

A hand holding a yellow pencil is shown drawing a bar chart on graph paper. The pencil is positioned over a bar, and the chart consists of several rectangular bars of varying heights, some filled with diagonal hatching. The background is a grid of small squares.

Ohio | Industrial Commission

**PRODUCTION
ACTIVITY REPORT**

Report Compiled by the
Office of Management Planning

2011

PRODUCTION ACTIVITY REPORT SUMMARY AND STATISTICAL HIGHLIGHTS

JANUARY 1 - DECEMBER 31, 2011

I. MOTIONS/APPEALS/INVENTORY

A total of 211,584 issues were captured at the **District Hearing Officer (DHO)** and **Staff Hearing Officer (SHO)** levels for IC determination during calendar year (CY) 2011. The BWC recorded 141,964 new injury, occupational disease, and death claims for state funded and self-insuring employers during 2011. Of these filings, approximately 19,161 (13%) were contested and received in the IC for determination.

DHO level issues captured (Allowance and C92) total 146,643, while SHO level issues (Appeals, PTD, Reconsideration, VSSR, and SHO Miscellaneous) total 64,941. Appeals and reconsiderations filed at the Commission hearing level total 24,449 and 758, respectively. *First Level* ICON filings, inclusive of .522/.52 filings and appeals to BWC orders, totaled 64,032 while *Second Level and Above* ICON filings, inclusive of appeals to DHO and SHO orders, totaled 64,306.

Additionally, during CY 2011 there were approximately 21,973 issues captured that do not initially require formal adjudication via hearing (lump sum settlements, lump sum advancements, Hearing Administrator issues, PTD adjustments, etc.). This reflects a five percent decrease over the volume of non-hearing issues captured in 2010 (23,232). These "administrative review" issues are not typically reflected in scheduled production reports.

As of December 31, 2011, the IC ending inventory was 22,052 claims at all adjudicatory levels. This is inclusive of claims being processed in the IC medical sections, which totaled 589.

II. HEARING ACTIVITY

The IC heard a total of 149,441 claims during CY 2011 at all adjudicatory levels. The total DHO volume accounts for 70% of overall hearings at 103,912 claims heard. Total SHO claims heard are recorded at 45,118 claims. Deputy venue claims heard totaled 130 in CY 2011 while the Commission venue recorded 281 claims heard.

DHO and SHO hearings were conducted on 247 days during CY 2011 at an average of 603 claims heard per day. District Hearing Officers averaged 421 claims heard per day while Staff Hearing Officers averaged 183 claims heard per day. Commission level hearings were scheduled on 81 days during CY 2011.

During CY 2011, 27% of all claims heard were for self-insuring (SI) risks while 73% were for non-SI risks.

III. MEDICAL ACTIVITY

The IC currently schedules medical exams in seven districts - Akron, Cincinnati, Cleveland, Columbus, Dayton, Toledo, and Youngstown. A total of 2,860 specialist exams and medical reviews were performed on behalf of the IC during CY 2011. The majority of these exams (99%) were related to PTD filings.

IV. PERFORMANCE

District Hearing Officers heard a total of 79,577 Allowance docket claims during CY 2011. The statewide median for the 45-day *Filing to Hearing* mandate is **36 days**. The statewide median for the 38-day *Receipt to Hearing* benchmark is **33 days**, while the statewide median for the seven-day *Hearing to Mailing* mandate is **2 days**.

Of the qualifying CY 2010 Allowance claims heard, 8,855 claims, or 14%, were beyond the 45-day *Filing to Hearing* mandate on industry performance. Of the qualifying 2011 Allowance claims heard, 5,870 claims, or nine percent, were beyond the 38-day *Receipt Date to Hearing Date* benchmark reflecting IC performance. This reflects an 11% increase in the volume of non-compliant claims with a regression of approximately two percentage points in the rate of non-compliance compared to 2010 performance.

Staff Hearing Officers heard a total of 36,708 Appeal docket claims during CY 2011. The statewide median for the 45-day *Filing to Hearing* mandate is **34 days**, while the statewide median for the seven-day *Hearing to Mailing* mandate is **2 days**.

A total of 2,182 PTD claims were heard during CY 2011. PTD applications were adjudicated within approximately **172 days**. This reflects an eight-day improvement from CY 2010. Statewide, final orders were published within **4 days** of the hearing during CY 2011.

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 seven days for the respective 14-day statutory period.

For hearings conducted during CY 2011, the combined venue Commission and Deputy average for the period *Filing of Appeal to Hearing Date* is **47 days**. This is a 30-day improvement from the 2010 average of 77 days. The combined venue average for the seven-day *Hearing to Mailing* mandate is **42 days**. This is a regression of three days from the CY 2010 average of 39 days. The combined venue average for the *Filing of Appeal to Mailing of Order* is **90 days**, a 25-day improvement from the CY 2010 rate.

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INVENTORY

Section I: Production Activity Report

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 subject to volatile daily swings dependent on appeal filing, claim flows from the Bureau of Workers' Compensation (BWC), examiner production in relation to the number of issues involved in a claim, docketing loads, and continuances granted.

The BWC recorded approximately 141,964 new injury, occupational disease, and death claims during the 2011 calendar year (CY). Approximately 25,434 (18%) of these filings were for self-insured employers. The estimated breakdown of claim volumes by risk type and claim type is as follows:

BWC New Claims Filed

| CLAIM TYPE | DEATH | LOST TIME | MEDICAL ONLY | OCCUPATIONAL DISEASE | NEW FILINGS TOTAL |
|-------------------|-------|-----------|--------------|----------------------|-------------------|
| SELF-INSURED (SI) | 92 | 5,231 | 19,867 | 244 | 25,434 |
| NON-SI | 219 | 3,846 | 111,577 | 888 | 116,530 |
| TOTAL | 311 | 9,077 | 131,444 | 1,132 | 141,964 |

On average, 13% of all new claims filed are contested in whole or in part and forwarded to the IC for determination. Original allowance and Death allowance issues were captured for 19,161 claims during calendar year 2011. The majority of these resulted in an Allowance docket hearing.

IC New Motions and Appeals Filed

Approximately 146,366 new first level motions and appeals were filed during CY 2011 for 97,057 separate claims. A number of claims have multiple issues attached per motion and not all motions or appeals will result in a hearing. Approximately 211,584 issues were captured at the first and second levels during CY 2011, reflecting a two percent decrease from CY 2010. District Hearing Officer (DHO) level issues account for 69% of this total. CY 2011 First level ICON filings, inclusive of .522/.52 filings and appeals to BWC orders, totaled 64,032 while Second Level and above filings, inclusive of appeals to DHO and Staff Hearing Officer (SHO) orders, totaled 64,306.

