

INDUSTRIAL COMMISSION

PRODUCTION ACTIVITY REPORT

2006

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COMPILED BY THE OFFICE OF MANAGEMENT PLANNING

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INVENTORY

The capturing of motion and appeal filings is the trigger for the adjudicatory process. Agency workloads and performance are heavily dependent upon the volumes of filings. IC inventory volume is subject to volatile daily swings dependent on appeal filings, claim receipt flows from the BWC, examiner production in relation to the number of issues involved in a claim, docketing loads, and continuances granted.

The BWC recorded more than 209,000 new injury, occupational disease, and death claims during the 2006 calendar year (CY). Approximately 32,000 (15%) of these filings were for self-insured employers. The breakdown of claims by risk type and claim type is as follows:

BWC New Claims Filed

CLAIM TYPE	DEATH	LOST TIME	MEDICAL ONLY	OCCUPATIONAL DISEASE	TOTAL CLAIMS FILED
SELF-INSURED (SI)	145	9,365	21,356	1,022	31,888
NON-SI	216	7,679	168,516	1,332	177,743
TOTAL	361	17,044	189,872	2,354	209,631

Source: BWC Datawarehouse (unrevised)

On average, 14% of all new claims filed are contested in whole or in part and received in the IC for determination. Original allowance and Death allowance issues were captured for 29,314 claims during calendar year 2006. The majority of these result in an allowance docket hearing.

A total of 252,575 issues were captured during CY 2006. DHO level issues account for 71% of this total. At the SHO level, appeals and recons to DHO level orders account for 91% of all issues captured. It should be noted that a number of claims have multiple issues attached per motion and not all motions or appeals will result in a hearing. CY 2006 First Level **ICON** filings, inclusive of .522/.52 filings and appeals to BWC orders, totaled 51,654 while Second Level and Above filings, inclusive of appeals to DHO and SHO orders, totaled 63,494.

IC Motions/Appeals Filed

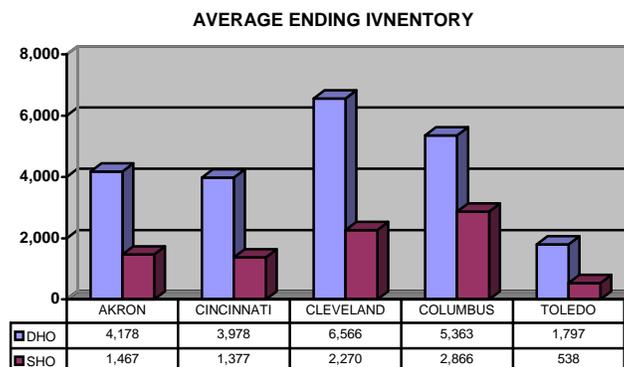
MOTIONS/APPEALS CAPTURED - 2006	DHO ALLOWANCE	DHO C-92	SHO APPEAL	SHO PTD	SHO RECON	SHO VSSR	SHO MISC
VOLUME PER DOCKET TYPE	136,554	42,136	57,222	2,672	9,859	991	3,141
PERCENT OF TOTAL	54%	17%	23%	1%	4%	1%	1%

Appeals and reconsiderations filed at the Commission hearing level total 25,348 and 801, respectively.

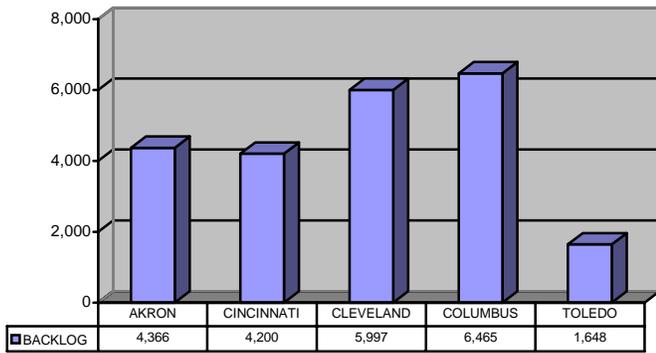
Allowance docket processes account for 49% of IC total inventory and are comprised of issues other than those for original claim allowance. First level DHO issues account for 75% of total inventory while SHO issues account for 25%.

ENDING INVENTORY- DECEMBER 31, 2006	ALLOWANCE	C-92	APPEAL	PTD	RECON	VSSR	MISC
CLAIM VOLUME	14,025	6,196	4,756	1,854	1,725	224	676
PERCENT OF INVENTORY	47%	21%	16%	6%	6%	1%	2%

Statewide average monthly DHO/SHO ending inventory was 30,401 claims for CY 2006. Regional breakdown of inventory as of December 31, 2006 is as follows: Cleveland-29%; Columbus-27%; Akron-19%; Cincinnati-18%; Toledo-8%. Average claim volume increased 386 claims from CY 2005 to CY 2006.



