Staff Changes at the SAF

By Vicki Lewter

We regret to announce that Sandra Reep has resigned from her position as Administrative Coordinator for the State Accident Fund. We appreciate her many contributions over the past three years and wish her well.

Please join us in welcoming Shameeka Wilson to the State Accident Fund. On September 17, 2003 Shameeka started her new position as an Administrative Assistant on the Records Management Team. Shameeka previously worked as a temporary employee and we are very happy to have her back!

Volume 9, Issue 1
Fall 2003

SC Supreme Court Ruling Will Impact Claim Handling

By Robert McClellan and Scott Spake

On June 9, 2003, the South Carolina Supreme Court handed down a ruling on the case of Brown v. BI-Lo. The court had previously approved of a compromise insurance compensation carriers' ability to communicate and discuss with doctors and their staff such issues as treatment plans, maximum medical improvement and impairment ratings.

In Brown v. BI-Lo, the employee was injured and the employer provided medical care. Brown moved to Pennsylvania before the claim concluded and the employer hired a rehabilitation nurse to coordinate her treatment. Brown's attorney wrote to the nurse and the physicians and said that the nurse was not allowed to speak with the physician without Brown's attorney being present. The insurance carrier requested a hearing. The Workers' Compensation Commission, the Circuit Court, and the South Carolina Court of Appeals all agreed that Brown's attorney could not stop communications between the rehabilitation nurse and the physician.

Based on the guidance of several attorneys who are very familiar with workers' compensation and the new decisions, the following changes have been made:

- The State Accident Fund now requests a Medical Authorization Release form on all Lost Time and Only claims. If the Fund has a signed Medical Authorization Release, it can continue to write and call treating physicians regarding MMI, clarifications on ratings, complications of claim, the physicians and said that the nurse was not allowed to speak with the physician without Brown's attorney being present. The insurance carrier requested a hearing. The Workers' Compensation Commission, the Circuit Court, and the South Carolina Court of Appeals all agreed that Brown's attorney could not stop communications between the rehabilitation nurse and the physician.

The case went over to the South Carolina Supreme Court which ruled communication between the employer (and insurers) and physicians was not authorized under the Workers' Compensation Act unless the claimant gave permission. The only action the employer and insurance carrier can take is make appointments and obtain information (MMI, impairment ratings, release to work, medical causation, medical treatment, etc.) from physicians and said that the nurse was not allowed to speak with the physician without Brown's attorney being present. The insurance carrier requested a hearing. The Workers' Compensation Commission, the Circuit Court, and the South Carolina Court of Appeals all agreed that Brown's attorney could not stop communications between the rehabilitation nurse and the physician.

In practical terms this ruling may be a great improvement to effective management of claims, and may result in longer periods of lost time and higher indemnity payments. The only real solution for the legislature is to amend the Workers' Compensation Act to specifically authorize communications between the employer/insurer and the physician.
Welcome New Policyholders!

LOWCOUNTRY REGIONAL EMS COUNCIL
NORTH CHARLESTON, SC 29405
HORITY COUNTY RESCUE SQUAD CONWAY, SC 29528
WACCAMAW ECONOMIC OPPORTUNITY COUNCIL, INC
CONWAY, SC 29528

New Filing Fees

By Gerald Murphy

What are these new charges we are paying the Workers’ Compensation Commission?

If a hearing, settlement, or motion is requested on any of your claims since July 1, 2003, you may have noticed a new charge on your invoice. It is the new $25 filing fee charged by the Workers’ Compensation Commission.

In accordance with Part 18 Section 43.4 of the 2003-2004 General Appropriations Bill, the Workers’ Compensation Commission has the authority to collect a $25 filing fee for each requested hearing, settlement, or motion.

The effective date for this new charge was July 1, 2003. Since that date all workers’ compensation carriers in the state have been required to include a $25 filing fee on their invoices. Therefore, if you have received a bill for a hearing, informal conference, clincher conference, settlement approval, or motion, because the charge is a filing fee, when the request is submitted.

The amount of the filing fee is $25.00, check with each request for a hearing, settlement, or motion. Because the charge is a filing fee, when the request is submitted.

The time period between the request and the actual hearing may be several months.

The SAF Source is a quarterly newsletter published by the South Carolina State Accident Fund as a vehicle to provide news, technical information and guidance to state/local government policymakers, policymakers and others concerned with the management of workers’ compensation programs.

Gerald Murphy, Editor 803.896.5815 or gmurphy@saf.state.sc.us
Irvin D. "Pete" Parker, Director 803.896.5875 or pparker@saf.state.sc.us

Comments and contributions may be sent to: PO Box 102100 Columbia, SC 29223-5000

State Accident Fund Implements New Waste Reduction and Recycle Policy

By Vicki Lewter

The State Accident Fund is happy to announce that they have implemented a "Waste Reduction and Recycling" policy. Recycling and waste reduction protect the environment and the health of its people. It also helps achieve cost savings through avoided disposal costs, through the reduction of waste and reuse of reusable items. We have committed to practicing and encouraging recycling and waste reduction efforts within the agency.

Now, you can help us to improve our program by adopting waste reduction efforts when working with the State Accident Fund. Waste reduction efforts include not sending duplicate documents and using e-mail as much as possible. Also, you may eliminate the need for a cover sheet when using our individual computer fax numbers. The faxes are sent directly to the employee, instead of a shared fax machine. Attached is a list of e-mail and fax numbers of our employees that work directly with our policyholders. For additional employee e-mail and fax numbers, please send your request to vlewter@saf.state.sc.us or call me, Vicki Lewter, at 1-800-521-6576.

Please help us make our program a success. We look forward to saving money together!!

The SAF Source

Volume 8, Issue 5

Starting Our Ninth Year

By Gerald Murphy

FUNDAMENTALS

When the State Accident Fund published the agency’s first quarterly newsletter in the Fall of 1995 the newsletter was originally named “FUNDAMENTALS”. It was originally designed as a means of communicating with our policyholders. It was used not only to communicate changes to existing requirements, but also to provide information to assist them in managing their organization’s workers’ compensation program.

During those first few years, we received numerous requests from persons outside of our original target audience, asking that we place them on our mailing list. These individuals represent many different constituencies who affect or are affected by the workers’ compensation system. As the newsletter begins its ninth year, the agency continues to strive to provide you with information both local and national that may impact you and your workers’ compensation program. We hope that you find this information both interesting and useful.

In the Spring of 1999 the name of the newsletter was changed to “THE SAF SOURCE” and its focus was expanded. This name was chosen, because it reflected our vision for the newsletter. It was to move beyond basics such as how to complete and when to submit a form. The name better reflected our goal of being your SOURCE of information on not only the State Accident Fund, but also the workers’ compensation system in South Carolina.

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