

› January 2020 BWC News from CareWorks Comp

“Laugh at yourself first, before anyone else can.” ~Elsa Maxwell

Deadline Approaching: 2020 Rate Year Group Retrospective Rating Enrollment

The deadline to enroll in Group Retrospective Rating with CareWorks Comp for the upcoming July 1, 2020 policy year is **January 24, 2020**. Group Retro is a performance based program where the group's claims, incurred for the policy year, are compared to the group's premiums paid to the BWC. The participants will receive premium rebates as long as the claims incurred for that policy year is lower than the overall premiums paid to the BWC. If you need a copy of your Group Retrospective offer, please contact me.

Ohio BWC's Garfield Heights and Cleveland Service Offices Merge

The BWC's Garfield Heights Service Office will close effective Friday, Nov. 22. The office is merging with the BWC's Cleveland Service Office. The Cleveland Service Office is in the Lausche Building, 615 W. Superior Ave., sixth floor, Cleveland, OH 44113. Customers who normally visit the Garfield Heights Service Office will need to visit the Cleveland Service Office beginning Monday, Nov. 25. All phone numbers and email addresses will remain the same.

Important Deadlines:

- **January 21, 2020:** BWC Premium Installment due if you pay on a Monthly basis.
- **January 24, 2020:** Group Retrospective Enrollment deadline for the 2020 Rate Year.
- **February 21, 2020:** BWC Premium Installment due if you pay on a Monthly or, Bi-Monthly basis.

Register now for Ohio BWC Annual Safety Congress & Expo (OSC20)!

We here at CareWorks Comp highly suggest that you or someone from your organization register for the BWC's Annual Safety Congress & Expo (OSC 2020) that will be held in Columbus, Ohio, on March 11-13, 2020. This event will be held at the Greater Columbus Convention Center where you can attend free educational sessions, workshops, and receive in-depth training. Session topics range from

occupational safety and health, wellness and rehabilitation, controlling workers' comp claims costs and much more. You can view complete event information, including the event schedule, hotels, directions and [free online registration](https://www.ohiosafetycongress.com) at [ohiosafetycongress.com](https://www.ohiosafetycongress.com).

BWC: New Reserving System Coming

Now that the Ohio BWC has moved away from using ICD-9 Codes to using ICD-10 Codes for categorizing injuries and illnesses, they will be changing from the MIRA II Reserving System to the new ACES Reserving System. The ACES (Actuarial Claims Estimating System) process will be implemented on 7/1/2020. ACES uses very similar cost drivers (input variables) as MIRA II. Reserves are a key component in determining what your company's EMR (Experience Modification Rate) will be for the upcoming policy year. Simply put, Reserves are estimated future costs of a claim. If Reserves are present on a claim when the BWC takes their annual EMR "snapshot" on September 30th, then there is a possibility that your EMR will be higher than anticipated for the upcoming policy year. The BWC's calculation for how they arrive at a claim's Reserve is proprietary, but they do look at such variables as claimant's age, type of injury and expected recovery time.

Injured Worker Vocational Rehabilitation Participation Streamlined

Effective Oct. 7, 2019, the Ohio BWC made changes to vocational rehabilitation rules, policies, and procedures to simplify how an injured worker enters into a voc rehab program. The rules impacted are OAC 4123-18-03 and OAC 4123-18-04. The BWC and the managed care organizations (MCOs) will no longer complete multiple decisions about eligibility, feasibility, and living maintenance (LM).

The MCO still makes the initial determination about feasibility and sends this recommendation to the BWC. The BWC will then review the eligibility criteria. Based on their review and the MCO decision, the BWC will issue a single participation order either approving or denying an injured worker's participation in voc rehab. Employers are to send appeals of the voc rehab participation order directly to the Ohio Industrial Commission (IC) for adjudication. Any party to the claim may submit an appeal within 14 days of receipt of the order through the IC's online network or the Notice of Appeal (IC-12) form.

Eligibility criteria changes

The BWC also made changes to simplify the eligibility criteria for voc rehab. These changes remove the requirements that the injured worker:

- Has received or been awarded a permanent partial award under Ohio Revised Code 4123.57(A).
- Must have been determined to have reached maximum medical improvement (MMI). The MMI criteria was changed that the injured worker is not currently receiving compensation and has job restrictions dated not more than 180 days from the date of referral.
- Was receiving LM wage loss not more than 90 days prior to the date of referral and has continuing job restrictions documented by the physician of record.
- All other eligibility criteria still apply.

An injured worker will no longer be eligible for voc rehab services if they:

- Successfully complete a comprehensive voc rehab plan and subsequently resign from employment.
- Are terminated for cause and the resignation or termination is not due to the allowed conditions in the claim.

There are four circumstances when a BWC order addresses Living Maintenance (LM). They are:

- Initial voc rehab participation decision.

- Suspension of LM for more than 30 days for medical interruption.
- Resuming LM.
- Deductions from LM.

Top 10 Most Frequently Cited Workplace Safety Violations Named for 2019

The National Safety Council and OSHA announced the top 10 most frequently cited workplace safety violations for 2019. While the rankings for OSHA's Top 10 most cited violations typically vary little from year to year, it is important to refresh on this critical information:

1. Fall Protection--General Requirements
2. Hazard Communication
3. Scaffolding
4. Lockout/Tagout
5. Respiratory Protection
6. Ladders
7. Powered Industrial Trucks
8. Fall Protection--Training Requirements
9. Machine Guarding
10. Eye and Face Protection

CareWorks Safety Library: Now Live!

Looking for an easy way to fulfill your 2-hour Safety Training Requirement for this current 2019 Policy Year? We've got the answer! Simply go to: [CareWorks Safety Training Library web link](#). Here you will find previously recorded webinars that you can register for to fulfill your 2-hour Safety Training Requirement. Each webinar is 2 hours and costs \$25.00. Currently, there are 4 webinars to choose from:

- *Employee Engagement*
- *OSHA Inspections; Prevention, Preparation, & Minimizing Fines*
- *OSHA Recordkeeping*
- *Preventing Slip, Trip, Fall, & Overexertion Injuries*

Looking for a do-it-yourself Toolbox Talk to give to your employees? Go to: [CareWorks Safety Training Library web link](#) click on the orange "VIEW TOOLBOX TALKS" link and you will see 13 different Toolbox Talk programs that you can download and use to train your employees. The topics range from *Emergency Evacuation Plans* to *Diffusing Workplace Violence* and even *Parking Lot Safety*. Print out each of them and use one at your next employee meeting!

Ohio BWC Free Informational Webinars

Each month, BWC hosts two monthly webinars to help educate and keep the employer community informed on several items. The same topics are covered twice a month; webinars are held on the second Tuesday and fourth Thursday. Registration links as well past and current webinar information can be found at the following link: [Monthly Employer Update Webinars](#). The webinars last about 20-25 minutes. Any employer may attend and they are FREE!