PRE-HEARING INVENTORY - 2006



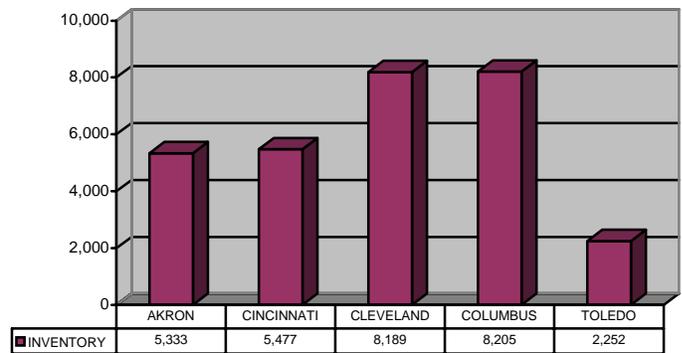
As of December 31, 2006, the IC maintained a pre-hearing inventory level of 22,676 claims. This accounts for 77% of total ending inventory. Regional backlogs as a percentage of respective inventories are as follows: Akron-82%; Cincinnati-77%; Cleveland-73%; Columbus-79%; Toledo-73%. The remainder of the inventory constitutes post-hearing claims awaiting an order or under appeal status. Additional claims under review, in-transit, or in STAGING preparation, outside of normal hearing processes are not included in the ending and average inventory figures. These volumes average approximately 1,200 claims at the end of any given month.

As of December 31, 2006, statewide ending inventory totaled 30,074 claims at all adjudicatory levels (including medical claims). Regional DHO/SHO inventory levels are presented at the right and are exclusive of claims being processed for medical exams or reviews.

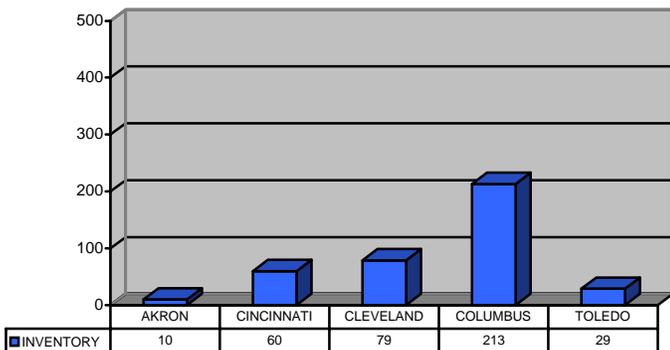
The following volumes of claims being processed in the Commission Hearing Section, Court Unit, and for Attorney Fees are counted by application as those claims are not always physically on hand:

- Commission- 197
- Court Unit- 0
- Attorney Fees- 30

ENDING DHO/SHO INVENTORY - 2006



ENDING MEDICAL INVENTORY - 2006



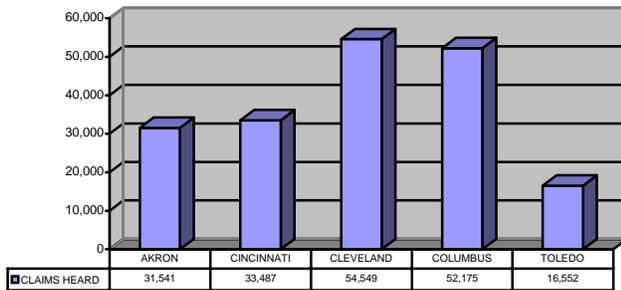
The volume of claims within the IC medical sections as of December 31, 2006 was 391, accounting for approximately 1% of total ending inventory. The majority of these claims (99%) are being processed for PTD related specialist exams. The remaining claims have been referred for an exam or medical review for non-PTD related issues. Scheduling of all initial PTD medical exams is centralized and performed by Claims Management within the Columbus region.

HEARING ACTIVITY

The Industrial Commission heard a total of **188,622** claims during calendar year 2006 at all adjudicatory levels. This is 0.8% lower than the 2005 total of 190,166 claims heard. The total DHO volume accounts for 71% of overall hearings at 133,527 claims heard. Total SHO claims heard are recorded at 54,777 claims. Deputy level claims heard totaled 75 in CY 2006 while the Commission level recorded 243 claims heard.

