



THE
Art
OF RISK

Improve Outcomes with Empathy & Compassion

Presented by:

Eric Fortes - City of San Jose

Maggie Jaltorossian - Intercare Holdings Insurance Services, Inc.



 **parma**
public agency risk management association
46th Conference & Expo



- **Eric Fortes - City of San Jose**
Division Manager of Workers' Compensation, Health & Safety in the Human Resources Department.
- **Maggie Jaltorossian – Intercare Holdings Insurance Services, Inc.**
Senior Vice President of Workers' Compensation Claims Administration



Session Objectives

- How empathy and compassion can help reduce overall cost, Improve outcomes and reduce litigation
- How it can improve organization's image and public perception
- How it can align an organization's mission with its employees and public
- All team members should share same Safe Workplace Values on Safety, Return to Work, Employee Recovery, Health & Wellness
- Overview of City of San Jose W.C. Program & Results



THE *Art* OF RISK

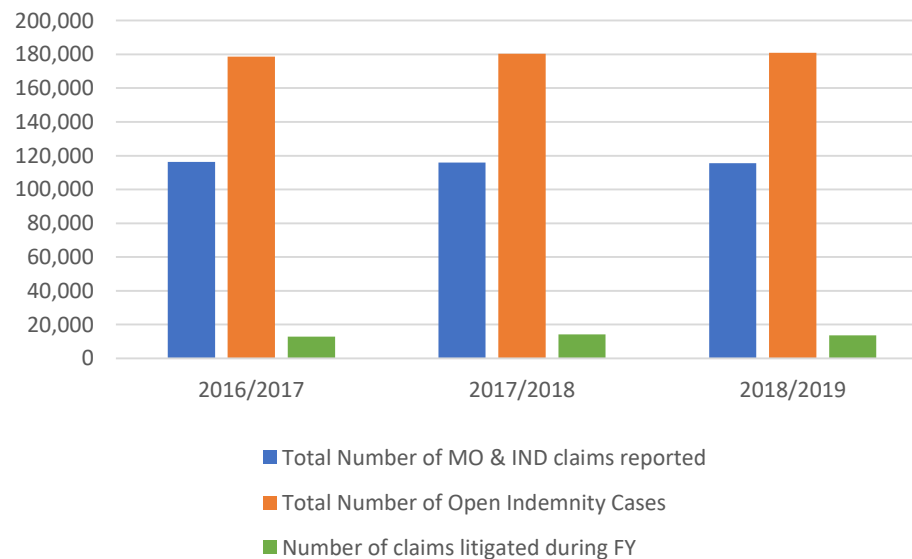


INDUSTRY TRENDS & STATISTICS



CA Public Self-Insured Employer Statewide Reportable Claims & Litigation

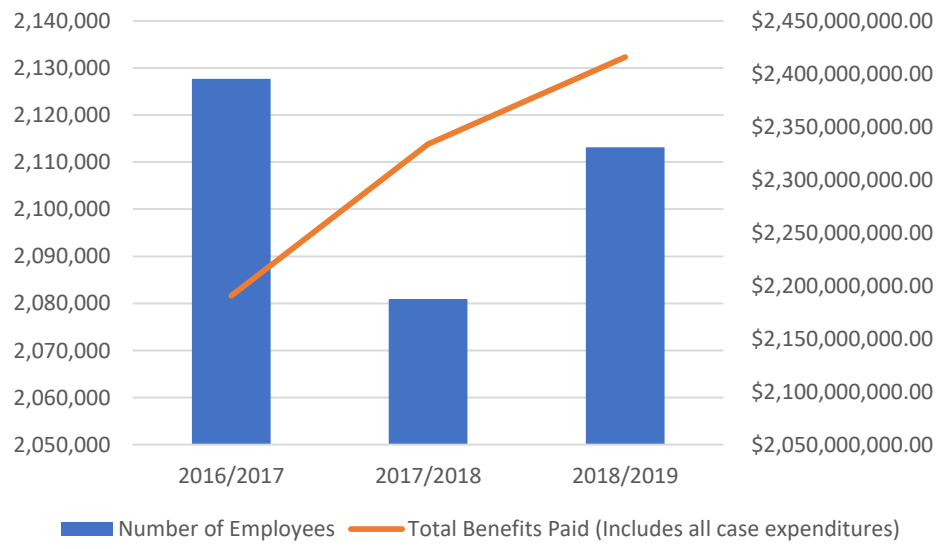
	2016/2017	2017/2018	2018/2019
Total Number of MO & IND claims reported	116,251	115,870	115,517
Total Number of Open Indemnity Cases	178,746	180,404	180,892
Number of claims litigated during FY	12,840	14,239	13,708





