

JIMMY PATRONIS



# FLORIDA'S CHIEF FINANCIAL OFFICER DEPARTMENT OF FINANCIAL SERVICES

## 2021 RESULTS & ACCOMPLISHMENTS REPORT

### Division of Workers' Compensation

Chapter 440 is Florida's Workers' Compensation Law, and it enumerates an extensive list of duties performed by the Division of Workers' Compensation (DWC). While the Division is not responsible for adjusting claims, we assist injured workers, employers, health care providers, and insurers in following the Florida workers' compensation rules and laws.

The Division reviews its processes with an eye toward improvement at each level, using numerous measures and outcomes that reflect Florida's workers' compensation system and our mission. The following report features many of these measures and outcomes.

The ultimate purpose of this publication is to provide insight into the unique aspects of the Florida workers' compensation system. We hope you find the data informative and beneficial.

If you would like to provide us with any feedback, please email us at: [Workers.CompService@myfloridacfo.com](mailto:Workers.CompService@myfloridacfo.com)

Prepared by:  
Division of Workers' Compensation  
Department of Financial Services  
[www.MyFloridaCFO.com/Division/WC/](http://www.MyFloridaCFO.com/Division/WC/)



# Mission Statements

## Department of Financial Services

To safeguard the integrity of the transactions entrusted to the Department of Financial Services and to ensure that every program within the Department delivers value to the citizens of Florida by continually improving the efficiency and cost effectiveness of internal management processes and regularly validating the value equation with our customers.

## Division of Workers' Compensation

To actively ensure the self-execution of the workers' compensation system by educating system participants of their rights and responsibilities; by leveraging data to deliver exceptional value; and by holding participants accountable for fulfilling their obligations.



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## Medical Data Results

Medical data is summarized on a calendar basis. In 2020, the medical payments across nine categories of medical care providers totaled \$1,532,400,292. Within 12 months of injury, the total payments to these providers was \$848,676,986.

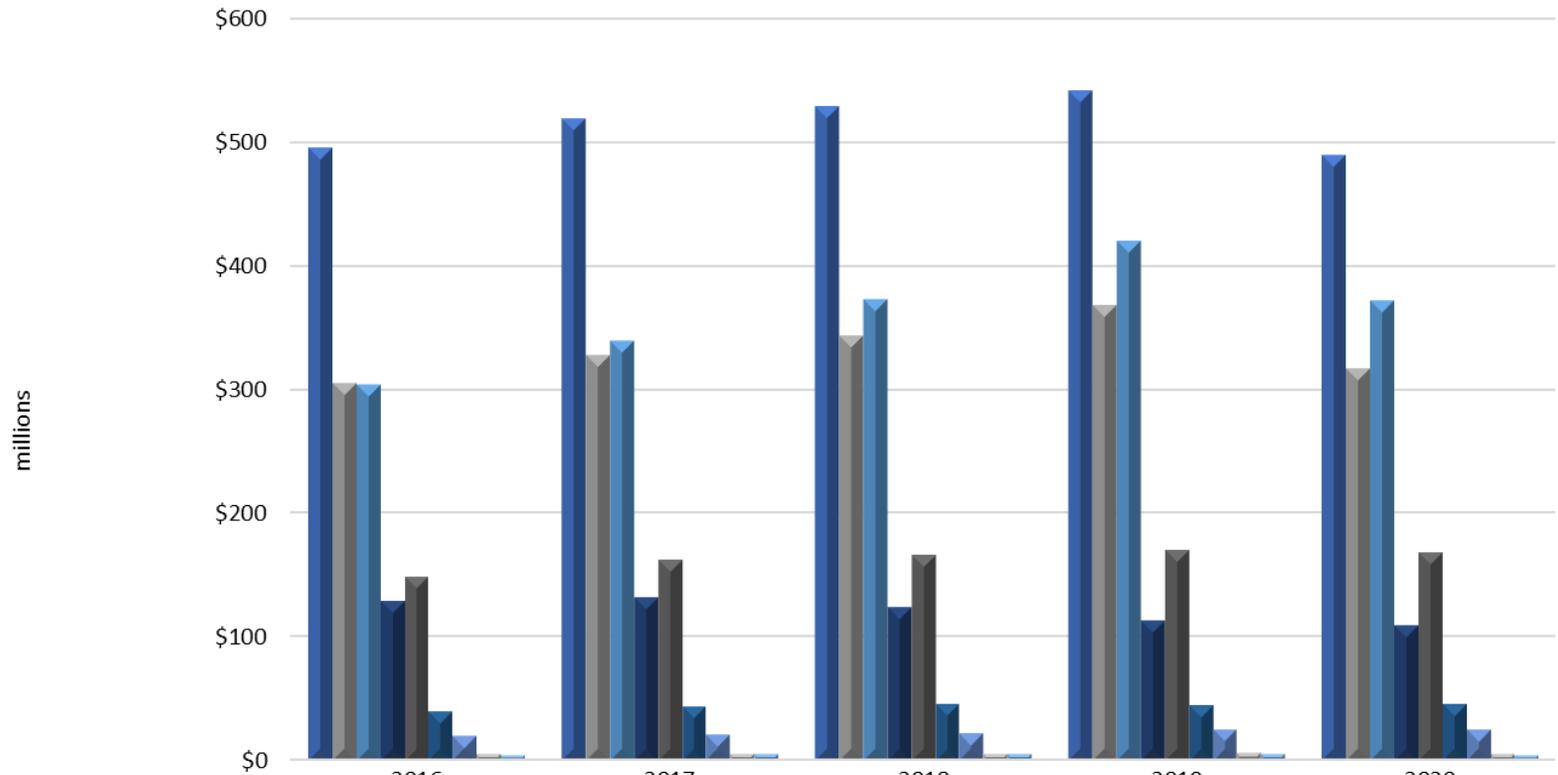
The Division of Workers' Compensation receives over 3.4 million medical bill records each year via electronic submission, which is the largest volume of Division received electronic data. Reporting of medical data begins with a work-related injury that required medical care from a physician, hospital, ambulatory surgical center (ASC), pharmacy, or other health care provider. The providers then submit medical bills to the applicable claim administrator for services rendered using the applicable medical claim forms (or electronic equivalents). The claim administrator or contracted medical bill review vendor adjudicates the medical bill.

When submitters report bills to the Division, we screen them by applying hundreds of edits, which reject bills that do not meet Division requirements. The submitter is notified immediately if a submitted bill failed the edits and was subsequently rejected. Rejected medical bills are not considered timely filed until corrected, re-submitted, and accepted by the Division. 97% of all medical bills reported to the Division are accepted by the Division.

Medical bill reimbursement amounts, which are contained in the reimbursement manuals adopted by the Division, are based on the agreed upon contract price or the maximum reimbursement allowance approved by the Three-Member Panel.

The following charts pertain to both lost-time and medical only claims. Data aggregation is by calendar year for the date of service, rather than the year of the injury. The data for each year is restricted to medical bills received and accepted by the Division no later than six months after the end of that year. Payment totals may differ in comparison to the Division's previous yearly reports due to payment disputes being resolved or updates to previously submitted medical bill data.

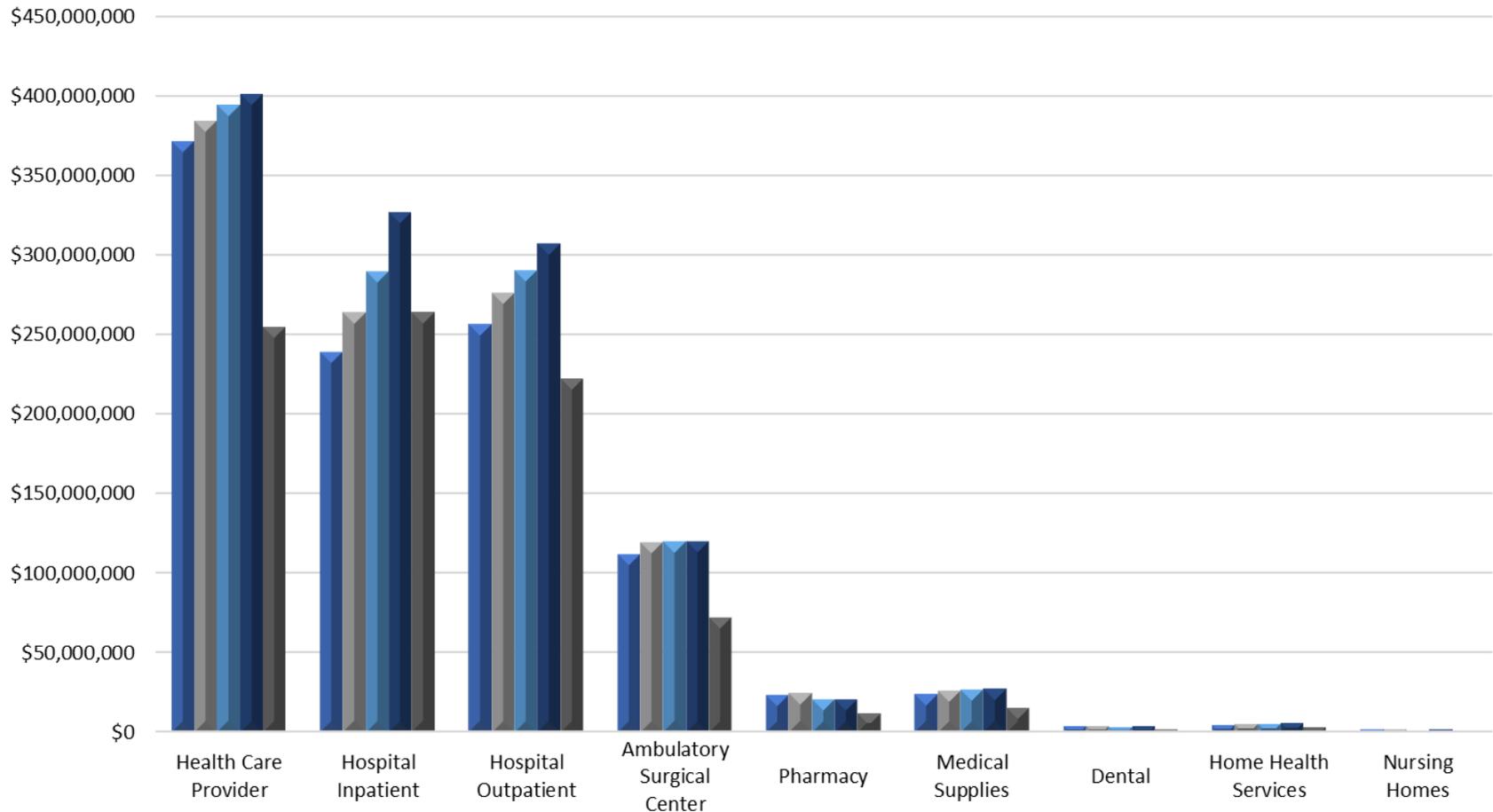
### Medical Payment Distribution Amounts



|                                  | 2016  | 2017  | 2018  | 2019  | 2020  |
|----------------------------------|-------|-------|-------|-------|-------|
| Health Care Providers (HCP)      | \$495 | \$518 | \$528 | \$541 | \$489 |
| Hospital Outpatient              | \$305 | \$327 | \$343 | \$367 | \$317 |
| Hospital Inpatient               | \$303 | \$339 | \$372 | \$419 | \$371 |
| Pharmacy                         | \$129 | \$132 | \$124 | \$113 | \$110 |
| Ambulatory Surgical Center (ASC) | \$149 | \$162 | \$166 | \$170 | \$168 |
| Medical Supplies                 | \$40  | \$43  | \$46  | \$45  | \$45  |
| Home Health Services             | \$20  | \$21  | \$22  | \$25  | \$25  |
| Dental                           | \$5   | \$6   | \$5   | \$6   | \$6   |
| Nursing Homes                    | \$4   | \$5   | \$5   | \$5   | \$4   |

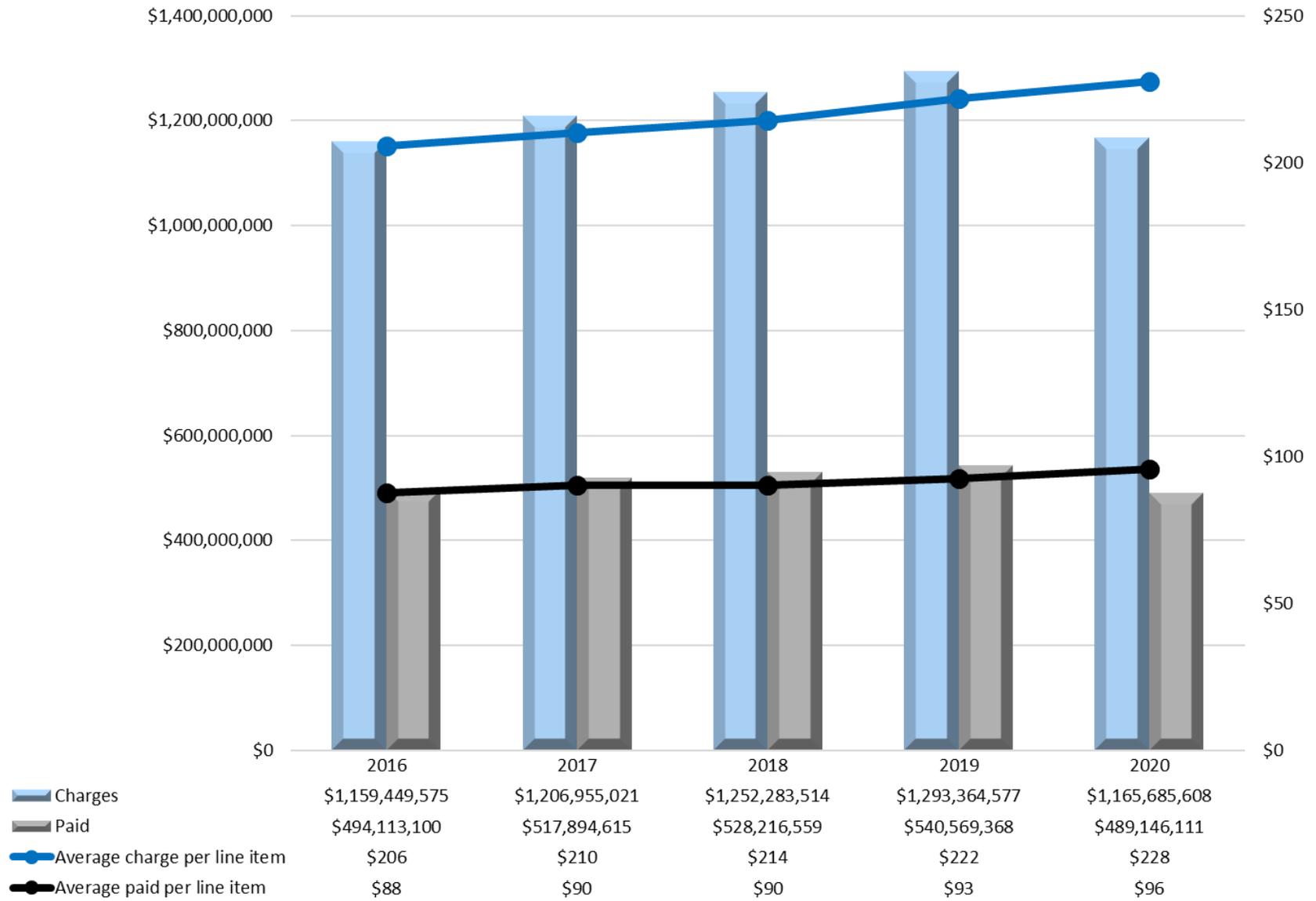
### Total Medical Paid\* for Services Provided within 12 Months of Injury

\*Excludes bills received beyond 6 months of end of calendar year of service.

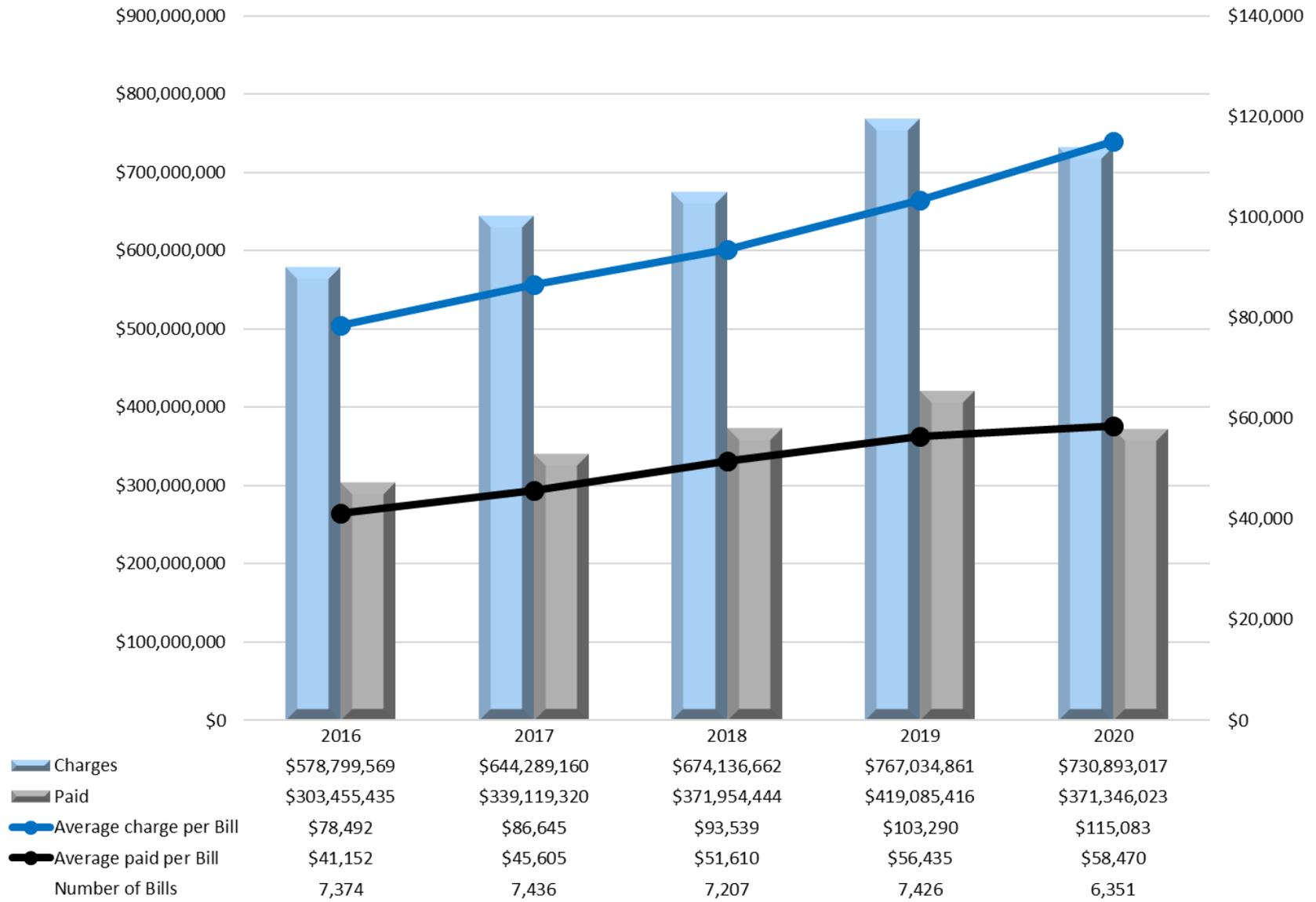


|        |               |               |               |               |              |              |             |             |             |
|--------|---------------|---------------|---------------|---------------|--------------|--------------|-------------|-------------|-------------|
| ■ 2016 | \$371,912,664 | \$239,080,776 | \$257,171,649 | \$112,719,347 | \$23,929,824 | \$24,463,300 | \$4,055,292 | \$5,157,719 | \$2,541,662 |
| ■ 2017 | \$384,828,947 | \$264,534,173 | \$276,264,007 | \$120,009,409 | \$25,081,848 | \$26,634,092 | \$4,642,573 | \$5,443,748 | \$2,211,187 |
| ■ 2018 | \$394,737,698 | \$289,917,193 | \$290,825,033 | \$120,632,725 | \$21,529,407 | \$27,150,354 | \$3,873,156 | \$5,405,941 | \$1,598,388 |
| ■ 2019 | \$401,211,043 | \$327,326,829 | \$307,319,290 | \$120,675,682 | \$21,108,665 | \$28,207,291 | \$4,670,359 | \$6,541,404 | \$2,048,342 |
| ■ 2020 | \$255,169,759 | \$264,643,918 | \$222,564,264 | \$72,464,754  | \$12,190,717 | \$16,182,691 | \$2,602,456 | \$3,552,140 | \$977,180   |

