

## ***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 Industrial Commission consists of three Commissioners appointed by the Governor. One Commissioner must be an Idaho licensed attorney, one represents the interests of workmen, and one represents the interests of employers. 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 133 employees statewide. The main office is in Boise, with ten 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 and mental health expenses, funeral costs, and lost wages that are incurred as a result of criminally injurious conduct. The program also pays for adult sexual assault forensic examinations. (Title 72, Chapter 10, Idaho Code)

## Revenue and Expenditures

Revenue	FY 2020	FY 2021	FY 2022	FY 2023
Industrial Administration	\$12,837,092	\$12,681,868	\$13,998,645	\$17,638,236
Peace and Detention Officer Disability Fund	\$148,591	\$140,532	\$142,115	\$179,089
Crime Victims Compensation	\$2,605,400	\$2,478,694	\$3,048,303	\$3,180,458
Federal Grant	\$1,200,000	\$1,200,000	\$984,000	\$305,000
Miscellaneous Revenue	\$40,742	\$10,263	\$44,076	\$53,616
<b>Total</b>	<b>\$16,831,825</b>	<b>\$16,511,357</b>	<b>\$18,217,139</b>	<b>\$21,356,399</b>

Expenditures	FY 2020	FY 2021	FY 2022	FY 2023
Personnel Costs	\$9,075,321	\$9,016,156	\$9,200,578	\$9,917,842
Operating Expenditures	\$2,654,960	\$2,904,162	\$5,387,197.21	\$5,072,825
Capital Outlay	\$68,862	\$127,714	\$6,754	\$55,038
Trustee/Benefit Payments	\$4,140,817	\$3,379,836	\$3,243,460.89	\$2,825,540
<b>Total</b>	<b>\$15,939,960</b>	<b>\$15,427,868</b>	<b>\$17,837,991</b>	<b>\$17,871,245</b>

## Profile of Cases Managed and/or Key Services Provided

Cases Managed and/or Key Services Provided	FY 2020	FY 2021	FY 2022	FY 2023
<b>ADJUDICATION</b>				
• Workers' Compensation Complaints Filed	754	691	714	702
• Workers' Compensation Hearings Held	25	39	30	47
• Mediations Held	471	429	236	165
• Unemployment Decisions Issued (Includes Reconsiderations)	231	477	560	361
• Settlement Agreements <i>(formerly Lump Sum Settlements)</i>	967	949	874	901
<b>COMPENSATION</b>				
• Workers' Compensation Claims Filed	33,725	33,718	34,993	34,741
○ Medical Only	31,018	29,284	28,613	28,492
○ Time-Loss	3,677	4,399	6,322	6,207
○ Fatalities	30	35	44	42
• Employer Compliance Cases Referred to Investigator	8,106	8,416	5,486	4,615
• Employer Compliance Cases Brought into Compliance	1,789	1,353	1,340	1,314
<b>REHABILITATION</b>				
• Injured Workers referred for Rehabilitation Services	1,942	1,866	1,929	1,900
• Workers Rehabilitated, Returned to Work with the assistance of Division Services	1,295	1,265	1,440	1,298
<b>CRIME VICTIMS COMPENSATION</b>				
• Crime Victims Claims Filed	2640	3209*	2667	2402
• Total Sexual Assault Examination Payments	\$509,857	\$622,844	\$535,823	\$419,227
• Sexual Assault Exam Payments for Adults	\$209,536	\$235,196	\$151,305	\$103,785
• Sexual Assault Exam Payments for Children	\$300,321	\$387,648	\$384,518	\$315,442
• Crime Victims Compensation Paid	\$2,843,902	\$2,115,793	\$1,983,023	\$1,613,429

\*includes 465 applications from the 2021 Rigby Middle School incident

## FY 2023 Performance Highlights

### Adjudication

1. During FY2023, the Commission saw a 64% increase in workers' compensation hearings, which puts the number of hearings back to pre-COVID levels.
2. The average age of pending unemployment appeals for FY2023 was 20.5 days, which is well within the 40-day federal reporting requirement; this is a 40% reduction in the number of days to complete an appeal from the previous year.

