

COMPCONTROL

The Official KMIT Member Newsletter

Choosing Doctors/Providers for Work Comp

By Marcia Payne

Your medical providers for workers' compensation are extremely important to the outcome of claims, not only physically, but financially as well. That may be the understatement of the year! We depend on these folks for their professional expertise in treating and returning employees back to their jobs and family life. That is a HUGE responsibility, not all of which is on their shoulders.

How do you choose which provider to send your employees to? Some cities have multiple providers to choose from, and some may only have one. Other cities have one that may only be in the area 2-3 times a week. Some cities may feel they have to use local physicians for political reasons (I'll revisit that topic later). This article is intended to help provide tools for you to use when choosing and interviewing providers.

The "choosing" process

1. The best referral is almost always by word of mouth. You'll hear the horror stories and success stories. Ask around and listen to what people have to say about providers in your area.
2. Your own experience in the field should help you identify providers in the area who have worked well with you and your return to work program.
3. Ask Victoria . . . she knows almost everyone.
4. Schedule an appointment with your top 3 choices (or however many are available).
5. Ask to have the physician, administrator, and, if possible, someone from medical records to attend the appointment.
6. Have your list of questions and communication guidelines with you at the appointment (suggested questions attached).



The Interview

1. First and foremost, you want this relationship with the provider to be a "partnership."

Continued on page 3

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CompControl is a publication of the League of Kansas Municipalities and the Kansas Municipal Insurance Trust for the purpose of educating and informing cities about loss control methods and risk management. If you have any questions concerning KMIT workers' compensation or risk management that you would like to see answered in this newsletter, please direct those inquiries to:

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Letter from the Pool Administrator

Dear KMIT Members and Others,

Well, so much for a long, cold, wet winter (does that remind you of a Beatles [George Harrison] song?), which I predicted we'd have. Following *the* warmest (and surely one of the driest) Kansas January in the history of weather record-keeping, I probably *should* put my forecasting beanie into permanent hibernation. Is this weather weird or what? And, that little rascal Phil did see his shadow this morning in Punxsutawney, so I guess we're supposed to have six more weeks of *whatever* season this is.

Speaking of seasons, this is the height of the 'busy season' for the KMIT staff. We're engaged in tracking premium receipts (and renewing certificates, etc.), updating our records on all members, monitoring payroll audits (and balancing out the totals), and underwriting a batch of new applications; in addition to making plans to give some presentations to prospective member cities, and preparing for our annual **Supervisor Training Tour** (coming to a city near yours, [beginning February 9](#)). AND, the Board of Trustees meets on the 10th, so there is that to get ready for, too. Whew!

In this edition: Our **Marcia Payne** (Shorman Solutions) writes about the extremely important process of selecting a medical provider for work comp—why it's so important, how to choose a provider...including a checklist of what to look for. Having a very good, city-chosen, medical provider is one of the best ways to help your injured employees, AND hold down claim costs. KMIT Claims Adjuster **Victoria Vanderhoof** (IMA) tells us about work comp as it relates to psychological and stress-related symptoms—specifically when such conditions are and are not covered by work comp. KMIT Risk Control Consultant **Renee Rhodes** (IMA) offers some further discussion of the new **KMIT Risk Control Prevention Program** (which has replaced the Safety Olympics.) Also, please carefully read **Mark Morris'** piece outlining why we are asking for information regarding secondary employment and subrogation agreements from members. Call or email Mark or me with any questions you may have on this project.

Until next time...



Pool Administrator

2. At the appointment, if you have never met the provider, look around for a diploma. Check what school and board certification they have. (True stories exist about pseudo physicians setting up practices in small communities with NO medical degree!)
 - If doubt exists about the provider, you can check medical certifications at 866-ASK-ABMS (275-2267) or: www.abms.org.
3. It is important for them to know that your number one concern is for the employee. The communication guidelines are established so that everyone is “kept in the loop” for the best possible service, recovery, and outcome. [It doesn’t hurt to remind them that they are taxpayers, and are contributing dollars for the medical treatment of the city employees. This may help develop a “buy-in” to your communication and return to work programs to help keep costs down.]
4. Take notes during the interview. Document what you like and don’t like, and what you may perceive as “red flags.”
5. Assess the personality of the provider will he/she be objectively concerned, listen, show interest, be willing to explain and answer questions?
6. What and how are the manners does he/she explain procedures, ask and answer questions, and take notes?
7. Find out how the office is run, what is their process for scheduling, ask for a contact person, and one other as a backup. Does the office appear clean and neat?