Public Self-Insured Employer Statewide Employee Count and Total Benefits Paid

Fiscal Year	Number of Employees	Total Benefits Paid (Includes all case expenditures)
2016/2017	2,127,675	\$ 2,190,460,014
2017/2018	2,080,967	\$ 2,333,668,139
2018/2019	2,113,128	\$ 2,415,713,867





What is the biggest concern injured employees have after suffering an accident on the job?

Fear





What are the top reasons injured employees hire an attorney?

Lack of Communication

Delay in Benefits

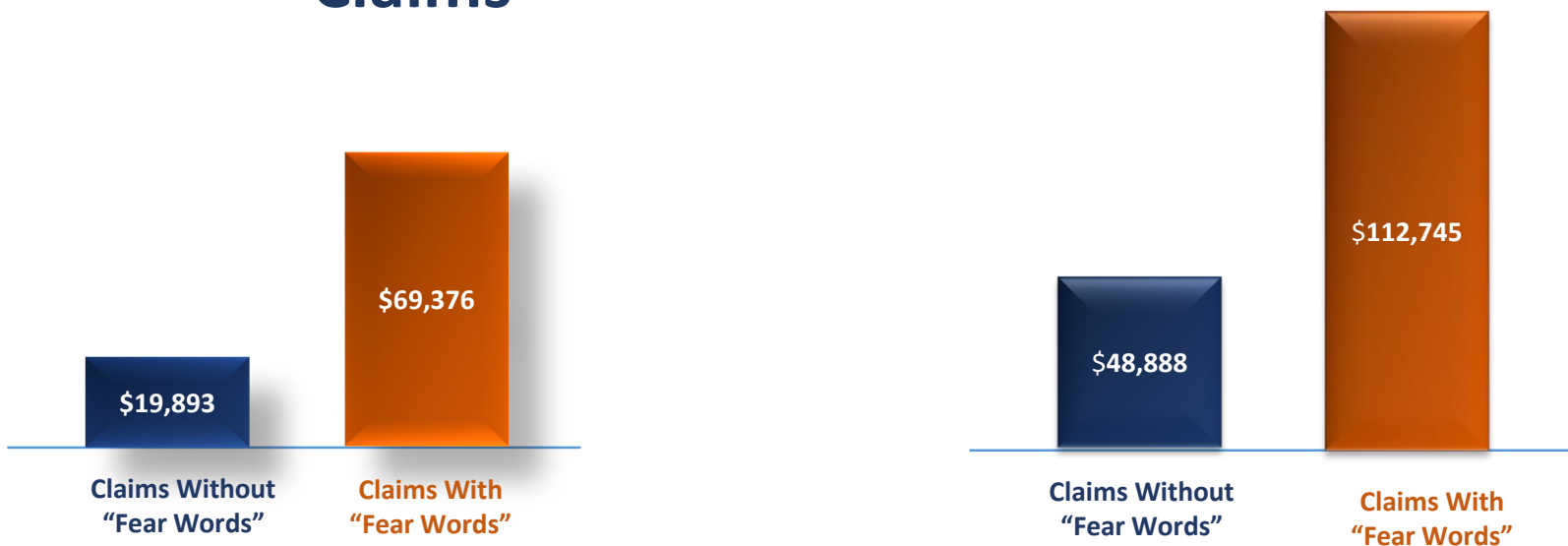




“Fear” & Its Impact on Claims

Lost Time Non-Litigated Claims

Lost Time Litigated Claims



Study completed by a national Insurance Broker by text mining adjuster notes to uncover a strong relationship between cost and words related to “fear”.