### Compensation – Benefits Administration

1. The Benefits Department implemented a more streamlined settlement review process after the passage of H590, which resulted in a 62% reduction in processing time. In FY2023, 901 settlements were processed within an average of 2.47 days.
2. The Benefits Department conducted six CIWCS courses, including one in partnership with the Idaho Department of Human Resources. As a result, 100 participants achieved various levels of certification as Idaho Workers' Compensation Specialists.

### Compensation – Employer Compliance

1. The Employer Compliance Department was the first department to transition to the Commission's new business application – IRIS, starting in December 2022. In the new application, several workflows were altered and adjusted, providing greater efficiency and enhanced data collection and analysis. IRIS has also increased the accuracy of our business processes and improved our ability to ensure that all Idaho employers are properly insured or self-insured under Idaho's Workers' Compensation laws.
2. The Commission examined 147,600 wage data records for Idaho employers to ensure proper coverage under the workers' compensation law in FY2023. As a result, 88,100 employers were confirmed to have proper workers' compensation coverage, and 59,500 employers were found to meet one of the exemptions listed in Idaho's Workers' Compensation law. During this past year, 4,615 employers required in-depth investigation to determine compliance.

### Rehabilitation

1. In FY 2023, the Rehabilitation Division had 1,900 cases referred for services. The Division provided significant services to 1,808 injured workers. Approximately 79% of the eligible injured workers who participated in rehabilitative services were successfully returned to work.

### Crime Victims Compensation Program

1. The Crime Victim Compensation Division initiated a review of its Administrative Rules under the Zero-Based Regulation process, with the goal to prevent and eliminate the accumulation of costly, ineffective, and outdated regulations and reduce the regulatory burden to achieve a more efficient government operation. These efforts included hosting Negotiated Rulemaking Focus Groups with crime victim community stakeholders in Twin Falls, Idaho Falls, Pocatello, Moscow, Coeur d'Alene, and Boise. These meetings included virtual options for those who could not attend in person.
2. The division's Recovery program was recognized in FY2023 as a national leader in restitution recovery for victim compensation programs. The recovery staff has presented on Idaho's recovery program at two national conferences for victim compensation and victim services, and has participated in a national work group on improving restitution collection services.

**Part II – Performance Measures**

Performance Measure		FY 2020	FY 2021	FY 2022	FY 2023	FY 2024
<b>Adjudication Division Goal</b>						
<i>Promote the timely processing and resolution of disputed workers' compensation claims and medical fee disputes, 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	98	101	96	103	---
	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	19	16	34	20.5	---
	target	< 40-day average	< 40-day average	< 40-day average	<40-day average	<40-day average
<b>Benefits Administration Department Goal</b>						
<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	7.21	5.89	6.44	2.47	---
	target	7	7	7	7	7
<b>Employer Compliance Department Goal</b>						
<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	97.1%	97%	97%	97%	---
	target	95%	95%	95%	95%	95%
<b>Rehabilitation Division Goal</b>						
<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	72.74%	71.9%	81.90%	79.89%	-----
	target	65%	65%	65%	65%	65%
6. Percentage of pre-injury wages restored for injured workers who returned to work.	actual	94.83%	94.87%	96.13%	96.37%	-----
	target	90%	90%	90%	90%	90%
<b>Crime Victims Compensation Program Goal</b>						
<i>Provide financial assistance to victims of crime for medical expenses, mental health expenses, funeral costs, lost wages, and sexual assault exams 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	33	32	44	36	---
	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	159	140	140	139	---
	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	50	51	41	43	---
	target	< 45 days	< 45 days	< 45 days	< 45 days	< 45 days

## Performance Measure Explanatory Notes

1. Turnover in the Commission Federal Grant Management Team limited the agency's ability to draw down federal funds for the Crime Victims Compensation Program. These federal funds remain available to the Commission throughout the four-year grant life.

### For More Information Contact

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## ***Director Attestation for Performance Report***

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In accordance with *Idaho Code* 67-1904, I certify the data provided in the Performance Report has been internally assessed for accuracy, and, to the best of my knowledge, is deemed to be accurate.

Department: Industrial Commission\_\_\_\_\_



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Director's Signature

\_\_\_\_\_  
Date

8/30/2023

Please return to:

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