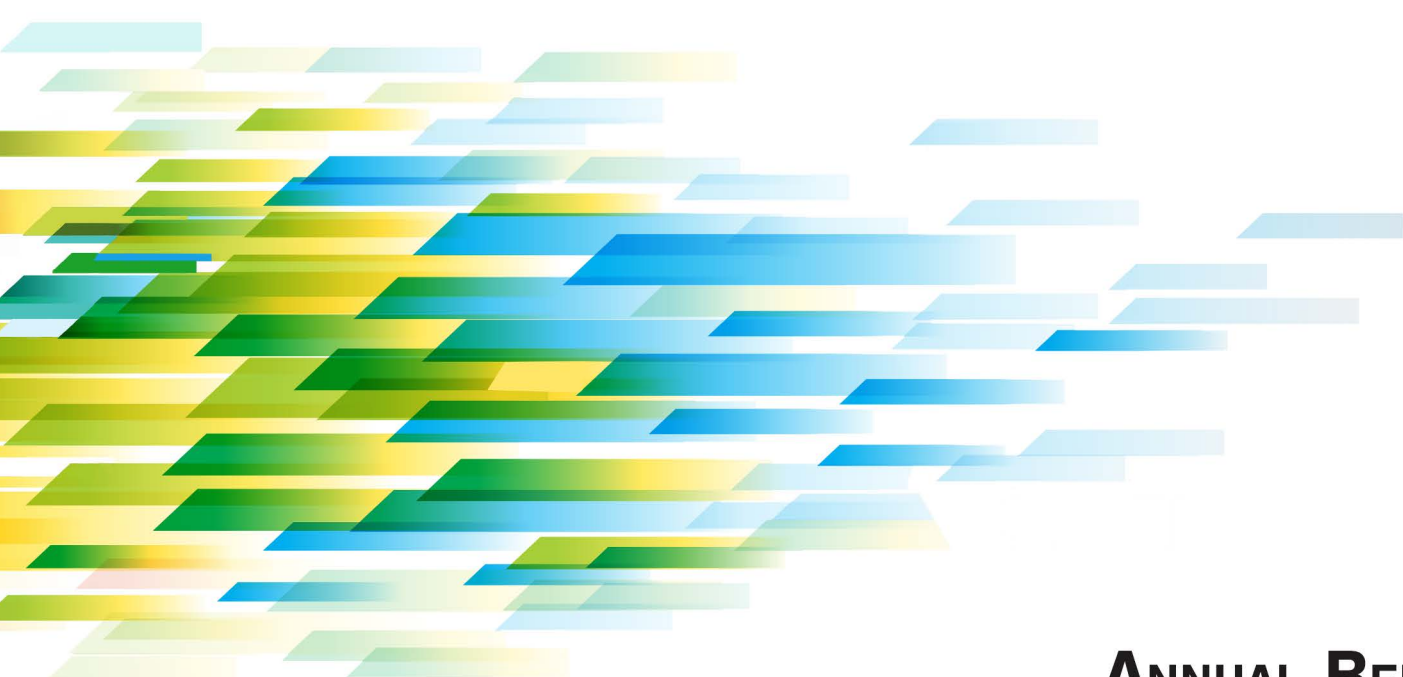


VIRGINIA WORKERS' COMPENSATION COMMISSION



ANNUAL REPORT 2014



www.workcomp.virginia.gov

2	Vision Mission Values
3	About Virginia Workers' Compensation Commission
4	From the Leadership
5	Organizational Chart
6	Commissioners
7	Senior Executive Leaders
8	Deputy Commissioners
9	Commission Departments
11	Department Highlights
30	Regulatory/Legal Update
32	The Way Forward
33	Contact

Our Vision

**Lead
the nation**
as the most effective and
innovative state agency.

Our Mission

To serve
injured workers,
victims of crimes,
employers, & related
industries by providing
exceptional services,
resolving disputes, &
faithfully executing the
duties entrusted to us
by the Commonwealth
of Virginia.



Our Values

**INNOVATIVE
ACCOUNTABLE
RESPECTFUL
EFFECTIVE
RELIABLE
IMPARTIAL
INTEGRITY**

About VWC

At Virginia Workers' Compensation Commission, we are striving to be a leader nationwide, and value the rich history upon which our agency has been built.

The Virginia Workmens' Compensation Act was enacted on March 21, 1918 over a veto by Governor Westmoreland Davis. At that time, the Industrial Commission of Virginia was created by the Act and agency operations commenced on January 1, 1919. The Act was designed to protect injured workers and their families with financial compensation when faced with personal injury or death on the job.

The Commission was renamed the Virginia Workers' Compensation Commission in 1991, as part of the recodification of the Virginia Workers' Compensation Act.

The Virginia Workers' Compensation Commission is an independent state agency that promotes and protects the interest of the injured worker, and also supports the safety and health of Virginia workers. The primary role of the Commission is to oversee the resolution of workers' compensation claims brought in the state in accordance with the

Virginia Workers' Compensation Act through mediation and/or hearings. The policies and procedures of the Commission are largely determined by the provisions of the Act. The Act defines the composition of the Commission, and specifies the judicial powers and responsibilities of the Commissioners.

The Commission is also directed by statute to administer the Criminal Injuries Compensation Fund, the Uninsured Employer's Fund, the Medical Costs Peer Review Program, the Second Injury Fund, and to adjudicate claims filed pursuant to the Virginia Birth-Related Neurological Injury Compensation Program. The Commission is headquartered in Richmond, Virginia, and has regional offices and hearing locations in various sites around the state including Lebanon, Virginia Beach, Roanoke, Harrisonburg, Manassas, and Fairfax.

The Commission works to support the safety and health of Virginia workers.

Hello Virginia Workers' Compensation Partners,

On behalf of the Virginia Workers' Compensation Commission, I am pleased to present the Commission's 2014 Annual Report. Our agency's mission is to serve injured workers, victims of crimes, employers, and related industries by providing exceptional services, resolving disputes, and faithfully executing the duties entrusted to us by the Commonwealth of Virginia.

Our agency and its employees take this mission very seriously, and are truly committed to enhancing our relationships with employers, injured workers, claims administrators, insurance carriers, and others involved in the workers' compensation field. We interact with these individuals and entities on a daily basis as we seek to administer the Workers' Compensation Act in a fair, equitable, and impartial manner.

With a workforce of approximately 285 employees serving throughout the Commonwealth of Virginia, the Commission maintains our Headquarters in Richmond, Virginia, with regional offices located in Virginia Beach, Harrisonburg, Roanoke, Lebanon, Fairfax, and Manassas. We seek to provide the highest quality of services in each of these locations and are striving to continue to improve the quality of services, through innovative and cutting edge programs.

A recent major initiative of the Commission is to help people resolve legal problems before going to court using our Alternative Dispute Resolution (ADR) program. The use of ADR early in a case can result in a more efficient, cost-effective resolution of disputes with greater satisfaction to the parties. The Commission has also taken steps to assist carriers with the timely filing of workers' compensation information by issuing report cards on performance. Detailed training and guidance has also been provided during our Annual Seminar and Attorney's Meeting, as well as through our new and improved Commission website located at workcomp.virginia.gov. We seek to develop new partnerships and enhance continuing relations to improve the overall workers' compensation process.

Many of our key leaders and other employees are active in national and international workers' compensation associations, ensuring that our agency remains current on developments, trends and significant issues relating to the administration and adjudication of workers' compensation claims. Our participation in these organizations also allows us to form relationships with leading experts in our field. Virginia is often consulted as a leading agency in the nation on various initiatives including our paperless claims processing and WebFile Systems, ADR Program, EDI Compliance efforts and other Commission programs.

The Commission is proud of the results displayed in its 2014 Annual Report as this is truly a team effort with our leaders, employees and partners. We will continue to successfully meet the demands of an increasingly diverse and growing workforce, and continue to revise our service delivery process in 2015 to improve our service delivery. We are excited about the present and the future of the Commission and together, we can and will achieve much more.

