

SUMMARY AND STATISTICAL HIGHLIGHTS

JANUARY 1, 2016 - DECEMBER 31, 2016

I. MOTIONS/APPEALS/INVENTORY

The Industrial Commission (IC) captured 180,720 issues at the District Hearing Officer (DHO) and Staff Hearing Officer (SHO) levels during calendar year (CY) 2016. The Bureau of Workers' Compensation (BWC) recorded 124,292 new injury, occupational disease, and death claims for state funded and self-insuring employers during 2016. Of these filings, 18,267 (15%) were contested and received by the IC for adjudication.

DHO level issues captured (Allowance and C92) and SHO level issues captured (Appeals, PTD, Recons, VSSR, and Miscellaneous) totaled 125,404 and 55,316, respectively. Commission hearing level Appeals totaled 21,270 while Recons totaled 665. First Level ICON filings, inclusive of .522/.52 filings and appeals to BWC orders, totaled 55,902. Second Level and Above ICON filings, inclusive of appeals to DHO and SHO orders, totaled 55,312.

As of December 31, 2016, the IC ending inventory was 18,083 claims at all adjudicatory levels. This is inclusive of claims being processed in the IC medical sections, which totaled 319.

II. ADJUDICATORY ACTIVITY

The IC made approximately 202,799 decisions on issues arising from workers' compensation claims. These decisions incorporate administrative reviews (issues that do not initially require formal adjudication via hearing). The IC heard a total of 123,579 claims during CY 2016 at all adjudicatory levels. The total DHO volume accounts for 70 percent of overall hearing activity at 86,605 claims heard. Total SHO claims heard are recorded at 36,699 claims. Deputy venue claims heard totaled 90 in CY 2016 while the Commission venue recorded 185 claims heard.

DHO and SHO hearings were conducted on 249 days during CY 2016 at an average of 495 claims heard per day. DHO hearings averaged 348 claims heard per day while SHO hearings averaged 147 claims heard per day. Commission level hearings were scheduled on 56 days during CY 2016.

During CY 2016, self-insuring (SI) risks accounted for 28 percent of all claims heard while non-SI risks accounted for 72 percent of all claims heard.

III. MEDICAL ACTIVITY

The IC currently schedules medical exams in seven districts – Akron, Cincinnati, Cleveland, Columbus, Dayton, Toledo, and Youngstown. A total of 2,151 specialist exams and medical reviews were performed on behalf of the IC during CY 2016. The majority of these exams (99%) were related to PTD fillings.

IV. ADMINISTRATIVE PERFORMANCE

District Hearing Officers heard a total of 68,187 Allowance docket claims during CY 2016. The statewide median for the 45-day Filing to Hearing mandate is 33 days, while the statewide median for the seven-day Hearing to Mailing mandate is three days.

IV. PERFORMANCE

District Hearing Officers heard a total of 71,673 Allowance docket claims during CY 2015. The statewide median for the 45-day *Filing to Hearing* mandate is 32 days, while the statewide median for the seven-day *Hearing to Mailing* mandate is 3 days.

Of the qualifying CY 2015 Allowance docket claims heard, 7,834, or 14 percent were beyond the 45-day *Filing to Hearing* mandate on industry performance.

Staff Hearing Officers heard a total of 32,243 Appeal docket claims during CY 2015. The statewide median for the 45-day *Filing to Hearing* mandate is 33 days, and the statewide median for the seven-day *Hearing to Mailing* mandate is 3 days.

A total of 1,495 PTD claims were heard during CY 2015. PTD applications were adjudicated within an average of 169 days during CY 2015. This reflects a three day decrease from CY 2014. Statewide, final orders were published within five days of the hearing during CY 2015.

Ohio Revised Code 4123.511 (E) requires the issuance of a refusal order within 14 days of the expiration of the period in which an appeal may be filed to an SHO order. Collectively, IC refusal orders were issued in an average of six days for the respective 14-day statutory period.

