

Trust Intelligence

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The Trust Celebrates 30 Years

2011 has been a year marked by monumental, historical and inspirational events throughout the world. But right here in Wallingford, for the Trust, 2011 will be the year we remember as the year we celebrated 30 years serving the needs of our members. On June 7th, with over 400 members and business associates in attendance, we commemorated this milestone with a Caribbean gala celebration at the Aqua Turf Club in Plantsville.

The evening commenced with cocktails and hors d'oeuvres followed by remarks and awards by President & Chief Executive Officer, Diane M. Ritucci and Chairman of the Board of Directors, Joseph Milke, Vice President of Klingberg Family Centers. The evening concluded with several raffles and live entertainment provided by Caribbean Extravaganza, from Buffalo, NY.

“While we are proud to have reached this milestone, we remain ever vigilant of the changes that impact our world,” says Diane Ritucci. “The economy has strained our members’ budgets to the breaking point. This requires us to do even more for our members, helping them use their limited dollars and resources to continue to invest in a safe workplace. We know that is what will serve our members well for years to come.”

To begin the next era, the Trust has purchased a 25,000 square foot building in Wallingford. This new facility will allow for an upgrade to the Trust’s training facilities and workspace so that members can continue to receive the best possible services. Read on for more highlights of the night’s events.



The Board of Directors at the Workers' Compensation Trust's 30th Anniversary Celebration. Front Row (L – R) Diane M. Ritucci, President & CEO; Linda G. Worden; Joseph M. Milke, Chairman of the Board Back Row (L - R) Brian A. Carney; David H. Tompkins; William R. Horrigan; Keith E. Lavalette; Robert L. Stephens; Richard R. Paton; Robert C. Boardman; W. Rennard Wieland; Charles F. Shelton, Jr.

Special thanks to our sponsors who helped make this year's celebration so memorable:

Paradise Sponsors

Hettrick, Cyr & Associates
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Member Achievements Recognized

Awards of Excellence & Great Idea Awards

Annually, the Trust awards members who stand out significantly by showing substantial loss reduction from one year to the next. These members have shown a strong commitment to implementing effective risk management programs including Return to Work, OSHA compliance, written safety programs, employee training, effective safety committees as well as other safety initiatives to control and prevent losses. Our 2011 Award of Excellence Winners were:

Miller Memorial Community, Inc.



Brandon Munsen accepts the Award of Excellence for Miller Memorial Community, a Trust member since 2008.

Network, Inc.



Richard Wilber accepts the Award of Excellence for Network, Inc., a member of the Trust for the past 18 years.

The Trust also recognized members who have successfully implemented safety programs which have resulted in decreased injuries. These members were recognized as our Great Idea Award winners:

Carolton Chronic & Convalescent Hospital



Carmen Tortora, President & CEO accepts the award for Carolton Chronic & Convalescent Hospital, above. To reduce slip/fall claims due to snow and ice, Carolton developed a program for "Winter Weather Parking". They created a parking lot grid for shift workers on snow days to keep next shift areas completely plowed and sanded for slip/fall safety. With one of our snowiest winters yet, they had no slip/fall claims due to winter surfaces.

Cheshire House Nursing & Rehabilitation Center



Eddy Estep, Safety Officer accepts the award for Cheshire House. To reduce injuries associated with patient repositioning Cheshire House purchased over seventy ergonomic slide sheets to replace draw sheets. They also installed wall mounted racks in the bathroom of every patient's room and mandated the use of the slide sheets for all patients who had to be moved up and down in bed. Since the implementation of the slide sheets, there have been no patient transfer/move/reposition claims.

Brewster Perkins Outstanding Broker Award

In the early 1990's, the Trust began accepting insurance applications directly from brokers throughout the state. Since that time, the Trust has formed strong business relationships with numerous brokers, many of whom have educated themselves in the multitude of services the Trust can provide to their clients. These brokers have become strong Trust supporters and are great advocates for their clients.

During the celebration, the Trust officially recognized one of its top producing brokers, **Brewster Perkins**, of Willis North America. Brewster was awarded the "Distinguished Broker Award" to recognize his many years of ongoing support and commitment to the Trust. He is one of the most educated and informed brokers that we work with and his clients have accounted for many millions of dollars of premium volume placed with the Trust throughout its history.

Thank you Brewster!



Rose Zimmitti, Systems Administrator Outstanding Employee Award



Like many companies, the Trust is committed to upgrading software and improving our use of technology not only for our own staff, but for those of our members as well. In addition, new government compliance mandates have required additional reporting of claims data to Medicare contractors.