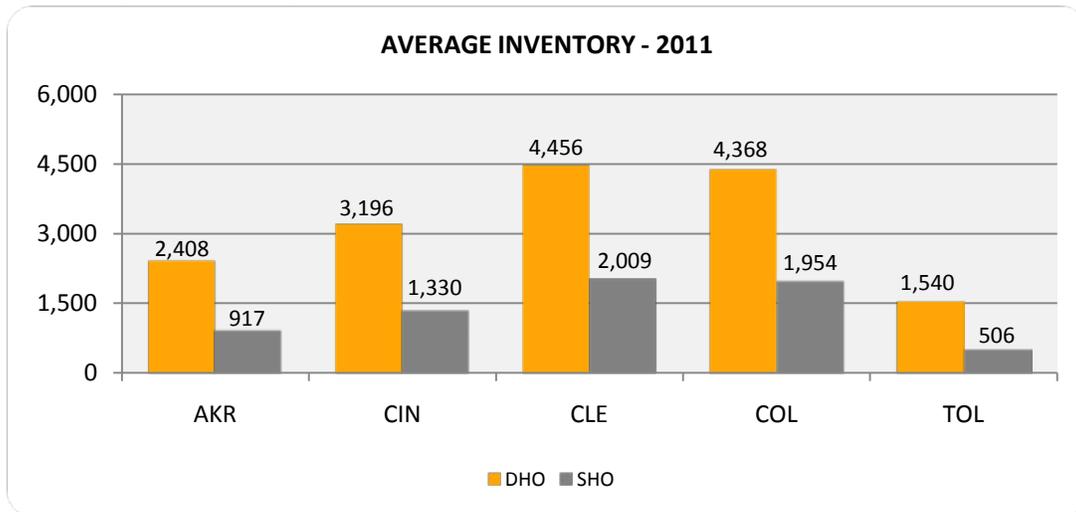
The docket type distribution of DHO and SHO motion and appeal filings is as follows:

| ISSUES CAPTURED - 2011 | VOLUME PER DOCKET TYPE | PERCENT OF TOTAL |
|------------------------|------------------------|------------------|
| DHO ALLOWANCE | 120,137 | 57% |
| DHO C-92 | 26,506 | 13% |
| SHO APPEAL | 54,492 | 26% |
| SHO PTD | 2,091 | 1% |
| SHO RECON | 5,873 | 3% |
| SHO VSSR | 620 | <1% |
| SHO MISC | 1,865 | 1% |

Commission level appeals and reconsiderations filed totaled 24,449 and 758, respectively for CY 2011.

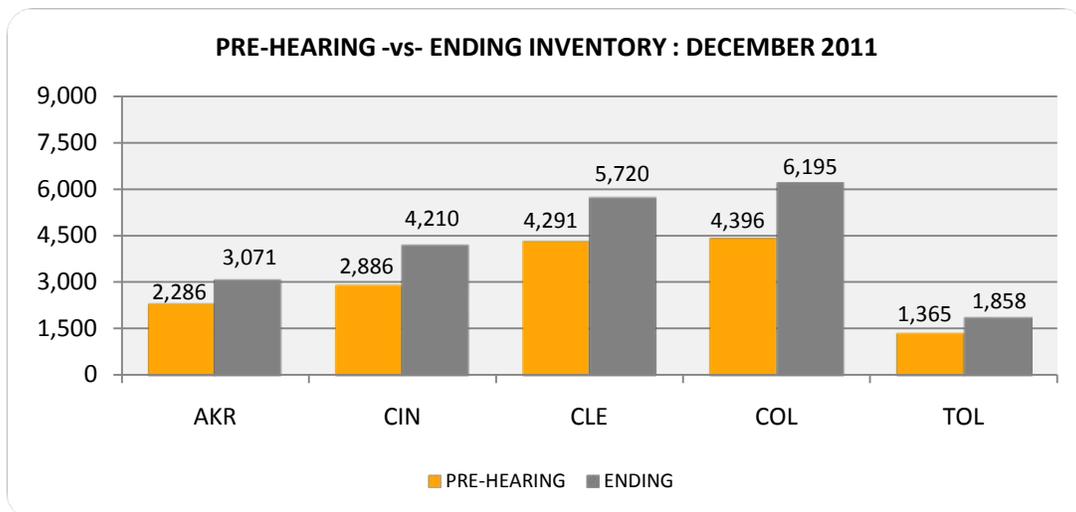
Average Ending Inventory – 2011

Statewide average monthly DHO and SHO inventory was 22,684 claims for CY 2011. Regional breakdown of average inventories for CY 2011 is as follows: Cleveland – 29%; Columbus – 28%; Cincinnati – 20%; Akron – 15%; Toledo – 9%.



Hearing Inventory – 2011

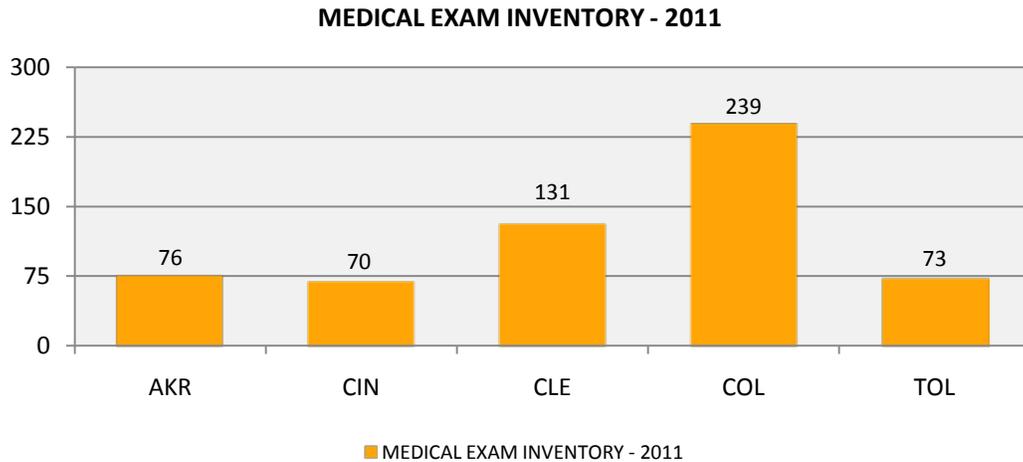
As of December 2011, the IC maintained a pre-hearing inventory of 15,224 claims at DHO and SHO levels accounting for 72 percent of total ending inventory. The remainder of the inventory constitutes post-hearing claims awaiting an order or under appeal status. Additional claims on hand outside of normal hearing processes are not included in the ending and average inventory figures. These un-posted volumes average approximately 373 claims at the end of any given month.



