

# Trust Intelligence

A Newsletter for Members of the Workers' Compensation Trust

Issue 93

September 2017

## Important New Law for Reporting Workers' Compensation Claims

Employers have only 28 days from when they receive an injured worker's written claim notice (often called a Form 30C), to either file a notice that they are contesting it, or begin paying benefits to the worker. If that deadline is missed, the employer has no further opportunity to deny the claim or the extent of the injury. Missed Form 30C deadlines have plagued Trust members for years resulting in often unnecessary costs.

Public Act 17-141 provides the opportunity for a notice of claim for injury to get into the hands of the person responsible for investigating and processing it. The new law, which benefits both employees and employers was initiated and supported by the Trust and becomes effective October 1.

### **Posting Requirement**

The new law provides the option for an employer to designate where written notice is sent. The employer can take advantage of this benefit by doing two simple things: 1) posting an official notice in the workplace wherever mandated employee and workplace notices are posted and 2) notifying the Workers' Compensation Commission of the proper address so that it can appear on the Commission website.

The Workers' Compensation Commission is in the process of revising the current mandated posting notice to allow for the new information as well as developing the notice database. This is expected to be done at the end of August. As soon as we have been notified, the Trust will then re-issue new posting notices for all Trust members and self-insured employers and provide instructions on how to update the State data base. We expect all our members to take advantage of this very effective way to ensure notice of claims are properly filed and therefore can be responded to in an appropriate and timely manner.

### **Welcome to the Newest Members of the Trust**

Second Chance Home Care, LLC  
The Community Action Agency of Western CT, Inc.  
EdAdvance and Education Connection  
Atrinity Home Health, LLC

### **Welcome Back to Members Returning to the Trust**

Columbus House, Inc.  
Family Centered Services of CT, Inc.  
The Harold Leever Regional Cancer Center, Inc.  
Visiting Nurses of the Lower Valley, Inc.  
Residential Management Services, Inc.

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# Trust Upgrades Diagnostic Imaging Network to Improve Medical Outcomes

Errors in the diagnostic stage of care can result in significant harm to the patient due to unnecessary procedures and delays in appropriate care. The impact of errors on costs is particularly significant in spine care. For pre-surgical spine patients, diagnostic errors are both prevalent and potentially life-changing when they result in in-appropriate spinal procedures. According to a recent study published in *Spine Journal*, a leading medical publication for providers who specialize in the treatment of spinal conditions, diagnostic error rates can be as high as 43 percent.

In response to the concerning issue, the Trust recently began working with Spremo Health to utilize their Diagnostic Accuracy Program, which combines a

data driven quality care metrics review platform with a “best in class” network of statewide credentialed imaging providers, in order to mitigate the effects of diagnostic errors on injured workers. Our neurosurgical consultant now has access through a secure web portal to review spine MRI’s and CAT scans in a near real time environment. This in turn allows our staff to respond more quickly and more effectively to the appropriate care level and treatment the injured worker may need as a result of image findings. We believe that this program provides a higher level of checks and balances that gives us greater confidence that injured workers’ are receiving the highest quality care available while controlling unnecessary medical costs and inappropriate care.

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## New WC Commissioners

The Workers’ Compensation Commission recently appointed Robert A. D’Andrea and Brenda Jannotta as their newest Workers’ Compensation Commissioners. Commissioner D’Andrea brings with him thirty-five years’ experience dealing with individuals, domestic and international businesses. Commissioner Jannotta has worked since 1992 both at the state and federal level and most recently as the Program Manager at the Office of Rail, responsible for a wide variety of activities including the management of transit security programs, and development of policy and funding activities.

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## Manchester Community College Seeking Intern Placement Opportunities

Manchester Community College (MCC) is actively seeking internship opportunities for their Associate Degree & Certificate graduates in the field of Disabilities Specialists, Therapeutic Recreation and Occupational Therapy Assistant. MCC graduates come with many skills that can supplement and compliment your organization’s needs relative to care delivery operations.