Approximately 27,448 issues were captured that do not initially require formal adjudication via hearing (lump sum settlements, lump sum advancements, Hearing Administrator issues, PT adjustments, etc.). These issues receive review and processing at the clerical, 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.

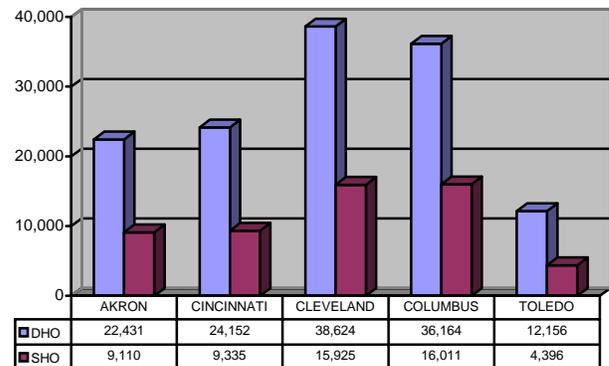
CLAIMS HEARD BY REGION



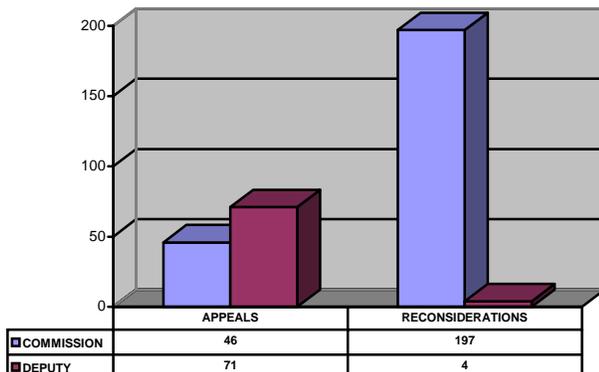
Regionally, the distribution of CY 2006 claims heard at DHO and SHO hearing levels is as follows: Cleveland – 29%; Columbus - 28%; Cincinnati - 18%; Akron - 17%; Toledo-9%. The total claims heard figure is inclusive of continuances, referrals, dismissals, and other final determinations made as result of a hearing.

DHO and SHO hearings were conducted on 245 days during CY 2006. An average of 769 claims were heard per day at the DHO/SHO hearing levels. District Hearing Officers averaged 545 claims heard per day while Staff Hearing Officers averaged 224 claims heard per day.

DHO/SHO CLAIMS HEARD



COMMISSION LEVEL CLAIMS HEARD



Commission level hearings were scheduled on 49 days during CY 2006. Commission venue appeals and recons were scheduled at a rate of 6.5 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 indistinct.

Claims Heard by Docket Type:

DHO Allowance claims heard account for 50% of the statewide total while DHO C92 claims account for 21%. SHO dockets are accounted for as follows: Appeals - 22%; Reconsiderations - 5%; PTD - 2%; MISC - 1%; VSSR - less than 1%. Commission and Deputy venue hearings account for less than 1% of the statewide total.

REGION	AKRON	CINCINNATI	CLEVELAND	COLUMBUS	TOLEDO	TOTAL
DOCKET TYPE						
DHO Allowance	14,474	19,065	24,822	26,791	8,915	94,067
DHO C-92	7,957	5,087	13,802	9,373	3,241	39,460
SHO Appeal	6,143	7,689	11,927	11,974	3,428	41,161
SHO Reconsideration	2,255	754	2,779	2,606	549	8,943
SHO Miscellaneous	217	257	462	360	97	1,393
SHO VSSR	35	38	42	34	25	174
SHO PTD	460	597	715	1,037	297	3,106
Deputy	7	6	16	44	2	75
Commission	n/a	5	4	234	n/a	243
Total	31,548	33,498	54,569	52,453	16,554	188,622

Hearings Held by Employer Group

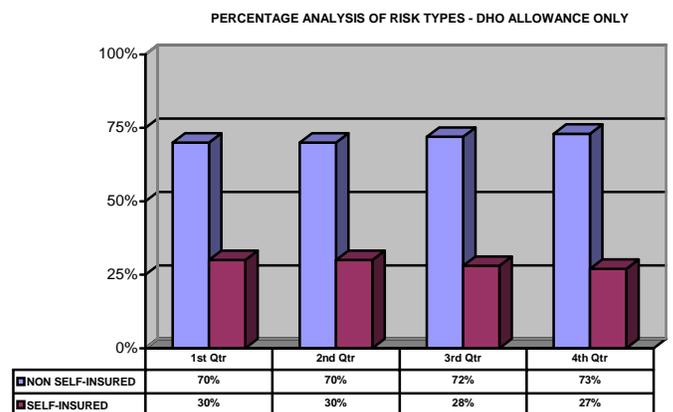
Hearings were conducted for 34,321 different risks during CY 2006. Hearings for claims of private state funded employers accounted for 57% of all hearings while self-insured employers accounted for 29%, public county employers accounted for 10%, and public state employers' claims accounted for 3%.