Regional DHO and SHO inventory levels presented above are exclusive of medical inventory.

Medical Exam Inventory – 2011

The volume of claims within the IC medical section as of December 31, 2011, was 589, accounting for approximately three percent of total inventory.



The majority of these claims (99 percent) are processed for PTD related specialist claims. The remaining claims are referred for an exam or medical review of non-PTD related issues. PTD medical exams are performed in all statewide regions with the initial scheduling process centralized in the Columbus office.

As of December 31, 2011, statewide inventory totaled 22,052 claims at all adjudicatory levels (including medical claims). The volumes of claims being processed for Commission venue hearings (398), in the Court Unit (6,905), and for Attorney Fees (11), are not counted in DHO and SHO inventory figures.



HEARING ACTIVITY

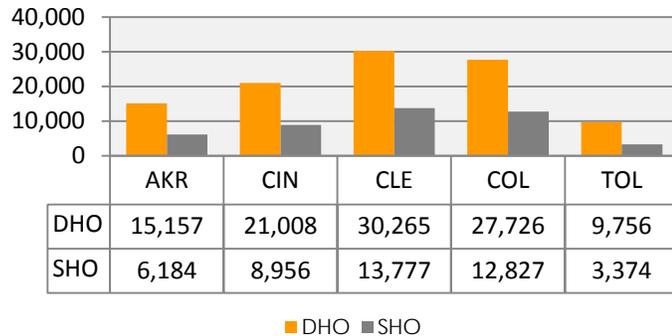
Section II: Production Activity Report

The Industrial Commission heard a total of 149,441 claims during CY 2011 at all adjudicatory levels. The total DHO volume accounts for 70 percent of overall hearings at 103,912 claims heard. Total SHO claims heard are recorded at 45,118 claims. Deputy venue claims heard totaled 130 in CY 2011 while the Commission venue recorded 281 claims heard.

Approximately 21,973 issues were captured that do not initially require formal adjudication via hearing (lump sum settlements, lump sum advancements, Hearing Administrator issues, PTD 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.

The 2011 CY formal hearing volumes reflect a five percent decrease from 2010 totals, while the 21,973 total noted above is a five percent decrease from the volume of non-hearing issues captured in 2010 (23,232). Collectively, the aggregate volume of IC decisions decreased five percent over the past calendar year.

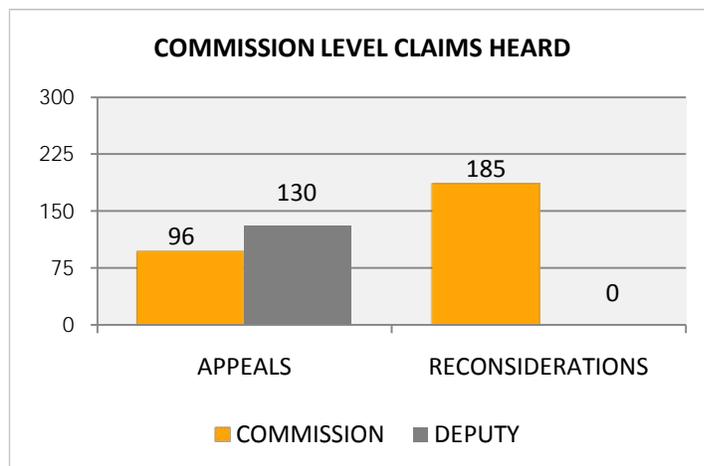
**DHO/SHO CLAIMS HEARD
2011**



Regionally, the distribution of CY 2011 claims heard at DHO and SHO hearing levels is as follows: Cleveland – 30%; Columbus – 27%; Cincinnati – 20%; Akron – 14%; Toledo – 9%. The total claims heard figure is inclusive of continuances, referrals, dismissals, and other final determinations made as a result of a hearing.

DHO and SHO hearings were conducted on 247 days during CY 2011. A combined average of 603 claims were heard per day at the DHO and SHO hearing levels. District Hearing Officers averaged 421 claims heard per day while Staff Hearing Officers averaged 183 claims heard per day.

Commission level hearings were scheduled on 81 days during CY 2011. Commission venue Appeals and Recons were scheduled at a rate of five 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.



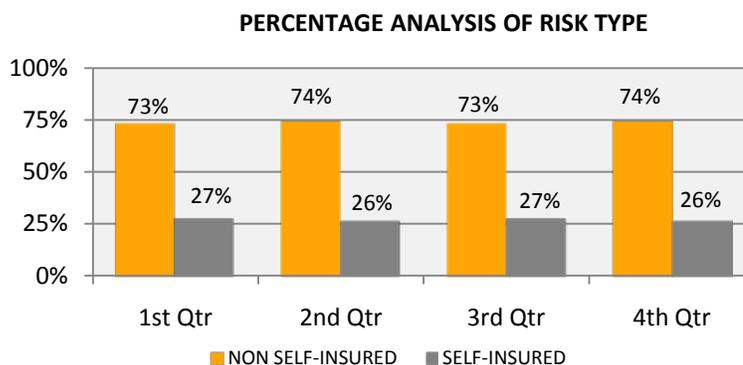
Claims Heard by Docket Type

| | AKRON | CINCINNATI | CLEVELAND | COLUMBUS | TOLEDO | TOTAL |
|-------------------|---------------|---------------|---------------|---------------|---------------|----------------|
| DHO Allowance | 10,903 | 16,907 | 22,200 | 21,933 | 7,634 | 79,577 |
| DHO C-92 | 4,254 | 4,101 | 8,065 | 5,793 | 2,122 | 24,335 |
| SHO Appeal | 4,758 | 7,676 | 11,465 | 10,011 | 2,798 | 36,708 |
| SHO Recon | 999 | 685 | 1,620 | 1,670 | 298 | 5,272 |
| SHO Misc. | 130 | 133 | 267 | 226 | 59 | 815 |
| SHO VSSR | 22 | 33 | 34 | 39 | 13 | 141 |
| SHO PTD | 275 | 429 | 391 | 881 | 206 | 2,182 |
| Deputy Commission | 9 | 8 | 26 | 78 | 9 | 130 |
| | - | - | - | 281 | - | 281 |
| Total | 21,350 | 29,972 | 44,068 | 40,631 | 13,139 | 149,441 |

DHO Allowance claims heard account for 53 percent of the statewide total, while DHO C-92 claims account for 16 percent. SHO dockets are accounted for as follows: Appeals – 25 percent; Reconsiderations – 4 percent; PTD – 1 percent; Miscellaneous – 1 percent; VSSR – less than 1 percent. Deputy and Commission venue hearings account for less than 1 percent of the statewide total.