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Challenges & Opportunities



- Most Injured employees struggle in getting timely and proper medical care because of the system
- When Employees think of Workers' Compensation, there's usually a negative bias based on what they hear and experience
 - *Building high level of trust and open door policy so the employees come to us first with their questions*
 - *Give them honest and straight forward answers and help them through the process*



Employees who are searching for answers typically fill in the blanks with the worst case scenario!

How can you reduce the fears of injured workers?

- **Let them know...**
 - ✓ We care about them
 - ✓ They are wanted back at work
 - ✓ They will be receiving their entitled medical care & benefits
- **What is our role in this:**
 - We should regularly and frequently communicate with them
 - Use active listening
 - Show Empathy
- **Remember that every incident and every employee is different**



Understanding the fundamentals

- **Every action creates a personal reaction**

Experiences are in the eyes of the beholder. An Experience can be good for one person and bad for another

- **People are instinctively self-centered**

Everyone looks at the world through their own frame of reference. The challenge is that employees often have a completely different perspective than their managers or supervisors

- **Unengaged Supervisors and Adjusters create unengaged employees**

Everyone should be aligned with the Company's mission!

- **You can't fake it!**

Employees can tell when their leaders are not committed



Empathy Towards Your Employees

“Understanding and being aware of the needs of your employees, being sensitive to their feelings, thoughts and experiences. They want to be heard and understood and want you to know that you see their problem from their point of view. Caring and empathetic tone will let them know that you care and are there to help them navigate through the complex Workers’ Compensation System”



Back to Basics!

- Communicate consistently with honesty & confidence
- Understand the needs and viewpoint of others
- Relate and connect your experiences with others
- Set clear expectations to get better outcomes

Not everyone thinks your way!



Advocacy Based Claims Management

- With an effective advocacy collaboration, injured employees experience faster return to work and improved recovery
- Employers experience lower claim costs, better employee morale and improved employee productivity
- Third Party Administrators experience better claims outcomes, more holistic work environment and less adversarial workflow

You are not giving away benefits, you are facilitating resolution



Proactive Return to Work Program

- Having a strong RTW plan is a key to any successful WC program
- Having a strong and top performing network of doctors who understand and is on board with your RTW program
- Educating your workforce on your RTW policies so the employees do not use WC as means for time off
- Communicating and follow through when an injured employee is on modified duty
- Having an expiration on the modified duty period



Alleviating Fear on Surgical cases

- Early engagement pre and post surgery
- Assigning a nurse case manager
- Adjuster pro-activeness
- Having an immediate first hand contact to help IW navigate through the pre-op and post op care needs
- Ongoing communication to reduce complications and improve recovery



How can your employees help and avoid getting hurt on the job?

- Employers in California are required to have an “Injury and Illness Prevention Program”
- Program must include worker training, workplace inspections, and procedures for correcting unsafe conditions promptly
- Educate & Request your employees to participate in the program by reporting unsafe conditions to their Risk Management or Human Resource Department.



How can you help and prevent injuries?

- Find out all that you can on how each accident occurred...
- What machinery, equipment or personnel were involved?
- What time of the day the accident occurred?
- How long the injured worker had been working that day?
- What are their regular hours?
- Were they performing their normal job duties?

Gather all the facts to help you analyze the accidents and help you focus on prevention!



City of San José





City of San José

- August 2016 – NBC Bay Area Investigation “Dozens of Injured San Jose Firefighters Denied Workers’ Comp Treatment”
- November 2016 – NBC Bay Area Investigation “San Jose Ends Rocky Relationship with Company Handling Injured Firefighters’ Workers’ Comp Claims”
- 2016 – Failed Full Compliance Stage 2 State Audit resulting in over \$300k in penalties
- January 2017 – Intercare contracted as Workers’ Comp Third Party Administrator (Hybrid Program)



City of San José

- Between January 2014 and April 2018 - 4 Division Managers of Workers' Comp (3 of 4 quit without notice)
- September 2018 - In-house Workers' Comp Program fully outsourced to Third Party Administrator Intercare
- November 2018 - New Division Manager of Workers' Comp hired
- July 2019 – RFP completed for Workers' Comp Third Party Administrator – Intercare awarded 3 year contract