We are very thankful to have Systems Administrator, Rose Zimmitti, who singlehandedly built the Trust's new compliance program as well as led the way in implementing a new policy system, while simultaneously monitoring day-to-day functions performed by other employees of the Trust. Rose has an uncanny ability to understand and develop systems that work well for the end user. She is patient, persistent, a pleasure to work with and always willing to help. Congratulations and Thank you Rose for your commitment and dedication to the Trust.

Winners, Winners, Everywhere!!!

They came, enjoyed some great food, listened to some good music, and just for showing up, they left with a little bit more than they started with. In the spirit of the “The Caribbean”, the Trust and many of our sponsors contributed prizes for our raffle. Upon arrival, all attendees were entered into the drawing, in appreciation for joining us to celebrate 30 years. Congratulations to our winners.

1st Prize Winner: Beth Doolan, Southmayd Home

Escape to the Caribbean Island of Your Choice

\$2500 Gift Certificate from Liberty Travel



2nd Prize Winner: Thomas Walkuski, Valerie Manor

Fun in the Sun Getaway

\$1000 Gift Certificate from Liberty Travel



3rd Prize Winner: Amanda Stanton, The Guilford House

Caribbean Spirits

Frozen Concoction Maker and Everything you need to bring the Tiki Bar home to you



Winners from our Sponsor Raffle

<u>Sponsor</u>	<u>Prize</u>	<u>Winner</u>
Hetrick, Cyr & Associates	Flat Screen Television	Gabriele Tai, Kids In Crisis
Letizia, Ambrose & Falls	Yankees Tickets	Heidi Bearnse, Hockanum Valley Community Council
Saslow, Lufkin & Buggy	Wine Basket	Mary Therien, Stratford VNS
myMatrixx	\$50 Gift Card	Sara Roman, ECHN
myMatrixx	\$50 Gift Card	Kristin Koos, Lindquist Koos Insurance
PMSI	Cisco Flip Video Camera	Anita Zitko, Workers' Compensation Trust
MetLife	\$50 Gift Card / UConn Tickets	Ron Pape, ARC of Southington
BL Companies	Digital Camera	Judy Baker, HART United
Patient Lifts of New England	\$50 Gift Card	Debbie Hunter, Occupational Health Plus
Patient Lifts of New England	\$50 Gift Card	Harold Packman, Former Trust Employee

Opioid Over-Use in Workers' Compensation

Recent studies show rapid growth in the use of Schedule II opioid medications (narcotics) in treating workers' compensation injuries. Narcotics have limited FDA-approved medical use and high potential for abuse and addiction. The American College of Occupational and Environmental Medicine indicates opioids are only appropriate in the treatment of acute musculoskeletal pain on a short-term basis and for chronic pain only after other methods and medications have failed. However, studies have found that narcotics are usually prescribed to treat minor musculoskeletal pain and for an extended period of time.

Failure to prescribe and monitor these drugs in a responsible manner can result in poor outcomes for injured workers, including delayed recovery, failure to return to work, and possible addiction or even death from unintentional overdose. A recent study by the University of Maryland reported that the number of unintentional opioid analgesic overdose deaths from 1999 – 2007 in the United States was higher than the overdose deaths associated with cocaine and heroin combined; an alarming statistic.

Given these concerns, why are so many opioids being dispensed in workers' compensation cases? One factor is a recent philosophical shift in physician attitudes toward the treatment of pain. Meaning, the

physician attempts to achieve the patient's unrealistic expectation to be totally pain free. The United States now consumes 80% of the global opioid supply, while representing only 4.6% of the world's population. Leading workers' compensation research organizations such as NCCI and WCRI believe that another significant factor in the dramatic growth in opioid use is that many states, including Connecticut, allow providers to dispense internally within their own practices. The additional revenue for the provider, coupled with the fact that an injured worker receives these drugs with no out-of-pocket cost, are major contributing factors to this issue.

Clearly, opioid management for workers' compensation claims is a complex problem calling for a comprehensive strategy. The Trust has invested significant energy in developing a plan to combat this issue. Education of our claims staff, implementation of a technology-based drug monitoring system, and maintaining an open line of communication with physicians are all key components of our plan to control excessive opioid use.

The true measure of success in any pharmacy management program is filling fewer opioid prescriptions, which is exactly what our program is achieving.



What do you think?

Was the Permanent Loss Compensable?

Following abdominal surgery for a crush injury, the claimant's general surgeon assigned a 50% permanent disability to the abdominal wall. Connecticut General Statutes 31-308(b) lists body parts that are compensable for loss of use, but the list does not include the abdominal wall. Was the permanent disability compensable?