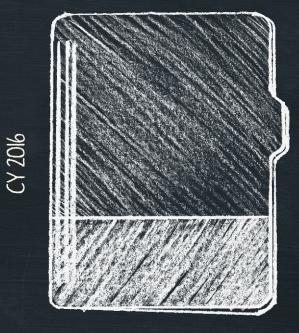
For hearings conducted during CY 2015, the combined venue Commission and Deputy average for the period *Filing of Appeal to Hearing Date* is 46 days. This is a one-day increase from the 2014 average of 45 days. The combined venue average for the seven-day *Hearing to Mailing* mandate is 39 days. This is a 12-day decrease from the CY 2014 average of 51 days. The combined venue average for the *Filing of Appeal to Mailing of Order* is 84 days, a 12-day decrease from CY 2014 rate of 96 days.

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HEARING INVENTORY <

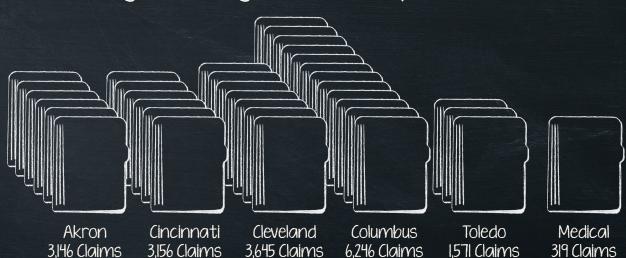
180,720 New Hearing Issues Processed



125,404 DHO Issues

55,316 SHO Issues

Ending Hearing Inventory: 18,083 Claims



Industrial Commission (IC) workloads and performance are initiated by, and heavily dependent upon the volume of new motion and appeal filings. IC inventory volume is volatile depending on claim flows from the Bureau of Workers' Compensation (BWC), appeal filings, examiner production, docketing volume, and hearing continuances.

BWC NEW CLAIMS FILED

The BWC recorded 124,292 new injury, occupational disease, and death claims during calendar year (CY) 2016. Approximately, 23,540 (19%) of said filings were for self-insuring employers.

APPROXIMATE BREAKDOWN OF CLAIM FILINGS BY RISK TYPE

RISK TYPE	DEATH	LOST TIME	MEDICAL ONLY	OCCUPATIONAL DISEASE	TOTAL
Self-Insured (SI)	83	3,895	19,463	99	23,540
Non-SI	218	4,173	95,947	414	100,752
TOTAL	301	8,068	115,410	513	124,292

Source: BWC Data Warehouse

Approximately 15 percent of all new claims filed were contested in whole or part and forwarded to the IC for adjudication. Original allowance and death allowance issues were captured for 18,267 claims during CY 2016. A majority resulted in Allowance docket hearings.

IC NEW MOTIONS AND APPEALS FILED

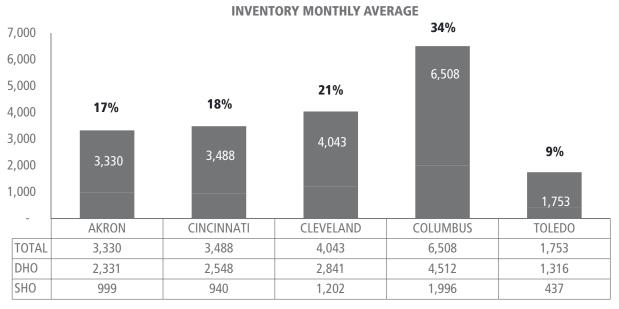
A total of 124,284 new first level motions and appeals were filed during CY 2016 for 79,216 separate claims. A number of claims have multiple issues per motion; however, not all motions or appeals will result in a hearing. Approximately 180,720 issues were captured at the first and second adjudicatory levels during CY 2016. First level ICON filings for CY 2016, inclusive of .522/.52 filings (Requests for Relief) and appeals to BWC orders totaled 55,902. Second level and above filings, inclusive of appeals to District Hearing Officer (DHO) and Staff Hearing Officer (SHO) orders, totaled 55,312. During CY 2016, commission level appeals and reconsiderations filed totaled 21,270 and 665, respectively. Issues tracked for DHO and SHO motion and appeal filings by docket type are itemized as follows:

DHO AND SHO MOTION AND APPEAL FILINGS BY DOCKET TYPE

LEVEL	DOCKET TYPE	VOLUME	PERCENT OF TOTAL*
DHO	ALLOWANCE	105,401	58%
DHO	C92	20,003	11%
	APPEAL	47,267	26%
	MISC	1,513	1%
SHO	PTD	1,599	1%
	RECON	4,346	2%
	VSSR	591	<1%
STATEWIDE TOTAL		180,720	

AVERAGE ENDING INVENTORY

Statewide average monthly DHO and SHO inventory was 19,122 claims for CY 2016.

