
INTRODUCTION TO COURSE AND GETTING STARTED

ComPro, Inc. welcomes you as a student in “The Basic Claims Examiner” certification course. You are embarking on a stimulating adventure in learning. We are pleased to be a part of your experience.

“The Basic Claims Examiner” certification course is an excellent learning tool designed for experienced or beginning claims examiners, physicians, legal representatives and employer representatives as a guide for review of the ongoing revisions to the Oregon Revised Statutes and Administrative Rules governing workers’ compensation. This course can be expected to provide the student with a “basic” foundational working knowledge of the Oregon workers’ compensation system or to hone existing knowledge and skills relative to legislative and administrative rule changes.

Upon completion of the program, ComPro, Inc. is confident students fully participating in the program will successfully meet the expectations of the course and be fully prepared for certification as an Oregon workers’ compensation claims examiner by their employer if their employer is an Oregon insurer, third party administrator or self-administered self-insured employer.

ABOUT COMPRO, INC.

ComPro, Inc. was founded in early 1993 as a consulting, publications, and training company specific to the workers’ compensation industry. ComPro, Inc.’s management and staff are committed to providing the most effective reference materials and training programs available in the field of workers’ compensation. It is our stated corporate goal to actively promote a high level of professionalism and efficiency in our client base intended to result in significant cost savings.

ABOUT THE COURSE:

Method of Instruction: “The Basic Claims Examiner” certification course combines eleven comprehensive lessons consisting of a wide range of useful topics with a modified version of the Oregon Workers’ Compensation Series™ (OWCS™), which is a computerized version of the current applicable statutes, administrative rules, Workers’ Compensation Division (WCD) bulletins and forms with special helps, forms and a searchable index. The role of the instructor is explained in more detail later in this chapter.

At the end of each lesson are a series of related questions. The completed questions will be submitted, graded and returned to the student. These lessons become a useful tool for the student to review and use during the final exam and later in their own evaluation of workers’ compensation claims.

ABOUT THE INSTRUCTOR(S):

The instructor provides coaching to increase the claims examiner trainee’s problem solving skills and monitors completion of chapter assignments.

ComPro, Inc. training staff consists of Doris Bain, President & Training Instructor and Dan Simmons,

Technical Coordinator. ComPro staff as a combined resource has more than 31 years experience in the workers' compensation industry and provide consulting services to insurers, self-insured employers, medical providers, attorneys and human resource professionals. ComPro staff has played an active role in the development of training programs and protocols since the inception of the claims examiner certification program. Doris Bain, dba Audit Consultants and as President of ComPro, Inc. has developed training and audit programs and services, claims administration consulting and published a compilation of the workers' compensation statutes, rules and bulletins. This publication, the "Oregon Workers' Compensation SeriesTM (OWCSTM)" is a fully linked and cross referenced computerized compilation of the Oregon Revised Statutes, Oregon Administrative Rules, WCD Bulletins & Forms, and Workers' Compensation Board Rules & Bulletins. The Oregon Workers Compensation SeriesTM has been modified and combined with the ComPro, Inc. Basic Claims Examiner Certification Training Course to provide a fully computerized certification training program available for use by employers within their own office. A full unmodified annual subscription to the OWCSTM may be purchased separately from ComPro, Inc.

STRUCTURE OF THE COURSE:

- Lesson 1:** Coverage - "Who's Involved?"
- Lesson 2:** Claims Administration - Part One
- Lesson 3:** Claims Administration - Part Two
- Lesson 4:** Medical Services - Part One
- Lesson 5:** Medical Services - Part Two
- Lesson 6:** Independent Medical Examination
- Lesson 7:** Closure of Claims
- Lesson 8:** Legal Issues
- Lesson 9:** Worker Benefit Funds
- Lesson 10:** Vocational Assistance
- Lesson 11:** Course Overview

TESTS AND GRADING:

Lesson assignments are evaluated for clarity and correctness of responses and use of rule, statute, and bulletin. There will be at least one question requiring a brief essay for each Lesson. The essay questions test the students' application of theory and claim administration rules. The final exam covers all chapters and contains various question formats (multiple choice, true or false, and essays). Use of all training materials is allowed during the four-hour monitored exam.

Grading Structure:

Final Exam	100% of course grade
<hr/>	
Passing Grade	80% or better

The purpose of the 11 Lessons is to prepare the student for the final examination. The student must achieve a passing score of 80 percent or greater on the final examination.

