

AGENDA

SOUTH CAROLINA WORKERS' COMPENSATION COMMISSION

1333 Main Street, 5th Floor
Columbia, South Carolina 29201

January 17, 2012 – 10:30 a.m.

Commission Hearing Room A

This meeting agenda was posted prior to the meeting and proper advance notice was made to all concerned parties in compliance with requirements in the Freedom of Information Act.

1. APPROVAL OF AGENDA OF BUSINESS MEETING of January 17, 2012 *CHAIRMAN BECK*

2. APPROVAL OF MINUTES OF BUSINESS MEETING of December 19, 2011 (Tab 1) *CHAIRMAN BECK*

3. GENERAL ANNOUNCEMENTS *MR. CANNON*

4. APPLICATIONS FOR APPROVAL TO SELF-INSURE (Tab 2) *MR. SMITH*

5. DEPARTMENT DIRECTORS' REPORTS

Administration – Financial Report (Tab 3) *MS. GANTT*
Human Resources (Tab 4) *MS. FLOYD*
Information Services (Tab 5) *MS. HARTMAN*
Insurance & Medical Services (Tab 6) *MR. DUFFIELD*
Claims (Tab 7) *MR. LINE*
Judicial (Tab 8) *MS. CROCKER*

6. EXECUTIVE DIRECTOR'S REPORT (Tab 9) *MR. CANNON*

7. OLD BUSINESS *CHAIRMAN BECK*
A. Mediation Regulation Advisory Committee (Tab 10) *COMMISSIONER WILLIAMS*
B. Regulation Change 67-706 Oral Argument (Tab 11) *MR. CANNON*
C. Court Interpreters (Tab 12) *MR. CANNON*

8. NEW BUSINESS *CHAIRMAN BECK*
A. R 67-1605 Commuted Value Table (Tab 13) *MR. CANNON*

9. ADJOURNMENT *CHAIRMAN BECK*

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THE
SOUTH CAROLINA WORKERS' COMPENSATION COMMISSION
BUSINESS MEETING

Monday, December 19, 2011

A Business Meeting of the South Carolina Workers' Compensation Commission was held in Hearing Room A of the Workers' Compensation Commission on Monday, December 19, 2011 at 10:30 a.m. The meeting agenda was posted prior to the meeting and proper advance notice was made to all concerned parties in compliance with requirements in the Freedom of Information Act. The following Commissioners were present:

T. SCOTT BECK, INTERIM CHAIRMAN
SUSAN S. BARDEN, VICE CHAIR
G. BRYAN LYNDON, COMMISSIONER
ANDREA C. ROCHE, COMMISSIONER
AVERY B. WILKERSON, JR., COMMISSIONER
DERRICK L. WILLIAMS, COMMISSIONER

Present also were Gary M. Cannon, Executive Director, Virginia Crocker, Judicial Director; Greg Line, Claims Director; Grant Duffield, Insurance and Medical Services Director; Betsy Hartman, DSIT; Amanda Underhill, Senior Application Analyst; W.C. Smith, Self-Insurance Director; Wayne Ducote, Coverage Director; and Keith Roberts, Law Clerk. Visitors present were: Michael Burkett, Willson, Jones, Carter & Baxley, P.A.; AnnMargaret McCraw, Midlands Orthopaedics/SC Orthopaedic Association; Kristian Cross, Collins & Lacy; Bob Hurlong, PCI; Clara Smith, Injured Workers' Advocates; and Belinda Ellison, SC Bar.

Chairman Beck called the meeting to order at 10:55 a.m. He apologized for the delay, stating the Judicial Conference took longer than expected.

AGENDA

Commissioner Williams moved that the agenda be approved. Commissioner Barden seconded the motion, and the motion was approved.

APPROVAL OF MINUTES – BUSINESS MEETING OF NOVEMBER 14, 2011

Commissioner Barden moved that the minutes of the Business Meeting of November 14, 2011 be approved. Commissioner Williams seconded the motion, and the motion was approved.

GENERAL ANNOUNCEMENTS

Mr. Cannon announced the staff Holiday Luncheon is today at Noon in the First Floor Conference Room.

APPLICATIONS FOR APPROVAL TO SELF-INSURE

W.C. Smith, Self-Insurance Director, said he discovered a scrivener's error in the November 14, 2011 Applications to Insure. He reported that the new applicants for fund membership, Town of Blackville, Town of Cameron, and Town of Lamar, were incorrectly titled to the S.C.

Association of Counties. The correct title for the fund membership is S.C. Municipal Self-Insurance Trust.

Motion to Amend Fund Membership Title

Commissioner Roche made the motion to amend the fund membership title for the Town of Blackville, Town of Cameron, and Town of Lamar from SC Association of Counties to S.C. Municipal Self-Insurance Trust. Commissioner Williams seconded the motion, and the motion carried.