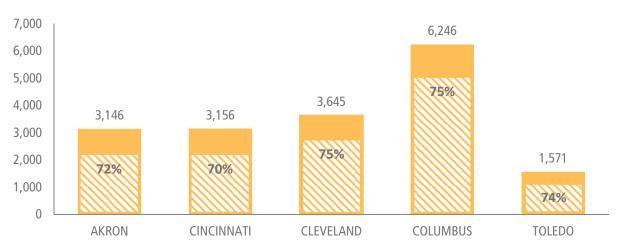


[%] Percentages are regional breakdown of statewide total

HEARING INVENTORY

As of December 31, 2016, the IC maintained a pre-hearing inventory of 13,049 claims at DHO and SHO levels, accounting for 73% of total hearing ending inventory. The remainder of the inventory constitutes post-hearing claims awaiting an order or under appeal status. Additional claims on-hand in the pre-screening process are not included in the ending and average inventory figures.

ENDING REGIONAL INVENTORY AS OF DECEMBER 2016



Percentage of inventory in pre-hearing*

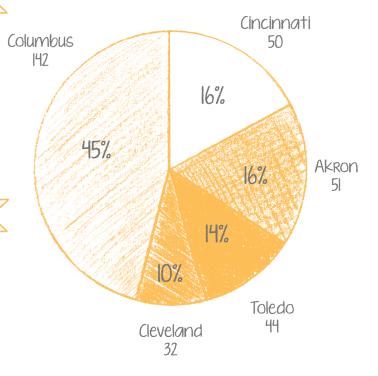
MEDICAL EXAM INVENTORY

The volume of claims within the IC medical section as of December 31, 2016 equaled 319, accounting for two percent of total inventory. The majority of these claims, 99 percent, are processed for PTD related specialist exams. The remaining claims are referred for an exam or medical review of other issues. PTD medical exams are initially scheduled by the Columbus office and are performed in all statewide regions.

TOTAL ENDING INVENTORY

As of December 31, 2016, statewide hearing and medical inventory totaled 18,083 claims at DHO and SHO adjudicatory levels. Commission Level Hearings (384), Court Unit (6,063), Attorney Fee applications (26) inventory volumes, and claims under other administrative review processes are not included in DHO or SHO inventory.

MEDICAL INVENTORY AS OF DECEMBER 31, 2016





ACTIVITY

Total Formal Hearings

DHO LEVEL 86,605 / 70%























SHO LEVEL 36,699 / 30%















COMMISSION 275 / <1%

28%



Claims Heard

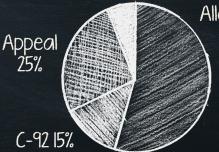
By Risk Type

PES 4% PEC 14% State Insured

State Fund 54%

By Docket Type

Other 5%



Allowance 55%

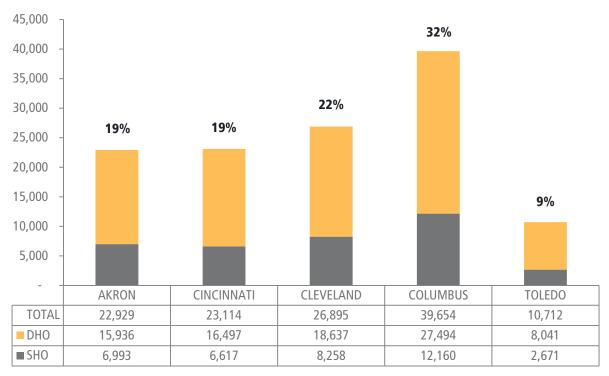
ADMINISTRATIVE REVIEWS

Formal hearings and administrative reviews incorporate the majority of Industrial Commission adjudicatory activity. In CY2016, the IC made approximately 202,799 decisions on issues arising from workers' compensation claims.

During CY2016, the IC performed 79,220 administrative reviews and heard a total of 123,579 claims at all adjudicatory levels. Claims heard include hearings at the DHO, SHO, Deputy, and Commission venues. Administrative reviews incorporate issues that do not initially require formal adjudication via hearing (Hearing Administrator issues, Commission requests, cancellation requests, etc.). These issues receive review and processing at the claims examining, word processing, and hearing officer levels but are not typically reflected in routine production reports under DHO or SHO dockets. These issues may subsequently result in a hearing under the normal adjudicatory process and are reflected accordingly under respective hearing venues.