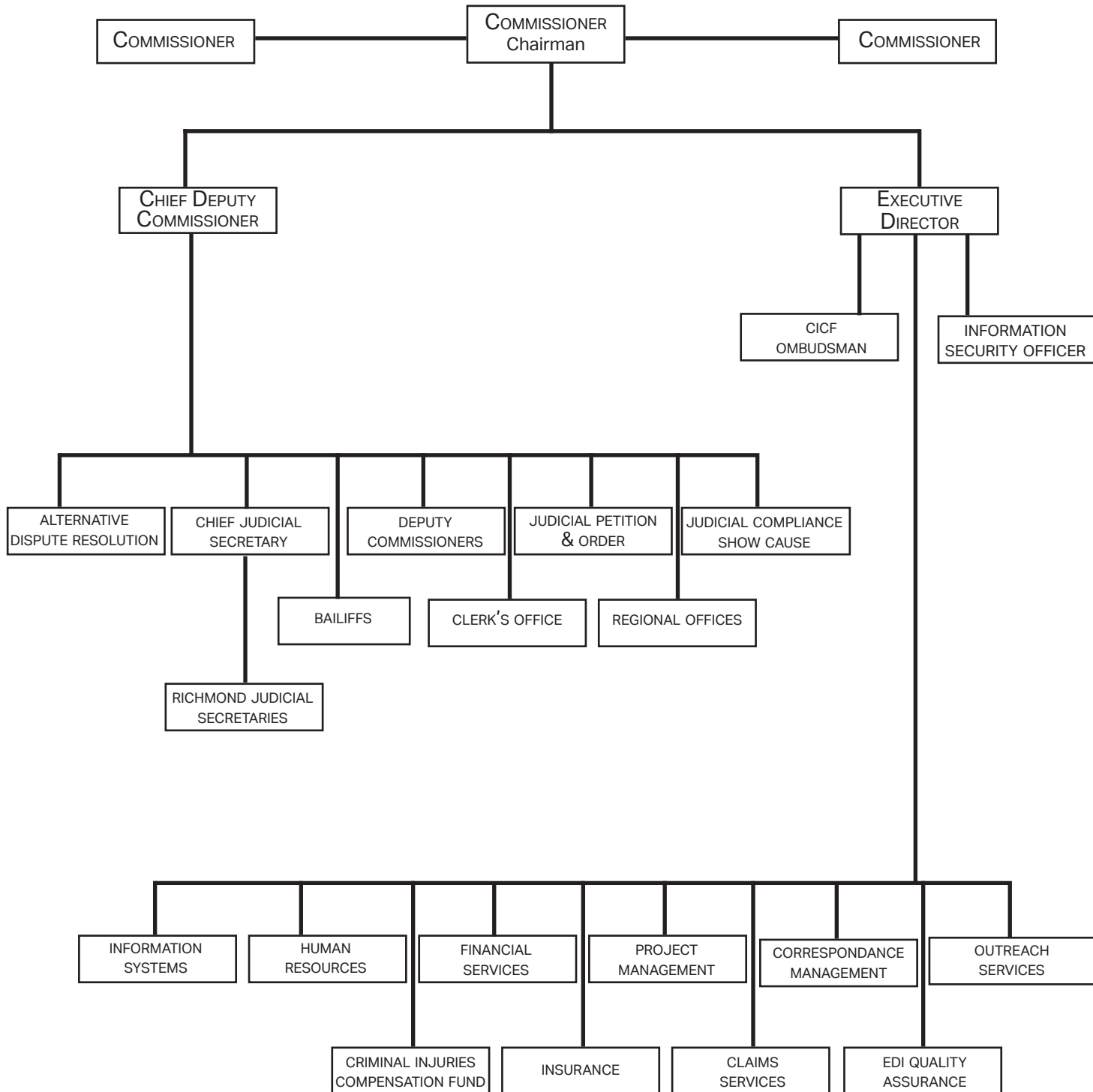


Roger L. Williams
Chairman

"We are truly committed to enhancing our relationships with employers, injured workers, claims administrators, insurance carriers, and others"



Organizational Chart



Commissioner Roger L. Williams Chairman

Commissioner Williams was appointed by the 2008 Virginia General Assembly and began his position with the Virginia Workers' Compensation Commission on May 1, 2008. Mr. Williams received his B.S. from Washington and Lee University in 1975 and his J.D. from University of Richmond in 1980. From May 1980 to May 2008, Mr. Williams was engaged in the private practice of law almost exclusively in the area of insurance defense litigation, with emphasis on the law of workers' compensation.



Commissioner Wesley G. Marshall

Commissioner Marshall was appointed to the Commission in May 2012. Mr. Marshall graduated from the University of Virginia with his B.A. with distinction in 1985 and his J.D. in 1988. From October 1988 to May 2012, Mr. Marshall was in private practice for more than 23 years, primarily representing plaintiffs in workers' compensation, employment, and other related civil litigation.



Commissioner R. Ferrell Newman

Commissioner Newman was appointed to the Virginia Workers' Compensation Commission by the Virginia General Assembly during the 2013 session. Mr. Newman is a 1983 graduate from the Marshall Wythe School of Law, and a 1979 graduate from the University of Richmond. Mr. Newman's appointment followed a 30 year practice of law with a heavy concentration in workers' compensation.



Evelyn V. McGill
Executive Director



Executive Director McGill was selected by the Commissioners to serve in January 2013, responsible for administration, operational and financial functions. Currently, she serves as an at-large Board of Directors Member for the International Association of Industrial Accident Boards. Prior to her appointment as Executive Director at the Commission, she had a fourteen (14) year tenure with the City of Richmond's Police Department, where she retired as Deputy Chief of Administration/Executive Director. Ms. McGill earned a Master of Business from Virginia Tech where she serves as the Vice President of the VT Pamplin College of Business' MBA Advisory Board and is a member of the VT Multi-Cultural Alumni Advisory Board. She also earned a Master of Public Administration from the University of Pittsburgh, studied as a Pre-Graduate Fellow at the University of Virginia and has a Bachelor of Science from Virginia Commonwealth University. Community service involvement includes children's liturgy, lecturer and various other church related activities; she serves on the Board of Visitors for Saint Gertrude High School and in her spare time she enjoys running, reading and taking care of her mother.

Hon. James J. ("Jim") Szablewicz
Chief Deputy Commissioner



Hon. Jim Szablewicz is the Chief Deputy Commissioner of the Virginia Workers' Compensation Commission and has been in that position since April 2004. In this capacity, he supervises the Judicial Division of the Commission, including the functions of the Commission's Clerk's Office, six Regional Offices, and all of the Deputy Commissioners statewide. Prior to becoming Chief Deputy Commissioner, Mr. Szablewicz served as a Deputy Commissioner for two years, and was engaged in the private practice of law on Virginia's Eastern Shore for eleven years, primarily representing injured workers. Mr. Szablewicz received his B.A. in Political Science from Yale University in 1984, and his J.D. from the University of Virginia School of Law in 1987. He has lectured extensively on workers' compensation matters and is the Secretary of the National Association of Workers' Compensation Judiciary, and an active member of the *Southern Association of Workers' Compensation Administrators*. Mr. Szablewicz was inducted as a Fellow of the College of Workers' Compensation Lawyers in 2014.

Deputy Commissioners

The Commission had 25 Deputy Commissioners in 2014 who served as mediators and administrative law judges, and held evidentiary hearings throughout the state to determine rights and liabilities of parties under the Act.

FAIRFAX

3020 Hamaker Court, Suite 100
Fairfax, VA 22031

Hon. Susan E. Cummins
Hon. John S. Nevin

HARRISONBURG

41 Court Square, Suite B
Harrisonburg, VA 22801

Hon. Jason P. Cording
Hon. William R. Culbreth

LEBANON

1114 East Main St., Suite 4
Lebanon, VA 24266

Hon. Christen W. Burkholder

MANASSAS

7900 Sudley Road, Suite 901
Manassas, VA 20109

* Hon. Carolyn J. Colville
Hon. W. Geovanni Munoz
Hon. Dana L. Plunkett
Hon. Jimese Pendergraft Sherrill

RICHMOND

100 DMV Drive
Richmond, VA 23220

Hon. Fredrick M. Bruner
Hon. Angela F. Gibbs
* Hon. Robert H. Herring, Jr.
Hon. Brooke Anne Hunter
Hon. Andrea W. Lee
Hon. R. Temple Mayo
Hon. P. Randolph Roach, Jr.
Hon. Susan R. Stevick
Hon. James J. Szablewicz
Hon. Randolph P. Tabb, Jr.

