

190 - Board of Indust Insurance Appeals

A001 Administration

This activity provides the administrative functions of the Board of Industrial Insurance Appeals

	FY 2006	FY 2007	Biennial Total
FTE's	1.0	1.0	1.0
GFS	\$0	\$0	\$0
Other	\$136,000	\$193,000	\$329,000
Total	\$136,000	\$193,000	\$329,000

*FTE is second year only

Statewide Result Area: Improve the economic vitality of businesses and individuals

Statewide Strategy: Improve workplace safety and fairness

Expected Results

Adminstration supports the other activities of the agency.

A002 Hearings

The Hearings Section schedules and conducts formal hearings on all contested issues raised in an appeal. Hearings are formal legal proceedings following the civil rules applicable in the superior courts of Washington. At the conclusion of the hearings and the closing of the record, a judge will issue a written proposed decision and order containing findings of fact and conclusions of law on all contested issues. (Worker/Community Right to Know Account, Accident Account, Medical Aid Account)

	FY 2006	FY 2007	Biennial Total
FTE's	87.1	86.0	86.0
GFS	\$0	\$0	\$0
Other	\$9,700,000	\$10,107,000	\$19,807,000
Total	\$9,700,000	\$10,107,000	\$19,807,000

*FTE is second year only

Statewide Result Area: Improve the economic vitality of businesses and individuals

Statewide Strategy: Return unemployed, underemployed or injured workers to work

Expected Results

All hearings will be scheduled and held within six months of assignment to the judge. The proposed decision and order will be issued no later than 60 days after the close of the record and receipt of all transcripts and depositions.

Appropriation Period: 2005-07 Activity Version: 81 - 2007 Enacted Supplemental Budget

Average cost per final order				
Biennium	Period	Target	Actual	Variance
2005-07	8th Qtr	\$1,260		
	4th Qtr	\$1,220		
<i>Orders of the Board of Industrial Insurance Appeals.</i>				

Average number of weeks to resolve industrial insurance appeals.				
Biennium	Period	Target	Actual	Variance
2005-07	8th Qtr	37		
	4th Qtr	37		

Average number of weeks to resolve Washington Industrial Safety and Health Act appeals				
Biennium	Period	Target	Actual	Variance
2005-07	8th Qtr	48		
	4th Qtr	48		

Total number of final orders issued.				
Biennium	Period	Target	Actual	Variance
2005-07	8th Qtr	13,100		
	4th Qtr	13,100		
<i>Orders if the Board of Industrial Insurance Appeals.</i>				

A003 Mediation

The Mediation Program focuses on assisting parties in understanding the appeal process and reaching an agreed resolution, if possible. Unrepresented appellants are given an opportunity to discuss the issues involved in their appeal in an informal setting with a judge and a representative from the other party. Judges are trained mediators who have extensive knowledge of workers' compensation and other areas of the law, as well as in the practices and procedures of the Board. These skills and specialized knowledge are used to assist the parties in exploring options for resolution of the appeal. (Accident Account, Medical Aid Account)

	FY 2006	FY 2007	Biennial Total
FTE's	36.3	36.3	36.3
GFS	\$0	\$0	\$0
Other	\$3,281,000	\$3,346,000	\$6,627,000
Total	\$3,281,000	\$3,346,000	\$6,627,000

*FTE is second year only

Statewide Result Area: Improve the economic vitality of businesses and individuals
Statewide Strategy: Return unemployed, underemployed or injured workers to work

Expected Results

Schedule and hold the first mediation event within six weeks of assignment to the judge. Resolve appeal by agreement of the parties or send on to hearings within 100 days of assignment to the judge. Orders on agreement of the parties will be issued within three business days.

Average cost per final order				
Biennium	Period	Target	Actual	Variance
2005-07	8th Qtr	\$1,260		
	4th Qtr	\$1,220		
<i>Orders of the Board of Industrial Insurance Appeals.</i>				

Average number of weeks to resolve industrial insurance appeals.				
Biennium	Period	Target	Actual	Variance
2005-07	8th Qtr	37		
	4th Qtr	37		

Average number of weeks to resolve Washington Industrial Safety and Health Act appeals				
Biennium	Period	Target	Actual	Variance
2005-07	8th Qtr	48		
	4th Qtr	48		

