this difficult time."

That's what I call delivering "excellent experiences" for our customers, the heart of our new vision, mission, and core values. We can't take all the credit, but I'm proud our Communications Team did its part.

"The bank had given a deadline that we could only meet if we had these funds. (This) is a real lifeline and will save between 20 and 30 jobs... A big thank you to the state of Ohio, the governor, and your office for thinking of small businesses during this difficult time."

ON INFLECTION POINTS AND FILIBUSTERS IN WASHINGTON

Jim Gould, Jim Gould Strategies LLC

In the wake of the country's ordeal in the pandemic, and in light of the well-publicized deterioration of the country's infrastructure, President Biden appears convinced that policymaking in the country has reached a new "inflection point"—in this case, a point where voters once again are looking to the federal government as a force for solving problems and improving peoples' lives. In the president's eyes, the mantra of the Reagan revolution of 40 years ago—"Government is the problem, not the solution"—no longer represents the dominant public sentiment. Thus, the president is prepared to "go big" in seeking to put a boldly progressive stamp on federal policymaking.

The president can look to two obvious past inflection points for guidance on going big—the New Deal of FDR and the Great Society of LBJ. Both eras saw the enactment of scores of enduring progressive initiatives that remade the role of the federal government—initiatives such as Social Security, the SEC, the Fair Labor Standards Act, Medicare, Medicaid, the Voting Rights Act, and Head Start, to recite just a few.

However, the voters have dealt President Biden a dramatically inferior political hand than they dealt FDR and LBJ. FDR entered office in 1933 with Democratic majorities exceeding 3/5 in both the House and Senate. The numbers only strengthened in 1935. LBJ, too, enjoyed Democratic super majorities in Congress during the 1960s. The numbers gave both FDR and LBJ extraordinary legislative power, including the ability to lose the votes of significant numbers of Democrats and still prevail. By contrast, President Biden faces an evenly split Senate where he cannot afford to lose even a single Democratic vote on his initiatives unless he can attract Republican votes. In the House, too, he enjoys a bare Democratic majority of just eight seats (with five current vacancies).

President Biden faces obvious and monumental challenges in attempting to unify Congressional Democrats—from progressives to moderates—around his multi-trillion-dollar infrastructure initiative and other forthcoming measures. In the absence of GOP votes, every single Senate Democrat will have the power to hold up the initiatives to insist on inclusion of their pet provisions—a common prescription for turmoil in Congress.

However, assuming the president can in fact keep all Democrats on board with his initiatives, he then faces the reality that in the Senate a majority is not enough. Senate rules effectively require 60 votes for passage of bills other than so-called budget reconciliation bills (which are essentially bills limited to adjustments in government revenues and in mandatory spending programs, and that do not include major policy changes). The 60-vote requirement is better known as the Senate filibuster, under which Senate floor debate on a measure does not end in the absence of 60 votes to bring it to a close.

The odd fact about the Senate filibuster is that the majority party can do away with the 60-vote requirement at any time with only a simple majority vote (essentially by challenging the constitutionality of the requirement on the Senate floor and thereafter voting to overrule the presiding officer's ruling, based on precedent, affirming the constitutionality of the requirement). Observers might scratch their heads as to why a frustrated Senate majority did not long ago eliminate the requirement. In fact, in recent years, the Senate has eliminated the 60-vote requirement on confirmations of presidential nominations.

Elimination of the filibuster on legislation, as opposed to nominations, would unquestionably alter the character of the Senate. The quest to find 60 votes and seek bipartisanship has become the regular order in the body. GOP leader Mitch McConnell has promised that elimination of the filibuster by the Democrats would result in "scorched earth" tactics by the GOP in daily Senate business.

Measures that are likely to be atop the Democratic agenda this Congress but that will be uniformly opposed by Republicans—such as a new voting rights act—may soon experience a titanic collision with the Senate 60-vote tradition; a collision FDR and LBJ did not face during most of their years in office. To have a chance of "going big," the president will need Senate Democrats to be able to control Senate decision-making in party-line votes. He may have little choice but to attempt to force the hand of Senate Democrats to break with the 60-vote tradition.

But the president himself is a creature of the Senate, steeped in the filibuster. Will he be willing effectively to stick his finger in Leader McConnell's eye? Will he be able to persuade all Senate Democrats, many of whom are also steeped in the filibuster, to join him?

Stay tuned. For Congress watchers, it promises to be a fascinating show.

PREPARING FOR THE LONG-TERM HEALTH RAMIFICATIONS OF COVID-19 ON WORKERS' COMPENSATION

By Danielle Quinn, PharmD, WCP, Chesapeake Employers' Insurance Company, and Justin Kennedy, RN, BSN, Montana State Fund

By December 2020, the National Conference of State Legislatures listed 17 states that extended workers' compensation benefits to include COVID-19 as a work-related illness. In the first 12 months, the United States tallied over 30 million COVID cases and a half million COVID-related deaths. Today, increasing vaccine availability and emergence of variants are expected to have opposite effects on morbidity and mortality rates. While it is universally known that the COVID-19 pandemic has significantly impacted nearly every aspect of life, there are still many unknowns. Particularly in the workers' compensation industry, one important unknown is the long-term health effects of COVID.

Much of the early focus of the pandemic was on severe or fatal cases. There was not a major financial impact to comp carriers—aside from hospitalizations and death claims—and the financial impact was considerably lower than initial projections. But a growing number of studies and reports have raised awareness about patients with prolonged symptoms, of which the duration remains uncertain. This phenomenon, generally called “Long COVID,” can describe symptoms that persist for months, symptoms that have resolved and reappeared, or symptoms that present weeks or months later. The severity of these symptoms is not correlated to the severity of the acute COVID infection. Notably, one study found that 75% of patients hospitalized have at least one ongoing symptom six months later, while another found that nearly a third of individuals who experienced Long COVID symptoms (AKA long haulers) were completely asymptomatic during their acute infection. The most commonly reported symptoms are respiratory, neurologic, or psychologic in nature; however, virtually all body systems have health problems attributed to COVID. Worse yet, most long haulers have multiple

symptoms. Thus far, the data for Long COVID work comp claims largely remains unknown, unseen, or unreported.