ROANOKE

3959 Electric Road SW, Suite 425
Roanoke, VA 24018

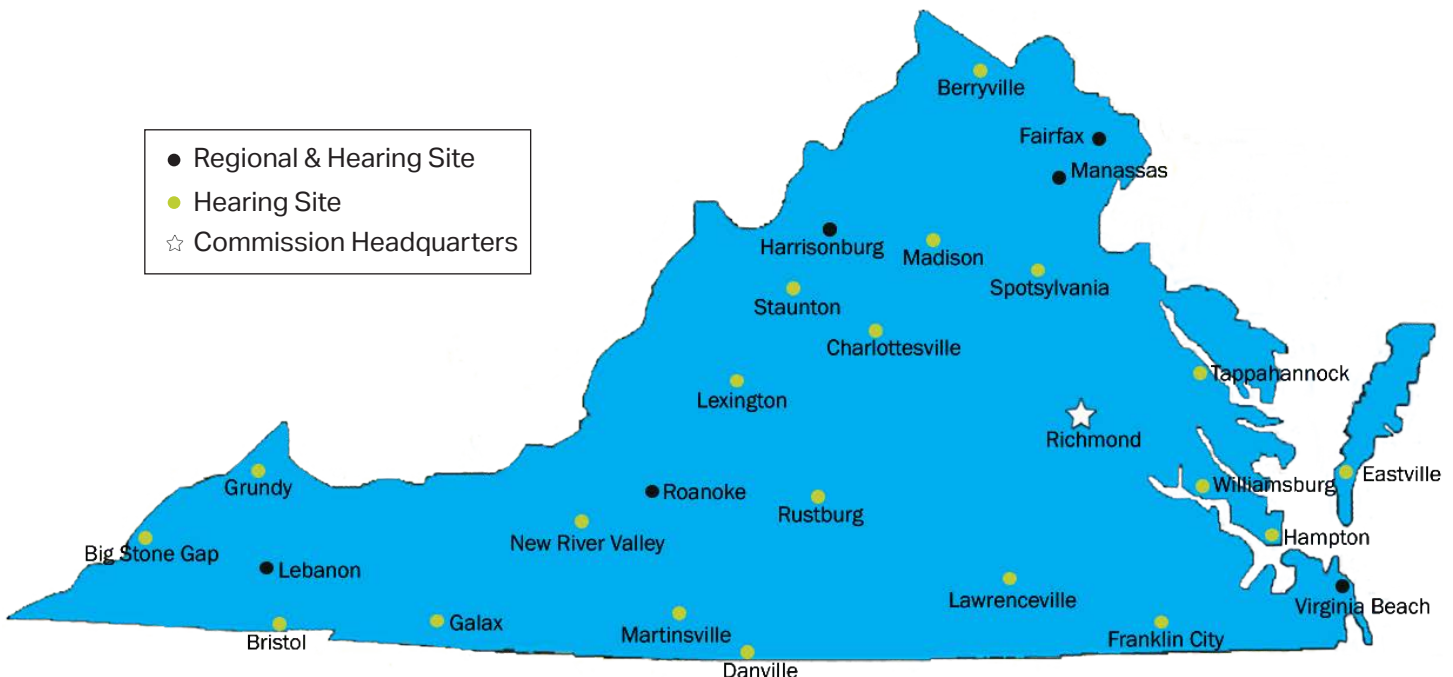
Hon. Deborah Wood Blevins
Hon. John Costa
Hon. Robert M. Himmel

VIRGINIA BEACH

281 Independence Blvd. Suite 600
Virginia Beach, VA 23462

Hon. Lynne M. Ferris
Hon. Terry L. Jenkins
Hon. Lee E. Wilder

* Indicates retired in 2014



ALTERNATIVE DISPUTE RESOLUTION

Hon. Deborah Wood Blevins, *Deputy Commissioner*

The goal of Alternative Dispute Resolution is to provide the workers' compensation system with an expeditious and efficient alternative to litigation for the resolution of disputes.

CLAIMS SERVICES

Vivian Lane, *Manager*

The Claims Services Department responds to in-person inquiries, reviews, and responds to incoming correspondence, claimants' claims for benefits and requests for hearing, employer's applications for hearing, medical provider's applications and attorney's applications for hearing for attorney's fees from medical providers.

CLERK OF THE VIRGINIA WORKERS' COMPENSATION COMMISSION

Marjorie Platt, *Clerk*

The Clerk's Office assists customers by responding to inquiries from parties, attorneys and other governmental agencies; responding to and issuing subpoenas; managing appeals to the full Commission and the Virginia Court of Appeals; managing claims made under the Birth-Related Neurological Injuries Compensation Act; and processing attorney *Pro Hac Vice* admission requests.

CORRESPONDENCE MANAGEMENT

William Crawford, *Manager*

Correspondence Management (CMD) is the centralized mail processing division of the Virginia Workers' Compensation Commission. The primary responsibilities of CMD are incoming mail, prepping and scanning documents, indexing and analysis, outbound mail, and document management.

CRIMINAL INJURIES COMPENSATION FUND

Jack Ritchie, *Director*

CICF serves as the state of Virginia's crime victim compensation program, providing relief in the form of reimbursement for medical expenses, lost wages, funeral expenses, relocation, counseling costs and other "necessary and reasonable" expenditures incurred by innocent victims of violent crime as well as payment of expenses associated with forensic evidence collection for victims of sexual assault within the Commonwealth, in accordance with the Compensating Victims of Crime Act.

ELECTRONIC DATA INTERCHANGE- QUALITY ASSURANCE

Stephanie Calhoun, *Manager*

The EDI Quality Assurance Department establishes and maintains the EDI standards for employers, carriers and claim administrators to report workplace accidents and related information to the Virginia Workers' Compensation Commission.

FINANCIAL SERVICES

Edward Rice, *Chief Financial Officer*

The Finance Department is responsible for all financial transactions for the Commission, including revenue collection, budget administration and purchasing.

HUMAN RESOURCES

Carolyn Cox, *Manager*

The Human Resources Department oversees an independent compensation plan, human resources policies, and performance assessment plans for Commission employees.

INFORMATION SERVICES

R. Matthew Cole, *Chief Information Officer*

The Information Services Department supports all technology used by the Commission.

INFORMATION SECURITY OFFICER

Teresa Laster, *Information Security Officer*

The Information Security Officer is responsible for Information Security through development and management of the Commission's Information Security Program.

INSURANCE DEPARTMENT

Aubrey Chigwada, *Manager*

The Insurance Department investigates and enforces the requirements for mandatory insurance and self-insurance pursuant to the Virginia Workers' Compensation Act.

JUDICIAL DIVISION

Hon. James J. ("Jim") Szablewicz, *Chief Deputy Commissioner*

The Judicial Division provides information about the Act, mediates or adjudicates disputed claims, conducts hearings, and issues timely written opinions adjudicating disputes and appeals.

OUTREACH SERVICES

Charles Steepleton, *Manager*

The Outreach Services Department provides a variety of customer service related functions for the Commission's various internal and external customers. The overall goal of the department is to assist customers, evaluate claims data to facilitate information sharing, as well as planning educational and outreach initiatives which will support the agency's mission.

PROJECT MANAGEMENT OFFICE

Chad Burns, *Manager*

The enterprise Project Management Office provides oversight of Commission projects, the Software Release process (SDLC), and support to the Executive Director in strategic planning for the Commission.

ADMINISTRATION

Administration had a strong concentration on development of the leadership strategy and operational direction for the Commission in 2014

Established Strong Leadership Principles

- Designed the Leadership Advance for senior leaders, setting the leadership strategy for all operating units
- Communicated strong leadership principles and guidelines required to meet agency's mission
- Ensured all leaders stayed up-to-date on key Commission operations through various update reports

Improved Communications and Transparency with Employees

- Front-line staff were mentored for succession planning purposes
- Created and staffed three new committees to promote leadership and employee involvement
- Several Open Forums were conducted with Commission employees, giving them an opportunity to share thoughts, ask questions, and make suggestions to improve operations

Developed Forward Thinking Operations and Services

- Several departments were created or restructured in 2014, including the Electronic Data Interchange Department, Insurance Department, and Outreach Services
- Leadership Advance was organized with Commission's key leadership, setting the direction of the agency with a new vision, mission, and core values

ACHIEVEMENTS

- ✓ Researched leadership strategies for the Commission for discussion with, and implementation by, the Commission's senior leaders
- ✓ Recognized as only one of two agencies in the COVA for 100% security compliance
- ✓ Virginia was selected to hold a seat at large on the International Association of Industrial Accident Board's Executive Committee
- ✓ Led the efforts towards enhanced collaboration between departments and various partners in the workers' compensation arena
- ✓ Ensured the Commission maintained a high rating on the Commonwealth Security Annual Report
- ✓ Information Security Officer obtained certification as a Certified Information Security Manager

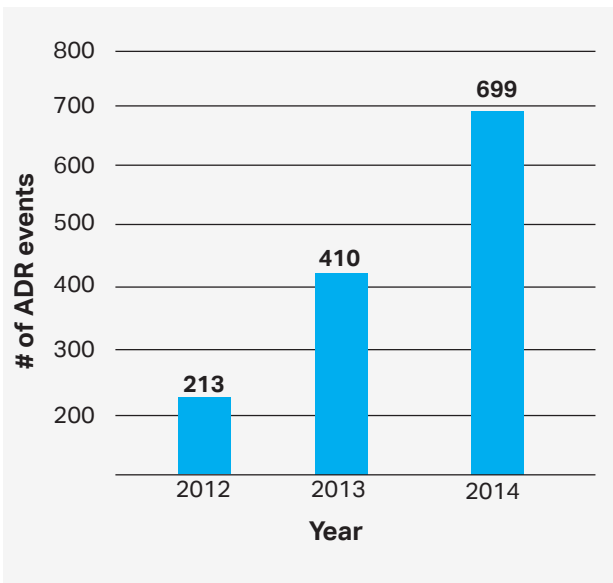
ALTERNATIVE DISPUTE RESOLUTION

ADR

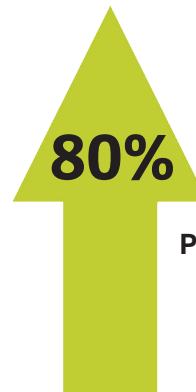
AT A GLANCE

January, 2014: The Commission adopted a long-term strategic plan for ADR, and allocated funding for a major redesign effort to house confidential mediation communications and documents within the Commission’s electronic record-keeping system.