CLAIMS HEARD

The total DHO hearing volume accounts for 70 percent of the overall hearings during CY2016 at 86,605 claims heard, while the SHO volume is recorded at 36,699 claims heard. Deputy venue hearings totaled 90 in CY2016, while the Commission venue recorded 185 claims heard. Total claims heard, may include continuances, referrals, dismissals, or other final determinations made as a result of a hearing. Formal hearing volumes for CY2016 reflect a four percent decrease from CY2015 totals.

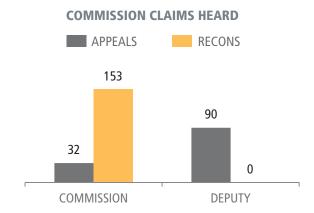


% Percentages are regional breakdown of statewide total

DHO AND SHO TOTAL CLAIMS HEARD

DHO and SHO hearings were conducted on 249 days during CY 2016. A combined average of 495 claims were heard per day at the DHO and SHO levels. District Hearing Officers averaged 348 claims heard per day while Staff Hearing Officers averaged 147 claims heard per day. Commission level hearings were scheduled on 56 days during CY2016.

Commission venue Appeals and Reconsiderations were scheduled at a rate of three claims per hearing day. Deputy venue claims are disseminated from the Commission Level Hearing Section in Columbus and are not docketed in a systematic manner. Thus, the volume of claims heard per day at this level is indeterminate.



CLAIMS HEARD BY DOCKET TYPE

DHO Allowance claims heard account for 55 percent of the statewide total, while DHOC92 claims account for 15 percent. SHO dockets are accounted for as follows: Appeals - 25 percent; Reconsiderations - 3 percent; and PTD - 1 percent. Miscellaneous, VSSR, Deputy, and Commission venue hearings combined for less than one percent of the statewide total.

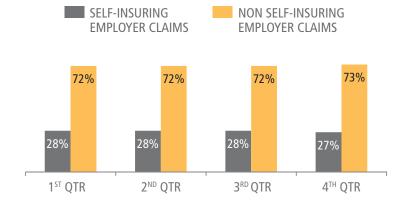
TOTAL CLAIMS HEARD BY DOCKET TYPE

LEVEL	DOCKET TYPE	AKRON	CINCINNATI	CLEVELAND	COLUMBUS	TOLEDO	TOTAL
	ALLOWANCE	12,461	13,378	13,649	22,210	6,489	68,187
DHO	C-92	3,475	3,119	4,988	5,284	1,552	18,418
	DHO TOTAL	15,936	16,497	18,637	27,494	8,041	86,605
	APPEAL	5,835	5,802	6,816	10,092	2,282	30,827
	PTD	255	183	171	577	133	1,319
SHO	RECON	761	527	1,085	1,266	189	3,828
3110	VSSR	22	14	19	26	12	93
	MISC	120	91	167	199	55	632
	SHO TOTAL	6,993	6,617	8,258	12,160	2,671	36,699
	COMMISSION	-	-	-	185	-	185
COM	DEPUTY	13	15	14	43	5	90
	COM TOTAL	13	15	14	228	5	275
REGI	ONAL TOTAL	22,942	23,129	26,909	39,882	10,717	123,579

RISK TYPES

During CY2016, self-insuring (SI) risks accounted for 28 percent of all claims heard while non-SI risks accounted for 72 percent. Statewide, quarterly ratios remained relatively steady throughout the year with slight variations by region.