EMPLOYER TYPE	State Fund	Self-Insured	Pol. Sub (County)	State	Total
DOCKET TYPE					
DHO Allowance	55,137	26,893	8,907	3,153	94,090
DHO C-92	21,897	11,137	5,014	1,417	39,465
SHO Appeal	22,937	13,150	3,581	1,496	41,164
SHO Reconsideration	4,701	3,117	830	296	8,944
SHO Miscellaneous	866	367	129	38	1,400
SHO VSSR	128	38	5	1	172
SHO PTD	1,183	305	142	78	1,708
Deputy	45	23	4	6	78
Commission	105	91	9	15	220
Total	106,999	55,121	18,621	6,500	187,241

There is not a one-to-one relationship between claims heard and hearings held. Some hearings involve more than one claim and/or employer.

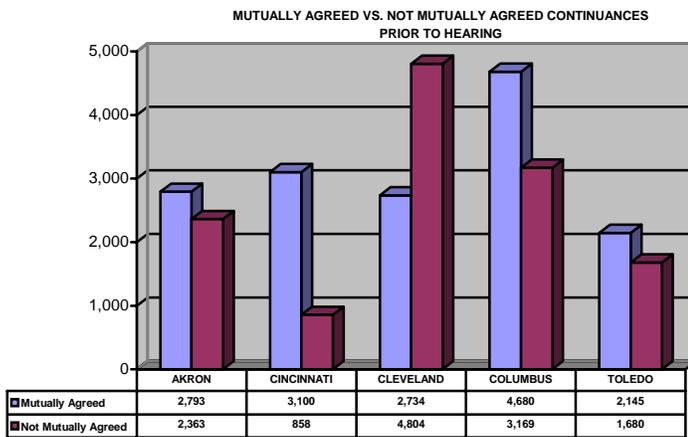
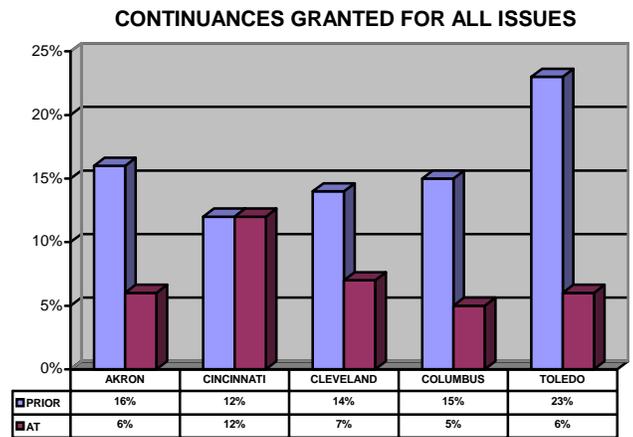
DHO Risk Type Analysis

During CY 2006, 29% of all claims heard on DHO Allowance dockets were for self-insured risks while 71% were for non-SI risks. Statewide, quarterly ratios remained relatively steady throughout the year, but there were slight variations by region.



Continuances

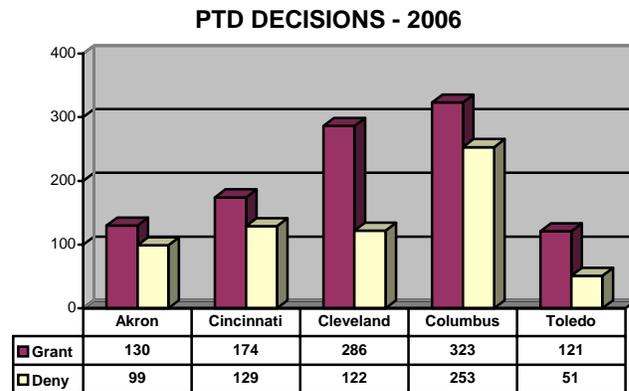
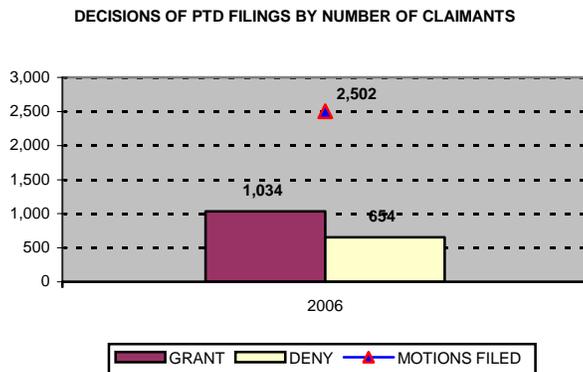
Continuance rates remained relatively steady throughout CY 2006. Continuances granted **prior** to hearing for all issues totaled 28,470 during CY 2006 while continuances granted **at** hearing totaled 13,272. The Toledo region maintained the highest rate for continuances prior to hearing at 23%. The Cincinnati region maintained the highest rate for continuances at hearing registering 12%.