Self-insurance applications were presented by W.C. Smith, Self-Insurance Director. Six (6) prospective members of three (3) funds were presented to the Commission for approval. The applications were:

Palmetto Timber Fund

S & S Timber

SC Home Builders SIF

A & S Builders, LLC
BTS Construction, INC
Natural Outdoor Landscapes, LLC
Paul Morrison Builders

SC Municipal Insurance SI Trust Fund

Town of Duncan

After examination of the applications, it was determined that each complied with the Commission's requirements and each was recommended for approval. Commissioner Wilkerson made the motion to approve the applications to self-insure, and Commissioner Roche seconded the motion. The motion was unanimously approved.

DEPARTMENT DIRECTORS' REPORTS

The Department Directors presented their reports which were also submitted to the Commission in written form.

Administration Department

On behalf of Diana Ganti, Gary Cannon presented the Summary of Revenues and Expenditures for the period ending November 30, 2011. The benchmark for November is 41.67%. The Commission's revenues are at 37.92%, and expenses are at 37.8%.

Human Resources Department

On behalf of Cathy Floyd, Gary Cannon presented the Human Resources report for the period of November 9 – December 13, 2011. This was received as information.

Information Services

Betsy Hartman presented the Information Services Department's report. The change over to the new SQL server took place on Thursday, December 15, and is running smoothly. IT will complete a refresh for PCs not yet upgraded to Windows 7.

Insurance & Medical Services

Grant Duffield presented the Insurance & Medical Services Department's report. The Compliance Division issued GEAR employer data file to SC Department of Revenue (SCDOR) to collect outstanding liabilities owed to SC Workers' Compensation Commission. The Medical Services Division is addressing billing disputes and improving medical bill review standards and process. Mr. Duffield said he continues to work with OptumInsight and coordinating data collection for Surgical Implant Advisory Committee and fee schedule initiatives.

Mr. Grant reported for the month of November 2011 the Compliance Division's caseload carry-over is 65% of November 2010. Year to date, Compliance has closed 50% more cases than at this time last year and fines are being collected at a rate of 96% of prior year. The Coverage Division created a total of 1,774 claim files and collected \$10,400 in fine revenue. The Self-Insurance Division collected \$100,227 in self-insurance tax, added six new self-insurers, and conducted four self-insurer audits. Year to date self-insurance tax collections outpace prior year by \$17,000. The Medical Services Division has seen a 50% reduction in the number of bills required for review year to date.

Commissioner Wilkerson asked about Coverage Division's attempt to gain more efficient access to State Accident Fund data. Mr. Duffield explained that Coverage seeks to verify insurance coverage for State Accident Fund coverage electronically rather than by paper.

Claims Department

Greg Line presented the Claims Department's report. There were 514 fines for the month of November which was up from assessing 504 fines for the month of October. The dollar amount of the fines assessed for the month of November was \$113,450 which was up from assessing \$105,400 for the month of October. Since October 2010, the Claims Department is averaging assessing 551 fines per month and collecting \$28 fines per month. The Claims Department processed 4,696 Form 18s for the month of November.

Commissioner Wilkerson noted the trend for fines collected July through November has steadily decreased and if this trend continues could result in a decrease in revenue of \$500,000 in earmarked funds.

Judicial Department

Virginia Crocker presented the Judicial Department's report. In addition to the written report, she reported the Judicial Department reassigned 287 cases with regard to Richland District, conducted 165 status conferences and has 11 clincher conferences scheduled for today, December 19.

EXECUTIVE DIRECTOR'S REPORT

Gary Cannon, Executive Director, presented his report which was also submitted to the Commission in written form.

Proposed Amendment to Regulation 67-1302. Maximum Allowable Payments to Medical Practitioners

On November 18, 2011 the proposed amendment was submitted to the State Register's Office for legislative review. The proposed amendment removes language in the current regulation that

limits the Commission to using a relative value scale and a conversion factor when establishing maximum allowable payments for medical services providers.

Regulation 67-706. Oral Argument

A Notice of Drafting was submitted to the State Register's Office on November 29, 2011 for publication in the December 23, 2011 issue of the *State Register*. The comment period closes 5:00 p.m. on January 24, 2012. The proposed regulation requires parties to show up and sign in thirty minutes prior to their Appellate Hearing.

GEAR Program

On November 30, 2011 the Commission submitted the names of 17 employers to the SC Department of Revenue for collection of \$1.2 million of outstanding owed to the Commission.

S.C. Vocational Rehabilitation

Mr. Cannon said that work continues with S.C. Vocational Rehabilitation Department with regard to a referral process. He anticipates presenting the Memorandum of Understanding between the Commission and S.C. Vocational Rehabilitation Department at the Commission Business meeting on January 17.

DSIT Contract

The Commission continues to operate under the same contract with DSIT. Mr. Cannon said that he will meet with Commissioner Wilkerson with information from third party vendors.

