



CLM Workers' Compensation Conference  
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### **Ways to Positively Impact Workers' Compensation Claim Outcomes**

Workers' compensation remains the grand bargain between injured workers and employers today. However, it is not without its blemishes, and many stakeholders continue to look for ways to improve this state-driven, statutory system. There is much speculation around newly adopted or pending state legislation and what impact these laws and regulations will have on the injured worker. Similarly, employers are continually reviewing, approving and implementing new organizational programs and initiatives. While both of these avenues may ultimately prove to be effective, some will take time to produce results. Regardless of these longer-term legislative discussions or employer initiatives, it is important for workers' compensation managers to consider the current needs of injured workers and place their well-being at the center of all claims activities. There are a number of steps that can be taken today to positively impact outcomes for the injured worker and the employer. .

#### **Understanding Workers Compensation and Importance of Change**

Managing workers' compensation is about much more than filing papers, checking boxes, and meeting deadlines. The focus should be on caring for individuals whose lives have been unexpectedly altered by an injury or illness. The pathway to recovery and productivity can take many turns. Being able to positively impact a person's life during this time of need is an empowering feeling. And, it is one workers' compensation professionals can experience every day.

Our 100 year-old workers' compensation system has not always kept up with the evolving needs of workers and healthcare delivery models. Claims handling has traditionally focused on navigating this framework through compliance measures and medical discounts. Compliance is important, but meeting the needs of the injured worker is critical. Placing the injured worker's needs at the forefront creates a positive experience. This enhanced experience equates to better claims outcomes through lower litigation rates, reduced claims durations and improved productivity.

While claims advocacy and employee engagement can take many forms, effective programs are built around urgency, empathy, effective communication, access to information, compassion and quality medical care. Each response should be tailored to the injured workers' specific needs. Identifying and fulfilling the injured worker's needs is the key component to demonstrating advocacy and securing great outcomes.

### **Advocacy through Communication**

Many injured workers have not had previous exposure to the workers' compensation system. Workers' compensation can be a complicated and convoluted landscape. First reports must be filed, recorded statements must be taken, and accident investigations will follow. As a result, people may start the claims process with a negative perception.

Anxiety can build from uncertainty around future income, job security, medical care and recovery. When this uncertainty is not effectively addressed, some may turn to attorneys for assistance. Friction, contention, and resentment can add to an already difficult situation.

By way of contrast, a strong employee engagement program can alleviate much of this uncertainty and fear. At the outset, the claim process should be outlined, benefits explained, remedies provided and expectations established. Statutory timeframes help provide a framework but should not replace demonstrating urgency and empathy. The claims professional should deliver benefits as soon as the facts allow. The need for outside legal assistance diminishes dramatically when these steps are taken.

Access to timely information and effective communications are key characteristics of a strong advocacy program. Today, people have come to expect information on demand. While strong communication principles should underlie any program, technology advancements have made communication alternatives and instantaneous access a reality. User-friendly, easy-to-access portals can provide injured workers with a wealth of information 24/7. Here, injured workers can find answers and explanations related to their specific interests and questions. Portals may contain an overview of claims status, payment of benefits, and a listing of local medical providers. This is an easy way to eliminate much mystique and guesswork that previously surrounded the claims filing process.

### **Communication is Important to Advocacy Approach**

The importance of providing access to quality medical care cannot be over-emphasized. An unexpected workplace accident or injury can create a high level of uncertainty and apprehension. Workers' compensation has a stigma from some providing care at the lowest cost. We have a tremendous opportunity as an industry to change this perception. Rather than focusing on network discounts, an advocacy approach will

center on securing treatment from proven medical providers who can provide timely, appropriate medical care.

Provider benchmarking is one way to assess the quality and effectiveness of medical providers. This process awards providers 1 to 5 stars based on a number of criteria ranging from effectiveness of treatment, prescription prescribing patterns, rate of re-injury, understanding of workers' compensation system and a host of other factors. Providers who are awarded 4 and 5 stars are characterized as delivering high, valued services while providers receiving 1 and 2 stars are determined to be less effective over time and need additional intervention to achieve desired outcomes. Such outcomes and measures as average incurred cost of lost time claims, medical only claims and lost time ratios vary considerably based on provider rankings.

### **Care is Important to Advocacy Approach**

Further, the industry has come to recognize that both physical and mental well-being go hand-in-hand, and there is value in treating the whole person. Psycho-social issues, adverse childhood experiences and the propensity for substance abuse can be a clear impediment in securing an optimal outcome for the injured individual. In addition, injured workers that display fearful notions around job security, recovery and pain tolerance should not be ignored. In these circumstances, traditional care paths may not be effective. Additional resources including behavioral health specialists should be considered.

Pain management can also be an important component of an advocacy program. While prescription drugs may be needed early on to assist with pain management, it is important to work with medical providers who adhere to responsible prescribing patterns. Left unchecked, an unwarranted addiction problem could arise. Far too many lives have been diminished or lost due to rampant misuse or abuse of powerful drugs and opioids.

### ***Conclusion***

It is easy to see why advocacy and employee engagement are flourishing within the workers' compensation arena. An advocacy program puts the injured worker's needs first, provides information and guidance throughout the process, and strives to improve the overall experience of the individual.