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 to may remain eligible if the time frames are not waived by the parties at some other point and the issue reaches a subsequent hearing.

PTD Decisions

During 2006, 61% of the decisions rendered were PTD Grants versus 39% PTD Denials. Regionally, grant/deny ratios were as follows: Akron:57%-43%; Cincinnati:57%-43%; Cleveland:70%-30%; Columbus:56%-44%; Toledo: 70%-30%.



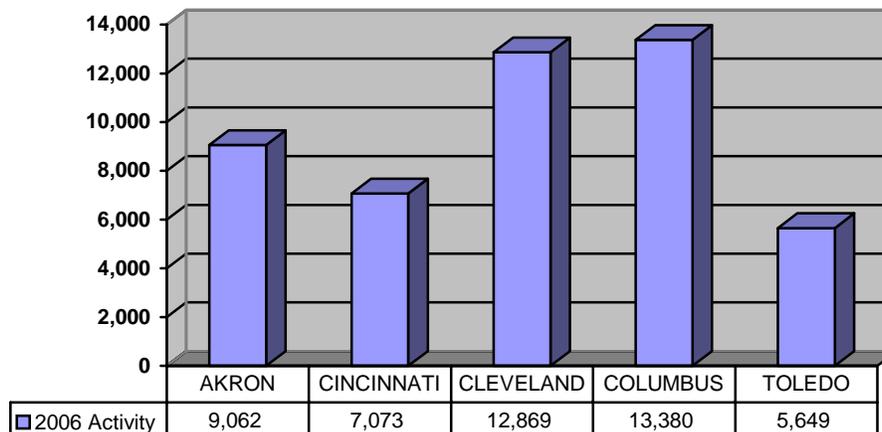
HEARING ADMINISTRATOR

Hearing Administrators perform a variety of functions that facilitate the adjudication process. In addition to processing more than 30,000 continuance requests during CY 2006, they also processed 11,861 requests to withdraw motions or appeals and cancel hearings that may have been scheduled. Additionally, Hearing Administrators made decisions and performed activities in the below categories during CY 2006:

	ISSUE PTD LETTERS	PRE-HEARING CONFERENCES	SUBPOENA REQUESTS			INTERROGATORIES / DEPOSITIONS		SUSPENSION REQUESTS		.522/.52 REQUESTS	
			GRANT	DENY	REFER TO HEARING	GRANT	DENY	GRANT	DENY	GRANT	REFER TO HEARING
AKRON	223	37	104	20	2	3	6	244	48	77	143
CINCINNATI	290	92	58	23	-	8	7	217	102	74	80
CLEVELAND	332	94	208	4	-	19	-	243	48	60	375
COLUMBUS	699	135	107	61	-	13	6	402	163	201	199
TOLEDO	156	1	52	6	2	1	-	135	43	67	15
TOTAL	1,700	359	529	114	4	44	19	1,241	404	479	812

Hearing Administrators also processed requests for extensions related to PTD filings and requests regarding other miscellaneous issues that are not presented in this report. Statewide, Hearing Administrators made decisions on, or referred to hearing, approximately 48,033 issues during CY 2006. Regional volumes of Hearing Administrator activity are presented in the graph below. Regionally, Akron accounted for 19% of all Hearing Administrator activity during CY 2006, Cincinnati accounted for 15%, Cleveland accounted for 27%, Columbus accounted for 28%, and Toledo accounted for 12%.