Court Interpreters

Research continues on other states' policies and procedures for court interpreters. Mr. Cannon said he anticipates providing a final report at the Commission business meeting in January 2012.

OLD BUSINESS

A. Pharmacy Fee Schedule Advisory Committee Recommendation

Mr. Cannon said that at last month's Full Commission Business Meeting, Hal Willson, Chairman of the Pharmacy Fee Schedule Advisory Committee, presented a recommendation to the Commission that a new pharmacy fee schedule be adopted that requires all bills for repackaged medications to include the original manufacturer's NDC and that the maximum allowable reimbursement shall be calculated by multiplying the number of units dispensed by the per unit average wholesale price set by the original manufacturer for that medication. Stakeholders have been provided an opportunity to comment. The Commission has not received any negative feedback on the recommendation. Mr. Cannon presented a recommendation that the Commission adopt the Pharmacy Fee Schedule Advisory Committee's recommendation to amend the Pharmacy Fee Schedule as presented.

Motion to Amend Pharmacy Fee Schedule

Commissioner Roche moved to accept the recommendation of staff to change the Pharmacy Fee Schedule based on the advice from the Pharmacy Fee Schedule Advisory Committee. Commission Wilkerson seconded the motion, and the motion carried.

NEW BUSINESS

A. 2012 Average Weekly Wage

Mr. Cannon announced that the South Carolina Department of Employment and Workforce certified that the average weekly wage in South Carolina for the period July 1, 2010 through June 30, 2011 was \$725.47.

Motion to Adopt the 2012 Average Weekly Wage

Commissioner Wilkerson moved to adopt the 2012 average weekly wage of \$725.47 as certified by SC Department of Employment and Workforce, which was duly seconded by Commissioner Williams. The vote was taken, and the motion was adopted. Accordingly, accidents that occur on or after January 1, 2012, the maximum weekly compensation rate will be \$725.47.

ADJOURNMENT

Commissioner Williams made the motion to adjourn. Commissioner Wilkerson seconded the motion, and the motion was approved.

The December 19, 2011 meeting of the South Carolina Workers' Compensation Commission adjourned at 11:13 a.m.

Reported December 29, 2011

Kim Ballentine, Office of the Executive Director

INTEROFFICE MEMORANDUM

TO: GARY CANNON, EXECUTIVE DIRECTOR
FROM: DIANA GANTT, DIRECTOR OF ADMINISTRATION
SUBJECT: FINANCIAL REPORT PERIOD ENDING DECEMBER 31, 2011
DATE: 1/9/2012

The Summary of Revenues and Expenditures for the period ending December 31, 2011, is attached.

- December is the 6th Fiscal Month of FY12.
- There were 63 payments made to vendors, travelers, and other State Agencies.
- The benchmark for December 50.00%. The Commission's revenues are at 45.46% and expenses are at 47%.
- The following is a summary of each department expenditure benchmarks.

General Fund: Total Expenses are at 50%.

Landmark Fund:

Commissioners -

- Total expenditures are at 45% of budget.

Administration -

- Overall the expenditures are 38% of budget.

Claims -

- Expenditures are at 49% of budget

Insurance & Medical -

- Total expenditures are at 44% of budget.

Judicial -

- Total expenditures are at 46% of budget

Activity Report from the Procurement Office:

	MTD	YTD
SCFIS Shopping Carts	0	5
Vendors Contacted for Price Quotes	18	73
Visa Procurement Card Orders Placed	10	29
SC Dept of Corrections Orders Placed	0	8
Staples Orders Placed	6	28
State Leased Vehicles taken for Service	2	15
State Reports filed by Procurement Officer	1	22

Mail Room Activity:

	MTD	YTD
Files Copied for Outside Parties	222	4153
Pages Copied as of December 20	1456	1456

South Carolina Workers' Compensation Commission
Summary of Revenues and Expenditures
2011 - 2012 Budget
December 31, 2011

	Budget	FY To Date	Benchmark	50.00%
STATE APPROPRIATIONS				
General Appropriation	<u>\$ 1,743,070</u>	<u>\$ 871,535.00</u>		50.00%

Account Description	Appropriation	Expenditure	Balance	% Expended
Personal Services	\$ 1,329,429	\$ 680,984	\$ 648,445	51.2%
Other Operating Expenses	-	-	-	0.0%
Employer Contribution	413,641	190,608	223,033	46.1%
Total	<u>\$ 1,743,070</u>	<u>\$ 871,592</u>	<u>\$ 871,478</u>	<u>50.0%</u>