### Total Charges and Total Paid for Health Care Provider Services

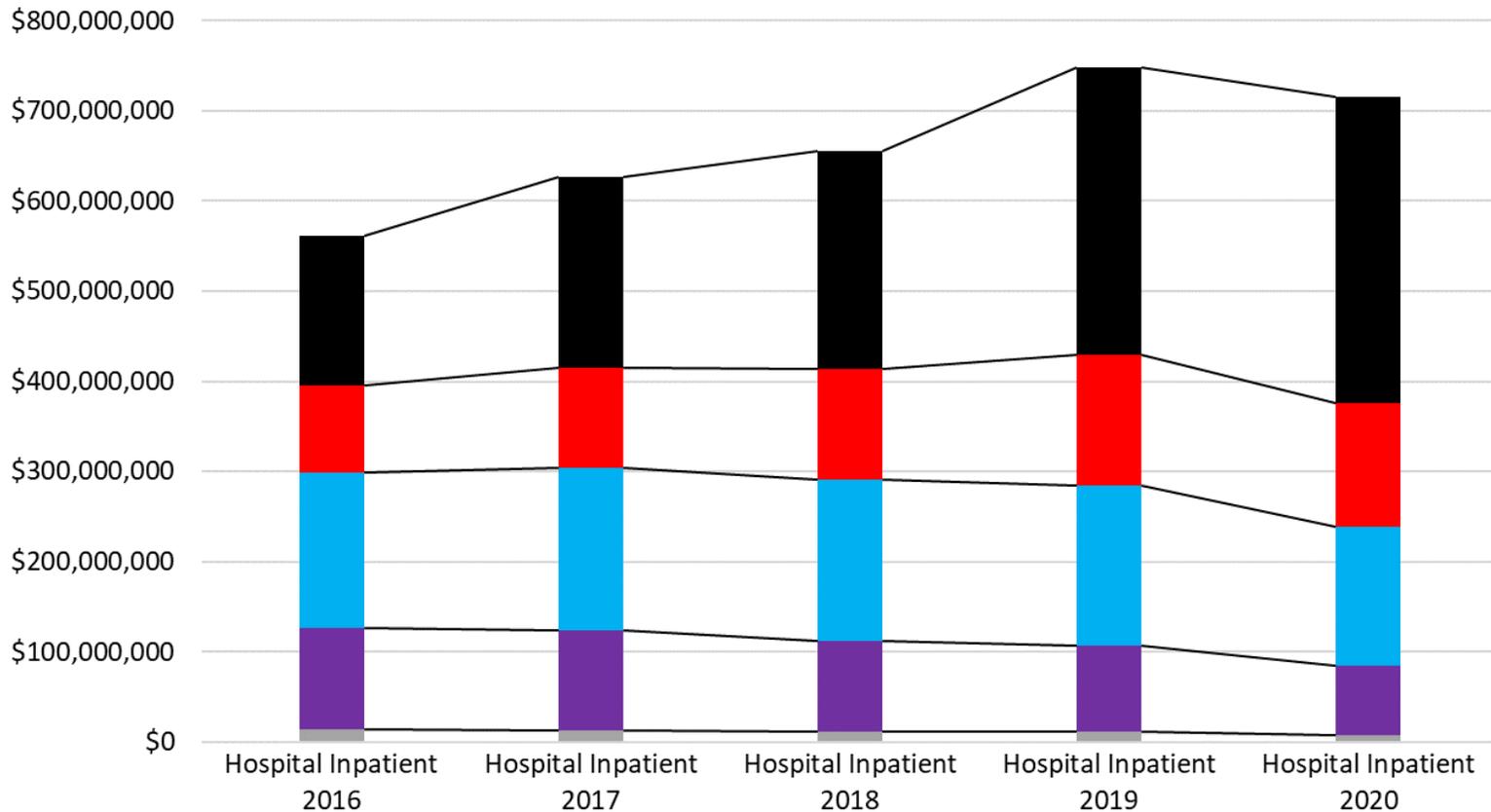


### Total Charges and Total Paid for Hospital Inpatient Services



### Hospital Inpatient by Amount Charged\*

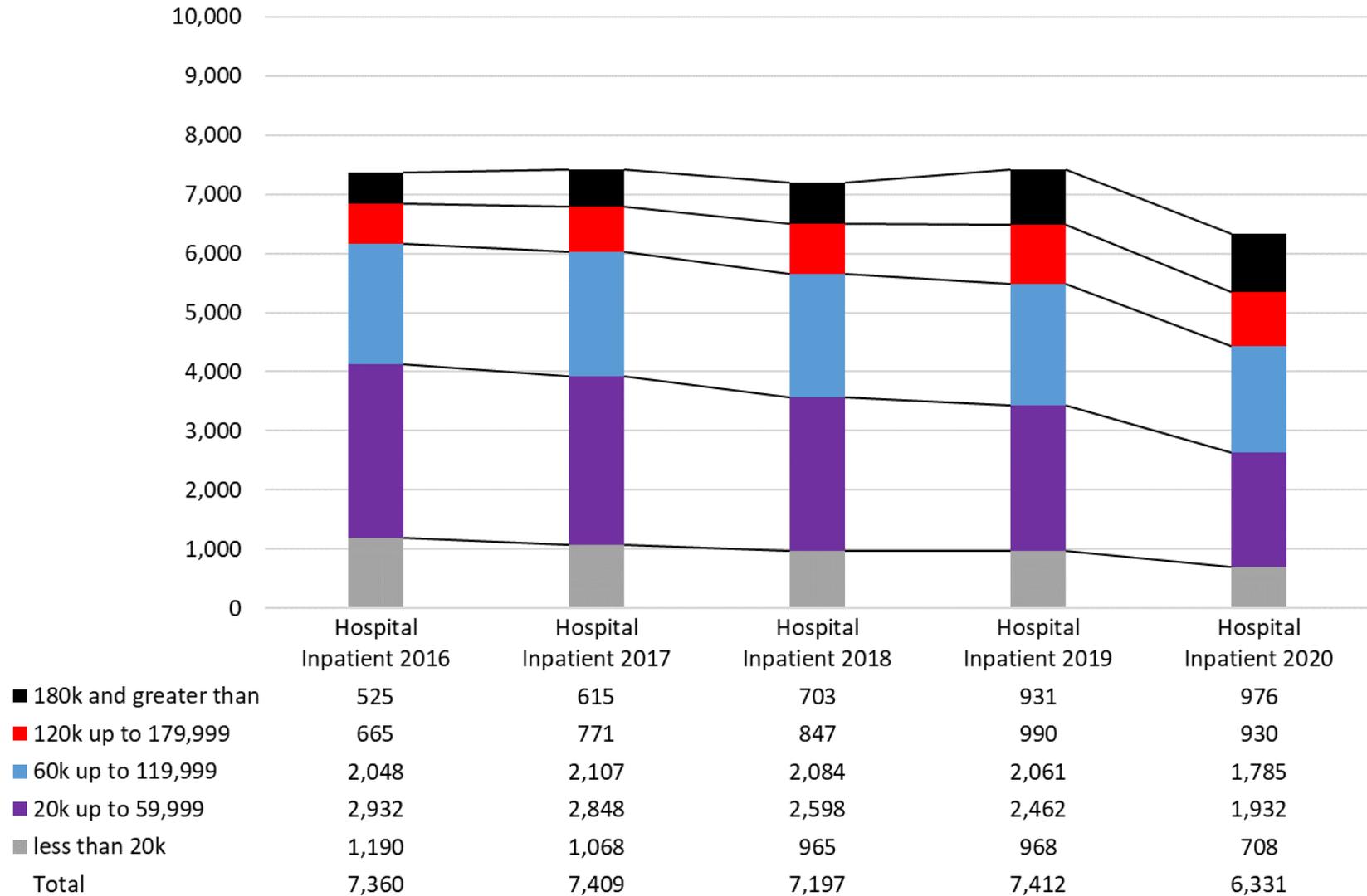
\*Excluding the Cost of Implants



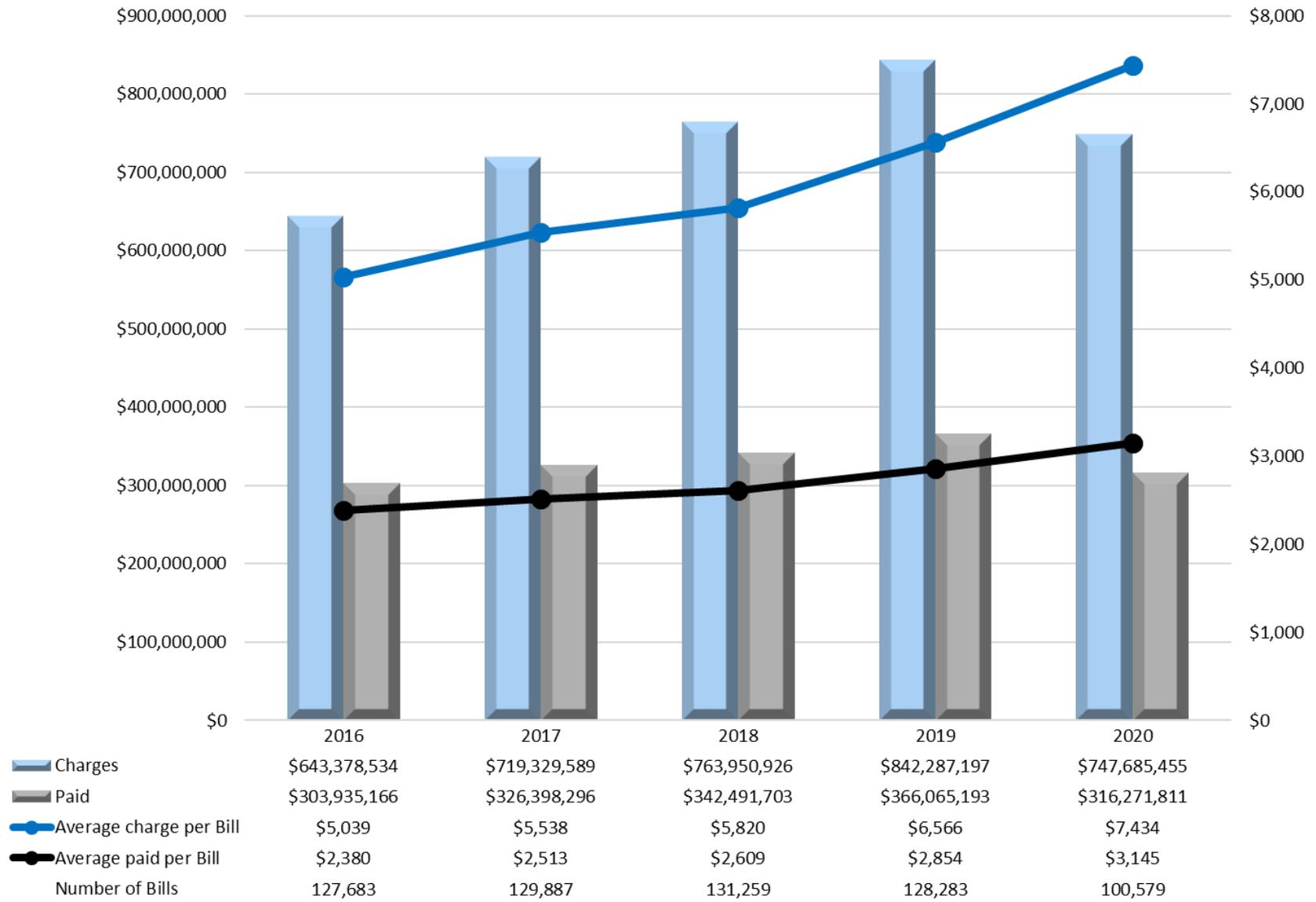
|                         | Hospital Inpatient<br>2016 | Hospital Inpatient<br>2017 | Hospital Inpatient<br>2018 | Hospital Inpatient<br>2019 | Hospital Inpatient<br>2020 |
|-------------------------|----------------------------|----------------------------|----------------------------|----------------------------|----------------------------|
| ■ 180k and greater than | \$165,672,918              | \$211,171,229              | \$240,697,725              | \$318,814,221              | \$339,203,783              |
| ■ 120k up to 179,999    | \$96,584,735               | \$110,513,128              | \$123,176,899              | \$144,972,253              | \$136,770,576              |
| ■ 60k up to 119,999     | \$171,746,234              | \$181,164,684              | \$178,381,287              | \$177,655,379              | \$154,890,636              |
| ■ 20k up to 59,999      | \$112,395,884              | \$109,802,726              | \$101,464,830              | \$95,692,463               | \$76,443,745               |
| ■ less than 20k         | \$14,578,622               | \$13,412,068               | \$11,193,351               | \$10,897,711               | \$7,676,054                |
| <b>Total</b>            | <b>\$560,978,393</b>       | <b>\$626,063,835</b>       | <b>\$654,914,092</b>       | <b>\$748,032,026</b>       | <b>\$714,984,794</b>       |

### Number of Hospital Inpatient Bills by Amount Charged\*

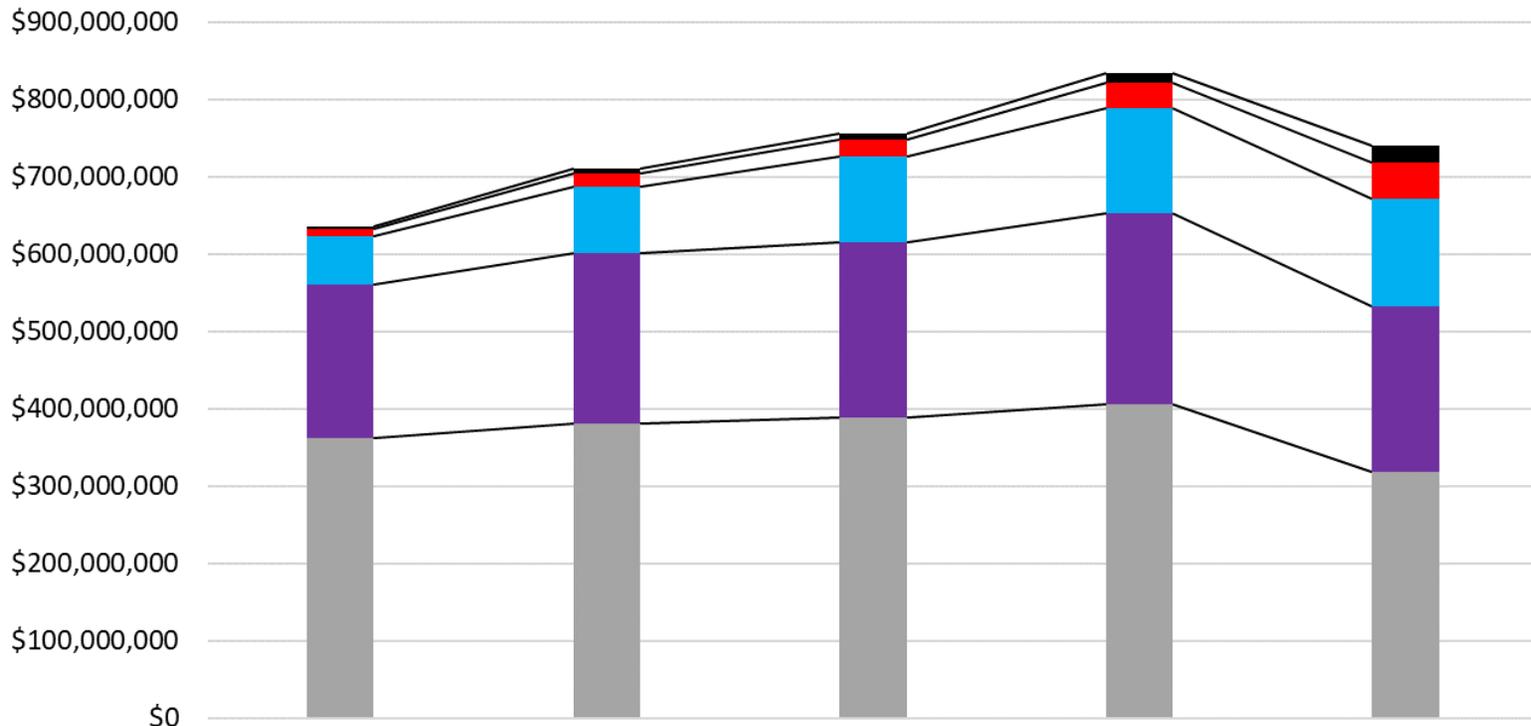
\*Excluding the Cost of Implants



### Total Charges and Total Paid for Hospital Outpatient Services



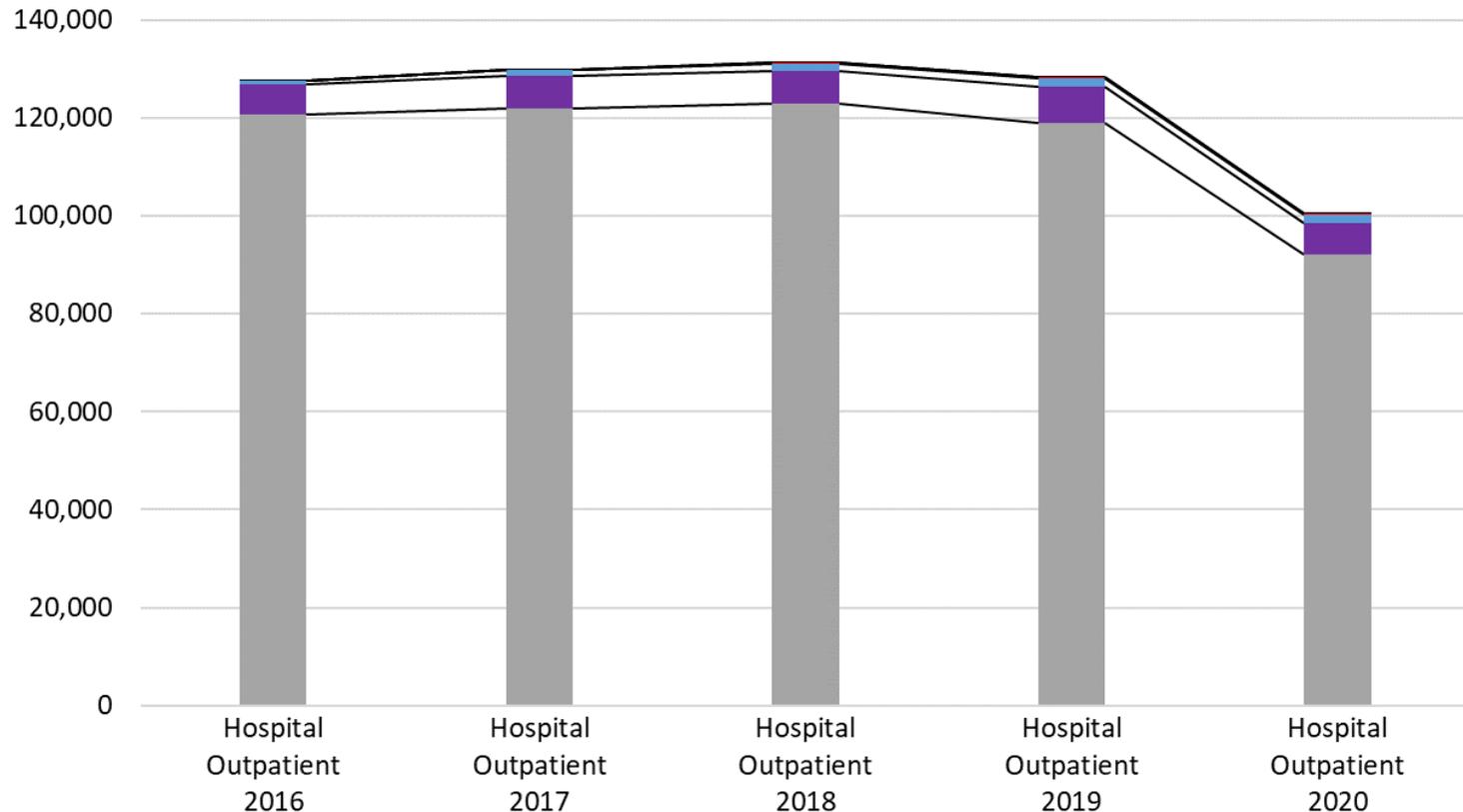
### Hospital Outpatient by Amount Charged\* \*Excluding the Cost of Implants



|                         | Hospital Outpatient 2016 | Hospital Outpatient 2017 | Hospital Outpatient 2018 | Hospital Outpatient 2019 | Hospital Outpatient 2020 |
|-------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|
| ■ 180k and greater than | \$2,011,383              | \$6,155,135              | \$8,356,663              | \$12,407,901             | \$20,731,894             |
| ■ 120k up to 179,999    | \$10,354,563             | \$17,493,984             | \$21,734,421             | \$33,734,527             | \$47,115,896             |
| ■ 60k up to 119,999     | \$62,400,494             | \$86,021,557             | \$109,869,085            | \$134,854,404            | \$138,620,377            |
| ■ 20k up to 59,999      | \$197,710,716            | \$220,481,976            | \$226,782,043            | \$247,701,475            | \$214,813,810            |
| ■ less than 20k         | \$362,292,267            | \$380,923,246            | \$389,063,600            | \$405,430,570            | \$318,259,876            |
| <b>Total</b>            | <b>\$634,769,423</b>     | <b>\$711,075,897</b>     | <b>\$755,805,812</b>     | <b>\$834,128,877</b>     | <b>\$739,541,852</b>     |

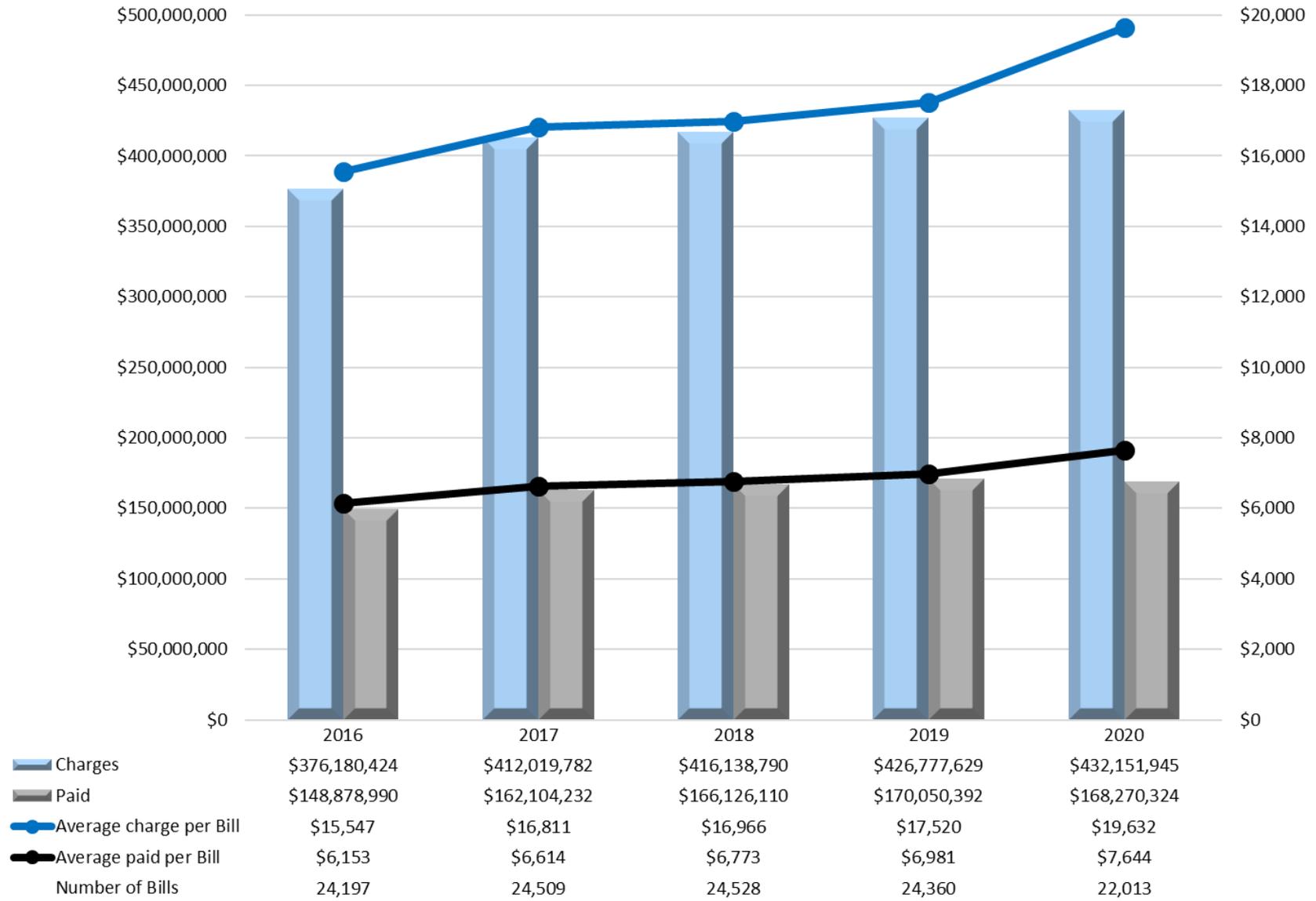
### Number of Hospital Outpatient Bills by Amount Charged\*

\*Excluding the Cost of Implants

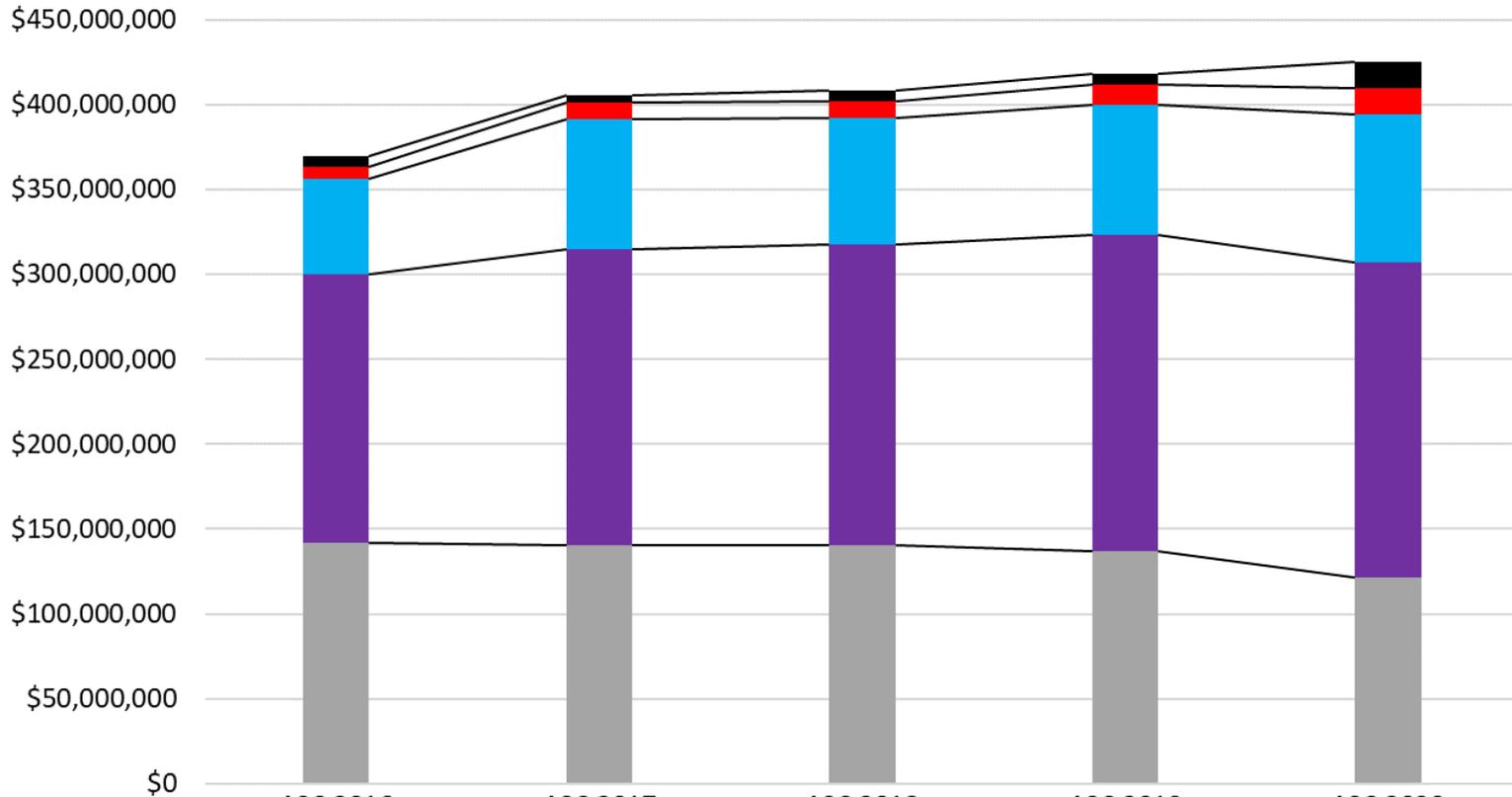


|                         |                |                |                |                |                |
|-------------------------|----------------|----------------|----------------|----------------|----------------|
| ■ 180k and greater than | 10             | 22             | 36             | 57             | 89             |
| ■ 120k up to 179,999    | 74             | 122            | 156            | 239            | 330            |
| ■ 60k up to 119,999     | 813            | 1,073          | 1,386          | 1,678          | 1,704          |
| ■ 20k up to 59,999      | 6,008          | 6,626          | 6,843          | 7,408          | 6,352          |
| ■ less than 20k         | 120,777        | 122,039        | 122,836        | 118,900        | 92,079         |
| <b>Total</b>            | <b>127,682</b> | <b>129,882</b> | <b>131,257</b> | <b>128,282</b> | <b>100,554</b> |

### Total Charges and Total Paid for Ambulatory Surgical Center Services (ASC)



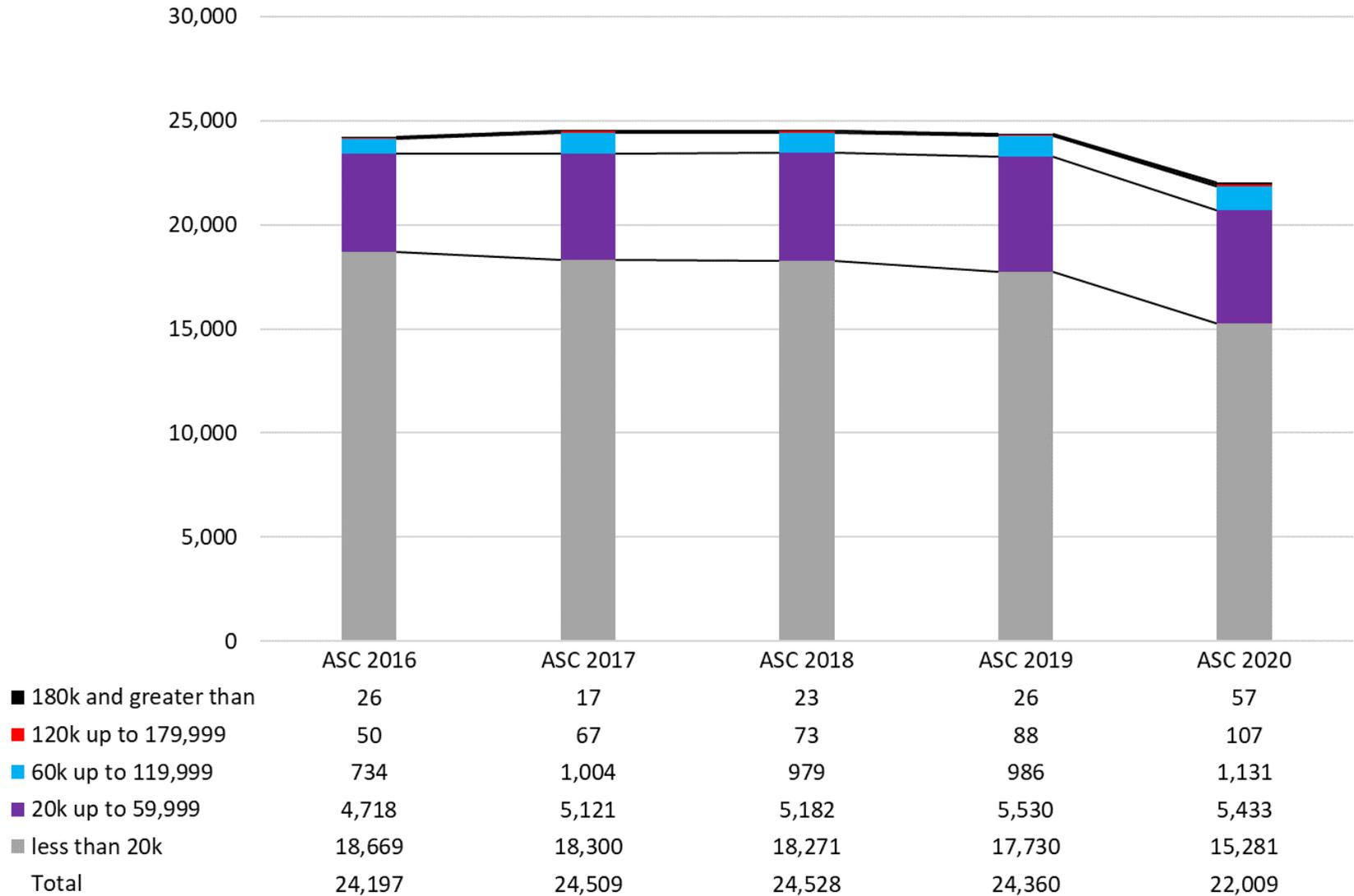
ASC by Amount Charged\*  
\*Excluding the Cost of Implants