The **Disability Specialist graduate** has completed coursework in preparation for an occupation associated with the care of children and adults with disabilities. The **Therapeutic Recreation certificate graduate** has completed necessary coursework as required by the Public Health Code of the State of Connecticut to deliver therapeutic recreation services to chronic convalescent nursing home and other facilities with nursing supervision. Lastly, the **Occupational Therapy Assistant graduate** works hand in hand with licensed Occupational Therapists and delivers Occupational

Therapy intervention and training across a variety of practice areas, including physical dysfunction, mental health and pediatrics. If you are interested in exploring internship opportunities within these specialties or others with MCC students and graduates for your organization, please contact Robert Henderson at [rhenderson@mcc.commnet.edu](mailto:rhenderson@mcc.commnet.edu) or Donna Sweeney MEd OTR/L at [dsweeney2@mcc.commnet.edu](mailto:dsweeney2@mcc.commnet.edu) to work with the OTA program.



## Trust Treasurer Nominated for CFO of the Year by The Hartford Business Journal



Longstanding Board member, Joseph Milke, Vice President of Finance and Administration, Klingberg Family Centers was recently nominated for CFO of the Year by the Hartford Business Journal. Trust associates gathered at the luncheon in support of his nomination.

Jeffrey Hughes, Chief Financial Officer of InterCommunity, Inc. another longstanding Trust member was also nominated.

Congratulations to both Joe and Jeff for this important recognition!

## The 2017 Award of Excellence goes to...

### United Services, Inc.



This member received the award based upon their overall safety culture which has led to the reduction of employee injuries. Their safety committee is empowered and active in the safety process. The most recent comprehensive program implemented was Workplace Violence which incorporated all of the thirty separate programs. Front row from left: Pamela Hunter, Carol Fronczek of Workers' Compensation Trust, Christine Raposa, Roberta White, Chris Carreiro, Marisol Rodriguez, and Cassie Manton. Back row from left: Robert DeVerna, Bonnie Richards, Mary Silvestri, Kristine Seifert, Lauren Peretto and Galliehue Blevins.

## Trust's NEW Safety & Health Committee Award of Excellence

### Marrakech, Inc.



Not only does this committee review accidents and trends, they focus on the prevention of incidents. The committee members are active at all

locations, attend trainings, send out safety tips on a regular basis including upcoming weather related events, and the committee helps to implement new safety policies and initiatives. The Safety Committee accepted the award: front row - Pamela Hunter of Workers' Compensation Trust and Khalid Ellis. Second row from left - Brittany Jones, Denise Canady, Maureen Williamson, and Lashaia McPhail. 3rd row from left - Anthony Burroughs, Eric Corriveau, Edgar Graham and Keith Hicks.

### G.I.L. Foundation, Inc.



The Safety Committee actively promotes safety throughout the locations and is made up of a group of individuals that rotate to the different group homes facilities for the meetings. The

committee has been instrumental in reviewing incidents and identifying solutions to improve workplace safety. The Safety Committee accepted the award left to right: Mike D'Avino, Sandy Brophy of Workers' Compensation Trust, Li Arroyo-Gonzalez, Thomas Salvador, Carol Fronczek of Workers' Compensation Trust, Kingslord Emu, Angel Ortiz (not present: Chelsey Knowlton, Bethany Hart and Diane Baily).

# The Legal Corner

Attorney John Letizia, Managing Partner  
Letizia, Ambrose & Falls, P.C., New Haven

## New Law Concerning Withholding Workers' Compensation Income for Child Support

### Public Act No. 17-27

Effective January 1, 2018, a new law will come into effect expanding the obligations of employers with respect to withholdings for child support. Previously, the law required that an employer notify a dependent or the Support Enforcement Services division of the Connecticut Judicial Branch when an obligor is terminated from their employment, makes a claim for workers' compensation benefits, or makes a claim for unemployment, and provide the obligor's last known address and the name and address of the new employer, if that information is known.

The expansion of this law, now requires when an employee makes a claim for workers' compensation benefits, that the employer provide a copy of any withholding order they have received along with the First Report of Injury to the workers' compensation insurance carrier. The employer, workers' compensation insurance carrier or self-insured employer will then be obligated to withhold the payment of any workers' compensation benefits in compliance with the withholding order and pay those benefits to the Department of Social Services' Office of Child Support Services.

#### Definitions

For the purpose of this Act, "dependent" means a spouse, former spouse or child who is entitled to payment under a support order. "Obligor" means a person who is required to make payments under a support order. "Support order" means a court order, or the order of a family support magistrate, which includes payment to a dependent of current support, medical support, or child care costs.