OTHER APPROPRIATIONS

EARMARKED	Budgeted Revenues	Received thru 12/31/11	% Received
Training Conference Registration Fee	\$ 1,000	\$ 3,000	300.00%
Sale of Publication and Brochures	8,000	3,375	42.19%
Workers' Comp Award Review Fee	75,000	39,750	53.00%
Sale of Photocopies	95,000	46,659	49.11%
Workers' Compensation Filing Violation Fee	1,891,000	828,250	43.80%
Sale of Listings and Labels	30,000	13,138	43.79%
Workers' Comp Hearing Fee	600,000	293,275	48.88%
Earmarked Funds - Original Authorization	<u>\$ 2,700,000</u>	<u>\$ 1,227,452</u>	<u>45.46%</u>
Increase Authorization	418,815		
Increase Authorization - \$D100	193,675		
Total Earmarked Revenues + Fund Balance	<u>\$ 3,312,490</u>		

Account Description	Appropriation	Expenditure	Balance	% Expended
Personal Services	\$ 1,544,990	\$ 684,843	\$ 860,147	44.3%
Taxable Subsistence	72,350	31,676	40,674	43.8%
Other Operating Expenses	1,246,900	535,715	711,255	43.0%
Employer Contribution	448,184	239,646	208,538	53.5%
Total Earmarked	<u>\$ 3,312,490</u>	<u>\$ 1,491,878</u>	<u>\$ 1,820,612</u>	<u>45.0%</u>

COMPUTER FUNDS CARRIED FORWARD	<u>\$ 9,931</u>			
Computer Services - Carry forward	\$ 9,931	\$ 2,475	\$ 7,456	24.9%
TOTAL OTHER APPROPRIATIONS	<u>\$ 3,332,352</u>	<u>\$ 1,494,353</u>	<u>\$ 1,828,067</u>	<u>44.8%</u>

South Carolina Workers' Compensation Commission
2011 - 2012 Budget
December 31, 2011

Consolidated

Year To Date : 50.00%

	Original Budget	Budget Amendments	Amended Budget	Expanded December	Year to Date	%	Encumb	Balance
Commissioners								
Salaries	\$ 1,142,594	\$ -	\$ 1,142,594	\$ 108,364	\$ 581,394	51%	\$ -	\$ 40,074
Other Operating Expenditures								
Total Contractual Services	206,100	-	206,100	13,774	88,585	43%	-	117,514
Total Supplies & Materials	17,499	-	17,499	1,461	7,730	44%	-	9,759
Total Fixed Charges	146,102	-	146,102	11,708	72,960	49%	-	74,092
Total Travel	80,450	-	80,450	3,765	35,288	44%	-	45,167
Total Other Operating Exp	450,151	-	450,151	32,118	203,833	45%	-	246,513
Total Commissioners	\$ 1,592,745	\$ -	\$ 1,592,745	\$ 140,482	\$ 785,032	49%	\$ -	\$ 267,767
Administration								
Salaries	\$ 458,224	\$ 91,034	\$ 549,258	\$ 37,484	\$ 228,857	42%	\$ -	\$ 320,401
Other Operating Expenditures								
Total Contractual Services	194,027	0,000	194,027	5,912	62,160	31%	-	137,858
Total Supplies & Materials	15,803	-	15,803	1,294	6,878	35%	-	12,925
Total Fixed Charges	116,095	10,700	126,895	3,595	58,698	46%	-	60,997
Total Travel	12,490	5,500	17,990	784	7,138	40%	-	12,852
Total Equipment	-	-	-	-	-	0%	-	-
Total Other Operating Exp	344,415	21,500	365,915	18,385	134,884	37%	-	231,031
Total Administration	\$ 802,639	\$ 112,534	\$ 915,173	\$ 55,869	\$ 363,741	40%	\$ -	\$ 551,432
Claims								
Salaries	\$ 375,000	\$ -	\$ 375,000	\$ 31,618	\$ 186,777	50%	\$ -	\$ 188,273
Other Operating Expenditures								
Total Contractual Services	56,006	-	56,006	2,596	25,471	45%	-	28,367
Total Supplies & Materials	26,546	-	26,546	2,273	14,517	55%	-	12,029
Total Fixed Charges	73,739	-	73,739	1,019	35,990	50%	-	36,740
Total Travel	2,100	-	2,100	260	381	18%	-	1,719
Total Other Operating Exp	158,390	-	158,390	11,048	77,912	49%	-	78,962
Total Claims	\$ 533,390	\$ -	\$ 533,390	\$ 42,666	\$ 264,039	50%	\$ -	\$ 267,134
Insurance and Medical Services								
Salaries	\$ 454,368	\$ 14,956	\$ 473,324	\$ 38,323	\$ 210,036	45%	\$ -	\$ 262,688
Other Operating Expenditures								
Total Contractual Services	53,060	9,500	62,560	1,545	26,239	42%	-	36,711
Total Supplies & Materials	15,725	3,200	18,925	1,721	9,214	46%	-	11,711
Total Fixed Charges	55,520	10,000	65,520	4,470	28,411	43%	-	37,109
Total Travel	1,350	-	1,350	29	145	11%	-	1,104
Total Other Operating Exp	125,645	24,700	150,345	6,165	64,011	43%	-	86,214
Total Insurance and Medical Services	\$ 584,013	\$ 39,656	\$ 623,669	\$ 44,507	\$ 274,647	44%	\$ -	\$ 348,922
Judicial								
Salaries	\$ 379,605	\$ 26,985	\$ 406,593	\$ 32,332	\$ 189,888	47%	\$ -	\$ 216,705
Other Operating Expenditures								
Total Contractual Services	28,054	8,000	36,054	769	14,552	41%	-	21,202
Total Supplies & Materials	13,545	1,000	14,545	992	6,589	45%	-	7,965
Total Fixed Charges	35,155	3,000	38,155	5,371	12,572	39%	-	28,544
Total Travel	2,950	2,500	5,450	154	1,565	34%	-	3,585
Total Other Operating Exp	107,654	14,300	122,164	6,766	34,870	46%	-	66,295
Total Judicial	\$ 487,274	\$ 41,485	\$ 528,758	\$ 39,099	\$ 243,758	46%	\$ -	\$ 283,001
Totals By Departments								
Department Totals								
Commissioners	\$ 1,592,745	\$ -	\$ 1,592,745	\$ 140,482	\$ 785,032	49%	\$ -	\$ 267,767
Administration	802,639	112,534	915,173	55,869	363,741	40%	-	551,432
Claims	533,390	-	533,390	42,666	264,039	50%	-	267,134
Insurance & Medical	584,013	39,656	623,669	44,507	274,647	44%	-	348,922
Judicial	487,274	41,485	528,758	39,099	243,758	46%	-	283,001
Total Departmental Expend	\$ 4,000,060	\$ 193,675	\$ 4,193,735	\$ 324,623	\$ 1,933,216	46%	\$ -	\$ 1,737,676
Employer Contributions	861,825	-	861,825	67,270	430,254	50%	-	431,571
Total General & Earmarked Funds	\$ 4,861,885	\$ 193,675	\$ 5,055,560	\$ 391,902	\$ 2,363,470	47%	\$ -	\$ 2,169,247

