

Bureau of Workers' Compensation

Senate Insurance, Commerce, and Labor Committee

Kerry Sullivan, Budget Analyst

Legislative Service Commission

March 1, 2005

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LSC Redbook
for the
Bureau of Workers' Compensation

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March 1, 2005

Bureau of Workers' Compensation

- Transfer of PERRP and OSHA's on-site consultation program from the Department of Commerce to the BWC
- Fast Response Program
- Long-Term Care Loan Fund Program

OVERVIEW

The Ohio Bureau of Workers' Compensation (BWC) administers the largest exclusive workers' compensation system in the United States with assets of some \$21 billion. An exclusive system is one in which only the state, not private insurers, provides workers' compensation coverage to business and industry. Ohio's workers' compensation system comprises two agencies: the BWC as the insurance provider, and the Ohio Industrial Commission (OIC), which adjudicates disputed claims. The Bureau of Workers' Compensation provides coverage to about two-thirds of Ohio's workforce (private, state, and local government employees). Other workers may be insured by employers that are large and financially secure enough to qualify to self-insure.

The Governor appoints the administrator of the BWC, who in turn is assisted by a nine-member Oversight Commission comprising representatives from business and labor, as well as legislators. Currently, the BWC's staffing level is approximately 2,800 FTEs (full-time equivalent). The agency is organized into 7 programs consisting of 12 functional divisions. There are 16 BWC service offices statewide and additional regional offices that provide safety education and accident prevention services to Ohio employers.

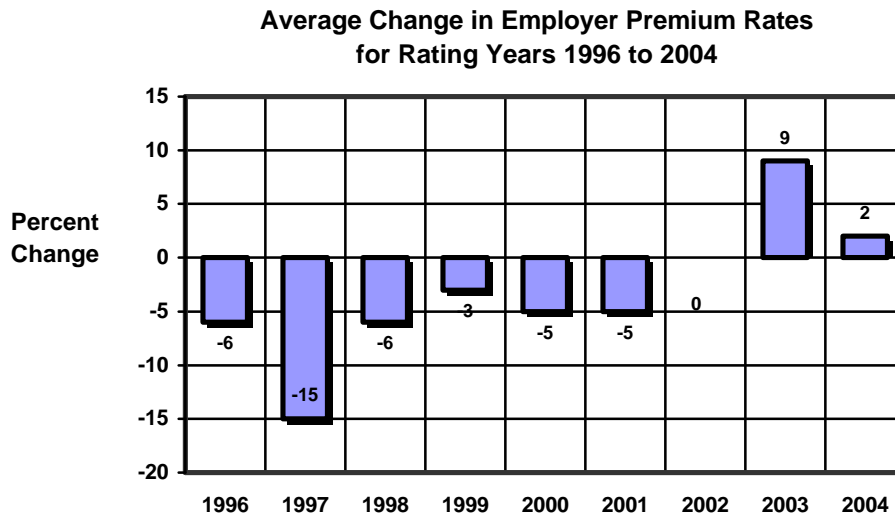
The executive funding recommendation for the biennium is \$321,561,811 in FY 2006 and \$322,027,501 in FY 2007.

State Insurance Fund and Administrative Cost Fund

Current annual premium and assessment income from private and public employers throughout the state is approximately \$2.2 billion. Premium payments cover the cost of workers' compensation insurance and are deposited to the State Insurance Fund. In addition, Administrative Cost Fund (ACF) assessments are charged to employers to support Bureau and Commission operations. Neither the BWC nor the OIC receives general revenue funds.

The balance of the State Insurance Fund as of July 1, 2004 was \$19.5 billion. This figure represents total assets of the fund, which include not only cash and cash equivalents, but also fixed maturities, moneys invested in domestic and international securities and other investments, capital assets, and other assets. The balance of the BWC's surplus as of July 1, 2004 was \$644 million. This figure represents the total premium collected above what the Bureau projects will be necessary to pay all of its existing claims (for the life of those claims).

The surplus balance also reflects a series of premium rate reductions and direct dividend credits awarded to state fund employers that totaled more than \$640 million in FY 2003 and \$415 million in FY 2004. The practice of awarding premium rate reductions has continued for ten years. From July 1996 to June 2003, the BWC returned some \$9.3 billion in surplus funds to private and public employers in the form of one-time dividends. These dividends were often as high as 75% of normal premium rates. In July 2003, citing a lackluster economy and soaring medical costs, the BWC approved a 9% premium rate increase for policy year 2003 and did not grant employers a one-time dividend (requiring instead that employers pay 100% of their premiums). By January 2004, however, better-than-expected investment growth prompted the BWC to grant employers another one-time dividend, this time reducing premium rates by 20%. The 20% dividend was granted again for the six-month periods beginning July 2004 and January 1, 2005.



Summary of FYs 2006-2007 Budget Issues

The BWC's New Business Model

The Bureau of Workers' Compensation began moving toward a more customer-focused, integrated business model in 2004. The initiative continues in 2005 and into the upcoming biennium. Some of the strategies under new business model include:

- Office consolidations: The BWC is consolidating its local customer service offices from 21 to 16.
- Customer Focus Centers: Smaller than regular customer service offices, customer focus centers provide customers with an alternate avenue to access Bureau services.
- Loss Prevention / Loss Control: The delivery of loss prevention (i.e. safety) and loss control (i.e., return to work) strategies will be faster and more efficient under the new business model.
- Auto Adjudication: This is an electronic process for reviewing information received on a First Report of an Injury, Occupational Disease, or Death claim form. The system allows simple claims that meet certain conditions to be automatically approved for coverage, without manual processing. (See **Fast Response Program**, below.)

- Customer Care Teams: Teams of BWC employees from injury and employer management services work together to determine a resolution plan for an injured worker.
- Medical Management: Managed Care Organizations (MCOs) work closely with employers to medically manage claims, helping to return injured workers to work safely and efficiently.

Transfer of PERRP and OSHA On-site Consultation Program

Under the provisions of the BWC appropriations bill, the Public Employment Risk Reduction Program (PERRP) is transferred from the Department of Commerce to the BWC. The Public Employment Risk Reduction Advisory Commission under the Department of Commerce is abolished, and the Administrator of the BWC, with the advice and consent of the Workers' Compensation Oversight Commission, is required to adopt rules for the administration and enforcement of the program.

Under the Department of Commerce, the program provides free, on-site safety inspections, safety training, and hazard recognition, at an employer's request, for all public employees except firefighters, peace officers, EMTs, paramedics, and corrections officers in county and municipal facilities. The program is designed to identify actual and potential hazardous conditions and to review required written programs (blood borne pathogens, hazard communication, confined space, etc.), then prepare a detailed report for the employer to assist in the development of specific program and abatement methods for the establishment.

In conjunction with PERRP, the federal Occupational Safety and Health Administration's (OSHA) on-site consultation program assists smaller, private employers in providing employees with safe and healthy work environments by conducting free safety and health consultations. Services are provided to those employers with fewer than 250 employees at fixed sites and no more than 500 employees corporate-wide. Employers can find out about potential hazards at their workplaces, improve their safety and health management systems, and may even qualify for an exemption from routine OSHA inspections. This program is currently funded through OSHA grant moneys and state match General Revenue Fund dollars. Under the BWC appropriations bill, Fund 349, OSHA Enforcement, is transferred from the Department of Commerce to the BWC. In addition, the functions of the Division of Labor and Worker Safety under the Department of Commerce, together with all employees, assets, liabilities, spending authority, vehicles, equipment, and records that relate to OSHA's on-site consultation program are transferred to the BWC.

In total, approximately 14 FTEs support PERRP and 18 FTEs support the on-site consultation program.

Fast Response Program (Auto Adjudication)

In January 2002, the BWC began a pilot program known as Fast Response, or Auto Adjudication. The program allows for the electronic review, processing, and approval of claims that are simple in nature, highly predictable, and typically low in cost (for example, cuts or abrasions). The BWC identified 49 specific injuries that meet these criteria so that, when all conditions are met, the system automatically allows the claims and provides documentation without manual processing. Since the inception of the pilot program, over 100,000 claims have been processed in this manner. Of those, 2.2% have later been disallowed or are currently in hearing status. The BWC estimates that since the beginning of the program, it has saved approximately \$57,000 in administrative costs, and approximately \$42,000 in postage.

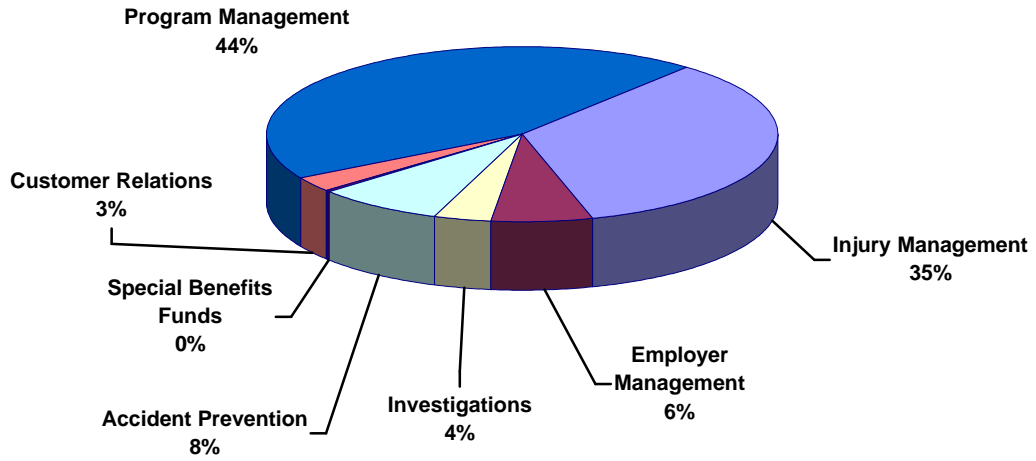
In the BWC appropriations bill, the Fast Response Program is codified under section 4123.511 of the Revised Code. The language permits the Administrator to adopt rules that identify specific medical conditions that have a historical record of being allowed whenever included in a claim. The

Administrator may then grant immediate allowance and make immediate payment for those medical conditions when they are included in a claim.

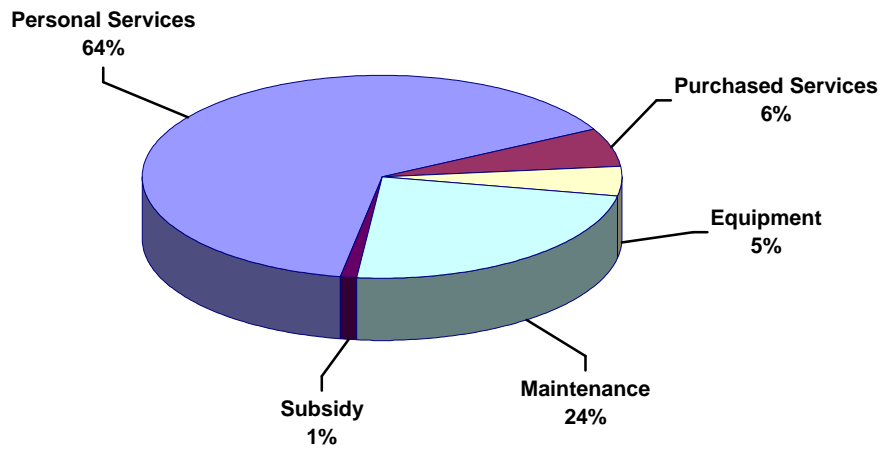
Long-Term Care Loan Fund Program

Under new section 4121.48 of the Revised Code, the Bureau of Workers' Compensation is directed to operate a Long-Term Care Loan Fund Program. The purpose of the program is to make loans, without interest, to nursing homes to assist them in purchasing "no-lift" equipment that will allow employees of the nursing home to move patients without having to lift the patients manually. Moneys deposited to the Long-Term Care Loan Fund, newly established under this section, are to be transferred by the Director of Budget and Management, from the Safety and Hygiene Fund, at the request of the Administrator. Details pertaining to loan eligibility, maximum loan amounts, loan periods, and other terms and conditions are to be determined in rules.

Total Budget by Program Series



Total Budget by Object Code



Staffing Levels

Staffing Levels by Division

Division	2002	2003	2004	2005	2006 (estimated)	2007 (estimated)
CEO/Administration	21	25	25	23	23	23
Legal	219	218	218	243	243	243
Finance	167	114	114	102	102	102
Field Operations	1,271	1,371	1,371	1,505	1,505	1,505
Human Resources	45	94	94	81	81	81
Information Technology	253	258	258	258	258	258
Medical Management	137	133	133	142	142	142
Communications	36	37	37	27	27	27
Employer Operations	418	426	426	387	387	387
Policy and Support	246	124	124	0	0	0
Customer Service	--	--	--	22	22	22
Government and Media Relations	--	--	--	10	10	10
Totals	2,813	2,800	2,800	2,800	2,800	2,800

Source: BWC

Note 1: In FY 2005, the Corporate Affairs Division was reorganized and renamed Communications. The Government and Media Affairs Division was created as part of the reorganization.

Note 2: As a result of reorganization, the Customer Service department was expanded into a separate division consisting of Quality Services, Professional Development/Learning Services, Workers' Compensation Program, and the BWC's internal Safety Department.

Note 3: As a result of reorganization, the Safety Violations Investigations Unit, the Equal Employment Opportunity department, and the Investments department were transferred into the Legal Division.

Note 4: The Policy and Support Division was eliminated and departments reorganized into Medical Management, Employer Operations, and Field Operations

Note 5: The Employer Operations Division was restructured and field staff were re-assigned to report directly to Field Operations.

MASTER TABLE: EXECUTIVE'S RECOMMENDATIONS FOR FY 2006 AND FY 2007

The following table provides a comprehensive presentation of the Executive's recommendations for each of the agency's line items and the programs each line item supports. Please note that some line items may provide funding for multiple program series and/or programs. See the Analysis of Executive Proposal section for more information on specific program funding.

Legislative Service Commission-Redbook

Executive Recommendations for FY 2006 and FY 2007, By Line Item and Program				
Fund	ALI	Title	FY 2006	FY 2007
Workers' Compensation Fund				
Fund 023	855-401	William Green Lease Payments	\$ 19,736,600.00	\$ 20,125,900.00
		<u>Program Series 7: Program Management</u>	\$ 19,736,600.00	\$ 20,125,900.00
		Program: Program Management	\$ 19,736,600.00	\$ 20,125,900.00
Fund 023	855-407	Claims, Risk, and Medical Management	\$ 140,052,037.00	\$ 140,052,037.00
		<u>Program Series 1: Injury Management Services</u>	\$ 110,987,369.00	\$ 111,150,324.00
		Program: Field Operations	\$ 93,034,094.00	\$ 93,825,297.00
		Program: Injury Management Services	\$ 16,752,205.00	\$ 16,100,730.00
		Program: Quality Assurance/Performance Review	\$ 1,201,070.00	\$ 1,224,297.00
		<u>Program Series 2: Employer Management</u>	\$ 20,114,027.00	\$ 20,160,525.00
		Program: Employer Services	\$ 12,185,226.00	\$ 12,148,305.00
		Program: Self-Insured Services	\$ 3,973,161.00	\$ 4,005,197.00
		Program: Other Program Departments	\$ 3,955,640.00	\$ 4,007,023.00
		<u>Program Series 6: Customer Relations</u>	\$ 8,950,641.00	\$ 8,741,188.00
		Program: Customer Contact Center	\$ 4,280,402.00	\$ 4,276,068.00
		Program: Corporate Affairs/Gov't/Media Relations	\$ 4,156,913.00	\$ 3,941,527.00
		Program: Ombudsperson	\$ 513,326.00	\$ 523,593.00
Fund 023	855-408	Fraud Prevention	\$ 11,713,797.00	\$ 11,713,797.00
		<u>Program Series 3: Fraud Investigations</u>	\$ 11,713,797.00	\$ 11,713,797.00
		Program: Special Investigations	\$ 11,308,431.00	\$ 11,309,781.00
		Program: Internal Affairs	\$ 405,366.00	\$ 404,016.00
Fund 023	855-409	Administrative Services	\$ 119,246,553.00	\$ 119,246,553.00
		<u>Program Series 2: Employer Management</u>	\$ 593,982.00	\$ 605,861.00
		Program: Safety Violations Investigation Unit	\$ 593,982.00	\$ 605,861.00
		<u>Program Series 7: Program Management</u>	\$ 118,652,571.00	\$ 118,640,692.00
		Program: Program Management	\$ 118,652,571.00	\$ 118,640,692.00
Fund 023	855-410	Attorney General Payments	\$ 4,314,644.00	\$ 4,314,644.00
		<u>Program Series 7: Program Management</u>	\$ 4,314,644.00	\$ 4,314,644.00
		Program: Program Management	\$ 4,314,644.00	\$ 4,314,644.00
Fund 822	855-606	Coal Workers' Fund	\$ 91,894.00	\$ 91,894.00
		<u>Program Series 5: Special Benefits Funds</u>	\$ 91,894.00	\$ 91,894.00
		Program: Coal Workes' Fund	\$ 91,894.00	\$ 91,894.00
Fund 823	855-608	Marine Industry Fund	\$ 53,952.00	\$ 53,952.00
		<u>Program Series 5: Special Benefits Funds</u>	\$ 53,952.00	\$ 53,952.00

Executive Recommendations for FY 2006 and FY 2007, By Line Item and Program				
Fund	ALI	Title	FY 2006	FY 2007
		Program: Marine Industry Fund	\$ 53,952.00	\$ 53,952.00
Fund 825	855-605	Disabled Workers' Relief Fund	\$ 693,764.00	\$ 693,764.00
		Program Series 5: Special Benefits Funds	\$ 693,764.00	\$ 693,764.00
		Program: Disabled Workers' Relief Fund	\$ 693,764.00	\$ 693,764.00
Fund 826	855-609	Safety and Hygiene Operating	\$ 20,130,820.00	\$ 20,130,820.00
		Program Series 4: Accident Prevention	\$ 20,130,820.00	\$ 20,130,820.00
		Program: Safety and Hygiene	\$ 20,130,820.00	\$ 20,130,820.00
Fund 826	855-610	Safety Grants Program	\$ 4,000,000.00	\$ 4,000,000.00
		Program Series 4: Accident Prevention	\$ 4,000,000.00	\$ 4,000,000.00
		Program: Safety Grants	\$ 4,000,000.00	\$ 4,000,000.00
Workers' Compensation Fund Subtotal			\$ 320,034,061.00	\$ 320,423,361.00
Federal Fund Group				
Fund 349	855-601	OSHA Enforcement	\$ 1,527,750.00	\$ 1,604,140.00
		Program Series 4: Accident Prevention	\$ 1,527,750.00	\$ 1,604,140.00
		Program: OSHA Enforcement	\$ 1,527,750.00	\$ 1,604,140.00
Federal Fund Subtotal			\$ 1,527,750.00	\$ 1,604,140.00
Agency Total Funding			\$ 321,561,811.00	\$ 322,027,501.00

ANALYSIS OF EXECUTIVE PROPOSAL

Program Series 1

Injury Management

Purpose: The Injury Management program series is a group of departments and initiatives designed to ensure appropriate management of workers' compensation claims, the availability of appropriate cost-effective medical care, and the development and credentialing of a strong provider network.

