



DIVISION OF
WORKERS'
COMPENSATION

DIVISION OF WORKERS' COMPENSATION

ANNUAL REPORT

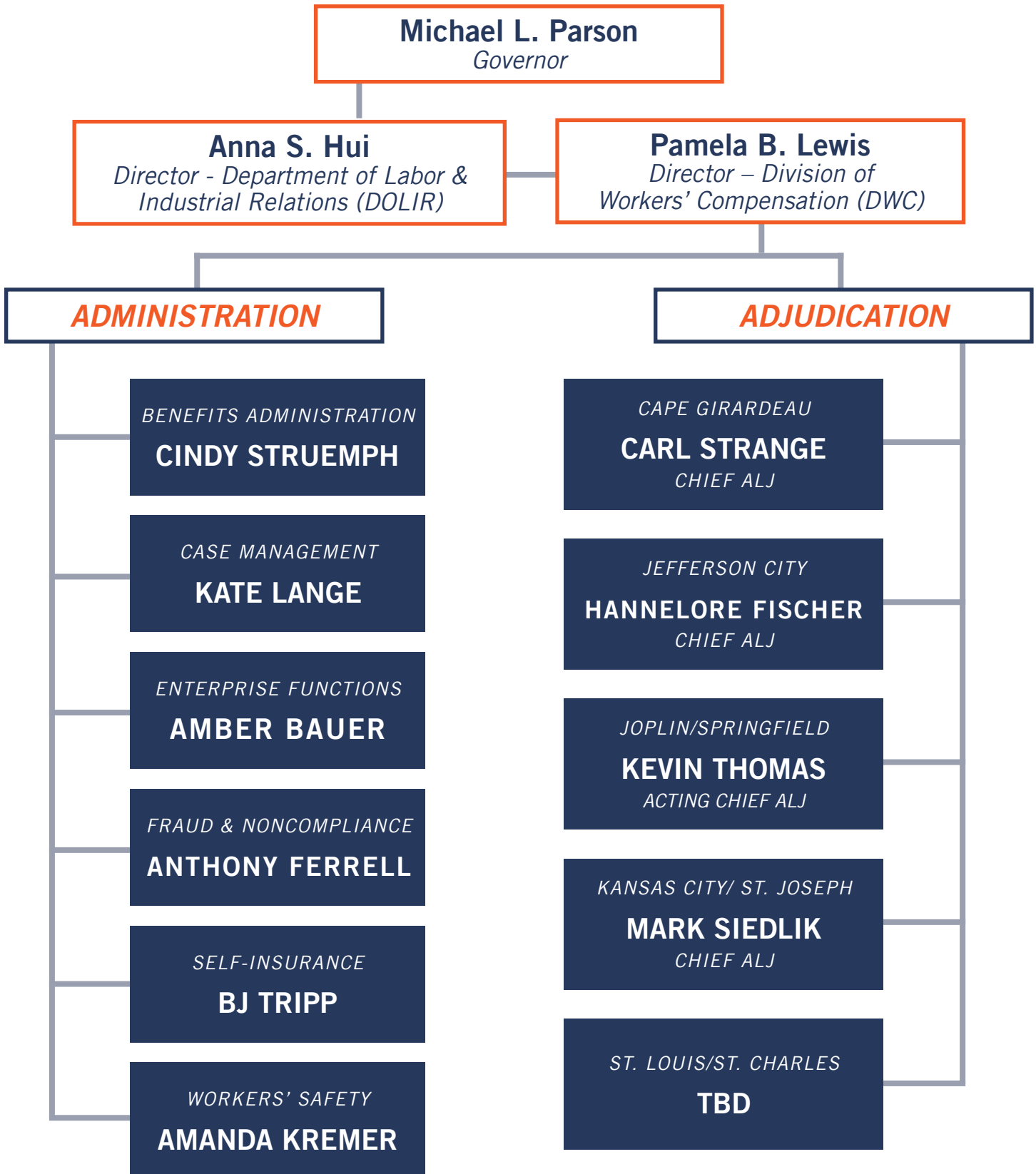
2022

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**The figures in this report are CY 2022 unless otherwise noted.*

ORGANIZATIONAL CHART



DEPARTMENTAL & DIVISIONAL LEADERSHIP

DIVISION OF WORKERS' COMPENSATION

The Workers' Compensation Division ensures that an employee who suffers a work-related accident, injury, or occupational disease receives medical treatment, wage loss replacement benefits, permanent partial or permanent total disability benefits, and/or death benefits as prescribed by the law. The Division also oversees benefits that are owed to employees for occupational diseases due to toxic exposure. Various options to resolve disputes that may arise between injured employees and the employers/insurers, and/or the Second Injury Fund (SIF); including adjudication services, are provided through eight satellite offices. The Division also regulates individual employers and groups/trusts who have been authorized to self-insure their workers' compensation obligations and investigates allegations of workers' compensation fraud and noncompliance. The Division also authorizes payment of compensation and benefits from the SIF and administers the Line of Duty and Tort Victims' Compensation Programs.

ANNA S. HUI *DEPARTMENT OF LABOR & INDUSTRIAL RELATIONS DIRECTOR*



Anna Hui was appointed Director of the Department of Labor and Industrial Relations in March of 2017 and the Senate confirmed the appointment in January 2018, making her the first Asian American to serve in the governor's cabinet in Missouri history. For over two decades, Anna has worked in numerous senior positions in both state and federal government.

She started her public service career working for Illinois Governor Jim Edgar as the Special Assistant to the Governor for Asian-American affairs and then for Governor George Ryan, as a senior-member of the Washington, D.C. policy management team. She then served as the Associate Deputy Secretary of Labor at the U.S. Department of Labor during President George W. Bush's Administration. In that role, Anna spearheaded efforts to encourage diversity and the inclusion of historically underserved communities in the Department's programs and Federal government management.

After leaving federal service in 2009 and until she returned to Illinois in 2015, she was Chief of Staff to former U.S. Department of Labor Secretary Elaine Chao. From 2015 to 2017, Anna served as Assistant Director and later as Acting Director of the Illinois Department of Labor, where she implemented major reforms in process and program efficiency and effectiveness.

She received a J.D. from Loyola University Chicago School of Law, a M.S.M. and a M.B.A. from the University of Maryland University College and B.S. in Psychology from the University of Illinois at Urbana-Champaign (UIUC). In April 2018, she was named the recipient of UIUC's Outstanding Asian American Alumni Award from the Asian American Cultural Center for her dedication to public service. In November 2021, the St. Louis Asian American Chamber of Commerce named Anna the 2021 Connector of the Year for her outstanding accomplishments as a trailblazer to help connect the Asian American Pacific Islander business/professional community, St. Louis and Asia.

She is very involved at the state and national levels and holds a number of leadership positions related to her work at the department. She serves as the Secretary/Treasurer of the National Association of Government Labor Officials and previously served as President. She is Chair of the Equal Opportunity Committee and past Board Chair of the National Association of State Workforce Agencies (NASWA) and sits on the NASWA Information Technology Support Center Steering Committee. In addition, Anna is Board Vice President of the International Association of Industrial Accidents Boards and Commissions and Board member on the Family and Community Trust. She serves as Advisory Board member for the Missouri Science and Technology Policy Fellows, Interim Executive Council Member of the Midwest Collaborative and is a Member of the Science and Technology Advisory Board for the Coleridge Initiative. She is a Member of the federal Advisory Committee on Data for Evidence Building and a graduate of the Missouri Chamber of Commerce 2018 Leadership Missouri Program.



PAMELA LEWIS *DIVISION OF WORKERS' COMPENSATION DIRECTOR*

Pam Lewis was appointed Director of the Missouri Division of Workers' Compensation in April 2022 after joining the State in July 2021. She has over 25 years of experience in the insurance industry focusing primarily on workers' compensation claims, leadership, auditing and training. Past roles have included eight years of service at CorVel Corporation advancing to Vice President, Claims Unit and 13 years of service with Hartford Financial Services. Movement within the industry has provided her with a broad experience with insurance carriers, third party administrators, assigned risk programs and brokers in Missouri, Kansas, Iowa, Minnesota, Nebraska, South Dakota and Wisconsin. In her current role as Director, she is responsible for the Division's \$10 million administrative budget, programs payments, and monitoring expenditures while the Division moves forward with modernizing its missions and legacy software system. Pam was born and raised in Kansas City, MO where she graduated from the University of Missouri-Kansas with a Bachelors in Business Administration.

ASSESSMENTS & EXPENDITURES

WORKERS' COMPENSATION ADMINISTRATIVE FUND TAX & SURCHARGE

As required by §287.690 and §287.716, the State of Missouri imposes a workers' compensation administrative tax on all workers' compensation insurance carriers and self-insured employers and an administrative surcharge on every workers' compensation deductible plan policyholder insured in Missouri. 287.690 authorizes the imposition of an administrative tax not to exceed two percent and §287.716 authorizes the imposition of an administrative surcharge at the same rate as the administrative tax. The revenue from the administrative tax and administrative surcharge is used to fund expenses associated with the administration of the Law. The Division of Workers' Compensation has been appropriated funding for modernization of its current legacy system. The legacy system is a mix of in-house, custom developed applications that is outdated and limited in its ability to handle external advancements in technology, legislative mandates, and the changing needs of DWC stakeholders. In June of this year, the division awarded Objectstream, Inc. as the contract developer for the new system, WC Connect. WC Connect will have enhanced, real-time self-service options for injured workers, attorneys, healthcare providers, self-insured companies, employers, carriers and third party administrators. WC Connect will be implemented in three phases. Phase 1 includes increased efficiency in docket scheduling and notification of hearings for both the adjudication offices and Labor and Industrial Relations Commission. The division will also migrate to EDI 3.1 accepting both FROI and SROI reporting.

State law requires the Director of the Division of Workers' Compensation to estimate the amount of revenue required to administer the workers' compensation program each year and to determine the rate of tax to be paid in the following calendar year. If the estimated available balance of the fund on Dec. 31 of the year the tax rate determination is made falls below 110% of the previous year's expenses plus any additional revenue required due to new statutory requirements given the division by the general assembly, the director shall impose a tax not to exceed 2.0%. For calendar year 2023, the administrative tax and surcharge will be 1.5%.

CASH BALANCE of fund on January 1, 2022	\$16,304,074
REVENUE:	
Tax & Surcharge Collections	\$18,893,930
Interest	\$159,661
Miscellaneous Receipts	\$333,209
Total Revenue	\$19,386,800
EXPENDITURES:	
Administrative Costs	\$20,366,977
Total Expenditures	\$20,366,977
CASH BALANCE of fund on December 31, 2022	\$15,323,897

SECOND INJURY FUND SURCHARGE & SUPPLEMENTAL SURCHARGE

Section 287.715 provides for the collection of an annual surcharge not to exceed three percent from every authorized self-insurer and every workers' compensation policyholder insured in Missouri. To address the solvency issues facing the SIF, §287.715.6 authorizes the Division Director to collect a supplemental SIF surcharge not to exceed three percent for calendar years 2014 to 2022 of the policyholder's or self-insured's workers' compensation net deposits, net premiums or net assessments of the previous policy year. The 2023 SIF Surcharge and SIF Supplemental Surcharge rates have been approved and set at 3% and 0% respectively resulting in a reduction in the SIF supplemental surcharge to be paid by employers in 2023.