EXPECTATIONS:

It is important to clearly establish each students' expectations for the course. The student objectives for becoming certified should be discussed with their instructor before beginning the course. This course is suited for any student wishing to obtain initial certification or continuing education credits. It is ideal for students who have some current exposure in the workers' compensation industry, not necessarily within the State of Oregon. The Basic Claims Examiner Certification Course is a good "first step" toward the goal of becoming a proficient workers' compensation claims examiner.

Each participant in the classroom has different expectations:

Instructor: The instructor shares the responsibility for the student's successful completion of the course. The instructor supports the student in obtaining a clear understanding of the materials presented, and intervenes when it appears a student may be having difficulty. Your instructors believe that if the student fails, the teacher has failed as well!

Student: The student is expected to complete the course within 70 days. They are responsible for asking questions, obtaining clarification, and expressing concerns to their instructor or ComPro, if their needs or expectations of the course are not being met.

Employer: The employer of a claims examiner trainee is asked to support the success of the employee. The employer can expect this support will result in an examiner who is able to provide basic claims examiner services in full compliance with the rules of the State of Oregon. With continued support and experience the student has the tools for continuing a career in the field of workers' compensation claims management.

CLAIMS EXAMINER CERTIFICATION TRAINING PROGRAM:

The Claims Examiner Certification program was established subsequent to the passage of Senate Bill 1197 in 1990. The reforms of SB 1197 had a tremendous impact on reducing costs to Oregon businesses for workers' compensation benefits, while providing fair and equitable benefits to injured workers. The Claims Examiner Certification Program was implemented to ensure claims examiners receive initial and ongoing training. This was the first step toward recognizing the role of the examiner as a professional.

The Division 055 WCD Administrative Rules were revised effective 01/01/04. Effective that date, insurers may be penalized for allowing a person who is not certified to process their claims after a 90-day period as a temporary claims examiner. The insurer is responsible for hiring certified persons, maintaining their staff certifications and records of certification. The WCD will audit the performance of the insurer's claims processing as well as their records of certification for all staff involved in "processing claims".

GETTING STARTED

COURSE REFERENCE MATERIALS:

ComPro, Inc. has provided the State of Oregon reference materials by providing a modified version of the

OWCSTM. It is a complete compilation of the law, rules, and bulletins pertaining to workers' compensation. A full unmodified annual subscription to the OWCSTM may be purchased separately from ComPro, Inc. by calling 503-485-2344 or email dan@compronet.com for more information.

READING ASSIGNMENTS:

Each chapter of the course has specific reading assignments to prepare for the overview questions at the end of each lesson. These assignments include references to pertinent statutes, rules, and bulletins. Because of frequent revision of the workers' compensation reference materials, it is important for the examiner to recognize one object from another. A publication by the Workers' Compensation Division can be either a proposed rule, a temporary rule or a permanently adopted rule. If an examiner does not recognize the applicability of a publicized document they may make serious mistakes in complying with the requirements set forth by the Workers' Compensation Division.

Law citations look different than Administrative Rule citations — explanations follow.

LAW CITATIONS:

A law citation is usually preceded by the initials ORS (Oregon Revised Statute). The chapter number, which is the basic unit of classification for the State, by subject, follows. Following the chapter number is the section number, separated from the chapter number by a decimal point. The sections may have subsections or paragraphs. These numbers are enclosed in a parenthesis. Chapter 656 of the ORS is the primary chapter of the law which governs workers' compensation matters. Each lesson is intended to include all the laws relating to the subject being studied.

Example: ORS 656.005(7)(a)(B) =
Chapter 656 of the ORS
Section 005 (Definitions)
Paragraph (7)(a)(B) {definition of compensable injury relating to preexisting conditions}

The "Law Book" previously provided by the Workers' Compensation Division included a complete copy of Chapter 656 (Workers' Compensation), Chapter 183 (Administrative Procedures and Rules of State Agencies), Chapter 654 (Places of Employment; Safety & Health Regulations), and Chapter 659 (Enforcement of Civil Rights; Unlawful Employment Practices). Effective May 2004, the Workers' Compensation Division (WCD) will no longer be publishing hard copies of the Workers' Compensation Lawbook, "Laws relating to workers' compensation and safe employment in Oregon." This service is being provided by the Legislative Council Committee, which is now publishing a book, "Labor, Employment and Workers' Compensation Laws of Oregon." It is more comprehensive than the lawbook previously published by WCD and is printed in a smaller, user-friendly format. The Legislative Council will be the sole distributor of all state law books.