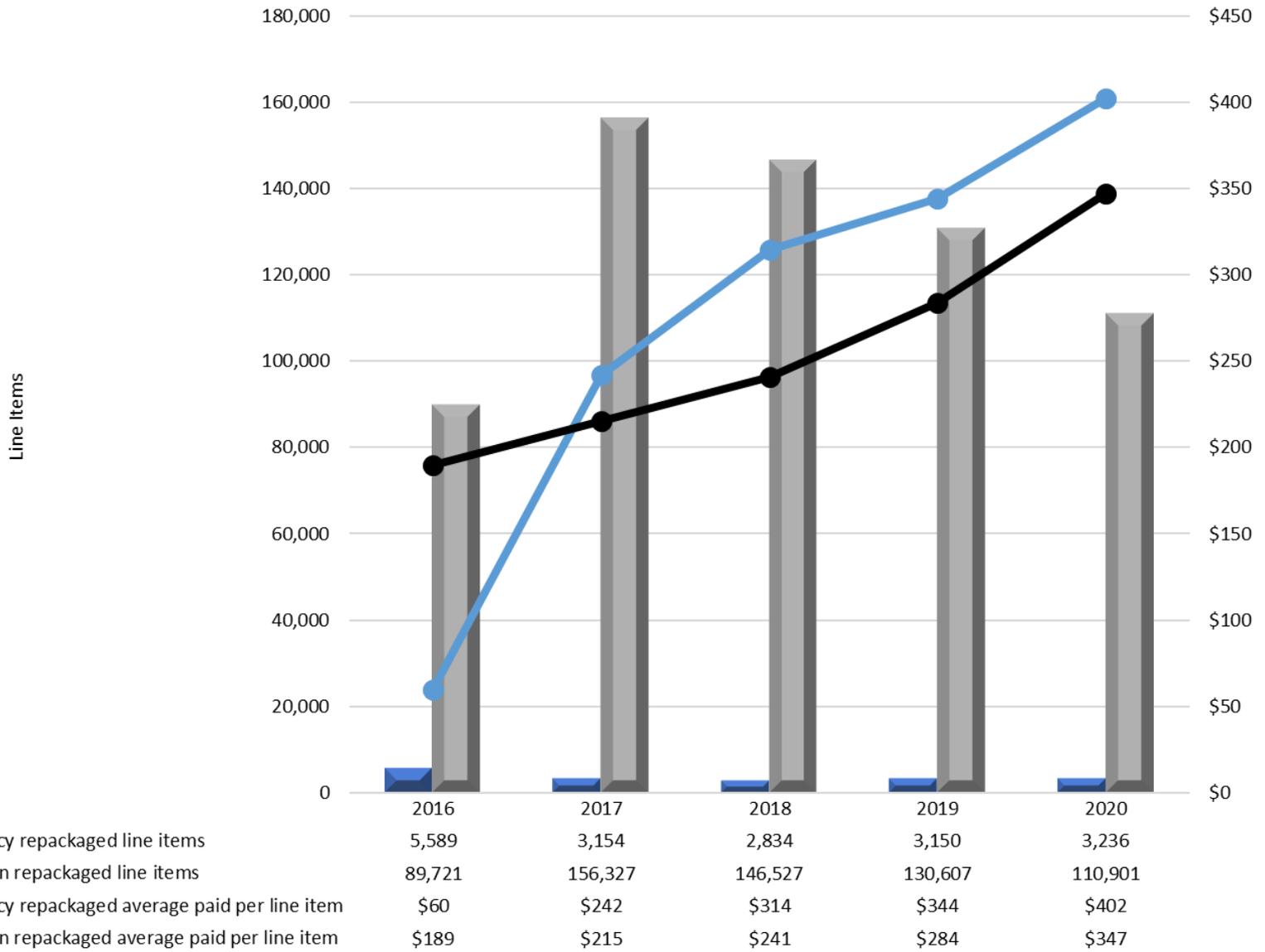
|                         | ASC 2016      | ASC 2017      | ASC 2018      | ASC 2019      | ASC 2020      |
|-------------------------|---------------|---------------|---------------|---------------|---------------|
| ■ 180k and greater than | \$5,995,525   | \$4,175,913   | \$5,930,688   | \$6,056,352   | \$15,365,229  |
| ■ 120k up to 179,999    | \$7,147,852   | \$9,509,072   | \$10,192,423  | \$12,190,779  | \$15,283,835  |
| ■ 60k up to 119,999     | \$56,002,849  | \$76,902,497  | \$74,554,747  | \$76,383,820  | \$87,510,659  |
| ■ 20k up to 59,999      | \$158,704,721 | \$174,064,362 | \$177,113,660 | \$186,278,949 | \$185,374,542 |
| ■ less than 20k         | \$141,521,035 | \$140,715,883 | \$140,170,858 | \$137,022,276 | \$121,432,623 |
| Total                   | \$369,371,981 | \$405,367,727 | \$407,962,377 | \$417,932,175 | \$424,966,889 |

### Number of ASC Bills by Amount Charged\*

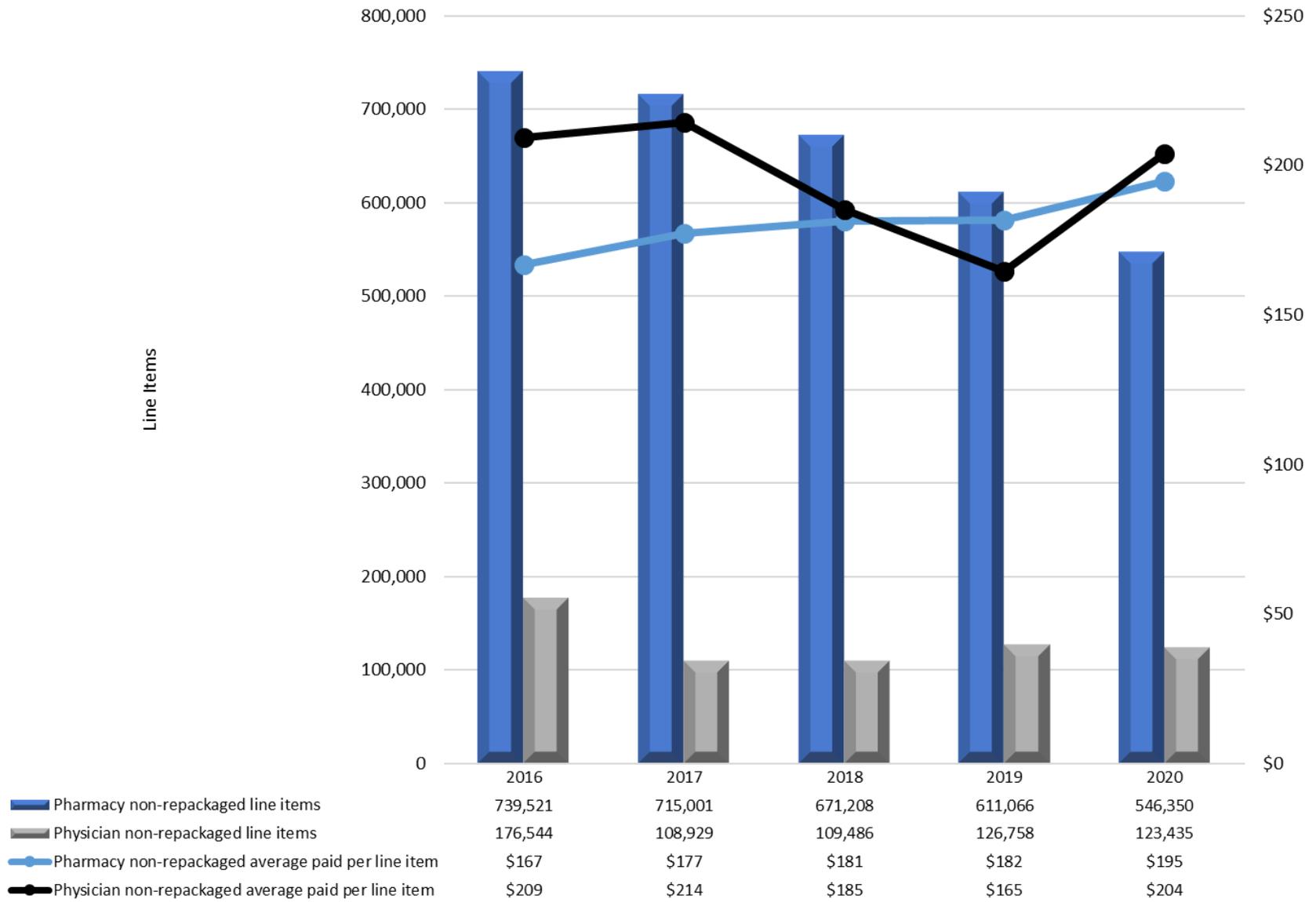
\*Excluding the Cost of Implants



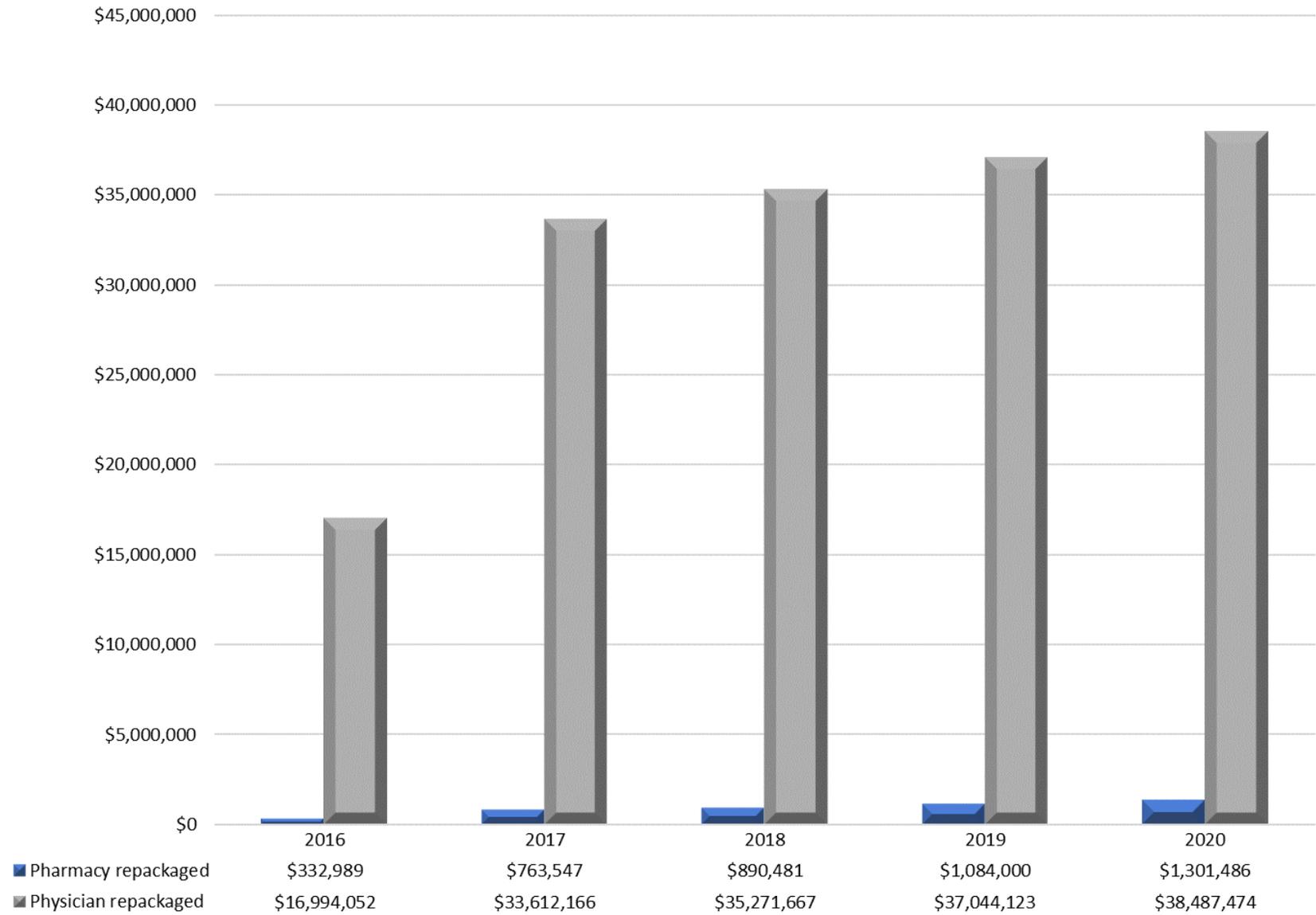
### Pharmacy vs. Physician Repackaged Drugs



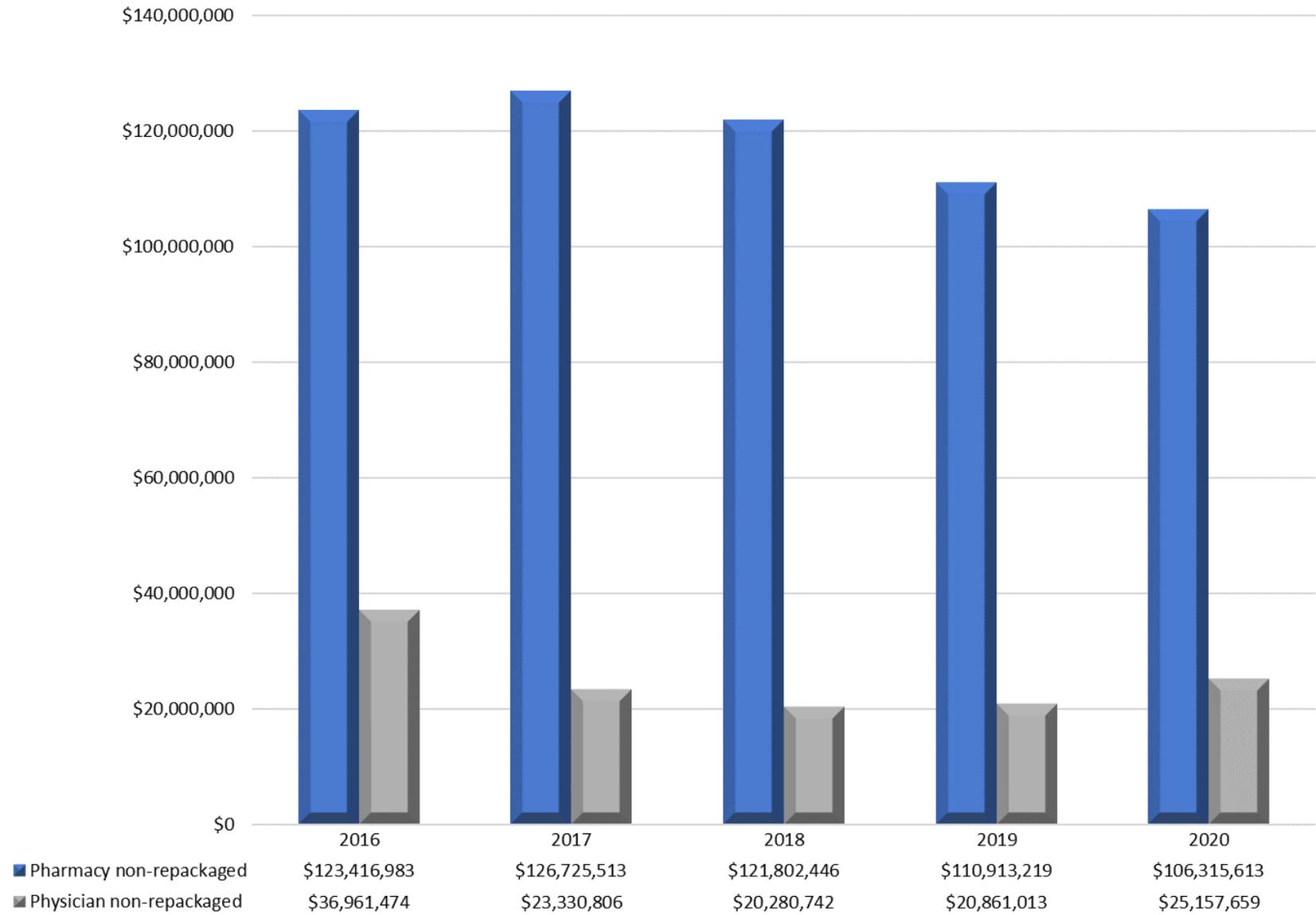
### Pharmacy vs. Physician Non-Repackaged Drugs



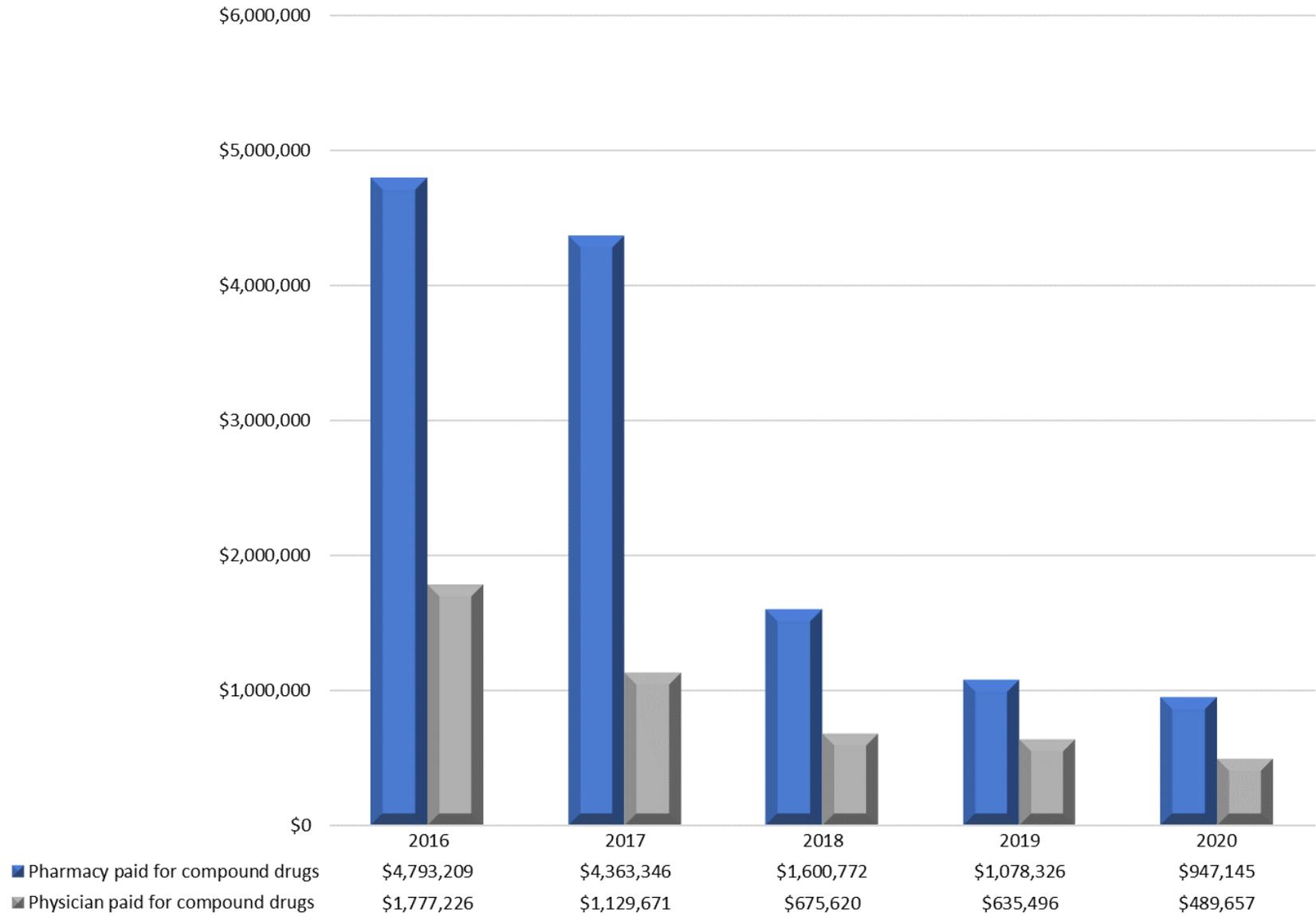
### Pharmacy vs. Physician Repackaged Drug Payments



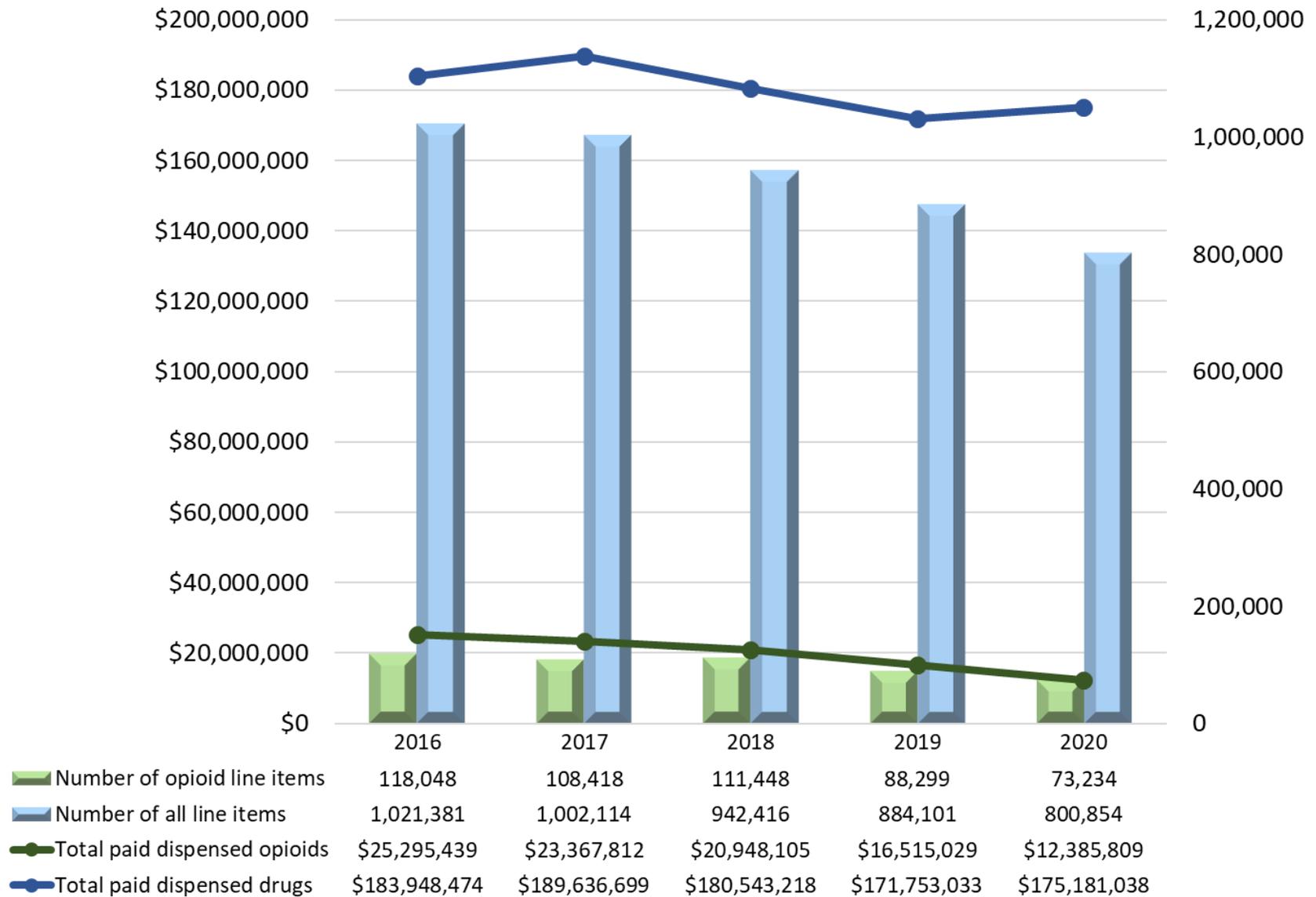
### Pharmacy vs. Physician Non-Repackaged Drug Payments



### Pharmacy vs. Physician Compound Drug Payments



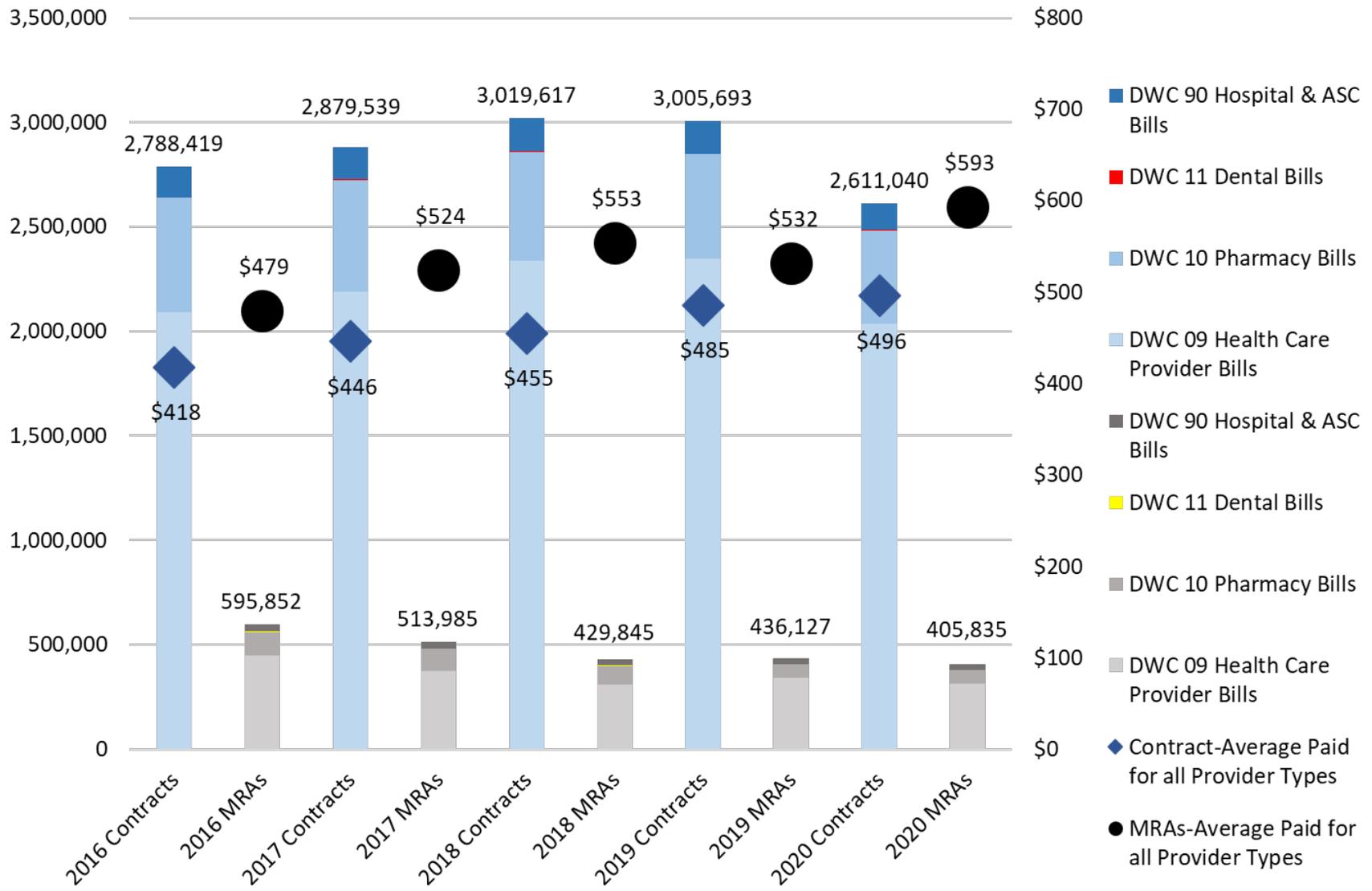
### Number and Paid Total of Dispensed Drugs and Opioid