The following table shows the line items that are used to fund the Injury Management program series, as well as the Governor's recommended funding levels.

Fund	ALI	Title	FY 2006	FY 2007
Workers' Compensation Fund				
023	855-407	Claims, Risk, and Medical Management	\$110,987,369*	\$111,150,324*
Workers' Compensation Fund Subtotal			\$110,987,369	\$111,150,324
Total Funding: Injury Management			\$110,987,369	\$111,150,324

* Amount does not reflect total funding because line item is used to fund Programs in other Program Series.

This analysis focuses on the following specific programs within the Injury Management program series:

- **Field Operations**
- **Injury Management Services**
- **Quality Assurance / Performance Review**

Field Operations

Program Description: Field Operations focuses on claims management from the first report of injury to the ultimate resolution of the claim. There are 16 service offices located throughout the state, which process all claims filed within the workers' compensation system, and two Customer Focus Centers located in Ashtabula and Bridgeport.

A concept under BWC's New Business Model is the Customer Care Plan, comprising teams of employees from both injury management and employer management perspectives, who work together to determine a resolution plan for an injured worker. Injury management team members coordinate claims processing so that claims move efficiently from the first report of an injury. Employer management team members develop workplace safety programs, injury-prevention strategies, risk strategies, and return-to-work plans. Together, these teams will service the same employers and their injured workers, streamlining communication and providing more accountability with respect to efficient claims resolutions.

Funding Source: Administrative assessments paid by State Insurance Fund employers together with their overall premium payments

Line Items: 855-407, Claims, Risk, and Medical Management

Implication of Executive Recommendation: The BWC request for Field Operation is fully funded. The program funds 1,325 employees who investigate some 207,000 workers' compensation claims per year; manage over 189,000 injury claims per year; and pay over \$2 billion to injured workers for health care and lost wages.

Injury Management Services

Program Description: Injury Management Services ensures that cost-effective, quality health care is provided to injured workers in order to facilitate an early return to work or a return to a functional lifestyle. BWC's Health Partnership Program, launched in 1997, is a major component of Injury Management Services. Under the program, BWC and certified private sector managed care organizations (MCOs) work together to provide comprehensive claims management and medical-management services. BWC also administers a Qualified Health Plan, which allows self-insuring employers to form their own health plans to deliver medical services to their employees.

Additionally, Injury Management Services is responsible for acting as a liaison to healthcare provider community and professional associations, assisting in the development of these associations, and developing and providing internal and external training on issues that affect the Health Partnership Program and general medical policy.

Funding Source: Administrative assessments paid by State Insurance Fund employers together with their overall premium payments

Line Items: 855-407, Claims, Risk, and Medical Management

Implication of Executive Recommendation: The BWC request for Injury Management Services is fully funded. The program funds 183 employees who process some 18,000 disputes regarding medical treatment provided to injured workers and distribute over \$5 million in grants that enable injured workers to return to work safely prior to their full recovery from injury.

Quality Assurance / Performance Review

Program Description: The Quality Assurance/Performance Review program was established in 2004. As the Bureau implements its new business model, it wants to ensure that proper support is in place for claims and medical policies to operate efficiently and appropriately. Goals of the program include the completion of quarterly audit plans, adjusted to reflect the changing needs and risks of the business; determination of data integrity, program compliance and reliability of information, internal controls, and managerial controls; and determination of error rates and report outcomes.

Funding Source: Administrative assessments paid by State Insurance Fund employers together with their overall premium payments

Line Items: 855-407, Claims, Risk, and Medical Management

Implication of Executive Recommendation: The BWC request for Quality Assurance / Performance Review is fully funded. The program funds three employees who perform quarterly audits to ensure data integrity and program compliance.

Program Series 2

Employer Management

Purpose: The Employer Management program series is responsible for providing a link between Ohio's employers and BWC. This series also includes a program directed toward large, financially stable employers who retain the financial risk for their companies' workers' compensation claims (self-insured employers) and the investigation of potential safety violations.

The following table shows the line items that are used to fund the Employer Management program series, as well as the Governor's recommended funding levels.

Fund	ALI	Title	FY 2006	FY 2007
Workers' Compensation Fund				
023	855-407	Claims, Risk, and Medical Management	\$20,114,027*	\$20,160,525*
023	855-409	Administrative Services	\$593,982*	\$605,861*
Workers' Compensation Fund Subtotal			\$20,708,009	\$20,766,386
Total Funding: Employer Management			\$20,708,009	\$20,766,386

* Amounts do not reflect total funding because line items are used to fund Programs in other Program Series.

This analysis focuses on the following specific programs within the Employer Management program series:

- **Employer Services**
- **Self-Insured Services**
- **Safety Violations Investigation Unit**
- **Other Program Departments**

Employer Services

Program Description: This program provides underwriting and technical support to help employers reduce their workers' compensation costs through accident/illness prevention and various risk management programs. Audits are performed on state fund and public employer programs to ensure compliance with the Workers' Compensation Act and the rules of the BWC and/or the Industrial Commission. The program also processes new business applications, assigns manual classifications, processes changes in employer coverage status, and processes semi-annual payroll reports for employers.

Under the BWC's new business model, Employers Services will partner with the Division of Safety and Hygiene to help customers implement safe work practices and control the risk of harm to employees. The Bureau also intends to redesign workforce delivery of services by integrating and coordinating online services through a single e-business entry point. All of these services are provided at no additional cost to premium-paying employers.

Funding Source: Administrative assessments paid by State Insurance Fund employers together with their overall premium payments

Line Items: 855-407, Claims, Risk, and Medical Management

Implication of Executive Recommendation: The BWC request for Employer Services is fully funded. The program funds 167 employees who provide underwriting and technical support to help employers lower employee accidents and illness.

Self-Insured Services

Program Description: The Self-Insured Services program is responsible for investigating all inquiries/complaints, providing underwriting activities, and auditing self-insuring employers for compliance with the Workers' Compensation Act and the rules of the BWC and the Industrial Commission. Approximately one-third of Ohio's workforce is employed by self-insuring employers. The goals of the program are to ensure that self-insuring employers meet the necessary criteria to remain self-insured and that they comply with necessary legal requirements associated with a self-insured program.

Funding Source: Administrative assessments paid by State Insurance Fund employers together with their overall premium payments

Line Items: 855-407, Claims, Risk, and Medical Management

Implication of Executive Recommendation: The BWC request for Self-Insured Services is fully funded. The program funds 59 employees who provide for the audit of 1,100 employer self-insured programs to ensure compliance with appropriate rules and laws.

Safety Violations Investigation Unit

Program Description: This program is responsible for investigations and preparing impartial, fact-finding summary reports for the Industrial Commission for all safety violation allegations in Ohio concerning workers' compensation.

Funding Source: Administrative assessments paid by State Insurance Fund employers together with their overall premium payments

Line Items: 855-409, Administrative Services

Implication of Executive Recommendation: The BWC request for Safety Violations Investigations Unit is fully funded. The program funds ten employees who investigate and prepare reports for the Industrial Commission on all safety violation allegations concerning workers' compensation.

Other Program Departments

Program Description: The *Customer Trend Analysis Department* is responsible for tracking customer feedback from the injured workers, employers, and medical providers via outbound surveys and analysis of survey results. The *Research and Analysis Department* provides analytical, statistical, and reporting services to both internal and external customers. This includes research associated with the BWC's Employer Open Enrollment Report Card, MCO Incentive Payments, and other MCO statistics.

Funding Source: Administrative assessments paid by State Insurance Fund employers together with their overall premium payments

Line Items: 855-407, Claims, Risk, and Medical Management

Implication of Executive Recommendation: The BWC request for Other Program Departments is fully funded. The programs fund 46 employees who track, monitor, and communicate various program results.

Program Series 3

Fraud Investigations

Purpose: The role of the Fraud Investigations program series is the proactive prevention of loss through fraud, from both operational and resource standpoints, for external and internal customers. These programs are designed to investigate, detect, and deter fraud, and also work closely with local and state prosecutors to prosecute persons suspected of committing workers' compensation fraud.

The following table shows the line items that are used to fund the Fraud Investigations program series, as well as the Governor's recommended funding levels.

Fund	ALI	Title	FY 2006	FY 2007
Workers' Compensation Fund				
023	855-408	Fraud Prevention	\$11,713,797	\$11,713,797
Workers' Compensation Fund Subtotal			\$11,713,797	\$11,713,797
Total Funding: Fraud Prevention			\$11,713,797	\$11,713,797

This analysis focuses on the following specific programs within the Fraud Investigations program series:

- **Special Investigations**
- **Internal Affairs**

Special Investigations

Program Description: The mission of Special Investigations is to prevent, detect, investigate, and prosecute fraudulent behavior affecting the workers' compensation system. *Special Investigations Units* have focused on employer fraud, health care provider fraud, efficiency, and training. The *Health Care Provider Team* concentrates solely on identifying fraudulent activities of various health care providers that provide medical and/or pharmaceutical services to injured workers. The *Cyber Crime Task Force* is responsible for analyzing computer data and the Internet to secure evidence of fraud committed against the Bureau. In total, the Special Investigations programs identified \$1.8 million in premium savings during FY 2003

Funding Source: Administrative assessments paid by State Insurance Fund employers together with their overall premium payments

Line Items: 855-408, Fraud Prevention

Implication of Executive Recommendation: The BWC request for Special Investigations is fully funded. The program funds 139 employees who have prevented more than \$102 million in fraudulent claims.

Internal Affairs

Program Description: Internal Affairs is responsible for investigating all allegations of criminal violation, abuse of office, or misconduct on the part of BWC or Industrial Commission employees. Department staff are trained in interviewing and interrogation, in conducting internal investigations, scientific interrogation, and preventing workplace violence.

Funding Source: Administrative assessments paid by State Insurance Fund employers together with their overall premium payments

Line Items: 855-408, Fraud Prevention

Implication of Executive Recommendation: The BWC request for Internal Affairs is fully funded. The program funds five employees who investigate allegations of criminal abuse or misconduct by BWC or Industrial Commission employees.

Program Series 4

Accident Prevention

Purpose: The Accident Prevention program series is directed toward making Ohio's work places safe through training and consulting services.

The following table shows the line items that are used to fund the Accident Prevention program series, as well as the Governor's recommended funding levels.

Fund	ALI	Title	FY 2006	FY 2007
Workers' Compensation Fund				
023	855-609	Safety and Hygiene	\$20,130,820	\$20,130,820
023	855-610	Safety Grants Program	\$4,000,000	\$4,000,000
Workers' Compensation Fund Subtotal			\$24,130,820	\$24,130,820
Federal Special Revenue Fund				
349	855-601	OSHA Enforcement	\$1,527,750	\$1,604,140
Federal Special Revenue Fund Subtotal			\$1,527,750	\$1,604,140
Total Funding: Accident Prevention			\$25,658,570	\$25,734,960

This analysis focuses on the following specific programs within the Accident Prevention program series:

- **Safety and Hygiene**
- **Safety Grants**
- **OSHA Enforcement**

Safety and Hygiene

Program Description: The Division of Safety and Hygiene provides employers with a variety of programs geared toward improving workplace safety, preventing accidents, and reducing workers' compensation costs. A portion of employer premiums pays for these safety and health services, which are available to employers at no additional fee. Services offered by the Division include on-site consultants, a training center, library services, and the annual Ohio Safety Congress and Expo. Examples of the Division's work include: targeted visits to employers with poor safety records and those with penalty-ratings to assist and educate them in risk, claims, and safety strategies; efforts to promote the BWC's Drug Free Workplace program; continuation of the Safety Grants program; holding classes, seminars, and workshops specializing in occupational safety and health.

Funding Source: Safety and Hygiene assessments paid by State Insurance Fund employers together with their overall premium payments

Line Items: 855-609, Safety and Hygiene Operating

Implication of Executive Recommendation: The BWC request for Safety and Hygiene is fully funded. The program funds 180 employees who investigate and help prevent industrial accidents and disease.

Temporary and Permanent Law Provisions: Section 4121.48 of the Revised Code establishes the Long-Term Care Loan Fund Program, which will provide no-interest loans to nursing homes for the purchase of "no-lift" equipment that will be used to move patients without requiring nursing home employees to lift

the patients manually. Moneys in the loan fund will be transferred from the Safety and Hygiene Fund at the request of the Administrator.

Safety Grants

Program Description: Under the Safety Grants program, the Safety and Hygiene Division provides grants to Ohio employers for the research and prevention of cumulative trauma disorders (CTDs) and to defray the cost of educational training and materials for instituting BWC's Drug-Free Workplace Program (or a comparable program).

Funding Source: Transfers from the State Insurance Fund

Line Items: 855-610, Safety Grants Program

Implication of Executive Recommendation: The BWC request for Safety Grants is fully funded. The program provides \$4 million per year for the program, which provides grants to help businesses implement safety programs.

OSHA Enforcement

Program Description: The federal funds will be used to administer OSHA's on-site consultation program, which is being transferred to the BWC from the Department of Commerce. The program assists smaller, private employers in providing employees with safe and healthy work environments by conducting free safety and health consultations.

Funding Source: OSHA grant moneys and Safety and Hygiene operating dollars (assessments paid by State Insurance Fund employers together with their overall premium payments)

Line Items: 855-601, OSHA Enforcement; 855-609, Safety and Hygiene Operating

Implication of Executive Recommendation: The BWC request for OSHA Enforcement is fully funded. The program funds 14 employees (transferred from the Department of Commerce) who provide on-site consultation to small, private employers with respect to safe and healthy work environments.

Temporary and Permanent Law Provisions: In conjunction with the Public Employee Risk Reduction Program, OSHA's on-site consultation program is being transferred to the BWC from the Department of Commerce. Temporary law provisions allow for the transfer of Fund 349, OSHA Enforcement, from the Department to the Bureau; provide for a portion of appropriation item 855-609, Safety and Hygiene to be used to match federal dollars for OSHA's on-site consultation program; and provide for the transfer of the Division of Labor and Worker Safety from the Department of Commerce to the BWC.

Program Series 5

Special Benefits Funds

Purpose: The Special Benefits Funds program series consists of three separate funds, all of which are devoted to providing cost-of-living adjustments or supplemental benefits to certain injured workers.

The following table shows the line items that are used to fund the Special Benefits Funds program series, as well as the Governor’s recommended funding levels.

Fund	ALI	Title	FY 2006	FY 2007
Workers' Compensation Fund				
822	855-606	Coal Workers' Fund	\$91,894	\$91,894
823	855-608	Marine Industry Fund	\$53,952	\$53,952
825	855-605	Disabled Workers' Relief Fund	\$693,764	\$693,764
Workers' Compensation Fund Subtotal			\$839,610	\$839,610
Total Funding: Special Benefits Funds			\$839,610	\$839,610

This analysis focuses on the following specific programs within the Special Benefits Funds program series:

- **Coal Workers' Fund**
- **Marine Industry Fund**
- **Disabled Workers' Relief Fund**

Coal Workers' Fund

Program Description: The Coal Workers' Pneumoconiosis Fund was established to provide benefits for injured workers who are entitled to receive benefits under the federal Coal Mine Health and Safety Act of 1969. The fund is maintained through premiums and other payments of employers who elect to participate in the fund to insure payment of benefits required by this act.