ADMINISTRATIVE RULE CITATIONS:

An administrative rule citation is usually preceded by the initials OAR (Oregon Administrative Rules) followed by the Chapter, Division and Rule numbers each separated by a hyphen. Numbers/letters following the Rule number are enclosed in parentheses and indicate a paragraph/subparagraph. The two basic Chapters

of the OAR concerning workers' compensation are Chapter 436 published by the Workers' Compensation Division and Chapter 438 published by the Workers' Compensation Board. Chapter 438 is commonly referred to as the "Board Rules."

Example: OAR 436-060-0005(4) =
Chapter 436 of the OAR
Division 060 (Claims Administration)
Section 0005 (Definitions)
Paragraph 4 (Definition of "Director")

COMMONALITIES:

Both the Oregon Revised Statutes - Chapter 656, and the Oregon Administrative Rule divisions include definitions of key terms. These definitions impact the application of the rule being applied. In fact, the numbering for these sections is the same, ".005" in the ORS and "-0005" in the administrative rules (OARs).

There are four common rules in each Chapter 436 Administrative Orders which are important to recognize. These common rules explain the authority for, purpose of, applicability of, law basis for and definitions to be applied in each Division. These four rules are:

- 0001 - Authority for Rules
- 0002 - Purpose
- 0003 - Applicability of Rules
- 0005 - Definitions

When completing assigned reading of the OAR (Oregon Administrative Rules) for each lesson, make sure these four rules are reviewed. They provide clues which assist the reader in researching the rules. A brief explanation of each rule follows:

-0001 - AUTHORITY FOR RULES: Provides references to the Oregon Revised Statutes giving authority to the director of the Department of Consumer & Business Services to create and enforce the rules.

-0002 - PURPOSE: Identifies the purpose of the rules for that division. By referring to this section, the reader can determine if they have selected the correct division for the rule they are attempting to find.

-0003 - APPLICABILITY OF RULES: This section is one of the most helpful and underutilized of the OAR. The applicability section lists the statutory references upon which the administrative rules are supported. The Department of Consumer & Business Services is responsible for promulgating rules to carry out the intent of the statute. Thus, when trying to understand the intent of a rule, refer to the statute for guidance. This can provide key information to rule application.

-0005 - DEFINITIONS: Provides definitions of terms used in each division of the OAR. These definitions are extremely important in understanding the rules and their applicability.

Please take a moment to refer to the following Oregon Revised Statute (OAR) citation: OAR 436-060-0003.

Paragraphs (a) thru (m) provide a list of the pertinent sections of the statute supporting the Division 060 rules. In lesson 2 and Lesson 3, you will be reviewing the Division 060 rules, in addition to the ORS citations listed in Section 2. The ORS citations listed under section 0003 of the division being reviewed for each lesson/ will be included in the reading assignment. For example, the OAR being reviewed for Lesson 1 (Coverage) is Division 050. The statutory citations referenced in OAR 436-050-0003 are included in the reading assignment for that lesson.

THE ROLE OF THE CLAIMS EXAMINER:

In any state in the country, workers' compensation insurance benefits comprise a significant portion of the cost experienced by a business. The professional Claims Examiner plays a key role in cost containment for an insured or self-insured employer through effective claims management. A claim managed properly will not have excess costs associated with penalties, uncontrolled medical service fees, litigation and attorney fees. While these costs cannot be completely avoided, they can be significantly reduced by strict adherence to administrative rules combined with strong organizational and communication skills. In other words, *effective claims management*.

The Claims Examiner also plays a key role in the provision of workers' compensation benefits to an injured worker. The examiner's objectives here are best explained in ORS 656.012. It is in this area of the Statute that the Legislature has set forth the "Findings and Policy" of the State's workers' compensation system:

ORS 656.012 (1) The Legislative Assembly finds that:

(a) The performance of various industrial enterprises necessary to the enrichment and economic well-being of all the citizens of this state will inevitably involve injury to some of the workers employed in those enterprises;

(b) The method provided by the common law for compensating injured workers involves long and costly litigation, without commensurate benefit to either the injured workers or the employers, and often requires the taxpayer to provide expensive care and support for the injured workers and their dependents; and

(c) An exclusive, statutory system of compensation will provide the best societal measure of those injuries that bear a sufficient relationship to employment to merit incorporation of their costs into the stream of commerce.