South Carolina Workers' Compensation Commission
2011 - 2012 Budget
 December 31, 2011

General Appropriation

	Original Budget	Budget Amendments	Amended Budget	Year-To-Date : 50.00%				
				Expended December	Year to Date to Date	%	Encumb	Balance
Commissioners								
Salaries								
Chairman	\$ 115,567	\$ -	\$ 115,567	\$ 9,131	\$ 55,383	48%	\$ -	\$ 60,184
Commissioner	664,602	(19,170)	645,432	51,168	330,086	51%	-	315,346
Terminal Leave		19,170	19,170	19,170	19,170	100%	-	-
Classified Employees	290,075	-	290,075	24,215	145,079	50%	-	144,996
Total Commissioners	1,070,244	-	1,070,244	103,783	549,718	51%	-	-
Administration								
Salaries								
Director	\$ 94,152	\$ -	\$ 94,152	\$ 7,846	\$ 47,076	50%	\$ -	\$ 47,076
Classified Positions	44,825	-	44,825	3,735	22,412	50%	-	22,413
Total Administration	138,977	-	138,977	11,581	69,488	50%	-	69,489
Claims								
Salaries								
Classified Positions	\$ 67,000	\$ -	\$ 67,000	\$ 6,421	\$ 35,174	52%	\$ -	\$ 31,826
Total Claims	67,000	-	67,000	6,421	35,174	52%	-	31,826
Insurance and Medical Services								
Salaries								
Classified Positions	\$ 25,350	\$ -	\$ 25,350	\$ 2,113	\$ 12,675	50%	\$ -	\$ 12,675
Total Ins and Medical Svcs	25,350	-	25,350	2,113	12,675	50%	-	12,675
Judicial								
Salaries								
Classified Positions	\$ 27,858	\$ -	\$ 27,858	\$ 2,322	\$ 13,929	50%	\$ -	\$ 13,929
Total Judicial	27,858	-	27,858	2,322	13,929	50%	-	13,929
General Funds								
Department Totals								
Commissioners	\$ 1,070,244	\$ -	\$ 1,070,244	\$ 103,783	\$ 549,718	51%	\$ -	\$ 520,526
Administration	138,977	-	138,977	11,581	69,488	50%	-	69,489
Claims	67,000	-	67,000	6,421	35,174	52%	-	31,826
Insurance & Medical	25,350	-	25,350	2,113	12,675	50%	-	12,675
Judicial	27,858	-	27,858	2,322	13,929	50%	-	13,929
Total Departmental Expend	\$ 1,329,429	\$ -	\$ 1,329,429	\$ 126,219	\$ 680,984	51%	\$ -	\$ 648,445
Employee Contributions	413,641	-	413,641	30,711	190,608	46%	-	223,033
Total General Fund Appropriations	\$ 1,743,070	\$ -	\$ 1,743,070	\$ 156,930	\$ 871,592	50%	\$ -	\$ 871,478