I mentioned earlier that some cities have encountered the challenge of utilizing physicians as a result of political or community pressure. The best defense in choosing your provider is your written plan. This includes documentation of a solid return to work program (mandatory for KMIT members) and communication guidelines for providers (recommended use for KMIT members). If the provider does not agree to the guidelines or cannot commit to them, the choice should be yours (city administration) to look outside.



If you would like to see which providers are currently in our network, you can go to www.provider.burrows-group.com. If your provider is not listed, please contact me as I would like the opportunity to visit with them.

Questions

1. Will he/she take calls, and return the call the same day, or make calls on status changes or questions?
2. Ask questions about who covers when the provider is gone, how your protocols will be distributed, and where filed.
3. Does the office have the necessary supplies, equipment, and staff for your needs?
4. Does the physician take walk in appointments or schedule same day appointments?
5. What is his/her process in determining work abilities (remind him/her that these apply to home life as well as work)? Ask that the physician not take the employee off work (unless hospitalized) and provide work abilities.
6. Who is responsible for scheduling appointments, providing medical records, etc.? Ask for one contact person in each department.
7. How does the physician handle requests for prescription refills?

KMIT Physician Communication Guidelines

- Agree to schedule City patients within 24 hours of call.
- Identify city patients internally to insure proper facilitation and communication.
- Generic drugs are to be prescribed when available.
- ***DO NOT*** remove any employee from duty, establish abilities and restrictions, provide copy to employee and city, IMMEDIATELY so accommodated duty can be determined.
- Coordinate orthopedic/specialist referrals through *Victoria Vanderhoof, adjuster*.
- Schedule any surgical procedures through designated Hospital or Out Patient Surgery Center after authorization from *Victoria Vanderhoof*.
- EMG and nerve conduction studies are to be authorized through *Victoria Vanderhoof*.
- Fax your completed Work Status Forms within 2 hours of visit and dictation within 48 hours to city.
- Send all bills to: Victoria Vanderhoof

IMA of Kansas
PO Box 2992
Wichita, KS 67201-2992

REMINDER

There is still time to register for...

the annual **KMIT Supervisor Training Seminar** series, which begins in early February. This highly successful one-day training is intended for *all* ‘supervisors’—from lead persons, to division and department heads, to city clerks, police and fire chiefs, city superintendents, city managers, and any and all others who supervise employees.

This training is broken down into two, stand-alone, ½-day sessions, covering *risk control/management* (morning session) and *work comp management* (afternoon). KMIT’s professional partners at IMA are the primary presenters at both sessions, in conjunction with League staff.

The 2006 Seminars will be held at three sites: **Concordia** (Thursday, February 9), **Arkansas City (SORRY, Full-Up)** and **Parsons** (Wednesday, March 1). These are excellent training sessions for supervisors, and are VERY affordable.

Register by contacting Wendy Flowers, at wflowers@lkm.org or 785-354-9565. For more info, go to www.kmit.net.

Psychological and Stress-Related Conditions

By Victoria Vanderhoof

Occasionally, our KMIT member cities inquire about whether psychological or stress-related problems are covered under workers’ compensation. The current workers’ compensation laws in Kansas provide coverage for psychological conditions ONLY when BOTH of the following very specific conditions are met: (1) there MUST be a *compensable physical injury*. Therefore, claims arising out of depression or mental stress alone are not covered under Kansas law, even in extreme situations, such as violent crime, in the absence of a physical injury; AND, (2) the psychological condition must be *documented and directly attributable to the physical injury*. An example of this would be an employee who suffers a compensable back injury, and then becomes depressed because of the pain and their inability to work. There ‘might’ be coverage for some limited psychological treatment in this situation. In cases where no coverage is available under workers’ compensation, Employee

Continued on page 5

Assistance Programs (EAPs) can be very helpful in providing psychological treatment. As always, however, if an employee requests benefits or indicates they believe a claim should be filed, it is the employer's obligation to complete a report of accident (K-WC 1101a), and submit it to the insurance carrier (KMIT, in this case) for review and determination. If you have any questions or a specific situation you would like to discuss, please contact KMIT Claims Adjuster, Victoria Vanderhoof, 1-800-288-6732, victoria.vanderhoof@imacorp.com.