Risk Type Analysis

During CY 2011, 27 percent of all claims heard were for self-insuring risks while 73 percent were for non-SI risks. Statewide, quarterly ratios remained relatively steady throughout the year with slight variations by region.

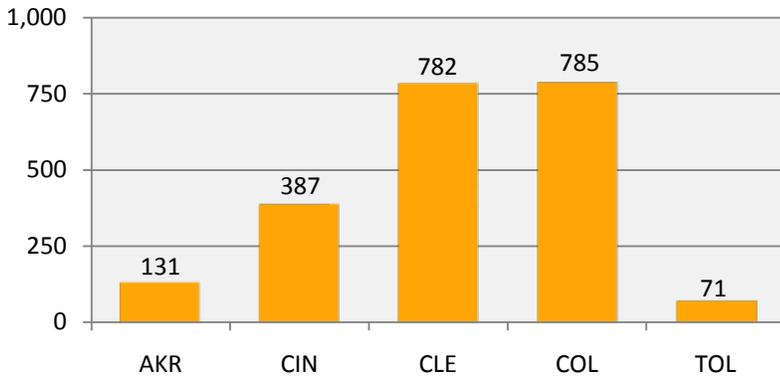


Hearings Held By Employer Group

| DOCKET TYPE | State Fund | Self-Insured | Pol. Sub (County) | State | Total |
|---------------------|---------------|---------------|-------------------|--------------|----------------|
| DHO Allowance | 46,148 | 20,363 | 9,491 | 3,588 | 79,590 |
| DHO C-92 | 12,516 | 6,489 | 4,279 | 1,053 | 24,337 |
| SHO Appeal | 20,359 | 10,213 | 4,379 | 1,758 | 36,709 |
| SHO Reconsideration | 2,371 | 1,868 | 786 | 247 | 5,272 |
| SHO Miscellaneous | 490 | 213 | 84 | 28 | 815 |
| SHO VSSR | 125 | 12 | 2 | 1 | 140 |
| SHO PTD | 913 | 201 | 164 | 70 | 1,348 |
| Deputy Commission | 54 | 58 | 11 | 2 | 125 |
| | 121 | 123 | 19 | 9 | 272 |
| Total | 83,097 | 39,540 | 19,215 | 6,756 | 148,608 |

Hearings were conducted for approximately 27,652 different risks during CY 2011. Hearings for claims of private state funded employers accounted for 56 percent of all hearings while self-insuring employers accounted for 27 percent; public county employers accounted for 13 percent; and public state employers' claims accounted for 5 percent.

HEARINGS HELD REQUIRING INTERPRETERS - 2011



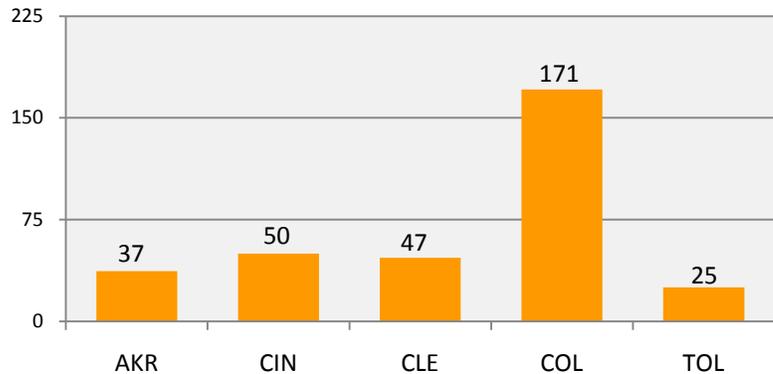
A total of 2,156 hearing records were flagged as requiring interpreter services during CY 2011 marking a ten percent increase from CY 2010.

Note: An interpreter may not have been present at each hearing.

EMERGENCY HEARINGS SCHEDULED - 2011

A total of 330 emergency hearings were scheduled during CY 2011.

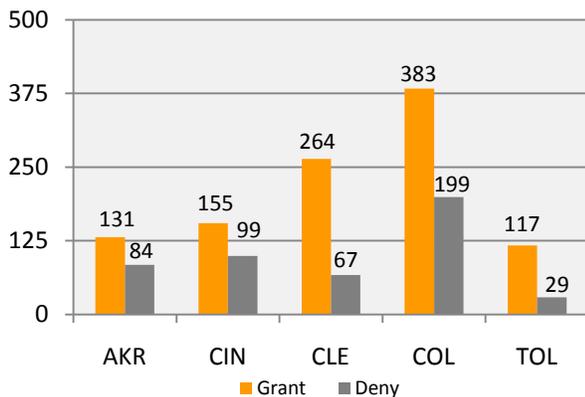
Emergency hearings are scheduled based on designated docket types per IC rule, circumstantial requests by the respective parties of a claim, or other justifiable reasons.



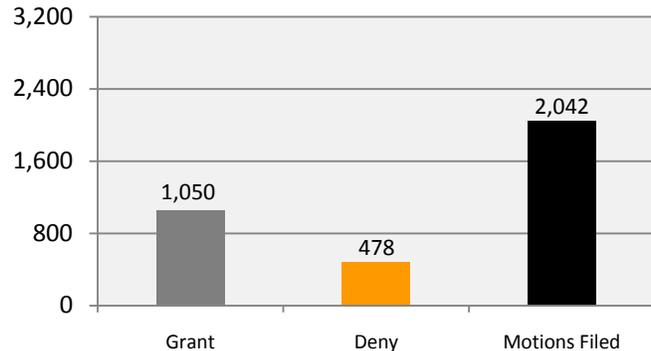
PTD Decisions

PTD filings for CY 2011, at 2,042, rose 13% compared to 1,805 filings in CY 2010. Of those PTD applications that were either granted or denied during CY 2011, 69% of the decisions rendered were PTD grants versus 31% PTD denials. Regionally, grant/deny ratios were as follows: Akron: 61% - 39%; Cincinnati: 61% - 39%; Cleveland: 80% - 20%; Columbus: 66% - 34%; Toledo: 80% - 20%. 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.