Answer to Case from June's Issue

Thanks for the many responses. The psychiatric injury was deemed not to be compensable. The Commissioner Review Board decided that for a psychiatric injury to be compensable it must arise from the physical injury and not merely accompany the physical injury.



Have you tried enjoying the aches and pains?

Common Occupational Injuries: Tears of the Meniscus

The meniscus is a cushioning layer of fibrocartilage which sits in the knee between the top of the shin (tibial plateau) and the bottom of the thigh bone (femoral condyles). It may become torn when the foot is fixed and the leg twisted, an injury type common among individuals who lift and transfer patients, or otherwise manipulate heavy loads. Older individuals are at increased risk due to the normal degeneration of meniscal tissue, and tears may result from relatively minor trauma among such individuals.

Symptoms of a meniscal tear vary considerably. Often, the onset of pain is gradual, and may or may not be associated with swelling of the joint. Sometimes patients experience locking or catching of the joint in addition to pain. Tears may be large or small, and there are a number of maneuvers on physical exam which physicians use to identify them. Unfortunately no single diagnostic test is accurate 100% of the time, and MRI imaging is frequently utilized to characterize the injury, particularly if surgical repair is likely to be necessary.

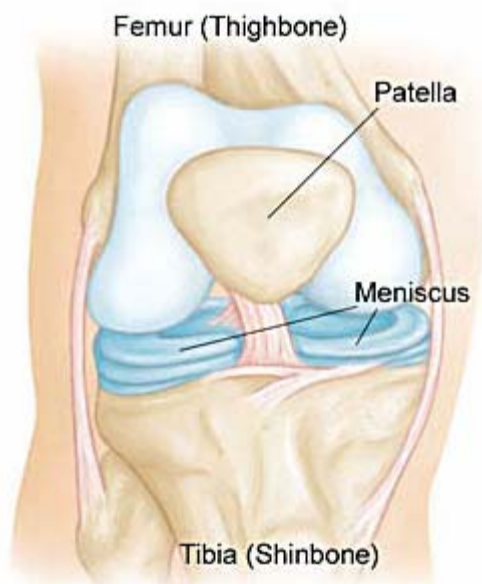
Smaller tears which do not cause frequent symptoms or interfere with the function of the knee are often managed conservatively with rest, minimization of activities, and strengthening of muscles around the knee, often in the context of a physical therapy program. The likelihood that surgery will be required increases if conservative measures do not result in noticeable improvement within three to four weeks, and when normal weight bearing is not possible following the injury.

Surgeries may be carried out in open fashion or with the use of an arthroscope. Depending upon the nature of the tear, the surgeon may choose to excise part or all of the meniscus, or to repair the meniscus. In general, as much meniscus as possible is spared.

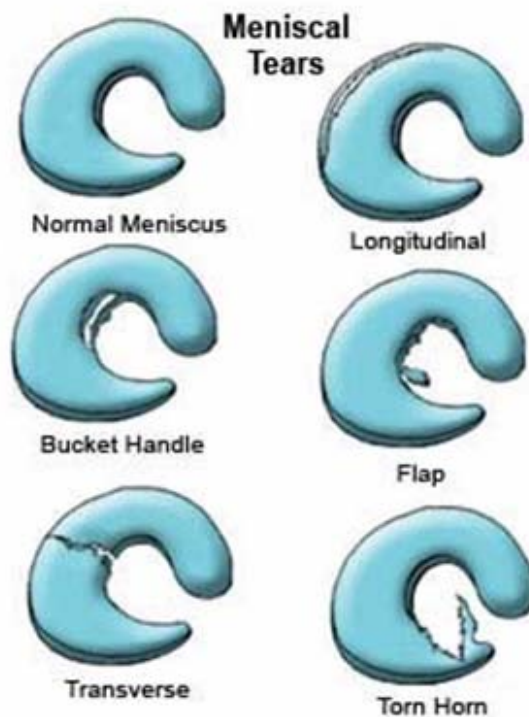
Results of the surgery vary. Factors generally associated with more successful outcomes include age less than 35, vertically oriented meniscal tears, and lack

of articular cartilage damage. Unfortunately, tears of the meniscus place individuals at greater risk for degenerative joint disease later in life.

Normal knee anatomy



Common types of tears



Reductions in Recoverable Liens for Employers & Insurers

The Legal Corner
Attorney John M. Letizia
Letizia, Ambrose & Falls, PC
New Haven, CT

The Connecticut Legislature passed a law during this last legislative session which significantly impacts the rights and obligations of employers. Unfortunately, due to new workers' compensation legislation, employers (or their insurers) that pay workers' compensation benefits to injured employees will likely face an automatic reduction in the amount of their lien which is recoverable in a lawsuit brought by the injured employee against a negligent third party.