RISK TYPES PERCENTAGE ANALYSIS



HEARINGS HELD BY EMPLOYER GROUP

TOTAL HEARINGS HELD

LEVEL	DOCKET TYPE	STATE FUND	SELF INSURING	PUB. EMP. (COUNTY)	PUB. EMP. (STATE)	TOTAL
	ALLOWANCE	38,786	18,011	8,609	2,778	68,184
DHO	C-92	9,073	5,036	3,411	898	18,418
	DHO TOTAL	47,859	23,047	12,020	3,676	86,602
	APPEAL	16,332	9,196	3,847	1,453	30,828
	PTD	643	119	119	51	932
SHO	RECON	1,625	1,377	627	199	3,828
3110	VSSR	67	26	0	1	94
	MISC	390	160	60	22	632
	SHO TOTAL	19,057	10,878	4,653	1,726	36,314
	COMMISSION	76	65	22	11	174
COM	DEPUTY	34	45	7	2	88
	COM TOTAL	110	110	29	13	262
EMPL	OYER TOTAL	67,026	35,035	16,702	5,415	123,178

Hearings were conducted for approximately 22,255 different risks during CY 2016. Hearings for claims of private state funded employers accounted for 54 percent of all hearings while SI employers accounted for 28 percent; public county employers accounted for 14 percent; and public state employers' claims accounted for 4 percent.

INTERPRETER AND EMERGENCY HEARINGS

A total of 2,388 hearings were flagged as requiring interpreter services during CY 2016 marking a one percent increase from CY 2015.

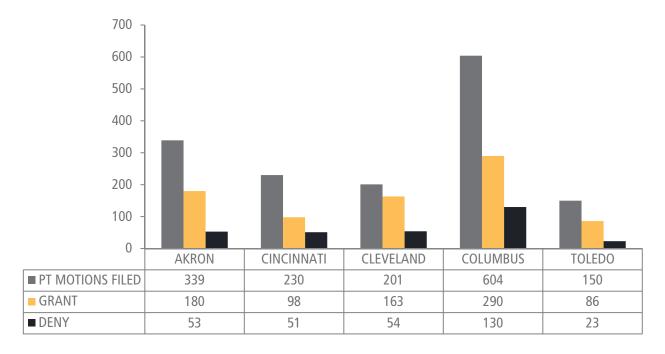
A total of 259 emergency hearings were scheduled during CY2016 - a nine percent decrease from CY 2015. Emergency hearings are scheduled based on designated docket types per IC rule, circumstantial requests by the respective hearing parties, or other justifiable reasons.

REGION	INTERPRETER	EMERGENCY
AKRON	225	27
CINCINNATI	283	41
CLEVELAND	769	12
COLUMBUS	1,015	161
TOLEDO	96	18
STATEWIDE	2,388	259

PERMANENT TOTAL DISABILITY DECISIONS

Permanent Total Disability (PTD) motions filed for CY2016 totaled 1,524. Of those PTD applications that were either granted or denied during CY2016, 72% were rendered PTD grants versus 28% PTD denials. Regionally, the respective grant/deny ratios were as follows: Akron - 77%, 23%; Cincinnati - 66%, 34%; Cleveland - 75%, 25%; Columbus - 69%, 31%; Toledo - 79%, 21%.

Given processing times for PTD applications, there is not always a direct correlation between motion filing and decisions rendered within the same calendar year. Additionally, some PTD applications are withdrawn, dismissed, or otherwise disposed. These totals are not reflected in this report.

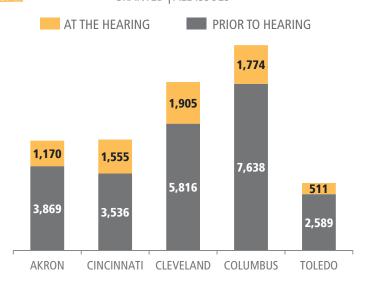


*PT motions filed in a year do not directly correlate to grant/deny regional totals

CONTINUANCES

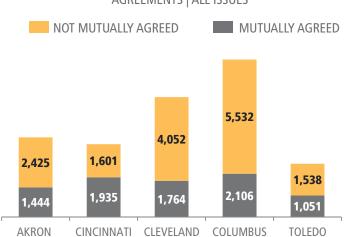
Statewide, the average continuance rates (for all issues) prior to and at hearing are 14 percent and four percent of claims heard respectively for CY 2016. Continuances granted prior to hearing for all issues totaled 23,450 while continuances granted at hearing totaled 6,915.

CONTINUANCES GRANTED | ALL ISSUES



CONTINUANCES PRIOR TO HEARING

AGREEMENTS | ALL ISSUES



Continuances impact inventory backlogs, docketing, and time frames. Mutually agreed continuances prior to hearing are not eligible for time frame consideration. Continuances prior to hearing that are not mutually agreed may remain eligible if the time frames are not waived by the parties at some other point and the issue reaches a subsequent hearing.