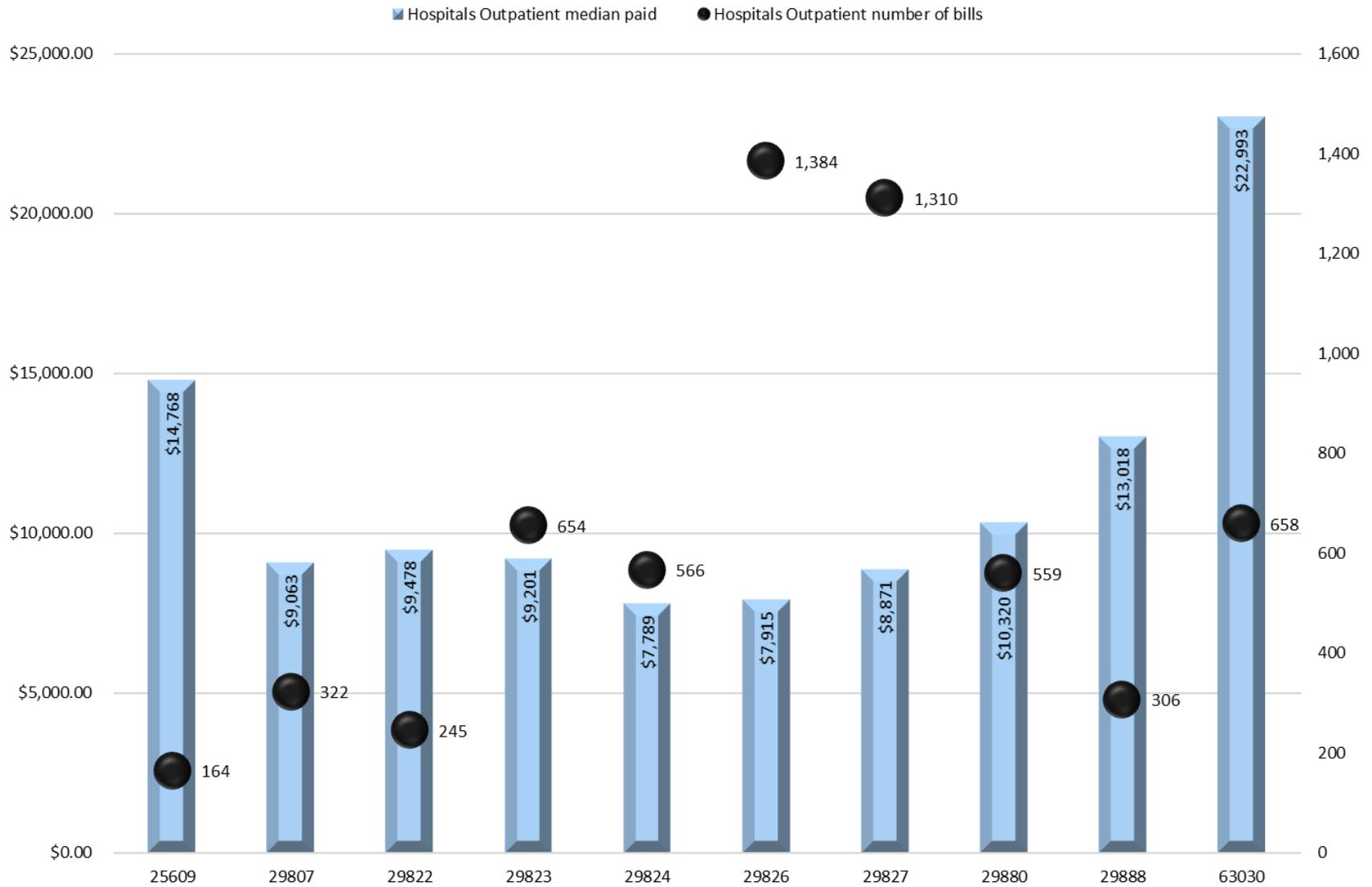
## Top 20 Drugs Dispensed in Calendar Year 2020

| Drug Name                           | Number of Line Items | Sum of Charges | Sum of Paid   | Drug Type                 | Percentage of Dispensed | Percentage of Paid |
|-------------------------------------|----------------------|----------------|---------------|---------------------------|-------------------------|--------------------|
| MELOXICAM                           | 44,054               | \$7,845,151    | \$6,827,410   | NSAIDs                    | 5.53%                   | 3.91%              |
| CYCLOBENZAPRINE HCL                 | 43,133               | \$7,902,694    | \$7,129,173   | Muscle Relaxer            | 5.41%                   | 4.08%              |
| DICLOFENAC SODIUM                   | 38,268               | \$20,204,072   | \$18,342,871  | NSAIDs                    | 4.80%                   | 10.50%             |
| IBUPROFEN                           | 36,852               | \$1,163,774    | \$973,774     | NSAIDs                    | 4.62%                   | 0.56%              |
| GABAPENTIN                          | 31,753               | \$4,699,680    | \$3,896,869   | Anticonvulsant            | 3.98%                   | 2.23%              |
| TRAMADOL HCL                        | 28,981               | \$3,252,109    | \$2,871,880   | Opioid                    | 3.64%                   | 1.64%              |
| HYDROCODONE BITARTRATE-ACETAMINOPHE | 26,007               | \$1,446,324    | \$1,048,913   | Opioid                    | 3.26%                   | 0.60%              |
| CELECOXIB                           | 25,262               | \$10,878,366   | \$9,339,849   | NSAIDs                    | 3.17%                   | 5.35%              |
| LIDOCAINE                           | 20,841               | \$10,455,549   | \$9,164,033   | Amide Local Anesthetics   | 2.61%                   | 5.25%              |
| OXYCODONE HCL-ACETAMINOPHEN         | 20,615               | \$3,150,471    | \$2,384,837   | Opioid                    | 2.59%                   | 1.37%              |
| NAPROXEN                            | 19,167               | \$1,036,012    | \$844,431     | NSAIDs                    | 2.40%                   | 0.48%              |
| TIZANIDINE HCL                      | 17,213               | \$1,676,530    | \$1,383,752   | Muscle Relaxer            | 2.16%                   | 0.79%              |
| OMEPRAZOLE                          | 16,181               | \$3,971,009    | \$3,662,644   | Proton-Pump Inhibitor     | 2.03%                   | 2.10%              |
| METHOCARBAMOL                       | 14,864               | \$536,587      | \$424,059     | Muscle Relaxer            | 1.86%                   | 0.24%              |
| METHYLPREDNISOLONE                  | 11,629               | \$428,920      | \$347,910     | Corticosteroids           | 1.46%                   | 0.20%              |
| PREGABALIN                          | 11,286               | \$7,586,530    | \$6,496,322   | Anticonvulsant            | 1.42%                   | 3.72%              |
| DULOXETINE HCL                      | 9,933                | \$3,660,303    | \$3,139,386   | Serotonin-Nonrepinephrine | 1.25%                   | 1.80%              |
| METAXALONE                          | 9,420                | \$3,140,137    | \$2,527,613   | Muscle Relaxer            | 1.18%                   | 1.45%              |
| BACLOFEN                            | 8,734                | \$1,830,030    | \$1,476,056   | Muscle Relaxer            | 1.10%                   | 0.84%              |
| OXYCODONE HCL                       | 8,605                | \$1,390,978    | \$921,486     | Opioid                    | 1.08%                   | 0.53%              |
| Grand Total of All Dispensed Drugs  | 797,154              | \$204,548,917  | \$174,699,532 | Total Percentage          | 56%                     | 48%                |

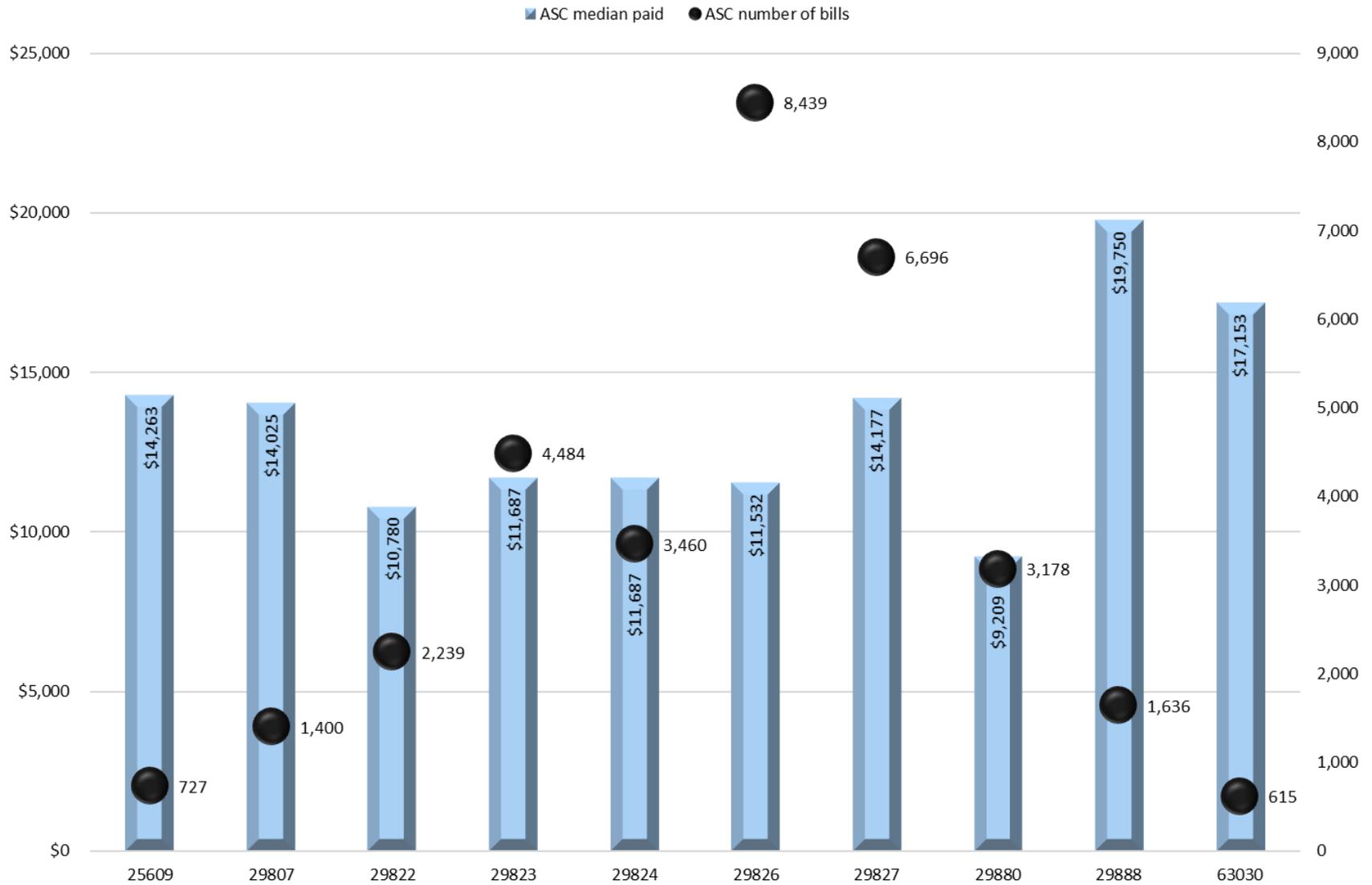
### Bills Paid by Contracts Compared to Bills Paid at the Maximum Reimbursement Allowances by Frequency and Average Paid



Hospital Outpatient Scheduled Frequency and Median Paid based on Procedure codes\*  
 \*with high frequency during 1/1/2016 to 12/31/2020



Ambulatory Surgical Centers Frequency and Median Paid based on Procedure codes\*  
 \*with high frequency during 1/1/2016 to 12/31/2020



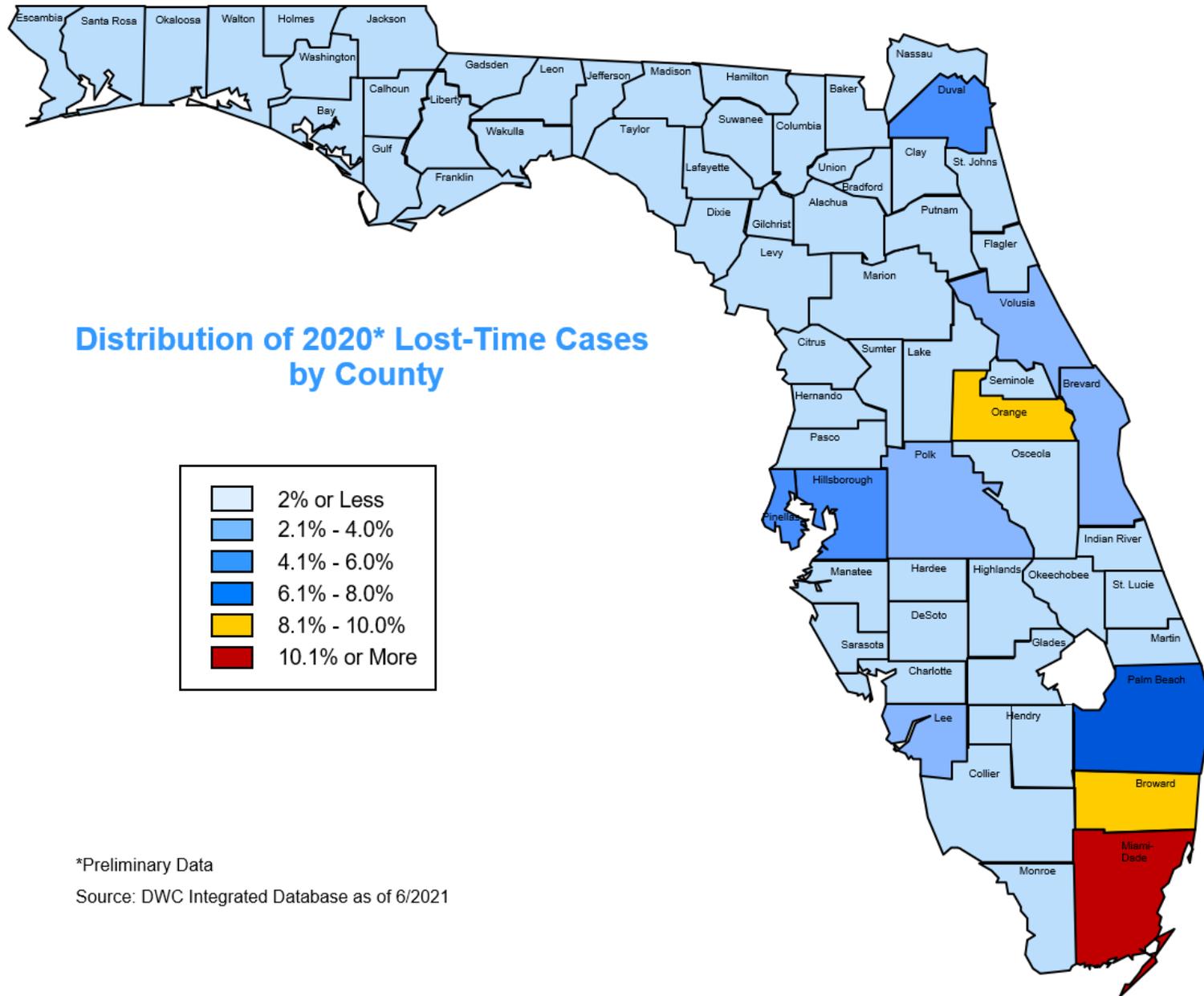
## Indemnity Data Results

Indemnity data is summarized on a calendar basis. Workers who sustain a compensable injury are entitled to receive medically necessary treatment under Florida's workers' compensation statutes. If the injury results in disability, the injured worker is entitled to payment(s) for a portion of lost wages beginning on the 8<sup>th</sup> day of disability. Injuries resulting in or causing permanent impairment result in additional benefits being paid to the injured worker. When an injury results in a work-related fatality, survivor dependent benefits and funeral expenses may be paid.

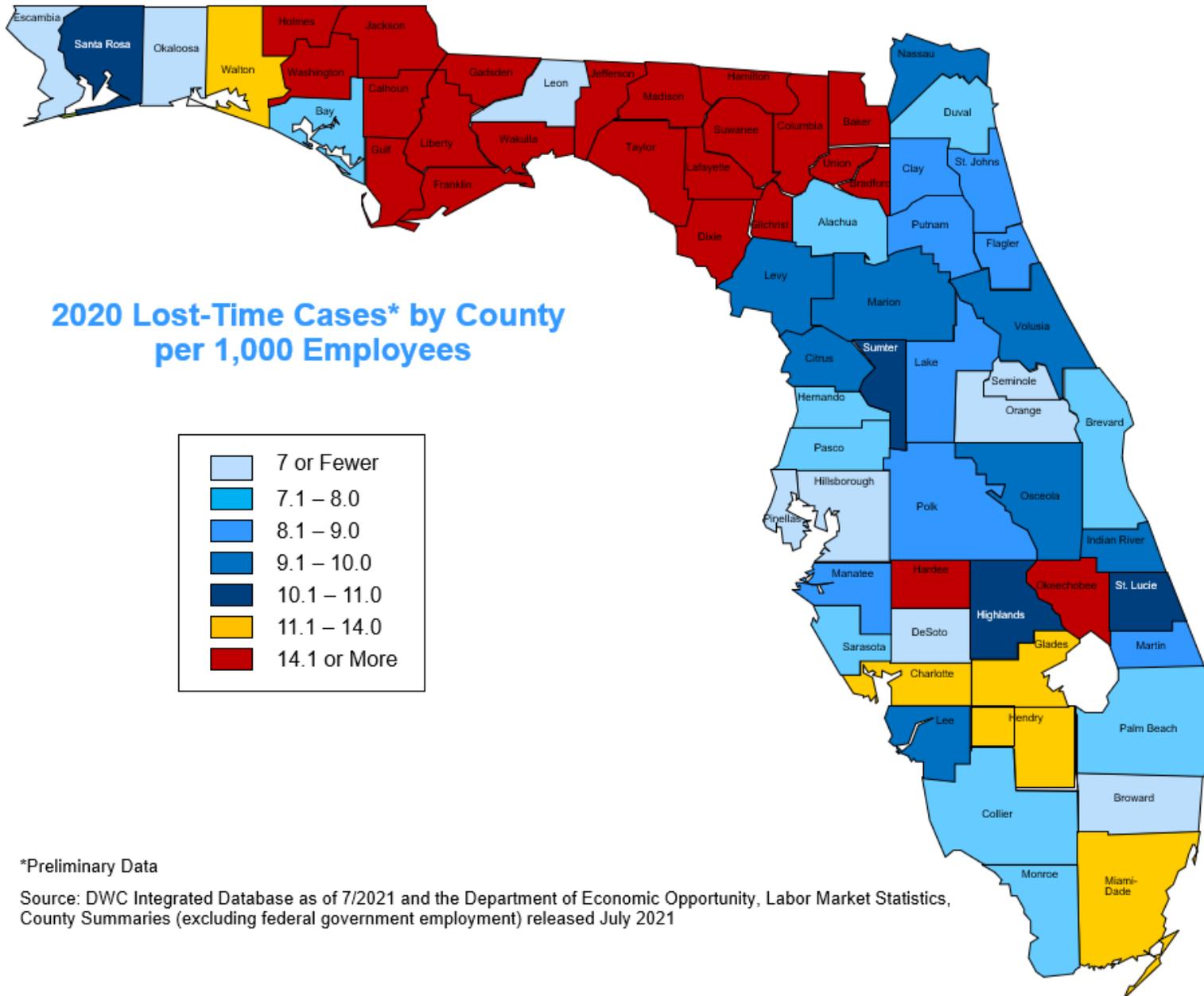
Multiple factors are considered when determining if benefit payments for lost wages or permanent impairments are due. Such factors are the injured worker's prior earnings, the nature and extent of the injury, the length of the healing period, and the worker's ability to return to work. In this report, an injured worker's disability must result in missing 8 or more days from work to be considered a lost-time case.

## Top Ten Industrial Classifications for Calendar Year 2020 Lost-Time Claims

| Industry Type   | Number of Claims |
|---|------------------|
| Public Administration   | 14,856           |
| Health Care & Social Assistance                                 | 14,042           |
| Administrative, Support, Waste Management, Remediation Services | 7,543            |
| Retail Trade  | 6,374            |
| Construction  | 6,017            |
| Transportation & Warehousing                                    | 5,385            |
| Accommodation & Food Services                                   | 3,645            |
| Manufacturing   | 3,383            |
| Educational Services  | 2,243            |
| Wholesale Trade   | 2,207            |
| <b>Total</b>  | <b>65,695</b>    |

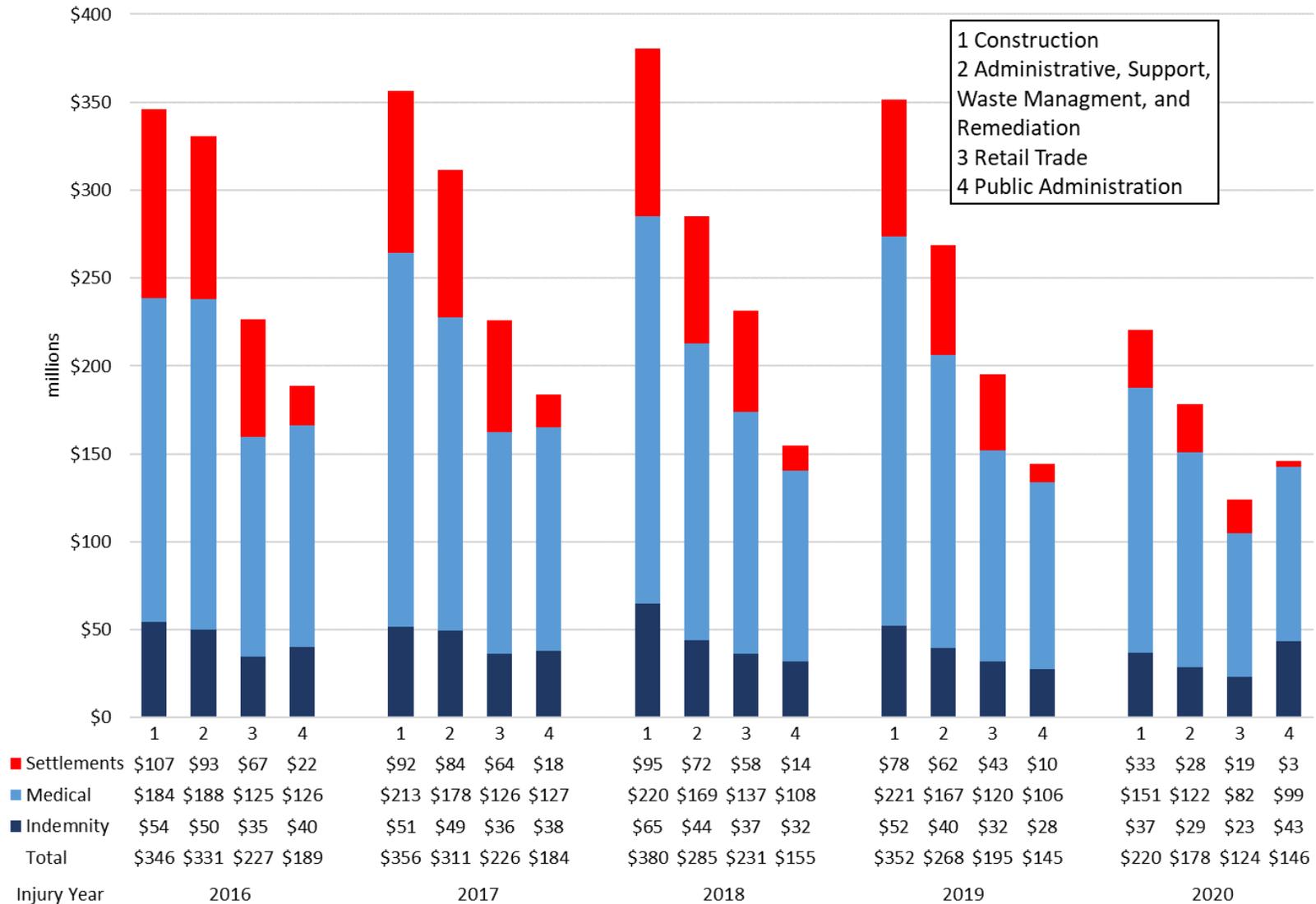


\*Preliminary Data  
 Source: DWC Integrated Database as of 6/2021



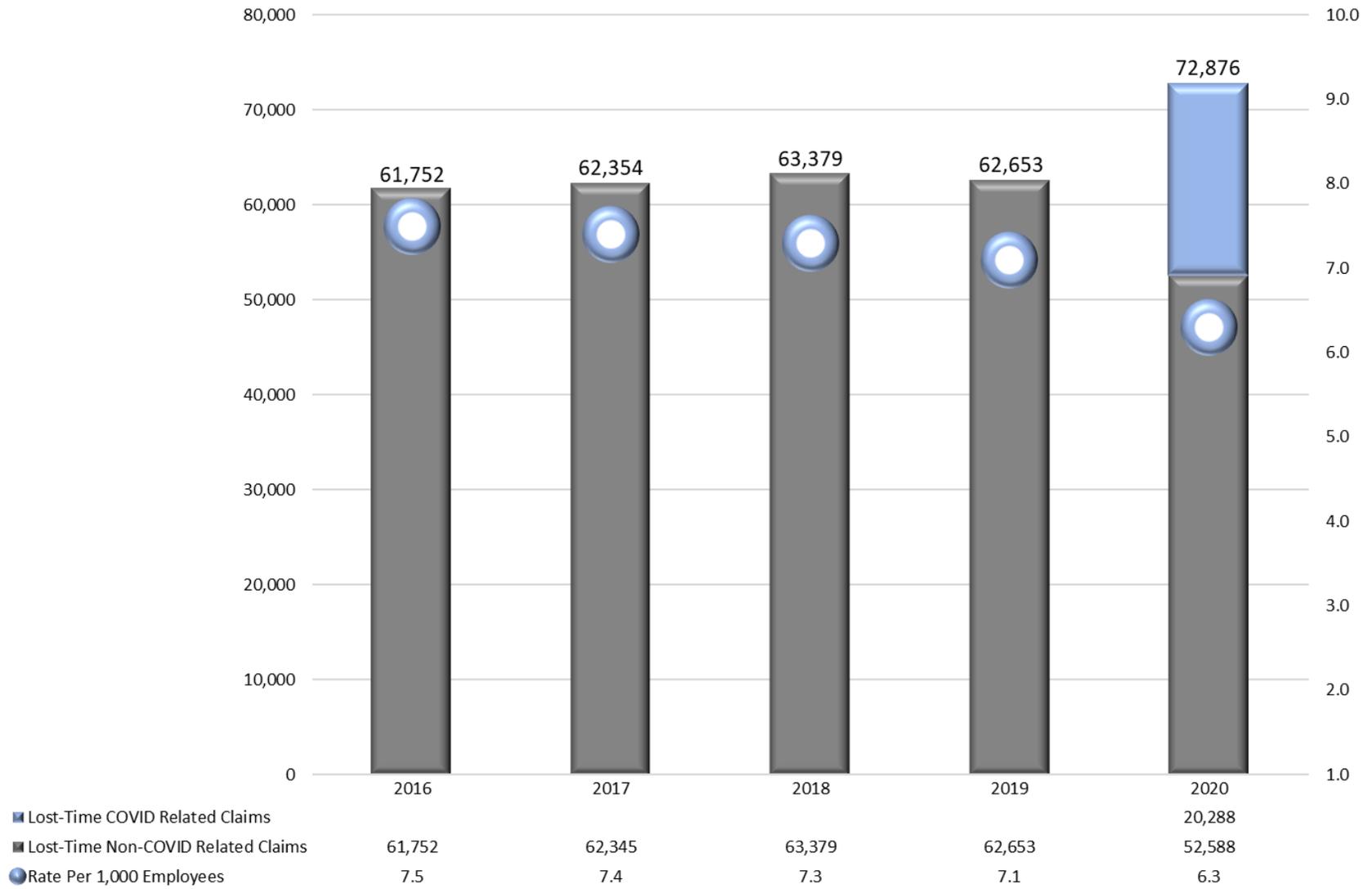
This chart illustrates the total benefit payments for the four industrial classifications whose benefit payments for medical, indemnity, and settlement benefits are the highest. Each year represents a different level of data maturity.