#### Purpose and Legislative History

The purpose behind this Act is to ensure that employees who are receiving workers' compensation benefits are still meeting their obligation of timely payment of child support benefits. In the early stages, House Bill No. 7037 received support from Kathleen M. Brennan, Deputy Commissioner of the Department of Social

Services, who testified that prior to this modification, the Department of Social Services was required to manually start the process of withholding workers' compensation benefits with the workers' compensation insurance carrier, which would often result in a four to six-week delay in child support payment to the family. She noted that this change would remove any potential delay in the receipt of child support funds by the family.

House Bill No. 7037 also received support from the External Affairs Division of the Connecticut Judicial Branch. Their testimony noted that this change would increase the amount of child support collected, while also conserving the resources of Support Enforcement Services. When raised before the House of Representatives and the Senate, this Bill received overwhelming support and passed unanimously through both governing bodies, before it was signed by Governor Dannel Malloy on June 6, 2017.

#### Obligations of Employers and Workers' Compensation Insurance Carriers

Under the law, an employer is required to comply with any child support withholding orders issued by the Court. If an employer or workers' compensation insurance carrier fails to comply with a withholding order or fails to make payments to the Department of Social Services' Office of Child Support Services, it will become liable for the full amount of income not withheld since receipt of the withholding order.

Please note that Public Act 17-27 does not discuss the obligations of workers' compensation carriers or self-insured employers with regard to regular garnishment orders for failure to pay a debt.

If you have any questions regarding this decision and how it will affect you or your agency or business, please email Attorney John M. Letizia ([letizia@lafaw.com](mailto:letizia@lafaw.com)) or Attorney Denise Morelli ([morelli@laflegal.com](mailto:morelli@laflegal.com)) or call either one at 203-787-7000.

## High Blood Pressure is a Serious Health Risk!

As we transition into autumn, here's something nice you can do for yourself: Check your blood pressure. If it's high, make sure you do something about it.

According to the U.S. Centers for Disease Control and Prevention (CDC), about 75 million American adults, or about one-third of us, have hypertension (high blood pressure). Unfortunately, only about half of those with high blood pressure have the condition under control. As we age, we become even more likely to have it. By the time we are in our fifties more than half of us are affected. Among African Americans, those numbers are higher.

Hypertension is a serious risk factor for a number of chronic and acute medical conditions. About 7 of every 10 people having their first heart attack, 8 of 10 having their first stroke, and 7 of 10 with chronic heart failure have high blood pressure. More than 360,000 deaths annually (approximately 1,000 deaths per day) have hypertension as a primary or contributing cause.

Unfortunately about one in every five U.S. adults with hypertension does not know he or she has the condition, and most people with hypertension do not experience any symptoms. That's why checking your blood pressure and having a screening exam with your physician is so important. Diagnosing the condition before it leads to serious health consequences will allow you to engage with interventions to get hypertension under control. These include eating a healthy diet, in particular limiting saturated fat and sodium intake; maintaining a healthy weight; being physically active; limiting alcohol use and not smoking. Your doctor also can prescribe medications to manage the condition when lifestyle modifications do not adequately control it.

My advice: Don't let an easily manageable condition interfere with your dreams for the future. Check your blood pressure and keep it under control.



### InterCommunity, Inc.



InterCommunity, Inc. received the Great Idea Award for "Unifying the Safety Committee" which utilized employee surveys to establish safety goals for the newly

formed committee which combined InterCommunity, Inc with InterCommunity Recovery Centers. Accepting the award from left to right are: Jill Giulietti, Kathy Marek-Bissonnette of Workers' Compensation Trust, Kimberly Beauregard, Lindsey Potterton, Mary Beth Peacock, Jessica Russell, Yeriam Rodriguez, and Alyse Schwartz.