City of San José





City of San José

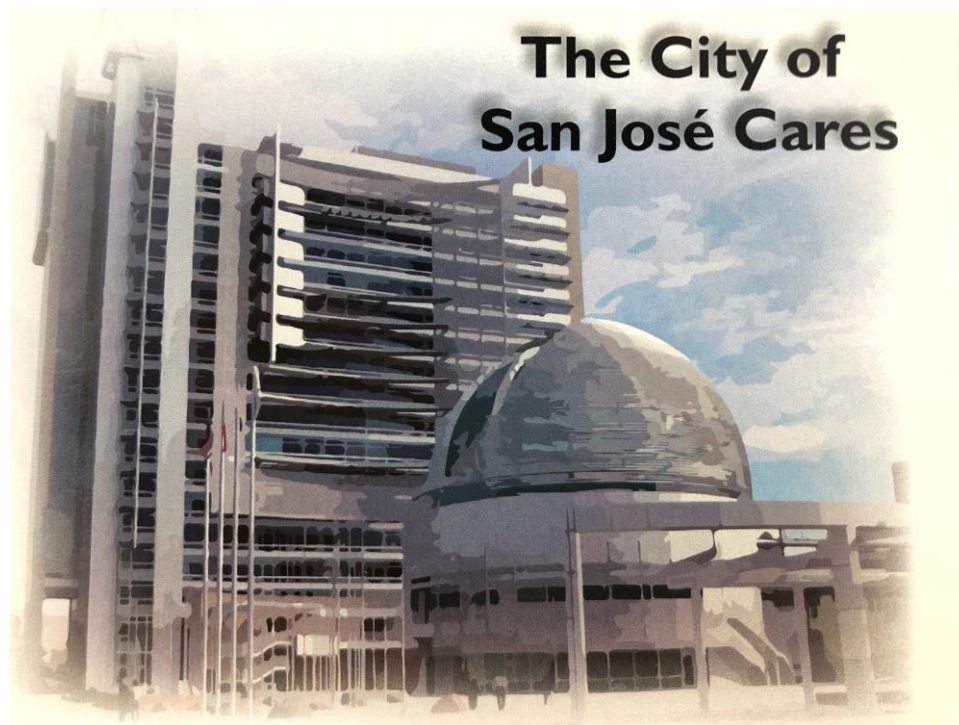
- Overview of City of San Jose Program developed and implemented that demonstrate empathy and compassion for our employees
- Positive outcome – reduction in Litigated Claims and Workers' Comp costs

Taking care of those who take care of us!





City of San José - Get Well Card



Front of the card



City of San José - Get Well Card

We're sorry to hear about
your injury...

We wish you a speedy recovery!

Here in the Workers' Compensation Division, Human Resources Department we want to make sure that your experience with Intercare is exceptional and all your questions are answered.

If there is any way we may assist we hope you reach out to us.

Eric Fortes
Division Manager
Phone: (408) 975-1418
Eric.Fortes@sanjoseca.gov

Yvette Mirzapour
Workers' Compensation Analyst
Phone: (408) 975-1419
Yvette.Mirzapour@sanjoseca.gov

Inside of the card



City of San Jose Health & Safety Values

Mission First, Safety Always!



The City cares about your safety and ensuring your Health and Safety is our top priority



A safe work environment requires Teamwork and is everyone's responsibility



We address workplace injuries with an employee focus that fosters Compassion and Empathy



All workplace injuries are reported, Care Is Swift and the City evaluates each incident to continuously improve upon our safety



Return to Work is our goal for you and essential to employee recovery, health and wellness

City of San José Health & Safety Values





People don't care
how much you *know*
until they know
how much you *care*



City of San José Firefighter Fastlane



FIREFIGHTER FAST LANE

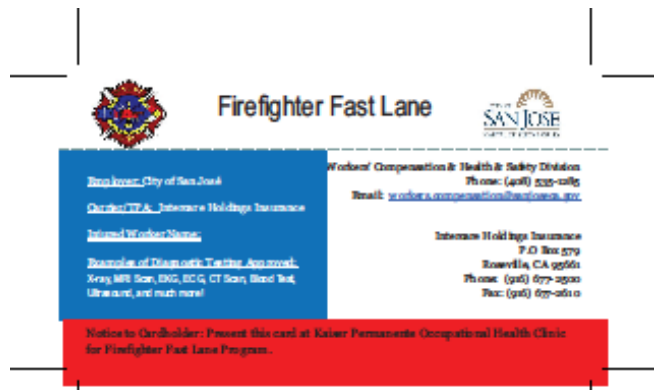


This flyer announces the one-year Firefighter Fast Lane Pilot Program established by the City of San José in collaboration with San José Fire Fighters, IAFF Local 230 aimed at eliminating delays in medical treatment for work-related illnesses and injuries.