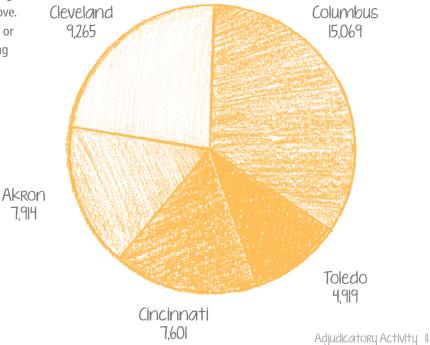
HEARING ADMINISTRATOR DECISIONS

IC Hearing Administrators perform a variety of functions that facilitate the adjudication process. In addition to processing approximately 24,582 continuance requests during CY2016, they also processed 14,919 requests to withdraw motions or appeals and cancel scheduled hearings. Additionally, Hearing Administrators made decisions and performed activities in the following categories during CY2016.

ТҮРЕ	:	AKRON	CINCINNATI	CLEVELAND	COLUMBUS	TOLEDO
DID	LETTERS ISSUED	185	137	127	415	96
PTD	PRE-HEARING	38	32	81	103	7
SUBPOENA	GRANT	110	86	163	109	35
REQUESTS	DENY	43	23	26	83	21
INTERROGATORIES	GRANT	4	1	2	2	2
& DEPOSITIONS	HEARING	0	1	0	6	2
SUSPENSION	GRANT	296	391	258	591	298
REQUESTS	DENY	100	183	169	244	67
.522/.52	GRANT	0	20	5	99	9
REQUESTS	HEARING	74	59	99	75	32
HEARING ADMINISTRATOR TOTALS		850	933	930	1,727	569

Hearing Administrators also processed requests for extensions related to PTD filings and requests regarding other miscellaneous issues that are not presented above. Statewide, Hearing Administrators made decisions on or referred to hearing approximately 44,768 issues during CY2016. Regional proportions of statewide Hearing Administrator activity during CY2016 are as follows: Columbus at 34 percent; Cleveland at 21 percent; Akron at 18 percent; Cincinnati at 17 percent, and Toledo at 11 percent.

MEDICAL INVENTORY AS OF DECEMBER 31, 2016







ACTIVITY

2,151 Performed Medical Exams









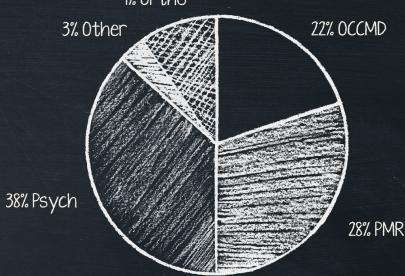




Out of State

Types of Exams

9% Ortho



Of the 2,569 exams scheduled during CY 2016, 16% were either canceled, rescheduled, or the injured worker did not attend the exam.

SPECIALIST EXAMS

A total of 2,569 specialist exams (including medical reviews) were scheduled on behalf of the Industrial Commission during CY 2016. The majority of these exams are related to PTD filings. Scheduling of exams for Injured Workers residing out-of-state is performed through the Columbus office. The Akron office does not maintain an in-house medical exam room.

A total of 2,151 IC exams were performed during CY 2016 with a majority of exams taking place outside IC offices. The CY 2016 exam volume reflects a 19 percent decrease from CY 2015.

SPECIALIST EXAMS PERFORMED BY LOCATION

LOCATION	AKR	CIN	CLE	COL	DAY	TOL	YOU	TOTAL %
OUT OF HOUSE	225	167	238	682	134	203	245	88%
IN HOUSE	0	0	18	70	5	0	45	8%
OUT OF STATE	2	3	3	75	0	5	1	4%
TOTAL	227	170	289	827	139	208	291	
% OF OVERALL TOTAL	11%	8%	13%	38%	6%	10%	14%	

EXAM CANCELLATION RATES

The 2,569 specialist exams scheduled during CY 2016 consisted of 418 exams that were rescheduled, canceled, or the injured worker did not show for the exam. The CY 2016 statewide exam cancellation rate (cancel, no show, reschedule) is 16 percent, up one percentage point from CY 2015.