Funding Source: An additional premium charge attached to State Insurance Fund premiums owed by coal operators

Line Items: 855-606, Coal Workers' Fund

Marine Industry Fund

Program Description: This fund was established to provide benefits for injured workers who are entitled to receive benefits under the federal Longshoremen’s and Harbor Workers’ Act, as amended in 1972. The fund is maintained through premiums and other payments of marine industry employers who apply to the BWC for permission to subscribe to the fund to insure the payment of benefits required by the federal act.

Funding Source: An additional premium charge attached to State Insurance Fund premiums owed by marine industry employers

Line Items: 855-608, Marine Industry Fund

Disabled Workers' Relief Fund

Program Description: The fund provides supplemental cost-of-living benefits to injured workers receiving Permanent Total Disability (PTD) benefits who receive less than a prescribed amount in monthly compensation.

Funding Source: An additional charge of \$0.10 per \$100 of payroll and 0.1% of State Insurance Fund employer premiums

Line Items: 855-605, Disabled Workers' Relief Fund

Implication of Executive Recommendation: The BWC request for each Special Benefits fund is fully funded. The programs fund 9 employees, who provide benefits to more than 27,000 permanently and totally disabled persons annually.

Program Series 6

Customer Relations

Purpose: The Customer Relations program series addresses the needs and concerns of Ohio's employers, injured workers, and other interested parties. This is accomplished by resolving customer concerns, providing clear, accurate, and timely information, and assisting injured workers and employers in matters dealing with BWC and the Industrial Commission.

The following table shows the line items that are used to fund the Customer Relations program series, as well as the Governor's recommended funding levels.

Fund	ALI	Title	FY 2006	FY 2007
Workers' Compensation Fund				
023	855-407	Claims, Risk, and Medical Management	\$8,950,641*	\$8,741,188*
Workers' Compensation Fund Subtotal			\$8,950,641	\$8,741,188
Total Funding: Customer Relations			\$8,950,641	\$8,741,188

* Amount does not reflect total funding because line item is used to fund Programs in other Program Series.

This analysis focuses on the following specific programs within the Customer Relations program series:

- **Customer Contact Center**
- **Corporate Affairs, Government, and Media Relations**
- **Ombudsperson**

Customer Contact Center

Program Description: This program handles customer (employer, injured worker, provider, MCO) contacts via phone, e-mail, walk-in, and written correspondence, and provides forms and benefit option information regarding BWC processes, law, policies, and procedures. This department also assists new employers in obtaining BWC coverage, issuing certificates of coverage, and helping established employers with policy account information.

Funding Source: Administrative assessments paid by State Insurance Fund employers together with their overall premium payments

Line Items: 855-407, Claims, Risk, and Medical Management

Implication of Executive Recommendation: The BWC request for Customer Contact Center is fully funded. The program funds 76 employees who handle information inquiries from the public.

Corporate Affairs, Government, and Media Relations

Program Description: Through research, planning, implementation, and evaluation, this program ensures that internal and external customers receive appropriate, timely, and accurate information about Bureau programs, services, initiatives, and progress. The program also supports special events such as the Workers' Comp University, Public Employer Summits, MCO Summits, Open Enrollment, and Governor's Excellence Awards.

Funding Source: Administrative assessments paid by State Insurance Fund employers together with their overall premium payments

Line Items: 855-407, Claims, Risk, and Medical Management

Implication of Executive Recommendation: The BWC request for Corporate Affairs, Government, and Media Relations is fully funded. The program funds 33 employees who administer special events and provide information about Bureau programs, services, initiatives, and progress.

Ombudsperson

Program Description: The function of the Ombudsperson is to assist injured workers and employers in matters dealing with the BWC and the Industrial Commission. This Ombudsperson Office answers inquiries and investigates complaints made by employers or injured workers as they relate to the processing of a claim for workers' compensation benefits. The Chief Ombudsperson must annually assemble a report on the activities of the Office, along with recommendations for change or improvement in the operation of the workers' compensation system.

Funding Source: Administrative assessments paid by State Insurance Fund employers together with their overall premium payments

Line Items: 855-407, Claims, Risk, and Medical Management

Implication of Executive Recommendation: The BWC request for Ombudsperson is fully funded. The program funds seven employees who handle more than 7,000 general inquiries and process over 2,400 complaints.

Program Series 7

Program Management

Purpose: Within the Program Management program series, a continued effort is in place to ensure internal support functions are efficient and cost-effective. Ongoing evaluation of department activities, via quality team analysis, internal functional analysis, and budgetary review, occurs throughout the biennium.

The following table shows the line items that are used to fund the Program Management program series, as well as the Governor’s recommended funding levels.

Fund	ALI	Title	FY 2006	FY 2007
Workers' Compensation Fund				
023	855-401	William Green Lease Payments	\$19,736,600	\$20,125,900
023	855-409	Administrative Services	\$118,652,571*	\$118,640,692*
023	855-410	Attorney General Payments	\$4,314,644	\$4,314,644
Workers' Compensation Fund Subtotal			\$142,703,815	\$143,081,236
Total Funding: Program Management			\$142,703,815	\$143,081,236

* Amount does not reflect total funding because line item is used to fund Programs in other Program Series.

This analysis focuses on the following specific program within the Program Management program series:

■ **Program Management**

Program Management

Program Description: Under Program Management exist a number of operational programs, including:

- **Finance:** The Finance Department provides investment management, general accounting, actuarial, and internal risk management services for the BWC. The long-term goal with respect to the State Insurance Fund is to generate investment returns that meet or exceed BWC’s actuarial investment return assumption over appropriate periods of time. The Actuarial Department is responsible for calculating and promulgating premium rates for all employer groups and for all funds for all rating plans, as well as calculating fund reserves for the State Insurance Fund and other related funds.
- **Human Resources:** Human Resources provides leadership and guidance to BWC management and staff in areas of Equal Employment Opportunity, Employee/Labor Relations, Payroll/Benefits and Personnel, and Quality Services.
- **Legal:** The Legal Division provides advice and assistance to BWC management regarding matters related to claims procedures, policies, appeals lodged on behalf of the State Insurance Fund, bankruptcy and foreclosure matters, and other issues.
- **Internal Audit:** The Internal Audit Department is responsible for monitoring and evaluating the internal control structure of BWC. The Department provides independent assessments of the efficiency of departmental operations, the accuracy of financial and managerial reports, and the level of compliance with internal policies and procedures.
- **Information Technology:** The Information Technology Division is responsible for all computer equipment and software in use at BWC. This includes mainframe computers, workstations,

printers, various peripheral equipment, a statewide communications network, and software both developed by BWC and purchased through outside vendors.

Funding Source: Administrative assessments paid by State Insurance Fund employers together with their overall premium payments

Line Items: 855-401, William Green Lease Payments; 855-409, Administrative Services; 855-410, Attorney General Payments

Implication of Executive Recommendation: The BWC request for Program Management is fully funded. The program funds 558 employees who provide administrative support for the BWC's programs.

REQUESTS NOT FUNDED

The Executive Budget recommendation fully funds all programs and program series contained in the BWC FY 2006-2007 budget request. Total recommended appropriations are \$321,561,811 in FY 2006 and \$322,027,501 in FY 2007.

Federal Special Revenue Fund Group

349 855-601 OSHA Enforcement

2002	2003	2004	2005 Estimate	2006 House Passed	2007 House Passed
\$0	\$0	\$0	\$0	\$1,527,750	\$1,604,140
	N/A	N/A	N/A	N/A	5.0%

Source: FED: Occupational Safety and Health Administration; CFDA 17.504, OSHA Consultation Agreements

Legal Basis: Proposed in the Bureau of Workers' Compensation Appropriations Bill of the 126th G.A.

Purpose: These funds are used to support OSHA's on-site consultation program, which provides small, private employers with services relating to work place safety and health. Services are provided to those employers with fewer than 250 employees at fixed sites and no more than 500 corporate-wide. Employers can find out about potential hazards at their workplaces, improve their safety and health management systems, and may qualify for an exemption from routine OSHA inspections.

Workers' Compensation Fund Group

023 855-401 William Green Lease Payments to OBA

2002	2003	2004	2005 Estimate	2006 House Passed	2007 House Passed
\$16,974,631	\$17,882,537	\$6,160,704	\$19,239,613	\$19,736,600	\$20,125,900
	5.3%	-65.5%	212.3%	2.6%	2.0%

Source: WCF: Assessments paid by employers and deposited to the Administrative Cost Fund

Legal Basis: ORC 4123.443; Section 3 of Sub. H.B. 91 of the 125th G.A. (originally established by Sub. S.B. 218 of the 119th G.A.)

Purpose: This line item is used to pay debt service on bonds the Ohio Building Authority issued to purchase the William Green Building for the BWC. Appropriations are also used to make lease payments to the Ohio Building Authority.

023 855-407 Claims, Risk & Medical Management

2002	2003	2004	2005 Estimate	2006 House Passed	2007 House Passed
\$130,722,888	\$127,877,043	\$128,601,926	\$140,052,037	\$140,052,037	\$140,052,037
	-2.2%	0.6%	8.9%	0.0%	0.0%

Source: WCF: Assessments paid by employers and deposited to the Administrative Cost Fund

Legal Basis: Section 3 of Sub. H.B. 91 of the 125th G.A. (originally established by Am. Sub. H.B. 363 of the 122nd G.A.)

Purpose: The line item funds personnel, maintenance, and equipment costs associated with the BWC's claims, risk, and medical management programs. Programs under the Injury Management, Employer Management, and Customer Service program series are included within this line item.

023 855-408 Fraud Prevention

2002	2003	2004	2005 Estimate	2006 House Passed	2007 House Passed
\$10,035,424	\$10,207,333	\$10,095,250	\$11,713,797	\$11,713,797	\$11,713,797
	1.7%	-1.1%	16.0%	0.0%	0.0%

Source: WCF: Assessments paid by employers and deposited to the Administrative Cost Fund

Legal Basis: Section 3 of Sub. H.B. 91 of the 125th G.A. (originally established by Am. Sub. H.B. 363 of the 122nd G.A.)

Purpose: This line item funds personnel, maintenance, and equipment costs associated with the BWC's Fraud Investigation program series. Fraud investigation is geared toward detecting and preventing fraudulent claims on the part of employees (claimants), employers, and health care providers.

023 855-409 Administrative Services

2002	2003	2004	2005 Estimate	2006 House Passed	2007 House Passed
\$104,630,149	\$114,590,969	\$107,523,483	\$119,246,552	\$119,246,553	\$119,246,553
	9.5%	-6.2%	10.9%	0.0%	0.0%

Source: WCF: Assessments paid by employers and deposited to the Administrative Cost Fund

Legal Basis: Section 3 of Sub. H.B. 91 of the 125th G.A. (originally established by Am. Sub. H.B. 363 of the 122nd G.A.)

Purpose: This line item funds personnel, maintenance, and equipment costs associated with the BWC's Safety Violations Investigations Unit and its Program Management program series. Program Management includes Finance, Human Resources, Legal, Internal Audit, and Information Technology.

023 855-410 Attorney General Payments

2002	2003	2004	2005 Estimate	2006 House Passed	2007 House Passed
\$3,874,918	\$4,064,865	\$3,872,666	\$4,314,644	\$4,314,644	\$4,314,644
	4.9%	-4.7%	11.4%	0.0%	0.0%

Source: WCF: Assessments paid by employers and deposited to the Administrative Cost Fund

Legal Basis: Section 3 of Sub. H.B. 91 of the 125th G.A. (originally established by Am. Sub. H.B. 363 of the 122nd G.A.)

Purpose: This line item funds 50% of the costs related to the legal services of the Attorney General's Workers' Compensation Unit, which includes expenses related to workers' compensation fraud investigation. The Ohio Industrial Commission pays the remaining portion. Both agencies make alternating quarterly payments during the fiscal year.

4Y6 855-612 J.L. Camera Center Operating

2002	2003	2004	2005 Estimate	2006 House Passed	2007 House Passed
\$342,798	\$0	\$0	\$0	\$0	\$0
	-100.0%	N/A	N/A	N/A	N/A

Source: WCF: Transfers from the State Insurance Fund; then fees charged for medical and rehabilitation services provided by doctors at the Center

Legal Basis: Discontinued line item (originally established in ORC 4123.443 and 4121.62)

Purpose: This line item contained funds for the operation of the J. L. Camera Rehabilitation Center in Columbus. Moneys in the line item were generated by fees charged for services provided by the Center. The BWC began charging fees in FY 1995. Prior to that, appropriations were made from the State Insurance Fund. In FY 1996, spending authority for the line item was transferred to Fund 4Y6. The Camera Center closed in FY 2002.

822 855-606 Coal Workers' Fund

2002	2003	2004	2005 Estimate	2006 House Passed	2007 House Passed
\$38,260	\$66,463	\$81,251	\$91,894	\$91,894	\$91,894
	73.7%	22.2%	13.1%	0.0%	0.0%

Source: WCF: Additional premium charges attached to State Insurance Fund premiums owed by coal mine operators

Legal Basis: ORC 4131.03; Section 3 of Sub. H.B. 91 of the 125th G.A.

Purpose: This line item funds the administrative costs of the Coal Workers' Pneumoconiosis Fund, which is in the custody of the Treasurer of State. The fund provides benefits as directed by the Federal Coal Mine Health and Safety Act of 1969.

823 855-608 Marine Industry

2002	2003	2004	2005 Estimate	2006 House Passed	2007 House Passed
\$49,089	\$51,092	\$51,456	\$53,952	\$53,952	\$53,952
	4.1%	0.7%	4.9%	0.0%	0.0%

Source: WCF: Additional premium charges attached to State Insurance Fund premiums owed by marine industry employers

Legal Basis: ORC 4131.13; Section 3 of Sub. H.B. 91 of the 125th G.A.

Purpose: This line item funds the administrative costs of the Marine Industry Fund, which is in the custody of the Treasurer of State. The fund provides benefits as prescribed by the Longshoremen's and Harbor Workers' Compensation Act, as amended in 1972.

825 855-605 Disabled Workers' Relief Fund

2002	2003	2004	2005 Estimate	2006 House Passed	2007 House Passed
\$691,649	\$660,012	\$547,459	\$693,764	\$693,764	\$693,764
	-4.6%	-17.1%	26.7%	0.0%	0.0%

Source: WCF: Assessments paid by employers and deposited to the Disabled Workers' Relief Fund

Legal Basis: ORC 4123.412; Section 3 of Sub. H.B. 91 of the 125th G.A.

Purpose: This line item is used to pay payroll and operating expenses of the Disabled Workers' Relief Fund (DWRF), as well as costs related to providing benefits from the fund. The fund is in the custody of the Treasurer of State. DWRF assessments are calculated at \$0.10 per \$100 of payroll and 0.01% of the basic premium rate. DWRF benefits are cost-of-living adjustments granted to permanently and totally disabled workers.

826 855-609 Safety & Hygiene Operating

2002	2003	2004	2005 Estimate	2006 House Passed	2007 House Passed
\$17,593,089	\$17,187,493	\$17,600,253	\$20,130,820	\$20,130,820	\$20,130,820
	-2.3%	2.4%	14.4%	0.0%	0.0%

Source: WCF: Safety and Hygiene Fund assessments charged to employers; transfers of moneys from the State Insurance Fund when necessary

Legal Basis: ORC 4121.37

Purpose: This line item provides all operating funds for the Division of Safety and Hygiene. The Safety and Hygiene Fund assessment, which is charged in addition to employers' premium assessments, was once statutorily limited to an additional 0.5% of total premiums for private employers and 0.75% of total premiums for state and local government employers. Am. Sub. H.B. 180 of the 123rd G.A increased the private employer assessment rate to 1% of paid premiums.

826 855-610 Safety Grants Program

2002	2003	2004	2005 Estimate	2006 House Passed	2007 House Passed
\$4,385,870	\$3,042,378	\$3,463,855	\$4,000,000	\$4,000,000	\$4,000,000
	-30.6%	13.9%	15.5%	0.0%	0.0%

Source: WCF: Transfers from the State Insurance Fund

Legal Basis: As needed line item (originally established by Am. Sub. H.B. 107 of the 120th G.A.)

Purpose: Under the Safety Grants program, the Division of Safety and Hygiene provides grants to Ohio employers for the research and prevention of cumulative trauma disorders and to defray the cost of educational training and materials for instituting the BWC's Drug-Free Workplace Program.

Bureau of Workers' Compensation - Catalog of Budget Line Items

R46 855-602 Camera Center Services

2002	2003	2004	2005 Estimate	2006 House Passed	2007 House Passed
\$11,543	\$0	\$0	\$0	\$0	\$0
	-100.0%	N/A	N/A	N/A	N/A

Source: WCF: Account management service fees paid by health care providers contracted by BWC

Legal Basis: Discontinued line item (originally established by Controlling Board in FY 1997)

Purpose: The BWC provided billing and collection services for health care providers with whom the Bureau contracted and who were based at the J.L. Camera Rehabilitation Center. In exchange, the Center collected a service fee from each of these providers and deposited the revenue to this fund. The fund was established through Controlling Board approval every fiscal year. The Rehabilitation Center closed in FY 2002.