Take a look at some of the results ADR has seen so far:



300% Percent of growth in ADR events since 2012



80% Percent of successful ongoing resolutions through the ADR process

Growing staff to meet the need:

To insure and sustain its capacity to meet the continued growth of ADR, as well as the need for related training, education, and outreach, the Commission’s ADR Department added:

+4 Four additional mediators were certified in 2014, for a total of 11 mediators regularly mediating across the Commonwealth

+4 Two ADR Specialists, as well as 2 ADR Secretary/Schedulers joined the team in 2014 from other positions within the Commission

ALTERNATIVE DISPUTE RESOLUTION ADR

Significant growth of Alternative Dispute Resolution (ADR) events in 2014 came as a result from many new efforts put in place by the Commission's ADR Department.

Internal Communication Development

As part of the long-term strategic plan, ADR largely focused on training and internal development during 2014. ADR leaders presented a 20-hour basic course in mediation to 17 Deputy Commissioners and Staff Attorneys, which fulfilled a prerequisite for certification as a mediator by the Virginia Supreme Court. This training resulted in four new mediators being certified for the Commission. Continuing mediation training was also provided to the Commission's certified mediators as required by the Supreme Court for recertification.

The ADR Department also provided training to Commission staff, enhancing their knowledge and skills in communicating with the Commission's customers about ADR and the workers' compensation process in general.

Outreach Initiatives

Commission ADR leaders reached out through leadership contributions, speaking engagements, and publications including:

Leadership:

- Deborah Blevins, ADR Deputy Commissioner, was named Chairman of the Communications Sub-Committee for the Joint ADR Committee of the Virginia Bar Association and the Virginia State Bar.
- Alfred Bridger, ADR Program Manager, was elected Vice President of the Central Virginia Mediation Network.

Publications:

- An article about the ADR program written by Alfred Bridger was published in the Supreme Court of Virginia's *Resolutions* newsletter.
- Deborah Blevins published articles on the Commission's ADR initiatives in the Joint ADR Committee's Spring newsletter; *Lex & Verum*, the monthly publication of the National Association of Workers' Compensation Judiciary; and in *WCI360.com*, a subscriber service for industry professionals.
- Deputy Commissioner Brooke Anne Hunter was mentioned as the mediator in two reports of successful mediations/settlements in the *Virginia Lawyers' Weekly*.

Speaking Engagements:

Deborah Blevins, ADR Deputy Commissioner, gave presentations at the following events:

- The Joint ADR Committee of the Virginia Bar Association and the Virginia State Bar
- Virginia Workers' Compensation Commission Adjusters' Seminar
- Virginia Workers' Compensation Commission Attorney's Seminar
- Virginia Association of Defense Attorneys
- Virginia Trial Lawyers Association
- Joint presentation with Al Bridger at the Southwest Virginia Workers' Compensation Bar

Television Features:

Spearheaded by Alfred Bridger, the Commission's ADR program was highlighted by television media outlets for both Richmond and Northern Virginia regions. Among the interviewees were Chairman Roger Williams, Attorney Andrew Reinhardt, Deputy Commissioner and Mediator

ALTERNATIVE DISPUTE RESOLUTION ADR

Jimese Sherrill, as well as a claimant who participated in a Commission mediation. During the Richmond feature story, viewers were allowed to call in with questions about ADR and dispute resolution. Knowledgeable Commission staff were on hand to take calls and answer questions.

Working Smarter

As part of the strategic plan, ADR is committed to a “working smarter” attitude, and has successfully navigated through technological advances, among others, which have contributed to the growing success seen in 2014.

Through Technology:

- In January 2014, the Commission implemented a long-term strategic plan for ADR, and began a major redesign effort to house confidential mediation communications and documents within the Commission’s electronic record keeping system.
- Mediations are often done via teleconference, cutting out travel time and other costs for both parties.

Through Staffing:

- By gauging staffing levels compared to ADR event growth levels, increased staffing was anticipated, planned, and successfully added during 2014.
- With adequate staffing; parties, counsel, Deputy Commissioners, and the Commission continue to refer a growing number of both docketed and non-docketed cases to the ADR Department.

Through Case Assessment:

- Thoughtfully screening referred cases, both for the type of issue involved, and for the capacity of the participants to meaningfully engage in the process, has shown an increase in the likelihood of a successful ADR outcome.

What the Future Holds

The ADR Strategic Plan notes that about 40% of workers’ compensation claimants in Virginia are not represented by an attorney. Some of the *pro se* litigants may not have the education or ability to understand the process or the legal ramifications of a negotiated agreement. Based on that information, the ADR team envisions offering information and assistance to these and any other parties, in resolving their disputes without having to resort to litigation.

With full support from the Commission, the ADR team is committed to mediation, facilitation, and other services as a way to put the system back into the hands of the parties.

Attorney's Statement

“Without the ADR division of the Commission, I do not believe the parties would have been able to reach a mutually satisfactory agreement.”

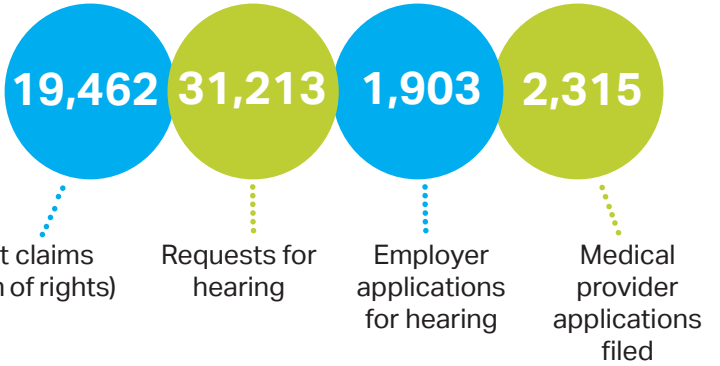
CLAIMS SERVICES

26,677

**Awards
entered by
agreement**

54,893

**# of claims
received**



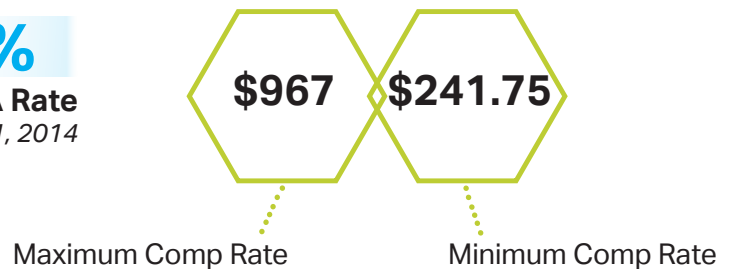
14,451

**Award
Terminations**

1.5%

COLA Rate
effective October 1, 2014

COMP RATES
effective July 1, 2014



TRAININGS & PRESENTATIONS

- Successfully executed a webinar covering basic and intermediate workers' compensation issues.
- Leadership staff presented at the Commission's 2014 Adjuster's Seminar.
- Provided average weekly wage calculation training to external customers.
- Renee' Marks, Uninsured Employer's Fund Administrator, coordinated and executed a meeting and training session in November 2014, for Virginia attorneys who defend the Uninsured Employer's Fund.
- Participated in the Southern Association of Workers' Compensation Administrators (SAWCA) and Virginia Self-Insurance Association (VSIA) workers' compensation organizations, as well as the Commonwealth Management Institute (CMI).
- In September 2014, Vivian Lane, Claims Services Manager, partnered with Independent Insurance Agents of Virginia (IIAV) to provide insurance agent education and guidance to agents with workers' compensation policy questions.

CORRESPONDENCE MANAGEMENT CMD



In 2014,

CMD increased internal printing capabilities,

**greatly
reducing**

the need for use of
outside print vendors
Commission-wide

Printing in-house, whenever
possible, greatly decreases
the cost of print materials.