(2) In consequence of these findings, the objectives of the Workers' Compensation Law are declared to be as follows:

(a) To provide, regardless of fault, sure, prompt and complete medical treatment for injured workers and fair, adequate and reasonable income benefits to injured workers and their dependents;

(b) To provide a fair and just administrative system for delivery of medical and financial benefits to injured workers that reduces litigation and eliminates the adversary nature of the compensation proceedings, to the greatest extent practicable;

(c) To restore the injured worker physically and economically to a self-sufficient status in an expeditious manner and to the greatest extent practicable;

(d) To encourage maximum employer implementation of accident study, analysis and prevention programs to reduce the economic loss and human suffering caused by industrial accidents, and

(e) To provide the sole and exclusive source and means by which subject workers, their beneficiaries and anyone otherwise entitled to receive benefits on account of injuries or diseases arising out of and in the course of employment

shall seek and qualify for remedies for such conditions.

(3) In recognition that the goals and objectives of this Workers' Compensation law are intended to benefit all citizens, it is declared that the provision of this law shall be interpreted in an impartial and balanced manner.

The boldface paragraph above is where the Claims Examiner fits into the system. The professional Claims Examiner is the facilitator of the system, making sure that all of the benefits to which the worker is entitled are delivered in a fair and just manner.

From the perspective of the injured worker, the Claims Examiner can be either an advocate or an enemy. The effective Claims Examiner establishes a relationship with the worker as early as possible, which makes it clear that his or her role is to assure that all benefits to which the worker is entitled are provided. There are times, of course, when the worker's entitlement to benefits is minimal or nonexistent, perhaps due to a preexisting condition, responsibility of another employer, or other factors. The Claims Examiner's objective application of the statutes and rules to the facts surrounding the claim will determine what benefits, if any, are due. Conflicts become inevitable in this highly emotional environment as the claimant experiences differing degrees of pain, fear, frustration and depression depending on the severity of the injury. The ability to effectively communicate the roles of the Claims Examiner, insurer and employer to the worker is vital in the effort to control litigation and settle disputes.

The employer's perspective in a claim is one of protection. While they need to protect themselves from the fiscal impact of workers' compensation claims and the effect that it has on their ability to do business and make a profit, they also need to protect themselves from either losing a valuable employee or retaining an employee who has used the workers' compensation system inappropriately. Excessive losses usually mean a reduction in profit as they can cause increased premiums or nonrenewal of the policy. Loss control services may be provided to reduce frequency and severity. The examiner can assist the employer in this area by facilitating early return to work programs, coaching the employer on effective investigation of workplace accidents and helping the employer to anticipate claims related to personnel issues.

For the insurer or self-insured employer, their perspective is focused on "the bottom line." They want to be assured their claims processing staff are effective and efficient. This reduces claims administration, litigation and other costs which affect the profitability of their company. There are two ways to approach claims processing — as a "Paying Agent" or as a "Case Manager." It is simple to be a paying agent — accept the claims, pay the bills, and file the forms required until claim closure. Simple, but expensive for the insurer and the employer! The case management approach is more difficult and requires better trained staff but results in reduced claims costs. Only claims for which the worker is entitled to benefits are accepted. Claims are closed faster. Workers are returned to productive employment sooner. Medical providers are held accountable for providing only the services necessary to treat the injury as efficiently as possible. The "Case Manager" is the facilitator overseeing this entire process and focusing attention where it is needed.

The primary objective of this basic certification course is to satisfy the need for the Claims Examiner to administer claims in compliance with the statutes and rules. Examiners who are new to workers' compensation claims processing may already possess strong organizational and communication skills. However, the application of those skills to effectively manage a caseload of claims comes with time, experience and knowledge. A lack of these skills or knowledge can have an adverse impact on the injured worker, the worker's employer and the examiner's employer.

As you proceed with this course, think about the role of a Claims Examiner, and how the information contained in the chapters in this course can be applied to achieve maximum results in processing workers' compensation claims from the perspective of the worker, employer and insurer.

In the "Main Menu" you will find links to all reference materials needed for the successful completion of the Basic Claims Examiner Certification Training Course. Whenever you see a reference in the bright blue font, you may hyperlink to the stated reference by clicking on the bright blue text. Instructions for navigation in the training course can be found by choosing the "OWCS HELP" button from the Custom tool bar at the top and bottom of each page or by choosing the Acrobat Guide from the Help menu item above.

You may now begin your training course beginning with Lesson 1.