

Part I – Agency Profile

Agency Overview

The Idaho Industrial Commission administers the Idaho Workers' Compensation Law (Title 72, Idaho Code). The Industrial Commission is statutorily required to resolve disputed workers' compensation cases, serve as an appeals court for the Idaho Department of Labor's unemployment claims, maintain files on all Idaho workers' compensation claims, ensure that all employers subject to Title 72 are insured, provide vocational rehabilitation services to injured workers, and administer the Idaho Crime Victims Compensation Program.

The Commission is governed by three Commissioners appointed by the Governor. One Commissioner must be an Idaho licensed attorney, one must represent employers, and one must represent workers. The Commissioners are assisted in administering day-to-day activities by a Director who serves at a level between the Commissioners and staff to coordinate the activities of the four functional divisions of the agency: Adjudication, Compensation, Rehabilitation, and Crime Victims.

The Industrial Commission employs approximately 138 employees statewide. The main office is in Boise, and there are 10 additional field offices throughout the state. The field offices are comprised of Rehabilitation Division and Employer Compliance staff. Administrative hearings and mediations are also held in these offices.

Core Functions/Idaho Code

Adjudication Division – promotes the timely processing and resolution of disputed workers' compensation claims and medical fee disputes; provides an alternative method of resolving disputes through mediation; provides judicial review of unemployment insurance appeals from the Idaho Department of Labor; and hears appeals from determinations made by the Crime Victims Compensation Program. (Title 72, Chapters 1-13, Idaho Code)

Compensation Division – evaluates insurance carriers requesting to write workers' compensation insurance and employers requesting to become self-insured; ensures that adequate securities are on deposit with the State Treasurer's Office to cover outstanding awards; enforces the insurance requirements of the Idaho Workers' Compensation Law; ensures that workers' compensation benefits are paid properly and timely; and resolves emergent issues between claimants, employers, and insurers on non-litigated claims. (Title 72, Chapters 1-8, Idaho Code)

Rehabilitation Division – assists injured workers by facilitating an early return to employment, which is as close to the workers' pre-injury wage and status that can be obtained. (Title 72, Chapter 5, Idaho Code)

Crime Victims Compensation Program – provides financial assistance to victims of crime for medical expenses, funeral costs, and lost wages that are incurred as a result of criminally injurious conduct. The program also pays for sexual assault forensic examinations. (Title 72, Chapter 10, Idaho Code)

Revenue and Expenditures

Revenue	FY 2016	FY 2017	FY 2018	FY 2019
Industrial Administration	\$11,554,121	\$11,952,439	\$12,583,954	\$13,716,810
Peace and Detention Officer Disability Fund	\$144,422	\$142,806	\$150,712	\$167,816
Crime Victims Compensation	\$2,538,545	\$2,395,794	\$2,563,561	\$2,660,163
Federal Grant	\$800,000	\$768,208	\$870,000	\$1,200,000
Miscellaneous Revenue	\$49,705	\$44,546	\$45,578	\$52,827
Total	\$15,086,793	\$15,303,793	\$16,213,805	\$16,597,616

Expenditures	FY 2016	FY 2017	FY 2018	FY 2019
Personnel Costs	\$8,879,023	\$9,434,717	\$9,424,586	\$9,431,419
Operating Expenditures	\$2,098,459	\$2,053,688	\$2,332,933	\$2,365,640
Capital Outlay	\$184,059	\$251,875	\$302,256	\$560,036
Trustee/Benefit Payments	\$3,359,648	\$3,683,051	\$3,407,346	\$3,664,794
Total	\$14,521,189	\$15,423,331	\$15,467,121	\$16,021,889

Profile of Cases Managed and/or Key Services Provided

Cases Managed and/or Key Services Provided	FY 2016	FY 2017	FY 2018	FY 2019
ADJUDICATION				
• Workers' Compensation Complaints Filed	831	849	841	756
• Workers' Compensation Hearings Held	60	70	39	49
• Mediations Held	646	622	512	468
• Claims Successfully Mediated	625	599	485	445
• Unemployment Decisions Issued (Includes Reconsiderations)	252	354	246	287
COMPENSATION				
• Workers' Compensation Claims Filed	34,767	36,708	35,176	36,978
o Medical Only	28,762	31,013	29,680	33,203
o Time-Loss	5,926	5,648	5,434	3,735
o Fatalities	27	32	42	40
• Cases Referred to Investigator	7,305	7,829	8,094	8,698
• Cases Brought Into Compliance	1,726	1,821	1,816	2,142
REHABILITATION				
• Injured Workers referred for Rehabilitation Services	2,110	2,102	2,116	2,060
• Workers Rehabilitated, Returned to Work as a Result of Division Services	1,326	1,263	1,387	1,388
CRIME VICTIMS COMPENSATION				
• Crime Victims Claims Filed	2,491	2,550	2,567	2514
• Decisions Made	2,197	2,329	2,046	2000
o Awards	1,457	1,635	1,523	1603
o Denials	740	694	500	380
• Crime Victims Compensation Paid	\$2,266,904	\$2,589,550	\$2,288,992	\$2,538,067

Red Tape Reduction Act

	As of July 1, 2019
Number of Chapters	3
Number of Words	19,858
Number of Restrictions	403

FY 2019 Performance Highlights

Red Tape Reduction Act

1. The Industrial Commission undertook its extensive rules review process in the spring of 2019 and endeavored to simplify, reduce, and consolidate the agency administrative rules. Due to the effort to substantially cut our rule chapters, the Commission was specially recognized by Governor Brad Little at a Red Tape Reduction Appreciation and Awards Ceremony on June 21st, where the agency Rules Review Officer – Sonnet Robinson – was presented with a certificate of recognition.