PTD Decisions - 2011

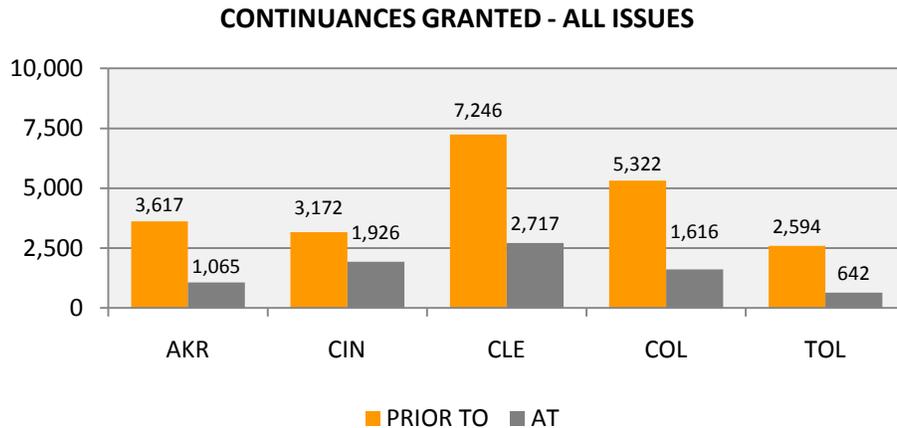


2011 Decisions Of PTD Filings by Number of Injured Workers

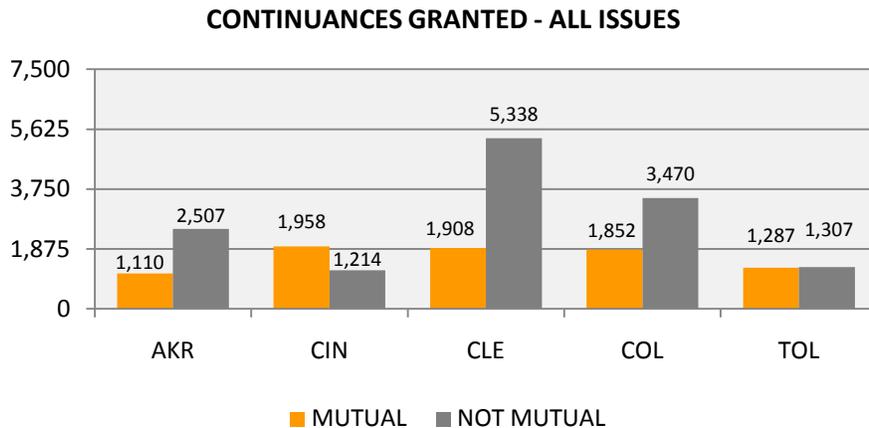


Continuances

Statewide, the average continuance rates *prior to* and *at* hearing (for all issues) each decreased by one point to 15 percent and 5 percent, respectively, from the calendar year 2010. Continuances granted prior to hearing for all issues totaled 21,951 during CY 2011 while continuances granted at hearing totaled 7,966. The Toledo region maintained the highest rate for continuances prior to hearing at 20 percent. The Cincinnati and Cleveland regions maintained the highest rate for continuances at hearing each registering 6 percent.



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.



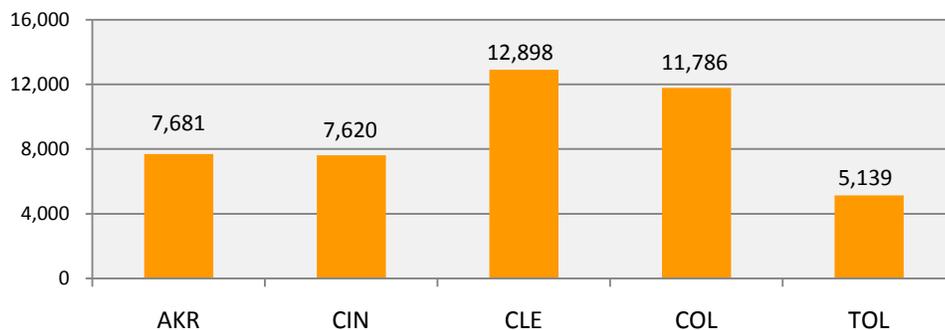
Hearing Administrator Decisions

IC Hearing Administrators perform a variety of functions that facilitate the adjudication process. In addition to processing approximately 26,577 continuance requests during CY 2011, they also processed 12,757 requests to withdraw motions or appeals and cancel scheduled hearings. Additionally, Hearing Administrators made decisions and performed activities in the below categories during CY 2011:

| | | AKRON | CINCINNATI | CLEVELAND | COLUMBUS | TOLEDO |
|-------------------------------|-------------------------|-------|------------|-----------|----------|--------|
| | ISSUE PTD LETTERS | 170 | 272 | 316 | 590 | 83 |
| | PRE-HEARING CONFERENCES | 9 | 28 | 77 | 73 | 7 |
| SUBPOENA REQUESTS | GRANT | 169 | 113 | 309 | 97 | 64 |
| | DENY | 22 | 19 | 22 | 50 | 22 |
| INTERROGATORIES / DEPOSITIONS | GRANT | 2 | 7 | 14 | 6 | 1 |
| | HEARING | 2 | 6 | 1 | 10 | 1 |
| SUSPENSION REQUESTS | GRANT | 271 | 328 | 408 | 297 | 140 |
| | DENY | 85 | 90 | 245 | 194 | 55 |
| .522/.52 REQUESTS | GRANT | 22 | 45 | 57 | 113 | 20 |
| | SET FOR HEARING | 93 | 94 | 175 | 131 | 38 |

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 45,124 issues during CY 2011. Regional volumes of Hearing Administrator activity are presented in the graph below. Regionally, Akron and Cincinnati each accounted for 17 percent of all Hearing Administrator activity during CY 2011; Cleveland accounted for 29 percent; Columbus accounted for 26 percent; and Toledo accounted for 11 percent.