With this increase in print production, CMD successfully
produced all printed materials for the Commission's 2014
Adjuster's Seminar and Attorney's Meeting for the **first** time.



Cost Saving

measures were also implemented, resulting in
more than **\$149,000** in gross savings through December 2014.



Completed scanning **8,600** temporary files from the Library of Virginia
into the Commission's electronic record keeping system.

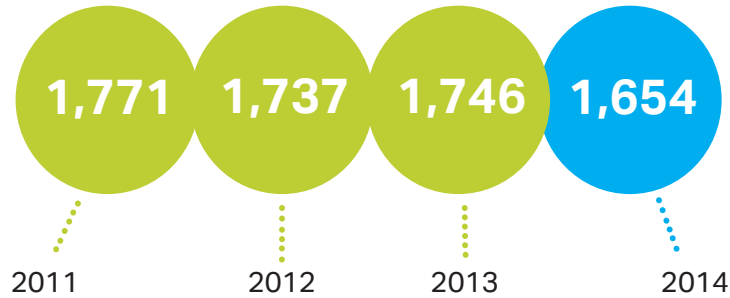


Completed recalling and scanning all files previously stored at Entrust
into the Commission's electronic record keeping system.

CRIMINAL INJURIES COMPENSATION FUND CICF

In 2014, CICF provided nearly \$2.4 million dollars in compensation awards to crime victims and their families.

NEW CLAIMS RECEIVED



In 2014, CICF partnered with a contracted public relations firm to market its "Helping Innocent Victims of Crime" campaign to targeted viewing areas within the Commonwealth.

1,654
Claims Received



898
Claims Awarded

\$2,357,384

Total Amount of 2014 Compensation Awards

Breakdown of Claims Received by Crime Type

Assault-	894	DWI-	49	Child Abuse-	20
Homicide-	245	Breaking & Entering-	27	Abduction-	19
Child Sex-	175	Hit & Run-	26	Arson-	10
Sexual Assault (adult)-	82	Other-	26	Stalking-	4
Robbery-	75			Carjacking-	3

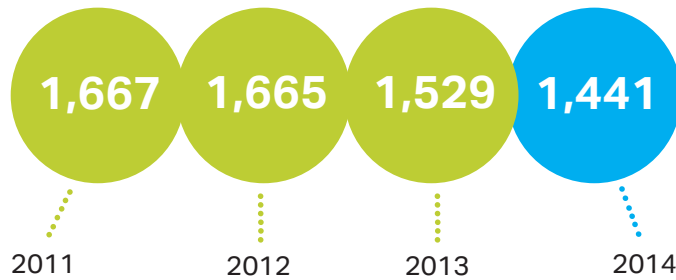
CRIMINAL INJURIES COMPENSATION FUND

CICF

SAFE PROGRAM

Administered by CICF, the **Sexual Assault Forensic Exam Payment Program (SAFE Program)** funds payment of expenses associated with forensic evidence collection for victims of sexual assault in the Commonwealth.

SAFE: NEW CLAIMS RECEIVED



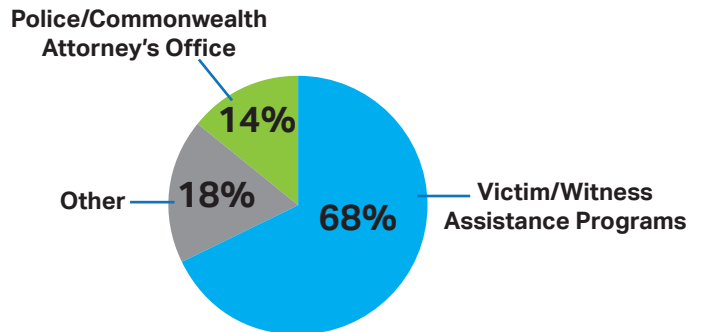
\$1,330,716

Total Amount of 2014 SAFE Compensation Awards

SAFE Claims Expenses

Hospital Expenses	\$991,192
Physician Expenses	\$297,775
Prescriptions	\$39,790
Transportation	\$759

CICF and SAFE Referral Sources



* CICF operates on a fiscal year cycle. Figures reported are for July 1, 2013 - June 30, 2014.

ELECTRONIC DATA INTERCHANGE QUALITY ASSURANCE (EDI QA)

PHASE
1

Successfully implemented Phase 1 of the Compliance Initiative: Report Cards

PHASE
2

Finalized requirements for Phase 2 of the Compliance Initiative: Failure to File

Conducted **10** training sessions for Claim Administrators, and presented at the Commission's Adjuster's Seminar.



Received approval to implement the new Maintenance Type Code (MTC) change in benefits, and finalized requirements for development.

Improved Data Quality: In 2014, EDI worked with a new vendor to review and modify edits. Training aids were also developed and published for EDI reporting, and the team began reviewing reports for outstanding EDI issues and missing transactions. These efforts resulted in a significant improvement in the quality of data.

REPORTED IN 2014:

FROIs

First Report of Injury

236,477

and

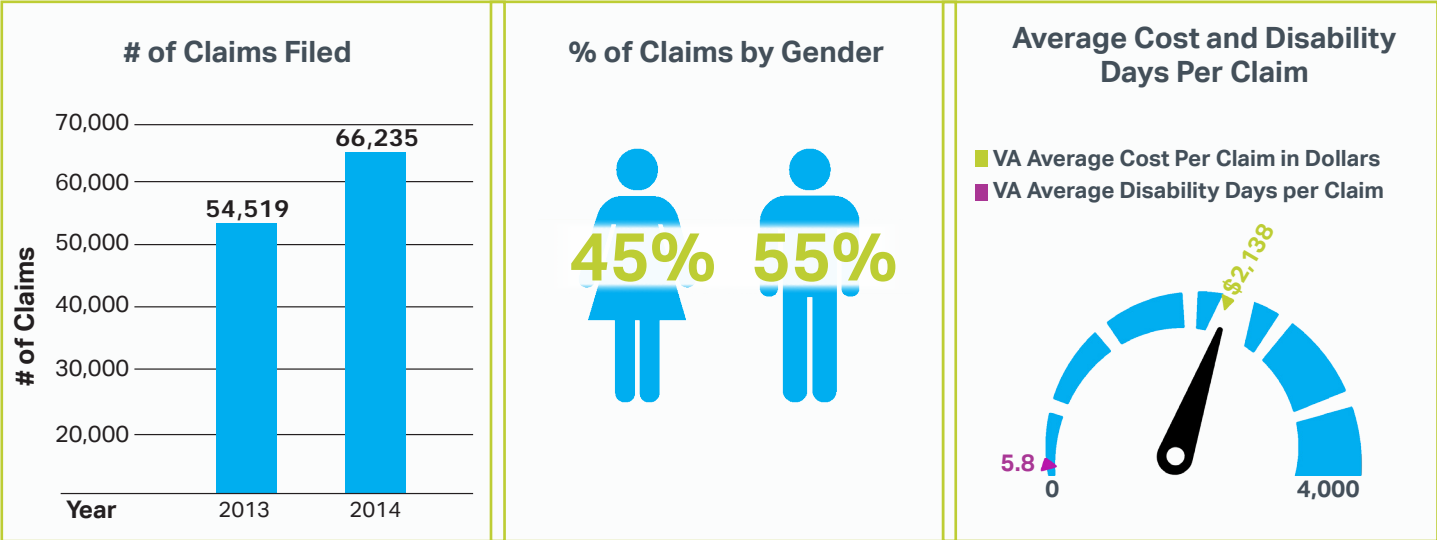
SROIs

Subsequent Report of Injury

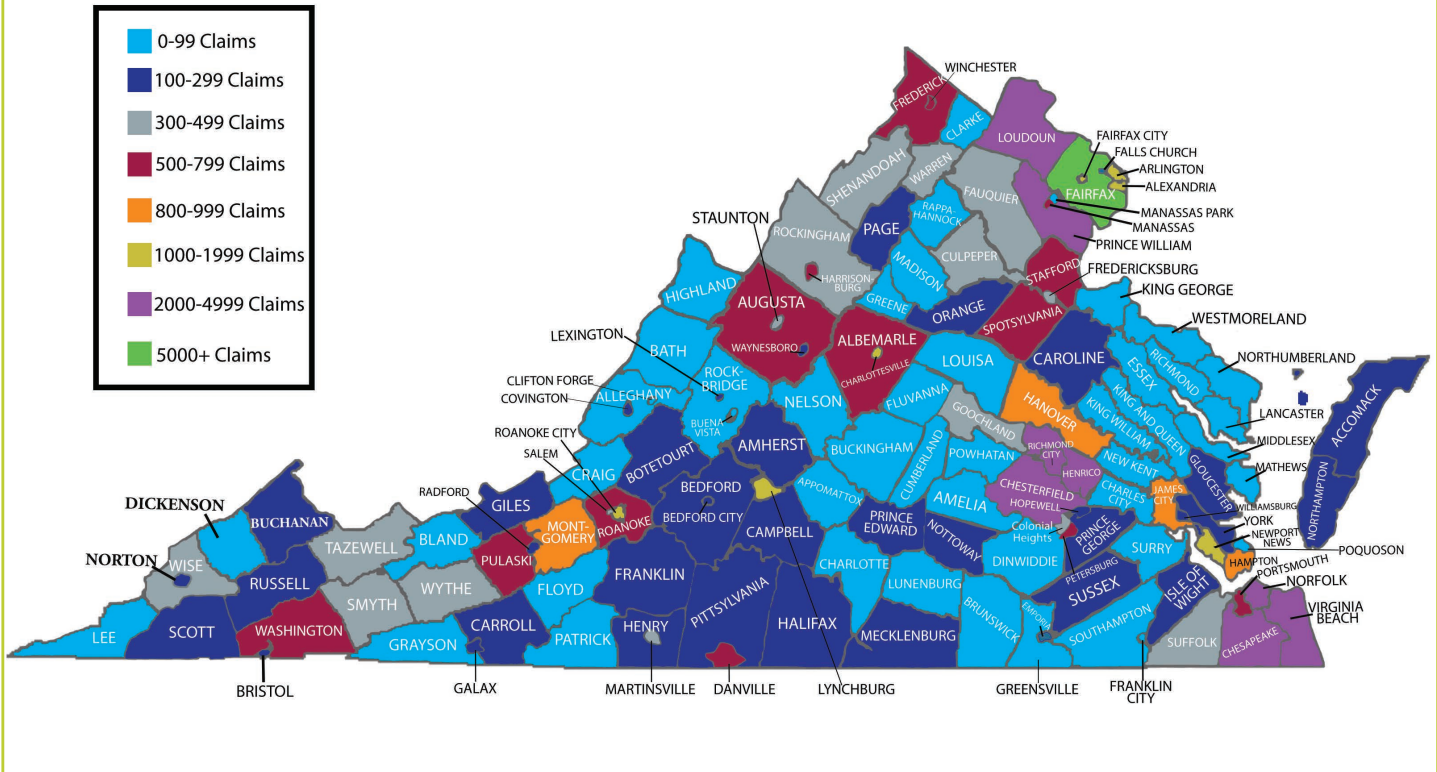
169,872

EDI QA

CLAIMS: FACTS AND FIGURES



2014 Claim Counts by County



*Figures based on First Report of Incident (FROI) data for major workplace accidents.

FINANCIAL SERVICES

Commission Revenues/Expenditures

Fiscal Year 2014 (July 1, 2013 – June 30, 2014)

The Commission collects an assessment from licensed workers' compensation insurers and self-insurers for the operating budget of the Commission as well as the Uninsured Employer's Fund (UEF).

For fiscal year 2014, the total assessment and collection was **\$38,621,890**. Fiscal year 2014 operating expenditures for the Commission totalled \$28 million and \$4.2 million for the UEF. Fine and UEF recoveries totalled \$680,000.

Commission expenditures for fiscal year 2014 were allotted for the following:

- **74.4%** for salary and benefits of 264 full-time employees
- **16.1%** for contractual services that includes communications, postage, travel and computer software/hardware maintenance contracts
- **5.2%** for supplies and equipment
- **4.3%** for fixed costs including lease agreements, insurance and utilities

The Financial Services team developed and managed an Adopted Tax Rates and Budget, successfully meeting the needs of the Commission and maintaining a stable tax rate.

Criminal Injuries Compensation Fund (CICF) Revenues/Expenditures

Fiscal Year 2014 (July 1, 2013 – June 30, 2014)

The Criminal Injuries Compensation Fund (CICF) revenues for fiscal year 2014 totalled **\$7.3 million**.

Revenue sources:

- Court costs: \$3.0 million
- Restitution: \$1.3 million
- Transfers from Judicial Branch: \$1.9 million
- Federal grant: \$1.1 million

Fiscal year 2014 CICF expenditures totalled **\$5.8 million** with benefit payments to victims comprising 63.1% of the expenditures and with the balance supporting administrative costs of 21 full-time salaries and benefits, information systems, office rental, supplies and equipment.



HUMAN RESOURCES

37

Number of Positions Recruited in 2014

Department Development

In 2014, the Human Resources team recruited 37 positions for VWC Departments. They screened candidates, scheduled interviews, prepared salary recommendations along with the Executive Director, conducted job references, and performed new employee orientation for these positions. Human Resources oversaw the restructuring of the EDI Department, Insurance Department, and Harrisonburg Regional Office. "Total Compensation" statements were developed for all classified employees in all departments.

Employee Development

Many classes, trainings, and reviews were conducted in 2014 to educate employees on benefits, conduct, wellness, and much more. As part of the *VWC Spotlight series*, the Human Resources Department held three classes on interviewing skills. The Lunch & Learn series was rebranded as "*VWC Spotlight On...*" and various soft skills topics were covered including e-mail etiquette, professionalism, stress management, and others. Many training opportunities were afforded to employees through the VWC Knowledge Center, an online training repository.

Employee Health and Wellness

In 2014, VWC held five successful blood drives in coordination with Virginia Blood Services. On-site flu vaccinations were coordinated with a third-party vendor. The Human Resources team co-chairs the Fitness Committee for the Commission, and hosted 14 walks with more

than 165 employees participating throughout the year. CPR/AED certification training was provided for 50 employees. Many employees were assisted through our short-term disability program due to illness or injury.

182
Employees
Recognized
with



Above & Beyond Awards

Employee Recognition

In 2014, 182 employees were recognized with "Above & Beyond Awards" for demonstrating extra efforts outside of their day-to-day jobs. Employee Appreciation Week activities included a luncheon where 38 employees were recognized with plaques and gifts for mile-stone years of service; all new employees were recognized; and winners of the Citizenship Award were recognized.

Human Resources Systems Upgrade

The Human Resources Department systems for *MyHR* and *MyTimesheet* were upgraded in 2014. *MyHR* allows employees to electronically update their information including addresses, telephone numbers, and emergency contacts; additionally, it allows employees to view their leave submissions and leave balances. *MyTimesheet* allows electronic submission and approval of hours of work and leave submissions.

INSURANCE DEPARTMENT

Legislative Action

In 2014, the Insurance Department sought legislative approval of an increase in the civil penalty imposed when an employer required to insure under the Workers' Compensation Act fails to do so. The law change was approved, and amends section 65.2-805 of the Workers' Compensation Act. An employer shall be assessed a civil penalty of not more than \$250 per day for each day of noncompliance, subject to a maximum penalty of \$50,000 plus collection costs. The amendment was approved on March 7, 2014 and became effective on July 1, 2014.

The Insurance Department's Call Center received:

1,257	12,462
Average calls per month	Total calls in 2014

Insurance Education and Outreach

The Insurance Department continued its efforts in education and outreach with the following:

- Suzanne Soule, Insurance Assistant Manager, held an insurance agent training for the Independent Insurance Agents of Virginia Services Department.
- Provided outreach through the Commissioners of Revenue and the Virginia Employment Commission.
- Issued informal notices to new businesses in the Roanoke, Chesapeake, and Virginia Beach regions regarding how to obtain coverage, coverage requirements, and the increases in civil penalties for failure to insure.
- Presented at the Commission's Adjuster's Seminar. Topics included the issues of statutory employer law and employee misclassification.

Workflow Enhancements

Progress of the PEO registration and reporting system redesign was completed in 2014, which enhanced the functionality, accuracy, and ease of use of the system. This provided the ability to associate a master policy to all clients, versus updating each client individually, as well as the development of quick links and compliance of registration requirements.

Various system enhancements and improvements were implemented by the Insurance Department, including the detection and correction of bugs in the CASPER database system, and encouragement for staff to submit suggestions for form and letter improvements. This resulted in improved, easier to use documents.

A systematic carrier compliance initiative was also implemented, which provides carriers with evidence of late filings and assesses civil penalties for the same.

Modification procedures were implemented when reaching out to employers to determine if the employer is still operating, and/or to determine their intent to pay the civil penalty for a lapse in coverage prior to referral to the docket. This addition has resulted in a better response rate by employers, reducing the number of employers who fail to respond when served with a subpoena.

Communication was strengthened by adding instructions to subpoenas issued to employers. This has elicited a better response rate, and has reduced the amount of employers personally served with a subpoena who still do not respond.