LSC Budget Spreadsheet by Line Item, FY 2006 - FY 2007

<i>Fund ALI ALI Title</i>	<i>Estimated 2005</i>	<i>As Introduced 2006</i>	<i>House Bill 2006</i>	<i>% Change Est. 2005 to House 2006</i>	<i>As Introduced 2007</i>	<i>House Bill 2007</i>	<i>% Change House 2006 to House 2007</i>
<i>BWC Bureau of Workers' Compensation</i>							
349 855-601 OSHA Enforcement	\$0	\$ 1,527,750	\$ 1,527,750	N/A	\$ 1,604,140	\$ 1,604,140	5.0%
Federal Special Revenue Fund Group Total	\$ 0	\$ 1,527,750	\$ 1,527,750	N/A	\$ 1,604,140	\$ 1,604,140	5.0%
023 855-401 William Green Lease Payments to OBA	\$19,239,613	\$ 19,736,600	\$ 19,736,600	2.6%	\$ 20,125,900	\$ 20,125,900	2.0%
023 855-407 Claims, Risk & Medical Management	\$140,052,037	\$ 140,052,037	\$ 140,052,037	0.0%	\$ 140,052,037	\$ 140,052,037	0.0%
023 855-408 Fraud Prevention	\$11,713,797	\$ 11,713,797	\$ 11,713,797	0.0%	\$ 11,713,797	\$ 11,713,797	0.0%
023 855-409 Administrative Services	\$119,246,552	\$ 119,246,553	\$ 119,246,553	0.0%	\$ 119,246,553	\$ 119,246,553	0.0%
023 855-410 Attorney General Payments	\$4,314,644	\$ 4,314,644	\$ 4,314,644	0.0%	\$ 4,314,644	\$ 4,314,644	0.0%
822 855-606 Coal Workers' Fund	\$91,894	\$ 91,894	\$ 91,894	0.0%	\$ 91,894	\$ 91,894	0.0%
823 855-608 Marine Industry	\$53,952	\$ 53,952	\$ 53,952	0.0%	\$ 53,952	\$ 53,952	0.0%
825 855-605 Disabled Workers' Relief Fund	\$693,764	\$ 693,764	\$ 693,764	0.0%	\$ 693,764	\$ 693,764	0.0%
826 855-609 Safety & Hygiene Operating	\$20,130,820	\$ 20,130,820	\$ 20,130,820	0.0%	\$ 20,130,820	\$ 20,130,820	0.0%
826 855-610 Safety Grants Program	\$4,000,000	\$ 4,000,000	\$ 4,000,000	0.0%	\$ 4,000,000	\$ 4,000,000	0.0%
Workers' Compensation Fund Group Total	\$ 319,537,073	\$ 320,034,061	\$ 320,034,061	0.2%	\$ 320,423,361	\$ 320,423,361	0.1%
<i>Total All Budget Fund Groups</i>							
	\$ 319,537,073	\$ 321,561,811	\$ 321,561,811	0.6%	\$ 322,027,501	\$ 322,027,501	0.1%

Bureau of Workers' Compensation

House Finance Committee

*Kerry Sullivan, Budget Analyst
Legislative Service Commission*

February 15, 2005

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LSC Redbook
for the
Bureau of Workers' Compensation

House Finance Committee

Kerry Sullivan, Budget Analyst

Legislative Service Commission

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February 15, 2005

Bureau of Workers' Compensation

- Transfer of PERRP and OSHA's on-site consultation program from the Department of Commerce to the BWC
- Rapid Response Program
- Long-Term Care Loan Fund Program

OVERVIEW

The Ohio Bureau of Workers' Compensation (BWC) administers the largest exclusive workers' compensation system in the United States with assets of some \$21 billion. An exclusive system is one in which only the state, not private insurers, provides workers' compensation coverage to business and industry. Ohio's workers' compensation system comprises two agencies: the BWC as the insurance provider, and the Ohio Industrial Commission (OIC), which adjudicates disputed claims. The Bureau of Workers' Compensation provides coverage to about two-thirds of Ohio's workforce (private, state, and local government employees). Other workers may be insured by employers that are large and financially secure enough to qualify to self-insure.

The Governor appoints the administrator of the BWC, who in turn is assisted by a nine-member Advisory Commission comprising representatives from business and labor, as well as legislators. Currently, the BWC's staffing level is approximately 2,800 FTEs (full-time equivalent). The agency is organized into 7 programs consisting of 12 functional divisions. There are 16 BWC service offices statewide and additional regional offices that provide safety education and accident prevention services to Ohio employers.

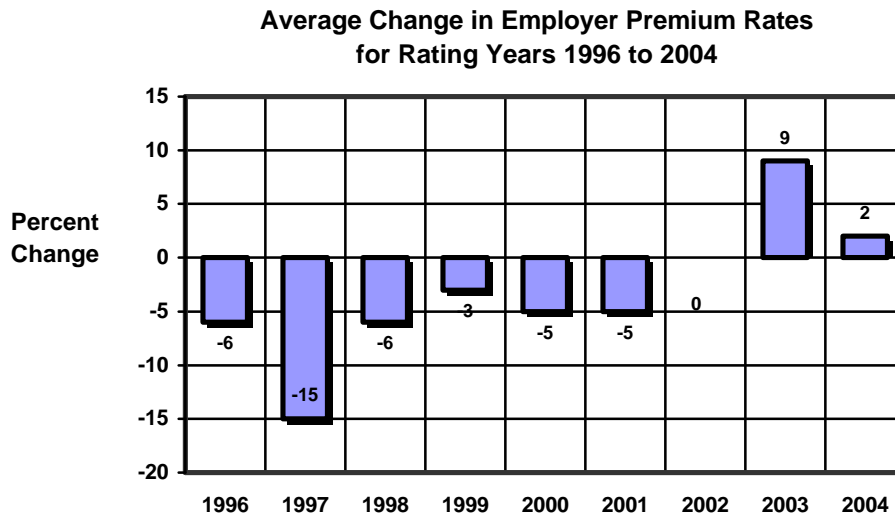
The executive funding recommendation for the biennium is \$321,561,811 in FY 2006 and \$322,027,501 in FY 2007.

State Insurance Fund and Administrative Cost Fund

Current annual premium and assessment income from private and public employers throughout the state is approximately \$2.2 billion. Premium payments cover the cost of workers' compensation insurance and are deposited to the State Insurance Fund. In addition, Administrative Cost Fund (ACF) assessments are charged to employers to support Bureau and Commission operations. Neither the BWC nor the OIC receives general revenue funds.

The balance of the State Insurance Fund as of July 1, 2004 was \$19.5 billion. This figure represents total assets of the fund, which include not only cash and cash equivalents, but also fixed maturities, moneys invested in domestic and international securities and other investments, capital assets, and other assets. The balance of the BWC's surplus as of July 1, 2004 was \$644 million. This figure represents the total premium collected above what the Bureau projects will be necessary to pay all of its existing claims (for the life of those claims).

The surplus balance also reflects a series of premium rate reductions and direct dividend credits awarded to state fund employers that totaled more than \$640 million in FY 2003 and \$415 million in FY 2004. The practice of awarding premium rate reductions has continued for ten years. From July 1996 to June 2003, the BWC returned some \$9.3 billion in surplus funds to private and public employers in the form of one-time dividends. These dividends were often as high as 75% of normal premium rates. In July 2003, citing a lackluster economy and soaring medical costs, the BWC approved a 9% premium rate increase for policy year 2003 and did not grant employers a one-time dividend (requiring instead that employers pay 100% of their premiums). By January 2004, however, better-than-expected investment growth prompted the BWC to grant employers another one-time dividend, this time reducing premium rates by 20%. The 20% dividend was granted again for the six-month periods beginning July 2004 and January 1, 2005.



Summary of FYs 2006-2007 Budget Issues

The BWC's New Business Model

The Bureau of Workers' Compensation began moving toward a more customer-focused, integrated business model in 2004. The initiative continues in 2005 and into the upcoming biennium. Some of the strategies under new business model include:

- Office consolidations: The BWC is consolidating its local customer service offices from 21 to 16.
- Customer Focus Centers: Smaller than regular customer service offices, customer focus centers provide customers with an alternate avenue to access Bureau services.
- Loss Prevention / Loss Control: The delivery of loss prevention (i.e. safety) and loss control (i.e., return to work) strategies will be faster and more efficient under the new business model.
- Auto Adjudication: This is an electronic process for reviewing information received on a First Report of an Injury, Occupational Disease, or Death claim form. The system allows simple claims that meet certain conditions to be automatically approved for coverage, without manual processing. (See **Rapid Response Program**, below.)

- Customer Care Teams: Teams of BWC employees from injury and employer management services work together to determine a resolution plan for an injured worker.
- Medical Management: Managed Care Organizations (MCOs) work closely with employers to medically manage claims, helping to return injured workers to work safely and efficiently.

Transfer of PERRP and OSHA On-site Consultation Program

Under the provisions of the BWC appropriations bill, the Public Employment Risk Reduction Program (PERRP) is transferred from the Department of Commerce to the BWC. The Public Employer Risk Reduction Advisory Commission under the Department of Commerce is abolished, and the Administrator of the BWC, with the advice and consent of the Workers' Compensation Oversight Commission, is required to adopt rules for the administration and enforcement of the program.

Under the Department of Commerce, the program provides free, on-site safety inspections, safety training, and hazard recognition, at an employer's request, for all public employees except firefighters, peace officers, EMTs, paramedics, and corrections officers in county and municipal facilities. The program is designed to identify actual and potential hazardous conditions and to review required written programs (blood borne pathogens, hazard communication, confined space, etc.), then prepare a detailed report for the employer to assist in the development of specific program and abatement methods for the establishment.

In conjunction with PERRP, the federal Occupational Safety and Health Administration's (OSHA) on-site consultation program assists smaller, private employers in providing employees with safe and healthy work environments by conducting free safety and health consultations. Services are provided to those employers with fewer than 250 employees at fixed sites and no more than 500 employees corporate-wide. Employers can find out about potential hazards at their workplaces, improve their safety and health management systems, and may even qualify for an exemption from routine OSHA inspections. This program is currently funded through OSHA grant moneys and state match General Revenue Fund dollars. Under the BWC appropriations bill, Fund 349, OSHA Enforcement, is transferred from the Department of Commerce to the BWC. In addition, the functions of the Division of Labor and Worker Safety under the Department of Commerce, together with all employees, assets, liabilities, spending authority, equipment, and records that relate to OSHA's on-site consultation program are transferred to the BWC.

In total, approximately 14 FTEs support PERRP and 18 FTEs support the on-site consultation program.

Rapid Response Program (Auto Adjudication)

In January 2002, the BWC began a pilot program known as Rapid Response, or Auto Adjudication. The program allows for the electronic review, processing, and approval of claims that are simple in nature, highly predictable, and typically low in cost (for example, cuts or abrasions). The BWC identified 49 specific injuries that meet these criteria so that, when all conditions are met, the system automatically allows the claims and provides documentation without manual processing. Since the inception of the pilot program, over 100,000 claims have been processed in this manner. Of those, 2.2% have later been disallowed or are currently in hearing status. The BWC estimates that since the beginning of the program, it has saved approximately \$57,000 in administrative costs, and approximately \$42,000 in postage.

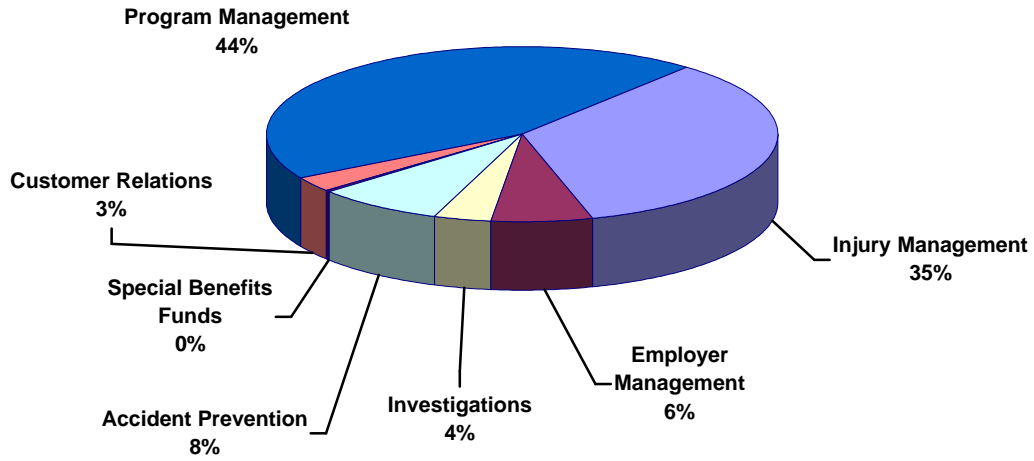
In the BWC appropriations bill, the Rapid Response Program is codified under section 4123.511 of the Revised Code. The language permits the Administrator to adopt rules that identify specific medical conditions that have a historical record of being allowed whenever included in a claim. The

Administrator may then grant immediate allowance and make immediate payment for those medical conditions when they are included in a claim.

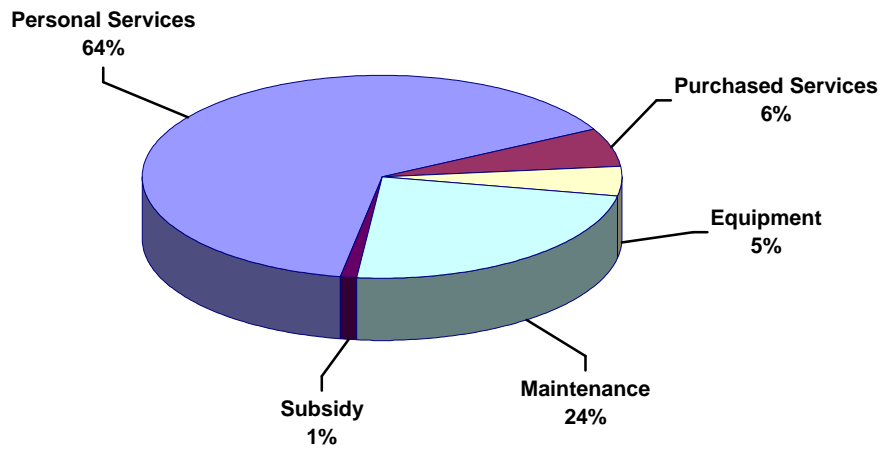
Long-Term Care Loan Fund Program

Under new section 4121.48 of the Revised Code, the Bureau of Workers' Compensation is directed to operate a Long-Term Care Loan Fund Program. The purpose of the program is to make loans, without interest, to nursing homes to assist them in purchasing "no-lift" equipment that will allow employees of the nursing home to move patients without having to lift the patients manually. Moneys deposited to the Long-Term Care Loan Fund, newly established under this section, are to be transferred by the Director of Budget and Management, from the Safety and Hygiene Fund, at the request of the Administrator. Details pertaining to loan eligibility, maximum loan amounts, loan periods, and other terms and conditions are to be determined in rules.

Total Budget by Program Series



Total Budget by Object Code



Staffing Levels

Staffing Levels by Division

Division	2002	2003	2004	2005	2006 (estimated)	2007 (estimated)
CEO/Administration	21	25	25	23	23	23
Legal	219	218	218	243	243	243
Finance	167	114	114	102	102	102
Field Operations	1,271	1,371	1,371	1,505	1,505	1,505
Human Resources	45	94	94	81	85	85
Information Technology	253	258	258	258	258	258
Medical Management	137	133	133	142	142	142
Communications	36	37	37	27	27	27
Employer Operations	418	426	426	387	387	387
Policy and Support	246	124	124	0	0	0
Customer Service	--	--	--	22	22	22
Government and Media Relations	--	--	--	10	10	10
Totals	2,813	2,800	2,800	2,800	2,804	2,804

Source: BWC

Note 1: In FY 2005, the Corporate Affairs Division was reorganized and renamed Communications. The Government and Media Affairs Division was created as part of the reorganization.

Note 2: As a result of reorganization, the Customer Service department was expanded into a separate division consisting of Quality Services, Professional Development/Learning Services, Workers' Compensation Program, and the BWC's internal Safety Department.

Note 3: As a result of reorganization, the Safety Violations Investigations Unit, the Equal Employment Opportunity department, and the Investments department were transferred into the Legal Division.

Note 4: The Policy and Support Division was eliminated and departments reorganized into Medical Management, Employer Operations, and Field Operations

Note 5: The Employer Operations Division was restructured and field staff were re-assigned to report directly to Field Operations.

MASTER TABLE: EXECUTIVE'S RECOMMENDATIONS FOR FY 2006 AND FY 2007

The following table provides a comprehensive presentation of the Executive's recommendations for each of the agency's line items and the programs each line item supports. Please note that some line items may provide funding for multiple program series and/or programs. See the Analysis of Executive Proposal section for more information on specific program funding.