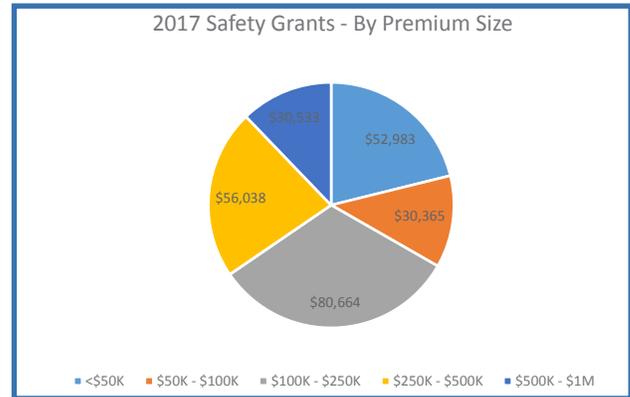
### Branford Hills Health Care Center



This Great Idea Award was presented to Branford Hills Health Care Center for their "Safety Mania" campaign. This unique idea helped to energize employee safety leading to a reduction in injuries and illnesses. Accepting the award from left to right are: Heidi Repetsky, John Paul Cosentino, Janet Woxland, Veronice Pozo-Mora, Jodi Waterhouse, Richard Sadja, Maria Lucas, Patricia Waldron, Sally Travaglino, Mike Berry, Lori Rusconi, Abdou Amadou Watera, Tracey DeLucia, Andrea Ahern, Lisa Egan, Peggy Welch and Deb Arel.

# Trust Safety Grant Awards are Making a Difference

On May 1, the Trust announced the 2017 Safety Grant recipients. Over 83 Trust members submitted applications; 29 members were awarded the Safety Grant. These 29 members represent eight Industry Groups.



The Trust was able to provide safety grants to a wide spectrum of members ensuring that no matter how large or small an organization, all could benefit from this program.

Our members face many challenges with keeping employees and Individuals and clients they serve safe. The safety grants will help to maintain a safe environment for all.

Safe Patient Handling Equipment	\$84,669	34%
Security/Communication	\$51,154	20%
Repairs (Inside or Outside)	\$35,439	14%
Training	\$35,182	14%
Other	\$18,774	7%
Fleet	\$15,000	6%
Personal Protective Equipment	\$10,365	4%
<b>TOTAL</b>	<b>\$250,583</b>	

Some members have fully completed the project and will continue to monitor the results. Others are in various stages of project(s) implemented. We look forward to sharing the results in the next newsletter.



Many Trust members are looking for no or low cost methods to promote wellness for their employees and for Individuals and Clients they serve. Using a health and wellness newsletter is a simple method of promoting the value of good health and educating employees on ways to lead a healthier lifestyle.

Wellness Proposals is an organization that has a library of free wellness newsletters and information on how to write a wellness newsletter. There are over



100 topics to choose from including tie ins to National initiatives such as North American Occupational Safety and Health week, National Great Outdoors month, National Fire Protection Week and Breast Cancer Awareness month to name just a few. Not only can the information be used for newsletters but also for safety committee initiatives/promotions or wellness challenges for employees. Take advantage of this free resource and help to keep your employees healthy. [www.wellnessproposals.com](http://www.wellnessproposals.com)

# Success in Reducing High Doses of Long Term Acting Opioids

At a recent annual stewardship meeting with our pharmacy benefit manager, myMatrixx, a number of positive data trends were identified to demonstrate our commitment to controlling the cost of pharmacy and ensuring appropriate patient prescription safety measures are in place for our injured workers.

Of all the positive statistics reviewed, the one that stood out the most was that of reducing the overall average Morphine Equivalent Daily Dose (MEDD). In layman's terms, the higher the MEDD, the greater risk for patient dependence and addiction. The Workers' Compensation Commission understands the importance of this and has recently recommended special measures and precautions be put in place between

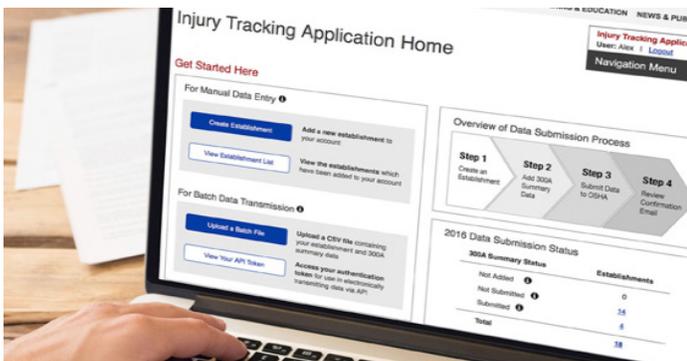
prescriber and patient if the MEDD rate exceeds 90.