The earliest reports of COVID-19 described it as a respiratory infection, and, unsurprisingly, respiratory symptoms, especially shortness of breath or breathlessness, are a frequent feature of Long COVID. Interestingly, one study published earlier this year found about 20% of hospitalized COVID patients who did not require supplemental oxygen during their hospitalization had decreased lung function six months later. Typical treatment for respiratory symptoms includes at least one long-acting inhaler to help maintain open airways plus a fast, short acting rescue inhaler for severe, acute symptoms. Long-acting medications usually cost several hundred dollars per month while the generic rescue inhalers are under \$100. Should these treatments be compensable under workers' compensation, the losses and reserves will likely need to be increased.

Severe fatigue, brain fog, depression, anxiety, headaches, neuropathy, and sleep troubles are among the most common neurologic or psychologic sequelae. A study of over 230,000 mostly American COVID survivors found one-third were diagnosed with neurological or mental disorders within six months. In addition to sometimes costly treatment, these symptoms are commonly tied to poor work performance or an inability to work altogether. Often these symptoms are treated with both non-pharmacological and pharmacological measures. This may include counseling, exercise conditioning, and sleep hygiene techniques. Stimulants for attention difficulties can cost up to a few hundred dollars per month and may impair sleep. There are many affordable antidepressants available, but some of the atypical antipsychotics and newer medications can cost hundreds or thousands of dollars per month. Similarly, many older headache treatments are low cost, but newer medications can be very costly. Fortunately, some medications can treat multiple symptoms. Gabapentin and amitriptyline may help with neuropathy and sleep. Duloxetine or venlafaxine may help with depression and paresthesia (pins and needles sensation).

Many studies list dozens of symptoms associated with Long COVID. One study listed 205. From general symptoms, like pain, fever, and nausea, to specific body parts, like ringing ears,

Notably, one study found that 75% of patients hospitalized have at least one ongoing symptom six months later, while another found that nearly a third of individuals who experienced Long COVID symptoms (AKA long haulers) were completely asymptomatic during their acute infection.

heart palpitations, and skin rashes, the potential complications from COVID seem almost limitless. It is worth repeating: the severity of Long COVID symptoms is not correlated to the severity of the acute infection. With unpredictable symptoms, varying degrees of severity, and an uncertain duration, the costs associated with COVID claims will vary significantly and unpredictably. As many states include COVID-19 as a work-related illness, the potential cost to carriers could be significant and have a long tail to reach maximum medical improvement. New information and studies are released daily and will be key to staying ahead of a long COVID tail.

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USING DATA TO FIND WORKERS' COMP FRAUD

By Dan Fodor, Ohio Bureau of Workers' Compensation

Follow the money. It's what criminals do.

It's also what we do in the Special Investigations Department of the Ohio Bureau of Workers' Compensation (BWC). Our mission is to detect, investigate, and prosecute workers' comp fraud.

BWC is one of the largest underwriters of workers' comp insurance in the nation, with around \$1.3 billion in annual premiums collected from around 245,000 employers. We're one of just four monopolistic state-run workers' comp systems in the U.S., meaning we don't have any competition with private insurance companies. We also have approximately \$25 billion in assets.

So when it comes to defrauding a workers' comp system in Ohio, all eyes are on us, for the most part. (The exception would be the 1,100 or so employers we deem sufficient to self-insure for workers' comp coverage.) This is why we established our Special Investigations Department in 1993.

Analytics—the systematic computational analysis of data or statistics—plays a crucial role.

Some Background

Fraud comes in many forms. Our Special Investigations Department (SID) focuses on three kinds of fraud:

- **Claimant fraud.** We have three regional teams across the state focused on fraudulent activity by injured workers.
- **Health care provider team.** This team focuses on physicians and other providers who overbill us, run pill mills, and find other ways to cheat our system.
- **Employer fraud team.** This team focuses on employers who don't carry workers' compensation insurance, a violation of state law, or find creative ways to avoid paying their fair share for coverage.

Having dedicated statewide teams to combat specific types of fraud enables us to align our staff appropriately with their strengths and develop their skill sets and knowledge accordingly.

SID also has a centralized intelligence unit to proactively identify possible fraud and support on-going investigations. This group blends business knowledge, technical skills, and analytical thinking to connect dots embedded in data and other information.

Think Like a Criminal

When it comes to fraud prevention, it helps to think like a criminal. You have to know your system, figure out how to beat your system, and then develop programs to detect others who might think and behave similarly.

I can't go into specific examples here because we need to protect our methods. But by thinking and scheming about

the ways someone might rip off your organization, ideas will emerge, as will solutions to thwart them.

Analytics Toolbox

You wouldn't build a house with just a hammer. Similarly, you need multiple tools and resources in your analytics toolbox to combat workers' comp fraud.

Some organizations prefer to build a "black box" and invest in internal resources and personnel required to build and support a data "lake" and extract information for further analyses. Other organizations prefer to purchase detection tools from vendors.

At the Ohio BWC, we use a combination of reporting and visualization tools. We use tools that combine internal and external data sources to build data workflows to ensure integrity and accuracy of data. We also use programming language to automate recurring processes associated with updating data sets.

We use reporting tools and data warehouse tools which allow data intelligence to be pushed out to field investigators. This approach allows investigators to self-serve for detection or to obtain operational data specific to their investigation.

Perhaps the most valuable tool: your colleagues. Get to know the front-line staff who work with injured workers, providers, employers, and any other customer or stakeholder who might be in a position to scheme and steal from your organization. Working with operational personnel will enhance the design and development of detection programs targeting the various types of workers' comp fraud.

Claims personnel are key. On an annual basis we provide "red flag" training to claims adjusters, highlighting recent fraud trends and scenarios that likely should be referred for criminal investigation. Our claims personnel have reported hearing construction equipment in the background when conversing with claimant. Some claimants are hard to reach during the day. One claimant's voicemail message referred to his personal business. We've seen medical notes referencing work or physical activity outside restrictions.