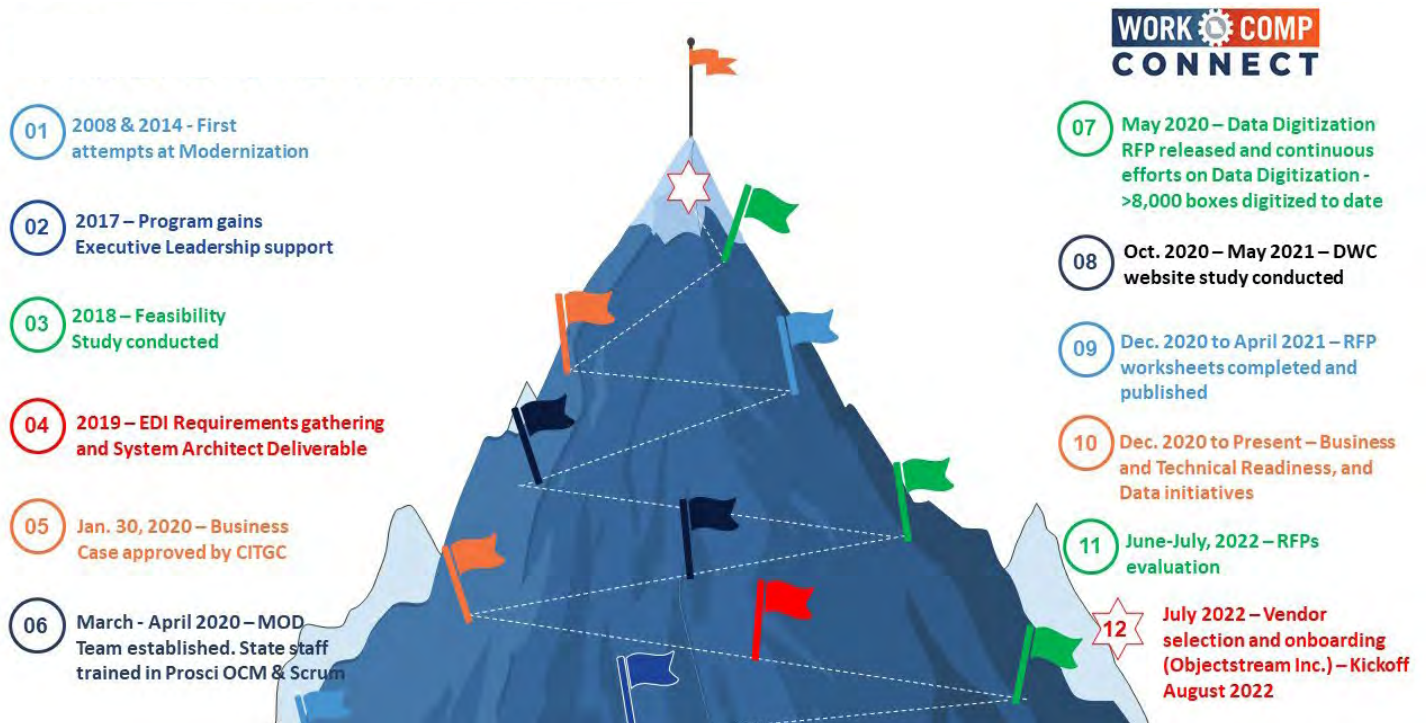
The supplemental surcharge is set to expire at the end of calendar year 2023. With the expiration of the supplemental surcharge, it is projected that the fund would experience solvency issues starting in calendar year 2025. The legislative proposal to extend the supplemental surcharge lowers the supplemental surcharge to be rounded up from the nearest one-half percentage point to one-quarter of a percentage point. If the fund goes insolvent, there will be nearly 2,000 recipients entitled to receive benefits who will no longer receive bi-weekly benefits.

BALANCE of fund on January 1, 2022	\$43,973,439
REVENUE:	
Surcharge Collections	\$84,308,838
Interest	\$562,217
Miscellaneous Receipts	\$131,188
Total Revenue	\$85,002,243
EXPENDITURES:	
Benefit Disbursements	\$67,007,708
Administrative Costs	\$4,663,224
Total Expenditures	\$71,670,932
BALANCE of fund on December 31, 2022	\$57,304,750

2022 SIF ASSESSMENT RATE:
3% Surcharge & 1% Supplemental Surcharge

2023 SIF ASSESSMENT RATE:
3% Surcharge & 0% Supplemental Surcharge

MODERNIZATION PROJECT



WHERE WE ARE NOW

DWC's Team continued to make great strides in regards to its Modernization Program. Several key milestones were reached in 2022.

In early 2022 the Division implemented a cloud-based communications system with respect to its 1-800 telephone line. The system's functionality allows for efficient call routing which has reduced the average speed to answer a telephone call by roughly half since the system was implemented, ultimately resulting in an improved customer service experience.

The Phase-1 Implementation Vendor and the Independent Verification and Validation (IV&V) RFPs were reviewed in June and July 2022, with the selection and onboarding of the awardees: system integrator, Objectstream, Inc.; and IV&V advisor, CSG; in July and the official project kickoff being held August.

Since the kickoff in August, Objectstream has been hard at work with DWC, and IT staff in various joint application design (JAD) sessions reviewing and refining future system requirements and process flows for design purposes. Claim for Compensation and First Report of Injury were the first two completed.

Phase 1 of the digitization project was also completed in 2022, with nearly eight thousand banker boxes of the Division's paper documents sorted, scanned, and organized into Work Comp Connect's enterprise content management (ECM) system, FileBound. Document digitization for future phases will be undertaken by Division staff.

Activities around organizational change management continued in 2022, with quarterly Town Hall updates and the addition of a monthly news brief for staff. In addition, external stakeholder focus groups were held, garnering valuable insight into the application design, and will continue to be held as the process continues.

During its 27th Annual Educational Seminar, the Division hosted an "Innovation Room," fostering communication about the Modernization Program, providing current status updates, sharing of insights, gathering feedback and providing an opportunity to brainstorm with DWC's various stakeholders about the modernized computer system and processes.

The modernization website www.labor.mo.gov/wcc was launched with avenues to provide feedback. For more information contact WCC@labor.mo.gov, or sign up for updates thru www.labor.mo.gov/wcc/contact.

ENTERPRISE FUNCTIONS

The Enterprise Functions Unit supports functions Division wide by providing data analytics, statistical reporting, training and reviewing processes for improvement and standardization. As the Division moves forward with modernizing, the unit will also provide technical assistance and communications for both internal and external stakeholders. Staffing for the Unit is underway with the hiring of Enterprise Functions Manager, Amber Bauer. 2023 will see the staffing of specialty positions including Data Analytics.

CASE MANAGEMENT

INJURY PROCESSING

The Case Management Unit processes paper and electronic filings made by external parties, including documents initially filed at each of the Division's eight Adjudication offices. This unit's functions include claims processing, case review, paper imaging, document management and electronic data interchange (EDI) monitoring.

COVID-19

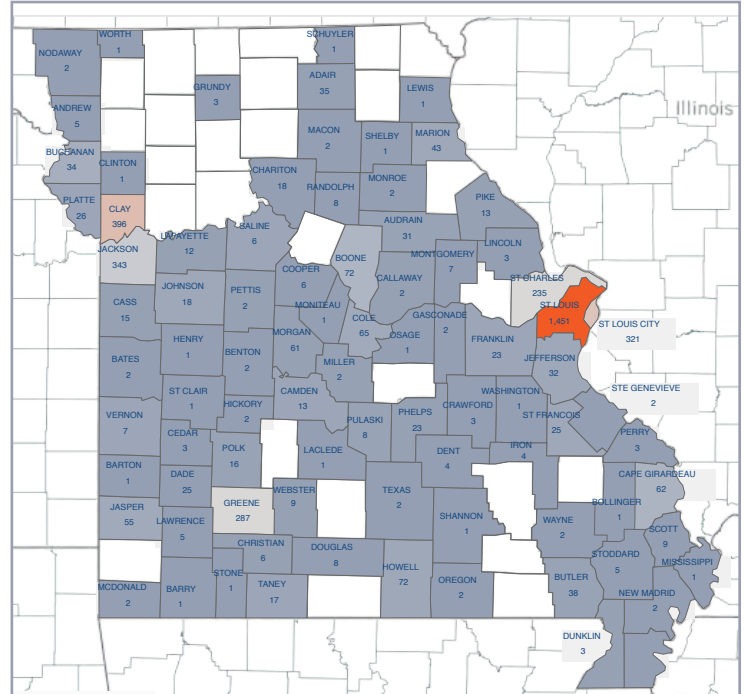
DWC processed First Reports of Injury for 3,732 COVID-19 injuries and fatalities, and Claims for Compensation for 444 COVID-19 injuries and fatalities, where the date of injury was in 2022.

BY INDUSTRY

Includes all COVID injuries received in 2022, regardless of the date of injury.

HEALTH CARE & SOCIAL ASSISTANCE	2,384
PUBLIC ADMINISTRATION	927
EDUCATIONAL SERVICES	399
TRANSPORTATION & WAREHOUSING	265
RETAIL TRADE	110
MANUFACTURING	75
FINANCE & INSURANCE	50
PROFESSIONAL, SCIENTIFIC, & TECHNICAL	44
ACCOMMODATION & FOOD SERVICES	38
ADMINISTRATIVE SUPPORT & WASTE MANAGEMENT SERVICES & REMEDIATION SERVICES	33
AGRICULTURE, FORESTRY, FISHING, & HUNTING	23
REAL ESTATE AND RENTAL AND LEASING	22
OTHER SERVICES (EXCEPT PUBLIC ADMINISTRATION)	15
MANAGEMENT OF COMPANIES & ENTERPRISE	12
WHOLESALE TRADE	12
CONSTRUCTION	11
ARTS, ENTERTAINMENT, & RECREATION	7
UNKNOWN	5
UTILITIES	5
INFORMATION	3
MINING	2
GRAND TOTAL	4,444