South Carolina Workers' Compensation Commission

2011 - 2012 Budget

December 31, 2011

Earmarked Funds

	Original Budget	Budget Amendments	Amended Budget	Year to Date : 50.00%				
				Expended December	Year to Date	%	Encumb Balance	
Commissioners								
Salaries								
Taxable Subsistence	\$ 72,350	\$ -	\$ 72,350	\$ 4,581	\$ 31,676	44%	\$ -	\$ 40,674
Total Salaries	72,350	-	72,350	4,581	31,676	44%	-	40,674
Other Operating Expenditures								
Contractual Services								
Office Equipment Service	700	-	700	-	-	0%	-	700
Copying Equipment Service	200	-	200	-	-	0%	-	200
Print/Bind/Advertisement	510	-	510	-	357	70%	-	151
Print Pub Annual Reports	28	-	28	-	-	0%	-	28
Data Processing Services	50,000	-	50,000	-	16,209	34%	-	13,791
Freight Express Delivery	490	-	490	-	-	0%	-	490
Telephone	5,100	-	5,100	324	2,126	47%	-	2,974
Cellular Phone Service	8,100	-	8,100	444	2,355	29%	-	5,745
Legal Services/Attorney Fees	160,000	-	160,000	12,456	67,509	42%	-	92,491
Other Professional Services	972	-	972	-	30	3%	-	942
Total Contractual Services	206,100	-	206,100	13,224	88,584	43%	-	117,514
Supplies & Materials								
Office Supplies	4,000	-	4,000	207	1,294	32%	-	2,706
Copying Equipment	3,700	-	3,700	-	1,787	48%	-	1,913
Printing	1,200	-	1,200	357	693	58%	-	508
Data Processing Supplies	649	-	649	-	-	0%	-	649
Postage	8,000	-	8,000	772	4,345	54%	-	3,662
Communication Supplies	50	-	50	-	-	0%	-	50
Main/Janitorial Supplies	200	-	200	25	59	29%	-	111
Motor Vehicle Supp/Gasoline	100	-	100	-	-	0%	-	100
Other Supplies	100	-	100	-	-	0%	-	100
Total Supplies & Materials	17,499	-	17,499	1,361	7,700	44%	-	9,799
Fixed Charges								
Rent-Cont Rent Payment	2,500	-	2,500	74	1,066	43%	-	1,434
Rent-Non State Owned Property	141,000	-	141,000	11,694	70,163	50%	-	70,637
Rent-Other	250	-	250	-	-	0%	-	250
Insurance-State	1,933	-	1,933	-	840	51%	-	793
Insurance-Non State	169	-	169	-	-	0%	-	169
Fees & Fines	50	-	50	-	-	0%	-	50
Equipment Maintenance	500	-	500	-	-	0%	-	500
Total Fixed Charges	146,102	-	146,102	11,768	72,069	49%	-	74,038
Travel (Includes Leased Car)								
In State - Meals (Non-Reportable)	350	-	350	-	95	27%	-	254
In State - Auto Mileage	10,000	-	10,000	522	5,668	57%	-	4,332
In State - Subsistence Allowance	30,000	-	30,000	984	13,077	43%	-	16,978
Out State - Meals	100	-	100	74	52	52%	-	48
Out State - Auto Mileage	2,000	-	2,000	151	603	30%	-	1,197
Leased Car	88,000	-	88,000	4,074	25,842	29%	-	22,158
Total Travel	80,450	-	80,450	5,765	35,231	44%	-	45,167
Total Other Operating Expenditures	450,151	-	450,151	32,118	203,618	45%	-	246,513
Total Commissioners	\$ 522,501	\$ -	\$ 522,501	\$ 36,699	\$ 235,314	45%	\$ -	\$ 187,187