This law, effective July 1, 2011 adversely affects an employer's (and the Trust's) right to recover its full workers' compensation lien in actions brought by the injured employee against negligent third parties. Previously, employers (and their workers' compensation insurers) had a right to intervene in any action brought by the injured employee to recover the full amount of the workers' compensation benefits paid to or on behalf of the injured employee. Employers and insurers were free to agree to reduce the amount of the reimbursement they received from any settlement proceeds, but they were not required to do so, and by statute, they were entitled to full reimbursement of their lien. Now, an employer and its insurer faces a mandatory one-third reduction in the workers' compensation lien when the third-party lawsuit is filed by the employee, unless the parties agree to some other reimbursement arrangement. Notably, this new law will not apply to the State of Connecticut, municipalities or the Second Injury Fund, so only private employers and their insurers will be forced to reduce their liens.

The only "bright spot" in the new law is that it permits an employer through its insurer to protect its reduced workers' compensation lien recovery rights by sending proper notice of the lien prior to judgment or settlement of the third-party lawsuit, even in cases where the employer does not intervene in the third-party lawsuit. This means that an employer through its insurer may recover the reduced workers' compensation lien from a settlement or verdict in a third-party lawsuit regardless of whether the employer intervenes in a third-party action as long as it sends the required notice of its lien recovery rights.

There are a variety of legal issues that will need to be addressed in connection with this new legislation, such as whether the new law applies to third-party actions pending on July 1, 2011 and whether the mandatory one-third reduction applies to third-party actions commenced directly by the employer as opposed to the employee. The Trust is taking steps to protect the rights of its insureds in this regard.

The representations made in this article are the opinions of the law offices of Letizia, Ambrose & Falls, P.C., which is responsible for its content. This information is provided gratuitously and for information purposes only. You are encouraged to consult with the appropriate legal counsel prior to relying on this information.

WELCOME NEW MEMBERS

Always There Home Care, LLC
Area Congregations Together, Inc.
At Home Compassionate Care, LLC
Emergency Shelter Management Services
Family Support Team, LLC
Greater Bridgeport Adolescent Pregnancy Program, Inc.
Prime Care Services of Connecticut, Inc.
Women's Center of S.E. Connecticut, Inc.

WELCOME BACK TO OUR RETURNING MEMBER

CT Health of Greenwich, LLC
CT Health of Southport, LLC
New Britain Emergency Medical Services Foundation
SARAH Tuxis Residential Services & Community Resources
Suffield Manor dba The Suffield House

Upcoming Educational Programs

These programs are designed to assist our members in gaining knowledge of issues that surround and support the reduction of work related injuries and associated claims. More detailed information is forthcoming. *Many courses now offer contact hours (CEUs) for Nursing Home Administrators.* Your attendance is encouraged.

SEXUAL HARASSMENT PREVENTION TRAINING FOR SUPERVISORS

OCTOBER 13	9:00 AM – 11:00 AM	MEMBERS: FREE	NON-MEMBERS: \$50
NOVEMBER 10	9:00 AM – 11:00 AM	MEMBERS: FREE	NON-MEMBERS: \$50



OSHA 10 HOUR GENERAL INDUSTRY SAFETY AND HEALTH OUTREACH TRAINING

OCTOBER 20 th , 27 th	9:00 AM – 3:30 PM	MEMBERS: \$195*	NON-MEMBERS: \$300
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MEMBERS' ORIENTATION TO THE TRUST

NOVEMBER 29	9:00 AM – 11:30 AM	MEMBERS: FREE
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NATIONAL SAFETY COUNCIL DEFENSIVE DRIVING 4-HOUR COURSE

DECEMBER 13	9:00 AM – 1:00 PM	MEMBERS: \$50	NON-MEMBERS: \$75
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SNEAK PEAK at 2012

Coming up in **2012** the Trust will offer a **Supervisory Skills Training Series**. Additionally, representatives from the Connecticut Department of Labor will provide information on **Wage & Workplace Matters**, and **Employee Benefits** such as **ERISA**, **COBRA** and **HIPAA**. A popular program in 2011, **Dementia Care Specialist Training™**, will be offered again. Specific topics to meet peer group needs will be offered throughout the year and will be added to the Education Calendar.



The Intelligent Insurance Solution

866 North Main Street Extension
Wallingford, CT 06492