IC INDEPENDENT EXAMINATIONS

DISTRICT	PERFORMED	CANCELED	RESCHEDULED	NO SHOWS	SCHEDULED	CANCELLATION RATE
AKRON	227	9	17	14	267	15%
CINCINNATI	170	9	12	9	200	15%
CLEVELAND	289	23	21	12	345	16%
COLUMBUS	827	64	86	19	996	17%
DAYTON	139	23	14	6	182	24%
TOLEDO	208	13	23	5	249	16%
YOUNGSTOWN	291	9	20	10	330	12%
STATEWIDE	2,151	150	193	75	2,569	16%





PERFORMANCE

Time Frames

DHO ALLOWANCE: FILING TO MAILING







SHO APPEAL: FILING TO MAILING







COMMISSION APPEAL: FILING TO MAILING



95 DAYS





The benchmark for DHO, SHO, and COM Filing to Mailing timeframes is 52 days: inclusive of the statutory 45 days for Filing to Hearing and 7 days for Hearing to Mailing.

Other statutory and benchmark processes are as follows:

REFUSAL ORDER:

PTD

6 DAYS EXPIRATION TO MAILING

163 DAYS FILING TO MAILING

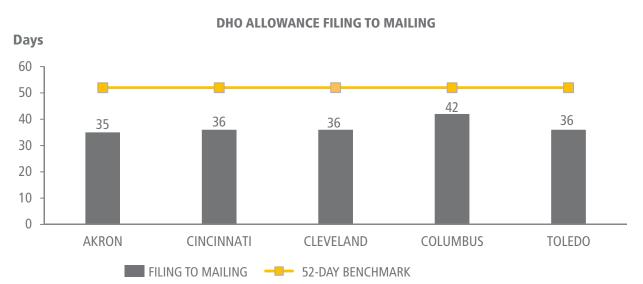


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DISTRICT HEARING OFFICER ALLOWANCE TIME FRAMES

District hearing officers heard a total of 68,187 Allowance docket claims during CY 2016. Of those, 50,768 qualified for inclusion in time studies. **On average, all IC offices performed within the statutory and benchmark limits set forth in RC 4123.511.** The IC benchmark is set at 52 days. This performance measure is based on the entirety of the hearing process and combines the two statutory periods *Filing to Hearing and Hearing to Mailing*, which have statutes of 45 days and 7 days, respectively.



2016 DHO ALLOWANCE AVERAGES

2016 QTR	F-R*	R-H	F-H*	Н-М*	R-M	F-M
1 ST	1	32	34	3	36	37
2 ND	1	29	31	3	34	35
3 RD	1	31	33	3	35	36
4 TH	1	30	33	3	35	37
TOTAL	1	31	33	3	35	36

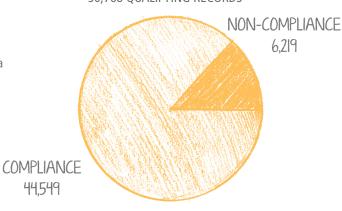
^{*}F-R statute = 7 days; F-H statute = 45 days; H-M statute = 7 days.

NON-COMPLIANT CLAIMS

RC 4123.511(C) dictates that an appeal or motion to a DHO must be heard within a 45-day period. This is inclusive of the statutory 7-day period the BWC has to forward the claim data to the IC.

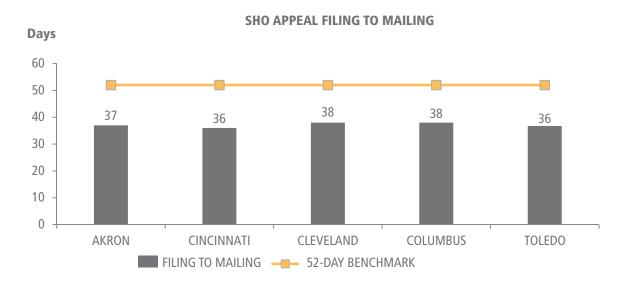
For CY 2016, 6,219 (12%) of the Allowance claims heard were beyond the statutory 45-day Filing to Hearing time frame. This reflects a 21 percent decrease in the volume of non-compliant claims from CY 2015.

DHO ALLOWANCE FILING TO HEARING 50,768 QUALIFYING RECORDS



STAFF HEARING OFFICER APPEAL TIME FRAMES

Staff hearing officers heard a total of 30,827 Appeal docket claims during CY 2016. Of those, 26,689 qualified for inclusion in time studies. On average, all IC offices performed within the statutory and benchmark limits mandated by RC 4123.511.