### Benefits Payments for the Four Leading Industry Classifications

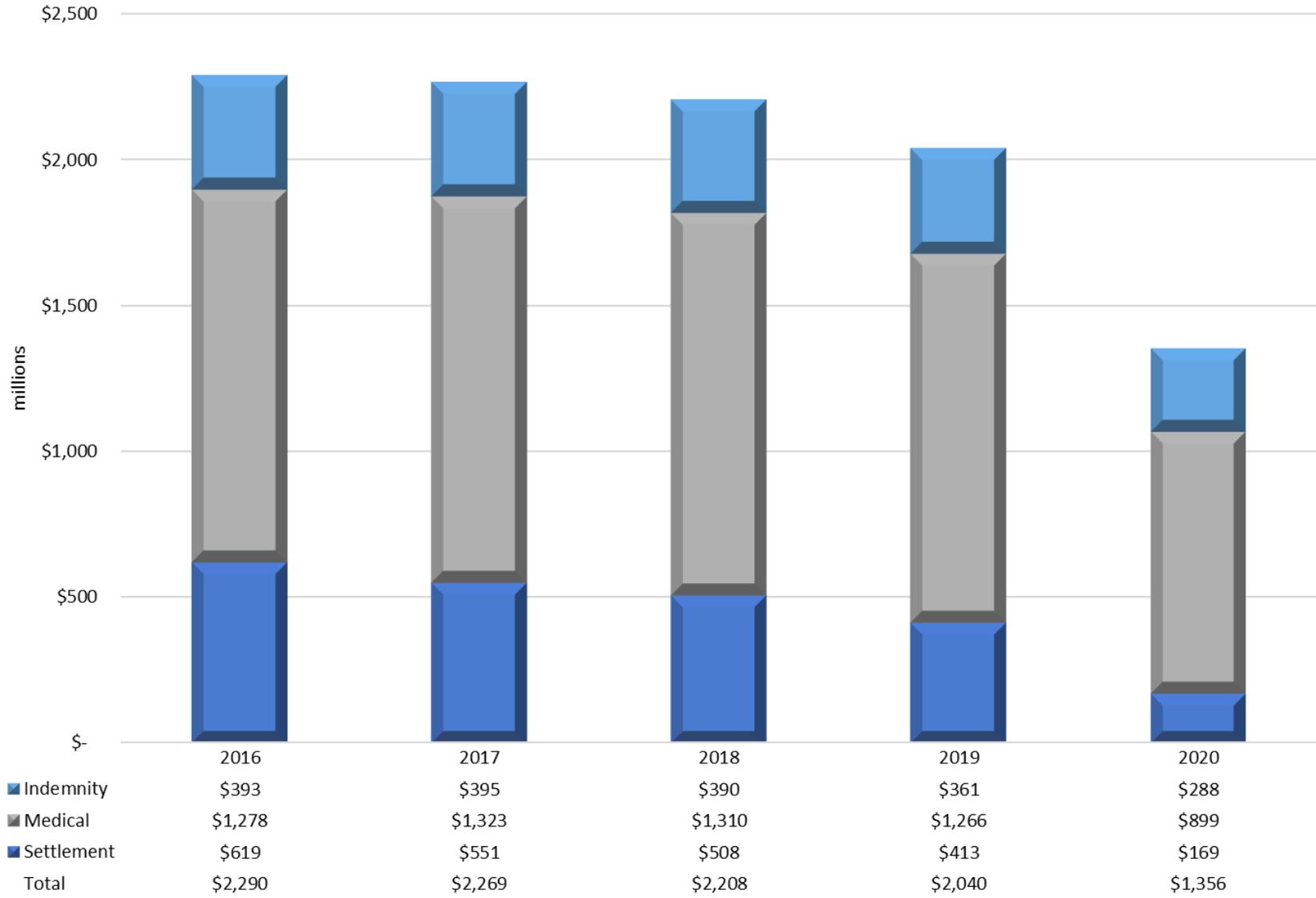


### Lost-Time Claims Frequency and Rate

Source: Bureau of Labor Statistics extracted in July 2021  
for total number of employees



### Indemnity, Medical, and Settlement Costs for Lost-Time Claims by Date of Accident



(The 2020 costs may be impacted by [COVID-19/Lost-Time claims](#))

## Medical Share for Lost-Time Claims

Medically necessary treatment for a work-related injury may involve:

- the services of physicians, physical therapists, chiropractors, dentists, or other health care providers;
- the services of hospitals, ambulatory surgical centers, or skilled nursing facilities; and
- medicines, supplies, equipment, and related items, such as prosthetic devices or implants.

Claim development differences show the importance of medical services early in the life of a claim and the increase in settlements as claims progress.

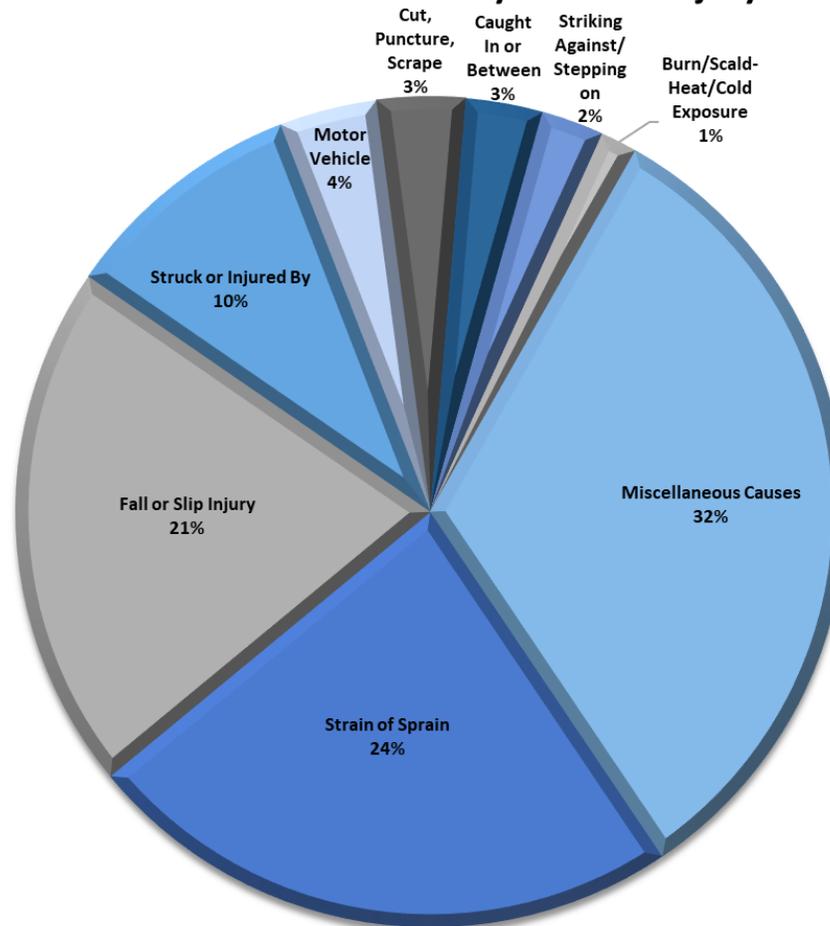
| Calendar Year | Health Care Providers | Hospital and Ambulatory Surgical Centers | Pharmacy | All Other Medical |
|---------------|-----------------------|--|----------|-------------------|
| 2016          | 31.5%                 | 60.6%                                    | 6.5%     | 1.5%              |
| 2017          | 30.5%                 | 62.1%                                    | 6.1%     | 1.4%              |
| 2018*         | 30.2%                 | 63.7%                                    | 5.1%     | 0.9%              |
| 2019*         | 29.1%                 | 65.3%                                    | 4.6%     | 1.0%              |
| 2020*         | 28.4%                 | 66.9%                                    | 3.9%     | 0.8%              |

\* Preliminary Data

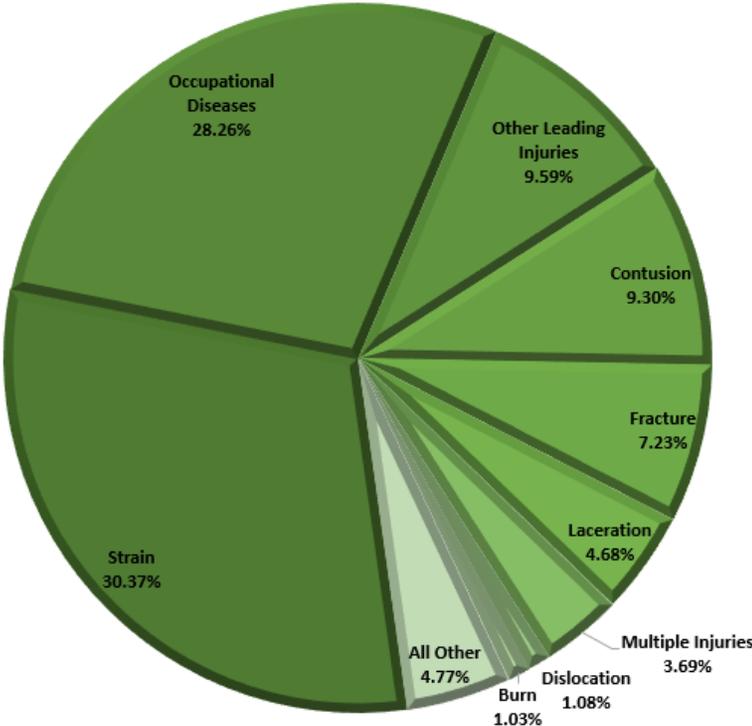
## Lost-Time Claims: Injury by Cause, Nature, & Body Part

As part of the First Report of Injury or Illness, the employers or claim administrators provide information on the cause, nature, and body part of each work-related injury. The following charts summarize this information. Since the information is reported on the First Report of Injury or Illness (FROI), it may not correspond to a diagnosis made by a health care professional. Additionally, the figures may change over time due to the maturation of the data.

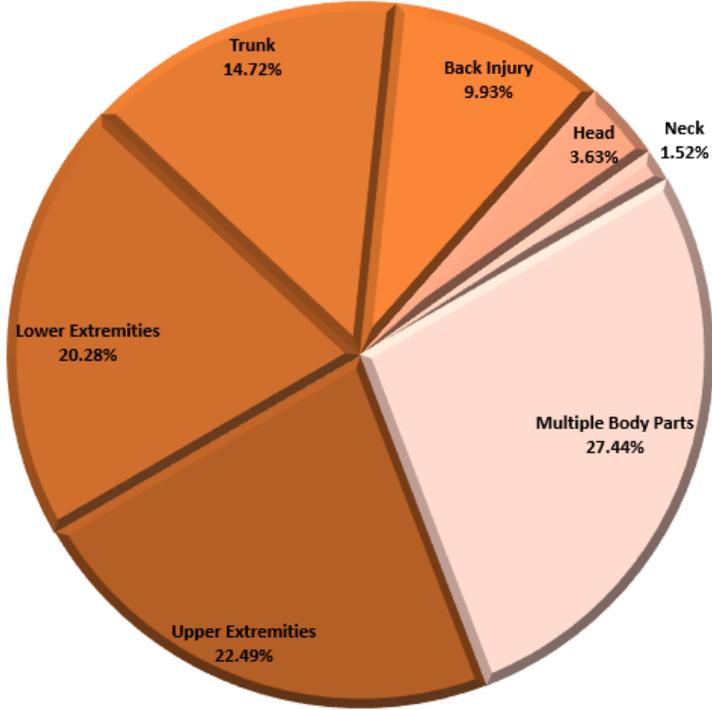
**2020 Lost-Time Claims by Cause of Injury**



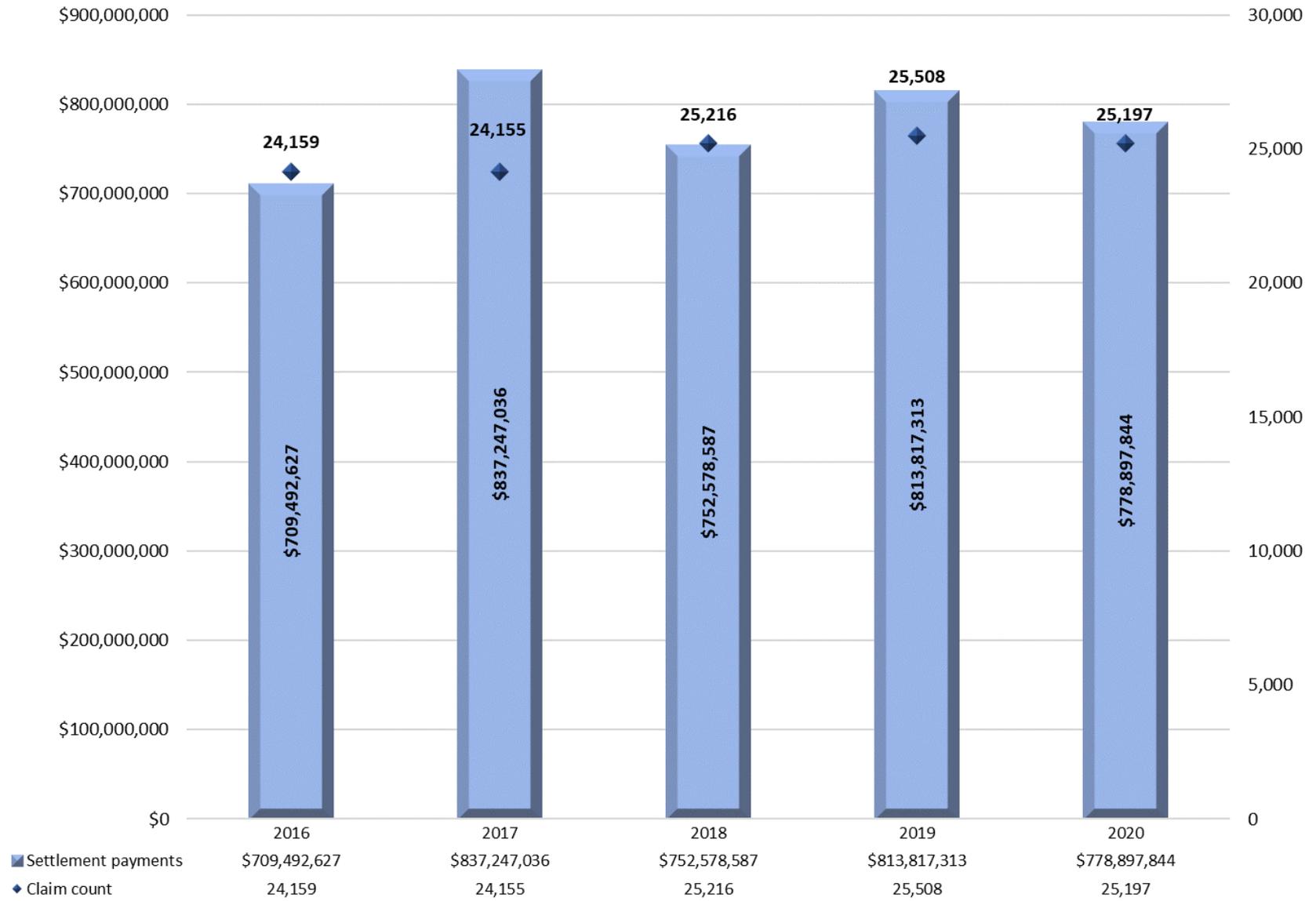
2020 Lost-Time Claims by Nature of Injury



2020 Lost-Time Claims by Injured Body Part



### Settlements Grouped by Year Paid

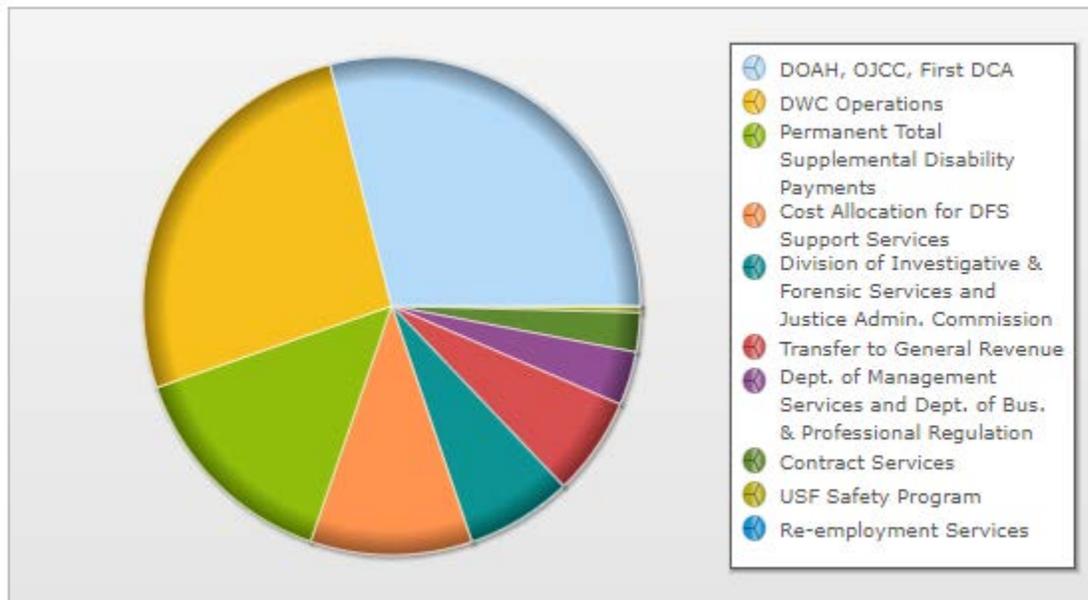


## Financial Results

### Workers' Compensation Administration Trust Fund (WCATF)

The WCATF is funded through a combination of assessments on workers' compensation insurance premiums and the collection of fines, penalties, fees, and investment earnings. The WCATF assessment rate is applied to net premiums based on full policy premium values prior to the application of any deductible discounts and collected by carriers. Carriers and self-insurers submit their respective assessments to the DWC on a quarterly basis through START (web-based System for Tracking Assessments, Regulation, and Transactions). The WCATF rate history can be [found here](#).

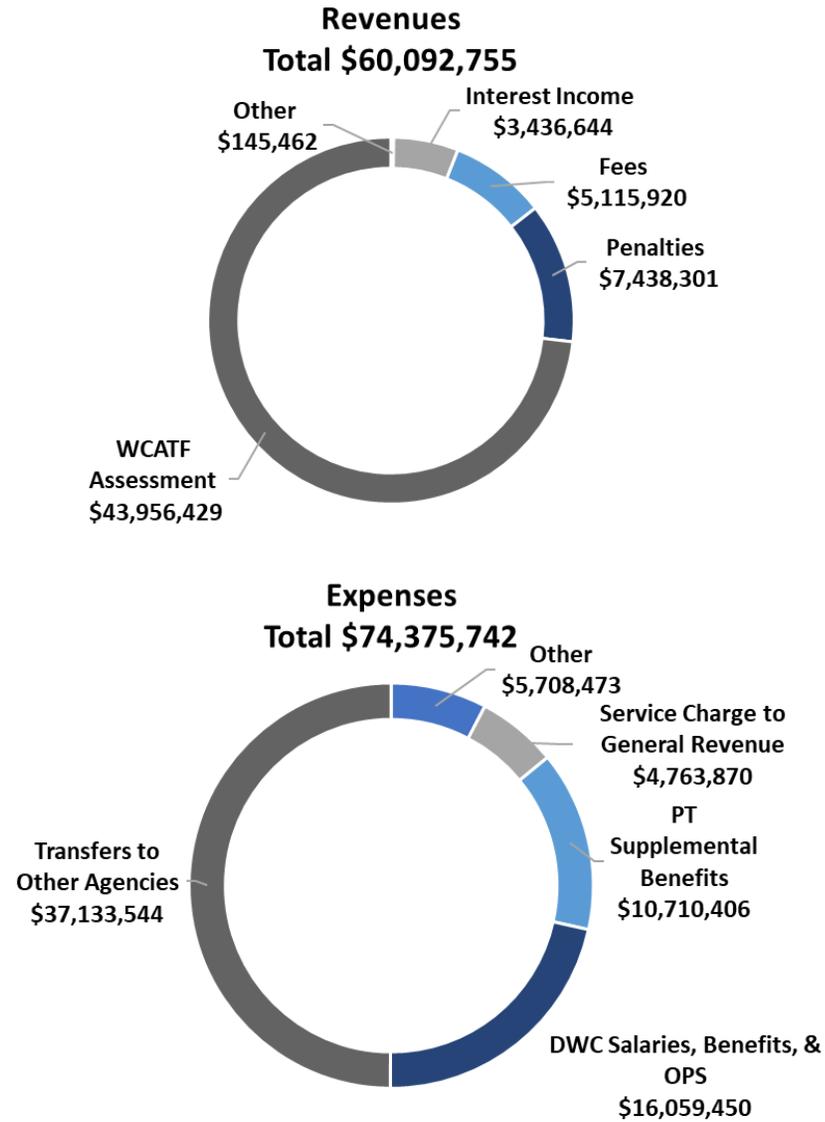
#### WCATF Payment Categories



We offer an interactive version of this pie chart that details how the funds are required to be allocated under Florida law: [Link to Chart](#)

|  |       |
|--|-------|
| DOAH, OJCC, First DCA  | 29.0% |
| DWC Operations   | 26.3% |
| Permanent Total Supplemental Disability Payments                             | 14.4% |
| Cost Allocation for DFS Support Services                                     | 10.5% |
| Div. of Investigative & Forensic Services and Justice Admin. Commission      | 6.9%  |
| Transfer to General Revenue  | 6.4%  |
| Dept. of Management Services and Dept. of Business & Professional Regulation | 3.5%  |
| Contract Services  | 2.5%  |
| USF Safety Program   | 0.3%  |
| Reemployment Services  | 0.1%  |

## Workers' Compensation Administration Trust Fund (WCATF) Revenues and Expenses for FY 2020/21



## Special Disability Trust Fund (SDTF)

The SDTF is maintained mostly by annual assessments and by the interest these assessment deposits earn in the State Treasury. In Florida, the net premiums written by the workers' compensation carriers and the net premium applicable to the self-insurers are the basis for the assessment rate, which is a percentage of net direct written premiums. Neither carriers nor self-insurers may deduct the cost of reinsurance. These premiums are then applied to each current applicable SDTF assessment rate to determine the carrier's quarterly assessment.

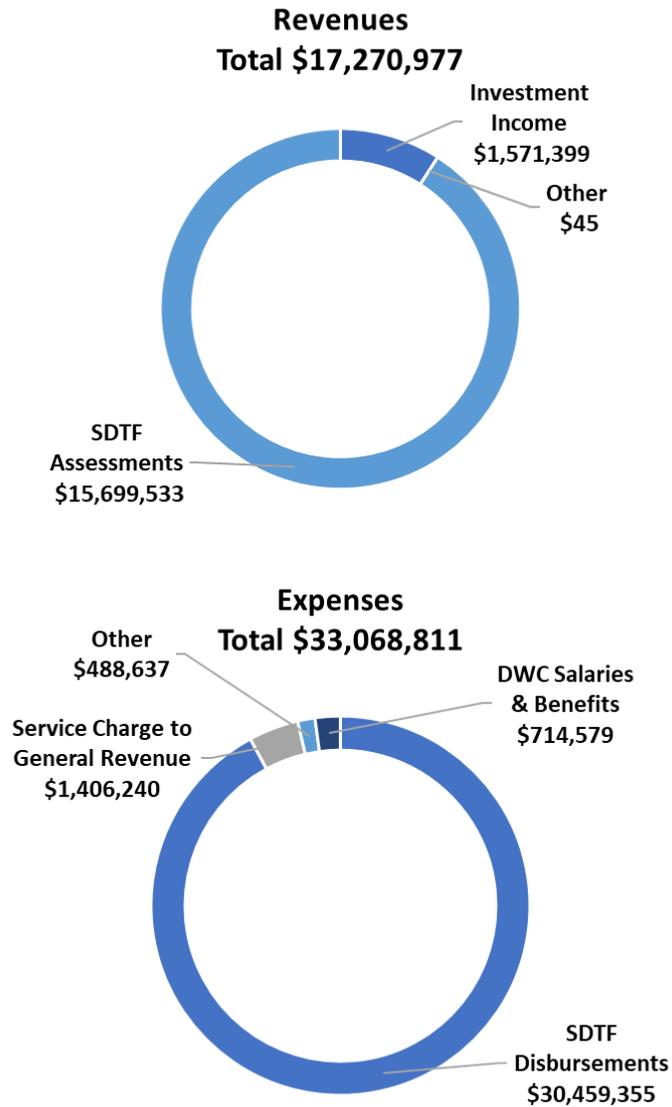
Section 440.49(8)(d), Florida Statute (F.S.), requires the Special Disability Trust Fund to report annually on the status of the trust fund to the Governor, the Speaker of the House of Representatives, and to the President of the Senate.

This report, [State of Florida Special Disability Trust Fund Actuarial Review](#), is required to be produced by an independent actuary and is available on the reports page of the DWC website along with all prior annual reports.

| <b>Evaluation Date</b> | <b>Undiscounted Unfunded Outstanding Claim Liability*</b> | <b>Discounted Unfunded Outstanding Claim Liability*</b> |
|------------------------|---|---|
| June 30, 2017          | \$554   | \$366   |
| June 30, 2018          | \$437   | \$278   |
| June 30, 2019          | \$330   | \$215   |
| June 30, 2020          | \$236   | \$149   |
| June 30, 2021          | \$226   | \$147   |

\* dollars are in the millions

## Special Disability Trust Fund (SDTF) Revenues and Expenses for FY 2020/21



# Regulatory Activities

## Employer Compliance

Tasked with the responsibility of ensuring employers comply with statutory obligations in obtaining workers' compensation insurance coverage for employees, the Division conducts investigations and issues enforcement actions in accordance with Section 440.107, F.S., processes workers' compensation exemptions to qualified applicants in accordance with Section 440.05, F.S., and provides educational outreach and training to employers and to insurance industry representatives on workers' compensation coverage laws.