Hearing Administrator Activity

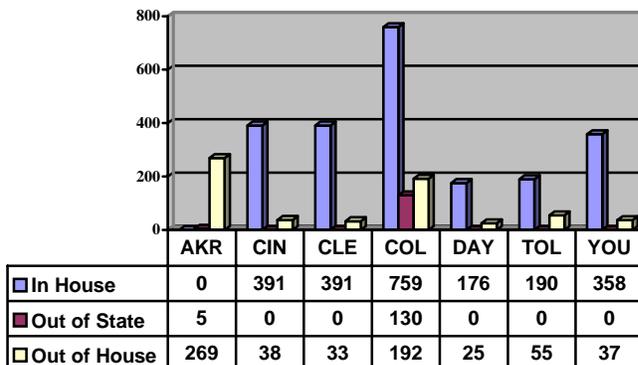


MEDICAL ACTIVITY

MEDICAL SPECIALIST EXAMS

Statewide, a total of 3,049 specialist exams and medical reviews were performed on behalf of the Industrial Commission during CY 2006. The majority of these exams (99%) were related to PTD filings. This is inclusive of in-house, outside, and out of state exams. The Akron region does not currently perform in-house medical exams. Scheduling of exams for claimants residing out of state is performed through the Columbus office. The Columbus region accounted for 35% of the statewide total at 1,081 exams attributed to the region. The Cleveland region accounted for 27%; Akron accounted for 9%; Cincinnati accounted for 21%; Toledo accounted for 8%.

MEDICAL EXAMS PERFORMED

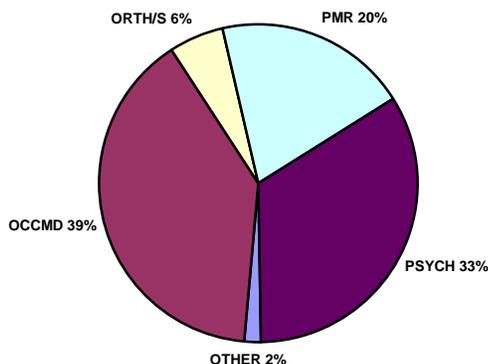


A total of 3,623 exams were scheduled during CY 2006. A total of 574 were rescheduled, canceled, or the injured did not show for the exam. The statewide "cancellation" rate was 4% in CY 2006 marking a decrease of 17% from CY 2005 while the volume of rescheduled exams decreased 47%.

Medical Exams/Reviews Scheduled

DISTRICT	AKRON	CINCINNATI	CLEVELAND	COLUMBUS	DAYTON	TOLEDO	YOUNGSTOWN
Cancellation Rate	8%	6%	6%	2%	4%	1%	6%
Canceled	26	31	35	30	9	2	29
No-Show	12	9	19	63	2	4	7
Rescheduled	19	27	64	93	12	28	53
Performed	274	429	424	1,081	201	245	395
Total Scheduled	331	496	542	1,267	224	279	484

MEDICAL EXAMS PERFORMED (BY EXAM TYPE)



For medical specialist exams performed during 2006, OCCMD specialists account for the largest portion of total exams performed at 39% (1,206 exams). This is followed by PSYCH specialists exams at 33%; PMR specialists exams at 20%; ORTH/ORTH/S specialists exams at 6%; and OTHER specialist types at 2%.

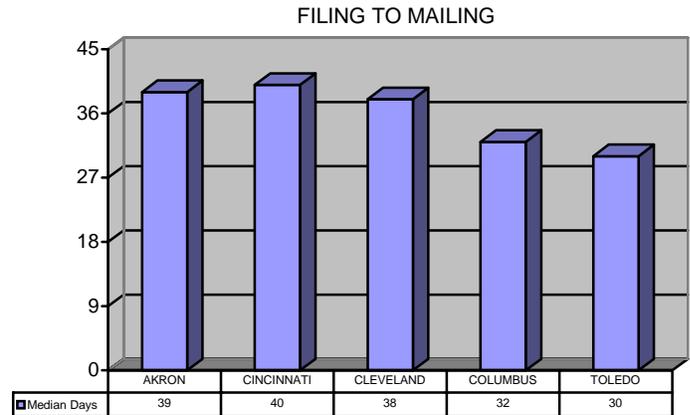
PERFORMANCE

DHO Performance

District hearing officers heard a total of 94,067 allowance claims during CY 2006. Of those, 74,690 qualified for inclusion in time studies. On average, all IC offices performed within the statutory and benchmark limits set forth in HB 107 and HB 413. The IC performance is set at 38 days. This performance measure is based on the difference between the two statutory periods *Filing to Hearing* and *Filing to Receipt* (45 – 7).