After much effort on the part of the Trust to educate our provider community, our injured workers, and the coordinated efforts of working with myMatrixx on safe opioid prescribing strategies, we are pleased to report that we have experienced a **36% decline** in the average MEDD on long acting opioids in our claims over the last 48 months with the average MEDD being 64.

With the national opioid crisis being labelled by many as today's number one public health crisis, the Trust is proud that the fruits of our labor in this critical area, appear to be paying off.

## OSHA News

### Electronic Submission of Injury and Illness Records



Effective January 1, 2017 OSHA issued a final rule which revised its requirements for recording and submitting records of workplace injuries and illnesses to require that some of the recorded information be submitted to OSHA electronically for posting on the OSHA website. The criteria for those employers who must report electronically to OSHA their completed 2016 Form 300A by December 1, 2017 is:

**Who:** A covered establishment (based on the NAICS code) who is non exempt from the recordkeeping requirement. Establishments (OSHA defines an establishment as a single physical location where business is conducted or services or industrial operations are performed) with 250 or more employees that are currently required to keep OSHA injury and illness records, and establishments with 20-249 employees that are classified in certain industries with historically high rates of occupational injuries and illnesses. To determine if you need to provide OSHA

with the required data for an establishment, you need to determine the establishment's peak employment during the last calendar year (2016). Each individual employed in the establishment at any time during the calendar year counts as one employee, including full-time, part-time, seasonal, and temporary workers.

**When:** The requirement became effective on January 1, 2017. The new reporting requirements will be phased in over two years. In 2017, all covered establishments must submit information from their completed 2016 Form 300A by December 1, 2017.

**How:** OSHA has provided a secure website (available August 1, 2017) that offers three options for data submission. First, users will be able to manually enter data into a web form. Second, users will be able to upload a CSV file to process single or multiple establishments at the same time. Last, users of automated recordkeeping systems will have the ability to transmit data electronically via an API (application programming interface).

To learn more and access the forms go to [www.osha.gov/injuryreporting/index.html](http://www.osha.gov/injuryreporting/index.html)

To assist our members with the requirements for this new rule, the Trust has put together a "Guide to OSHA's Electronic Illness and Injury Reporting Requirements" which was sent to all members. If you have any questions or need a guide, please contact Carol Fronczek at [fronczek@wctrust.com](mailto:fronczek@wctrust.com).



## Upcoming Educational Programs

*The following programs are designed to assist members in gaining knowledge of issues that surround and support the reduction of work related injuries and create a safe and healthy workplace. To register, or obtain detailed information, go to [www.wctrust.com](http://www.wctrust.com). Most courses offer Continuing Education Units (CEUs). Your attendance is encouraged.*

### **What Every CEO/CFO Needs to Know About Buying Insurance - 6 part series**

Wednesdays, September 13                      8:30 AM - 12:30 PM                      Members: \$795                      Value: \$1000

### **WC Claims: Key Strategies for Improving Claim Outcomes**

Thursday, September 28                      9:00 AM - 3:30 PM                      Members: FREE                      Value: \$200

### **OSHA Series: Electrical, Hand and Power Tool Safety**

Thursday, October 5                      9:00 AM - 12:00 PM                      Members: FREE                      Value: \$100

### **Partnering With the Trust**

Wednesday, October 11                      9:00 AM - 12:00 PM                      Members: FREE                      Value: Priceless

### **Sexual Harassment Prevention Training for Supervisors**

Wednesday, October 18                      9:00 AM - 11:00 AM                      Members: FREE                      Value: \$50

### **Safety Solutions for Group Homes**

Thursday, October 19                      9:00 AM - 3:30 PM                      Members: FREE                      Value: \$200

### **Empathic Approaches to Supporting People with Dementia**

Wednesday, October 25                      8:00 AM - 4:30 PM                      Members: \$60                      Value: \$250

### **Workplace Violence Prevention: Addressing Today's Reality**

Thursday, November 2                      9:00 AM - 3:30 PM                      Members: FREE                      Value: \$200

### **The Newest in Safe Patient Handling and Industry Trends**

Wednesday, November 8                      8:30 AM - 3:00 PM                      Members: FREE                      Value: \$200



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