During FY 2020/21, the Bureau of Compliance (BOC) processed 99.94% of online exemption applications within 10 days of receipt; utilized data from various agencies to identify and successfully find non-compliant employers; investigated 935 public referrals alleging non-compliance; and collected exemption fees totaling \$5,085,873.

Employers may enter into a Periodic Payment Agreement (PPA) with the Division to pay off their penalties over time as of June 30, 2021. The Division managed a total of 4,163 PPAs with an outstanding amount owed of \$49,382,165.

Investigators conduct physical, on-site inspections of an employer's job-site or business location to determine the employer's compliance with workers' compensation coverage requirements. If an employer is found to be out of compliance, the Division is required to issue a Stop-Work Order (SWO) to the employer.

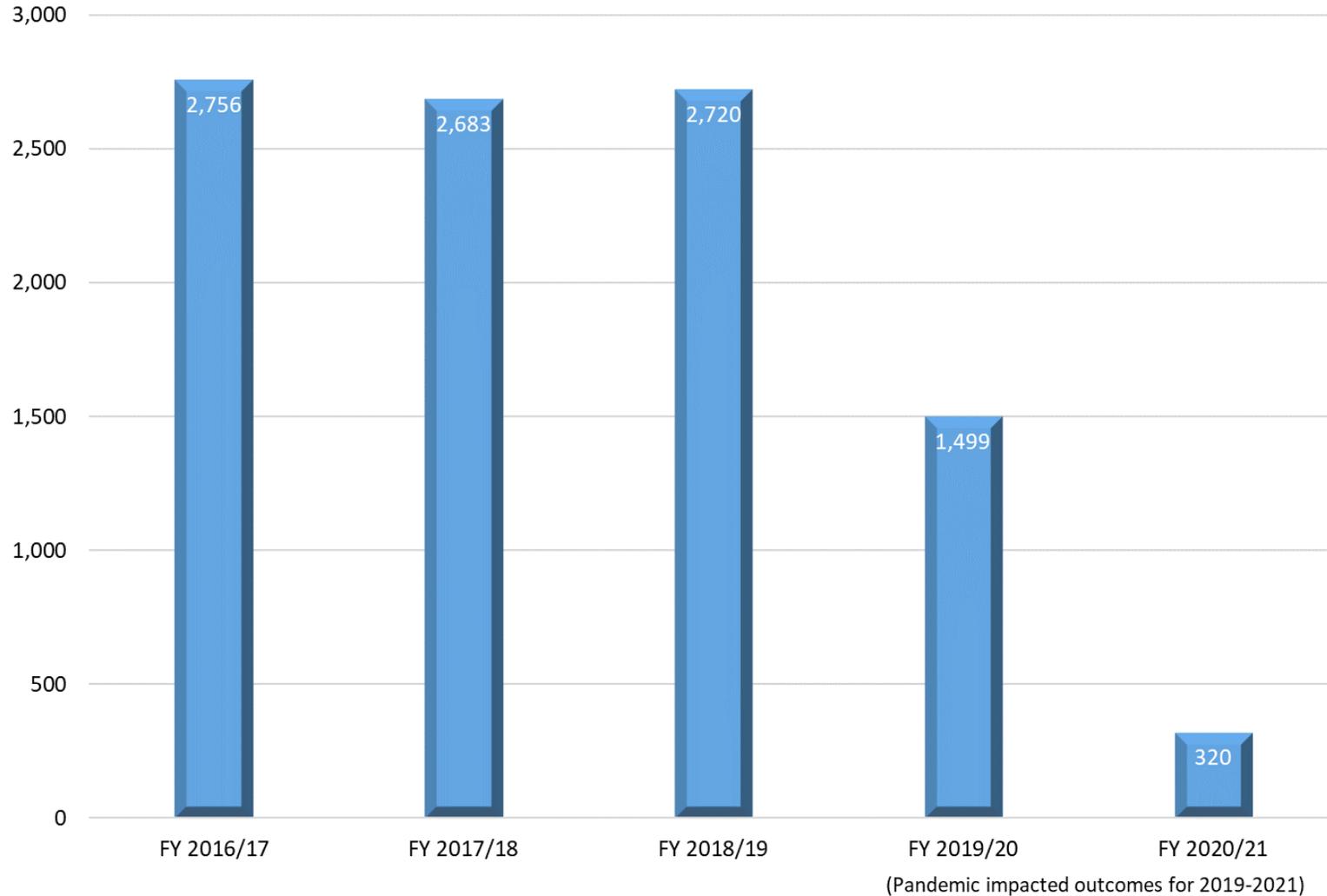


### Total Number of Investigations Conducted

| Fiscal Year | Number of Investigations |
|-------------|--------------------------|
| FY 2016/17  | 31,764                   |
| FY 2017/18  | 28,790                   |
| FY 2018/19  | 30,029                   |
| FY2019/20   | 28,291                   |
| FY2020/21   | 10,513                   |

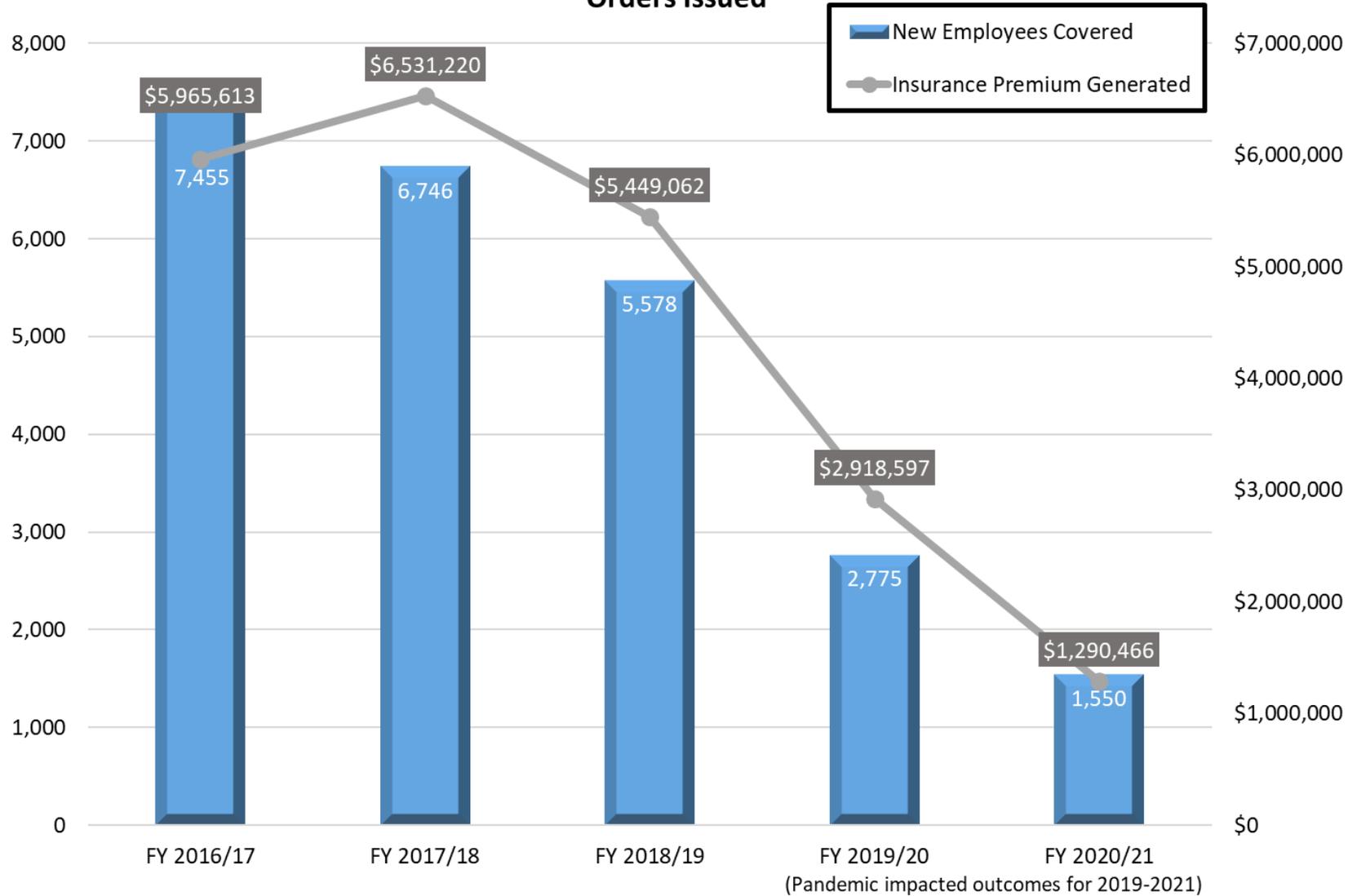
During fiscal year 2020-21, the Division temporarily adjusted its investigative activities due to COVID-19's impact on Florida's business community and economy. These adjustments focused more on conducting "virtual" investigations using video communication platforms while educating employers on coverage requirements. The adjustments also affected certain compliance outcomes for the last 2 Fiscal Years when compared to previous fiscal years.

### Stop-Work Orders Issued



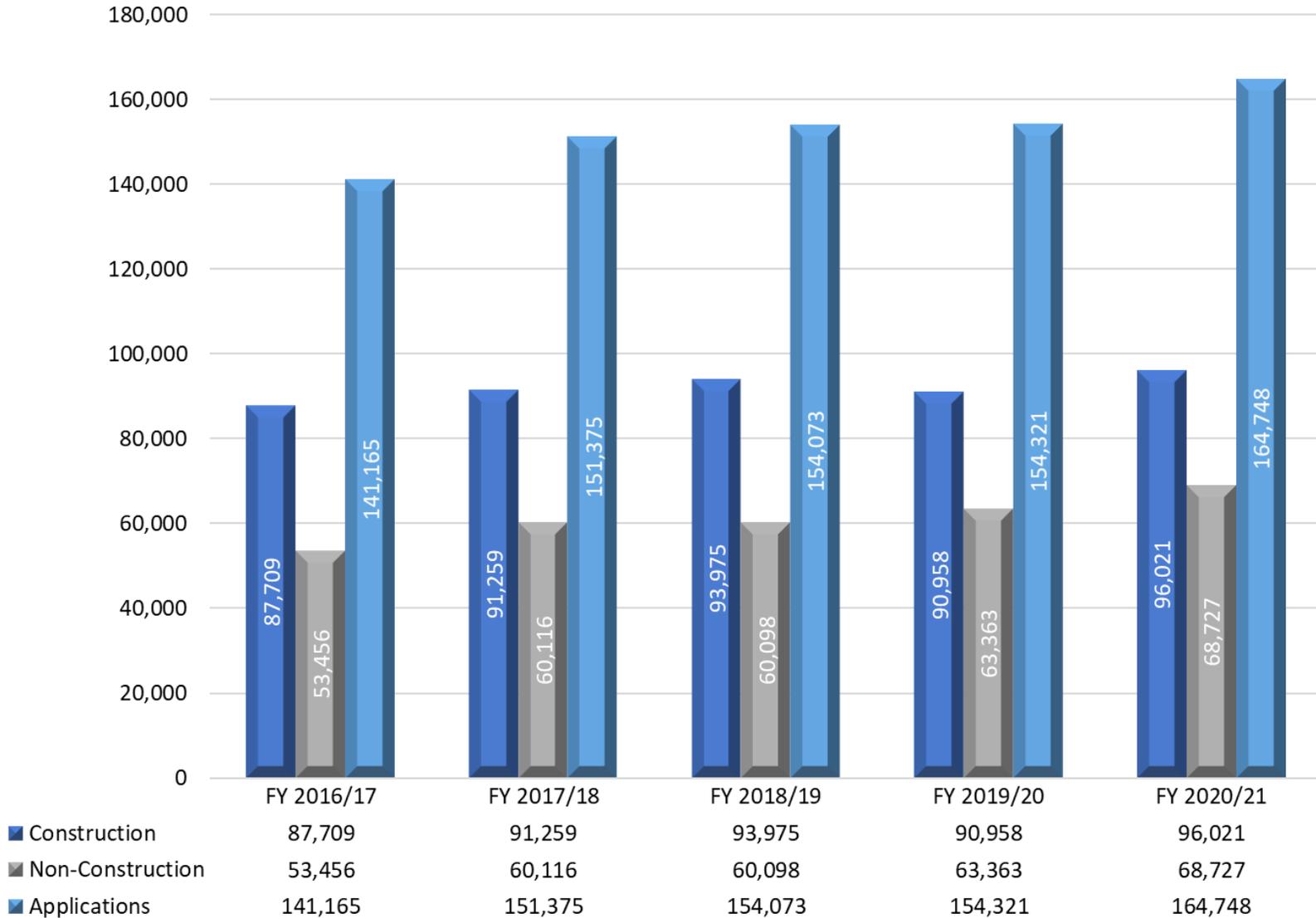
The Bureau of Compliance's efforts resulted in 1,550 new employees being covered and the generation of \$1,290,466 in insurance premiums during FY 2020/21.

### New Employees Covered and Insurance Premium Generated based on Stop-Work Orders Issued



The Division issued 96,021 construction industry certificates and 68,727 non-construction industry certificates in FY 2020/21. At the end of FY 2020/21, there were 1,023,765 active exemptions.

### Exemption Applications Processed



## Employee Assistance

The Bureau of Employee Assistance & Ombudsman Office (EAO) is established pursuant to Section 440.191, F.S. EAO distributes workers' compensation information, proactively contacts injured workers to inform them of their rights and responsibilities, and educates injured workers about its services. EAO also works to resolve disputes between injured workers and carriers to avoid unnecessary expenses, costly litigation, or delays in the provision of benefits. EAO relies on team structures to successfully accomplish its mission. Each team focuses on a specific area of statutory responsibility to effectively assist injured workers.

### Injured Worker Helpline

The Injured Worker Helpline Team educates callers from all system stakeholders. Through the Division's toll-free telephone line, (800) 342-1741, the team answers questions about the requirements of Florida's workers' compensation law and assists injured workers who are experiencing problems when obtaining medical and/or indemnity benefits. The team fulfills its mission by identifying disputed issues, researching injured workers' concerns, and contacting employers, carriers, medical providers, attorneys, or other appropriate parties to aid in resolution. All disputes requiring extensive investigation are referred to the Ombudsman Team.

| Fiscal Year | Calls Handled | Spanish Speaking Callers | Disputes Received | Percentage of Disputes Resolved |
|-------------|---------------|--------------------------|-------------------|---------------------------------|
| FY 2016/17  | 45,291        | 7,559                    | 393               | 98%                             |
| FY 2017/18  | 54,921        | 9,202                    | 606               | 95%                             |
| FY 2018/19  | 45,871        | 8,056                    | 782               | 97%                             |
| FY 2019/20  | 37,988        | 6,614                    | 259               | 99.6%                           |
| FY 2020/21  | 36,008        | 6,648                    | 506               | 98%                             |

## First Report of Injury (FROI)

The First Report of Injury Team contacts injured workers who have missed 8 or more days of work due to an on-the-job injury. This contact takes place early in the claim, typically within 18-20 days after the date of injury. The team provides educational resources regarding the workers' compensation system, surveys injured workers about their claims experience, advises workers of their statutory responsibilities, documents attorney involvement, and informs workers of EAO's various services.

### Injured Workers Contacted

| Fiscal Year | Number Contacted by Telephone | % Contacted |
|-------------|-------------------------------|-------------|
| FY 2016/17  | 33,269                        | 77%         |
| FY 2017/18  | 30,581                        | 79%         |
| FY 2018/19  | 29,145                        | 76%         |
| FY 2019/20  | 22,137                        | 64%         |
| FY 2020/21  | 26,468                        | 56%         |

The team communicated, by letter or by email, to **48,279** injured workers. These contacts were made to inquire about the status of injured workers' claims and advise them about EAO's services.

## Customer Service

The Customer Service Team focuses on assisting and educating employers about the requirements of workers' compensation coverage, exemptions from coverage obligation, and various work-related & safety programs.

This team also responds to email inquiries from employers sent to the Division, by email, at [Workers.CompService@myfloridacfo.com](mailto:Workers.CompService@myfloridacfo.com).

### Customer Service Team's Call Volume

| FY 2020/21              | Number of Calls |
|-------------------------|-----------------|
| 1 <sup>st</sup> Quarter | 13,321          |
| 2 <sup>nd</sup> Quarter | 11,124          |
| 3 <sup>rd</sup> Quarter | 13,317          |
| 4 <sup>th</sup> Quarter | 12,984          |
| <b>Total</b>            | <b>50,746</b>   |

## Ombudsman

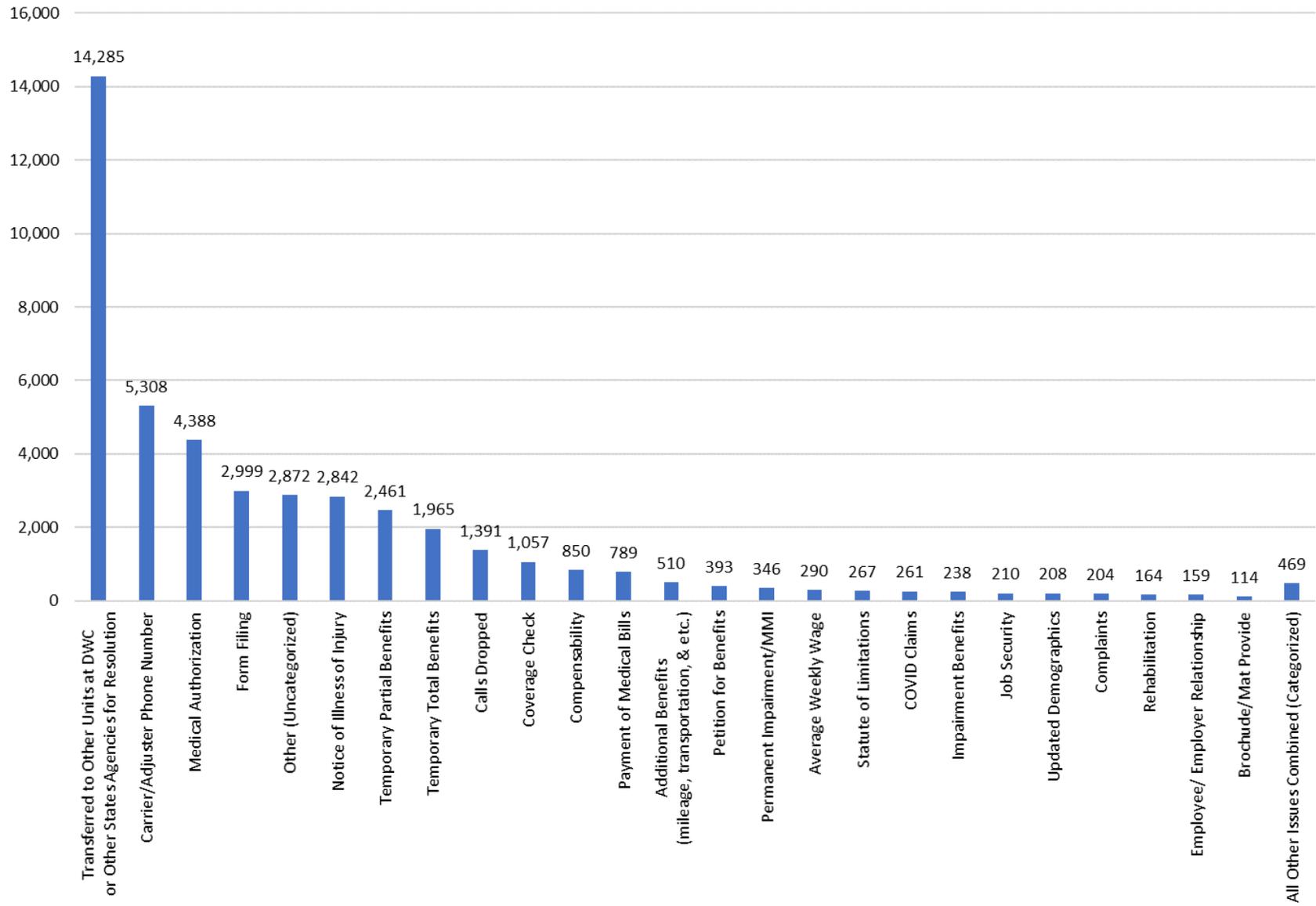
The Ombudsman Team assists injured workers to resolve complex disputes. The team conducts fact-finding reviews, analyzes claim files, researches case law, promotes open communication between parties, and generally helps parties to understand their statutory responsibilities. The team also assists injured workers locally, in offices throughout Florida; assists in resolving disputes; provides workers' compensation information applicable to each injured worker's claim, including guidance on the Petition for Benefits (PFB) process; and assists injured workers referred from the Governor's and CFO's offices, legislators, and other elected officials. The team responds to email inquiries from stakeholders sent to the Division, by email, at [WCEAO@myfloridacfo.com](mailto:WCEAO@myfloridacfo.com).

The Ombudsman team resolved 98% of the 469 disputes received during FY 2020/21. The medical bill disputes totaled \$21,984 in previously unpaid medical bills. The team resolved indemnity benefit disputes totaling \$234,303. Additionally, the Ombudsman team prevented 3,968 potential disputes by educating injured workers with in-depth, case-specific information.

### Ombudsman Intervention FY 2020/21

| Issue  | Resolved   | Unresolved | % Resolved |
|--|------------|------------|------------|
| Average Weekly Wage  | 5          | 0          | 100%       |
| Medical Authorization  | 212        | 1          | 100%       |
| Notice of Injury   | 1          | 0          | 100%       |
| Indemnity - TPD  | 79         | 2          | 98%        |
| Indemnity - TTD  | 59         | 0          | 100%       |
| Compensability   | 3          | 6          | 33%        |
| Penalties & Interest   | 32         | 0          | 100%       |
| Medical Milage   | 35         | 0          | 100%       |
| Medical Bills  | 14         | 0          | 100%       |
| Impairment Income Benefits   | 4          | 0          | 100%       |
| Permanent Total Disability   | 1          | 0          | 100%       |
| Attendant Care   | 1          | 0          | 100%       |
| Form Filing  | 9          | 0          | 100%       |
| Statute of Limitations   | 0          | 0          |            |
| Death Dependency   | 0          | 0          |            |
| Educational Material Provided                                      | 1          | 0          | 100%       |
| Updated Demographics   | 3          | 0          | 100%       |
| Offset-Unemployment Compensation/Social Security Info/Overpayments | 1          | 0          | 100%       |
| Other  | 1          | 0          | 100%       |
| <b>Total</b>   | <b>461</b> | <b>9</b>   | <b>98%</b> |

### Issues Addressed by Ombudsman and Helpline Teams FY 2020/21



## Records Management

Florida's Public Records Law and Civil Rules of Procedure (Chapter 119, F.S.) require the release of certain information for public inspection upon request. Upon receipt of a request, documents must be identified, located, printed, assembled from multiple mediums, inspected for confidentiality, then redacted by the team. Then, if applicable, the Division releases the information upon receipt of payment as authorized by Section 119.07, F.S. Each request undergoes multiple quality reviews prior to the release of records.

- On average, public records requests are invoiced within 1.25 business days of the request, or they are provided with documents if there was no charge required. Subpoenas, on average, were invoiced in less than 1.25 business days of receipt.
- The Records Management Section processed 6,692 subpoenas and 977 public records requests during FY 2020/21.

Public Records requests may be submitted via email to the Division at: [DWCPublicRecordsRequest@myfloridacfo.com](mailto:DWCPublicRecordsRequest@myfloridacfo.com).

## Records Privacy Requests

The personal identifying information of an injured or deceased employee which is contained in reports, notices, records, or supporting documentation held by the Department of Financial Services pursuant to Chapter 440, F.S., are confidential or exempt. However, some workers' compensation accident information remains releasable upon request.

Section 119.071(4)(d), F.S., provides exemption of personal information for certain occupational classes (e.g., law enforcement personnel, correctional officers, firefighters, judges, etc.). The employee or employer may request an agency exempt personal information (e.g., home address, telephone number, and date of birth) from public records release if a person's occupation qualifies. Additionally, the requestor is provided a follow-up email notification regarding the status of the exemption request.

For a list of qualifying occupations and educational information, visit: <https://www.myfloridacfo.com/division/WC/employee/records.htm>.

Questions regarding records privacy can be emailed to: [DWCRRecordsPrivacy@myfloridacfo.com](mailto:DWCRRecordsPrivacy@myfloridacfo.com)

- During FY 2020/21 the Records Management Section processed 2,228 requests for workers' compensation profiles to be exempt from public records inspection under section 119.071(4)(d), F.S.
- Records privacy requests in FY 2020/21 were, on average, processed in 2 business days or less.

## Reemployment Services (RES)

The Reemployment Service Team educates injured workers about the availability and provision of services designed to assist them with attaining suitable and gainful employment following a work-related injury. The team ensures that required documentation is received, interviews the injured worker, and assesses their eligibility for services.

The team provides services that include: vocational counseling, transferable skill analysis, resumé writing/development, job search assistance, job seeking skills, vocational evaluations, and training and education (including GED). Injured workers submit screening requests for services through the Division's Injured Worker Web Portal.

The team educates carriers about reemployment services requirements under Florida's workers' compensation law.

- During FY 2020/21, the Reemployment Services team received 129 requests for screenings through the Division's Injured Employee Web Portal.
- The team screened 52 injured workers for services and provided assistance to 31 injured workers who were eligible to return to suitable, productive employment.

### Reemployment Services Resources

- Contact the Reemployment Services Team by phone at (800) 342-1741, option 4 or by email at [WCRES@myfloridacfo.com](mailto:WCRES@myfloridacfo.com)
- [Injured Worker Reemployment Services Web Portal](#)
- [Reemployment Services Web Portal](#)
- [Reemployment Services Program Brochure](#)



## Insurer Reporting Services' Section

### Proof of Coverage (POC) EDI Data Collection

With the exception of self-insurers, Chapter 69L-56, Florida Administrative Code (F.A.C.), requires every insurer to file policy information with the Division for Certificates of Insurance, Notices of Reinstatement, Endorsements, and Cancellations. All POC data is collected and inspected via Electronic Data Interchange (EDI).

POC EDI data is used to populate several online Division databases including: "Proof of Coverage" database, which provides information used to verify if an employer currently has workers' compensation coverage, to view a prior policy period, or to validate if a person has a workers' compensation exemption.

The "[Construction Policy Tracking](#)" database provides the policy status of every subcontractor a contractor has chosen to track. Its features include email notifications to contractors informing them of any changes to a subcontractor's coverage status. As of June 30, 2021, the Construction Policy Tracking database had a total of 2,877 registrants who are tracking 45,733 employers/subcontractors.

POC data is also used for the [Coverage Assistance Program](#). Employers and agents can use this online tool to see which carriers are currently writing insurance coverage for certain types of businesses.

#### Proof of Coverage Accepted Filings

| Fiscal Year    | FY 2016/17     | FY 2017/18     | FY 2018/19     | FY2019/20      | FY 2020/21       |
|----------------|----------------|----------------|----------------|----------------|------------------|
| New Policies   | 314,613        | 318,855        | 332,072        | 348,004        | 363,825          |
| Binders        | 3,251          | 2,248          | 2,149          | 2,696          | 2,847            |
| Reinstatements | 87,348         | 84,023         | 81,194         | 79,492         | 92,224           |
| Endorsements   | 320,326        | 342,166        | 340,506        | 317,115        | 390,885          |
| Cancellations  | 158,547        | 158,053        | 157,513        | 156,834        | 171,885          |
| <b>Total</b>   | <b>884,085</b> | <b>905,345</b> | <b>913,434</b> | <b>904,141</b> | <b>1,021,666</b> |

## Medical EDI Data Collection

Pursuant to Rule 69L-7.750, F.A.C., all required medical billing (hospital, health care provider, ambulatory surgical center, dental, and pharmacy) forms must be submitted to the Division in accordance with the date appropriate Florida Medical EDI Implementation Guide (MEIG). The Division collects this information to adopt fee schedules, to evaluate carrier performance, and to identify over-utilization.

