

Part I – Agency Profile

Agency Overview

The primary responsibility of the Idaho Industrial Commission is to administer the Idaho Workers' Compensation Law (Title 72, Idaho Code). In this role, the Commission ensures employer compliance with the obligation to obtain coverage and pay benefits owed to injured workers, provides rehabilitation services to those workers who have suffered permanent injuries, and adjudicates contested workers' compensation claims. The Industrial Commission is also responsible for administering the Crime victims Compensation program, and the Peace Officer and Detention Officer Disability Fund. Finally, the Commission serves as the higher authority appellate body for Idaho Department of Labor unemployment claims.

The Commission is governed by three Commissioners appointed by the Governor. One Commissioner must be an Idaho licensed attorney, only one can have a background to be classed as representing employers, and only one can have a background to be classed as representing workers. No more than two Commissioners can belong to the same political party. 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.

The Industrial Commission employs approximately 134 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 2018	FY 2019	FY 2020	FY 2021
Industrial Administration	\$12,583,954	\$13,176,810	\$12,837,092	\$12,681,868
Peace and Detention Officer Disability Fund	\$150,712	\$167,816	\$148,591	\$140,532
Crime Victims Compensation	\$2,563,561	\$2,660,163	\$2,605,400	\$2,478,694
Federal Grant	\$870,000	\$1,200,000	\$1,200,000	\$1,200,000
Miscellaneous Revenue	\$45,578	\$52,827	\$40,742	\$10,263
Total	\$16,213,805	\$17,257,616	\$16,831,825	\$16,511,357

Expenditures	FY 2018	FY 2019	FY 2020	FY 2021
Personnel Costs	\$9,424,586	\$9,431,419	\$9,075,321	\$9,016,156
Operating Expenditures	\$2,332,933	\$2,365,640	\$2,654,960	\$2,904,162
Capital Outlay	\$302,256	\$560,036	\$68,862	\$127,714
Trustee/Benefit Payments	\$3,407,346	\$3,664,794	\$4,140,817	\$3,379,836
Total	\$15,467,121	\$16,021,889	\$15,939,960	\$15,427,868

Profile of Cases Managed and/or Key Services Provided

Cases Managed and/or Key Services Provided	FY 2018	FY 2019	FY 2020	FY 2021
ADJUDICATION				
• Workers' Compensation Complaints Filed	841	756	754	691
• Workers' Compensation Hearings Held	39	49	25	39
• Mediations Held	512	468	471	429
• Unemployment Decisions Issued (Includes Reconsiderations)	246	287	231	477
COMPENSATION				
• Workers' Compensation Claims Filed	35,176	36,978	33,725	33,718
o Medical Only	29,680	33,203	31,018	29,284
o Time-Loss	5,434	3,735	3,677	4,399
o Fatalities	42	40	30	35
• Cases Referred to Investigator	8,094	8,698	8,106	8,416
• Cases Brought Into Compliance	1,816	2,142	1,789	1,353
REHABILITATION				
• Injured Workers referred for Rehabilitation Services	2,116	2,060	1,942	1,866
• Workers Rehabilitated, Returned to Work as a Result of Division Services	1,387	1,388	1,295	1,265
CRIME VICTIMS COMPENSATION				
• Crime Victims Claims Filed	2,567	2514	2640	3209*
• Total Sexual Assault Examination Payments	\$333,174	\$454,962	\$509,857	\$622,844
• Sexual Assault Exam Payments for Adults	\$26,106	\$163,583	\$209,536	\$235,196
• Sexual Assault Exam Payments for Children	\$307,067	\$291,379	\$300,321	\$387,648
• Crime Victims Compensation Paid	\$2,288,992	\$2,538,067	\$2,843,902	\$2,115,793

*Includes 465 applications from the Rigby Middle School incident

FY 2021 Performance Highlights

Adjudication

1. In FY 2021, the number of unemployment insurance appeals almost doubled, increasing from 231 filed in FY 20 to 477 filed in FY 2021. Despite the increase in appeals, the average age of pending unemployment insurance appeals decreased from 19 days to 16 days, well below the 40-day federal standard.
2. Despite COVID-19 restrictions, Commission Referees were able to continue operations remotely and resolve workers' compensation disputes without interruption. The Commission held 39 hearings during FY 2021, almost all held virtually, as opposed to 25 hearings being held in FY 2020.