9 *The number of employers successfully prosecuted for failure to comply with coverage requirements of the Act.*

INSURANCE DEPARTMENT PREMIUM RATE RANKING, 2014

Virginia employers in the voluntary market pay on average, the fourth lowest workers' compensation premium rates in the nation. Virginia rates are 37% below those of the median state in the study.

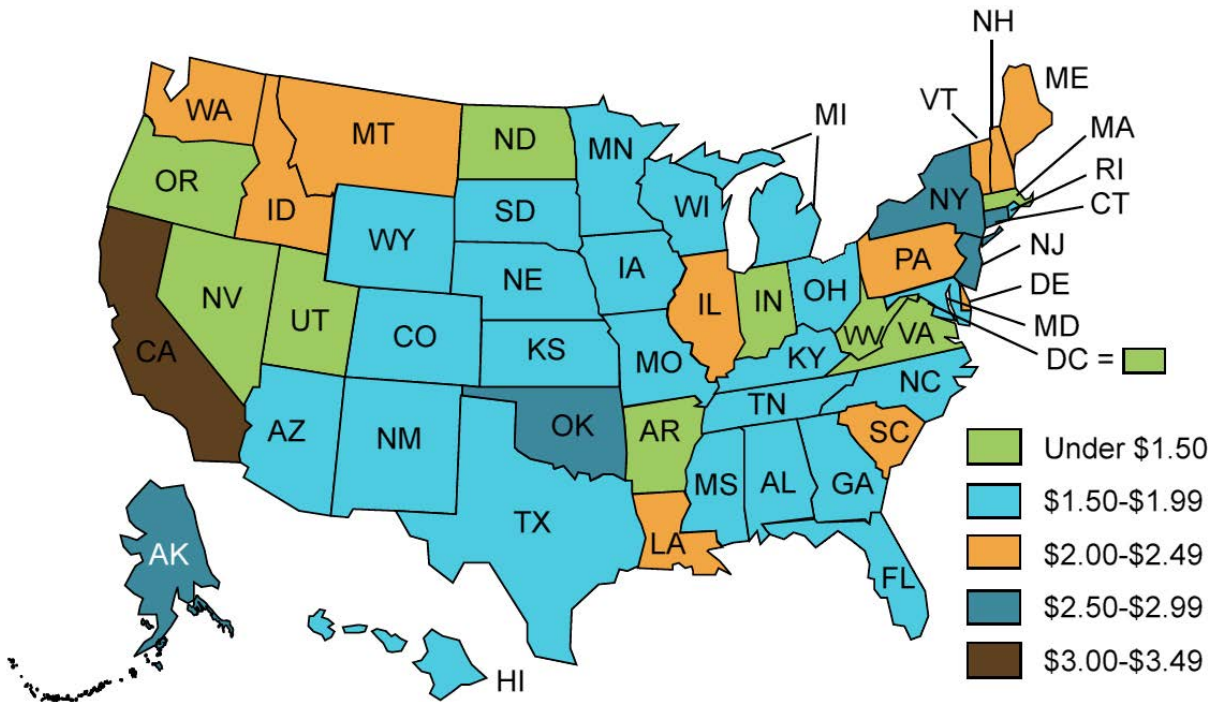
Premium rate indices are calculated based on data from 51 jurisdictions for rates in effect as of January 1, 2014. Virginia's premium rate index is \$1.17 per

\$100 of payroll, or 63% of the national median. National premium rate indices range from a low of \$1.01 in North Dakota, to a high of \$3.48 in California.

There were 21 states that had an index rate that was within plus or minus 10% of this benchmark value. In the upper part of the rate distribution, 13 states had index rates higher than 110% of the median, while 17 states were

below 90% of the median. While Virginia workers' compensation insurance rates are among the lowest nationwide, employers can reduce their workers' compensation rates even further through accident prevention, safety training, and by helping injured workers return to work quickly.

Workers' Compensation Premium Index Rates



Source: Research and Standards Section, Oregon Department of Consumer and Business Services (Rev. 10/14).
Note: 2014 premium rate indices are calculated based on rates in effect as of January 2014.

INFORMATION SYSTEMS

The Information Systems Department is comprised of five units: the Helpdesk, Engineering, Development, Testing, and Database Administration. Working as a whole, the team supports all technology used by the Commission.

HELPDESK

1,746 tickets resolved in 2014

70 users were migrated to new, lighter laptops

The Helpdesk installed new equipment for Claims Services, migrated new production printers, and updated their microfilm equipment in 2014. The Legacy FileMagic formatted files were successfully migrated to PDF and the Legacy FileMagic server was retired.

ENGINEERING

1,730 tickets resolved in 2014

The Engineering team performed many upgrades during the year, including:

- Upgrade of the backup server and application
- Voice framework upgraded to the latest version for telephones and servers
- Implementation of new call center software
- Completed installation of server replication to the disaster recovery site

DEVELOPMENT

46 new features and enhancements implemented for the Claims system

22 new features and enhancements implemented for the CICF systems

Improvements were also made to EDI claims processing, and three major enterprise software releases were implemented in 2014. Developers were trained on many new technologies to evaluate and prepare for future development initiatives.

TESTING

167 functional test cases for regression suite were created

DATABASE ADMINISTRATION

31 reports successfully generated and/or updated in Reporting Services

Database designs for ADR and paperless projects were completed in 2014.

CERTIFICATIONS

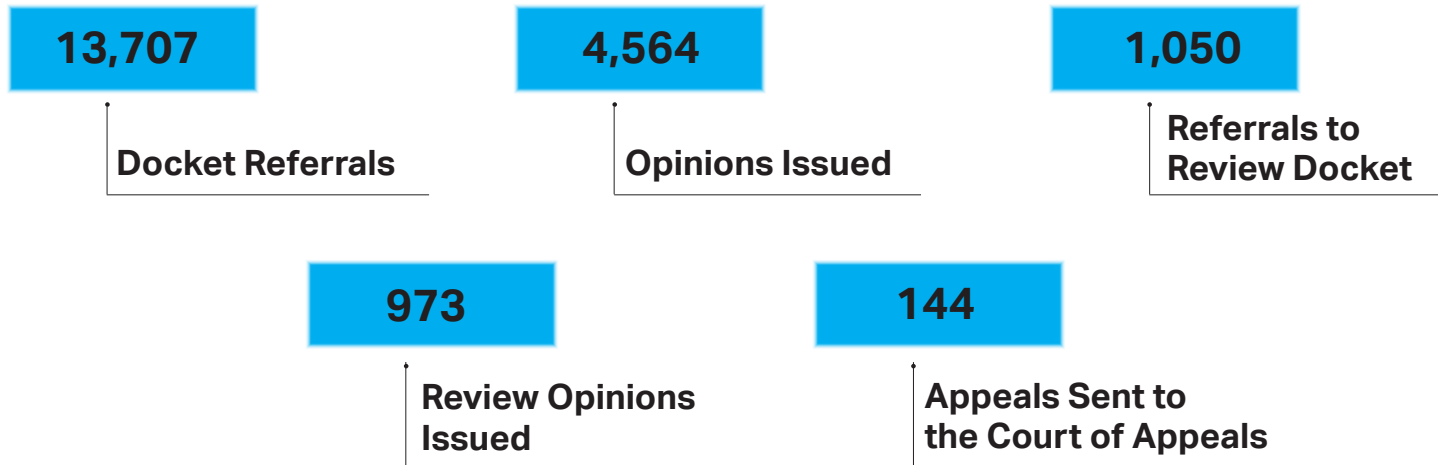
Senior Database Administrator obtained certification as SQL 2014 Microsoft Certified Solutions Expert.

Database Administrator obtained SQL 2012 certification as a Microsoft Certified Solutions Associate in 2014.

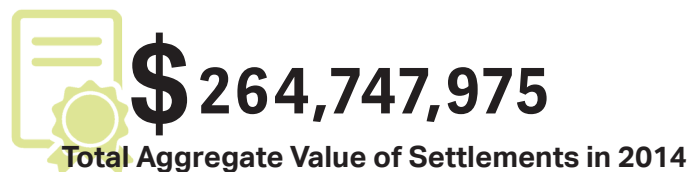
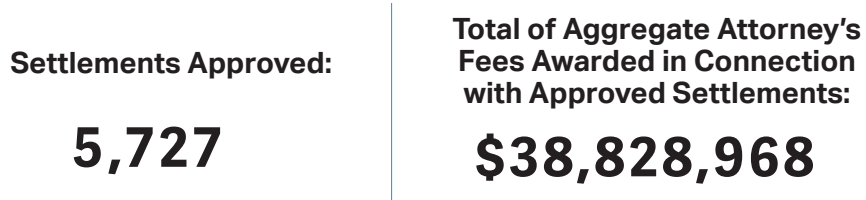
Test Supervisor achieved Information Technology Infrastructure Library (ITIL) certification in 2014.