Legislative Service Commission-Redbook

Executive Recommendations for FY 2006 and FY 2007, By Line Item and Program				
Fund	ALI	Title	FY 2006	FY 2007
Workers' Compensation Fund				
Fund 023	855-401	William Green Lease Payments	\$ 19,736,600.00	\$ 20,125,900.00
		<u>Program Series 7: Program Management</u>	\$ 19,736,600.00	\$ 20,125,900.00
		Program: Program Management	\$ 19,736,600.00	\$ 20,125,900.00
Fund 023	855-407	Claims, Risk, and Medical Management	\$ 140,052,037.00	\$ 140,052,037.00
		<u>Program Series 1: Injury Management Services</u>	\$ 110,987,369.00	\$ 111,150,324.00
		Program: Field Operations	\$ 93,034,094.00	\$ 93,825,297.00
		Program: Injury Management Services	\$ 16,752,205.00	\$ 16,100,730.00
		Program: Quality Assurance/Performance Review	\$ 1,201,070.00	\$ 1,224,297.00
		<u>Program Series 2: Employer Management</u>	\$ 20,114,027.00	\$ 20,160,525.00
		Program: Employer Services	\$ 12,185,226.00	\$ 12,148,305.00
		Program: Self-Insured Services	\$ 3,973,161.00	\$ 4,005,197.00
		Program: Other Program Departments	\$ 3,955,640.00	\$ 4,007,023.00
		<u>Program Series 6: Customer Relations</u>	\$ 8,950,641.00	\$ 8,741,188.00
		Program: Customer Contact Center	\$ 4,280,402.00	\$ 4,276,068.00
		Program: Corporate Affairs/Gov't/Media Relations	\$ 4,156,913.00	\$ 3,941,527.00
		Program: Ombudsperson	\$ 513,326.00	\$ 523,593.00
Fund 023	855-408	Fraud Prevention	\$ 11,713,797.00	\$ 11,713,797.00
		<u>Program Series 3: Fraud Investigations</u>	\$ 11,713,797.00	\$ 11,713,797.00
		Program: Special Investigations	\$ 11,308,431.00	\$ 11,309,781.00
		Program: Internal Affairs	\$ 405,366.00	\$ 404,016.00
Fund 023	855-409	Administrative Services	\$ 119,246,553.00	\$ 119,246,553.00
		<u>Program Series 2: Employer Management</u>	\$ 593,982.00	\$ 605,861.00
		Program: Safety Violations Investigation Unit	\$ 593,982.00	\$ 605,861.00
		<u>Program Series 7: Program Management</u>	\$ 118,652,571.00	\$ 118,640,692.00
		Program: Program Management	\$ 118,652,571.00	\$ 118,640,692.00
Fund 023	855-410	Attorney General Payments	\$ 4,314,644.00	\$ 4,314,644.00
		<u>Program Series 7: Program Management</u>	\$ 4,314,644.00	\$ 4,314,644.00
		Program: Program Management	\$ 4,314,644.00	\$ 4,314,644.00
Fund 822	855-606	Coal Workers' Fund	\$ 91,894.00	\$ 91,894.00
		<u>Program Series 5: Special Benefits Funds</u>	\$ 91,894.00	\$ 91,894.00
		Program: Coal Workes' Fund	\$ 91,894.00	\$ 91,894.00
Fund 823	855-608	Marine Industry Fund	\$ 53,952.00	\$ 53,952.00
		<u>Program Series 5: Special Benefits Funds</u>	\$ 53,952.00	\$ 53,952.00

Executive Recommendations for FY 2006 and FY 2007, By Line Item and Program				
Fund	ALI	Title	FY 2006	FY 2007
		Program: Marine Industry Fund	\$ 53,952.00	\$ 53,952.00
Fund 825	855-605	Disabled Workers' Relief Fund	\$ 693,764.00	\$ 693,764.00
		Program Series 5: Special Benefits Funds	\$ 693,764.00	\$ 693,764.00
		Program: Disabled Workers' Relief Fund	\$ 693,764.00	\$ 693,764.00
Fund 826	855-609	Safety and Hygiene Operating	\$ 20,130,820.00	\$ 20,130,820.00
		Program Series 4: Accident Prevention	\$ 20,130,820.00	\$ 20,130,820.00
		Program: Safety and Hygiene	\$ 20,130,820.00	\$ 20,130,820.00
Fund 826	855-610	Gear Program	\$ 4,000,000.00	\$ 4,000,000.00
		Program Series 4: Accident Prevention	\$ 4,000,000.00	\$ 4,000,000.00
		Program: Safety Grants	\$ 4,000,000.00	\$ 4,000,000.00
Workers' Compensation Fund Subtotal			\$ 320,034,061.00	\$ 320,423,361.00
Federal Fund Group				
Fund 349	855-601	OSHA Enforcement	\$ 1,527,750.00	\$ 1,604,140.00
		Program Series 4: Accident Prevention	\$ 1,527,750.00	\$ 1,604,140.00
		Program: OSHA Enforcement	\$ 1,527,750.00	\$ 1,604,140.00
Federal Fund Subtotal			\$ 1,527,750.00	\$ 1,604,140.00
Agency Total Funding			\$ 321,561,811.00	\$ 322,027,501.00

ANALYSIS OF EXECUTIVE PROPOSAL

Program Series 1

Injury Management

Purpose: The Injury Management program series is a group of departments and initiatives designed to ensure appropriate management of workers' compensation claims, the availability of appropriate cost-effective medical care, and the development and credentialing of a strong provider network.

The following table shows the line items that are used to fund the Injury Management program series, as well as the Governor's recommended funding levels.

Fund	ALI	Title	FY 2006	FY 2007
Workers' Compensation Fund				
023	855-407	Claims, Risk, and Medical Management	\$110,987,369*	\$111,150,324*
Workers' Compensation Fund Subtotal			\$110,987,369	\$111,150,324
Total Funding: Injury Management			\$110,987,369	\$111,150,324

* Amount does not reflect total funding because line item is used to fund Programs in other Program Series.

This analysis focuses on the following specific programs within the Injury Management program series:

- **Field Operations**
- **Injury Management Services**
- **Quality Assurance / Performance Review**

Field Operations

Program Description: Field Operations focuses on claims management from the first report of injury to the ultimate resolution of the claim. There are 16 service offices located throughout the state, which process all claims filed within the workers' compensation system, and two Customer Focus Centers located in Ashtabula and Bridgeport.

A concept under BWC's New Business Model is the Customer Care Plan, comprising teams of employees from both injury management and employer management perspectives, who work together to determine a resolution plan for an injured worker. Injury management team members coordinate claims processing so that claims move efficiently from the first report of an injury. Employer management team members develop workplace safety programs, injury-prevention strategies, risk strategies, and return-to-work plans. Together, these teams will service the same employers and their injured workers, streamlining communication and providing more accountability with respect to efficient claims resolutions.

Funding Source: Administrative assessments paid by State Insurance Fund employers together with their overall premium payments

Line Items: 855-407, Claims, Risk, and Medical Management

Implication of Executive Recommendation: The BWC request for Field Operation is fully funded. The program funds 1,325 employees who investigate some 207,000 workers' compensation claims per year; manage over 189,000 injury claims per year; and pay over \$2 billion to injured workers for health care and lost wages.

Injury Management Services

Program Description: Injury Management Services ensures that cost-effective, quality health care is provided to injured workers in order to facilitate an early return to work or a return to a functional lifestyle. BWC's Health Partnership Program, launched in 1997, is a major component of Injury Management Services. Under the program, BWC and certified private sector managed care organizations (MCOs) work together to provide comprehensive claims management and medical-management services. BWC also administers a Qualified Health Plan, which allows self-insuring employers to form their own health plans to deliver medical services to their employees.

Additionally, Injury Management Services is responsible for acting as a liaison to healthcare provider community and professional associations, assisting in the development of these associations, and developing and providing internal and external training on issues that affect the Health Partnership Program and general medical policy.

Funding Source: Administrative assessments paid by State Insurance Fund employers together with their overall premium payments

Line Items: 855-407, Claims, Risk, and Medical Management

Implication of Executive Recommendation: The BWC request for Injury Management Services is fully funded. The program funds 183 employees who process some 18,000 disputes regarding medical treatment provided to injured workers and distribute over \$5 million in grants that enable injured workers to return to work safely prior to their full recovery from injury.

Quality Assurance / Performance Review

Program Description: The Quality Assurance/Performance Review program was established in 2004. As the Bureau implements its new business model, it wants to ensure that proper support is in place for claims and medical policies to operate efficiently and appropriately. Goals of the program include the completion of quarterly audit plans, adjusted to reflect the changing needs and risks of the business; determination of data integrity, program compliance and reliability of information, internal controls, and managerial controls; and determination of error rates and report outcomes.

Funding Source: Administrative assessments paid by State Insurance Fund employers together with their overall premium payments

Line Items: 855-407, Claims, Risk, and Medical Management

Implication of Executive Recommendation: The BWC request for Quality Assurance / Performance Review is fully funded. The program funds three employees who perform quarterly audits to ensure data integrity and program compliance.

Program Series 2

Employer Management

Purpose: The Employer Management program series is responsible for providing a link between Ohio's employers and BWC. This series also includes a program directed toward large, financially stable employers who retain the financial risk for their companies' workers' compensation claims (self-insured employers) and the investigation of potential safety violations.

The following table shows the line items that are used to fund the Employer Management program series, as well as the Governor's recommended funding levels.

Fund	ALI	Title	FY 2006	FY 2007
Workers' Compensation Fund				
023	855-407	Claims, Risk, and Medical Management	\$20,114,027*	\$20,160,525*
023	855-409	Administrative Services	\$593,982*	\$605,861*
Workers' Compensation Fund Subtotal			\$20,708,009	\$20,766,386
Total Funding: Employer Management			\$20,708,009	\$20,766,386

* Amounts do not reflect total funding because line items are used to fund Programs in other Program Series.

This analysis focuses on the following specific programs within the Employer Management program series:

- **Employer Services**
- **Self-Insured Services**
- **Safety Violations Investigation Unit**
- **Other Program Departments**

Employer Services

Program Description: This program provides underwriting and technical support to help employers reduce their workers' compensation costs through accident/illness prevention and various risk management programs. Audits are performed on state fund and public employer programs to ensure compliance with the Workers' Compensation Act and the rules of the BWC and/or the Industrial Commission. The program also processes new business applications, assigns manual classifications, processes changes in employer coverage status, and processes semi-annual payroll reports for employers.

Under the BWC's new business model, Employers Services will partner with the Division of Safety and Hygiene to help customers implement safe work practices and control the risk of harm to employees. The Bureau also intends to redesign workforce delivery of services by integrating and coordinating online services through a single e-business entry point. All of these services are provided at no additional cost to premium-paying employers.

Funding Source: Administrative assessments paid by State Insurance Fund employers together with their overall premium payments

Line Items: 855-407, Claims, Risk, and Medical Management

Implication of Executive Recommendation: The BWC request for Employer Services is fully funded. The program funds 167 employees who provide underwriting and technical support to help employers lower employee accidents and illness.

Self-Insured Services

Program Description: The Self-Insured Services program is responsible for investigating all inquiries/complaints, providing underwriting activities, and auditing self-insuring employers for compliance with the Workers' Compensation Act and the rules of the BWC and the Industrial Commission. Approximately one-third of Ohio's workforce is employed by self-insuring employers. The goals of the program are to ensure that self-insuring employers meet the necessary criteria to remain self-insured and that they comply with necessary legal requirements associated with a self-insured program.

Funding Source: Administrative assessments paid by State Insurance Fund employers together with their overall premium payments

Line Items: 855-407, Claims, Risk, and Medical Management

Implication of Executive Recommendation: The BWC request for Self-Insured Services is fully funded. The program funds 59 employees who provide for the audit of 1,100 employer self-insured programs to ensure compliance with appropriate rules and laws.

Safety Violations Investigation Unit

Program Description: This program is responsible for investigations and preparing impartial, fact-finding summary reports for the Industrial Commission for all safety violation allegations in Ohio concerning workers' compensation.

Funding Source: Administrative assessments paid by State Insurance Fund employers together with their overall premium payments

Line Items: 855-409, Administrative Services

Implication of Executive Recommendation: The BWC request for Safety Violations Investigations Unit is fully funded. The program funds ten employees who investigate and prepare reports for the Industrial Commission on all safety violation allegations concerning workers' compensation.

Other Program Departments

Program Description: The *Customer Trend Analysis Department* is responsible for tracking customer feedback from the injured workers, employers, and medical providers via outbound surveys and analysis of survey results. The *Research and Analysis Department* provides analytical, statistical, and reporting services to both internal and external customers. This includes research associated with the BWC's Employer Open Enrollment Report Card, MCO Incentive Payments, and other MCO statistics.

Funding Source: Administrative assessments paid by State Insurance Fund employers together with their overall premium payments

Line Items: 855-407, Claims, Risk, and Medical Management

Implication of Executive Recommendation: The BWC request for Other Program Departments is fully funded. The programs fund 46 employees who track, monitor, and communicate various program results.

Program Series 3

Fraud Investigations

Purpose: The role of the Fraud Investigations program series is the proactive prevention of loss through fraud, from both operational and resource standpoints, for external and internal customers. These programs are designed to investigate, detect, and deter fraud, and also work closely with local and state prosecutors to prosecute persons suspected of committing workers' compensation fraud.

The following table shows the line items that are used to fund the Fraud Investigations program series, as well as the Governor's recommended funding levels.

Fund	ALI	Title	FY 2006	FY 2007
Workers' Compensation Fund				
023	855-408	Fraud Prevention	\$11,713,797	\$11,713,797
Workers' Compensation Fund Subtotal			\$11,713,797	\$11,713,797
Total Funding: Fraud Prevention			\$11,713,797	\$11,713,797

This analysis focuses on the following specific programs within the Fraud Investigations program series:

- **Special Investigations**
- **Internal Affairs**

Special Investigations

Program Description: The mission of Special Investigations is to prevent, detect, investigate, and prosecute fraudulent behavior affecting the workers' compensation system. *Special Investigations Units* have focused on employer fraud, health care provider fraud, efficiency, and training. The *Health Care Provider Team* concentrates solely on identifying fraudulent activities of various health care providers that provide medical and/or pharmaceutical services to injured workers. The *Cyber Crime Task Force* is responsible for analyzing computer data and the Internet to secure evidence of fraud committed against the Bureau. In total, the Special Investigations programs identified \$1.8 million in premium savings during FY 2003

Funding Source: Administrative assessments paid by State Insurance Fund employers together with their overall premium payments

Line Items: 855-408, Fraud Prevention

Implication of Executive Recommendation: The BWC request for Special Investigations is fully funded. The program funds 139 employees who have prevented more than \$102 million in fraudulent claims.

Internal Affairs

Program Description: Internal Affairs is responsible for investigating all allegations of criminal violation, abuse of office, or misconduct on the part of BWC or Industrial Commission employees. Department staff are trained in interviewing and interrogation, in conducting internal investigations, scientific interrogation, and preventing workplace violence.

Funding Source: Administrative assessments paid by State Insurance Fund employers together with their overall premium payments

Line Items: 855-408, Fraud Prevention

Implication of Executive Recommendation: The BWC request for Internal Affairs is fully funded. The program funds five employees who investigate allegations of criminal abuse or misconduct by BWC or Industrial Commission employees.

Program Series 4

Accident Prevention

Purpose: The Accident Prevention program series is directed toward making Ohio's work places safe through training and consulting services.

The following table shows the line items that are used to fund the Accident Prevention program series, as well as the Governor's recommended funding levels.

Fund	ALI	Title	FY 2004	FY 2005
Workers' Compensation Fund				
023	855-609	Safety and Hygiene	\$20,130,820	\$20,130,820
023	855-610	GEAR Program	\$4,000,000	\$4,000,000
Workers' Compensation Fund Subtotal			\$24,130,820	\$24,130,820
Federal Special Revenue Fund				
349	855-601	OSHA Enforcement	\$1,527,750	\$1,604,140
Federal Special Revenue Fund Subtotal			\$1,527,750	\$1,604,140
Total Funding: Accident Prevention			\$25,658,570	\$25,734,960

This analysis focuses on the following specific programs within the Accident Prevention program series:

- **Safety and Hygiene**
- **Safety Grants**
- **OSHA Enforcement**

Safety and Hygiene

Program Description: The Division of Safety and Hygiene provides employers with a variety of programs geared toward improving workplace safety, preventing accidents, and reducing workers' compensation costs. A portion of employer premiums pays for these safety and health services, which are available to employers at no additional fee. Services offered by the Division include on-site consultants, a training center, library services, and the annual Ohio Safety Congress and Expo. Examples of the Division's work include: targeted visits to employers with poor safety records and those with penalty-ratings to assist and educate them in risk, claims, and safety strategies; efforts to promote the BWC's Drug Free Workplace program; continuation of the Safety Grants program; holding classes, seminars, and workshops specializing in occupational safety and health.

Funding Source: Safety and Hygiene assessments paid by State Insurance Fund employers together with their overall premium payments

Line Items: 855-609, Safety and Hygiene Operating

Implication of Executive Recommendation: The BWC request for Safety and Hygiene is fully funded. The program funds 180 employees who investigate and help prevent industrial accidents and disease.

Temporary and Permanent Law Provisions: Section 4121.48 of the Revised Code establishes the Long-Term Care Loan Fund Program, which will provide no-interest loans to nursing homes for the purchase of "no-lift" equipment that will be used to move patients without requiring nursing home employees to lift

the patients manually. Moneys in the loan fund will be transferred from the Safety and Hygiene Fund at the request of the Administrator.