All active SJFD sworn personnel are strongly encouraged to utilize the “**Firefighter Fastlane**” to receive expedited medical exam and necessary diagnostic tests for work-related illnesses or injuries.

For any work-related illness or injury:

- All active SJFD sworn personnel are pre-approved for immediate, relevant diagnostic tests at the discretion of the treating physician to determine your level of injury or illness;
- Firefighter Fastlane steps :
 1. Immediately report injury to supervisor and submit required forms
 2. If employee will be losing time from work, seek a medical exam from a Kaiser Occupational Medical Clinic and any relevant diagnostic testing approved as prescribed by the treating physician (e.g. X-ray, MRI Scan, EKG, ECG, CT Scan, blood test, ultrasound, etc.)
 - Kaiser Occupational Medical Clinics can be found at: <https://business.kaiserpermanente.org/locate-services/california> or by calling 1-888-KOJ-WORK.
 3. Simply present the “Firefighter Fast Lane” business card at the Kaiser-Occupational Medical Clinic of your choice to obtain Fastlane service.
 4. Call BAS each Monday morning as long as it is necessary to remain off work. Provide medical status, doctor’s prognosis, treatment plan, current physical limitations, ability to work in a modified duty assignment, and probable return to work date.
- If you prefer, you can also have the test results sent to your own MPN-approved Workers Compensation physician.



Wallet Card



City of San José Firefighter Fastlane

“In short, Firefighter Fastlane has been a fundamental and extremely positive shift in the treatment of injured firefighters, for the benefit of the City and its employees.

I have had multiple members express their pleasant surprise at walking into a Kaiser occupational health center, and immediately receiving a full battery of diagnostic tests so they can either immediately proceed toward aggressive treatment or be assured that modest treatment will get them back to work quickly without unnecessarily extending their absence or increasing their injury.

One Firefighter recently went in with an elbow injury. Within a matter of hours, testing showed conclusively that there was no significant injury and our member was given normal conservative treatment. In another case, a member exhibited carpal tunnel syndrome symptoms and immediate diagnostics with surgery pre-approval allowed him to immediately schedule surgery. In another example, a member with a shoulder injury received immediate diagnostics that showed the definitive need for surgery, and so he was able to proceed toward scheduling surgery without delay.

This model has been so well received that when two surrounding departments caught wind of it, it was immediately adopted for all their members as well.”

- FF Local 230 President Sean Kaldor



City of San José – Interconnect Program



intercare

**Intercare Holdings Insurance Services , Inc.
On-Site InterConnect Meeting Sessions
Tuesday, September 24, 2019**

What: Intercare is holding InterConnect meeting sessions where unrepresented injured employees can meet with the Intercare adjuster to discuss benefits, settlement documents, and/or any other questions employees may have about their open claim.

When: Tuesday, September 24, 2019 from 10:00 a.m. to 2:00 p.m.

Where: 1661 Senter Rd, Bldg A, 1st Floor, San Jose
Central Service Yard – 1 East Conference Room

If you would like to schedule a meeting time with Intercare:

Please E-mail: SJPD_WORKERSCOMP@SANJOSECA.GOV
Or call (408) 537-9656, Sandra Dennis, Personnel Analyst:
OR

Yvette Mirzapour, Human Resources Department:
P: (408) 975-1419 or E-mail: yvette.mirzapour@sanjoseca.gov

Please e-mail or call to schedule your meeting by Tuesday, September 17, 2019



intercare

**Intercare Holdings Insurance Services, Inc.
On-Site InterConnect Meeting Sessions
Wednesday, February 12, 2020**

What: Intercare is holding InterConnect meeting sessions where employees who are not represented by an attorney can meet with an Intercare adjuster to discuss benefits, settlement documents and/or any other questions about their open work related injury.

