

### **§358-A. Reports and data collection**

**1. Workers' compensation system annual report.** The board, in consultation with the Superintendent of Insurance and the Director of the Bureau of Labor Standards within the Department of Labor, shall submit an annual report to the Governor and the joint standing committees of the Legislature having jurisdiction over labor and banking and insurance matters by February 15th of each year regarding the status of the workers' compensation system. At a minimum, the report must include an assessment of the board's implementation of the following provisions:

- A. The number of individual cases monitored to ensure the provision of benefits in accordance with law, pursuant to section 152, subsection 10; [PL 1997, c. 486, §8 (NEW).]
- B. The number of cases monitored to ensure the payments are initiated within the time limits of sections 205 and 324 and the adequacy of compensation provided pursuant to section 153, subsection 1; [PL 1997, c. 486, §8 (NEW).]
- C. The number of investigations performed pursuant to section 153, subsection 7; [PL 1997, c. 486, §8 (NEW).]
- D. The number of lump-sum settlements cases monitored and a summary of postsettlement employment experience pursuant to section 352, subsection 6; [PL 1997, c. 486, §8 (NEW).]
- E. The number of audits performed and an assessment of compliance with this Act based on audit results pursuant to section 359, subsection 1; [PL 1997, c. 486, §8 (NEW).]
- F. The number of penalties assessed and the reasons for the assessments pursuant to section 205, subsection 3; section 313, subsection 4; section 324, subsections 2 and 3; section 359, subsection 2; and section 360; [PL 2015, c. 297, §22 (AMD).]
- G. The results of the monitoring program giving side-by-side information compilations for the past 5 years pursuant to section 359, subsection 3; and [PL 2015, c. 297, §22 (AMD).]
- H. The timeliness of examinations conducted pursuant to section 312 and any other data regarding independent medical examiners and examinations. [PL 2015, c. 297, §23 (NEW).]

The report must contain specific data regarding compliance, including benchmarks measuring individual insurer's, self-insurer's, or 3rd-party administrator's compliance with the provisions of this Act and any penalties assessed. Benchmarks must be developed by the board with input from insurers, self-insurers and 3rd-party administrators and other parties the board considers appropriate. The board shall also report on the utilization of troubleshooters, advocates and retained legal counsel, with correlating outcomes.

[PL 2015, c. 297, §§22, 23 (AMD).]

**2. Data collection and interpretation.** The Director of the Bureau of Labor Standards within the Department of Labor, the Superintendent of Insurance and the board's executive director shall meet at least 3 times a year with appropriate staff and other state agencies to review the areas of data collection pertaining to the workers' compensation system, as well as to interpret and coordinate appropriate data collection programs to carry out the purposes of this Act. The Director of the Bureau of Labor Standards shall chair this group.

The Director of the Bureau of Labor Standards, the Superintendent of Insurance and the board's executive director shall provide jointly or individually any further occasional reports that they consider necessary to the improved function and administration of this Act and the occupational disease laws. [PL 1997, c. 486, §8 (NEW).]

**3. Occupational injuries and illnesses.** The Director of the Bureau of Labor Standards within the Department of Labor shall provide an annual report concerning the number and character of occupational injuries and illnesses and their effects, as required under Title 26, section 42.

The board's executive director shall assist the Director of the Bureau of Labor Standards to ensure that necessary information regarding the administrative processes, costs and other factors related to this Act and the occupational disease laws are included in the report. The Commissioner of Health and Human Services and the Director of the Bureau of Health shall provide the Director of the Bureau of Labor Standards with any information in their possession related to occupational injuries and illnesses.

[PL 1997, c. 486, §8 (NEW); PL 2003, c. 689, Pt. B, §7 (REV).]

#### **4. Loss costs data.**

[PL 2013, c. 52, §1 (RP).]

**5. Rehabilitation data.** The board shall develop a system for collecting rehabilitation data and provide any reports considered necessary for the improved function and administration of rehabilitation under this Act.

[PL 1997, c. 649, §1 (NEW).]

#### **SECTION HISTORY**

PL 1997, c. 486, §8 (NEW). PL 1997, c. 649, §1 (AMD). PL 2003, c. 689, §B7 (REV). PL 2013, c. 52, §1 (AMD). PL 2015, c. 297, §§22, 23 (AMD).

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