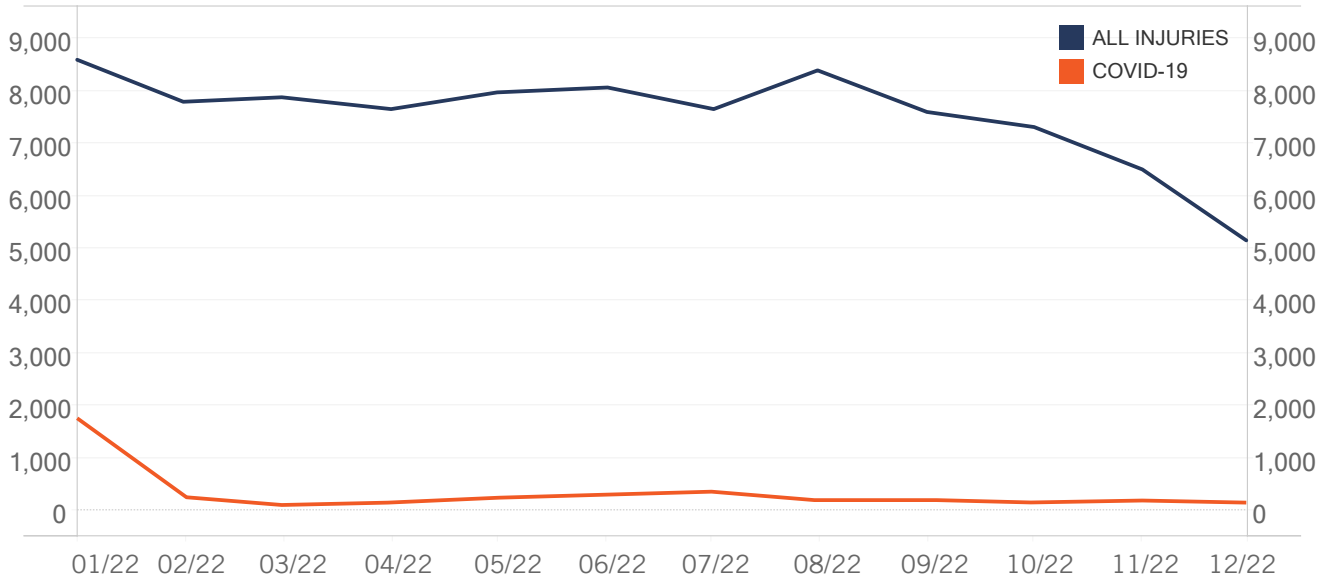
REPORTED COVID-19 INJURIES



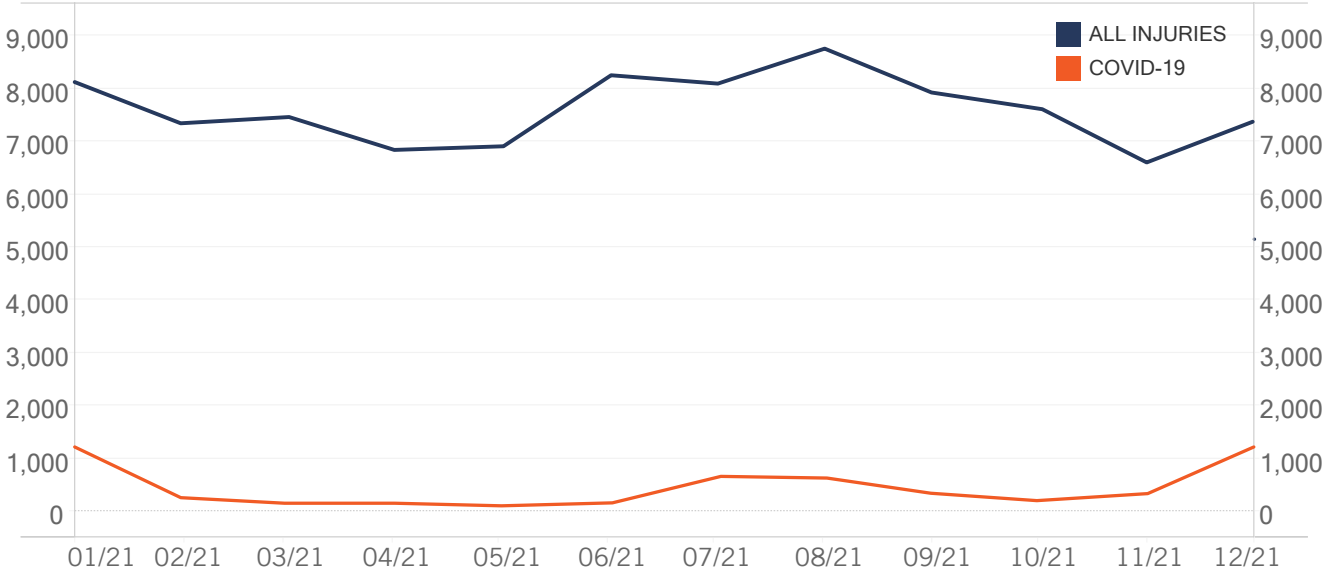
*All injuries with a date of injury in 2022 may not have been reported as of the date the data was ran due to reporting lag.

COVID-19 CONTINUED

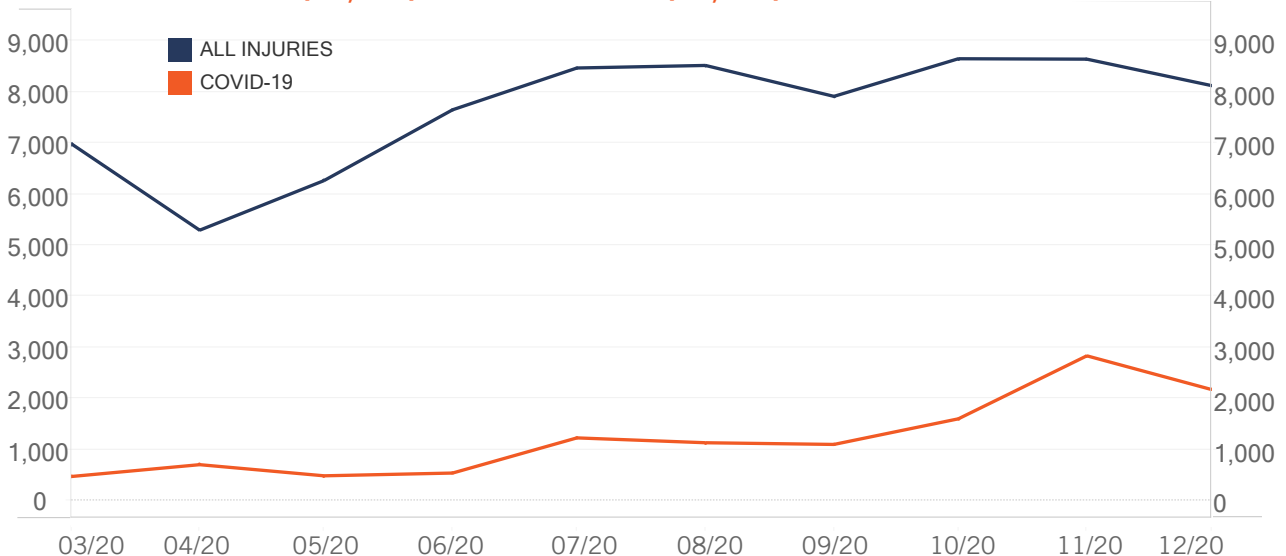
2022 - COVID-19 INJURIES (3,732) VS. ALL INJURIES (91,681*) BY MONTH OF INJURY



2021 - COVID-19 INJURIES (5,902) VS. ALL INJURIES (91,929) BY MONTH OF INJURY



2020 - COVID-19 INJURIES (10,220) VS. ALL INJURIES (92,651) BY MONTH OF INJURY



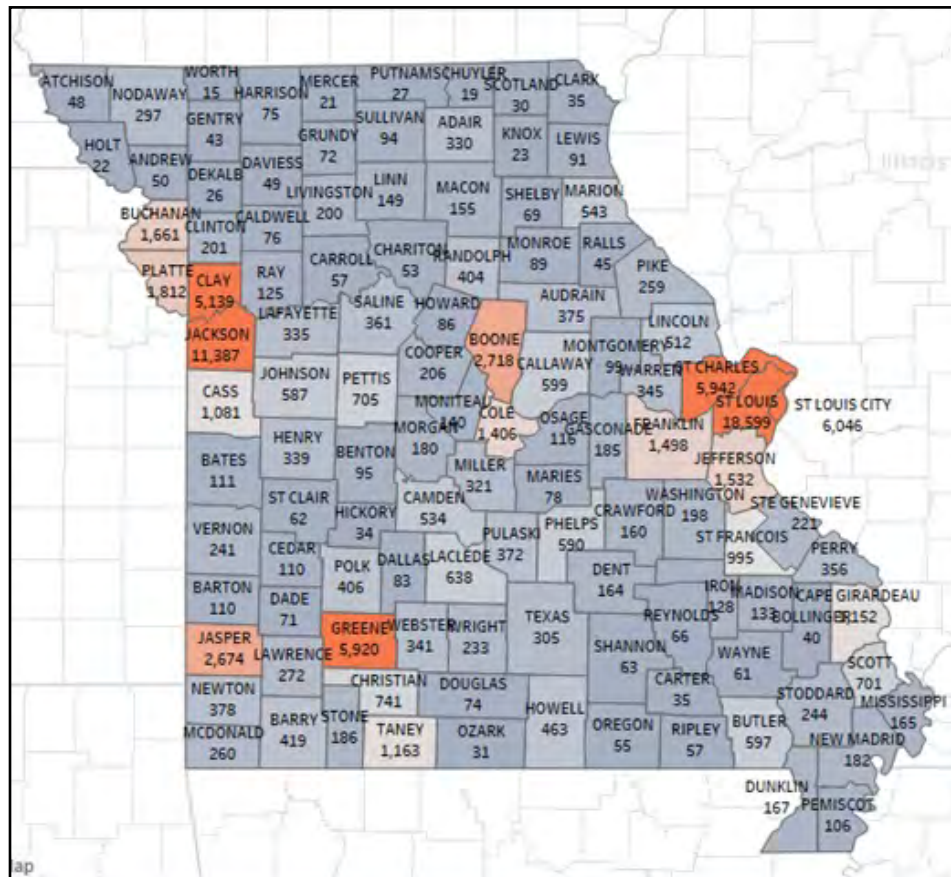
07 *All injuries with a date of injury in 2022 may not have been reported as of the date the data was ran due to reporting lag.

FIRST REPORTS OF INJURY (FROIS)

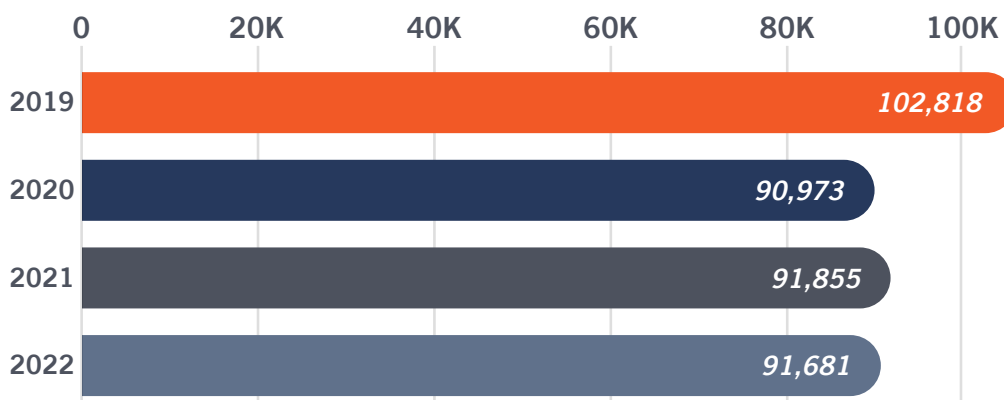
In 2022, 98% of FROIs were filed electronically (through EDI or the web).