When: Wednesday, February 12, 2020 from 8:00 a.m. to 12:00 p.m.

Where: 1661 Senter Rd, Bldg A, 1st Floor, San Jose, CA 95112
Central Service Yard – East Conference Room

If you would like to schedule a meeting time with the Intercare adjuster, please contact:

Roger Hurtado, Workers Compensation Analyst at (408) 794-6989
roger.hurtado@sanjoseca.gov

or

Yvette Mirzapour, Human Resources Department at (408) 975-1419
yvette.mirzapour@sanjoseca.gov

Please contact Roger or Yvette by February 5, 2020 to schedule a meeting.











THE Art OF RISK






STRETCH AT WORK

Please modify all stretches to your current ability (for example, stretching while seated).

Upper Body

 <p>Shoulder Rolls</p> <ul style="list-style-type: none"> Stand tall with your arms at your sides. Move your shoulders to create 15 circles forward and 15 circles backward. Tempo: take about 2-3 seconds for each circle. 	 <p>Arm Circles</p> <ul style="list-style-type: none"> Raise your arms to shoulder height. Create small circles forward. Lower your arms to rest, then repeat creating circles backward. Tempo: circles for 15 seconds in each direction. Repeat up to 2 times. 	 <p>Neck Tilt</p> <ul style="list-style-type: none"> Tilt your head to one side over your shoulder. Repeat your head and repeat on the other side. Slowly drop your head forward. Tempo: hold each stretch for up to 30 seconds. 	 <p>Shoulder Squeeze</p> <ul style="list-style-type: none"> Put your hands up (forearms facing forward). Push your arms back, squeezing your shoulder blades together. Tempo: hold for up to 10 seconds and repeat up to 3 times.
 <p>Arm Crossover</p> <ul style="list-style-type: none"> Standing or sitting, gently pull your left arm across your chest with your right hand. Tempo: hold for up to 30 seconds and switch sides. Repeat 2 times. 	 <p>Wrist Rotation</p> <ul style="list-style-type: none"> Hold your arms out at shoulder height. Roll both wrists in one direction, then switch. Tempo: roll up to 10 times in each direction. 	 <p>Reverse Wrist Bend</p> <ul style="list-style-type: none"> Hold your arms out at shoulder height. With your right hand, bend the left wrist downward. Then pull your fingers up and back. Repeat steps on the other side. Tempo: hold for up to 30 seconds. 	 <p>Side Stretch</p> <ul style="list-style-type: none"> Standing or seated, extend your right arm downward and reach to the left. Repeat with your other side. Tempo: hold for 30 seconds and release.

Lower Body

 <p>Knee Grabs</p> <ul style="list-style-type: none"> Standing or seated, grab your right shin with both hands and pull it slowly toward your chest. Repeat on the left side. Tempo: hold for up to 30 seconds. Alternate sides up to 5 times. 	 <p>Lunge</p> <ul style="list-style-type: none"> Standing tall, extend your right leg in front of you and lower until your thigh is parallel to the floor (make sure your knee is behind your toes). Push back to standing through your heel. Repeat with your left leg forward. Tempo: alternate legs up to 5 times (each side). 	 <p>Quad Stretch</p> <ul style="list-style-type: none"> Standing tall, bend your right knee to lift your foot up behind you (place one hand on a stable surface for support). Grab your right ankle and slowly pull your leg toward behind you. Release and repeat with your left leg. Tempo: hold for up to 30 seconds. 	 <p>Calf Stretch</p> <ul style="list-style-type: none"> Standing with your feet with your arms straight in front of you and your hands flat against the wall. Extend one leg back, placing your heel flat on the floor (do not bend your back knee). Lean into the wall and hold for 30 seconds. Repeat on the other side.
 <p>Chair Pose</p> <ul style="list-style-type: none"> Stand tall with feet hip distance apart and hands at your sides. Reach your arms above your shoulders and bend your knees (repeat down). Reach your hips down and back, as if you were going to sit on the edge of a chair. Tempo: hold for 30 seconds and release. Repeat up to 3 times. 	 <p>Figure 4</p> <ul style="list-style-type: none"> Sitting up straight in your chair, bring your right ankle onto the knee of the opposite leg. While keeping your back straight, slowly lean forward to find a deeper stretch. Release and repeat on the left side. Tempo: hold for 30 seconds. Repeat up to 3 times. 	 <p>Hamstring Stretch</p> <ul style="list-style-type: none"> Stand with your feet hip distance apart. Step forward with your right foot. Raise the foot up towards you. Keeping your right leg straight, bend at the knee. Release and repeat with your left leg. Tempo: hold up to 30 seconds. 	 <p>Forward Fold</p> <ul style="list-style-type: none"> Stand with your feet hip distance apart (knees slightly bent if needed). Raise both arms above your head and slowly bend forward at your hips, reaching your hands to your feet. Tempo: hold for 15 seconds and slowly roll back up to standing. Repeat up to 3 times.

