The Only Good Workers' Compensation Case is a Settled Workers' Compensation Case

50th Anniversary
PARMA Annual Conference
February 20-23, 2024
Indian Wells, CA

PANELISTS

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parma
public agency risk management association

Session Goals

- The session is designed to give risk managers, and others with authority at public entities to settle workers' compensation cases, a road map leading to settlement of claims.

- This is not a "nuts and bolts" or technical workers' compensation discussion, but rather a discussion about what facilitates settlements and what are the barriers.

What are You Driving?

3 Types:

- Denied Claims
  - Factual basis
- Admitted Claims
  - Body part and indemnity issues
- Combined Claims
  - Admitted and denied (heart and back)

Routes to Settlement

1. Continue Discovery
   - Depositions, medical records, Med-Legal evaluations

2. Stipulated Award
   - Disability and medical

3. Compromise and Release
   - Resolution of Everything

4. Creative Compromise and Release
   - Resolution of Limited Issues

Who is in the Car?

- Present ongoing employee

- Former employee

- Soon-to-be former employee – retirement or resignation

- Long-term employee

- Bad actor employee

Risk Tolerance

- Settlement authority limits
- Council approval
- Union involvement
- Budget constraints

Risk Tolerance

- Claim cost projections based on current information

- The cost of obtaining additional information

- How will the additional information affect the settlement value?

The Employee

- What are the specific issues or barriers for this individual?

- How do you discern the issues?

- Creative solutions

Effective Claim Reviews

- What claims are reviewed?
  - Age
  - Reserves
  - Noise level
- How do you clarify settlement options at all stages of the claim?
  - Is the linear handling necessary?

Excess Involvement

- Awareness of excess reporting levels and involvement

Miscellaneous

- Structured settlement
- Medicare
- Staffing concerns

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