KMIT INFORMATION REQUEST

‘Waiver of Subrogation’ and ‘Alternate Employer’

What are they and what do we need to do?

Recently, each KMIT member city received a letter requesting additional information on two different issues. KMIT secures excess insurance each and every year. Like most all insurance companies, KMIT does not retain all of its risk inside the pool. We have excess insurance that covers any claim above and beyond a certain dollar amount. The company that currently holds our excess policy is asking for specific information so that data can be added to the pool's overall policy. Simply stated, they (Safety National) want to know specifically what they are covering outside of the typical city operations. Prior to now, they just used a blanket endorsement that covered all these specifics we are now asking you for.

So, what are we asking of you?

1. Alternate Employer

If your city has an arrangement with an outside agency, (school district, county, township....) whereby your employees temporarily work for (and are paid by, directly or by reimbursement) that agency, we need to know about it. If you include the information asked for, our excess coverage carrier will provide work comp benefits for that worker, even though they were working for and being paid by another entity. If your employees work for an outside agency but are still paid by your city (i.e., most mutual aid agreements), then this does not apply and you do not have to complete the form. Simply mark N/A and return.

2. Waiver of Subrogation

If your city has an agreement with any group, individual, or company, where you have waived your rights of subrogation, if you complete the form correctly, our excess coverage carrier will recognize those agreements. By definition, subrogation is: *assuming the legal rights of a person for whom expenses or a debt has been paid*. Typically, subrogation occurs when an insurance company which pays its insured client for injuries and losses, then sues the party which the injured person contends caused the damages to him/her.

Let's say your city hires a contractor to work on the roof of city hall and signs a waiver of subrogation agreement. If the contractor then drops a brick on a bystander and the bystander sues the city for damages, the city has waived its rights to collect from the contractor for the damages the city had to pay to the bystander.

Again, if either of these circumstances exists in your city, please fill out the appropriate form and return to KMIT. If one or both do not apply, simply mark N/A on the form and return. Either way, we need to hear from each member.

Changes to the KMIT Safety Certification Program

By Renee Rhodes

Since the inception of the KMIT Insurance Pool, IMA Risk Control has provided KMIT members loss control services to help reduce workers' compensation claims within your operations and increase the level of safety awareness among your employees through the **KMIT Safety Certification Program**.

The KMIT Safety Certification Program has always been a voluntary program for most members within KMIT. By complying with the guidelines set forth in the certification program, members have had the opportunity to earn discounts on their workers' compensation premiums each year.

The KMIT Board of Directors has approved a new ***KMIT Loss Prevention Certification Program*** for 2006. This Loss Prevention Questionnaire will rate the cities on the safety and claims activities they are currently performing along with administrative programs in place to help drive losses within your organization. The ratings will be scored into three levels that will give members a discount on their workers' compensation premium based on the safety activities they currently have in place and working towards implementing in 2006. In the past the ratings were scored Bronze 1% discount, Silver 2% discount, and Gold 5% discount. **The new program has bumped the Silver discount to 3%**, the Bronze and Gold discounts remain the same.

IMA will be contacting the cities to schedule a time to visit your community and review the aspects of the new Loss Prevention Program and perform a Safety Audit. If you have any questions or need additional information, please do not hesitate to contact Renee Rhodes, IMA of Kansas (316) 266-6345 or (316) 250-2121.

Safe Cities as of February 2, 2006

If you would like assistance returning an injured employee to work, or need ideas for modified duty, please contact Victoria Vanderhoof, 1-877-502-9897 or victoria.vanderhoof@imacorp.com.