HEARING ADMINISTRATOR ACTIVITY





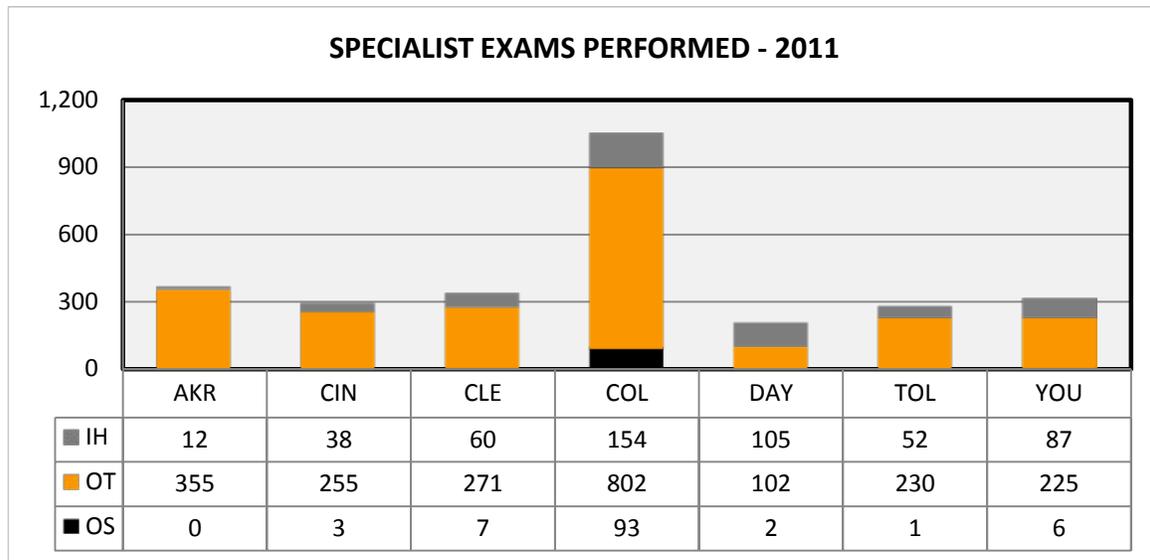
MEDICAL ACTIVITY

Section III: Production Activity Report

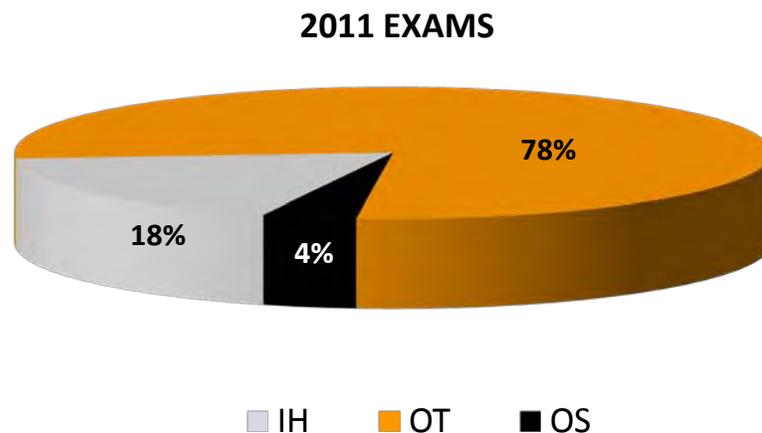
Specialist Exams Performed

A total of 2,860 specialist exams (including medical reviews) were performed on behalf of the Industrial Commission during CY 2011. The majority of these exams (99%) are related to PTD filings.

Scheduling of exams for Injured Workers residing out-of-state (OS) is performed through the Columbus office. The Akron region does not conduct in-house (IH) exams. Initiatives were implemented in CY 2009 to schedule more out-of-house (OT) exams and distribute the exams more equitably amongst IC certified physicians. The Columbus office performed 37% of total exams with 1,049 exams attributed to the region. The Akron office accounts for 13%; Cleveland accounts for 12%; Youngstown accounts for 11%; Cincinnati and Toledo each account for 10%; and Dayton accounts for 7%.

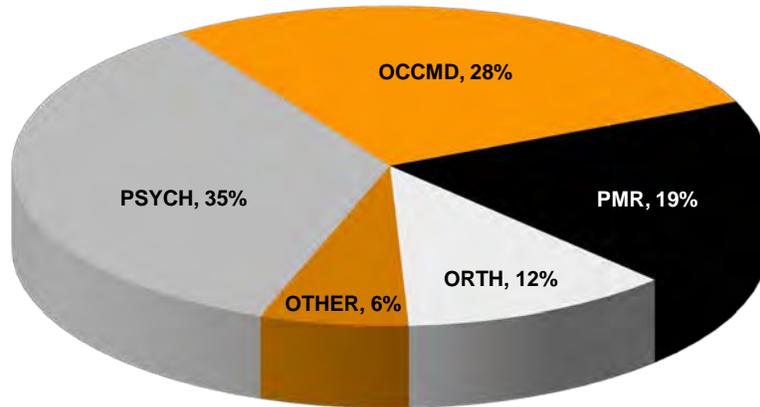


Approximately 78 percent of all specialist exams and medical reviews were conducted outside of IC facilities during CY 2011.



For medical specialist exams scheduled during CY 2011, PSYCH specialists account for the largest portion at 35% (1,182 exams). This is followed by OCCMD specialists exams at 28%; PMR specialists exams at 19%; ORTH specialists exams at 12%; and OTHER specialist types at 6%.

SPECIALIST EXAMS - 2011



Cancellation Rates

A total of 3,370 exams were scheduled during CY 2011 – 510 of these exams were rescheduled, canceled, or the injured worker did not show for the exam. The CY 2011 statewide exam cancellation rate (cancel, no show, reschedule) at 15%, increased by one percentage point from CY 2010.

| District | Exams Performed | Exams Canceled | Exams Rescheduled | No Shows | Exams Scheduled | Cancellation Rate |
|------------------|-----------------|----------------|-------------------|-----------|-----------------|-------------------|
| AKR | 367 | 14 | 28 | 20 | 429 | 14% |
| CIN | 296 | 11 | 45 | 7 | 359 | 18% |
| CLE | 338 | 16 | 28 | 10 | 392 | 14% |
| COL | 1,049 | 64 | 101 | 36 | 1,250 | 16% |
| DAY | 209 | 5 | 20 | 8 | 242 | 14% |
| TOL | 283 | 5 | 26 | 4 | 318 | 11% |
| YOU | 318 | 20 | 36 | 6 | 380 | 16% |
| Statewide | 2,860 | 135 | 284 | 91 | 3,370 | 15% |

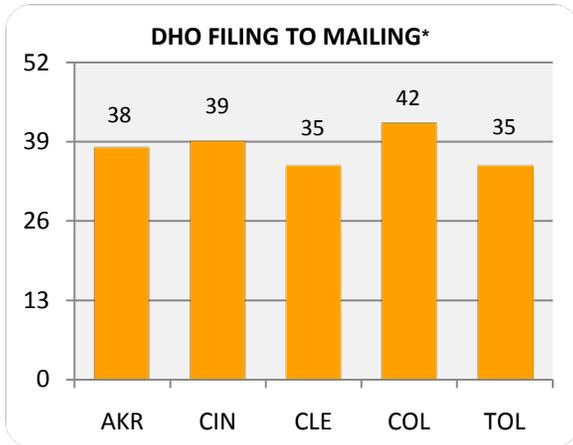


PERFORMANCE

Section IV: Production Activity Report

District Hearing Officer Time Frames

District hearing officers (DHO) heard a total of 79,577 Allowance docket claims during CY 2011. Of those, 65,738 qualified for inclusion in time studies. On average, all IC offices performed within the statutory and benchmark limits set forth in HB107 and HB413. The IC benchmark 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).