City of San José Ergonomics Program

Original poster layout and design created by the County of Santa Clara Employee Wellness Division
 DICK JAMES ALLEN, with his creative inspiration, please contact with your physician before starting. I do not and the program does not and I do not assume any responsibility for any injury or damages I incur as a result of my voluntary participation.



City of San José - Additional Programs

- Workers' Compensation Monthly Teleconferences
- Workers' Compensation Monthly Meetings with Intercare, CAO (City Attorney Office) and HR
- Workers' Compensation Monthly Claims Reviews
- Workers' Compensation 101 Supervisor Training
- Workers' Compensation Quarterly WC Liaisons Meetings
- Quarterly Public Safety Wellness Committee
- Annual Health & Wellness Fair
- Employee Health Services Clinic – Medical Surveillance/Wellness



City of San José – Partnership with Intercare

- Shared Health & Safety values with Intercare and requested they demonstrate these values when dealing with our employees.
- Adjuster makes weekly call to employees who are out on 4850/TTD.
- Review of all UR decisions with City. Case by case review. Exceptions to denials.
- Weekly calls between HR and Intercare to troubleshoot issues.
- Strategic use of nurse case managers.



City of San José – WC Costs

- Litigated claims reduced from 5.68% in 2018 to 3.27% in 2019.
- Comparing FY 18/19 to FY 17/18, Workers' Comp total expenditures were reduced by \$3,084,944 from \$22,544,025 to \$19,459,081 which is an approximate 13.5% decrease.
- Comparing FY 19/20 to FY 18/19, Workers' Comp total expenditures are projected to be reduced by \$2 million against budget of \$22,500,000 through the end of the fiscal year.
- Comparing FY 18/19 to FY 17/18. 4850 payments for Fire were also reduced by \$271,148 over previous year



Taking Care of Those Who Take Care of Us

Nationally, Police Officers who have died in the line of duty

Year	Automobile Crash	Gunfire	Heart Attack	Other	Total
2015	52	41	20	52	165
2016	55	64	17	39	175
2017	47	45	20	63	175
2018	49	52	19	47	167
2019	46	47	16	26	135



Taking Care of Those Who Take Care of Us

Nationally, Firefighters who have died in the line of duty

Year	Total	Career	Volunteer	Non-Muni
2014	64	23	34	7
2015	68	24	32	12
2016	69	19	39	11
2017	60	21	32	7
2018	64	25	34	5

Taking Care of Those Who Take Care of Us

A total of 13
Police Officers
and 18
Firefighters
from the City
of San Jose
have died in
the line of
duty.

SAN JOSE POLICE DEPARTMENT 2018 FALLEN OFFICER MEMORIAL

Peace Officers Memorial Day and Police Week is an observance that pays tribute to the local, state, and Federal peace officers who have died in the line of duty.