Total number of final orders issued.				
Biennium	Period	Target	Actual	Variance
2005-07	8th Qtr	13,100		
	4th Qtr	13,100		
<i>Orders if the Board of Industrial Insurance Appeals.</i>				

A004 New Industrial Insurance Appeals Assessment

Appropriation Period: 2005-07 Activity Version: 81 - 2007 Enacted Supplemental Budget

The New Appeals Section handles all aspects of the initial receipt and processing of new appeals received by the agency. Determinations are made whether to grant or deny appeals. Jurisdictional problems are identified and a jurisdictional history of the claim is developed. This history is used in mediation and hearings to establish the legal authority of the agency to hear the appeal. The section works closely with the Department of Labor and Industries (L&I) in assessing whether documents are protests, which are handled by L&I, or formal appeals. (Accident Account, Medical Aid Account)

	FY 2006	FY 2007	Biennial Total
FTE's	22.0	22.0	22.0
GFS	\$0	\$0	\$0
Other	\$1,970,000	\$2,010,000	\$3,980,000
Total	\$1,970,000	\$2,010,000	\$3,980,000

**FTE is second year only*

Statewide Result Area: Improve the economic vitality of businesses and individuals
Statewide Strategy: Return unemployed, underemployed or injured workers to work

Expected Results

Issue grant order within ten days of receipt of appeal file from the Department of Labor and Industries.
 Issue deny order within ten days of receipt of appeal file from the Department of Labor and Industries.

Average cost per final order				
Biennium	Period	Target	Actual	Variance
2005-07	8th Qtr	\$1,260		
	4th Qtr	\$1,220		
<i>Orders of the Board of Industrial Insurance Appeals.</i>				

Average number of weeks to resolve industrial insurance appeals.				
Biennium	Period	Target	Actual	Variance
2005-07	8th Qtr	37		
	4th Qtr	37		

Average number of weeks to resolve Washington Industrial Safety and Health Act appeals				
Biennium	Period	Target	Actual	Variance
2005-07	8th Qtr	48		
	4th Qtr	48		

Appropriation Period: 2005-07 Activity Version: 81 - 2007 Enacted Supplemental Budget

Total number of final orders issued.				
Biennium	Period	Target	Actual	Variance
2005-07	8th Qtr	13,100		
	4th Qtr	13,100		
<i>Orders if the Board of Industrial Insurance Appeals.</i>				

A005 Review

If a party disagrees with the proposed decision issued by a hearing judge, the party can petition the three-member board to review the decision. In the review program, judges assist board members in determining the appropriate action to take on petitions. Judges review the petition and the entire record of proceedings, then make recommendations to the board. If the board votes to review a proposed decision, the review judge will draft the final decision and order for the board members' approval. (Accident Account, Medical Aid Account)

	FY 2006	FY 2007	Biennial Total
FTE's	12.5	12.5	12.5
GFS	\$0	\$0	\$0
Other	\$1,089,000	\$1,114,000	\$2,203,000
Total	\$1,089,000	\$1,114,000	\$2,203,000

*FTE is second year only

Statewide Result Area: Improve the economic vitality of businesses and individuals
Statewide Strategy: Return unemployed, underemployed or injured workers to work

Expected Results

Review judge will perform complete file review and provide memo with recommendations to board members within ten days of receipt of petition for review. Provide draft of decision and order to board members within 40 days of order granting the petition for review.

Average cost per final order				
Biennium	Period	Target	Actual	Variance
2005-07	8th Qtr	\$1,260		
	4th Qtr	\$1,220		
<i>Orders of the Board of Industrial Insurance Appeals.</i>				

Average number of weeks to resolve industrial insurance appeals.				
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Appropriation Period: 2005-07 Activity Version: 81 - 2007 Enacted Supplemental Budget

Average number of weeks to resolve Washington Industrial Safety and Health Act appeals				
Biennium	Period	Target	Actual	Variance
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Total number of final orders issued.				
Biennium	Period	Target	Actual	Variance
2005-07	8th Qtr	13,100		
	4th Qtr	13,100		
<i>Orders if the Board of Industrial Insurance Appeals.</i>				

Grand Total

	FY 2006	FY 2007	Biennial Total
FTE's	158.9	157.8	157.8
GFS	\$0	\$0	\$0
Other	\$16,176,000	\$16,770,000	\$32,946,000
Total	\$16,176,000	\$16,770,000	\$32,946,000

*FTE is second year only