Claimant Fraud

In workers' comp, it starts with filing a claim. Subsequently, a claimant may receive a variety of indemnity benefits, medical care, prescriptions, possible settlement, death benefits, etc. Each step in a claim's lifecycle is vulnerable to fraud and should be monitored.

What intelligence can be derived from the data? How frequent does this person file claims? Is the new claim proximate to a negative outcome in a prior claim, such as drugs or lost-

time benefits terminated, or was the prior claim recently settled? Was there a delay in filing the claim or seeking medical attention? Is the injury consistent with the employer operations?

Lots of questions, but the questions lead to better detection tools. Further analyses of the results, as well as social media research, may identify more inconsistencies with how, when, and where the injury actually occurred, if at all.

Subsequent to the claim allowance, claimants may receive lost-time benefits in which they are not permitted to work and receive these benefits. In addition to operational data, having access to external sources of data will enhance your analytics. Combining data from multiple sources enables a broader picture of what the subject of an investigation is attempting to do to hide their illicit behavior (working while receiving benefits, for example).

In Ohio, claimants may be granted permanent total disability (PTD) when deemed unable to ever return to work. Unfortunately, some fabricate the extent of their disability to obtain these benefits and/or return to work.

The first attempt in building the PTD scorecard (a combination of scored data fields indicating possible fraud) used five or six data fields and did not result in many founded cases. However, after performing a post-project review of the case outcomes, collaborating between field investigators and intelligence analysts, and further refining the detection run, the current version of the PTD scorecard uses about 20 data fields enabling greater flexibility in reviewing the data population by filtering on the various combinations, resulting in greater success in identifying criminal cases.

Adding visual interface analytics has further evolved the PTD scorecard. Interactive maps enable intelligence analysts to immediately see how adjusting key fraud indicators impacts the population of PTD recipients. Analysts are able to readily identify hot spots from the heat map as fraud flags/sliders are adjusted which enables them to identify new allegations of potential fraud.

For example, after generating a lead from the scorecard, investigators found Michelle Smith of Cincinnati, Ohio, ran two businesses while collecting BWC PTD benefits. [Smith pleaded guilty to a fifth-degree felony and was ordered to pay restitution in the amount of \\$40,873.](#)

Building similar scorecards or intelligence reports for each step in a claim cycle will enable you to pinpoint detection efforts of known fraudulent behavior and mitigate losses through early detection of fraudulent activity.

In addition to rules and eligibility criteria that may be circumvented through deceptive behavior, there are data anomalies that should be reviewed on a continuous basis.

Using Data to Investigate Health Care Provider Fraud

Medical provider fraud can not only be very costly to an organization but may also be detrimental to the health and well-being of claimants. Some medical providers falsify invoices, bill for services not rendered, or bill for a more costly service than was performed. Some medical providers may perform unnecessary treatment, such as injections, for the sole purpose of receiving a higher reimbursement.

With millions of line items in the billing for medical services, where do you start? Using analytics and visualization tools are essential to finding billing anomalies. Setting up monitoring reports at the procedure coding level based on past successful investigations is one step. Another step may be to compare billing trends by the same type of providers, such as chiropractors, for example.

For prescriptions, review the prescribers, pharmacies, and claimants to find medical providers overutilizing narcotics and other dangerous substances or claimants demonstrating drug-seeking behaviors. Calculating the daily morphine equivalent dosage allows analysts to compare a variety of drugs using a base unit for strength of drugs being prescribed to individuals.

In March 2021, George Griffin III, M.D., an Ohio physician, [was sentenced to 40 months in prison for his role in illegally distributing controlled substances](#). Analytics of his prescribing patterns and his patient base were contributing factors in holding this provider accountable for his actions.

Using Data to Investigate Employer Fraud

These same concepts also apply in identifying employers operating without coverage or purposely under-reporting payroll through misreporting employees as contractors or improperly using lower-rated manual classifications. Employers paying lower premiums than they should gain an unfair cost advantage in bidding for jobs against their competitors. Our goal is to ensure employers pay their fair share.

In June 2018, John Cacaro, owner of a professional employment organization (PEO), [pleaded guilty to wire fraud and money laundering](#). In general, a PEO processes payroll and submits premium payments on behalf of its client employers. We reviewed Cacaro's payroll information and discovered he was understating payroll by millions of dollars, resulting in less premium paid to BWC.

Evolution of Detection

Be persistent and patient. Continuously experiment to evolve your methods and expertise. It is not uncommon for first-generation detection runs to have deficiencies. Communication between intelligence analysts and field investigators is critical to the continuous development of a detection program. Review cases where fraud and abuse were verified. What were the key fraud indicators? What cases were unfounded, and what were the commonalities of cases not proving fraud or abuse?

With both sets of questions answered, the next generation detection run is enhanced with the new knowledge obtained and tweaking of the report filters and fraud identifiers.

Results

No doubt about it, having a dedicated team fighting fraud works, and we couldn't do it without sophisticated methods and analytics surrounding the data we collect on each case we touch.

The proof is in the numbers. Since our inception in 1993, we have:

- Received 128,170 allegations of fraud.
- Referred 5,515 cases for prosecution.
- Secured 2,992 convictions.
- Closed 70,009 cases.
- Saved our insurance fund \$2 billion.

The numbers are important, but please remember: This is all about people—keeping people safe at work, taking care of them when injuries arise, and returning them to a productive life afterward, at work and at home. When criminals raid our resources, it hurts the people we are here to serve. We can't let that happen.

WORKERS' COMPENSATION COMPENSABILITY FOR REACTIONS TO COVID-19 VACCINATIONS

By Lyndsey Beidle Meninger, Chesapeake Employers' Insurance Company

Is an employee's injury as a result of an adverse reaction to the COVID-19 vaccine compensable under workers' compensation law if the employer recommends the vaccination? Is such an adverse reaction compensable if the employer mandates the vaccination? The answers to these questions likely vary from state-to-state and will be decided on a case-by-case basis.