South Carolina Workers' Compensation Commission

2011 - 2012 Budget

December 31, 2011

Earmarked Funds

	Original Budget	Budget Amendments	Amended Budget	Year To Date : 50.20%			
				Expended December	Year to Date	%	Encumb Balance
Administration							
Salaries							
Classified Positions	\$ 307,000	\$ 91,034	\$ 398,034	\$ 75,556	\$ 153,335	39%	\$ - \$ 244,699
Temporary Employees	11,247	-	11,247	347	1,134	9%	- 5,213
Terminal Leave	1,000	-	1,000	-	-	0%	- 1,200
Total Salaries	319,247	91,034	410,281	25,903	159,369	39%	- 250,912
Other Operating Expenditures							
Contractual Services							
Office Equipment Service	5,200	6,000	11,200	319	5,312	47%	- 5,888
Copying Equipment Service	550	-	550	-	-	0%	- 550
Print/Bind/Advertisement	500	-	500	-	282	56%	- 218
Print - Pub Annual Reports	22	-	22	-	-	0%	- 22
Data Processing Services	143,000	-	143,000	5,205	48,287	34%	- 94,713
Freight Express Delivery	1,000	-	1,000	-	425	42%	- 577
Telephone	6,200	-	6,200	391	1,879	30%	- 4,321
Cellular Phone Service	1,325	-	1,325	129	583	43%	- 1,297
Education & Training Services	1,000	-	1,000	-	-	0%	- 1,000
Attorney Fees	34,000	-	34,000	725	3,814	11%	- 30,186
General Repar	230	-	230	-	120	52%	- 110
Audit Act/Finance	100	-	100	-	101	101%	- 11
Catered Meals	-	-	-	154	154	0%	- (154)
Other Professional Services	100	-	100	-	-	0%	- 100
Other Contractual Services	200	-	200	-	1,164	582%	- (964)
Total Contractual Services	194,027	6,000	200,027	6,912	62,169	31%	- 137,858
Supplies & Materials							
Office Supplies	5,000	-	5,000	72	581	12%	- 4,419
Subscriptions	175	-	175	-	-	0%	- 175
Copying Equipment Supplies	3,931	-	3,931	-	1,242	32%	- 2,689
Printing	1,964	-	1,964	282	518	26%	- 1,446
Data Processing Supplies	500	-	500	-	208	42%	- 292
Postage	6,800	-	6,800	923	4,176	61%	- 2,621
Maint./Janitorial Supplies	150	-	150	19	70	47%	- 80
Fees & Fines	280	-	280	-	50	18%	- 230
Gasoline/ Motor Vehicle Supply	100	-	100	-	-	0%	- 100
Employee Recog Award	800	-	800	-	-	0%	- 800
Other Supplies	100	-	100	-	-	0%	- 100
Total Supplies & Materials	19,803	-	19,803	1,294	6,876	35%	- 12,925
Fixed Charges							
Rental Cont Rent Payment	5,000	5,000	10,000	558	2,140	21%	- 6,860
Rent, Non State Owned Property	88,966	-	88,966	7,567	45,400	51%	- 43,566
Rent-Other	3,500	-	3,500	740	7,076	58%	- 1,474
Insurance-State	7,480	-	7,480	-	555	5%	- 6,925
Insurance-Non State	134	-	134	-	-	0%	- 134
Dues and Memberships	3,985	5,000	8,985	-	4,050	52%	- 4,335
Sales Tax Paid	9,000	-	9,000	492	2,817	31%	- 6,183
Total Fixed Charges	118,095	10,000	128,095	9,395	58,698	46%	- 69,397
Travel (Includes Leased Car)							
In State - Meals Non/ Reportable	100	-	100	-	-	0%	- 100
Reportable Meals	100	-	100	-	-	0%	- 100
Out of State - Mileage	90	-	90	-	-	0%	- 90
In State - Registration Fees	200	500	700	-	92	15%	- 608
Leased Car	12,000	5,000	17,000	784	7,039	41%	- 9,961
Total Travel	12,490	5,500	17,990	784	7,138	40%	- 10,852
Equipment							
Equipment Data Processing- PC's	-	-	-	-	-	0%	- -
Total Equipment	-	-	-	-	-	0%	- -
Total Other Operating Expenditures	344,215	21,500	365,815	18,385	134,884	37%	- 231,031
Total Administration	\$ 663,662	\$ 112,534	\$ 776,196	\$ 44,288	\$ 294,253	38%	\$ - 481,943