Safety Grants

Program Description: Under the Safety Grants program, the Safety and Hygiene Division provides grants to Ohio employers for the research and prevention of cumulative trauma disorders (CTDs) and to defray the cost of educational training and materials for instituting BWC's Drug-Free Workplace Program (or a comparable program).

Funding Source: Transfers from the State Insurance Fund

Line Items: 855-610, Safety Grants Program

Implication of Executive Recommendation: The BWC request for Safety Grants is fully funded. The program provides \$4 million per year for the GEAR program, which provides grants to help businesses implement safety programs.

OSHA Enforcement

Program Description: The federal funds will be used to administer OSHA's on-site consultation program, which is being transferred to the BWC from the Department of Commerce. The program assists smaller, private employers in providing employees with safe and healthy work environments by conducting free safety and health consultations.

Funding Source: OSHA grant moneys and Safety and Hygiene operating dollars (assessments paid by State Insurance Fund employers together with their overall premium payments)

Line Items: 855-601, OSHA Enforcement; 855-609, Safety and Hygiene Operating

Implication of Executive Recommendation: The BWC request for OSHA Enforcement is fully funded. The program funds 14 employees (transferred from the Department of Commerce) who provide on-site consultation to small, private employers with respect to safe and healthy work environments.

Temporary and Permanent Law Provisions: In conjunction with the Public Employee Risk Reduction Program, OSHA's on-site consultation program is being transferred to the BWC from the Department of Commerce. Temporary law provisions allow for the transfer of Fund 349, OSHA Enforcement, from the Department to the Bureau; provide for a portion of appropriation item 855-609, Safety and Hygiene to be used to match federal dollars for OSHA's on-site consultation program; and provide for the transfer of the Division of Labor and Worker Safety from the Department of Commerce to the BWC.

Program Series 5

Special Benefits Funds

Purpose: The Special Benefits Funds program series consists of three separate funds, all of which are devoted to providing cost-of-living adjustments or supplemental benefits to certain injured workers.

The following table shows the line items that are used to fund the Special Benefits Funds program series, as well as the Governor’s recommended funding levels.

Fund	ALI	Title	FY 2006	FY 2007
Workers' Compensation Fund				
822	855-606	Coal Workers' Fund	\$91,894	\$91,894
823	855-608	Marine Industry Fund	\$53,952	\$53,952
825	855-605	Disabled Workers' Relief Fund	\$693,764	\$693,764
Workers' Compensation Fund Subtotal			\$839,610	\$839,610
Total Funding: Special Benefits Funds			\$839,610	\$839,610

This analysis focuses on the following specific programs within the Special Benefits Funds program series:

- **Coal Workers' Fund**
- **Marine Industry Fund**
- **Disabled Workers' Relief Fund**

Coal Workers' Fund

Program Description: The Coal Workers' Pneumoconiosis Fund was established to provide benefits for injured workers who are entitled to receive benefits under the federal Coal Mine Health and Safety Act of 1969. The fund is maintained through premiums and other payments of employers who elect to participate in the fund to insure payment of benefits required by this act.

Funding Source: An additional premium charge attached to State Insurance Fund premiums owed by coal operators

Line Items: 855-606, Coal Workers' Fund

Marine Industry Fund

Program Description: This fund was established to provide benefits for injured workers who are entitled to receive benefits under the federal Longshoremen’s and Harbor Workers’ Act, as amended in 1972. The fund is maintained through premiums and other payments of marine industry employers who apply to the BWC for permission to subscribe to the fund to insure the payment of benefits required by the federal act.

Funding Source: An additional premium charge attached to State Insurance Fund premiums owed by marine industry employers

Line Items: 855-608, Marine Industry Fund

Disabled Workers' Relief Fund

Program Description: The fund provides supplemental cost-of-living benefits to injured workers receiving Permanent Total Disability (PTD) benefits who receive less than a prescribed amount in monthly compensation.

Funding Source: An additional charge of \$0.10 per \$100 of payroll and 0.1% of State Insurance Fund employer premiums

Line Items: 855-605, Disabled Workers' Relief Fund

Implication of Executive Recommendation: The BWC request for each Special Benefits fund is fully funded. The programs fund 9 employees, who provide benefits to more than 27,000 permanently and totally disabled persons annually.

Program Series 6

Customer Relations

Purpose: The Customer Relations program series addresses the needs and concerns of Ohio's employers, injured workers, and other interested parties. This is accomplished by resolving customer concerns, providing clear, accurate, and timely information, and assisting injured workers and employers in matters dealing with BWC and the Industrial Commission.

The following table shows the line items that are used to fund the Customer Relations program series, as well as the Governor's recommended funding levels.

Fund	ALI	Title	FY 2006	FY 2007
Workers' Compensation Fund				
023	855-407	Claims, Risk, and Medical Management	\$8,950,641*	\$8,741,188*
Workers' Compensation Fund Subtotal			\$8,950,641	\$8,741,188
Total Funding: Customer Relations			\$8,950,641	\$8,741,188

* Amount does not reflect total funding because line item is used to fund Programs in other Program Series.

This analysis focuses on the following specific programs within the Customer Relations program series:

- **Customer Contact Center**
- **Corporate Affairs, Government, and Media Relations**
- **Ombudsperson**

Customer Contact Center

Program Description: This program handles customer (employer, injured worker, provider, MCO) contacts via phone, e-mail, walk-in, and written correspondence, and provides forms and benefit option information regarding BWC processes, law, policies, and procedures. This department also assists new employers in obtaining BWC coverage, issuing certificates of coverage, and helping established employers with policy account information.

Funding Source: Administrative assessments paid by State Insurance Fund employers together with their overall premium payments

Line Items: 855-407, Claims, Risk, and Medical Management

Implication of Executive Recommendation: The BWC request for Customer Contact Center is fully funded. The program funds 76 employees who handle information inquiries from the public.

Corporate Affairs, Government, and Media Relations

Program Description: Through research, planning, implementation, and evaluation, this program ensures that internal and external customers receive appropriate, timely, and accurate information about Bureau programs, services, initiatives, and progress. The program also supports special events such as the Workers' Comp University, Public Employer Summits, MCO Summits, Open Enrollment, and Governor's Excellence Awards.

Funding Source: Administrative assessments paid by State Insurance Fund employers together with their overall premium payments

Line Items: 855-407, Claims, Risk, and Medical Management

Implication of Executive Recommendation: The BWC request for Corporate Affairs, Government, and Media Relations is fully funded. The program funds 33 employees who administer special events and provide information about Bureau programs, services, initiatives, and progress.

Ombudsperson

Program Description: The function of the Ombudsperson is to assist injured workers and employers in matters dealing with the BWC and the Industrial Commission. This Ombudsperson Office answers inquiries and investigates complaints made by employers or injured workers as they relate to the processing of a claim for workers' compensation benefits. The Chief Ombudsperson must annually assemble a report on the activities of the Office, along with recommendations for change or improvement in the operation of the workers' compensation system.

Funding Source: Administrative assessments paid by State Insurance Fund employers together with their overall premium payments

Line Items: 855-407, Claims, Risk, and Medical Management

Implication of Executive Recommendation: The BWC request for Ombudsperson is fully funded. The program funds seven employees who handle more than 7,000 general inquiries and process over 2,400 complaints.

Program Series 7

Program Management

Purpose: Within the Program Management program series, a continued effort is in place to ensure internal support functions are efficient and cost-effective. Ongoing evaluation of department activities, via quality team analysis, internal functional analysis, and budgetary review, occurs throughout the biennium.

The following table shows the line items that are used to fund the Program Management program series, as well as the Governor’s recommended funding levels.

Fund	ALI	Title	FY 2006	FY 2007
Workers' Compensation Fund				
023	855-401	William Green Lease Payments	\$19,736,600	\$20,125,900
023	855-409	Administrative Services	\$118,652,571*	\$118,640,692*
023	855-410	Attorney General Payments	\$4,314,644	\$4,314,644
Workers' Compensation Fund Subtotal			\$142,703,815	\$143,081,236
Total Funding: Program Management			\$142,703,815	\$143,081,236

* Amount does not reflect total funding because line item is used to fund Programs in other Program Series.

This analysis focuses on the following specific program within the Program Management program series:

■ **Program Management**

Program Management

Program Description: Under Program Management exist a number of operational programs, including:

- **Finance:** The Finance Department provides investment management, general accounting, actuarial, and internal risk management services for the BWC. The long-term goal with respect to the State Insurance Fund is to generate investment returns that meet or exceed BWC’s actuarial investment return assumption over appropriate periods of time. The Actuarial Department is responsible for calculating and promulgating premium rates for all employer groups and for all funds for all rating plans, as well as calculating fund reserves for the State Insurance Fund and other related funds.
- **Human Resources:** Human Resources provides leadership and guidance to BWC management and staff in areas of Equal Employment Opportunity, Employee/Labor Relations, Payroll/Benefits and Personnel, and Quality Services.
- **Legal:** The Legal Division provides advice and assistance to BWC management regarding matters related to claims procedures, policies, appeals lodged on behalf of the State Insurance Fund, bankruptcy and foreclosure matters, and other issues.
- **Internal Audit:** The Internal Audit Department is responsible for monitoring and evaluating the internal control structure of BWC. The Department provides independent assessments of the efficiency of departmental operations, the accuracy of financial and managerial reports, and the level of compliance with internal policies and procedures.
- **Information Technology:** The Information Technology Division is responsible for all computer equipment and software in use at BWC. This includes mainframe computers, workstations,

printers, various peripheral equipment, a statewide communications network, and software both developed by BWC and purchased through outside vendors.

Funding Source: Administrative assessments paid by State Insurance Fund employers together with their overall premium payments

Line Items: 855-401, William Green Lease Payments; 855-409, Administrative Services; 855-410, Attorney General Payments

Implication of Executive Recommendation: The BWC request for Program Management is fully funded. The program funds 558 employees who provide administrative support for the BWC's programs.

REQUESTS NOT FUNDED

The Executive Budget recommendation fully funds all programs and program series contained in the BWC FY 2006-2007 budget request. Total recommended appropriations are \$321,561,811 in FY 2006 and \$322,027,501 in FY 2007.

Federal Special Revenue Fund Group

349 855-601 OSHA Enforcement

2002	2003	2004	2005 Estimate	2006 Executive Proposal	2007 Executive Proposal
\$0	\$0	\$0	\$0	\$1,527,750	\$1,604,140
	N/A	N/A	N/A	N/A	5.0%

Source: FED: Occupational Safety and Health Administration; CFDA 17.504, OSHA Consultation Agreements

Legal Basis: Proposed in the Bureau of Workers' Compensation Appropriations Bill of the 126th G.A.

Purpose: These funds are used to support OSHA's on-site consultation program, which provides small, private employers with services relating to work place safety and health. Services are provided to those employers with fewer than 250 employees at fixed sites and no more than 500 corporate-wide. Employers can find out about potential hazards at their workplaces, improve their safety and health management systems, and may qualify for an exemption from routine OSHA inspections.

Workers' Compensation Fund Group

023 855-401 William Green Lease Payments to OBA

2002	2003	2004	2005 Estimate	2006 Executive Proposal	2007 Executive Proposal
\$16,974,631	\$17,882,537	\$6,160,704	\$19,239,613	\$19,736,600	\$20,125,900
	5.3%	-65.5%	212.3%	2.6%	2.0%

Source: WCF: Assessments paid by employers and deposited to the Administrative Cost Fund

Legal Basis: ORC 4123.443; Section 3 of Sub. H.B. 91 of the 125th G.A. (originally established by Sub. S.B. 218 of the 119th G.A.)

Purpose: This line item is used to pay debt service on bonds the Ohio Building Authority issued to purchase the William Green Building for the BWC. Appropriations are also used to make lease payments to the Ohio Building Authority.

023 855-407 Claims, Risk & Medical Management

2002	2003	2004	2005 Estimate	2006 Executive Proposal	2007 Executive Proposal
\$130,722,888	\$127,877,043	\$128,601,926	\$140,052,037	\$140,052,037	\$140,052,037
	-2.2%	0.6%	8.9%	0.0%	0.0%

Source: WCF: Assessments paid by employers and deposited to the Administrative Cost Fund

Legal Basis: Section 3 of Sub. H.B. 91 of the 125th G.A. (originally established by Am. Sub. H.B. 363 of the 122nd G.A.)

Purpose: The line item funds personnel, maintenance, and equipment costs associated with the BWC's claims, risk, and medical management programs. Programs under the Injury Management, Employer Management, and Customer Service program series are included within this line item.

023 855-408 Fraud Prevention

2002	2003	2004	2005 Estimate	2006 Executive Proposal	2007 Executive Proposal
\$10,035,424	\$10,207,333	\$10,095,250	\$11,713,797	\$11,713,797	\$11,713,797
	1.7%	-1.1%	16.0%	0.0%	0.0%

Source: WCF: Assessments paid by employers and deposited to the Administrative Cost Fund

Legal Basis: Section 3 of Sub. H.B. 91 of the 125th G.A. (originally established by Am. Sub. H.B. 363 of the 122nd G.A.)

Purpose: This line item funds personnel, maintenance, and equipment costs associated with the BWC's Fraud Investigation program series. Fraud investigation is geared toward detecting and preventing fraudulent claims on the part of employees (claimants), employers, and health care providers.

023 855-409 Administrative Services

2002	2003	2004	2005 Estimate	2006 Executive Proposal	2007 Executive Proposal
\$104,630,149	\$114,590,969	\$107,523,483	\$119,246,552	\$119,246,553	\$119,246,553
	9.5%	-6.2%	10.9%	0.0%	0.0%

Source: WCF: Assessments paid by employers and deposited to the Administrative Cost Fund

Legal Basis: Section 3 of Sub. H.B. 91 of the 125th G.A. (originally established by Am. Sub. H.B. 363 of the 122nd G.A.)

Purpose: This line item funds personnel, maintenance, and equipment costs associated with the BWC's Safety Violations Investigations Unit and its Program Management program series. Program Management includes Finance, Human Resources, Legal, Internal Audit, and Information Technology.

023 855-410 Attorney General Payments

2002	2003	2004	2005 Estimate	2006 Executive Proposal	2007 Executive Proposal
\$3,874,918	\$4,064,865	\$3,872,666	\$4,314,644	\$4,314,644	\$4,314,644
	4.9%	-4.7%	11.4%	0.0%	0.0%

Source: WCF: Assessments paid by employers and deposited to the Administrative Cost Fund

Legal Basis: Section 3 of Sub. H.B. 91 of the 125th G.A. (originally established by Am. Sub. H.B. 363 of the 122nd G.A.)

Purpose: This line item funds 50% of the costs related to the legal services of the Attorney General's Workers' Compensation Unit, which includes expenses related to workers' compensation fraud investigation. The Ohio Industrial Commission pays the remaining portion. Both agencies make alternating quarterly payments during the fiscal year.

4Y6 855-612 J.L. Camera Center Operating

2002	2003	2004	2005 Estimate	2006 Executive Proposal	2007 Executive Proposal
\$342,798	\$0	\$0	\$0	\$0	\$0
	-100.0%	N/A	N/A	N/A	N/A

Source: WCF: Transfers from the State Insurance Fund; then fees charged for medical and rehabilitation services provided by doctors at the Center

Legal Basis: Discontinued line item (originally established in ORC 4123.443 and 4121.62)

Purpose: This line item contained funds for the operation of the J. L. Camera Rehabilitation Center in Columbus. Moneys in the line item were generated by fees charged for services provided by the Center. The BWC began charging fees in FY 1995. Prior to that, appropriations were made from the State Insurance Fund. In FY 1996, spending authority for the line item was transferred to Fund 4Y6. The Camera Center closed in FY 2002.

822 855-606 Coal Workers' Fund

2002	2003	2004	2005 Estimate	2006 Executive Proposal	2007 Executive Proposal
\$38,260	\$66,463	\$81,251	\$91,894	\$91,894	\$91,894
	73.7%	22.2%	13.1%	0.0%	0.0%

Source: WCF: Additional premium charges attached to State Insurance Fund premiums owed by coal mine operators

Legal Basis: ORC 4131.03; Section 3 of Sub. H.B. 91 of the 125th G.A.

Purpose: This line item funds the administrative costs of the Coal Workers' Pneumoconiosis Fund, which is in the custody of the Treasurer of State. The fund provides benefits as directed by the Federal Coal Mine Health and Safety Act of 1969.

823 855-608 Marine Industry

2002	2003	2004	2005 Estimate	2006 Executive Proposal	2007 Executive Proposal
\$49,089	\$51,092	\$51,456	\$53,952	\$53,952	\$53,952
	4.1%	0.7%	4.9%	0.0%	0.0%

Source: WCF: Additional premium charges attached to State Insurance Fund premiums owed by marine industry employers

Legal Basis: ORC 4131.13; Section 3 of Sub. H.B. 91 of the 125th G.A.

Purpose: This line item funds the administrative costs of the Marine Industry Fund, which is in the custody of the Treasurer of State. The fund provides benefits as prescribed by the Longshoremen's and Harbor Workers' Compensation Act, as amended in 1972.

825 855-605 Disabled Workers' Relief Fund

2002	2003	2004	2005 Estimate	2006 Executive Proposal	2007 Executive Proposal
\$691,649	\$660,012	\$547,459	\$693,764	\$693,764	\$693,764
	-4.6%	-17.1%	26.7%	0.0%	0.0%

Source: WCF: Assessments paid by employers and deposited to the Disabled Workers' Relief Fund

Legal Basis: ORC 4123.412; Section 3 of Sub. H.B. 91 of the 125th G.A.