This article aims to assist your decision-making if your AASCIF fund is in discussions regarding recommending or mandating the COVID-19 vaccination for your employees or if your insureds have asked about workers' compensation compensability when recommending or mandating¹ the COVID-19 vaccination to their employees.²

Based upon a review of analogous case law, it is likely that workers' compensation judicial bodies in most states would find an adverse reaction to the COVID-19 vaccine compensable if the employer mandates the vaccination.³ This is largely due to the non-voluntary nature of mandating the vaccination and then any reaction to the mandatory vaccine arising out of and in the course of employment. In reported cases related to employer-mandated smallpox vaccinations in which a similar precedent could apply to COVID-19 vaccinations, employer mandated vaccinations were found compensable.⁴ For instance, in *Neudeck v. Ford Motor Co.*,⁵ Ford employees were ordered to undergo immunization to be administered by the employer's physician at a request from the Detroit Board of Health. After receiving the vaccine, one employee died of streptococcus poisoning. As for the cause of the poisoning, the court held that the "only cause, time, and place indicated in the record" was that "the infection was an effect of the vaccination." The court held the vaccination was "suffered by the employee under direct order of defendant" and therefore, to have occurred within the course and scope of employment.⁶ Similarly, In *Texas Employers' Insurance Association v. Mitchell*,⁷ an employer presented to its employees an ultimatum: comply with its special order of undergoing

vaccination or refuse to do so and be found in default of duty resulting in ultimate suspension.⁸ In compliance with her employer's order, the employee received the smallpox vaccine and subsequently developed an infection. The employee filed a claim for benefits that was granted on the basis that the employee was vaccinated upon the order of her employer for purposes of furthering its business.⁹

However, if an employer or an AASCIF fund simply recommends the vaccine, the answer to the question is a bit more difficult. In cases where employees are not under any order to receive immunization, but rather act upon their own volition at the employer's suggestion, some courts have still awarded compensation benefits for smallpox vaccinations.¹⁰ In such instances, the courts appear to focus on the employer's motive for offering smallpox vaccinations. For example, in *Saintsing v. Steinbach Company*,¹¹ the court awarded benefits to an injured employee who had suffered injuries after receiving the smallpox vaccine provided by his employer.¹² In support of its position, the court reasoned that while the employer's "efforts were commendable...it would be unrealistic to find that they were for the exclusive benefit of the employees and not additionally designed to...safeguard the employer against the serious effects of smallpox amongst its employees."¹³ The court indicated that the employer derived a benefit from having a workforce that is immune from smallpox or some other virus in the face of an epidemic, and therefore, resulting injuries are compensable as arising out of and in the course and scope of employment. However, an exception exists where the employer provides the smallpox vaccine not for its own benefit, but rather in an effort to promote "the general good of the community." In *Smith v. The Seamless Rubber Company*,¹⁴ an employee sought compensation benefits for her incapacity from a blood infection contracted from receiving the smallpox vaccine. Upon denying her claim, the court held that the employer's offering of the vaccine was not an attempt to serve its own purposes, but rather an effort to assist the public good and the local board of health to prevent against the smallpox epidemic.¹⁵ Although this case contains a persuasive dissent, the majority opinion leaves open the window of opportunity for health care employers to argue that their efforts are in furtherance of national security and thus the general public welfare. A further review would likely be taken by your judicial body regarding the "voluntary" nature of the vaccine recommendation by the employer or fund when determining compensability for an employer recommended COVID-19 vaccination. The final answer to compensability when a vaccine

is employer recommended would likely be dependent on the liberalness of your judicial body for the injured worker.

Ultimately, the question of whether an adverse reaction to an employer mandated or recommended COVID-19 vaccination

is compensable in your state is one in which your legal counsel should be consulted and may need to be litigated over the next several years.¹⁶

NOTES

¹Although some employers or funds may mandate vaccinations, exceptions for the vaccination still exist for employees; including health and disability, faith and moral objections, and union negotiations.

²To date, no federal laws that have passed or executive orders include a mandate for vaccinations, therefore it would be up to the state and municipal bodies to take action. With that said, several states have proposed statutes that would ban the ability for employers to mandate the vaccine, although they are not likely to pass.

³The exception to this being Oklahoma, which is unlikely to find adverse reactions compensable given the position that the federal PREP Act provides immunity, and Nevada where the vaccination would need to be mandated and administered by the employer to be compensable.

⁴*Saintsing v. Steinbach Company*, 64 A.2d 99 (N.J. 1949); *Alewine v. Tobin Quarries, Inc.*, 33 S.E.2d 81 (S.C. 1945); *The Spice Manufacturing Company v. Tucker*, 188 N.E. 870 (Ohio 1934); *Smith v. The Seamless Rubber Company*, 150 A. 110 (Conn. 1930); *Neudeck v. Ford Motor Co.*, 229 N.W. 438 (Mich. 1930); *Texas Employers' Ins. Ass'n v. Mitchell*, 27 S.W.2d 600 (Tex. 1930).

⁵229 N.W. 438

⁶*Id.* at 439.

⁷27 S.W.2d 600.

⁸*Id.* at 603-604.

⁹*Id.* at 604.

¹⁰*Saintsing*, 64 A.2d at 101.

¹¹64 A.2d 99.

¹²The employer in *Saintsing* purchased the vaccine and provided a date for all their employees to receive the vaccination with a notice strongly urging vaccination. *Id.*

¹³*Id.* at 101.

¹⁴*Smith*, 150 A. 110.

¹⁵The employer in *Smith* posted a notice: "We naturally desire to assist the Board of Health in their efforts to prevent a smallpox epidemic...we are arranging so that you may be vaccinated without any charge to yourself..." The employer also offered vaccinations to the employees' families. *Id.*

¹⁶Thank you to Michael Lynch, Vice President, Claims Legal, Beacon Mutual and Harvey Flewelling, Associate General Counsel and Appeals Counsel, Pinnacol for contributions to this article.