FIRST REPORTS OF INJURY FILED

BY COUNTY

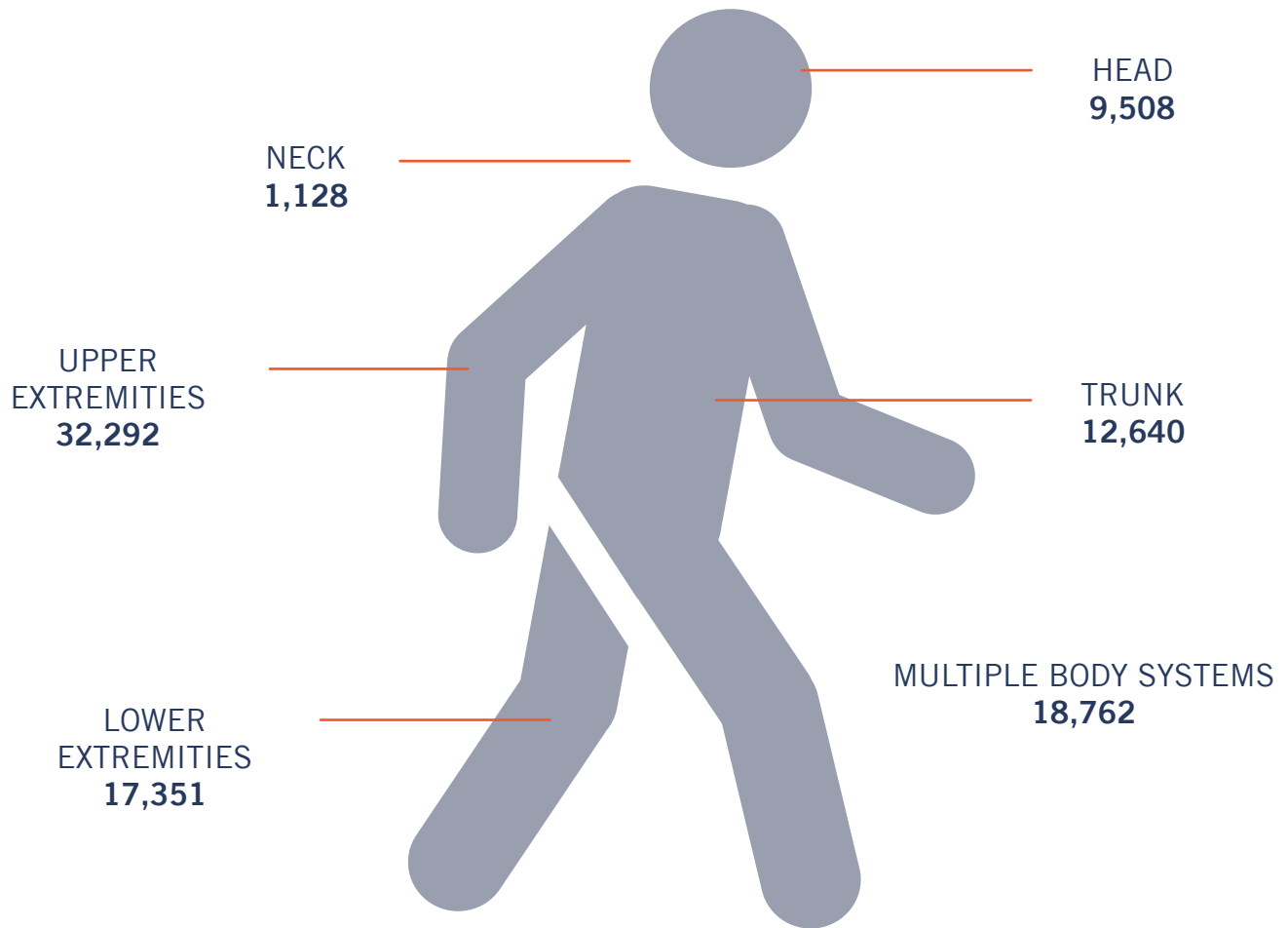


BY YEAR



FIRST REPORTS OF INJURY FILED

BY BODY PART



BY AGE GROUP

20-29	21,578
30-39	19,610
50-59	17,620
40-49	16,896
60-69	10,628
16-19	3,428
70-79	1,651
80-89	201
10-15	51
90-99	6
UNKNOWN	5

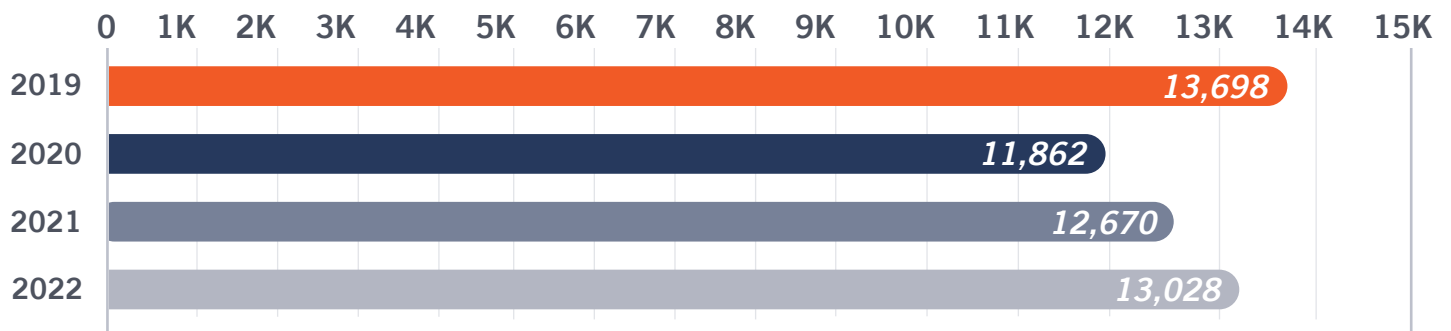
BY INDUSTRY (TOP 10)

Health Care & Social Assistance	17,740
Manufacturing	13,247
Retail Trade	10,752
Public Administration	8,910
Transportation & Warehousing	6,285
Finance & Insurance	5,127
Accommodation & Food Services	4,821
Educational Services	4,716
Construction	4,135
Administrative & Support & Waste Management & Remediation Services	3,603

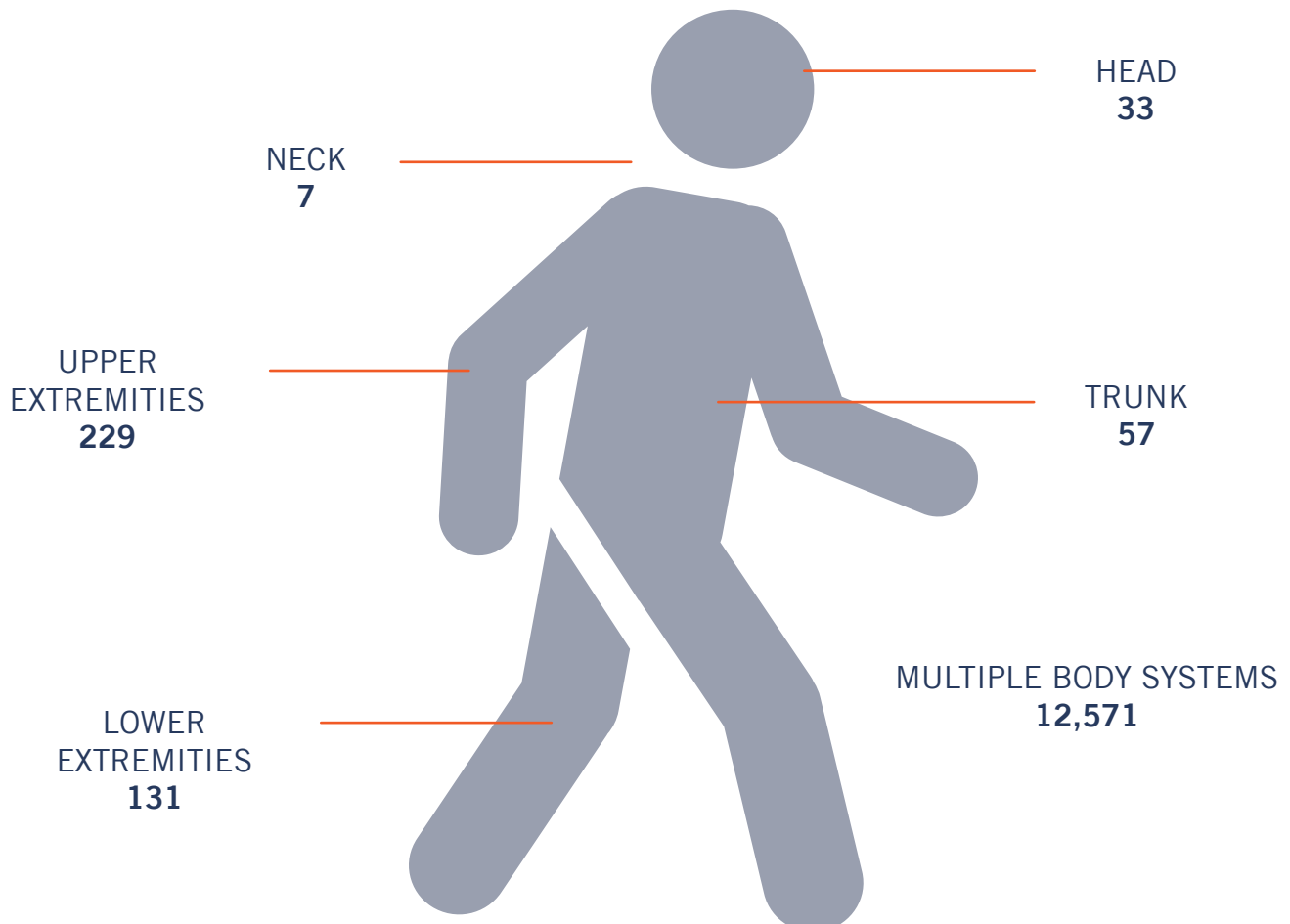
CLAIMS FOR COMPENSATION

An employee may file a Claim for Compensation with the Division if they believe they are not receiving benefits they are entitled to under the Law. An employee may obtain legal representation to file a Claim for Compensation with the Division. The filing of a Claim initiates a contested case proceeding where the Administrative Law Judge (ALJ) has the authority to determine the issues in dispute. As of December 31, 2022, 25,180 Claims for Compensation were pending before the Division.

CLAIMS FOR COMPENSATION FILED BY YEAR



BY BODY PART

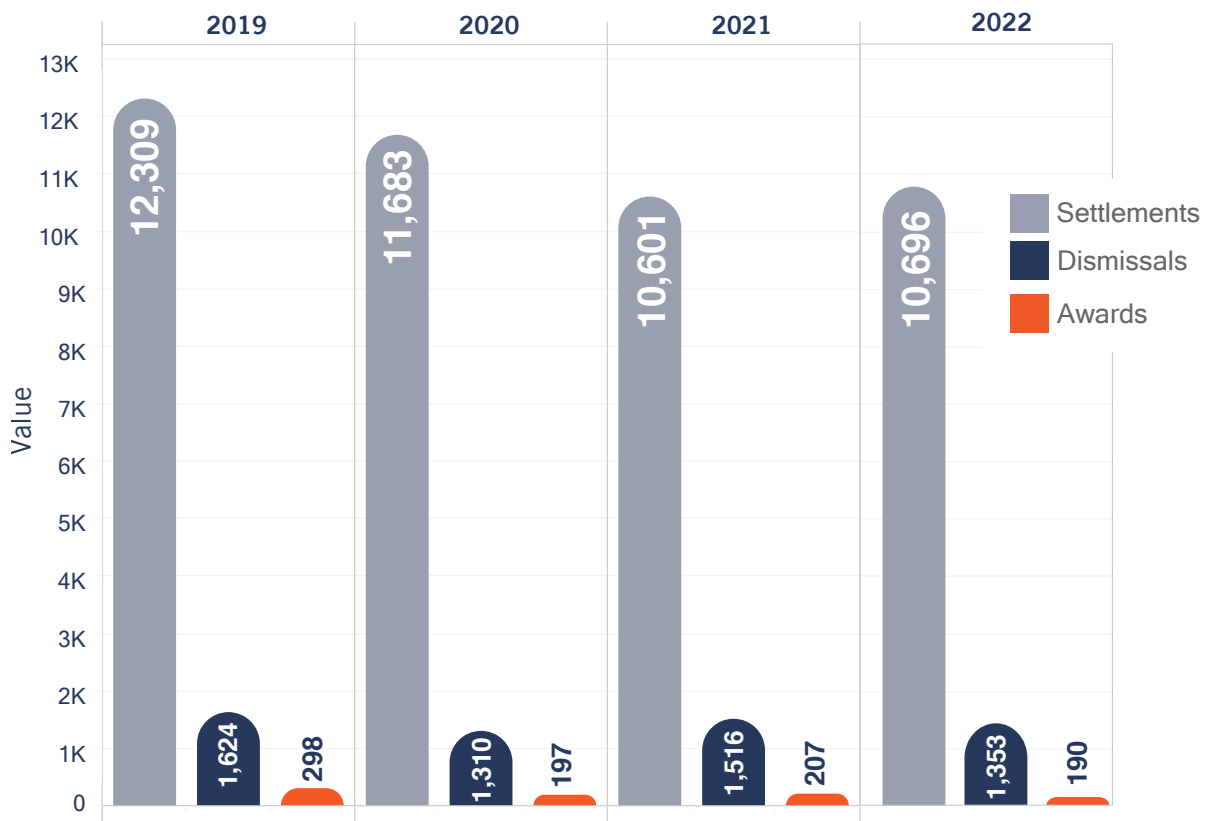


Claims may be resolved through the issuance of an award, a compromise settlement, or a dismissal. Case resolution time frames vary considerably for each resolution type, with cases proceeding to an evidentiary hearing before an ALJ and the issuance of an award taking longer to resolve than settlements and dismissals.