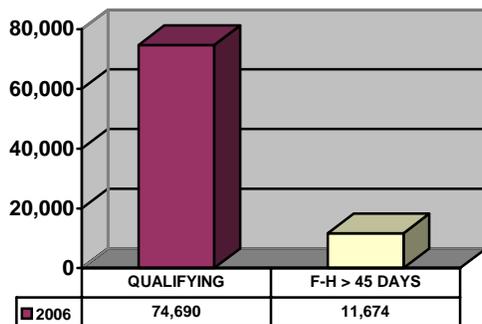
DHO ALLOWANCE MEDIAN DAYS						
2006	F-R	R-H *	F-H	H-M	R-M	F-M
1st QTR	2	27	31	3	30	35
2nd QTR	1	29	33	3	33	36
3rd QTR	1	30	34	3	34	37
4th QTR	1	30	34	3	34	37
Y-T-D	1	29	33	3	33	36

* IC Benchmark- 38 days



Non-Compliant Claims

HB413 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 to the IC.

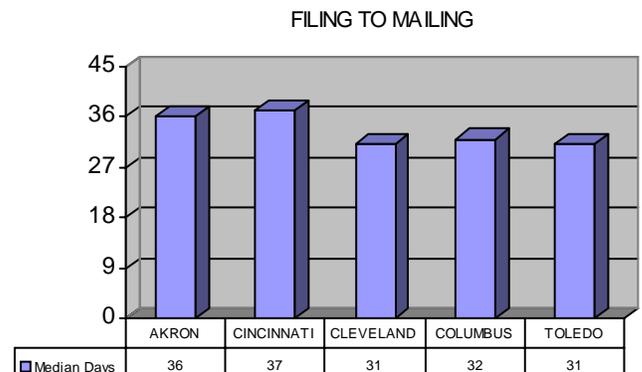


Of the qualifying 2006 Allowance claims heard, 11,674 claims, or 16%, were beyond the statutory 45-day *Filing Date to Hearing Date* time frame. For 2006 there were 7,776 Allowance claims heard, or 10.4%, that were beyond the 38-day *Receipt Date to Hearing Date* benchmark reflecting IC performance. This reflects an 8% decrease in the volume of non-compliant claims with an improvement of approximately one percentage point in the rate of non-compliance compared to 2005 performance.

SHO Performance

Staff hearing officers heard a total of 41,161 appeal claims during CY 2006. Of those, 33,617 qualified for inclusion in time studies. On average, all IC offices performed within the statutory and benchmark limits.

SHO APPEAL MEDIAN DAYS			
2006	F-H	H-M	F-M
1st QTR	29	3	33
2nd QTR	28	3	31
3rd QTR	29	3	33
4th QTR	29	3	33
Y-T-D	29	3	33



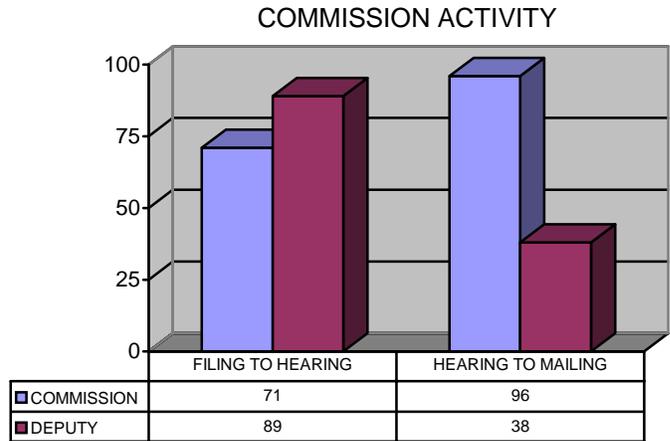
Commission Performance*

For hearings conducted during CY 2006, the combined venue average for the period **Filing of Appeal to Hearing Date** is 80 days. This is a 19-day regression from the CY 2005 average of 61 days.

The combined venue average for the period **Hearing to Mailing Date** is 59 days. This is a regression of 30 days from the CY 2005 average of 29 days.

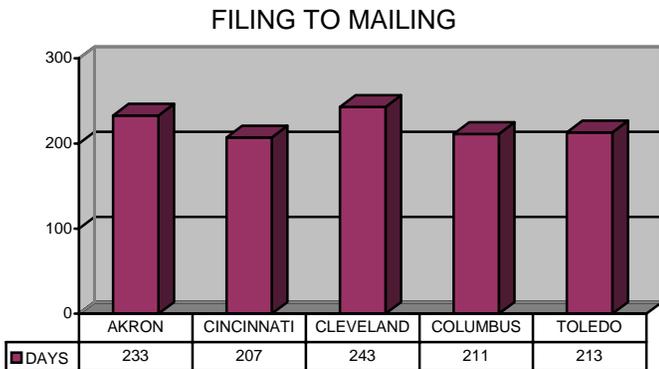
The combined venue average for the **Filing of Appeal to Mailing of Order** time frame is currently 139 days, a 48-day regression from the CY 2005 rate.