AROUND AASCIF



COLORADO

Terry Leve Receives Top 10 Corporate Counsel Award

Pinnacol Assurance Chief Legal and Corporate Services Officer Terry Leve received a Top 10 Corporate Counsel Award from OnCon, a professional development, conferencing, and awards organization for marketing, HR, and legal professionals. The award recognizes those who have demonstrated success in and had a positive impact on their organization and who have made vital contributions to the legal community through their thought leadership, innovation, and exhibition of great leadership. Winners are determined based on votes by their peers and the legal community.

During a Year of Unforeseen Challenges and Uncertainty, Pinnacol Was a Force for Good in 2020

In 2020, Pinnacol found ways to support the Colorado businesses, workforces, and communities most impacted by the coronavirus pandemic through grant-making, charitable giving, volunteering, scholarships, and sustainability and diversity initiatives, including:

- \$465,150 in grants to programs in employee health and safety, rehabilitative health, economic vitality, and workforce development.
- Support for organizations that champion advanced skill development designed to create opportunities for Black, Indigenous, and people of color communities as part of Pinnacol's commitment to diversity, equity, and inclusion.
- \$2.5 million to funds that supported small businesses and communities impacted by the COVID-19 pandemic.
- \$452,820 in scholarships awarded to children of workers injured or killed on the job for the 2020–2021 academic year.
- More than 500 hours of virtual and in-person volunteer activities, including donating meals to essential workers.

- \$306,250 contributed to local nonprofits, representing Pinnacol employee donations of more than \$157,000 that Pinnacol matched as part of its annual giving campaign.
- Continuing commitment to a greener environmental footprint. Pinnacol headquarters is a Certified Green Business with a LEED Gold-certified building recognized as one of the highest-rated Energy Star buildings in Denver.
- A donation to Restoring Colorado's Forest Fund, which helped plant more than 3,000 new trees on the Colorado wildlands most severely impacted by wildfires.

[Learn more.](#)

\$50 Million in Dividend Checks to Colorado Businesses in March

For the sixth year in a row, Pinnacol distributed general dividend checks to almost 53,000 employers, representing every county in the state of Colorado. This year's \$50 million in dividends resulted in an average check per customer of \$949. 95% of policyholders qualified for a dividend payment.

“During these challenging economic times, we're proud to return money to Colorado businesses,” said Phil Kalin, Pinnacol president and CEO. “We've distributed \$320 million in general dividends over the last six years, equaling approximately 10% of premium. We've also decreased premium rates, totaling a cumulative 32% in decreases since 2016.”



HAWAI'I

HEMIC Named a “Best Place to Work in Hawai’i”

At HEMIC, we strive to provide a “best place to work” for our employees, knowing that a strong internal culture will support and inspire our staff so that they can best serve our customers with our core values of excellence, integrity, and connection. This is HEMIC’s third year on Hawaii Business Magazine’s “[Best Places to Work in Hawai’i](#)” list, which is compiled by an independent research firm and evaluates each company based on an extensive employee survey and an assessment of company policies and practices, including benefits, working conditions, special perks, and more. This survey is a valuable opportunity for HEMIC as an employer. We utilize the survey to develop benefits and other offerings of value to employees, as well as to inform our management perspectives so that we can best understand the needs, wants, and motivations of our staff.

Large Deductible and TPA Offerings

As a mutual, HEMIC continues to look for ways to develop workers’ compensation programs tailored to fit the needs of Hawai’i’s diverse businesses. Last year, we launched HEMIC’s Large Deductible Program for large employers who have the capacity to self-insure a portion of their workers’ compensation and want the benefits of HEMIC’s expertise in claims, safety, and risk management services.

A large deductible program can provide employers with greater control over their workers’ compensation program and greater incentive for risk management and loss prevention, resulting in reduced workers’ compensation costs over the long-term. HEMIC offers a wide range of deductible options, from \$15,000 up to \$1,000,000 per occurrence, in line with NCCI’s Rating Values. Optional aggregate limits are also available to cap the employer’s financial risk. In support of this program, HEMIC also offers TPA Claim Management services through our wholly owned subsidiary, HEMIC Insurance Managers, Inc.

HEMIC Foundation’s Annual Charity Golf Tournament Returns

After last year’s cancellation due to COVID-19, we are excited to return to the fairway on Thursday, August 5, 2021, for our annual charity golf tournament. The tournament is produced by HEMIC Foundation, our 501(c)(3), which was established to formalize HEMIC’s charitable giving and community efforts. Proceeds of the 2021 tournament will benefit [Big Brothers, Big Sisters Hawai’i](#), an organization dedicated to helping children who have faced adversity in their young lives and experienced the loss of a valuable connection, to achieve their goals and reach their full potential. This year, to increase our reach, reinforce branding, and facilitate registrations, we set up a [tournament website](#).



KENTUCKY

KEMI Creates Scholarship to Promote Diversity in Insurance

KEMI, Kentucky’s leading provider of workers’ compensation insurance and the largest carrier in the state, will award \$15,000 in scholarship funds to the Risk Management and Insurance program at Eastern Kentucky University (EKU). In awarding the scholarship, preference will be given to incoming or current EKU students who are racially and/or ethnically diverse with a major in Risk Management. Other criteria include:

- Have a demonstrated financial need.
- Maintain a minimum GPA of 2.5 each academic period.

- Must be working toward a four-year accredited degree.
- Demonstrate leadership through community and extracurricular involvement.
- Be a resident of Kentucky.

Renewal scholarships may be provided for up to three additional years for students who continue full-time enrollment at the university. The funds will be awarded through the university’s scholarship office in accordance with policies and guidelines established by the university.



LOUISIANA

LWCC Declares \$94 Million Dividend

In April, LWCC declared a \$94 million dividend for 2020. Over the past 18 years, LWCC has been able to give back \$1.028 billion to its policyholders and significantly impact the Louisiana economy by supporting an average of 1,077 jobs per year. 2020's dividend surpassed the average by supporting 1,543 jobs, 20,000 businesses, and over 162,000 workers.

2020 brought unprecedented challenges to Louisiana and the country through COVID-19 and many natural disasters. This dividend is believed to be one of LWCC's most impactful ones yet as policyholders work to recover and adapt to the current environment.