CLAIMS FOR COMPENSATION TOP 10 BY INDUSTRY

Manufacturing	2,317
Public Administration	1,970
Health Care & Social Assistance	1,226
Transportation & Warehousing	1,213
Retail Trade	1,082
Construction	783
Administrative & Support & Waste Management & Remediation Services	597
Wholesale Trade	560
Finance & Insurance	511
Accommodation & Food Services	450

CLAIMS FOR COMPENSATION RESOLUTIONS



OCCUPATIONAL DISEASES

Section 287.067.1 defines an occupational disease (OD) as an identifiable disease arising with or without human fault out of and in the course of employment. To be compensable under Chapter 287, the occupational exposure must be the prevailing factor in causing both the resulting medical condition and disability. In 2022, 826 claims were filed for occupational diseases.

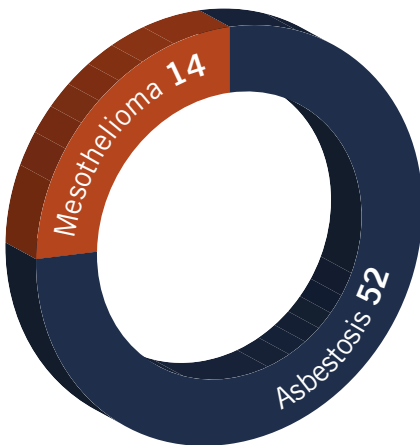
OD CLAIMS - TOP 10 BY INDUSTRY

Manufacturing	229
Unknown	126
Public Administration	125
Retail Trade	45
Health Care and Social Assistance	44
Transportation & Warehousing	42
Wholesale Trade	28
Construction	26
Finance & Insurance	26
Accommodation & Food Services	24

OD TOTAL CLAIMS



OD DUE TO TOXIC EXPOSURE as set forth in §287.020(11)

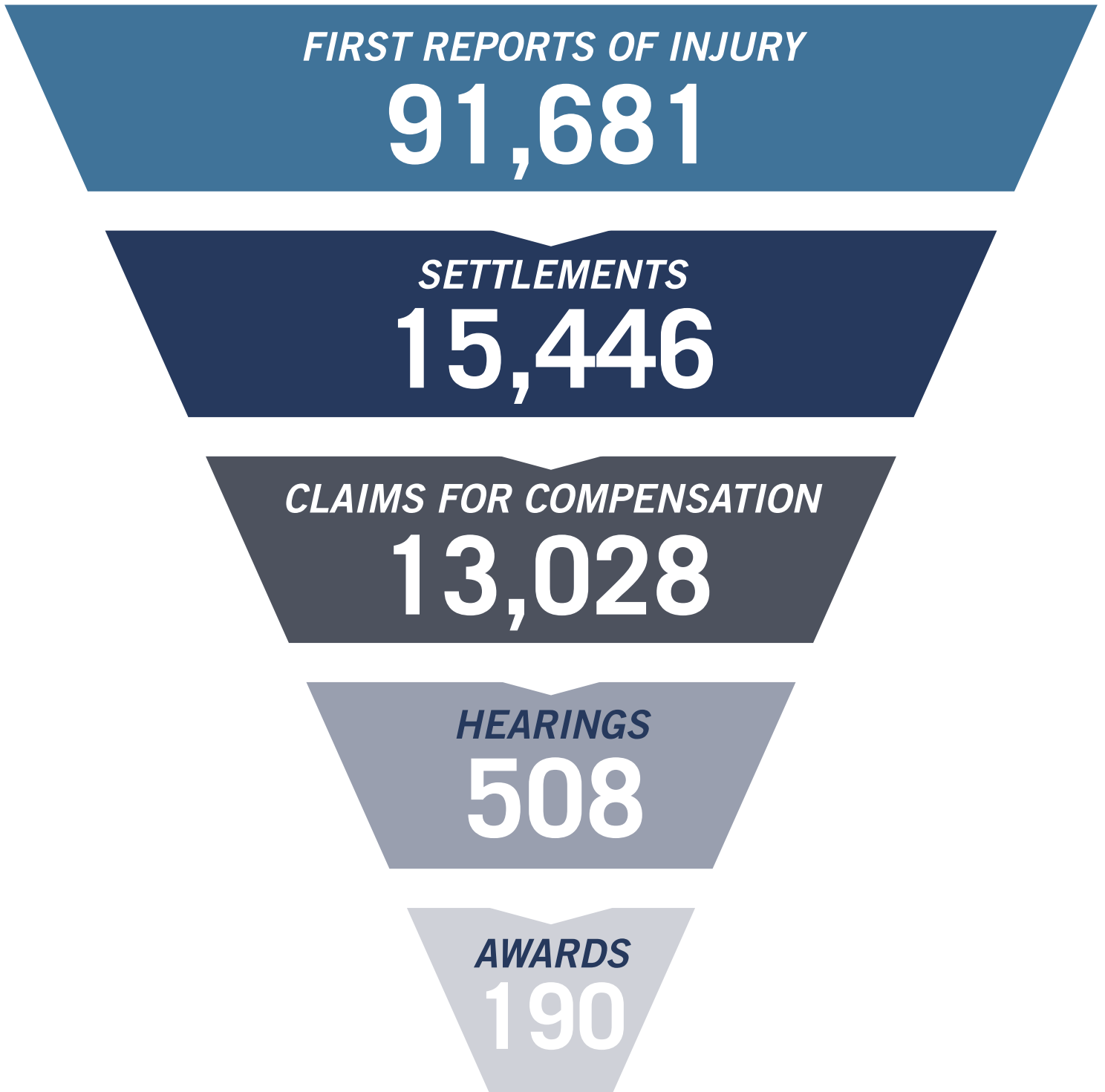


OD CLAIMS - TOP 10 NATURE OF INJURY

Nature of Injury	Frequency
All Other Occupational Disease NOC	460
Carpal Tunnel Syndrome	146
Mental Stress	76
Asbestosis	52
Respiratory Disorders	19
Loss of Hearing	17
Cancer	13
Contagious Disease	13
Poisoning-Chemical	13
Dermatitis	10

WORKERS' COMPENSATION PRIMARY INJURY FUNNEL

Statistics portraying an injury's resolution through the workers' compensation process.



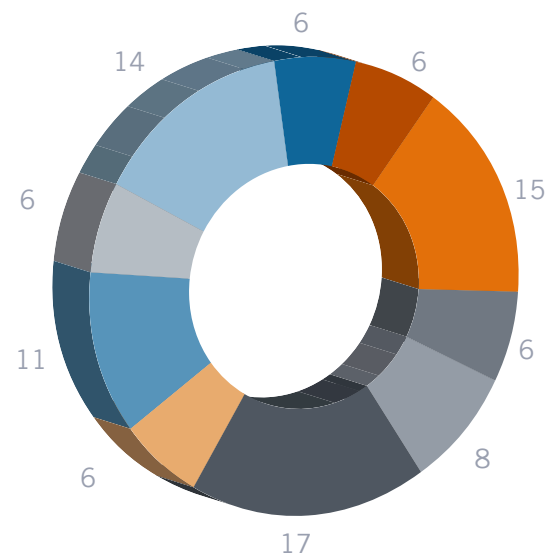
FATALITIES

Fatalities may be reported to the Division through either a FROI or through the filing of a Claim for Compensation. The injury may or may not be determined to be a compensable injury that caused the death of the injured worker. An ALJ has jurisdiction to determine compensability of an injury resulting in death based upon evidence presented.

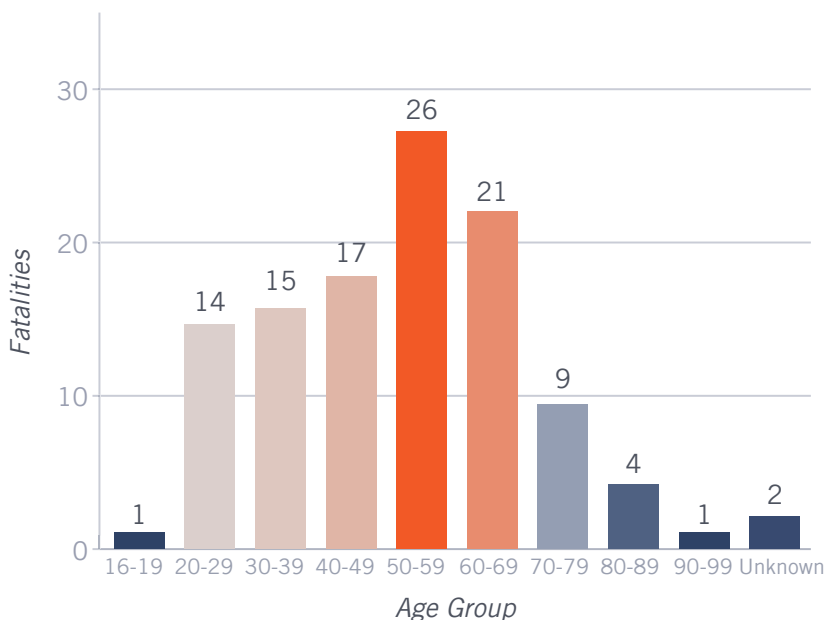
FATALITIES - TOP 10 BY CAUSE

Cause	Frequency	Percent
Unknown	14	12.96%
Other-Miscellaneous	12	11.11%
MV Collision With Another Vehicle	12	11.11%
Pandemic	8	7.40%
Rollover of Vehicle	6	5.56%
Motor Vehicle, NOC	6	5.56%
Caught In or Between Machine/Machinery	6	5.56%
Fall From Different Level	5	4.63%
Other Than Physical Cause of Injury	5	4.63%
Absorption, Ingestion, Inhalation, NOC	4	3.70%

FATALITIES - TOP 10 BY INDUSTRY



FATALITIES BY AGE GROUP



Industry

- ACCOMMODATION & FOOD SERVICES
- ADMINISTRATIVE & SUPPORT & WASTE MANAGEMENT
- CONSTRUCTION
- FINANCE & INSURANCE
- HEALTH CARE & SOCIAL ASSISTANCE
- MANUFACTURING
- MISSING
- PUBLIC ADMINISTRATION
- RETAIL TRADE
- TRANSPORTATION & WAREHOUSING

DISPUTE MANAGEMENT

The Dispute Management Unit (DMU) program offers voluntary early intervention services to mediate disputes that arise between the parties after a workplace injury occurs and before a Claim for Compensation is filed. This process is designed to benefit all parties by allowing an exchange of information and records to resolve issues without incurring litigation costs. Agreements that are reached between the parties remain confidential. Because DMU is voluntary, when mediation is rejected or fails, the party originally requesting mediation services is advised that further adjudication steps are available including filing of a Claim and determination by an Administrative Law Judge (ALJ). Once a written claim is filed, DMU is no longer available to either party as the case has become a contested proceeding.