Purpose: This line item is used to pay payroll and operating expenses of the Disabled Workers' Relief Fund (DWRF), as well as costs related to providing benefits from the fund. The fund is in the custody of the Treasurer of State. DWRF assessments are calculated at \$0.10 per \$100 of payroll and 0.01% of the basic premium rate. DWRF benefits are cost-of-living adjustments granted to permanently and totally disabled workers.

826 855-609 Safety & Hygiene Operating

2002	2003	2004	2005 Estimate	2006 Executive Proposal	2007 Executive Proposal
\$17,593,089	\$17,187,493	\$17,600,253	\$20,130,820	\$20,130,820	\$20,130,820
	-2.3%	2.4%	14.4%	0.0%	0.0%

Source: WCF: Safety and Hygiene Fund assessments charged to employers; transfers of moneys from the State Insurance Fund when necessary

Legal Basis: ORC 4121.37

Purpose: This line item provides all operating funds for the Division of Safety and Hygiene. The Safety and Hygiene Fund assessment, which is charged in addition to employers' premium assessments, was once statutorily limited to an additional 0.5% of total premiums for private employers and 0.75% of total premiums for state and local government employers. Am. Sub. H.B. 180 of the 123rd G.A increased the private employer assessment rate to 1% of paid premiums.

826 855-610 Safety Grants Program

2002	2003	2004	2005 Estimate	2006 Executive Proposal	2007 Executive Proposal
\$4,385,870	\$3,042,378	\$3,463,855	\$4,000,000	\$4,000,000	\$4,000,000
	-30.6%	13.9%	15.5%	0.0%	0.0%

Source: WCF: Transfers from the State Insurance Fund

Legal Basis: As needed line item (originally established by Am. Sub. H.B. 107 of the 120th G.A.)

Purpose: Under the Safety Grants program, the Division of Safety and Hygiene provides grants to Ohio employers for the research and prevention of cumulative trauma disorders and to defray the cost of educational training and materials for instituting the BWC's Drug-Free Workplace Program.

Bureau of Workers' Compensation - Catalog of Budget Line Items

R46 855-602 Camera Center Services

2002	2003	2004	2005 Estimate	2006 Executive Proposal	2007 Executive Proposal
\$11,543	\$0	\$0	\$0	\$0	\$0
	-100.0%	N/A	N/A	N/A	N/A

Source: WCF: Account management service fees paid by health care providers contracted by BWC

Legal Basis: Discontinued line item (originally established by Controlling Board in FY 1997)

Purpose: The BWC provided billing and collection services for health care providers with whom the Bureau contracted and who were based at the J.L. Camera Rehabilitation Center. In exchange, the Center collected a service fee from each of these providers and deposited the revenue to this fund. The fund was established through Controlling Board approval every fiscal year. The Rehabilitation Center closed in FY 2002.

LSC Budget Spreadsheet by Line Item, FY 2006 - FY 2007

<i>Fund</i>	<i>ALI</i>	<i>ALI Title</i>	<i>2004</i>	<i>Estimated 2005</i>	<i>Executive 2006</i>	<i>% Change 2005 to 2006</i>	<i>Executive 2007</i>	<i>% Change 2006 to 2007</i>
<i>BWC Bureau of Workers' Compensation</i>								
349	855-601	OSHA Enforcement	---	\$0	\$ 1,527,750	N/A	\$ 1,604,140	5.0%
Federal Special Revenue Fund Group Total			---	\$ 0	\$ 1,527,750	N/A	\$ 1,604,140	5.0%
023	855-401	William Green Lease Payments to OBA	\$ 6,160,704	\$19,239,613	\$ 19,736,600	2.6%	\$ 20,125,900	2.0%
023	855-407	Claims, Risk & Medical Management	\$ 128,601,926	\$140,052,037	\$ 140,052,037	0.0%	\$ 140,052,037	0.0%
023	855-408	Fraud Prevention	\$ 10,095,250	\$11,713,797	\$ 11,713,797	0.0%	\$ 11,713,797	0.0%
023	855-409	Administrative Services	\$ 107,523,483	\$119,246,552	\$ 119,246,553	0.0%	\$ 119,246,553	0.0%
023	855-410	Attorney General Payments	\$ 3,872,666	\$4,314,644	\$ 4,314,644	0.0%	\$ 4,314,644	0.0%
822	855-606	Coal Workers' Fund	\$ 81,251	\$91,894	\$ 91,894	0.0%	\$ 91,894	0.0%
823	855-608	Marine Industry	\$ 51,456	\$53,952	\$ 53,952	0.0%	\$ 53,952	0.0%
825	855-605	Disabled Workers' Relief Fund	\$ 547,459	\$693,764	\$ 693,764	0.0%	\$ 693,764	0.0%
826	855-609	Safety & Hygiene Operating	\$ 17,600,253	\$20,130,820	\$ 20,130,820	0.0%	\$ 20,130,820	0.0%
826	855-610	Safety Grants Program	\$ 3,463,855	\$4,000,000	\$ 4,000,000	0.0%	\$ 4,000,000	0.0%
Workers' Compensation Fund Group Total			\$ 277,998,303	\$ 319,537,073	\$ 320,034,061	0.2%	\$ 320,423,361	0.1%
Total All Budget Fund Groups			\$ 277,998,303	\$ 319,537,073	\$ 321,561,811	0.6%	\$ 322,027,501	0.1%

Ohio Industrial Commission

Senate Insurance, Commerce, and Labor Committee

*Kerry Sullivan, Budget Analyst
Legislative Service Commission*

March 1, 2005

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LSC Redbook

for the

Ohio Industrial Commission

Senate Insurance, Commerce, and Labor Committee

Kerry Sullivan, Budget Analyst
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March 1, 2005

Ohio Industrial Commission

- The agency's budget request is fully funded under the Executive recommendation
- Technological advances at the Industrial Commission are making the hearing process more efficient and allowing greater access to online services

OVERVIEW

The Ohio Industrial Commission (OIC) hears worker and employer appeals of workers' compensation claims decisions made by the Bureau of Workers' Compensation (BWC). Disputed claims typically involve conflicts over medical decisions or lost time benefits. Ohio Industrial Commission operations, as well as those of the BWC, are funded through an Administrative Cost Fund (ACF) assessment that is added to employer workers' compensation premiums. Neither the OIC nor the BWC receives general revenue funds.

The Governor appoints the three commissioners who lead the Industrial Commission. Each commissioner must have at least six years experience in workers' compensation and at least one member must be licensed to practice law in Ohio. By reason of previous vocation, employment, or affiliation, one member must represent employees, one must represent employers, and one must represent the public. Each commissioner serves a six-year term.

The executive funding recommendation for the upcoming biennium is \$59,999,383 in each of FYs 2006 and 2007.

Summary of FYs 2006-2007 Budget Issues

Technology at the Ohio Industrial Commission

During the current biennium, the OIC implemented several technological enhancements in order to provide customers with better service and more online options. The Commission's enhanced website was launched in 2001. A feature of the website, called ICON (Industrial Commission Online Network), allows customers to file most appeals online, track the progress of their claims, and view their specific claims information. Currently, an average of more than 1,900 online appeals and motions are filed every week through ICON. This represents an increase of approximately 70% above the number of claims filed online two years ago, and the OIC expects the use of this feature to continue to increase.

In addition, the OIC and the BWC continue to work together to ensure seamless processing of workers' compensation claims. Since July 2001, the OIC and the BWC have been sending and receiving imaged documents electronically and have been working to expand the number of forms and data that can be transferred in this way. As a result, approximately 84% of the OIC's workload is now being received electronically.

In another area of technological development, the OIC has continued to phase in its Enterprise Content Management (ECM) system. The ultimate goal of the ECM system is to make electronic hearings possible. Full implementation of the system will allow customers to fax documents directly into the new system, permit multiple customers to access documents simultaneously, and permit customers to electronically identify documents for the electronic hearing folder. In addition to these benefits, the new system is expected to result in decreased travel expenses to review files at separate locations, lower paper and related printing costs, and better file integrity.

Telecommunications and Computer Services Contracts

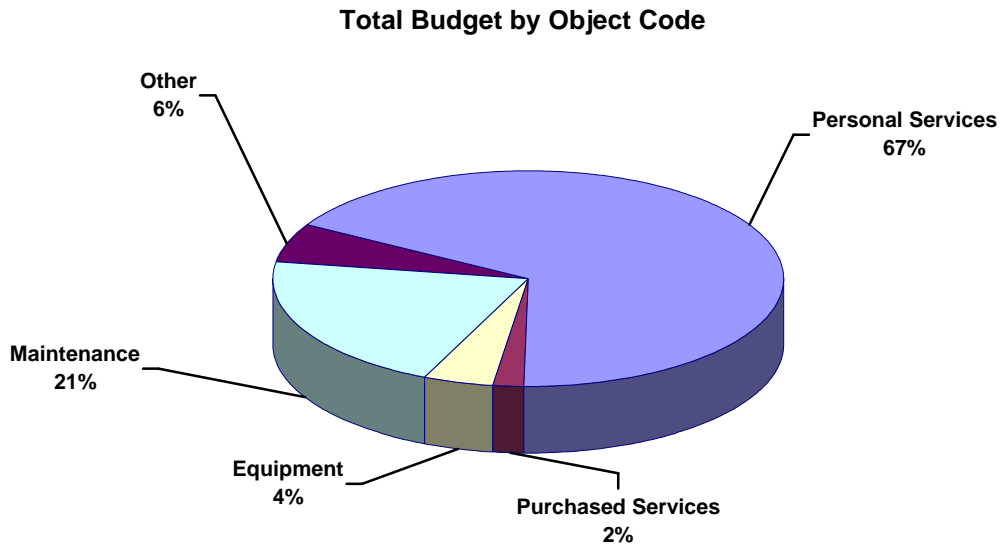
Under section 125.021 of the Revised Code, the Department of Administrative Services is precluded from operating, superintending, or making contracts on behalf of the Industrial Commission for telephone, other telecommunication, or computer services. The Industrial Commission is therefore permitted discretion with respect to contracting for these services itself, or opting to have the Department of Administrative Services contract on its behalf. Other agencies that have this authority under existing law are the military department, the General Assembly, the Bureau of Workers' Compensation, and institutions administered by boards of trustees.

Staffing Levels

The following chart illustrates the OIC’s total staffing levels between FY 2002 and FY 2007, with the numbers for FY 2006 and FY 2007 being estimates.

Industrial Commission Staffing Levels						
Program	2002	2003	2004	2005	Estimated	
					2006	2007
Adjudication of Workers' Compensation Claims	545	537	554	554	554	554

Source: Ohio Industrial Commission



ANALYSIS OF EXECUTIVE PROPOSAL

Program Series 1

Adjudication of Workers' Compensation Claims

Purpose: The purpose of the OIC's adjudication process is to provide fair and impartial resolutions to disputes in workers' compensation claims through an easily accessible hearing process that is completed within specified time frames, established by the legislature.

The following table shows the line items that are used to fund the Adjudication of Workers' Compensation Claims program series, as well as the Governor's recommended funding levels.

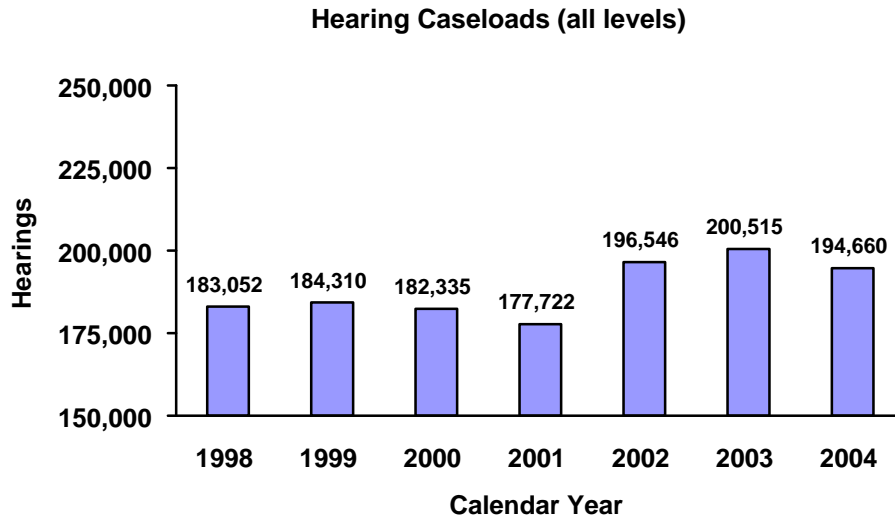
Fund	ALI	Title	FY 2006	FY 2007
Workers' Compensation Fund				
5W3	845-321	Operating Expenses	\$50,270,800	\$50,270,800
5W3	845-402	Rent – William Green Building	\$6,116,466	\$6,116,466
5W3	845-410	Attorney General Payments	\$3,454,984	\$3,454,984
821	845-605	Services Account	\$157,133	\$157,133
Workers' Compensation Fund Subtotal			\$59,999,383	\$59,999,383
Total Funding: Adjudication of Workers' Compensation Claims			\$59,999,383	\$59,999,383

Adjudication of Workers' Compensation Claims

Program Description: The Commission's proceedings are quasi-judicial in nature and provide an opportunity for all parties to be heard before a decision is made. The hearing process begins when the Commission assumes jurisdiction of an issue after an appeal of a BWC order. The hearing process consists of three levels of adjudication. Claimants or employers make first-level appeals before District Hearing Officers. Second-level appeals are conducted by Staff Hearing Officers. District and staff-level hearings take place at Commission offices located throughout the state, and must occur within 45 days of a claimant or employer filing an appeal. Third-level appeals are held in Columbus with the three-member panel of commissioners. A Commission level hearing is conducted on a discretionary basis. Typically, commissioners hear unresolved cases that deal with an issue of policy or special circumstance that they believe warrants further consideration. If an injured worker or employer disagrees with the Commission's decision, the issue can be further adjudicated in the court system.

Hearing Caseloads

The following chart provides information relative to the total number of cases (at all hearing levels) heard annually by the Industrial Commission from 1998 to 2004. The Commission is required to hear claims and issue orders at the District level within 52 days (45 days to hear the claim, and 7 days to issue the order). If a decision is appealed, the OIC has another 52 days to conduct a second-level hearing and issue an order. In 2003, the OIC met this requirement 83% of the time at the District Hearing level, and 93% of the time at the Staff Hearing level. In 2004, the agency met the requirement 84% of the time at the District Hearing level and 94% of the time at the Staff Hearing level.



Funding Source: Line items within Fund 5W3 are supported by administrative assessments paid by State Insurance Fund employers together with their overall premium payments. Fund 821 is supported by conference income, income received from coin copiers, and the sale of publications.

Line Items: 845-321, Operating Expenses; 845-402, Rent – William Green Building; 845-410, Attorney General Payments; 845-605, Service Account

Implication of Executive Recommendation: The OIC request for Adjudication of Workers' Compensation Claims is fully funded. The program funds 554 employees whose goal is to provide fair and impartial resolutions to disputes in workers' compensation claims.

REQUESTS NOT FUNDED

The executive budget recommendation fully funds the OIC budget request for FYs 2006-2007 budget request. Total recommended appropriations are \$59,999,383 in each of FYs 2006 and 2007.

Workers' Compensation Fund Group

5W3 845-321 Operating Expenses

2002	2003	2004	2005 Estimate	2006 House Passed	2007 House Passed
\$42,589,470	\$42,783,719	\$43,593,839	\$50,370,800	\$50,270,800	\$50,270,800
	0.5%	1.9%	15.5%	-0.2%	0.0%

Source: WCF: Assessments paid by employers and transferred to the Industrial Commission Operating Fund

Legal Basis: ORC 4121.021 and 4123.342 (originally established by Sub. H.B. 91 of the 125th G.A.)

Purpose: Funds in this line item support the operating expenses of the Industrial Commission. The Commission hears worker and employer appeals of workers' compensation claims decisions made by the Bureau of Workers' Compensation (BWC). Prior to FY 2004, the Industrial Commission and the BWC received funding through one assessment added to employer workers' compensation premiums and deposited to the Administrative Cost Fund. Assessment revenue was shared proportionately between the Commission and BWC. Sub. H.B. 91 of the 125th G.A. created the Industrial Commission Operating Fund (Fund 5W3) and specified that moneys in the fund were to be used for costs that are solely attributable to the activities of the Commission.

5W3 845-402 Rent-William Green Building

2002	2003	2004	2005 Estimate	2006 House Passed	2007 House Passed
\$4,858,461	\$5,058,583	\$2,910,423	\$6,016,466	\$6,116,466	\$6,116,466
	4.1%	-42.5%	106.7%	1.7%	0.0%

Source: WCF: Assessments paid by employers and transferred to the Industrial Commission Operating Fund

Legal Basis: ORC 4123.443; Section 1 of Am. H.B. 92 of the 125th G.A.

Purpose: This account is used to pay rent and miscellaneous maintenance costs for the Commission's offices, located in the William Green Building.