"LWCC is Louisiana Loyal, celebrating and elevating Louisiana in all that we do," said LWCC Board Chair Angele Davis. "This dividend distribution supports the economic stability of our policyholders and their workforce, therefore creating a stronger, safer, and more successful Louisiana."

Our purpose is to help Louisiana thrive. By providing best-in-class workers' comp insurance coverage which includes robust safety resources and compassionate care for injured workers, we are able to serve this purpose. However, we do not stop there. LWCC is Louisiana Loyal, always.

Virtual Workplace Provides Agent Engagement Opportunities

2020 changed the workplace. Virtual meetings have provided the opportunity to meet with anyone in any time zone. LWCC has embraced this opportunity as another way to engage with its agents through an annual Agent Coffee Talk and a quarterly agent education series.

The Agent Coffee Talk is an hour packed with exciting announcements and new information. In the 2021 Coffee Talk, LWCC provided updates on new customer experience initiatives and introduced key team members to its agents. Agents also learned about recent company initiatives that highlight how LWCC is living its commitment to being Louisiana Loyal, including an early exclusive about the 2021 dividend.

Despite the struggles of the last year, LWCC's agents have shown an eagerness to learn more about the workers' comp industry and engage with the company. Recognizing that email and document sharing isn't enough anymore, LWCC's Agency Relations Team launched the quarterly agent education series. This webinar series allows for education on a pre-determined topic, as well as live interaction. For those unable to attend, the series is recorded and shared. Having this knowledge will allow LWCC's agents to provide best-in-class service to their policyholders.

The first two events have been very successful, with 114 attendees at the February 2021 webinar covering audit.



MAINE

The MEMIC Group's Manager of Industrial Hygiene, Luis F. Pieretti, Appointed to CDC-NIOSH Board of Scientific Counselors

U.S. Acting Secretary of Health and Human Services Norris Cochran has appointed Luis F. Pieretti, Ph.D., CIH, CSP, WCP® of The MEMIC Group's Loss Control Department to the Board of Scientific Counselors at the National Institute for Occupational Safety and Health (NIOSH), Centers for Disease Control and Prevention (CDC). He will begin his four-year term on January 1, 2022.

The 15-member board is a federal advisory committee assembled to provide independent advice and guidance to the

director of NIOSH. The primary activity of the committee is to provide advice on NIOSH's occupational safety and health research and prevention programs. The BSC also provides advice on standards of scientific excellence, current needs in the field of occupational safety and health, and the applicability and dissemination of research findings.

"We are proud to have [Dr. Luis F. Pieretti](#) represent The MEMIC Group on the CDC-NIOSH Board of Scientific Counselors," says The MEMIC Group President and CEO Michael Bourque. "He is a leader in the industrial hygiene and safety field with a passion for research and education. In his seven years at MEMIC, he has developed guidelines for providing safety services to our policyholders, revamped many of our industrial hygiene policies, and has served as a mentor and trusted advisor to his colleagues both inside and outside of the organization."

Luis joined MEMIC in 2013 as a safety management consultant and was promoted to manager, Industrial Hygiene in 2016. He has more than 15 years of occupational safety, industrial hygiene, and training experience in both the private and public sector.

MEMIC Hires Laurie Deitrich and Naveen Mohan as Safety Management Consultants

MEMIC has appointed Laurie Deitrich and Naveen Mohan as safety management consultants based in Pennsylvania and New York, respectively.

Laurie Deitrich brings with her more than 18 years of safety experience in a variety of industries. She has a bachelor's degree in Occupational Safety and Environmental Health from Millersville University in Central Pennsylvania.

Naveen Mohan brings several years of experience in the insurance industry specializing in disability, workers' compensation, and risk management. He has a bachelor's degree in Health Sciences, as well as vast clinical experience towards a Physician Assistant certification program.



MARYLAND

Chesapeake Employers' Insurance Obtains Naming Rights to UMBC Arena

Chesapeake Employers' Insurance Company and the University of Maryland, Baltimore County (UMBC) announced that they have entered into a 15-year strategic partnership that includes naming rights to the UMBC events center, which will be renamed Chesapeake Employers' Insurance Arena.

In addition to naming rights, this partnership establishes a platform for UMBC and Chesapeake Employers' Insurance to engage in additional collaborations, including opportunities for student internships, recruitment, innovation explorations, and applied research projects.

"We at Chesapeake Employers' Insurance are honored to partner with UMBC, a premier University System of Maryland institution," explains Tom Phelan, CEO of Chesapeake Employers' Insurance. "This partnership bridges our company with UMBC students, staff, and alumni to form a symbiotic relationship with shared values and a commitment to excellence relevant to education and business."

Under the agreement, Chesapeake Employers' Insurance receives corporate branding exposure to tens of thousands of event attendees through a multitude of highly visible outlets, including signage inside and outside the facility; Maryland highway signage; TV, radio, and social media; and community

events. UMBC benefits from a long-term revenue stream that they can use to carry out initiatives to support their vision, mission, and objectives.

UMBC President Dr. Freeman Hrabowski said, "The partnership between UMBC and Chesapeake Employers' Insurance represents not only an investment in our campus, but also in the region. This is an opportunity to elevate our facility, our university, and our local economy."

Opening in 2018, the arena hosts concerts, conventions, trade shows, and other events, including all UMBC commencement ceremonies and designated sporting events. The Oak View Group will continue to manage the facility.

Both the men's and women's basketball teams and the Retriever volleyball teams compete in the state-of-the-art facility. Additionally, all 400-plus UMBC student athletes regularly utilize the building's academic, strength and conditioning, sports medicine, and other athletics department services.





MINNESOTA

AM Best Reaffirms SFM’s Financial Strength Rating of A- (Excellent)

SFM Mutual Insurance Co. has received reaffirmation of its Financial Strength Rating of “A- (Excellent)” and Long-Term Issuer Credit Rating of “A-” from AM Best Rating Services, Inc.