Compensation – Benefits Administration

1. The Benefits Administration department successfully developed a virtual offering of both the Foundation and Advanced versions of the Certified Idaho Workers' Compensation Specialist (CIWCS) educational program. There were two virtual Foundation courses and one virtual advanced course were held; 28 new certifications and four re-certifications were issued.

- The Benefits Administration department hosted a virtual EDI Claims Release 3.0 educational workshop on February 24, 2021 for trading partners.
- The Benefits Administration department processed 868 Lump Sum Settlements with an average processing time of five days.

Compensation – Employer Compliance

- 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.
- 183,827 unemployment wage records were processed in FY 2021, resulting in 135,255 policies obtained to cover Idaho employers.
- 1,353 employers obtained insurance as a result of being contacted by an Employer Compliance Investigator, resulting in coverage for 15,432 Idaho workers.

Rehabilitation

- In FY 2021 the Rehabilitation Division had 1,866 cases referred for services. 94% of referrals (1,754) were determined to be eligible for Rehab services. Of the 1,754 cases worked, 98.7% (1,732) received significant services from consultants including placement into new jobs.
- 1,375 (78.4%) of those injured workers successfully returned to work, and 52 cases (3.0%) had formal vocational plans developed but did not execute those plans and return to work.
- Since 2016 the Rehabilitation Division has successfully reduced the timeframe from referral to eligibility determination from 5 business days to 2.79 business days, demonstrating the department's ability to quickly contact parties to the claim and determine the level of Rehab services available to the injured worker.

Crime Victims Compensation Program

- The Crime Victim Compensation Crisis Response Team responded on scene to the middle school shooting in Rigby, Idaho in April 2021. The team met with students, parents, siblings, faculty, school staff members, and community leaders to assist individuals in accessing mental health and medical benefits available through the program and to provide support and guidance to assist those in need. The program received 465 applications for benefits as a result of this incident. Crime Victims Compensation staff continue to provide ongoing assistance.

Part II – Performance Measures

Performance Measure		FY 2018	FY 2019	FY 2020	FY 2021	FY 2022
Adjudication Division Goal						
<i>Promote the timely processing and resolution of disputed workers' compensation claims and medical fee dispute; and provide judicial review of unemployment insurance appeals from the Idaho Department of Labor</i>						
1. Issue workers' compensation decisions in a timely manner.	actual	144*	89	98	101	-----
	target	< 90 day average	<90 day average	<90 day average	<90 day average	<90 day average
2. Average age of pending unemployment appeals at less than 40 days.	actual	22	20	19	16	-----
	target	< 40 day average	<40 day average	<40 day average	<40 day average	<40 day average
Benefits Administration Department Goal						
<i>Ensure workers' compensation benefits are paid accurately and timely; resolve emergent issues between claimants and sureties on non-litigated claims; and maintain statutory claim records</i>						
3. Issue Lump Sum Settlement Decisions timely.	actual	7.18	5.03	7.21	5.89	-----
	target	7	7	7	7	7

Performance Measure		FY 2018	FY 2019	FY 2020	FY 2021	FY 2022
Employer Compliance Department Goal <i>Enforce the insurance requirements of the Idaho Workers' Compensation Law</i>						
4. Percentage of employers who obtained insurance as a result of an Employer Compliance investigation.	actual	96.9%	97.3%	97.1%	97%	-----
	target	95%	95%	95%	95%	95%
Rehabilitation Division Goal <i>Assist injured workers by facilitating an early return to employment, that is as close to the workers' pre-injury wage and status as can be obtained</i>						
5. Eligible injured workers who returned to work as a result of services provided.	actual	70%	70.75%	72.74%	71.9%	-----
	target	60%	60%	65%	65%	75%
6. Percentage of pre-injury wages restored for injured workers who returned to work.	actual	93%	92.51%	94.83%	94.87%	-----
	target	90%	90%	90%	90%	90%
Crime Victims Compensation Program Goal <i>Provide financial assistance to victims of crime for medical expenses, mental health expenses, funeral costs, and lost wages that are incurred as a result of criminally injurious conduct</i>						
7. Determine eligibility of crime victims applications within 30 days of receipt of required documentation.	actual	45	27	33	32	-----
	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	146	137	159	140	-----
	target	< 120 days	< 120 days	< 120 days	< 120 days	<120 days
9. Pay sexual assault forensic examination claims within 45 days from the date of receipt of application.	actual	45	48	50	51	-----
	target	< 45 days	< 45 days	< 45 days	< 45 days	< 45 days

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.

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