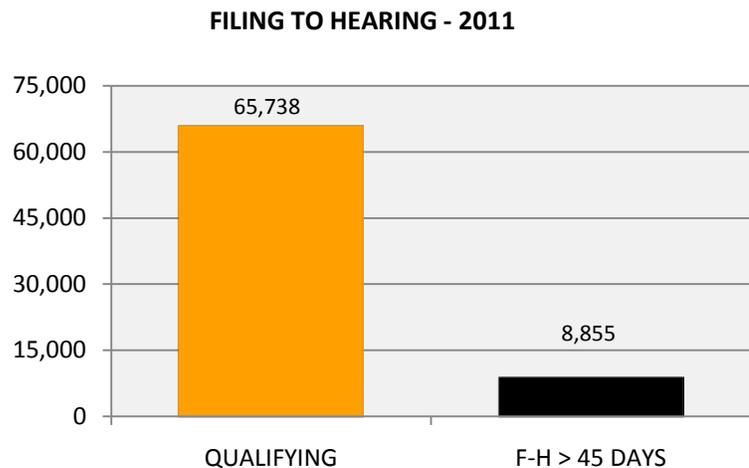
| DHO ALLOWANCE MEDIAN DAYS | | | | | | |
|---------------------------|-----|-----|------|-----|-----|------|
| 2011 | F-R | R-H | F-H* | H-M | R-M | F-M* |
| 1 ST QTR | 1 | 34 | 36 | 2 | 36 | 38 |
| 2 ND QTR | 1 | 30 | 33 | 2 | 33 | 36 |
| 3 RD QTR | 1 | 34 | 36 | 2 | 36 | 38 |
| 4 TH QTR | 1 | 35 | 37 | 2 | 37 | 40 |
| AVG | 1 | 33 | 36 | 2 | 36 | 38 |

* F-H statute = 45 days
 * F-M statute = 52 days

Non-Compliant Claims

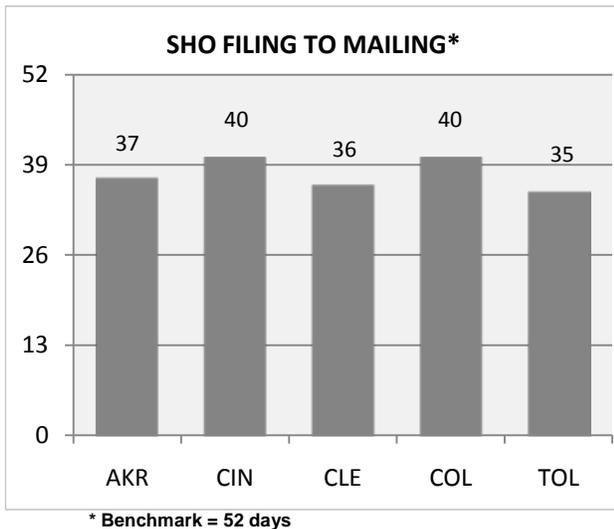
HB413 dictates that an appeal or motion to a DHO must be heard within a 45-day period. This is inclusive of the statutory 7-day period the BWC has to forward the claim data to the IC.

Of the qualifying 2011 Allowance claims heard, 8,855 claims, or 13.5%, were beyond the statutory 45-day *Filing Date to Hearing Date* time frame. For CY 2011 there were 5,870 Allowance claims heard, or 8.9%, that were beyond the 38-day *Receipt Date to Hearing Date* benchmark reflecting IC performance. This reflects an 11% increase in the volume of non-compliant claims with a regression of approximately two percentage points in the rate of non-compliance compared to 2010 performance.



Staff Hearing Officer Time Frames

Staff hearing officers (SHO) heard a total of 36,708 Appeal docket claims during CY 2011. Of those, 31,765 qualified for inclusion in time studies. On average, all IC offices performed within the statutory and benchmark limits.



| 2011 | F-H* | H-M* | F-M |
|---------------------|------|------|-----|
| 1 ST QTR | 34 | 2 | 36 |
| 2 ND QTR | 33 | 2 | 36 |
| 3 RD QTR | 35 | 3 | 37 |
| 4 TH QTR | 35 | 2 | 38 |
| AVG | 34 | 2 | 37 |

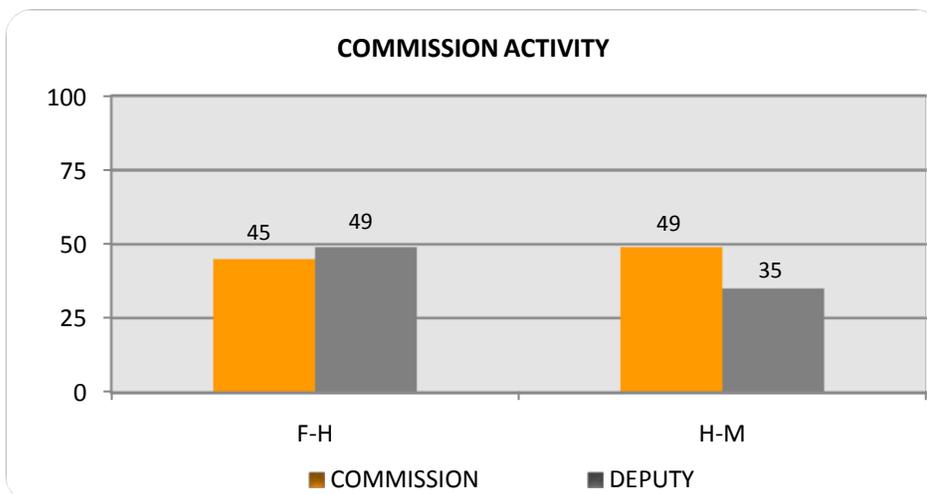
* F-H statute = 45 days
* H-M statute = 7 days

Commission Level Time Frames

For hearings conducted during CY 2011, the combined venue average for the period **Filing of Appeal to Hearing Date (F-H)** is 47 days. This is a 30-day improvement from the CY 2010 average of 77 days.

The combined venue average for the period **Hearing to Mailing Date (H-M)** is 42 days. This is a regression of three days from the CY 2010 average of 39 days.

The combined venue average for the **Filing of Appeal to Mailing of Order** time frame is 90 days, a 25-day improvement from the CY 2010 rate.