The ratings reflect AM Best’s assessment of SFM’s balance sheet strength, as well as its operating performance, business profile, innovation, and enterprise risk management. This affirmation comes as a result of a detailed annual review of SFM’s finances and operations conducted by AM Best earlier this year.

“During the annual review, we were proud to have the opportunity once again to share SFM’s story with AM Best,” said SFM President and CEO Terry Miller. “We view their assessment of our performance as an important indicator of SFM’s financial strength and stability.”

SFM Promotes Allen to New Business Development Position

SFM Mutual Insurance Co. has promoted Cody Allen to a newly established business development specialist role. This position will focus on growth in existing business areas and new market opportunities.

Allen has been in the insurance field for 12 years. He joined SFM in 2013 as a marketing underwriter in its Iowa and Nebraska business unit, and had previously been promoted twice, most recently holding the title of marketing underwriting specialist.



Business Development Specialist Cody Allen

Allen graduated from Iowa State University in 2005 with a degree in political science. He holds a Chartered Property Casualty Underwriter (CPCU) designation and has his insurance producer license for property and casualty.

“Cody is the perfect fit for this position,” SFM Senior Vice President and Chief Marketing Officer Mike Happe said. “He has a strong background in insurance sales, a great track record of helping build our business in Iowa, and has played a key role in our Kansas expansion.”

Allen also serves as the diversity chair for the Iowa CPCU Society and is involved with AASCIF, having recently served as the chairperson for the Policyholder Services Committee.



MISSOURI

Fortune Ranks MEM Among Best Small Workplaces in the United States

Missouri Employers Mutual has been named by *Fortune* magazine to the [40 Best Small and Medium Workplaces](#) in Financial Services and Insurance list.

The national ranking is a result of data and analysis submitted by *Fortune’s* research partner [Great Place to Work™](#), which surveyed more than [840,000 employees](#) at U.S. companies to determine its rankings.

“...(*Fortune* Surveyed) companies to find out which in the financial services and insurance industry rise above their peers by instilling trust—and allow members of their organizations to reach their full human potential...They acted as generous corporate citizens amid a year of multiple crises, deepening employees’ sense of purpose and commitment.”

-*Fortune* magazine

In 2021, MEM received its second consecutive Great Place to Work™ [certification](#). It is awarded to organizations that have gone above and beyond for employees and developed a great company culture.



MONTANA

Stronger Communities. Safer Montanans.

Montana State Fund’s vision is to be an indispensable partner in achieving a safer, healthier, and more prosperous Montana. One of our programs that reflects this vision is our Assisting Charitable Endeavors (ACE) program.

What is ACE?

ACE is MSF’s charitable giving program that provides matching funds to Montana-based non-profit organizations for projects that promote workplace safety, host safety trainings, or assist with the purchase of equipment that enhances safety and community well-being.

Our past maximum grant amount was \$2,000, but in 2021 we increased it to \$10,000. All ACE applications require a dollar-for-dollar match. The ACE program began in 2001. Since that time, 280 organizations have received a total of \$488,000 in grant monies.



Ski instructors at Dream Adaptive Recreation in Whitefish, Montana, safely instruct skiers with disabilities.

Dividends and Rate Reduction

Montana State Fund announced a 10% average rate reduction and a \$20 million dividend for policyholders. The decision came at a recent meeting of the MSF board of directors.

MSF has paid a dividend every year since 1999. The additional \$20 million brings the total dividends paid to policyholders to \$326 million—\$220 million of which has been paid since 2015. The 10% rate reduction will bring MSF rate’s 52.7% lower than in 2006 (the year of the last rate increase) and 38% lower than 1990 (MSF’s first year in operation).

MSF president and CEO Laurence Hubbard had the following to say about the decision: “Last fall, amid economic

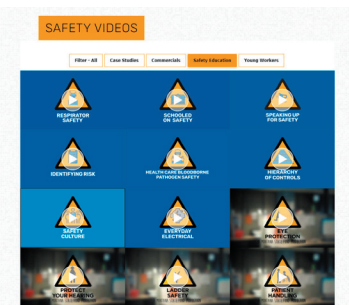
uncertainty surrounding the coronavirus pandemic, the MSF board of directors opted to take a conservative approach when declaring a \$20 million dividend for policyholders. At the same time, they pledged to revisit their decision in the spring of 2021 to consider an additional dividend. I am excited to announce that the board has declared an additional \$20 million dividend payable to policyholders by the end of May. It is our hope that these funds are able to help Montana employers continue to weather the storm of COVID-19.”

Lights, Camera, Safety

At Montana State Fund, we want to help employers create safety programs with training tools that are easy, accessible, and possible. One solution is our online video education safety series. The videos are only a couple of minutes in length and are designed to be as fun to watch as they are informational.

Currently there are 22 safety education videos. Two videos recently added to the library are school safety and respirator safety. Other topics include:

- Creating a Safety Culture
- Distracted Driving
- Slips, Trips, and Falls
- Lifting
- Ergonomics
- Healthcare Bloodborne Pathogen Safety
- Personal Protective Equipment
- The Benefits of a Return-to-Work Program



The free to use videos are posted on MSF’s safety-focused website safemt.com and [YouTube Safety Channel](https://www.youtube.com/channel/UC...). By subscribing to the [YouTube Safety Channel](https://www.youtube.com/channel/UC...), subscribers are notified when new videos are posted.

Besides the safety education videos, the video library includes policyholder spotlights and MSF media campaigns.



NEW MEXICO

New Mexico Mutual Turns 30!

COVID-19 may have dashed our party plans—but it hasn't stopped New Mexico Mutual from celebrating 30 years of service to our state.

We're taking the year to reflect on the role we've played since 1991, when lawmakers created our company. Back then, small- and medium-size businesses as well as the state's key oil and gas sector were being excluded from coverage. New Mexico Mutual was formed to fill the gap by extending coverage to businesses of all sizes and types.

"We began with 35 employees and high hopes," says newly named CEO Kellie Mixon, one of the company's longest-serving employees. "It's been a story of steady growth ever since."

New Mexico Mutual had 1,261 policies in place at the end of its first year of operations. We collected \$9.1 million in premiums that year, insured \$294 million in New Mexico payroll, and paid claims for 712 injured workers.

