

SC Workers' Compensation Commission



**National Council of Insurance Legislators
Spring Meeting
Charleston, SC
April 15-18, 2021**



South Carolina Workers' Compensation Commission

Commissioners



T. Scott Beck
Chairman
Term Expires
June 30, 2020



Susan S. Barden
Term Expires
June 30, 2022



Melody L. James
Term Expires
June 30, 2022



Aisha Taylor
Term Expires
June 30, 2020



Avery B. Wilkerson, Jr.
Term Expires
June 30, 2020



Gene McCaskill
Term Expires
June 30, 2024



Michael R. Campbell II
Term Expires:
June 30, 2024



Commissioners

Appointed by governor

6 year term

Chairman appointed by governor

2 year term –

Judicial Capacity

single commissioner hearing

conduct appellate hearings

conducts and approves informal conferences

approves settlements, attorney fee petitions

Public Policy Capacity

approves regulations

approves Medical Services Provider Manual;



Mission Statement

To provide an equitable and timely system of benefits to injured workers and employers in the most responsive, accurate and reliable manner possible.

Core Values.....

- Apply facts of the case to the law
- Apply rules equitably (level playing field)
- Seek Continuous Improvement
- Respond timely
- Every case involves a person



Stakeholders

Employers

Employees

Insurance Carriers

Medical Service Providers

Attorneys

Uninsured Employers Fund

Guaranty Fund

SC General Assembly



System Economic Impact

\$ 1.04 billion annually

Medical	\$ 451 million
Indemnity	\$ 587 million



Annual Operating Budget - \$8.1 million

General Fund	\$2.5	million
Earmarked Fund	\$5.6	million

Authorized FTEs – 63 (53 funded)

General Fund	18
Earmarked Fund	45



Departments and Divisions

Commissioners

Executive Director

Information Technology

Insurance & Medical Services

Claims

Judicial



Commissioners

Judicial Capacity

- single commissioner hearings
- conduct appellate hearings
- conducts and approves informal conferences
- approves settlements, attorney fee petitions
- issues administrative orders

Public Policy Capacity

- approves regulations, rules and policies
- approves Medical Services Provider Manual (Fee Schedule)



Intergovernmental Partnerships

Venues/Hearing Sites

100 throughout state

SC Department of Employment and Workforce

Employer wage and personnel data for coverage compliance

SC Department of Vocational Rehabilitation

Research data base for claimants eligible for service
2,200 referrals annually

Probation, Pardon and Parole Partnership

Hearings held via video conference



Challenges & Opportunities

IT Legacy System Modernization Project

Venues

Medical Services Provider Manual

COVID 19

Insurance adjusters training



COVID 19

(Feb 1, 2020 – March 31, 2021)

Total filed – 3,251

Filed during month of March - 175

**Counties with highest number: Greenville (437),
Charleston (364), Richland (252)**

Fatalities: 25

Open denied: 13 Closed denied : 1,829



COVID 19

(Feb 1, 2020 – March 31, 2021)

Attorney representation : 101

Claims with Judicial Activity: 37

Total Medical Paid on closed COVID Cases - \$444,372

Total Non-Medical Paid on Closed COVID Cases – \$1,885,537

Occupation with highest number - Registered Nurses - 375



COVID 19

Governor McMaster's Executive Order

Closed agency to public March 20

20% staff onsite/80% work from home

In-person hearings suspended until June 1



COVID 19

Hearings by Zoom & CourtCall

Pre-hearing conference by telephone

Decided by jurisdictional commissioner

Document submitted electronically or USPS



COVID 19

Business Meetings via Zoom

June 1, 2020 – resume in-person hearings

CDC Safety protocols

Advisory Notices

www.wcc.sc.gov/news



Pending Legislation

Commission does not take a position

10 bills introduced

H 3585 passed, ratified on April 8



IT Legacy System Modernization Project

Initiated in 2018

To replace 30 year old claims management system

Benefits

Online form completion and submission

Electronic on-line payment

Electronic service of orders

View and download documents

Enhanced security

Data collection/analysis



IT Legacy System Modernization Project

Followed State Procurement Policies

Small Development Applications process

Contracted with vendor pre-approved by the State

Initial Date of Release October 31, 2019

**Series of Problems with new system delayed release until
December 4, 2019**



IT Legacy System Modernization Project

Vendor unable to correct problems with system for it to be

Product unacceptable

Vendor requested additional funding to correct problems

Commission denied request

Vendor terminated contract on February 14, 2020



IT Legacy System Modernization Project

Vendor terminated contract on February 14, 2020

Commission filed Dispute Resolution with Chief Procurement Officer

Microsoft' Gap Analysis of new system

Gap Analysis identified fundamental issues with the product would require complete rebuild



IT Legacy System Modernization Project

Resolution to dispute is pending

Staff initiated internal process to identify lessons learned from first vendor

Determine requirements needed for new system

Contacting other states who recently implemented IT Legacy Systems

With guidance from State Procurement will obtain proposals from other vendors to build system



Medical Cost

Commission responsibility

Ensuring medical care is available to claimants
Controlling cost of system

Fee Schedules

Medical Services Provider Manual
In-Patient Fee Schedule
Ambulatory Surgery Center



Medical Services Provider Manual 2021

Medicare Based (CMS)

2020 Resource Based Relative Values

Conversion Factor (\$51.5)

Updated Annually

Effective April 1



Advisory Committee

Medical Services Provider Manual Issues (Medical Services Fee Schedule)

- **Consider the use of multiple Conversion Factors**
- **Do not use budget neutral factor to determine Conversion Factor**
- **Remove requirement schedule is based on Medicare Relative Values**
- **Services provided out of state reimbursed at that state's fee schedule**
- **Review ways to ease administrative burden for workers' comp**
- **Allow service providers to negotiate rate higher than fee schedule**
- **Conduct comparative assessment of other states rates and fees to SC**



Venues

Single Commissioner Hearings
7 districts across the state
54 sites
9 rooms

No dedicated hearing rooms

Court rooms
City/county Council Chambers
State Agency Conference Rooms
Technical Colleges



Questions?

Thank you for your time!



Contact Information:

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