CUSTOMER SERVICE

The Division is required to maintain a public information program that provides assistance to all parties including injured workers, employers, insurers, and lawyers. The Unit has eight Customer Service Representatives who respond to calls received on the toll-free line. The Division's Representatives received a total of 18,556 calls in 2022.

The Unit received approximately 1,100 requests for assistance through the Division's website from various stakeholders and customers, including 32 proof of coverage requests. The Unit processes request for assistance made through the Division's website, Sunshine Law requests, constituent requests, and requests for Proof of Coverage.

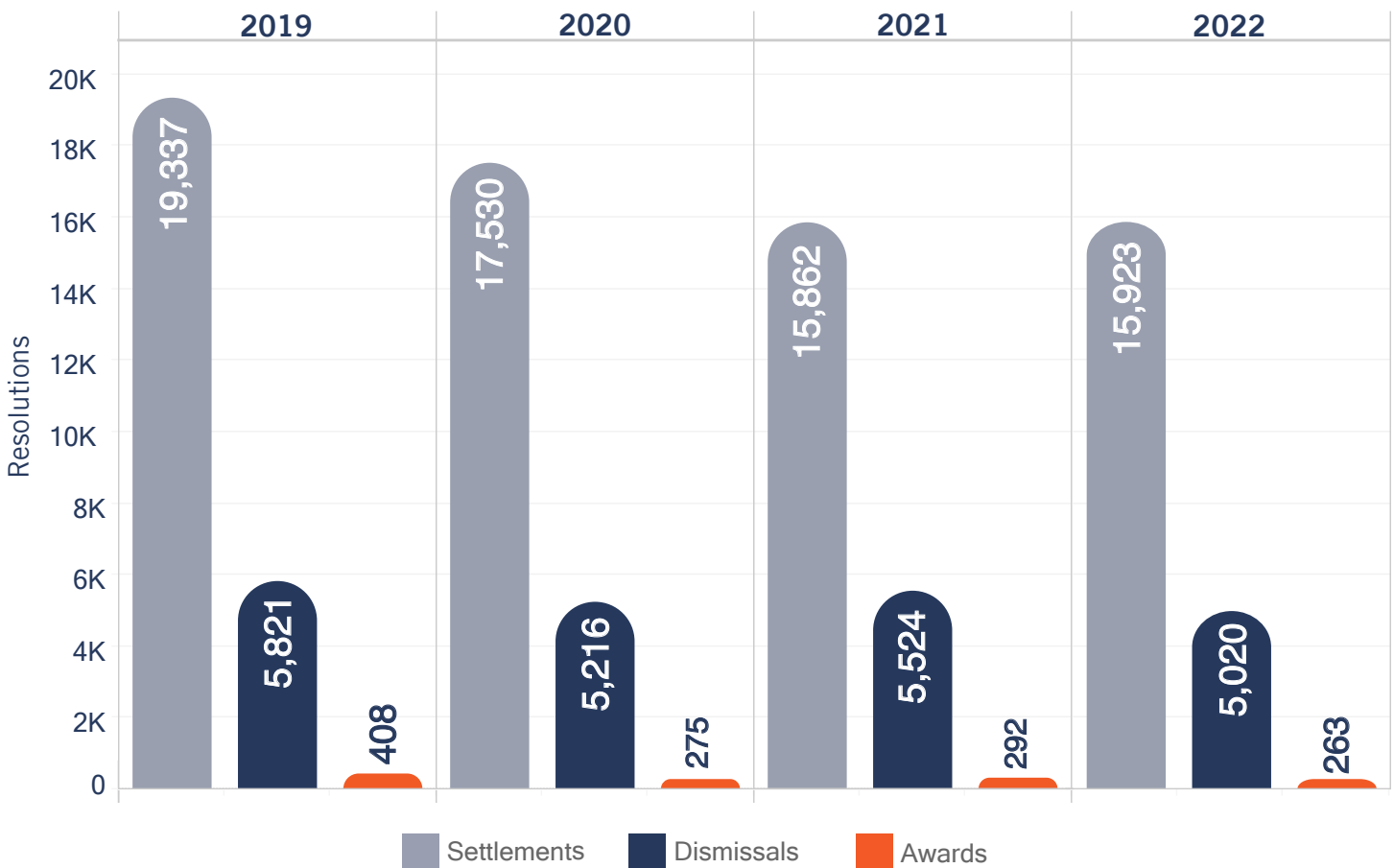
CUSTOMER SERVICE CALLS RECEIVED

18,556

ADJUDICATION

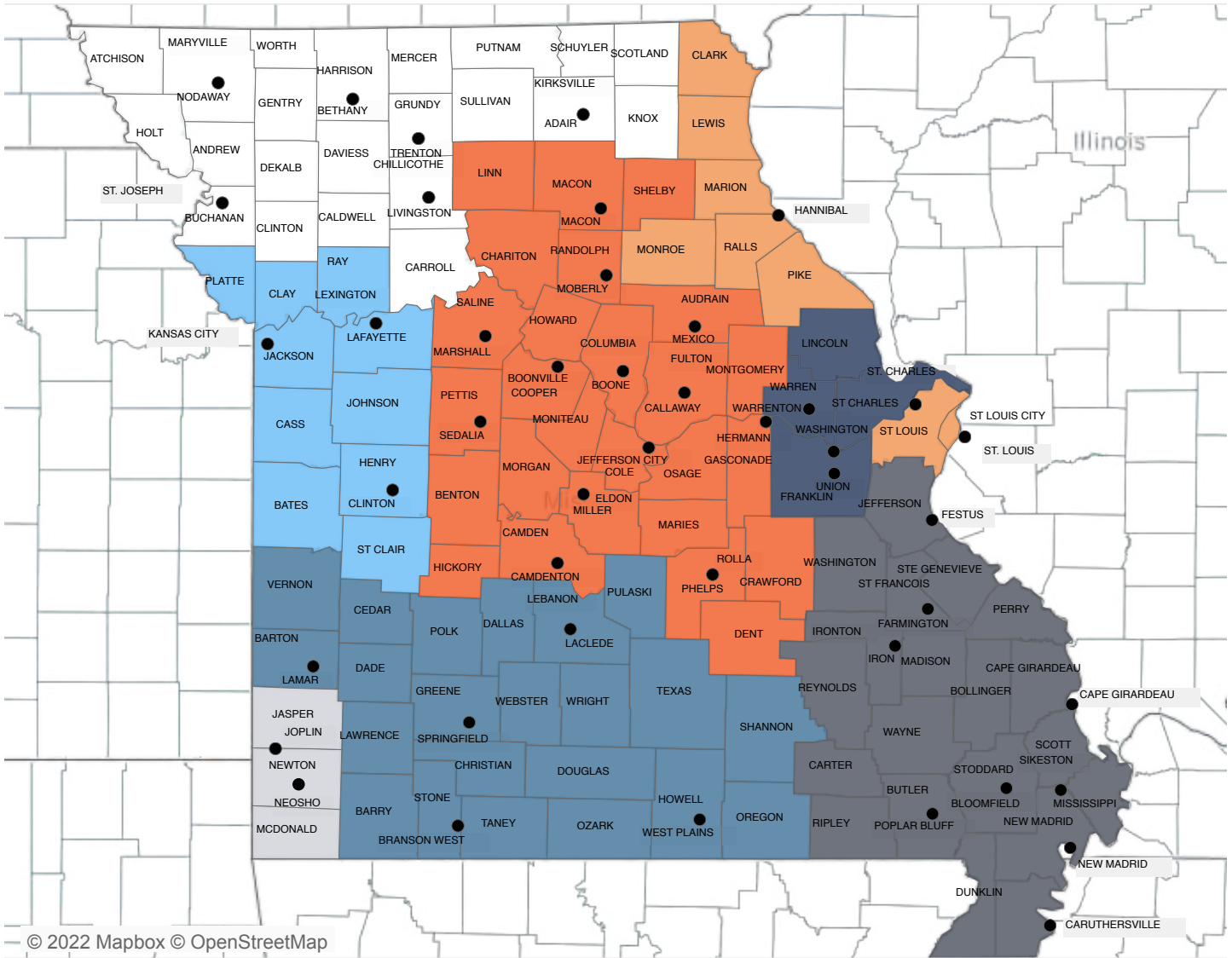
The Division's statutory responsibility to adjudicate and resolve disputes under the law is fulfilled by the eight adjudication offices throughout the State of Missouri. The ALJs, court reporters, docket clerks, and assistants provide services to the parties in the case who appear at the scheduled docket settings. The Division offers various docket settings, such as voluntary settlement conference, prehearing, mediation, §287.203 hearing (to contest termination of compensation), hardship hearing, hearing upon final award, and notice to show cause or dismissal settings.

CASE RESOLUTION COUNTS*



*Case Resolution Counts include both Primary Injury and Second Injury Fund resolutions.

COUNTIES & VENUES BY LOCAL DWC ADJUDICATION OFFICE



Administrative Law Judges/Local DWC Adjudication Office (Chief Administrative Law Judges are Noted by an Asterisk)

<ul style="list-style-type: none"> ■ CAPE GIRARDEAU Amy Young Carl Strange* Maureen Byrne 	<ul style="list-style-type: none"> ■ JEFFERSON CITY Bruce Farmer Hannelore Fischer* Melodie Powell 	<ul style="list-style-type: none"> ■ JOPLIN Karen Fisher 	<ul style="list-style-type: none"> ■ KANSAS CITY Angela Heffner Emily Fowler Kenneth Cain Lawrence Rebman Lisa Pottenger Mark Siedlik*
<ul style="list-style-type: none"> ■ ST. LOUIS Gina Mitten Jason Tilley John Ottenad Joseph Denigan Joseph Keaveny Karla Boresi Kathleen Hart Lee Schaefer Suzette Flowers 	<ul style="list-style-type: none"> ■ ST. CHARLES Edwin Kohner 	<ul style="list-style-type: none"> ■ SPRINGFIELD Kevin Elmer Kevin Thomas 	
	<ul style="list-style-type: none"> □ ST. JOSEPH Ryan Asbridge 		

DOCKET SETTINGS

<i>Local Office</i>	<i>Conferences</i>	<i>Dismissals</i>	<i>Mediations</i>	<i>Prehearings</i>	<i>Hardship Hearings</i>	<i>Final Hearings</i>	<i>Total</i>
Cape Girardeau	807	100	971	4,076	9	26	5,989
Jefferson City	1,163	194	710	1,910	7	29	4,013
Joplin	238	24	227	745	0	10	1,244
Kansas City	845	1,437	1,590	729	80	228	4,909
Springfield	760	113	670	2,136	21	44	3,744
St. Charles	396	277	1,129	3,091	5	24	4,926
St. Joseph	335	83	17	398	0	1	834
St. Louis	1,650	1,695	4,071	15,659	2	100	23,177
Grand Total	6,194	3,923	9,385	28,744	124	466	48,836

BENEFITS ADMINISTRATION UNIT

The Benefits Administration Unit is responsible for tasks associated with the Second Injury Fund, Medical Fee Disputes, the Line of Duty Compensation Fund, Religious Exceptions and the Tort Victims' Compensation Fund.

