

# Ohio Industrial Commission

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- The Industrial Commission budget for the FY 2008-2009 biennium is \$61,799,365 each fiscal year
- Technological advances at the Industrial Commission are making the hearing process more efficient and allowing greater access to online services

## OVERVIEW

### Duties and Responsibilities

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. OIC operations, as well as those of BWC, are funded through an Administrative Cost Fund (ACF) assessment that is added to employer workers' compensation premiums. Neither OIC nor 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.

### Agency in Brief

Agency In Brief					
Number of Employees*	Total Appropriations-All Funds		GRF Appropriations		Appropriation Bill(s)
	2008	2009	2008	2009	
485	\$61.80 million	\$61.80 million	\$0	\$0	Am. Sub. H.B. 100

\* Employee count obtained from the Department of Administrative Services (DAS) payroll reports as of June 2007. This total does not include "fixed term per diem" employees identified by DAS.

## ANALYSIS OF THE BUDGET

### Single Program Series

### Adjudication of Workers' Compensation Claims

**Purpose:** The purpose of 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 fund the agency as well as the funding levels enacted in Am. Sub. H.B. 100.

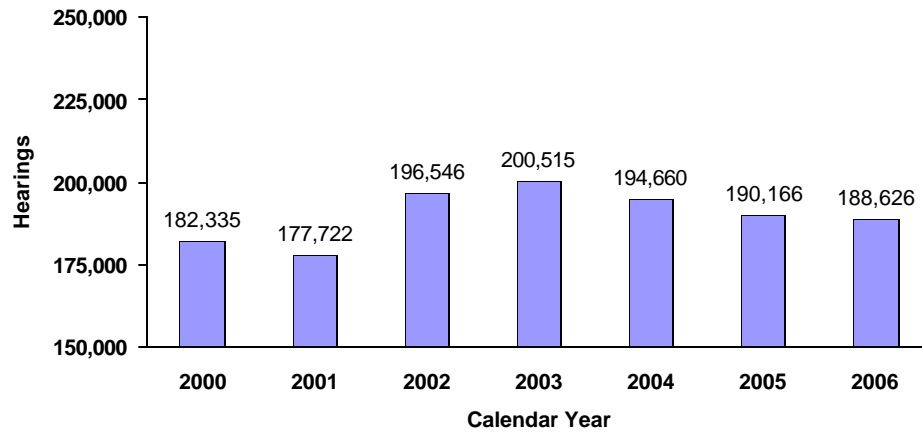
Fund	ALI	Title	FY 2008	FY 2009
<b>Workers' Compensation Fund</b>				
5W3	845-321	Operating Expenses	\$51,778,924	\$51,778,924
5W3	845-402	Rent – William Green Building	\$6,299,960	\$6,299,960
5W3	845-410	Attorney General Payments	\$3,558,634	\$3,558,634
821	845-605	Program Support	\$161,847	\$161,847
<b>Workers' Compensation Fund Subtotal</b>			<b>\$61,799,365</b>	<b>\$61,799,365</b>
<b>Total Funding: Adjudication of Workers' Compensation Claims</b>			<b>\$61,799,365</b>	<b>\$61,799,365</b>

### 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 (DHOs). Second-level appeals are conducted by Staff Hearing Officers (SHOs). 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) that OIC heard annually from CYs 2000 to 2006. 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, OIC has another 52 days to conduct a second-level hearing and issue an order. In FY 2006, OIC met this requirement 85% of the time at the District Hearing level, and 93% of the time at the Staff Hearing level. At the end of CY 2006, there were approximately 30,981 cases outstanding in OIC's inventory; that is, cases that had yet to be referred to a DHO or SHO hearing.

**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.

**Implication of the Budget:** The Industrial Commission's programs are fully funded for the FY 2008 - 2009 biennium. Funding may support up to 529 employees.

**FY 2008 - 2009 Final Appropriation Amounts**

**All Fund Groups**

<i>Line Item Detail by Agency</i>			<i>FY 2005:</i>	<i>FY 2006:</i>	<i>Adj. Appropriations:</i>	<i>FY 2008 Appropriations:</i>	<i>% Change 2007 to 2008:</i>	<i>FY 2009 Appropriations:</i>	<i>% Change 2008 to 2009:</i>
<b>Report For: BWC and OIC Budget</b>			<b>Version: Enacted</b>						
<b>OIC Industrial Commission, Ohio</b>									
5W3	845-321	Operating Expenses	\$ 45,163,663	\$ 45,772,290	\$ 50,270,800	\$ 51,778,924	3.00%	\$ 51,778,924	0.00%
5W3	845-402	Rent-William Green Building	\$ 4,181,997	\$ 5,884,382	\$ 6,116,466	\$ 6,299,960	3.00%	\$ 6,299,960	0.00%
5W3	845-410	Attorney General Payments	\$ 3,289,747	\$ 3,397,971	\$ 3,454,984	\$ 3,558,634	3.00%	\$ 3,558,634	0.00%
821	845-605	Program Support	\$ 94,851	\$ 20,368	\$ 157,133	\$ 161,847	3.00%	\$ 161,847	0.00%
<b>Workers' Compensation Fund Group Total</b>			<b>\$ 52,730,257</b>	<b>\$ 55,075,011</b>	<b>\$ 59,999,383</b>	<b>\$ 61,799,365</b>	<b>3.00%</b>	<b>\$ 61,799,365</b>	<b>0.00%</b>
<b>Industrial Commission, Ohio Total</b>			<b>\$ 52,730,257</b>	<b>\$ 55,075,011</b>	<b>\$ 59,999,383</b>	<b>\$ 61,799,365</b>	<b>3.00%</b>	<b>\$ 61,799,365</b>	<b>0.00%</b>