The holiday was created on October 1, 1961, when Congress asked the President to designate May 15th to honor peace officers. John F. Kennedy signed the bill into law on October 1, 1962

SGT. MORRIS VAN DYCK HUBBARD
JULY 12, 1924

OFFICER JOHN BUCK
APRIL 5, 1933

OFFICER JOHN COVALESK
NOVEMBER 15, 1950

OFFICER RICHARD HUERTA
AUGUST 6, 1970

OFFICER ROBERT WHITE
JANUARY 27, 1985

OFFICER HENRY BUNCH
JULY 29, 1985

OFFICER ROBERT WIRHT
SEPTEMBER 8, 1988

OFFICER GORDON SILVA
JANUARY 20, 1989

OFFICER GENE SIMPSON
JANUARY 20, 1989

OFFICER DESMOND CASEY
OCTOBER 25, 1999

OFFICER JEFFREY M. FONTANA
OCTOBER 28, 2001

OFFICER MICHAEL J JOHNSON
MARCH 24, 2015

OFFICER MICHAEL J. KATHERMAN
JUNE 14, 2016



Open, honest communication is the best foundation for any relationship, but remember that at the end of the day it's not what you say or what you do, but how you make people feel that matters the most.

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Compassionate empathy
understanding a person's
difficulty and being moved
to help





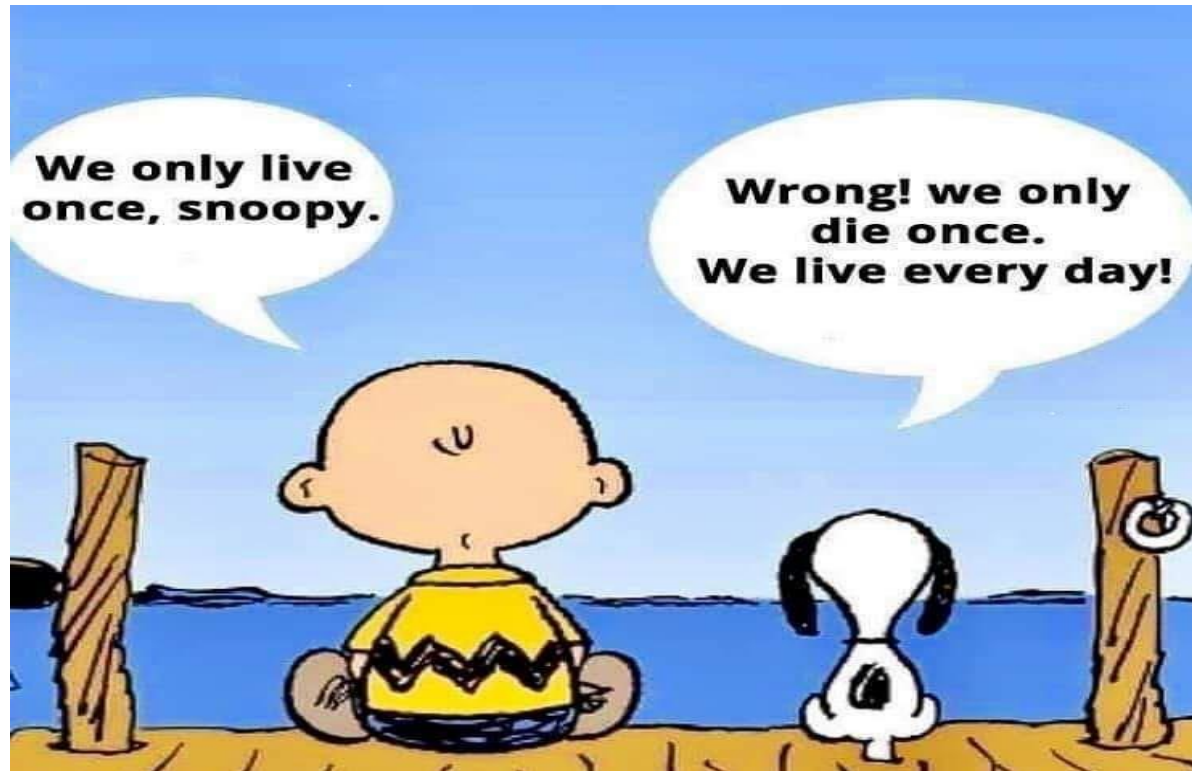
Empathy is...

seeing with the eyes of another.
listening with the ears of another.
and feeling with the heart of another.

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Going the extra mile and doing your very best in everything and in every day!



NEW THIS YEAR – Surveys on the App

Find the App, Click on Events, Click on Browse by Day, Click on the Specific Session, Click on Rate Event. See Below for Screen Shots.