To assist with the electronic filing of medical bills, the Medical Data Management System (MDMS) website was developed. Small insurers with a low volume of workers' compensation medical bills (no more than 200 per month for all four form types) may utilize the MDMS website to comply with the mandate for electronic submission of the DFS-F5-DWC-9, DFS-F5-DWC-10, DFS-F5-DWC-11, and DFS-F5-DWC-90 medical bills. Monthly report cards are generated that identify the primary reasons for initial medical bill rejection. The report cards also allow Medical EDI submitters to track their rejection rates and compare their rates with that of the industry.

For information on setting up a MDMS web account or assistance regarding Medical EDI reporting, email the Medical Data Management Team at: [MedicalDataManagementTeam@myfloridacfo.com](mailto:MedicalDataManagementTeam@myfloridacfo.com).

### Electronic Medical Bills Accepted

| Fiscal Year | Total Bills |
|-------------|-------------|
| FY 2016/17  | 4,169,569   |
| FY 2017/18  | 4,140,862   |
| FY 2018/19  | 3,887,226   |
| FY 2019/20  | 3,682,807   |
| FY 2020/21  | 3,377,648   |

## Claims EDI Data Collection

Claims EDI data is collected pursuant to Chapter 69L-56, F.A.C., and is used to populate the Division's primary accident databases. The Division collects this data to ensure injured workers are being paid accurately, to inform and educate employers, for informal dispute resolution, and for system analysis. The EDI acceptance rate decreased by 2.8% compared to FY 2019/20, due to the ongoing obstacles surrounding the pandemic.

In an effort to maintain acceptance levels of Claims EDI filings, the Claims EDI team provides triage assistance. Training/triage sessions consist of EDI Webinars and/or Triage sessions for individual trading partners covering:

- Claims EDI Warehouse Demonstration Insurer Access View
- Reporting Return to Work Information MTC S1 (Suspension-RTW) vs. FROI or SROI 02 (Change)
- Reinstatement of Benefits (MTC RB and MTC ER)
- Top Errors Affecting Claim Administrators and How to Correct Them
- Proper Reporting of Claim Type 'L' (Medical Only to Lost-Time)

For questions or assistance regarding Claims EDI data, contact the Claims EDI team by email at [Claims.EDI@myfloridacfo.com](mailto:Claims.EDI@myfloridacfo.com).

### Claim Form Filings

| Fiscal Year | EDI     | Paper | Total   |
|-------------|---------|-------|---------|
| FY 2016/17  | 489,318 | 87    | 489,405 |
| FY 2017/18  | 490,585 | 81    | 490,666 |
| FY 2018/19  | 687,273 | 59    | 687,332 |
| FY 2019/20  | 593,949 | 101   | 594,050 |
| FY 2020/21  | 696,200 | 163   | 696,363 |

## Insurer Performance

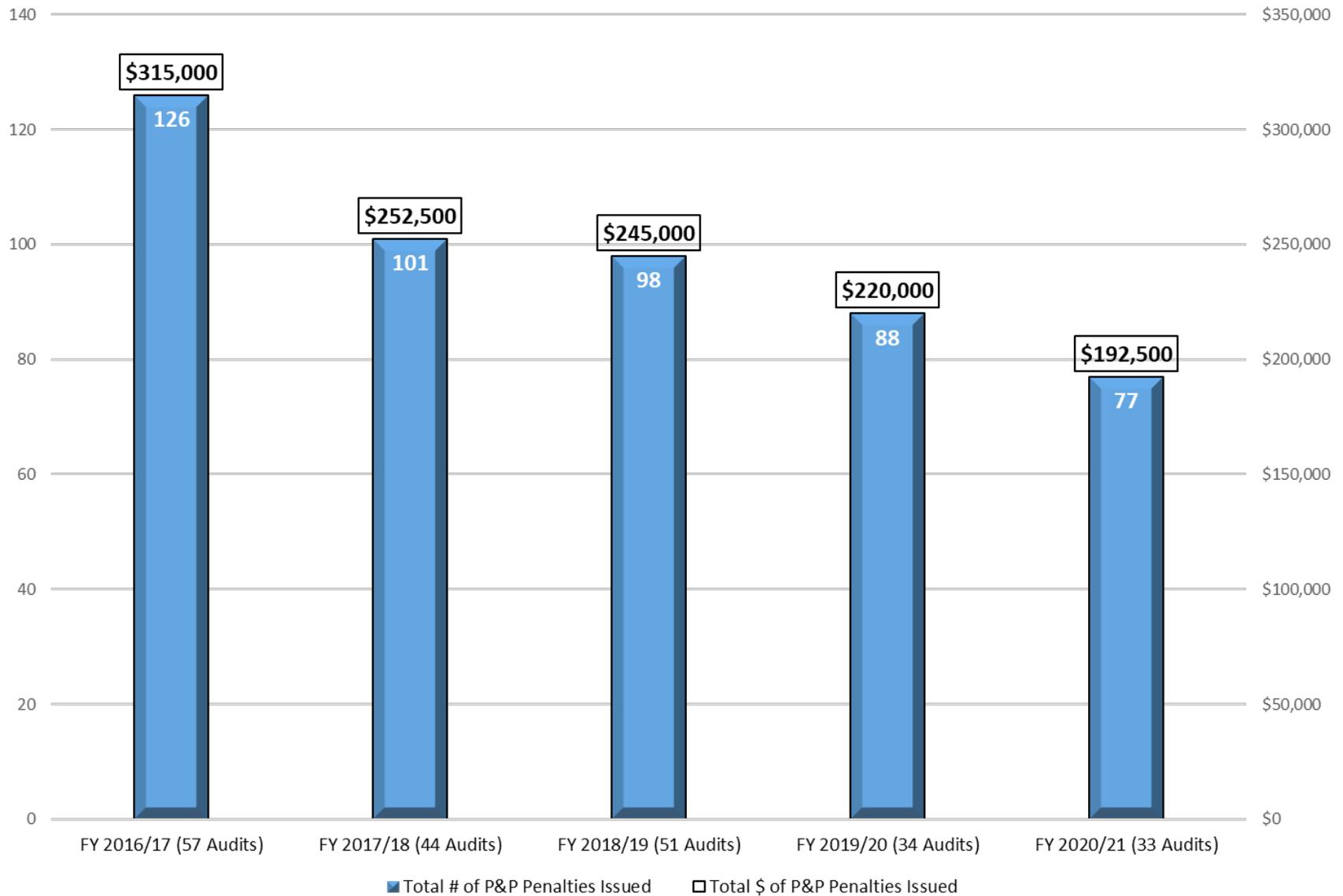
The Bureau of Monitoring and Audit (M&A) identifies patterns and practices in claims-handling, timely and accurate payment of benefits to injured workers, timely and accurate payment of medical care, timely and accurate filing of required forms and reports, and enforces compliance with compensation orders of the Judges of Compensation Claims.

The Audit Section, within the Bureau of Monitoring and Audit, conducted 33 insurer audits and examined 5,231 claim files. These examinations found 660 underpaid claim files and helped secure an additional \$326,901 in late indemnity payments along with penalties and interest for injured workers.

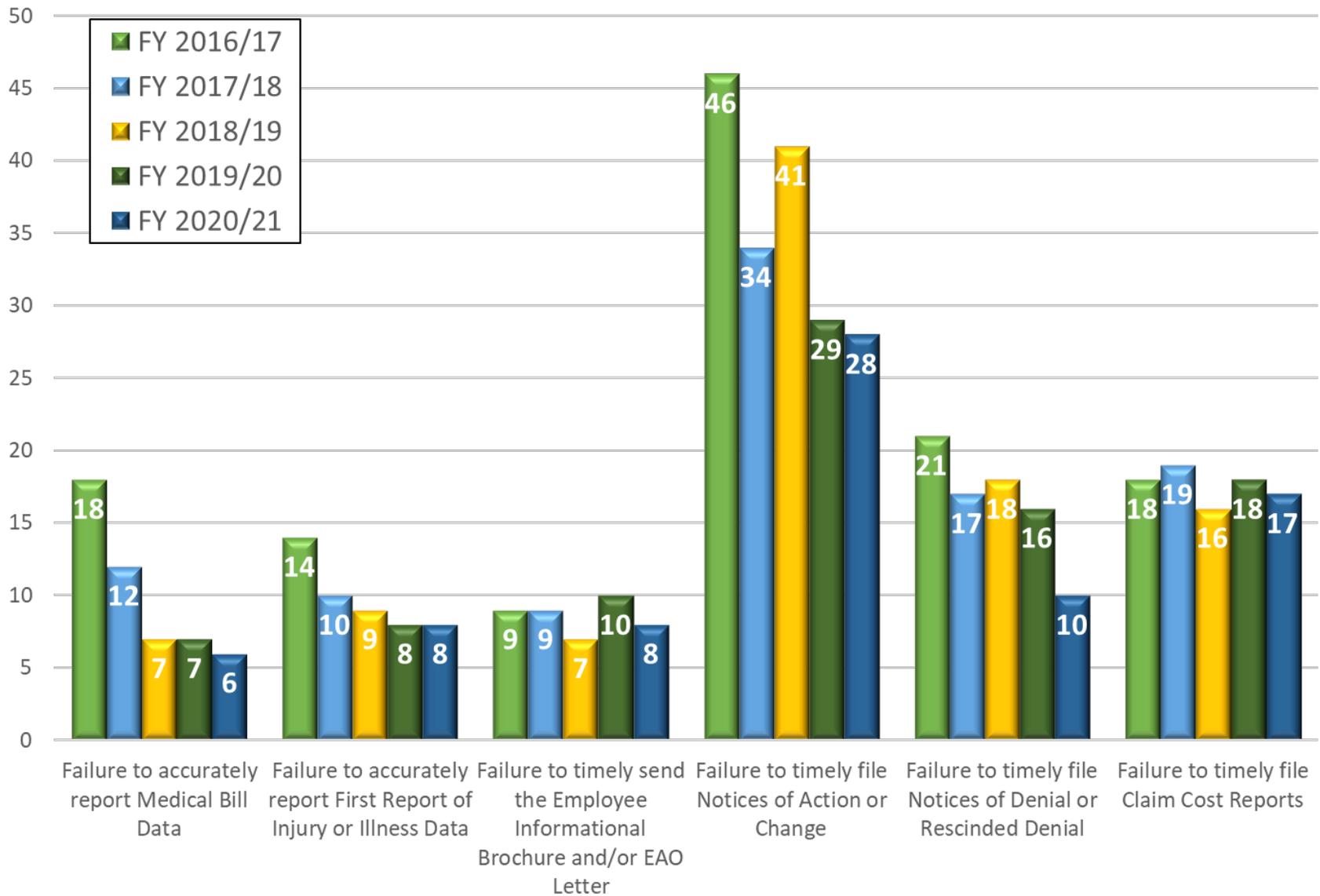
The table below shows five fiscal years of claim review results. The Untimely Indemnity Payment and Untimely First Reports of Injury or Illness penalties were paid to the Division, and the benefits recovered for Injured Workers were paid to those injured workers.

| Fiscal Year | Number of Audits | Total Amount of Penalties Issued for Untimely Indemnity Payments | Total Amount of Penalties Issued for Untimely First Reports of Injury or Illness | Total Amount of Benefits Recovered for Injured Workers Due to Discovered Underpayments |
|-------------|------------------|--|--|--|
| FY 2016/17  | 57               | \$62,500   | \$48,600   | \$270,123  |
| FY 2017/18  | 44               | \$81,750   | \$54,000   | \$467,161  |
| FY 2018/19  | 51               | \$72,050   | \$38,400   | \$468,898  |
| FY 2019/20  | 34               | \$53,300   | \$29,000   | \$584,332  |
| FY 2020/21  | 33               | \$89,250   | \$39,100   | \$326,901  |

### Non-Willful Pattern and Practice Penalties by Fiscal Year



### Non-Willfull Pattern and Practice Penalties by Category and Fiscal Year



## Permanent Total Disability

If an injured worker's injuries are so severe, as defined by law, that the injured worker is left permanently unable to work, then the injured worker may receive permanent total disability benefits. The Bureau of Monitoring and Audit has:

- Reviewed 35,499 electronic permanent total claims transactions.
- Calculated, approved, and processed permanent total supplemental benefits for 590 claims totaling \$10,735,525. These benefits have an annual cost-of-living adjustments.
- Recovered an additional \$1,706,096 in carrier underpaid claims for 322 claimants.

For assistance in estimating Permanent Total (PT) benefits, please contact the Bureau of Monitoring and Audit at (850) 413-1608.

## Medical Services Section

This section provides educational assistance and consultation on issues related to medical bill filing and reimbursements; as well as, administrative support to the Three-Member Panel. The Three-Member Panel adopts uniform schedules of maximum reimbursement allowances for physicians, hospitals, ambulatory surgical centers (ASC), and other service providers. This section is also responsible for determining whether a carrier properly disallowed or adjusted the payment of medical bills through the receipt of Petitions for Resolution of Reimbursement from health care providers. The section:

- Received 6,511 Petitions for Resolution of Reimbursement
- Issued 2,421 determinations (54.6%) and 2,011 dismissals (45.4%)
- Processed 8 reports of provider violations
- Maintained the certification of 138 expert medical advisors (EMA)

### Number of Petitions Submitted by Provider Type

| Type                | FY 2016/17   | FY 2017/18   | FY 2018/19   | FY 2019/20   | FY 2020/21   |
|---------------------|--------------|--------------|--------------|--------------|--------------|
| Practitioner        | 4,072        | 1,687        | 1,387        | 2,277        | 4,412        |
| ASC                 | 348          | 384          | 369          | 362          | 322          |
| Hospital Inpatient  | 238          | 376          | 502          | 625          | 794          |
| Hospital Outpatient | 640          | 787          | 1,043        | 1,349        | 983          |
| <b>Total</b>        | <b>5,298</b> | <b>3,234</b> | <b>3,301</b> | <b>4,613</b> | <b>6,511</b> |

## Assessments Section

The Assessments Unit (AU) calculates, collects, reconciles, and audits the quarterly workers' compensation assessment payments made by insurance companies, assessable mutual insurance companies, self-insurance funds, and individual self-insurers. These assessments support the Workers' Compensation Administration Trust Fund (WCATF) and the Special Disability Trust Fund (SDTF), which in turn, fund Florida's workers' compensation system. The AU also provides data used to determine the annual assessment rate for each of the WCATF and the SDTF.

The AU collected a total of \$59,655,962 in assessments for FY 2020/21. A Florida workers' compensation premium basis of over \$5 billion generated WCATF assessments of \$43,956,429 and the SDTF premium basis of nearly \$4 billion resulted in assessments of \$15,699,533.

Florida Statutes determine the premium basis for each trust fund. The WCATF assessment is based on collected premium, whereas the SDTF basis uses written premium. Also, the WCATF premium basis includes the deductible premium credits of insurers' policies.

The AU collected, audited, and reconciled the quarterly assessments of 401 insurance companies and self-insurance funds.

In addition, the AU calculated the imputed premium of 392 individual self-insured entities. The imputed premium is based on the self-insureds' job classifications, payrolls, volume discounts, statutorily allowed credits, and experience modification factors. This imputed premium is then used to determine the self-insurance assessments for each trust fund.

## Assessment Rates

The Division is responsible for calculating the annual assessment rates for both the Workers' Compensation Administration Trust Fund and the Special Disability Trust Fund. By July 1<sup>st</sup> of each year, the Division notifies stakeholders of the next [calendar year's assessment rate](#) for each trust fund as can be seen by clicking the [Department Bulletin and Rate Order](#). In 2021, the Division was able to maintain the same rate levels for both funds from the preceding calendar year.

The WCATF and SDTF assessment rates are effective on January 1<sup>st</sup> of each calendar year for workers' compensation insurance companies and self-insurance funds writing business in Florida. For each individually self-insured employer, the rates commence with the Rate Effective Date (RED) after January 1<sup>st</sup>.

| WCATF         |       | SDTF          |       |
|---------------|-------|---------------|-------|
| Calendar Year | Rate  | Calendar Year | Rate  |
| 2018          | 0.97% | 2018          | 0.91% |
| 2019          | 0.90% | 2019          | 0.42% |
| 2020          | 0.79% | 2020          | 0.40% |
| 2021          | 0.79% | 2021          | 0.40% |

The Bureau of Financial Accountability (BFA) contains the Division's largest monetary transaction programs and safeguards its assets by developing and implementing a broad range of financial accountability measures. This Bureau's programs work to implement and build upon their internal checks and balances while maintaining effective financial controls that focus on managing the daily functions of cash receipts, revenue, and warrant payments. Included in these controls are a series of comprehensive reconciliation processes that balance each cash receipt and cash payment processed.

## Self-Insurance Section

The Self-Insurance section is responsible for regulating employers who elect to individually self-insure for workers' compensation benefits. Self-insureds can be categorized as either governmental or private self-insured employers. The Section actively regulates governmental self-insured employers and contracts with the Florida Self-Insurers Guaranty Association (FSIGA) to co-regulate private self-insured employers. The laws, rules, and requirements are unique for each type of self-insured employer. As of June 30, 2021, there were 274 governmental self-insured employers and 113 private self-insured employers.

This section monitors the essential flow of timely and accurate information from both governmental and private self-insureds. Depending on whether a self-insured is private or governmental, the entity reports information such as its National Council on Compensation Insurance ([NCCI](#)) classification codes, payrolls, loss data, outstanding liabilities reports, financial statements, and other documents.

This section is directly involved in receiving and processing information from governmental self-insureds, and FSIGA manages the private self-insured reporting process including new self-insurance applications. As required by law, FSIGA reviews information submitted by private self-insureds and makes recommendations to the Division with regards to new applicants, adjustments to security deposits, actuarial reports, revocation of self-insurance privileges, and timely reporting of various forms required by administrative rule.

| Self-Insurers: ( <u>Governmental</u> and <u>Private</u> ) |     | <u>Qualified Servicing Entities - TPAs</u> |     |
|---|-----|--|-----|
| FY 2016/17  | 396 | FY 2016/17                                 | 102 |
| FY 2017/18  | 393 | FY 2017/18                                 | 105 |
| FY 2018/19  | 386 | FY 2018/19                                 | 107 |
| FY 2019/20  | 388 | FY 2019/20                                 | 109 |
| FY 2020/21  | 387 | FY 2020/21                                 | 100 |

## Financial Accountability Section

The Financial Accountability Section (FAS) monitors the receipt of all payments related to Notices of Election to be Exempt and employer penalty payments. The section oversees the process of reinstating Stop-Work Orders to employers who default on payments, refers delinquent accounts to the collection agency, and files liens against those employers.

If an employer violates the workers' compensation law and is assessed a penalty, the employer has the option of paying the penalty over a 5-year period. The employer must enter into a Periodic Payment Agreement (PPA) with the Department and agree to make penalty payments monthly. The section collected \$5,000,098 in penalty payments during this fiscal year.

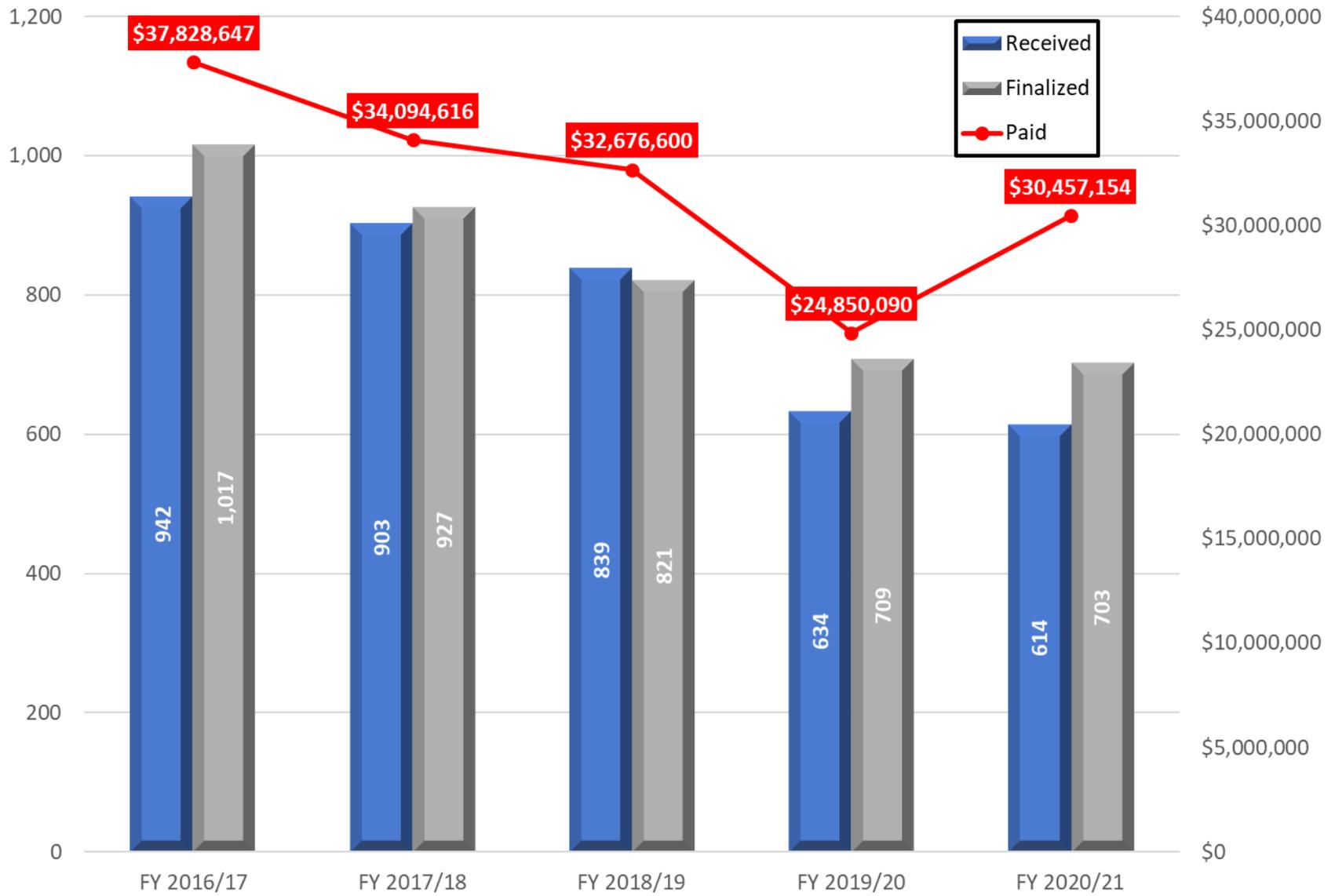
## Special Disability Trust Fund Section

The Special Disability Trust Fund (SDTF) has 3 primary business processes:

- Review all filed Proofs of Claim to determine if the claim meets eligibility requirements for reimbursement of benefits paid by the carrier and subsequently notify the carrier whether the claim has been accepted or denied;
- Determine eligibility for reimbursement by the Fund through auditing Reimbursement Requests and supporting documentation submitted by the carrier on claims that have been accepted; and
- Issue accurate reimbursements.

The SDTF issued \$30.46 million in reimbursements to carriers and self-insured employers. Through the audit process, the SDTF identified and disallowed \$1.4 million in non-reimbursable benefits. These audit results equate to over 4% of the total dollars reimbursed. The SDTF averages 31 days to issue payment for approved reimbursement requests. The SDTF section is also responsible for the payment of permanent total supplemental benefits, which the Division is required to pay, on dates of accident prior to July 1, 1984.

### SDTF - Reimbursement Requests



## Rule Changes & Notices

Agencies promulgate rules to implement legislation. These regulations are codified in the [Florida Administrative Code](#) (FAC). There are also numerous decisions, opinions, and rulings of state agencies. Rulemaking is defined as the adoption, amendment, or repealing of a rule. This consists of drafting rule text, providing notice to the public, accepting public comment, and filing the rule for adoption. There are times where many more steps may be involved.

A daily publication which gives the public current information about the status of rules that are moving through the rule making process is the [Florida Administrative Register](#) (FAR). The FAR also includes notices of public meetings, workshops and hearings, and miscellaneous actions required to be published by the statute.

Notices required to be published in the FAR can include:

- Notices of Rule Development
- Notices of Proposed Rules
- Notices of Change, Correction, and Withdrawal  
Emergency Rules
- Petitions and Dispositions Regarding Rule Variance and Waiver
- Notices of Meetings, Workshops, and Public Hearings
- Notices of Petitions and Dispositions Regarding Declaratory Statements
- Notices of Petitions and Dispositions Regarding Non-Rule Policy Changes
- Announcements and Objection Reports of the Joint Administrative Procedures Committee
- Notices Regarding Bids, Proposals, and Purchasing
- Notices of Intent to Adopt rules pursuant to Sections 120.54(6), 120.54(1)(i)2., and 403.8055, Florida Statutes



The Division of Workers' Compensation's Rule Changes and Notices are at this [link](#).

The Division has an electronic alert system to notify subscribers of upcoming news impacting the Workers' Compensation industry and dates of public meetings and workshops. To receive important Division notices, register for our email list. [Register](#)

## Points of Interest to Our Readers

### Delivery of Training and Education to Our Stakeholders:

#### Bureau of Compliance

This Bureau conducted 22 webinars on workers' compensation and work-related safety for 247 employers statewide. Speakers from the Bureau are available to provide information about coverage requirements and enforcement actions, upon request. For contractors licensed by the Department of Business and Professional Regulation, an hour toward the workers' compensation continuing education requirement can be awarded.

Please contact [BOCSeminars@myfloridacfo.com](mailto:BOCSeminars@myfloridacfo.com) with your request.

#### Bureau of Employee Assistance

This Bureau, working with the Bureau of Monitoring and Audit, produces workers' compensation educational videos. These videos are 5 - 10 minutes in length and provide key information about the workers' compensation system. These are located on the Division's website. To view these videos, please visit: <https://www.myfloridacfo.com/division/wc/videos/>.

#### Bureau of Financial Accountability

The Self-Insurance Section provided 4 "classification & payroll" webinars to 20 self-insurers during this fiscal year. A total of 25 employees participated in the training. During the 2020/2021 fiscal year, the Self-Insurance Unit also implemented a video library containing four (4) educational trainings for governmental self-insured employers. The videos cover the following topics: The Evolution of the Workers' Compensation Classification and Rating System; Assignment of Classification Codes within a Business; Annual Filing Requirements for Governmental Self-Insurers; and the Regulatory Role of the Division of Workers' Compensation, Self-Insurance Unit.

#### Bureau of Monitoring and Audit

This Bureau provided 10 webinars for 8 trading partners and 36 adjusters. For more information about workers' compensation related training, please visit: <https://www.myfloridacfo.com/division/wc/employer/educational.htm>.

#### Injured Worker Frequently Asked Questions (FAQs)

The Division has created a collection of FAQs based on its many interactions with injured workers. This collection of information is available online at: <https://www.myfloridacfo.com/division/wc/employee/faq.htm>.