5W3 845-410 Attorney General Payments

2002	2003	2004	2005 Estimate	2006 House Passed	2007 House Passed
\$3,264,855	\$3,152,382	\$3,454,984	\$3,454,984	\$3,454,984	\$3,454,984
	-3.4%	9.6%	0.0%	0.0%	0.0%

Source: WCF: Assessments paid by employers and transferred to the Industrial Commission Operating Fund

Legal Basis: ORC 4123.92; Section 1 of Am. H.B. 92 of the 125th G.A.

Purpose: This line item funds 50% of the costs related to legal services provided by the Attorney General's Workers' Compensation Unit. The Bureau of Workers' Compensation pays the remaining portion. Both agencies make alternating quarterly payments during the fiscal year.

Ohio Industrial Commission - Catalog of Budget Line Items

821 845-605 Service Account

2002	2003	2004	2005 Estimate	2006 House Passed	2007 House Passed
\$4,833	\$105,140	\$127,367	\$157,133	\$157,133	\$157,133
	2075.5%	21.1%	23.4%	0.0%	0.0%

Source: WCF: Revenues from sources such as coin copiers, pay telephones, publications, and income from conferences

Legal Basis: ORC 4121.03; Section 1 of Am. H.B. 92 of the 125th G.A.

Purpose: This line item pays for expenses related to photocopiers, replacement of office equipment and furniture, and conferences sponsored by the Commission.

LSC Budget Spreadsheet by Line Item, FY 2006 - FY 2007

<i>Fund</i>	<i>ALI</i>	<i>ALI Title</i>	<i>Estimated 2005</i>	<i>As Introduced 2006</i>	<i>House Bill 2006</i>	<i>% Change Est. 2005 to House 2006</i>	<i>As Introduced 2007</i>	<i>House Bill 2007</i>	<i>% Change House 2006 to House 2007</i>
<i>OIC Ohio Industrial Commission</i>									
5W3	845-321	Operating Expenses	\$50,370,800	\$ 50,270,800	\$ 50,270,800	-0.2%	\$ 50,270,800	\$ 50,270,800	0.0%
5W3	845-402	Rent-William Green Building	\$6,016,466	\$ 6,116,466	\$ 6,116,466	1.7%	\$ 6,116,466	\$ 6,116,466	0.0%
5W3	845-410	Attorney General Payments	\$3,454,984	\$ 3,454,984	\$ 3,454,984	0.0%	\$ 3,454,984	\$ 3,454,984	0.0%
821	845-605	Service Account	\$157,133	\$ 157,133	\$ 157,133	0.0%	\$ 157,133	\$ 157,133	0.0%
Workers' Compensation Fund Group Total			\$ 59,999,383	\$ 59,999,383	\$ 59,999,383	0.0%	\$ 59,999,383	\$ 59,999,383	0.0%
Total All Budget Fund Groups			\$ 59,999,383	\$ 59,999,383	\$ 59,999,383	0.0%	\$ 59,999,383	\$ 59,999,383	0.0%

Ohio Industrial Commission

House Finance Committee

*Kerry Sullivan, Budget Analyst
Legislative Service Commission*

February 15, 2005

*Additional copies are available on our website at www.lsc.state.oh.us
Click on 'Budget Documents' then 'Redbooks'*

LSC Redbook for the Ohio Industrial Commission

House Finance Committee

Kerry Sullivan, Budget Analyst

Legislative Service Commission

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February 15, 2005

Ohio Industrial Commission

- The agency's budget request is fully funded under the Executive recommendation
- Technological advances at the Industrial Commission are making the hearing process more efficient and allowing greater access to online services

OVERVIEW

The Ohio Industrial Commission (OIC) hears worker and employer appeals of workers' compensation claims decisions made by the Bureau of Workers' Compensation (BWC). Disputed claims typically involve conflicts over medical decisions or lost time benefits. Ohio Industrial Commission operations, as well as those of the BWC, are funded through an Administrative Cost Fund (ACF) assessment that is added to employer workers' compensation premiums. Neither the OIC nor the BWC receives general revenue funds.

The Governor appoints the three commissioners who lead the Industrial Commission. Each commissioner must have at least six years experience in workers' compensation and at least one member must be licensed to practice law in Ohio. By reason of previous vocation, employment, or affiliation, one member must represent employees, one must represent employers, and one must represent the public. Each commissioner serves a six-year term.

The executive funding recommendation for the upcoming biennium is \$59,999,383 in each of FYs 2006 and 2007.

Summary of FYs 2006-2007 Budget Issues

Technology at the Ohio Industrial Commission

During the current biennium, the OIC implemented several technological enhancements in order to provide customers with better service and more online options. The Commission's enhanced website was launched in 2001. A feature of the website, called ICON (Industrial Commission Online Network), allows customers to file most appeals online, track the progress of their claims, and view their specific claims information. Currently, an average of more than 1,900 online appeals and motions are filed every week through ICON. This represents an increase of approximately 70% above the number of claims filed online two years ago, and the OIC expects the use of this feature to continue to increase.

In addition, the OIC and the BWC continue to work together to ensure seamless processing of workers' compensation claims. Since July 2001, the OIC and the BWC have been sending and receiving imaged documents electronically and have been working to expand the number of forms and data that can be transferred in this way. As a result, approximately 84% of the OIC's workload is now being received electronically.

In another area of technological development, the OIC has continued to phase in its Enterprise Content Management (ECM) system. The ultimate goal of the ECM system is to make electronic hearings possible. Full implementation of the system will allow customers to fax documents directly into the new system, permit multiple customers to access documents simultaneously, and permit customers to electronically identify documents for the electronic hearing folder. In addition to these benefits, the new system is expected to result in decreased travel expenses to review files at separate locations, lower paper and related printing costs, and better file integrity.

Telecommunications and Computer Services Contracts

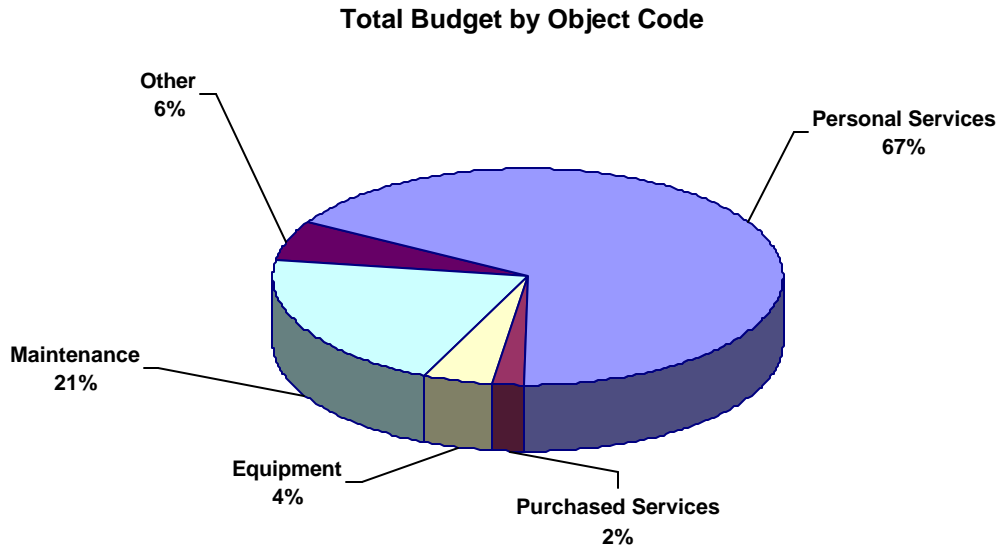
Under section 125.021 of the Revised Code, the Department of Administrative Services is precluded from operating, superintending, or making contracts on behalf of the Industrial Commission for telephone, other telecommunication, or computer services. The Industrial Commission is therefore permitted discretion with respect to contracting for these services itself, or opting to have the Department of Administrative Services contract on its behalf. Other agencies that have this authority under existing law are the military department, the General Assembly, the Bureau of Workers' Compensation, and institutions administered by boards of trustees.

Staffing Levels

The following chart illustrates the OIC’s total staffing levels between FY 2002 and FY 2007, with the numbers for FY 2006 and FY 2007 being estimates.

Industrial Commission Staffing Levels						
Program	2002	2003	2004	2005	Estimated	
					2006	2007
Adjudication of Workers' Compensation Claims	545	537	554	554	554	554

Source: Ohio Industrial Commission



ANALYSIS OF EXECUTIVE PROPOSAL

Program Series 1

Adjudication of Workers' Compensation Claims

Purpose: The purpose of the OIC's adjudication process is to provide fair and impartial resolutions to disputes in workers' compensation claims through an easily accessible hearing process that is completed within specified time frames, established by the legislature.

The following table shows the line items that are used to fund the Adjudication of Workers' Compensation Claims program series, as well as the Governor's recommended funding levels.

Fund	ALI	Title	FY 2006	FY 2007
Workers' Compensation Fund				
5W3	845-321	Operating Expenses	\$50,270,800	\$50,270,800
5W3	845-402	Rent – William Green Building	\$6,116,466	\$6,116,466
5W3	845-410	Attorney General Payments	\$3,454,984	\$3,454,984
821	845-605	Services Account	\$157,133	\$157,133
Workers' Compensation Fund Subtotal			\$59,999,383	\$59,999,383
Total Funding: Adjudication of Workers' Compensation Claims			\$59,999,383	\$59,999,383

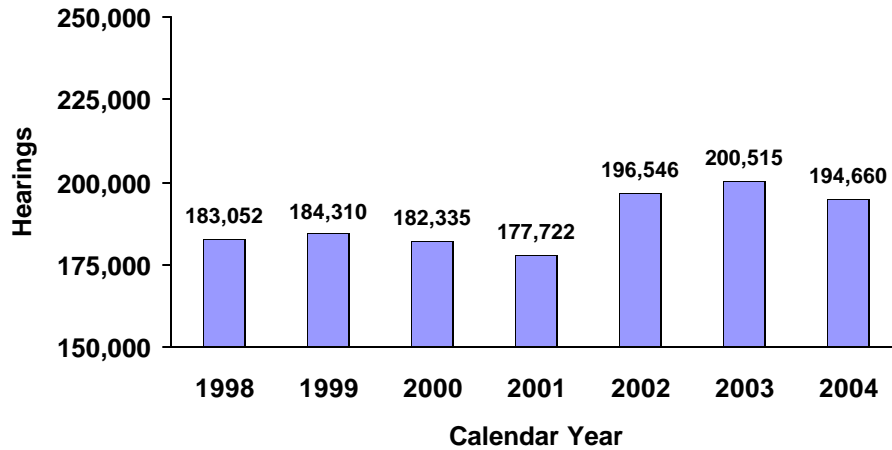
Adjudication of Workers' Compensation Claims

Program Description: The Commission's proceedings are quasi-judicial in nature and provide an opportunity for all parties to be heard before a decision is made. The hearing process begins when the Commission assumes jurisdiction of an issue after an appeal of a BWC order. The hearing process consists of three levels of adjudication. Claimants or employers make first-level appeals before District Hearing Officers. Second-level appeals are conducted by Staff Hearing Officers. District and staff-level hearings take place at Commission offices located throughout the state, and must occur within 45 days of a claimant or employer filing an appeal. Third-level appeals are held in Columbus with the three-member panel of commissioners. A Commission level hearing is conducted on a discretionary basis. Typically, commissioners hear unresolved cases that deal with an issue of policy or special circumstance that they believe warrants further consideration. If an injured worker or employer disagrees with the Commission's decision, the issue can be further adjudicated in the court system.

Hearing Caseloads

The following chart provides information relative to the total number of cases (at all hearing levels) heard annually by the Industrial Commission from 1998 to 2004. The Commission is required to hear claims and issue orders at the District level within 52 days (45 days to hear the claim, and 7 days to issue the order). If a decision is appealed, the OIC has another 52 days to conduct a second-level hearing and issue an order. In 2003, the OIC met this requirement 83% of the time at the District Hearing level, and 93% of the time at the Staff Hearing level. In 2004, the agency met the requirement 84% of the time at the District Hearing level and 94% of the time at the Staff Hearing level.

Hearing Caseloads (all levels)



Funding Source: Line items within Fund 5W3 are supported by administrative assessments paid by State Insurance Fund employers together with their overall premium payments. Fund 821 is supported by conference income, income received from coin copiers, and the sale of publications.

Line Items: 845-321, Operating Expenses; 845-402, Rent – William Green Building; 845-410, Attorney General Payments; 845-605, Service Account

Implication of Executive Recommendation: The OIC request for Adjudication of Workers' Compensation Claims is fully funded. The program funds 554 employees whose goal is to provide fair and impartial resolutions to disputes in workers' compensation claims.

REQUESTS NOT FUNDED

The executive budget recommendation fully funds the OIC budget request for FYs 2006-2007 budget request. Total recommended appropriations are \$59,999,383 in each of FYs 2006 and 2007.

Workers' Compensation Fund Group

5W3 845-321 Operating Expenses

2002	2003	2004	2005 Estimate	2006 Executive Proposal	2007 Executive Proposal
\$42,589,470	\$42,783,719	\$43,593,839	\$50,370,800	\$50,270,800	\$50,270,800
	0.5%	1.9%	15.5%	-0.2%	0.0%

Source: WCF: Assessments paid by employers and transferred to the Industrial Commission Operating Fund

Legal Basis: ORC 4121.021 and 4123.342 (originally established by Sub. H.B. 91 of the 125th G.A.)

Purpose: Funds in this line item support the operating expenses of the Industrial Commission. The Commission hears worker and employer appeals of workers' compensation claims decisions made by the Bureau of Workers' Compensation (BWC). Prior to FY 2004, the Industrial Commission and the BWC received funding through one assessment added to employer workers' compensation premiums and deposited to the Administrative Cost Fund. Assessment revenue was shared proportionately between the Commission and BWC. Sub. H.B. 91 of the 125th G.A. created the Industrial Commission Operating Fund (Fund 5W3) and specified that moneys in the fund were to be used for costs that are solely attributable to the activities of the Commission.

5W3 845-402 Rent-William Green Building

2002	2003	2004	2005 Estimate	2006 Executive Proposal	2007 Executive Proposal
\$4,858,461	\$5,058,583	\$2,910,423	\$6,016,466	\$6,116,466	\$6,116,466
	4.1%	-42.5%	106.7%	1.7%	0.0%

Source: WCF: Assessments paid by employers and transferred to the Industrial Commission Operating Fund

Legal Basis: ORC 4123.443; Section 1 of Am. H.B. 92 of the 125th G.A.

Purpose: This account is used to pay rent and miscellaneous maintenance costs for the Commission's offices, located in the William Green Building.

5W3 845-410 Attorney General Payments

2002	2003	2004	2005 Estimate	2006 Executive Proposal	2007 Executive Proposal
\$3,264,855	\$3,152,382	\$3,454,984	\$3,454,984	\$3,454,984	\$3,454,984
	-3.4%	9.6%	0.0%	0.0%	0.0%

Source: WCF: Assessments paid by employers and transferred to the Industrial Commission Operating Fund

Legal Basis: ORC 4123.92; Section 1 of Am. H.B. 92 of the 125th G.A.

Purpose: This line item funds 50% of the costs related to legal services provided by the Attorney General's Workers' Compensation Unit. The Bureau of Workers' Compensation pays the remaining portion. Both agencies make alternating quarterly payments during the fiscal year.

Ohio Industrial Commission - Catalog of Budget Line Items

821 845-605 Service Account

2002	2003	2004	2005 Estimate	2006 Executive Proposal	2007 Executive Proposal
\$4,833	\$105,140	\$127,367	\$157,133	\$157,133	\$157,133
	2075.5%	21.1%	23.4%	0.0%	0.0%

Source: WCF: Revenues from sources such as coin copiers, pay telephones, publications, and income from conferences

Legal Basis: ORC 4121.03; Section 1 of Am. H.B. 92 of the 125th G.A.

Purpose: This line item pays for expenses related to photocopiers, replacement of office equipment and furniture, and conferences sponsored by the Commission.

LSC Budget Spreadsheet by Line Item, FY 2006 - FY 2007

<i>Fund</i>	<i>ALI</i>	<i>ALI Title</i>	<i>2004</i>	<i>Estimated 2005</i>	<i>Executive 2006</i>	<i>% Change 2005 to 2006</i>	<i>Executive 2007</i>	<i>% Change 2006 to 2007</i>
<i>OIC Ohio Industrial Commission</i>								
5W3	845-321	Operating Expenses	\$ 43,593,839	\$50,370,800	\$ 50,270,800	-0.2%	\$ 50,270,800	0.0%
5W3	845-402	Rent-William Green Building	\$ 2,910,423	\$6,016,466	\$ 6,116,466	1.7%	\$ 6,116,466	0.0%
5W3	845-410	Attorney General Payments	\$ 3,454,984	\$3,454,984	\$ 3,454,984	0.0%	\$ 3,454,984	0.0%
821	845-605	Service Account	\$ 127,367	\$157,133	\$ 157,133	0.0%	\$ 157,133	0.0%
Workers' Compensation Fund Group Total			\$ 50,086,613	\$ 59,999,383	\$ 59,999,383	0.0%	\$ 59,999,383	0.0%
Total All Budget Fund Groups			\$ 50,086,613	\$ 59,999,383	\$ 59,999,383	0.0%	\$ 59,999,383	0.0%