By the end of 2020, we'd grown to employ 115 New Mexicans and had 8,850 policies in place. We collected \$82 million in premiums, insured \$4.1 billion in New Mexico payroll, and paid 3,545 claims.

"The numbers tell part of the story," says Mixon. "But they only hint at what our coverage has meant for New Mexico's businesses and workers."

Today we insure more of our state's businesses than any other workers' compensation carrier. We're still the only locally based workers' comp carrier, and our market share has climbed to 33%.

Most of the credit for our success goes to our employees, who outdo themselves every day to accomplish our mission. The rest goes to New Mexico's agents and businesses, who've put their trust in us from the beginning.

Since most of our team still works remotely, we haven't been able to celebrate in person yet. But we're filling the gap with gifts and other COVID-safe festivities to come. We're also marking the occasion with a multimedia ad campaign and a new, commemorative logo.

Most important, we're filling our drawing board with new ideas for enhancing the services we provide. Our commitment to New Mexico's businesses and workers will only grow stronger as the future unfolds.



OREGON

SAIF Declares \$210 Million Dividend

Acknowledging the financial toll the pandemic has taken on Oregon businesses, SAIF declared a \$210 million dividend for its policyholders. This is the 12th year in a row SAIF has been able to offer a dividend, and the 24th dividend since 1990. The dividend will be distributed in July.

SAIF Promotes Ian Williams to Chief Operating Officer and Pamela Ahr to Chief Safety Officer

SAIF has promoted Ian Williams to chief operating officer. Ian previously was vice president of human resources.

In his new role, Ian oversees the claims, information technology, and administrative services divisions. For the near future, he'll also continue to directly oversee HR. SAIF's previous COO, Bill Barr, retired on April 1.

In addition, Pamela Ahr has been promoted to a newly created position, chief safety officer. In the new role, she is a part of SAIF's executive leadership team and will continue leading SAIF's Safe and Healthy Workplace Center. Pamela has been with SAIF since 2003, primarily as a field safety consultant.

CEO Opening

SAIF is recruiting for our next CEO and president after Kerry Barnett announced he'll be retiring July 1. The board of directors seeks a respected, ethical, intellectually agile, and inclusive leader who is strategic, inspiring, and adaptable.

[More information can be found here.](#)

Annual Report

Every year, SAIF is required by statute to create an annual report for legislators. We use this opportunity to demonstrate our commitment to our mission of serving Oregon's workers and employers. This year, we also highlighted the steps we took to help our policyholders and workers navigate an especially difficult year. [View the 2020 annual report here.](#)

SASKATCHEWAN

Saskatchewan's Workplace Total Injury Rate Decreased in 2020

Workplace injury rates decreased in Saskatchewan in 2020. The Saskatchewan Workers' Compensation Board (WCB)

workplace total injury rate for 2020 was 4.46 per 100 workers, which represents a 10% decrease from 2019. Overall, the workplace total injury rate dropped by more than 56% in Saskatchewan from 2008 to 2020.

“Last year, fewer people and their families in our province were affected because someone was hurt at work,” says WCB chairperson Gord Dobrowsky. “That’s because workers, employers, safety leaders, and labor unions have worked diligently with us to bring down injury rates.”

Stats Trending Downward

In 2020, 90% of Saskatchewan workplaces reported zero injuries and/or fatalities, up slightly (2%) over each of the preceding four years.

The time loss injury rate also decreased by 4.3% last year to 1.78 per 100 workers, the lowest rate in more than a decade.

Although the reductions in the total injury and time loss injury rates are a step in the right direction, every workplace injury in Saskatchewan is one too many. We cannot become complacent in our efforts to make all workplaces safe.

The WCB reports that the number of claims has also decreased:

- Total claims decreased by 16% to 17,944 in 2020.
- Accepted no time loss claims decreased to 10,788 in 2020 from 13,415 in 2019.
- Accepted time loss claims decreased to 7,134 in 2020 from 8,036 in 2019.

Serious and Fatal Injuries Hold Steady

Although time loss and total injury rates have declined, there remains a consistent number of serious workplace injuries and fatalities (approximately 2,500 each year) that are accepted by the WCB. In spite of many workplaces being shut down or otherwise affected by the COVID-19 pandemic, there were still 34 workplace fatalities recorded in 2020, down 6% from 2019.

“Each of the 34 deaths that occurred in 2020 had a devastating impact on the loved one’s family and community,” says the WCB’s CEO Phil Germain. “We must continue to focus on preventing workplace deaths and serious injuries and eliminate this suffering in our province.”

Fatalities and Serious Injuries Strategy

WorkSafe Saskatchewan, the partnership between the WCB and Saskatchewan’s Ministry of Labour Relations and Workplace Safety, continued to implement initiatives outlined in the Fatalities and Serious Injuries Strategy which launched in December 2019.

The strategy was developed by WorkSafe, along with employer and labor representatives, to address the high-risk industries, occupations, and tasks within those industries that are most often resulting in fatalities and serious injuries.

WorkSafe’s focus in 2020 was on the following eight areas:

- Asbestos exposures
- Work-related motor vehicle crashes
- Firefighter cancer exposures
- Falls from heights (construction industry)
- Health care
- Transportation
- First responders (psychological injuries)
- Manufacturing (specifically hand injuries)

“In 2020, we added resources to the WorkSafe website, developed marketing campaigns, and created partnerships with employers and organized labor, all with the common goal of reducing serious injuries,” says Germain. “Working together, we can keep bringing our injury rates down and make sure all of our workers can go home safely to their families.”

More detailed information on the strategy is [available online](#).

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LOUISIANA LOYAL

Find out what's in store for 2021 from our host,
Louisiana Workers' Compensation Corporation.

[CLICK HERE TO PLAY VIDEO](#)

[Sponsorship opportunities for the 2021 Annual Conference are available!](#)

To learn more about AASCIF 2021 New Orleans and how to get involved through sponsorship opportunities, contact Melissa Badami, MBadami@MSP-AMC.com.