Adjudication

1. In FY 2019, the Commission’s average age of pending unemployment insurance appeals during the federally-designated measuring month of March was 20 days—twice as prompt as the 40 day federal standard.

Compensation – Benefits

1. The Benefits Department co-hosted a series of three (3) educational sessions related to opioids in partnership with the Idaho Office of Drug Policy.
2. The Benefits Department hosted an Electronic Data Interchange (EDI) Claims Release 3.0 educational workshop for trading partners.
3. Six (6) Certified Idaho Workers’ Compensation Specialist (CIWCS) programs were held in Boise, Post Falls, and Blackfoot; 87 new certifications and 17 re-certifications were issued.

Compensation – Employer Compliance

1. The Commission updated reciprocal procedures with surrounding states to now include an “Intermittent” Extraterritorial Certificate category. The category covers work that begins and ends in the worker’s home state while spending less than 50% of their total work time in the reciprocating state.
2. 220,549 unemployment wage records were processed in FY 2019 resulting in 165,958 policies obtained to cover Idaho employers.
3. 2,142 employers obtained insurance as a result of being contacted by an Employer Compliance Investigator, resulting in coverage for 20,212 Idaho workers.

Rehabilitation

1. Rehabilitation Consultants throughout the state participated in community events to market their services. They made contact with new employers, medical providers, and other community resource groups to educate them on the many benefits of utilizing Rehabilitation Division services.
Additional highlights from the Rehabilitation Division include:
 - Of the 2,060 cases referred in FY 2019, consultants provided assistance and successfully rehabilitated 1,388 injured workers, an increase from FY 2018.
 - Eligibility was determined in less than 4 business days from the date of referral to the Rehabilitation Division.
2. Each region of the state developed a comprehensive marketing plan designed to reach out to various parties in an effort to diversify referral resources.

Crime Victims Compensation Program

1. Program staff provided extensive outreach to sexual assault forensic examination providers regarding changes to billing requirements and to ensure victims of sexual assault are not billed for forensic examinations.
2. The Crime Victims Compensation Program successfully completed Department of Justice audits/site visits. The program created detailed policies and procedures related to documentation requirements and grant management, which resulted in resolution of audit findings and successful closure of the audits.

Part II – Performance Measures

Performance Measure		FY 2016	FY 2017	FY 2018	FY 2019	FY 2020
Agency Goal 1						
<i>Enforce the statutory and regulatory requirements of the Idaho Workers’ Compensation Law</i>						
1. Number of employers who obtained insurance as a result of Employer Compliance investigation.	actual	1,726	1,821	1,816	2,142	-----
	target	1,800	1,700	1,700	1,700	2,000

Performance Measure		FY 2016	FY 2017	FY 2018	FY 2019	FY 2020
Agency Goal 2						
<i>Provide timely dispute resolution arising out of workers' compensation, unemployment appeals, and crime victims compensation cases</i>						
2. Issue workers' compensation decisions within an average of 90 days from date of final submission.	actual	73	82	144*	89	-----
	target	< 90 day average	< 90 day average	< 90 day average	<90 day average	<90 day average
3. Successfully resolve 90% of mediated workers' compensation cases.	actual	96.7%	96.3%	95.6%	95.1%	-----
	target	90% resolved	90% resolved	90% resolved	90% resolved	90% resolved
4. Average age of pending unemployment appeals at less than 40 days.	actual	23	9	22	20	-----
	target	< 40 day average	< 40 day average	< 40 day average	<40 day average	<40 day average
Agency Goal 6						
<i>Provide vocational rehabilitation services focused on restoring injured workers to gainful employment and minimizing loss for employers</i>						
5. Percentage of rehabilitation cases returned to pre-injury employment/wage.	actual	73.83%	74.41%	70%	70.75%	-----
	target	60%	60%	60%	60%	65%
6. Percentage of rehabilitated workers maintaining at least 90 percent of their pre-injury status and wage.	actual	94.65%	93.66%	93%	92.51%	-----
	target	90%	90%	90%	90%	90%
Crime Victims Compensation Division Goal 1						
<i>Administer benefits in a timely and efficient manner</i>						
7. Determine eligibility of CV applications within 30 days of receipt of required documentation.	actual	35	39	45	27	-----
	target	<30 days	<30 days	< 30 days	< 30 days	< 30 days
8. Pay eligible victims claims within 120 days of the date the application was received.	actual	206	180	146	137	-----
	target	<120 days	<120 days	< 120 days	< 120 days	< 120 days
9. Maintain a benefit utilization rate of 72% on crime victims' cases.	actual	56%	63%	58%	63%	-----
	target	72%	72%	72%	72%	72%

Performance Measure Explanatory Notes

1. Due to an unforeseen absence in FY 2018 and an unwillingness of parties to allow for case reassignment, the average workers' compensation decisions timeframe to issuance shifted up to a 144 day average. This was an outlier, and the issue has been rectified. It is anticipated to return to its trend of <90 days in FY 2019.

For More Information Contact

Mindy Montgomery, Director
 Idaho Industrial Commission
 11321 W. Chinden Blvd (Building #2)
 Boise, ID 83714
 Phone: (208) 334-6000
 E-mail: Mindy.Montgomery@iic.idaho.gov