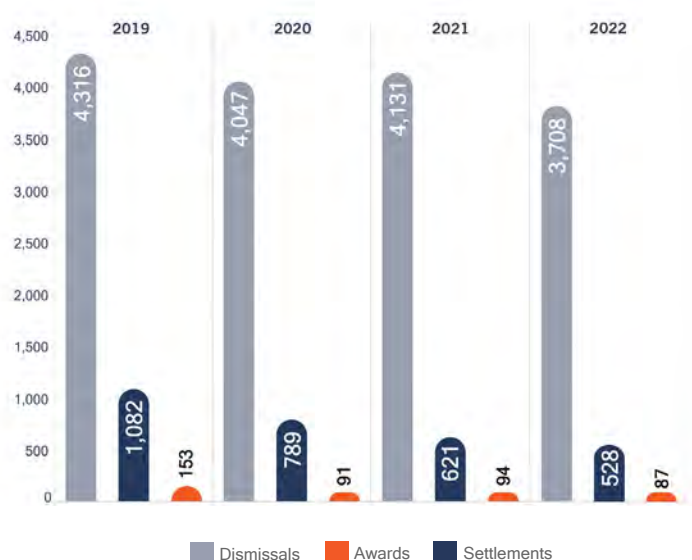
SECOND INJURY FUND

The Second Injury Fund (SIF) liability is set forth in §287.220, RSMo. When the SIF statute is applicable, the employer is liable only for the amount of disability caused by the employee's current or last injury, and the SIF is liable for the amount of the increase in disability caused by the synergistic effect of the two injuries. As a result, the SIF provides the employers with protection in hiring an employee who has a preexisting disability. For Claims filed for injuries after January 1, 2014 (or post-2014 injury), the employee has to prove that a qualifying preexisting disability, combined with the disability from the primary injury, results in permanent total disability. Claims for Compensation filed against the SIF are resolved by dismissal, settlement, or issuance of an award. All awards issued by ALJs are issued after a hearing and may determine whether the claimant is eligible for SIF benefits under the statute or is not eligible for SIF benefits based on the evidence presented at the hearing. All awards are subject to appeal as provided by law. As of December 31, 2022, there were 11,834 open SIF claims pending before the Division. Section §287.715 provides for the collection of an annual surcharge not to exceed three percent from every authorized self-insurer and every workers' compensation policyholder insured in Missouri. To address the solvency issues facing the SIF, §287.715.6 authorizes the Division Director to collect a supplemental SIF surcharge not to exceed three percent for calendar years 2014 to 2022. For calendar year 2023 the supplemental surcharge is not to exceed two and one-half percent.

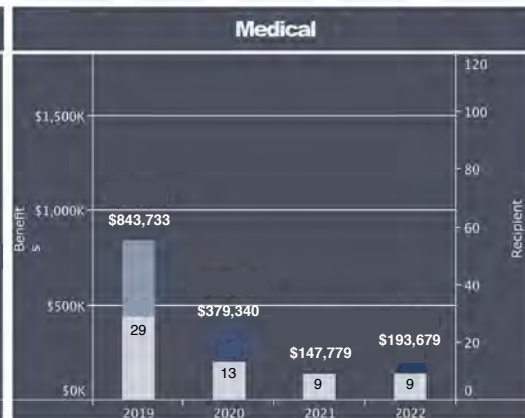
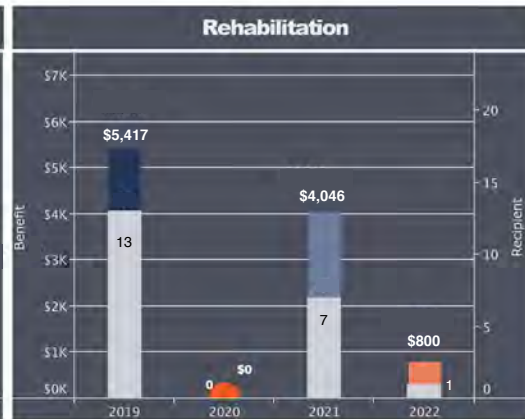
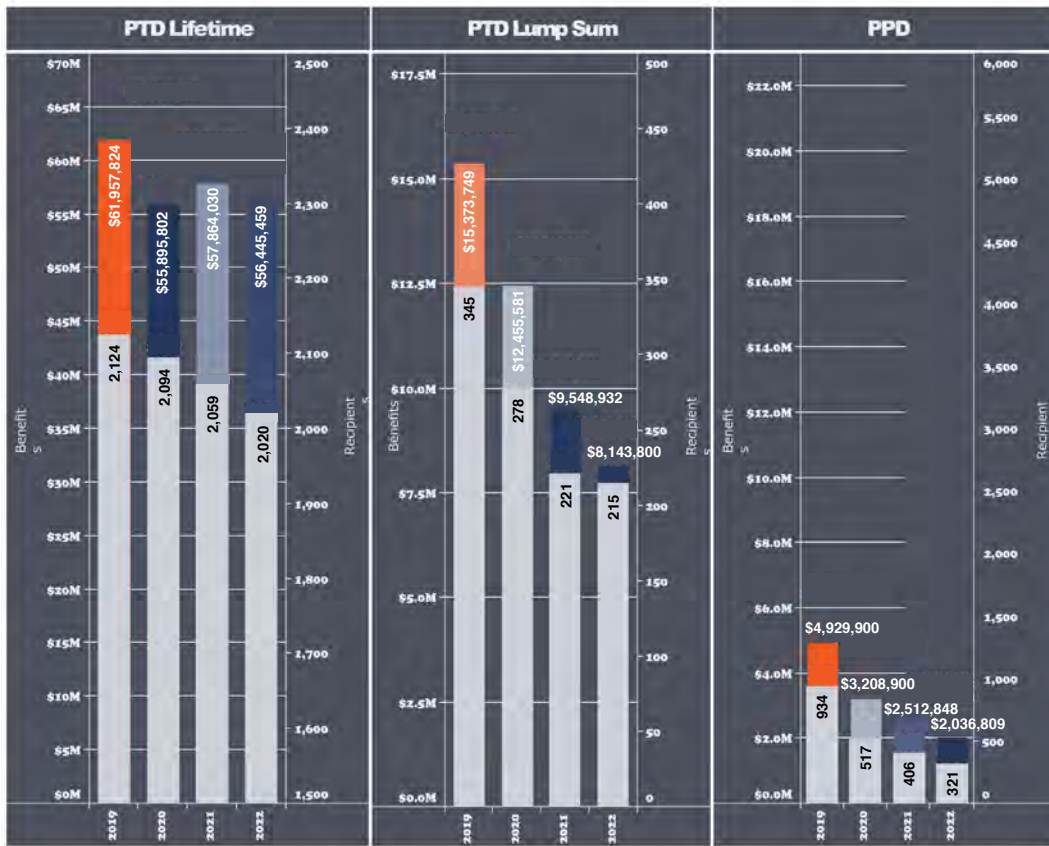
SECOND INJURY FUND CLAIMS FOR COMPENSATION FILED



SECOND INJURY FUND RESOLUTIONS



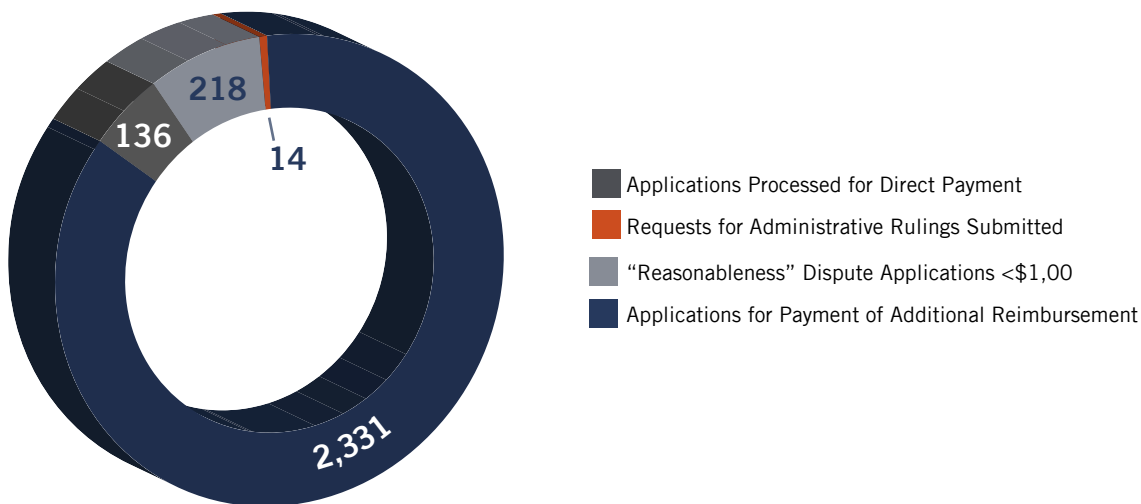
The charts below depict the aggregated payments made by benefit type and the number of recipients receiving said benefits, by calendar year.



MEDICAL FEE DISPUTE

The Medical Fee Dispute Program allows health care providers to file an application for reimbursement of disputed and outstanding charges and fees relating to treatment and services provided to injured employees. In 2022, the Unit processed 136 applications for direct payment and 2,331 applications for payment of additional reimbursement. The Medical Fee Dispute Program received 218 applications for “reasonableness” disputes under \$1,000 in 2022. Requests for an Administrative Ruling were submitted in 14 cases.

MFD DOCUMENTS PROCESSED



LINE OF DUTY COMPENSATION FUND

The Line of Duty Compensation Act provides for benefits, separate and apart from workers’ compensation death benefits, paid from the Line of Duty Compensation Fund to the survivors of certain individuals who are killed in the line of duty. These individuals include air ambulance pilots, air ambulance registered professional nurses, emergency medical technicians, firefighters, law enforcement officers, and volunteer firefighters. Effective August 28, 2018, the Missouri Legislature expanded the class of individuals who are entitled to line of duty benefits. There were 17 Line of Duty Claims received and 19 Line of Duty awards issued in 2022.

RELIGIOUS EXCEPTION

The Religious Exception Program receives, reviews, and responds to all questions related to granting workers’ compensation exceptions to employers and employees who are members of a recognized religious sect or division (as defined by federal law) who are conscientiously opposed to acceptance of benefits of any public or private insurance in various contexts. In 2022, the Unit received 77 applications for religious exception in which 77 employees working for 31 different qualified employers for a religious exception.

APPLICATIONS



TORT VICTIMS' COMPENSATION FUND

The Tort Victims' Compensation Fund (Fund) compensates people for personal injuries or wrongful death due to the negligence of others. Fund claims typically involve motor vehicle accidents. Compensation is awarded from the Fund where the tort-feasor is uninsured or has policy limits that are inadequate in light of the nature and extent of damages suffered due to the personal injury or wrongful death. Compensation is also allowed if the tort-feasor filed for bankruptcy, is unidentified, and for other reasons provided by law. The maximum award for any one claim is capped at \$300,000.