## The Workers' Compensation System Guide

To gain a better understanding of workers' compensation in Florida, the Division provides a [WC System Guide](#).

The guide is intended to give all parties a general overview and summary of the workers' compensation system. It is not intended to supersede or take the place of the Florida workers' compensation law (Chapter 440, F.S.) or Florida Workers' Compensation case law.

Its purpose is to assist all stakeholders in their roles and responsibilities. It provides general information and references that may assist with resolving issues and answering questions.

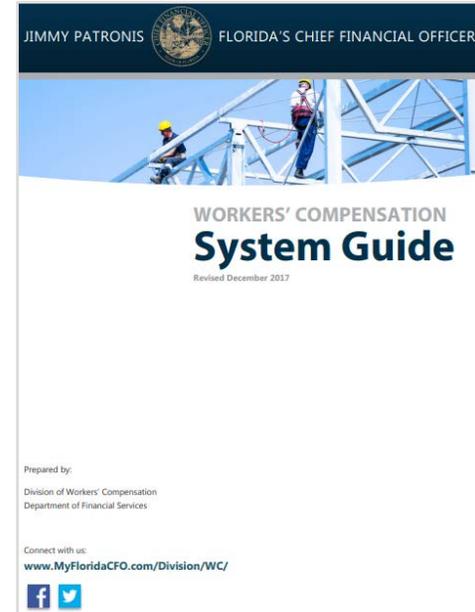
### *Maximum Workers' Compensation Rate, Effective January 1, 2022*

The Florida Department of Economic Opportunity has determined the statewide average weekly wage paid by employers, subject to the Florida Reemployment Assistance Program Law, to be \$1,099.39 for the 4 calendar quarters ending June 30, 2021.

Subsection 440.12(2), Florida Statutes (2021), expressly provides that, for injuries occurring on or after August 1, 1979, the weekly compensation rate shall be equal to 100% of the statewide average weekly wage, adjusted to the nearest dollar, and the average weekly wage determined by the Department of Economic Opportunity for the 4 calendar quarters ending each June 30 shall be used in determining the maximum weekly compensation rate with respect to injuries occurring in the calendar year immediately following.

Accordingly, the maximum weekly compensation rate for work-related injuries and illnesses occurring on or after January 1, 2022, shall be \$1,099.

### [Minimum/Maximum Compensation Rate Table](#)



## Insurer Regulatory Report

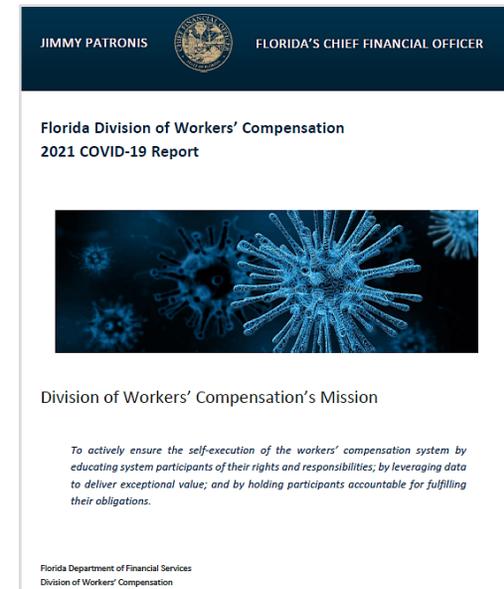
The Insurer Regulatory Report (IRR) is given to executives of insurance companies several weeks prior to the Bureau of Monitoring and Audit conducting an audit of their respective claims-handling practices. The report further engages and informs regulated entities about their claims-handling practices. Carriers can use the information to identify key processes, policies, or practices that are instrumental in maintaining or improving their performance levels. Performance data is shown by individual carrier and by the industry average, so the individual carrier can see if it is performing better or worse than the industry average.



## COVID-19 Reports

What is happening with COVID-19 from a workers' compensation perspective?

The Division publishes a monthly COVID-19 Report. These reports contain COVID-19 claim frequency, claim cost, and claim characteristic data. [Link to COVID-19 Reports](#)



## Online Tools

### Search Our Content

The Department's Search feature allows you to search across all divisions. Sometimes, though, stakeholders want to filter or limit their searches to content only within the Division of Workers' Compensation.

To assist our stakeholders in using our web content as a primary source of reference, the Division has a feature on its homepage that allows visitors to perform keyword searches against content only within the Division's web pages.

Therefore, if stakeholders are looking for a form, a calculator, or a manual, the person would visit the Division's website, select "DWC Search" in our left panel's navigation choices, and then begin their search.

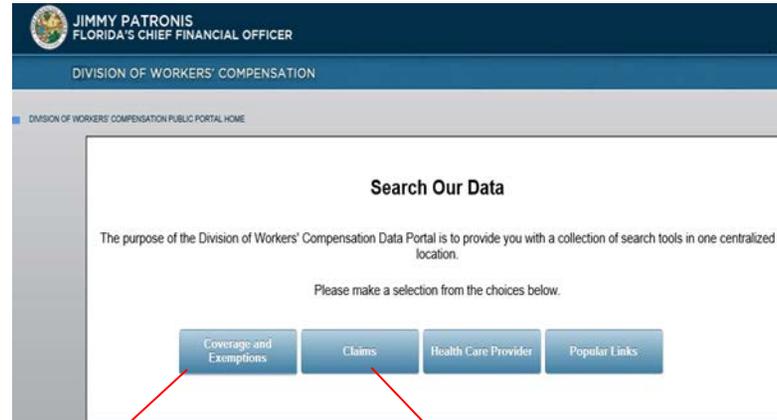
In these examples, an injured worker may be searching for benefit information, or, an employer may be seeking a copy of the form to send to its insurer.

The screenshot shows the top navigation bar with the text "JIMMY PATRONIS FLORIDA'S CHIEF FINANCIAL OFFICER" and links for "CFO", "NEWS", "AGENCY", and "ESPAÑOL". Below this is the "DIVISION OF WORKERS' COMPENSATION" header with a search bar. The left sidebar contains a list of navigation options: "DWC Search", "About the Division", "DWC Laws & Rules", "Reimbursement Manuals", "Rule Changes & Notices", "Brochures, Guides, Posters", "Forms", "Reports", "Search Our Data", and "Bulletins". The "DWC Search" option is circled in red. A red arrow points from this circle to the breadcrumb trail: "MYFLORIDACFO.COM > DIVISION > WC > DWC SEARCH". The main content area is titled "Division of Workers' Compensation Search" and shows a search for "permanent total" with "About 778 results (0.15 seconds)" and a "Sort by: Relevance" dropdown. Two search results are visible: "Benefits" with a URL to a benefits page, and "DFS-F2-DWC-35" with a URL to a PDF form.

This screenshot is similar to the one above, showing the same navigation and breadcrumb trail. However, the search bar now contains the text "DWC-1". The results show "About 599 results (0.30 seconds)" and a "Sort by: Relevance" dropdown. The top search result is "First Report of Injury or Illness (DWC-1)" with a URL to a PDF form: "https://www.myfloridacfo.com/division/wc/pdf/DFS-F2-DWC-1.pdf". Below the title, it specifies "File Format: PDF/Adobe Acrobat" and provides a brief description: "Any person who, knowingly and with intent to injure, defraud, or deceive any employer or employee, insurance company, or self-insured program, files a..."

## Search Our Data

The purpose of the Search Our Data portal is to provide stakeholders with a collection of search tools in one centralized location. Visitors to the website can search for coverage and claims data, access the health care provider portals, and view a set of popular links to related information.



### Coverage

This section of the Division of Workers' Compensation Portal provides you with the ability to look up Proof of Coverage information, submit referrals for non-compliance, and to interact with Construction Policy Tracking database.

Please make a selection from the choices below.

[Can My Personal Information Be Protected?](#)

- Proof of Coverage Database (Compliance)
- Exemption Search
- Non-Compliance Referral Database
- Construction Policy Tracking Database
- Insurers Licensed to do business in the State of Florida
- Compliance Stop-Work Order Database

For questions regarding the claims data extracts, contact the Bureau of Data Quality & Collection at [dwcpublirecordsrequest@myfloridacfo.com](mailto:dwcpublirecordsrequest@myfloridacfo.com)

### Claims

During the 2017 Legislative Session, [HB 1107](#), a bill relating to public records, created [440.1851](#), Florida Statutes (F.S.). This statute provides an exemption from public records requirements for personal identifying information filed with the Department of Financial Services and other agencies pursuant to the Workers' Compensation Law, specifying persons to whom and circumstances in which such confidential information may be disclosed. The statute became effective on July 1, 2017.

Consequently, the Workers' Compensation Claims Database is discontinued effective July 1, 2017. If you are an authorized individual, to whom and in circumstances in which such confidential information may be disclosed, please complete the [Records Release Authorization Form](#) to enable the Division to respond to your public records request.

See [Records Release FAQs](#) for further assistance.

Please make a selection from the choices below.

[Can My Personal Information Be Protected?](#)

- Insurer/Claim Administrator Search
- Statistical Report Based on Claims Data
- Accident Characteristics by Occurrence
- DWC Claims EDI Data Warehouse
- Employer Loss Run Data

To learn more about Workers' Compensation click here: <http://www.myfloridacfo.com/Division/WC/> or to direct your inquiry to our Public Records Unit at [DWC-PublicRecordsRequest@myfloridacfo.com](mailto:DWC-PublicRecordsRequest@myfloridacfo.com)

## Coverage Assistance Program (CAP)

This online tool allows employers to enter their primary class code or business description to find insurance companies that are currently providing workers' compensation coverage. The results do not guarantee an insurance company will provide coverage to your business since each insurance company has its own underwriting criteria. For additional assistance identifying a governing class code, contact NCCI at 1-800-622-4123.

### Coverage Assistance Program

Search For Coverage

This online tool allows employers to enter their primary class code or business description to find insurance companies that are currently providing workers' compensation coverage. The results do not guarantee an insurance company will provide coverage to your business since each insurance company has its own underwriting criteria. This tool also provides the ability to search by the insurance company's name or assigned number to obtain class codes and number of policies written by the insurance company. For additional assistance identifying a governing class code, contact NCCI at 1-800-622-4123.

**IE Users: This page no longer supports Internet Explorer; therefore, if you use this browser, your results will not be consistent.**

**Search by Governing Class Code**

**Search by Insurance Company**

Search By Governing Class Code or Description

Governing Class Code/Description Selection

Search By Insurance Company Code or Description

Insurance Company Code/Description Selection

Reset
Search
Calculate Estimated Premium

**Disclaimer:** The Department of Financial Services shall be held harmless against all claims, suits, judgments and/or damages resulting from this disclosure of information, including all costs and fees. The information contained herein is a representative reflection of selected information maintained by the Department of Financial Services, Division of Workers' Compensation.

## Benefit Calculators

In an effort to help stakeholders evaluate their benefit information, the Division provides a set of online benefit calculators on its website.

The information and interactive calculators are made available to everyone as self-help tools for each person's independent use.

The Division cannot and does not guarantee their applicability or accuracy regarding each person's individual circumstances.

The Division offers three types of benefit calculators:

- [Temporary Total Disability](#),
- [Temporary Partial Disability](#), and
- [Impairment Income](#)

If you have any questions about the calculation of benefits, please contact the Bureau of Employee Assistance & Ombudsman Office at:

1-800-342-1741 or  
[WCEAOAnswer@myflorida.com](mailto:WCEAOAnswer@myflorida.com).

For assistance in estimating Permanent Total (PT) benefits, please contact the Bureau of Monitoring and Audit at (850) 413-1608.

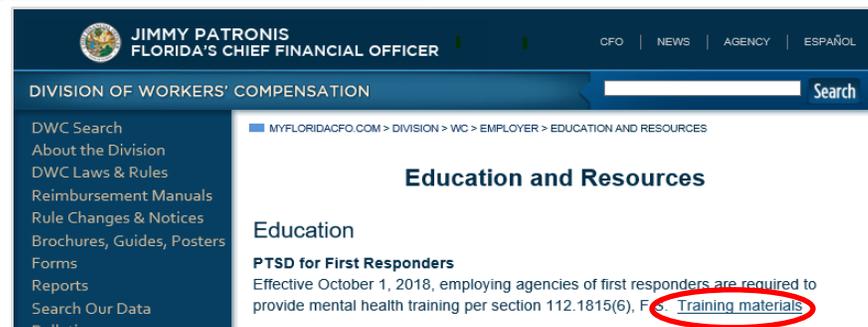
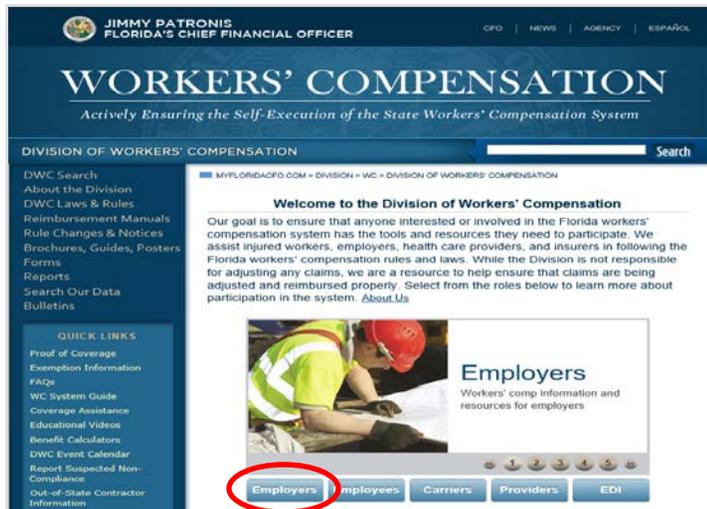
The screenshot shows the website for the Division of Workers' Compensation. At the top, it identifies Jimmy Patronis as Florida's Chief Financial Officer. The main navigation bar includes links for CFO, NEWS, AGENCY, and ESPAÑOL. The page title is "Benefit Calculators" and the breadcrumb trail is "MYFLORIDACFO.COM > DIVISION > WC > EMPLOYEE > BENEFIT CALCULATORS". A disclaimer states: "The information and interactive calculators are made available to you as self-help tools for your independent use. We can not and do not guarantee their applicability or accuracy in regards to your individual circumstances." Below this, contact information for the Bureau of Employee Assistance and Ombudsman Office is provided: 1-800-342-1741 or [wceaoanswer@myflorida.com](mailto:wceaoanswer@myflorida.com). Three calculator buttons are visible: "Temporary Total Disability Calculator", "Temporary Partial Disability Calculator", and "Impairment Income Calculator". At the bottom, there is a link for assistance with PT benefits: "For assistance in estimating **PT** benefits, please contact the Bureau of Monitoring and Audit at (850) 413-1608." and a "[back](#)" link.

## PTSD | Educational Training Material

Section 112.1815, F.S. extends workers' compensation indemnity benefits to eligible first responders with work-related PTSD. The law outlines the specific qualifying events, exposures, and diagnosis needed for a compensable workers' compensation claim. The new law went into effect October 1, 2018.

An additional provision of this law is a requirement for employing agencies of first responders to provide educational training related to mental health awareness, prevention, mitigation, and treatment. The Division is providing a framework for employing agencies to build upon to comply with the educational requirement in the new law. The framework consists of four documents designed to assist employing agencies in their mission to comply with the requirements of Section 112.1815(6), F.S. It is not a standard or a requirement to use this material. Employing agencies will determine how to scale up or down based on their individual capabilities, needs, and resources.

### PTSD Educational Training Materials



## DWC Educational Videos

The Division continues to expand its on-demand Educational Videos in regards to [Employees](#), [Employers](#), [Carriers](#), and [Self-Insurers](#). The purpose of presenting this expanding collection of short videos is to help educate our stakeholders on an assortment of topics.

As our library grows, the Division will continue to publish additional videos to the website.

The screenshot shows the website interface for the Division of Workers' Compensation. At the top, it identifies Jimmy Patronis as Florida's Chief Financial Officer and provides navigation links for CFO, NEWS, AGENCY, and ESPAÑOL. The main header includes the division name and a search bar. A breadcrumb trail indicates the current location: MYFLORIDACFO.COM > DIVISION > WC > VIDEOS > EDUCATIONAL VIDEOS.

The central content area is titled "Educational Videos" and contains the following text:
   
The purpose of presenting this expanding collection of short videos is to help educate our stakeholders on an assortment of topics.
   
Click an icon below to view educational videos about various aspects of Florida's workers' compensation system.

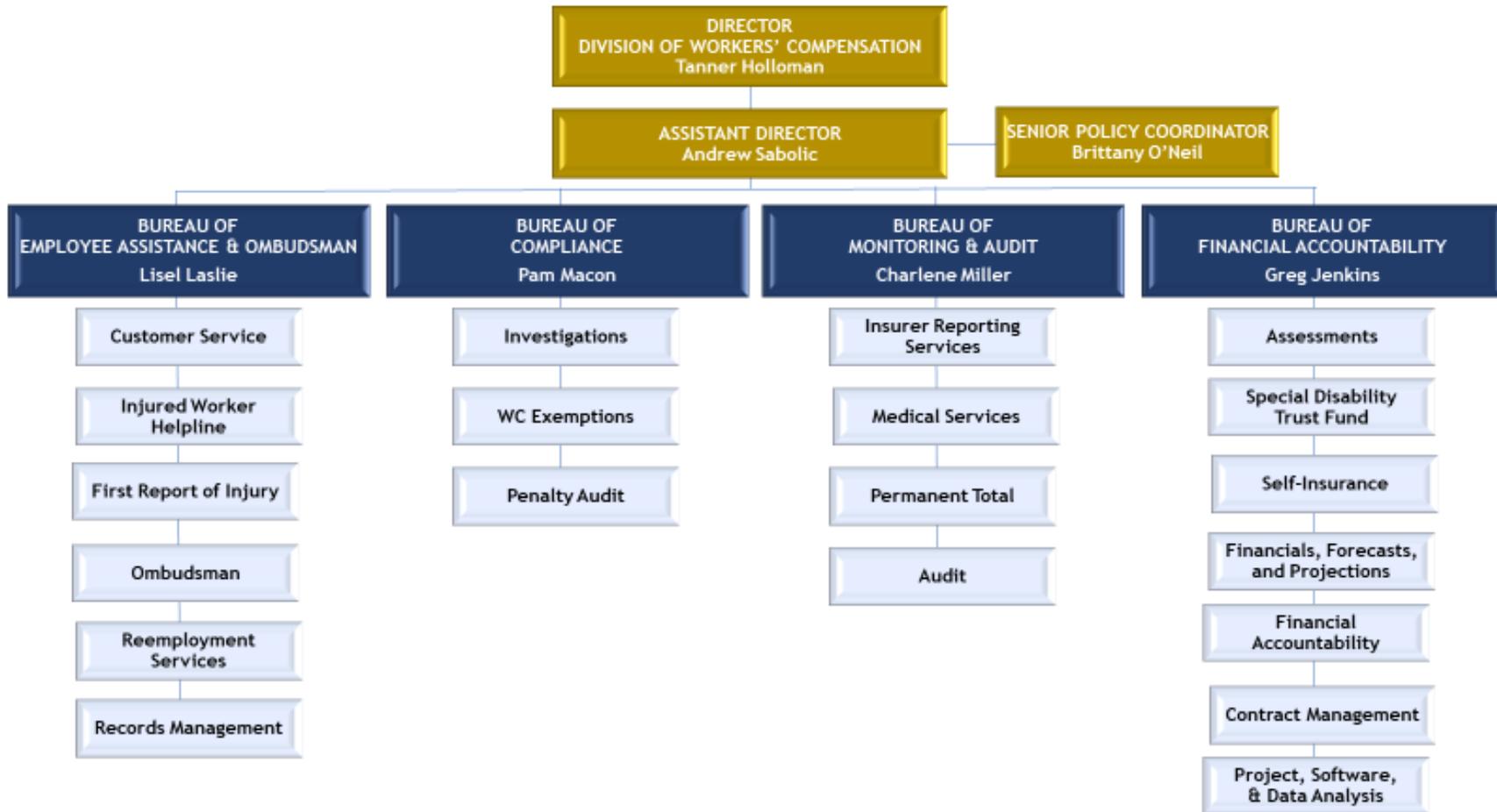
Two video thumbnails are displayed:
 

- Informational Brochures & System Guide**: Includes a link to [Download Presentation \(pdf\)](#).
- Average Weekly Wage Calculation**: Includes a link to [Download Presentation \(pdf\)](#).

The left sidebar contains a "QUICK LINKS" section with the following items: Proof of Coverage, Exemption Information, FAQs, WC System Guide, Coverage Assistance, Educational Videos, Benefit Calculators, and DWC Event Calendar.

# About the Division

DWC Organizational Chart



## Bureaus & Roles

### Bureau of Employee Assistance & Ombudsman Office | Lisel Laslie, Bureau Chief

EAO, established pursuant to Section 440.191, F.S., assists injured workers, employers, carriers, and the health care providers in fulfilling their responsibilities under the workers' compensation law.

EAO's key roles:

- Investigates disputes and facilitates resolutions without undue expense, costly litigation, or delay in the provision of benefits.
- Assists system participants in fulfilling their statutory responsibilities.
- Educates and disseminates information to all system participants.
- Initiates contacts with injured workers to discuss their rights and responsibilities and advise them of services available through EAO.
- Reviews claims in which injured workers' benefits have been denied, stopped, or suspended.
- Provides reemployment services to eligible injured workers who are unable to return to work as a result of their work-related injuries or illnesses.
- Provides for collection, distribution, and archival of the Division's imaged records.
- Provides public record information and responds to requests for Division data.

#### *Florida Statutory References*

- Section [119.07](#), Public Records Release
- Section [440.19](#), Regulates the procedure and time for filing claims and all aspects of the claim resolution process
- Section [440.191](#), Creates the EAO to inform and assist injured workers, employers, carriers, and health care providers in fulfilling their responsibilities under the workers' compensation law
- Section [440.192](#), Procedure for resolving benefit disputes
- Section [440.491](#), Regulates the provision of Reemployment Services to injured workers

## Bureau of Compliance | Pam Macon, Bureau Chief

BOC investigates employers to determine civil compliance with Chapter 440, F.S.

BOC's key roles:

- Issues Stop-Work Orders and assess penalties to employers for violating Florida's coverage and compliance requirements.
- Processes exemption applications, maintains an exemption database of application information, and makes the information available to the public.
- Educates employers on Florida's coverage and compliance requirements.

### *Florida Statutory References*

- Coverage Procedures: subsections [440.04](#), [440.05](#), [440.055](#), [440.06](#), [440.075](#), [440.077](#), [440.09](#), [440.091](#), [440.092](#)
- Enforcement Procedures: subsections [440.103](#), [440.104](#), [440.105](#), [440.107](#), [440.40](#)
- Section [440.03](#), Stipulates that every employer and employee as defined in [440.02](#) is bound by the statutes
- Section [440.10](#), Requires subject employers to insure their liability
- Section [440.185](#), Requires insurers to file proof of coverage and related documents with the Division

## Bureau of Monitoring and Audit | Charlene Miller, Bureau Chief

M&A reviews claims handling practices to ensure the timely and accurate payment of benefits to injured workers, timely filing and payment of medical bills, and timely and accurate filing of required claims forms and other electronic data. M&A is responsible for ensuring the practices of insurers and claims-handling entities meet the requirements of Chapter 440, F.S., and the Florida Administrative Code.

Pursuant to Rule 69L-7.750, F.A.C., all required medical billing (hospital, health care provider, ambulatory surgical center, dental, and pharmacy) forms must be submitted to the Division in accordance with the date-appropriate Florida Medical EDI Implementation Guide (MEIG).

Claims EDI data is collected pursuant to Chapter 69L-56, F.A.C., and is used to populate the Division's accident databases. M&A's mission is to efficiently and effectively collect and store data in order to provide accurate, meaningful, timely, and readily accessible information to all stakeholders within the workers' compensation system.

The Audit Section examines claims-handling practices pursuant to Sections 440.20, 440.185, and 440.525, F.S., and other rules of the Florida Administrative Code.

M&A's key roles:

- Establishes and implements the rules, requirements, and processes for electronic reporting of the First Report of Injury, Subsequent Report of Injury, and Proof of Coverage forms, using national EDI standardized file formats.
- Monitors accuracy and timeliness of benefit payments; initiating intervention efforts when appropriate.
- Establishes permanent total cases eligible for Division-paid supplemental benefits.
- Assesses penalties for late reporting, benefit payments, or medical payments.
- Provides technical assistance to customers through telephone contacts, training, and audit workshops.

### *Florida Statutory References*

- Section [440.13](#), Medical services and supplies; penalties for violations; limitations
- Section [440.15](#), Compensation for disability
- Section [440.185](#), Notice of injury or death; reports; penalties for violations
- Section [440.20](#), Time for Payment of Compensation and Medical Bills; Penalties for Late Payments
- Section [440.525](#), Examination and Investigation of Carriers and Claims-Handling Entities
- Section [440.593](#), Electronic Reporting

## Bureau of Financial Accountability | Greg Jenkins, Bureau Chief

BFA's key roles:

- Calculates Assessment Rates (WCATF & SDTF).
- Collects Assessments.
- Collects employers' compliance payments and exemption fees.
- Regulates individually self-insured employers.
- Manages the Workers' Compensation Trust Fund and the Special Disability Trust Fund.
- Manages the Division's contracts and directs new application development.

### *Florida Statutory References*

- Section [119.07](#), Public Records Release
- Section [215.86](#), Management Systems and Controls
- Section [440.107](#), Enforcement Provisions
- Section [440.38](#), Security for compensation: insurance carriers and self-insurers
- Section [440.49](#), Establishes the Special Disability Trust Fund
- Section [440.49](#), Administration of Trust Fund and Advisory Committee
- Section [440.49](#), Outlines the limitation of liability, definitions, legislative intent, and reimbursement provisions of the Special Disability Trust Fund
- Section [440.49](#), Claims and Reimbursement
- Section [440.49](#), Assessments (Special Disability Trust Fund)
- Section [440.50](#), Florida Workers' Compensation Administration Trust Fund
- Section [440.51](#), Expenses of Administration
- Section [440.52](#), Registration of insurance carriers; notice of cancellation or expiration of policy; suspension or revocation of authority

# Contact Us

## Mail & Email Contacts

**Division Address:** Division of Workers' Compensation, 200 East Gaines Street, Tallahassee, FL 32399-4220

**Email:** [Workers.CompService@myfloridacfo.com](mailto:Workers.CompService@myfloridacfo.com)

**Public Records Requests:** [DFS Public Records](#)

## Telephone Contacts

**Customer Service Center:** (850) 413-1601

**Employee Assistance Office:** (800) 342-1741

**Workers' Compensation Claims:** (800) 342-1741

**Workers' Compensation Exemption/Compliance:** (800) 742-2214

## Websites

Contact information for the Bureau of Compliance and the Bureau of Employee Assistance & Ombudsman District Offices may be found on the Division's website at: [https://www.myfloridacfo.com/Division/WC/dist\\_offices.htm](https://www.myfloridacfo.com/Division/WC/dist_offices.htm).

The Division of Workers' Compensation website homepage is located at: <https://www.myfloridacfo.com/division/wc> and provides direct information access for all stakeholders in the Workers' Compensation System. The website organizes items of interest by stakeholder group with tabs for Employer, Insurer, Employee, and Provider.

Workers' Compensation System Guide: <https://www.myfloridacfo.com/Division/WC/pdf/WC-System-Guide.pdf>