2016 SHO APPEAL AVERAGES

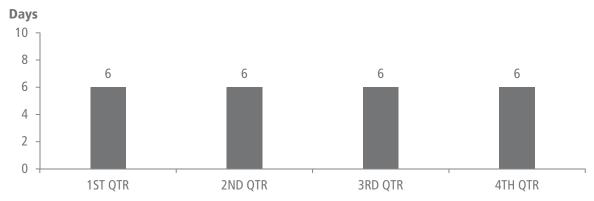
2016 QTR	F-H*	Н-М*	F-M
1 ST	33	3	37
2 ND	32	4	36
3 RD	33	4	37
4 TH	33	4	37
TOTAL	33	4	37

^{*}F-H statute = 45 days; H-M statute = 7 days.

SHO REFUSAL ORDER TIME FRAMES

Appeals to SHO orders are discretionary in nature and processed centrally by the Commission Level Hearing Section in Columbus. Per RC 4123.511, if an appeal is refused, it is to receive a refusal order within 14 days of the expiration date for which an appeal may be filed to an SHO order.

SHO APPEAL ORDER EXPIRATION TO REFUSAL ORDER

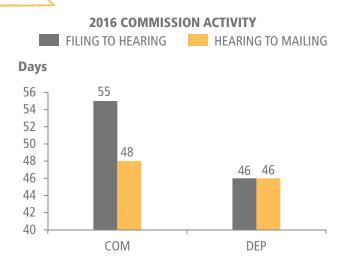


COMMISSION LEVEL TIME FRAMES

For hearings conducted during CY 2016, the combined venue average for the period Filing to Hearing (F-H) of an appeal is non-compliant at 48 days. This is a regression of two days from the CY 2015 average.

The combined venue average for the period Hearing to Mailing (H-M) of an appeal is 47 days. This is a six day regression from the 41 day average during CY 2015.

The combined venue average for the Filing to Mailing (F-M) time frame is 95 days, a nine day regression from the 86 day rate for CY 2015.



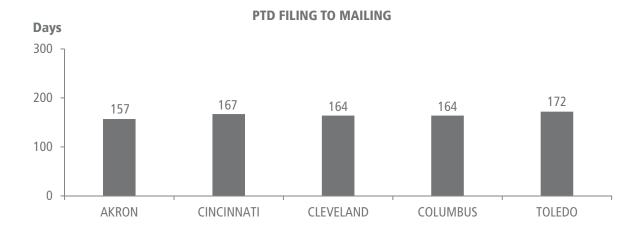
PERMANENT TOTAL DISABILITY TIME FRAMES

A total of 1,319 PTD claims were heard during CY 2016. PTD claims qualifying for inclusion in the time studies equaled 838 (64%). Only those claims in which a decision is final in nature are calculated. Decisions involving a continuance or referral are not used in the calculation of the performance estimate.

During CY 2016, PTD applications were adjudicated within an average of 163 days (less than six months) from the application filing date, a six day improvement from CY 2015.

PTD hearings are typically taken under advisement with a final order published at a later date.

On average, final orders were published within six days of the hearing during CY 2016.



STATISTICAL OVERVIEW

INVENTORY	2015	2016
BWC New Claims Filed	129,246	124,292
IC Motions/Appeals Filed (first level)	131,436	124,284
HEARING ACTIVITY		
Claims Heard	129,347	123,579
DHO Venue	90,719	86,605
SHO Venue	38,306	36,699
COM Venue	322	275
Claims Heard Per Day (DHO/SHO)	527	495
DHO Heard Per Day	370	348
SHO Heard Per Day	157	147
Continuances: Prior to Hearing	22,477	23,449
Continuances: At Hearing	7,415	6,915
MEDICAL ACTIVITY Specialist Examinations Performed	2,662	2,151
specialist Examinations renormed	2,002	2,131
PERFORMANCE		
DHO Allowance Timeframes (F-M)	36 days	36 days
Non-Compliant DHO Claims	7,834	6,219
SHO Appeal Timeframes (F-M)	37 days	37 days
Commission Appeal Timeframes (F-M)	84 days	95 days
Refusal Orders	6 days	6 days

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