Abilene	Cheney	Fowler	Hoxie	Newton	Stafford
Allen	Cherryvale	Frankfort	Independence	Oberlin	St. Francis
Altamont	Clay Center	Fredonia	Jetmore	Ogden	Stockton
Andale	Coffeyville	Galena	Johnson City	Olpe	Tescott
Andover	Columbus	Girard	Kingman	Osage City	Tipton
Arkansas City	Concordia	Glasco	Kinsley	Oskaloosa	Tonganoxie
Atchison	Conway Springs	Glen Elder	Lenora	Oswego	Treece
Atlanta	Council Grove	Goodland	Leoti	Ozawkie	Turon
Augusta	Cullison	Grainfield	Lincoln Center	Palco	Ulysses
Baldwin City	Damar	Grandview Plaza	LKM	Park City	Valley Center
Basehor	Derby	Great Bend	Lucas	Parsons	WaKeeney
Baxter Springs	De Soto	Greeley	Maize	Peabody	Wakefield
Bel Aire	Dodge City	Grenola	Marysville	Princeton	Walton
Belleville	Douglass	Halstead	McFarland	Ransom	Wamego
Beverly	Eastborough	Hays	Meade	Roeland Park	Wellington
Bird City	Edgerton	Haysville	Medicine Lodge	Rose Hill	Wellsville
Blue Rapids	Elkhart	Hiawatha	Melvorn	Russell	
Bonner Springs	Esbon	Hill City	Minneapolis	Satanta	
Brewster	Eudora	Hillsboro	Mission	Sedan	
Caldwell	Eureka	Hoisington	Moline	Sedgwick	
Centralia	Ford	Holcomb	Montezuma	Spearville	
Chautauqua	Fort Scott	Horton	Mound City	Spring Hill	

Claims

Top 5 Frequency and Cost Analysis
January 1, 2006 through February 1, 2006

<u>By Department</u>	<u>Frequency</u>	<u>Claims Cost</u>
Maintenance	5	\$ 2,750
Police	4	7,650
Street	4	2,200
Water	3	11,600
Fire	2	5,600

<u>By Accident Type</u>	<u>Frequency</u>	<u>Claims Cost</u>
Strain or Injury	9	\$ 9,450
Fall or Slip	5	2,750
Cut/Puncture/Scrape	3	1,650
Miscellaneous Causes	2	6,550
Caught In or Between	1	10,500

<u>By Body Part</u>	<u>Frequency</u>	<u>Claims Cost</u>
Shoulder(s)	5	\$ 2,750
Thumb	3	7,100
Knee	3	1,650
Lower Back Area	2	5,600
Ankle	2	1,100

If you would like a similar breakdown for your city, please contact
Victoria Vanderhoof at 1-800-288-6732

New Phone/Fax Numbers for Claims

Effective **IMMEDIATELY**, our KMIT Claims Adjuster, **Victoria Vanderhoof**, has a new phone number.

To reach Victoria, *call 316-266-6347, or toll free 1-800-288-6732 (ask for Victoria or ext. 347).*

There is also a new *fax number for claim form submittals: 316-266-6385.*

There is no change in Victoria's mailing address (PO Box 2992, Wichita).

KMIT Calendar

February

- 9 KMIT Supervisor
Training, *Concordia*
- 10 KMIT Board of
Trustees Meeting,
Concordia
- 16 KMIT Supervisor
Training, *Arkansas
City*

March

- 1 KMIT Supervisor
Training, *Parsons*

KMIT Revenues & Expenses December 31, 2005

Combined Assets

Cash In Bank	\$1,641,729
Premiums Outstanding	
Investments	<u>3,360,861</u>
Total Assets	\$5,002,590

Combined Liabilities & Equity

Claims and Accrued Expenses Outstanding	\$2,092,889
Reserved for Losses	2,139,756
Incurred But Not Reported (IBNR)	<u>(940,947)</u>
Total Liabilities	3,291,698
KMIT Statutory Fund Balance	<u>1,710,891</u>
Total Liabilities and Equity	\$5,002,590

Kansas Municipal Insurance Trust

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Topeka, KS 66603