The payment of claims is determined based on the aggregate value of the awards and the funds available and appropriated. Payments may be issued on a pro rata basis if the aggregate amount of the awards is more than the money appropriated for the Fund. Payments are issued in full if the aggregate amount awarded is less than the money appropriated for the Fund.

In 2021, a large payment from the Johnson & Johnson lawsuit totaling more than \$482 million was deposited in the Fund. The fund balance as of December 31, 2022, was \$276,364,053.70.

CLAIMS FILED DURING THE 2020 ANNUAL CLAIMS PERIOD

There were 85 claims filed during the 2020 annual claims period and awards were issued for 62 claims. The aggregated total of the awarded amounts for the 62 claims was \$13,000,000. However, due to lack of available funds, the awards were not paid until 2022. The Fund balance was sufficient to pay them in full.

CLAIMS FILED DURING THE 2021 ANNUAL CLAIMS PERIOD

There were 455 claims filed during the 2021 annual claims period and awards were issued for 332 claims. The aggregated total of the awarded amounts for the 332 claims was \$72,915,000. The Fund balance was sufficient to pay them in full.

CLAIMS FILED DURING THE 2022 ANNUAL CLAIMS PERIOD

There were over 2,000 claims filed during the 2022 annual claims period. Claims are pending and are under review at this time. Payments will be issued by September 30.

SELF INSURANCE

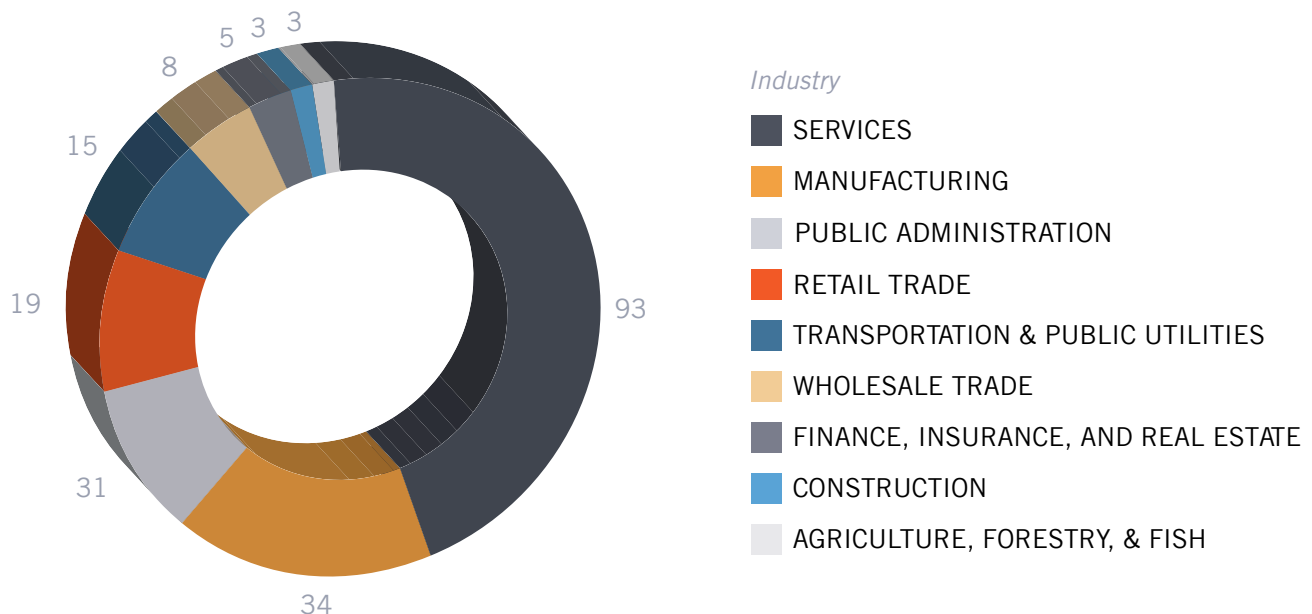
The Division's Self-Insurance Unit is responsible for authorizing and regulating all self-insured employers in Missouri. The Self-Insurance Unit oversees roughly 30% of the workers' compensation insurance market (based on premium) as many employers take advantage of the option to self-insure their obligations. The Unit must ensure that all self-insured employers comply with chapter 287, RSMo, and follow the regulation 8 CSR 50-3.010. The Unit's primary functions consist of evaluating applications to self-insure submitted by employers, providing oversight and assistance to current self-insured entities, ensuring that annual reports are submitted to the Division on time, evaluating security posted, conducting audits to examine management practices for compliance with statutory requirements and the Division's established guidelines, and performing safety audits.

SELF-INSURANCE COUNTS

Individual Self-Insurers	213
Group Trusts	20
Individual Member Employers in Group Trusts	2,538
Covered SI Employees*	701,066
Covered SI Payroll*	\$32,360,070,944

*Numbers provided are based on counts as of January 1 of the indicated year.

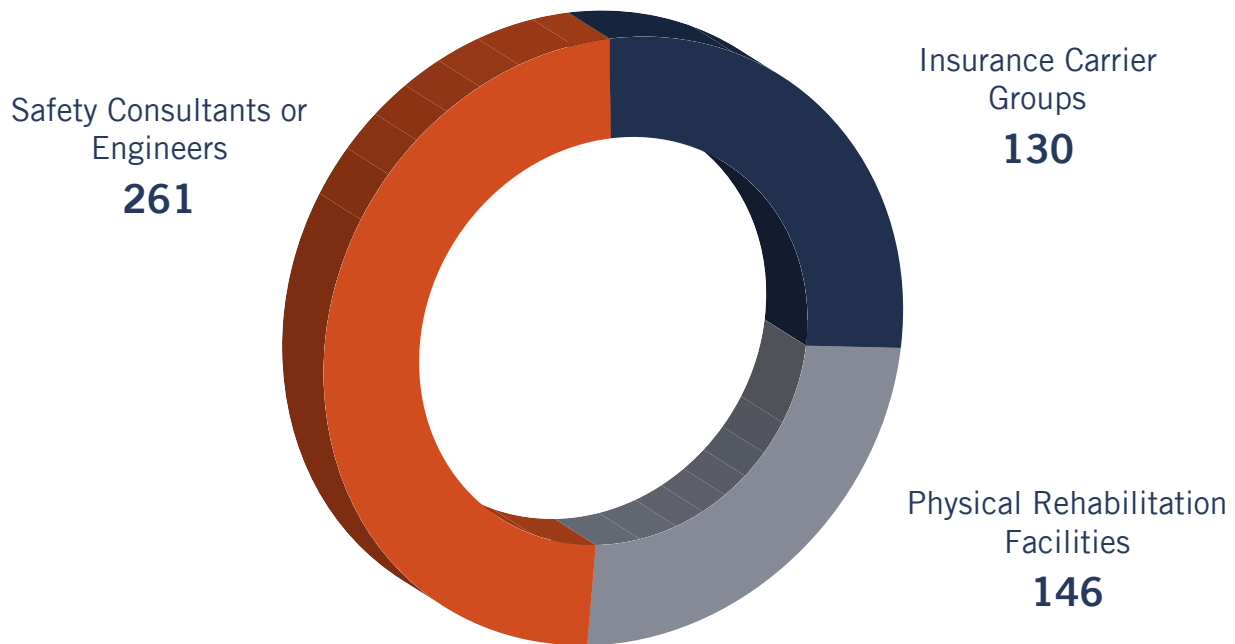
SELF-INSURED BY INDUSTRY



MISSOURI WORKERS' SAFETY PROGRAM (MWSP)

The Missouri Workers' Safety Program was created to help employers improve workplace safety and reduce workers' compensation insurance costs. The Missouri Workers' Safety program offers FREE safety and health services to Missouri businesses. MWSP can answer safety and health questions, survey facilities to help identify hazards and safety violations, review or provide written safety programs, assist in accident investigations, or help develop safety training programs. Workers' Safety also works to ensure that Missouri businesses have access to individualized safety and health resources through their workers' compensation insurance carrier and also maintains a list of certified safety consultants and engineers who can offer independent services.

CERTIFICATIONS COMPLETED



SITE VISITS CONDUCTED

Type	Count
Rehabilitation Facilities	26
Requests for Services	1
Self-Insurance Audits	4
Grand Total	31

FRAUD AND NONCOMPLIANCE

The Fraud and Noncompliance Unit promotes a safe, supportive, fair, and equitable work environment by preserving the integrity of Missouri’s Workers’ Compensation Law. The Unit investigates allegations of fraud and noncompliance pursuant to Missouri’s Workers’ Compensation Laws and provides education and awareness through outreach opportunities and by serving all stakeholders impacted by those laws. The Fraud and Noncompliance Unit investigates a variety of violations including, but not limited to, misclassification of employees, employers failing to insure their liability, failure to report an injured worker, invalid certificates of insurance, fraudulent injury claims, and false information or statements to obtain or deny a benefit. In 2023 the Fraud and Noncompliance Unit will begin taking a more proactive approach to ensure that injured workers’ reports of injury are received by the Division within the 30-day statutory requirement. The primary goal is to ensure that injured workers receive the workers’ compensation benefits they are entitled to in a timely manner. This new process will include monitoring injuring reporting data received by the Division and initially providing resource information to those filing reports of injury outside of the 30-day limit. Those employers or insurers who continue to report injuries outside of statutory limits after being notified of violations will be assessed a penalty or referred to the Attorney General’s Office for prosecution, which could affect their ability to conduct business in Missouri.

INVESTIGATIONS CONDUCTED



PENALTIES RECEIVED*

YEAR	FRAUD	NONCOMPLIANCE	TOTAL
2019	\$1,400.00	\$339,113.83	\$340,513.83
2020	\$7,985.85	\$312,743.77	\$320,729.62
2021	\$55,490.81	\$213,356.33	\$268,847.14
2022	\$98,660.09	\$238,530.69	\$337,190.78

*Penalties received include those imposed in previous years. Many penalties are paid in monthly installments over several years.

MISSOURI DWC CONTACTS

MISSOURI DIVISION OF WORKERS' COMPENSATION

Central Office

P.O. Box 58
Jefferson City, MO 65102-0058
Internet Home Page: www.labor.mo.gov/dwc
Toll Free Information Line: (800) 775-2667

Missouri Department of Commerce and Insurance (DCI)

Property and Casualty Section
P.O. Box 690
Jefferson City, MO 65102-0690
573-751-3365 or 800-726-7390
Internet Home Page: www.insurance.mo.gov

National Council on Compensation Insurance (NCCI)

901 Peninsula Corporate Circle
Boca Raton, FL 33487-1362
Customer Service: 800-622-4123
Internet Home Page: www.ncci.com

Box Account Set-up

(800) 775-2667

Dispute Management

(800)-775-2667

Fraud and Noncompliance

(800) 592-6003

Case Management

(800) 775-2667

Line of Duty

573-522-6960

Medical Fee Dispute

573-751-7268

Physical Rehabilitation Benefits

573-522-6960

Physical Rehabilitation Facility Certification

573-526-4945

Records Requests

(800) 775-2667

Religious Exception

573-522-6960

Self-Insurance

573-526-3692

Second Injury Fund Benefits

573-526-3876

Second Injury Fund Surcharge

573-526-3543

Tort Victims' Compensation

573-526-2700

Vocational Rehabilitation

573-522-6960

Workers' Safety Program

573-526-5757

MISSOURI DWC CONTACTS

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111 North 7th St., Room 250
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STLDocketing@labor.mo.gov



**DIVISION OF
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Division of Workers' Compensation

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