JUDICIAL DIVISION

The Judicial Division provides information about the Act, mediates or adjudicates disputed claims, conducts hearings, and issues timely written opinions adjudicating disputes and appeals. The Division's primary objective is to hear and decide disputed claims and issues arising under the Act in a prompt, fair and impartial manner, affording due process to all litigants.



SETTLEMENTS



+ Expanded the Alternative Dispute Resolution Program

OUTREACH SERVICES

CUSTOMER CONTACT CENTER

8,149

Average calls per month

97,793

Total calls in 2014



Let's break that down.....

While phone is the primary contact mode, the Customer Contact Center also receives:

Email 244+

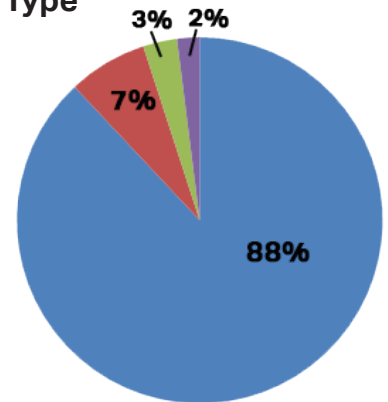
Fax 300+
per month

Email- Customers contact VWC through WebFile, VWC Questions, and Webmaster email accounts.

Fax- Generally, medical providers inquire about the status of a claim, if there is an award.

Phone Customer Type

- Claimants
- Attorneys
- Carriers
- Employers



Call Statistics:

:18 seconds
average wait time

<= 5 minutes
average resolution time

85% +
percent of 1st call resolution

94%

Average percentage of answer rates for 2014

The Customer Contact Center team obtained Customer Service certification through Star12. A new Quality Assurance monitoring program was implemented in the 3rd quarter of 2014.

OUTREACH SERVICES

EVENTS AND OUTREACH



<p>Adjuster's Seminar September 16 & 17, 2014 Held at the Richmond Convention Center</p> <p>205 attendees</p> <p><i>Outreach event providing training on key workers' compensation issues for various partners.</i></p>	<p>Attorney's Meeting November 19, 2014 Held in Charlottesville, Virginia</p> <p>253 attendees</p> <p><i>Outreach event providing current workers' compensation legal information to VWC's legal partners.</i></p>
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Marketing and Communications

With the goal of increased communication initiatives in 2014, the Outreach Services Department:

- Added a Customer Contact Center Assistant Manager
- Added a Marketing Specialist
- Distributed six press releases
- Developed an enhanced annual report, brochures, and materials for the Adjuster's Seminar and Attorney's Meeting



As a part of Richmond's NBC affiliate Channel 12, the Customer Contact Center participated in a station sponsored mediation segment, which highlighted the Commission's Alternative Dispute Resolution program.

Enhanced Website



An overhaul of the Commission website was implemented in July 2014. The new site offers easier navigation and search features, as well as "what's trending" on the site. The project focused on improving organization, user-friendliness, and visual appeal.

PROJECT MANAGEMENT OFFICE

FORWARD THINKING

With a vision of leading the nation through innovation, the Project Management Office kept a strong focus on strategic and resource planning during 2014.

Their accomplishments:

- Created **15** project/initiatives to complete during the next 18 months.
- Completed a File Magic Conversion project, converting existing FileMagic database files to PDF files. This helps the Commission move away from an aged technology to ensure future access to the 20 year old files.
- Gathered business and functional system requirements for four major projects and initiatives that will be delivered in 2015:
 - Alternative Dispute Resolution (ADR)
 - Enterprise Finance system
 - Outbound Paperless
 - EDI Compliance
- Researched and evaluated several buildings as potential sites for the Commission's Richmond headquarters.



Calculator Application Developed

Using 5 various calculators, the new application is used to complete award entry, and customer research.

Process Improvements

Throughout the year, the Commission's Systems Analysts addressed more than 600 reported production issues, and also closed more than 250 open bug/enhancements/new feature tickets that resulted in 160+ system changes.

A two-year Professional Employer Organization (PEO) project was completed, which saw more than 200 system modifications, improving the effectiveness and efficiency for internal and external Commission customers.

PASSED 2014 LEGISLATION

HB 456 was signed by Governor Terry R. McAuliffe on March 7, 2014 (effective July 1, 2014). The bill amended Va. Code Sec. 65.2-902 to provide that any civil penalty assessed against an insurance carrier, self-insurer, group self-insurance association, or third-party administrator for failing to make reports required by the Commission be divided equally between the administrative fund and the Uninsured Employer's Fund. The bill also adds the costs of collection to the penalty owed.

HB 458 was signed by Governor Terry R. McAuliffe on March 7, 2014 (effective July 1, 2014). The bill amended Va. Code Sec. 65.2-805 to change the penalty for failure to insure from current \$500 to \$5,000 range to up to \$250 per day for each day of noncompliance subject to a maximum of \$50,000. The bill also provides that such penalties be divided equally between the administrative fund and the Uninsured Employer's Fund and adds the costs of collection to the penalty owed.

HB 459 was signed by Governor Terry R. McAuliffe on March 7, 2014 (effective July 1, 2014). The bill was amended to Va. Code Sec. 65.2-705 to authorize the Chairman of the Virginia Workers' Compensation Commission to recall retired members of the Commission to participate in a review of an award when vacancies exist on the Commission. The measure also provides for the compensation of recalled retired members and clarifies that more than one Deputy Commissioner may be appointed to participate in a review.

HB 630 was signed by Governor Terry R. McAuliffe on March 7, 2014 (effective July 1, 2014). The bill amended the definition of "filed" in Va. Code Sec. 65.2-101 to eliminate telegraph and electronic mail as permissible filing methods.

HB 1083 was signed by Governor Terry R. McAuliffe on April 6, 2014 (effective July 1, 2014). The bill added Va. Code Sec. 65.2-605.1 to (a) specify rules for prompt payment of medical bills; (b) establish a one-year statute of limitations for medical provider applications in fee disputes; and (c) define "community" of out-of-state medical providers for the purposes of 65.2-605(A). The bill also amended Va. Code 65.2-605 to add Subsection B to specify limits on the amounts payable for (a) nurse practitioners and physician assistants serving as an assistant-at-surgery and (b) assistant surgeons, and Subsection C to specify requirements for coding and billing for multiple procedures. The bill also amended Subsection D to clarify prohibition against balance billing and other collection methods.

PASSED 2014 LEGISLATION

CICF LEGISLATION

HB 171 was signed by Governor Terry R. McAuliffe on March 17, 2014 (effective July 1, 2014). The bill expands the list of offenses for which a victim of a delinquent act committed by a juvenile may request that the victim be informed of the charge brought, the findings of the court, and the disposition of the case to include violations of assault and battery, stalking, violation of a protective order, sexual battery, or attempted sexual battery that would be misdemeanors if committed by an adult. The bill also provides that the definition of "victim" for purposes of the Crime Victim and Witness Rights Act includes victims of certain delinquent acts.

HB 885 was signed by Governor Terry R. McAuliffe on April 6, 2014 (effective July 1, 2014). The bill allows the Fund to extend the time for filing a claim if the attorney for the Commonwealth submits written notice that the crime is being investigated as a result of newly discovered evidence.



THE WAY FORWARD IN 2015

Virginia Workers' Compensation Commission Headquarters

The Commission is evaluating office space in the Richmond, Virginia, area to consolidate separated business processes.

Expand Alternative Dispute Resolution Services to Customers

The Commission is committed to expanding and enhancing the use of mediation, facilitation, and ADR tools to achieve prompt, effective, and inexpensive resolution of claims and disputed issues.

Increase Training to Various Customers

The Commission will continue to host seminars, meetings, outreach events, and webinars to educate our customers on Commission policies, processes, operations, and legislation.

Continue Automation Plans and Organizational Design

(i.e. Paperless Project expansion, ADR design)

The Commission will review core business processes where automation can produce efficiency gains and reduce operating costs. A review of organizational design will assist in enhancing services for our customers.

EDI and Insurance Compliance Efforts

The Commission will ensure carriers comply with the timely filing of workers' compensation information through compliance efforts such as monthly report cards.

Enhanced Marketing to Victims of Crime

The Criminal Injuries Compensation Fund (a division of the Virginia Workers' Compensation Commission) will continue to market its "Helping Innocent Victims of Crime" campaign to targeted viewing areas within the Commonwealth.

Manassas Office Expansion

The Commission is committed to serving injured workers by expanding its Manassas regional office to increase the services offered in the northern Virginia region.



Virginia Workers' Compensation Commission

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Commissioner

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