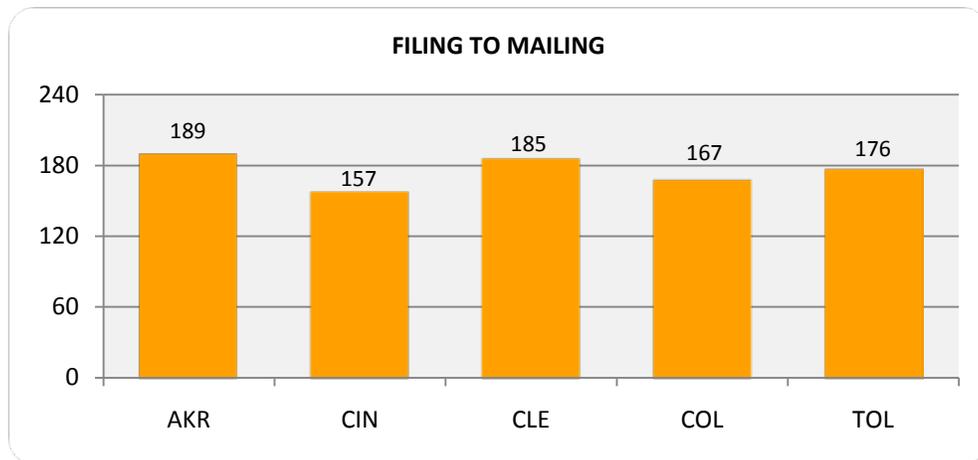


Permanent Total Disability Time Frames

A total of 2,182 PTD claims were heard during CY 2011 - 1,967 qualified for inclusion in the time studies (90%). 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.

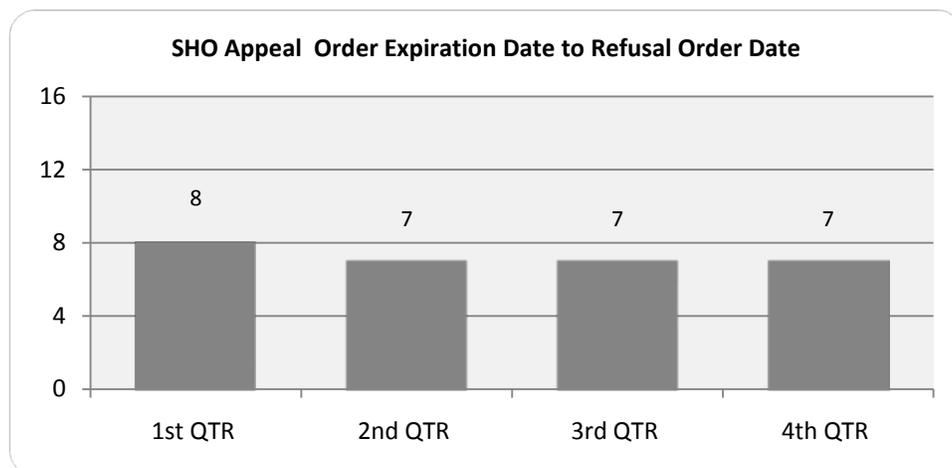
During CY 2011, PTD applications were adjudicated within an average of 172 days from the application filing date. This reflects an eight-day improvement from CY 2010 performance.

PTD hearings are typically taken under advisement with a final order published at a later date. Statewide, final orders were published within four days of the hearing during CY 2011.



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 mandate, 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.



Hearing Spike Analysis

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 and SHO claims heard by fifteen percent in any of the preceding twelve calendar months. A hearing spike did not occur during CY 2011.

The diagram shown below presents three key elements:

BASELINE MARKER

orange line

This floor represents the preceding twelve-month maximum heard total (per the statute) at the end of each respective quarter

SPIKE MARKER

black markers

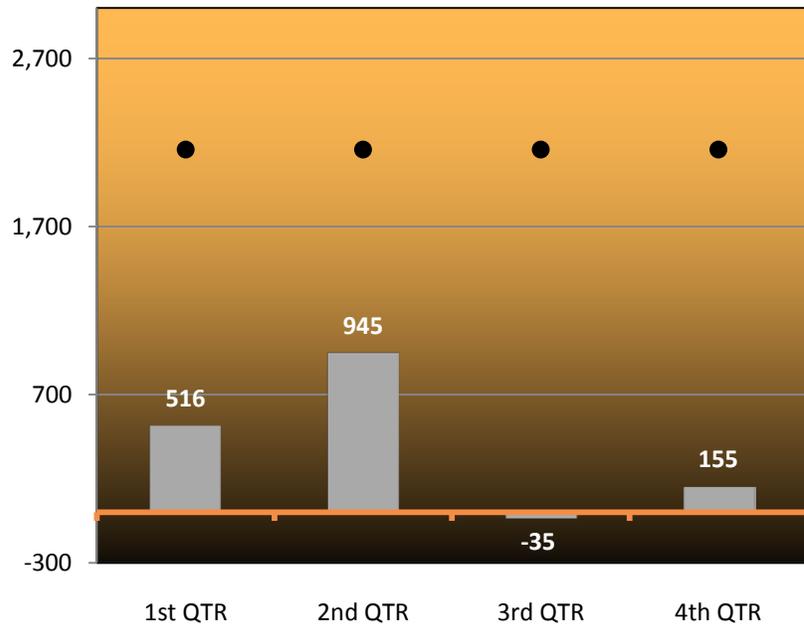
Represents the volume of claims above the maximum heard total that would have triggered a hearing spike at the end of each quarter

INVENTORY MARKER

grey 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

HEARING SPIKE QUARTERLY ANALYSIS - 2011



The volume for Claims Ready for Hearing at the end of CY 2011 was 14,533 claims. This is 137 claims (1 percent) above the maximum heard total and 2,022 claims below the volume that would result in a hearing spike.

STATISTICAL OVERVIEW

INVENTORY

| | 2011 | 2010 |
|---|---------|---------|
| BWC New Claims Filed | 141,964 | 144,172 |
| IC Motions/Appeals Filed (first level only) | 146,366 | 149,785 |

HEARING ACTIVITY

| | | |
|----------------------------------|---------|---------|
| Claims Heard | 149,441 | 156,976 |
| DHO Venue | 103,912 | 108,609 |
| SHO Venue | 45,118 | 47,890 |
| COM Venue | 411 | 477 |
| Claims Heard Per Day (DHO & SHO) | 603 | 644 |
| DHO Heard Per Day | 421 | 445 |
| SHO Heard Per Day | 183 | 196 |
| Continuances: Prior to Hearing | 21,953 | 24,814 |
| Continuances: At Hearing | 7,966 | 9,288 |

MEDICAL ACTIVITY

| | | |
|-----------------------------------|-------|-------|
| Specialist Examinations Performed | 2,860 | 2,799 |
|-----------------------------------|-------|-------|

PERFORMANCE

| | | |
|------------------------------------|---------|----------|
| DHO Allowance Timeframes (F-M) | 38 days | 36 days |
| Non-Compliant DHO Claims | 8,855 | 7,972 |
| SHO Appeal Timeframes (F-M) | 37 days | 32 days |
| Refusal Orders | 7 days | 8 days |
| Commission Appeal Timeframes (F-M) | 90 days | 115 days |

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