



California Workers' Compensation Institute

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October 30, 2018

VIA E-MAIL – DWCForums@dir.ca.gov

Maureen Gray, Regulations Coordinator
Division of Workers' Compensation, Legal Unit
P.O. Box 420603
San Francisco, CA 94142

Re: Forum Comment: Workers' Compensation Information System (WCIS) Regulations

Dear Ms. Gray:

On behalf of its members, California Workers' Compensation Institute offers these comments on the proposed modifications to the Workers' Compensation Information System (WCIS) regulations. The Institute members include insurers writing 82% of California's workers' compensation premium, and self-insured employers with \$69.8B of annual payroll (31.5% of the state's total annual self-insured payroll).

Insurer members of the Institute include AIG, Alaska National Insurance Company, Allianz Global Corporate and Specialty, AmTrust North America, Berkshire Hathaway, CHUBB, CNA, CompWest Insurance Company, Crum & Forster, EMPLOYERS, Everest National Insurance Company, The Hartford, ICW Group, Liberty Mutual Insurance, Pacific Compensation Insurance Company, Preferred Employers Insurance, Republic Indemnity Company of America, Sentry Insurance, State Compensation Insurance Fund, State Farm Insurance Companies, Travelers, XL America, Zenith Insurance Company, and Zurich North America.

Self-insured employer members include Adventist Health, Albertsons/Safeway, BETA Healthcare Group, California Joint Powers Insurance Authority, California State University Risk Management Authority, Chevron Corporation, City and County of San Francisco, City of Los Angeles, City of Torrance, Contra Costa County Risk Management, Contra Costa County Schools Insurance Group, Costco Wholesale, County of Alameda, County of Los Angeles, County of San Bernardino Risk Management, County of Santa Clara Risk Management, Dignity Health, Foster Farms, Grimmway Farms, Kaiser Permanente, Marriott International, Inc., North Bay Schools Insurance Authority, Pacific Gas & Electric Company, Schools Insurance Authority, Sempra Energy, Shasta County Risk Management, Shasta-Trinity Schools Insurance Group, Southern California Edison, Special District Risk Management Authority, Sutter Health, University of California, and The Walt Disney Company.

Recommended revisions to the proposed regulation are indicated by underscore and ~~strikeout~~. Comments and discussion by the Institute are identified by *italicized text*.

Recommendation:

Section § 9702 Electronic Data Reporting.

(d) Each claims administrator shall submit to the WCIS within thirty (30) calendar days of the close of a quarter, the following data elements, whenever indemnity benefits of a particular type and amount are started, changed, suspended, restarted, stopped, delayed, or denied, or when a claim is closed, or when the claims administrator is notified of a change in employee representation. Submissions under this subsection are required only for claims with a date of injury on or after July 1, 2000, and shall not include data on routine payments made during the course of an uninterrupted period of indemnity benefits.

Discussion:

The proposed language, “thirty (30) calendar days of the close of a quarter”, was not underlined in the draft revisions signifying new text. This error needs to be corrected when the proposed revisions are posted for formal rulemaking.

The Institute supports the proposed revisions to WCIS regulations 9701 and 9702, as well as the proposed revisions and additions to the California EDI Implementation Guide for First and Subsequent Reports of Injury (FROI/SROI). The proposed change that requires quarterly reporting of SROI data rather than event-based reporting should decrease the administrative and technical burden on submitters, and increase compliance with reporting requirements.

Thank you for the opportunity to comment, and please contact us if additional information would be helpful.

Sincerely,

Stacy L. Jones
Senior Research Associate

SLJ/pm

cc: André Schoorl, DIR Acting Director
George Parisotto, DWC Administrative Director
Lindsey Urbina, DWC Legal Unit
CWCI Claims Committee
CWCI Medical Care Committee
CWCI Legal Committee
CWCI Regular Members
CWCI Associate Members