*Commission performance data for CY 2006 is only available through November. These figures may fluctuate slightly as December orders are received.



PTD Performance

A total of 3,106 PTD claims were heard during CY 2006. A total of 2,783 qualified for inclusion in the time studies (90%). Only those claims in which a decision is final in nature are tracked. Decisions involving a continuance or referral are not used in the calculation of the performance estimate.



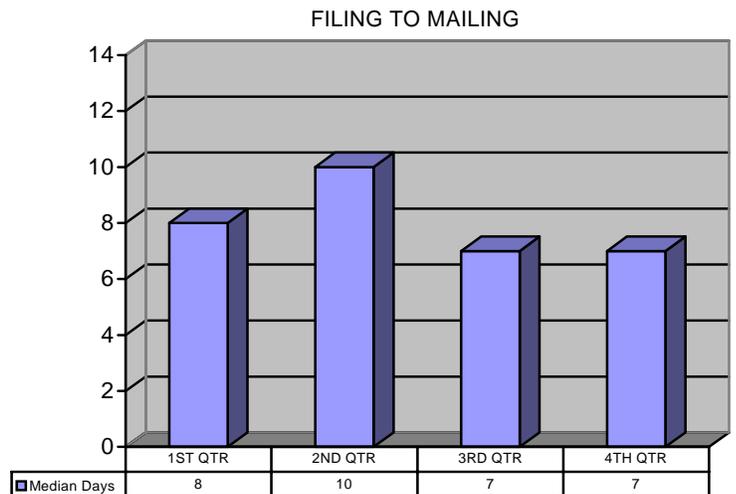
During CY 2005, PTD applications were adjudicated within approximately 196 days of the application filing date. This regressed to 219 days during CY 2006.

PTD hearings are typically taken under advisement with a final order published at a later date. Statewide, final orders were published within 7 days of the hearing during CY 2006.

SHO Refusal Order Performance

Appeals to SHO orders are discretionary in nature and processed centrally by the Commission Level Hearing Section in Columbus. Per mandate, if an appeal is refused, it is to receive a refusal order within 14-days of the appeal filing date.

On average, refusal orders were issued within 8 days of the appeal filing throughout CY 2006. This is improved by one day from CY 2005.

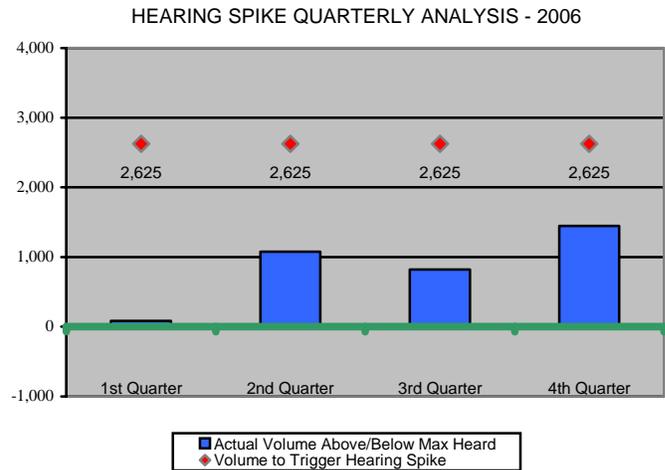


Hearing Spike

The Hearing Spike Analysis is compiled in conformance with the directives set forth in HB413 and IC Resolution 96-1-05. Per this directive, a hearing spike occurs when the volume of claims ready for hearing at the end of any given month exceeds the maximum number of DHO/SHO claims heard in any of the preceding twelve calendar months by fifteen percent. A hearing spike did not occur during CY 2006.

The diagram shown at right presents three key elements:

- **ZERO LEVEL (green line)** – this floor represents the maximum heard total (per the statute) at the end of each respective quarter
- **DIAMOND MARKER (red markers)** – represents the volume of claims above the maximum heard total that would have triggered a hearing spike at the end of each quarter
- **BAR MARKER (blue bars)** – represents the actual volume of *claims ready for hearing* that were above or below the 12-month maximum heard total at the end of the respective quarter



The volume for *Claims Ready for Hearing* at the end of CY 2006 was 18,943 claims. This is 1,446 claims (8%) above the maximum heard total but 1,179 claims below the volume that would result in a hearing spike.