South Carolina Workers' Compensation Commission

2011 - 2012 Budget

December 31, 2011

Earmarked Funds

	Original Budget	Budget Amendments	Amended Budget	Year to Date : 50.00%				
				Expended December	Year to Date	%	Encumb	Balance
Claims								
Salaries								
Classified Positions	\$ 293,000		\$ 293,000	\$ 74,751	\$ 145,746	50%	\$ -	\$ 147,254
Temporary Positions	11,000		11,000	506	5,807	41%	-	8,193
Terminal Leave	1,000		1,000	-	-	0%	-	1,000
Total Salaries	308,000		308,000	25,197	151,553	49%	-	156,447
Other Operating Expenditures								
Contractual Services								
Office Equipment Services	200	-	200	-	-	0%	-	200
Print / Bind / Adv	750	-	750	-	282	38%	-	468
Print Pub Annual Reports	22	-	22	-	-	0%	-	22
Data Processing Services	21,933	-	21,933	-	13,436	61%	-	8,497
Freight Express Delivery	500	-	500	-	-	0%	-	500
Telephone	4,000	-	4,000	306	1,529	39%	-	2,471
Cellular Phone Service	2,500	-	2,500	54	283	11%	-	2,446
Temporary Services	26,000	-	26,000	2,176	5,861	38%	-	16,139
Other Professional Services	100	-	100	-	30	30%	-	70
Total Contractual Services	56,005	-	56,005	2,536	25,421	45%	-	28,367
Supplies & Materials								
Office Supplies	8,271	-	8,271	72	1,292	16%	-	6,979
Copying Equipment	3,000	-	3,000	-	1,013	34%	-	1,987
Printing	900	-	900	282	546	61%	-	352
Data Processing Supplies	75	-	75	-	478	637%	-	(403)
Postage	14,000	-	14,000	1,835	11,037	79%	-	2,963
Maint./Inventorial Supplies	200	-	200	10	83	42%	-	117
Other Supplies	100	-	100	-	-	0%	-	100
Total Supplies & Materials	26,546	-	26,546	2,209	14,517	55%	-	12,029
Fixed Charges								
Rent/Co-1 Rent Payment	2,500	-	2,500	196	1,243	50%	-	1,257
Rent-Non State Owned Property	68,000	-	68,000	5,847	35,081	52%	-	32,919
Rent-Other	225	-	225	-	-	0%	-	225
Insurance-State	1,090	-	1,090	-	665	62%	-	415
Insurance-Non State	134	-	134	-	-	0%	-	134
Equipment- Copying	800	-	800	-	-	0%	-	800
Equipment Maintenance	1,000	-	1,000	-	-	0%	-	1,000
Total Fixed Charges	73,739	-	73,739	6,043	36,999	50%	-	36,746
Travel (Includes Leased Car)								
In State - Meals (Non-Reportable)	300	-	300	-	-	0%	-	300
In State - Lodging	600	-	600	-	-	0%	-	600
In State - Auto Mileage	600	-	600	234	734	59%	-	366
In-State Registration	200	-	200	-	-	0%	-	200
Reportable Meals	400	-	400	26	150	58%	-	250
Total Travel	2,100	-	2,100	260	384	18%	-	1,716
Total Other Operating Expenditures	158,390	-	158,390	11,048	77,312	49%	-	78,362
Total Claims	\$ 466,390	\$ -	\$ 466,390	\$ 36,245	\$ 228,865	49%	\$ -	\$ 235,308

South Carolina Workers' Compensation Commission

2011 - 2012 Budget

December 31, 2011

Earmarked Funds

	Original Budget	Budget Amendments	Amended Budget	Year-To-Date % YTD:XXX				
				Expended December	Year to Date	%	Encumb Balance	
Insurance and Medical Services								
Salaries								
Classified Positions	418,000	14,956	432,956	34,920	250,358	44%	-	242,638
Temporary Employees	15,018	-	15,018	1,290	7,573	51%	-	7,395
Total Salaries	433,018	14,956	447,974	36,210	257,931	44%	-	250,033
Other Operating Expenditures								
Contractual Services								
Office Equipment Service	200	-	200	-	-	0%	-	200
Copying Equipment Service	300	-	300	-	-	0%	-	300
Print/Bind/Advertisements	500	500	1,000	-	512	31%	-	688
Print File Annual Report	24	-	24	-	-	0%	-	24
Data Processing Services	10,000	9,000	19,000	1,605	22,123	45%	-	26,877
Telephone	2,626	-	2,626	225	1,130	43%	-	1,495
Cell Phone	3,000	-	3,000	54	250	8%	-	2,770
Catered Meals	2,000	-	2,000	-	957	48%	-	1,043
Other Professional Services	1,800	-	1,800	60	330	18%	-	1,470
Other Contractual Services	2,600	-	2,600	-	1,157	44%	-	1,443
Total Contractual Services	53,050	9,500	62,550	1,945	26,239	42%	-	36,311
Supplies & Materials								
Office Supplies	3,000	-	3,000	645	1,990	66%	-	1,007
Copying Equipment	3,500	-	3,500	-	1,120	32%	-	2,374
Printing	1,500	-	1,500	312	884	59%	-	616
Data Processing Supplies	500	-	500	-	102	20%	-	398
Postage	7,000	5,300	12,300	752	5,006	42%	-	6,994
Maintenance/Janitorial Supplies	75	100	175	21	78	44%	-	57
Fees & Fines	50	100	150	-	25	17%	-	125
Other Supplies	100	-	100	-	-	0%	-	100
Total Supplies & Materials	15,725	5,200	20,925	1,731	9,214	44%	-	11,711
Fixed Charges								
Rental-Cont. Rent Payment	2,104	5,000	7,104	312	1,600	23%	-	5,504
Rent-Non State Owned Property	48,000	2,000	50,000	4,127	24,763	50%	-	25,237
Rent-Other	225	2,000	2,225	-	848	38%	-	1,277
Insurance-State	1,100	1,000	2,100	-	735	35%	-	1,366
Insurance-Non State	148	-	148	-	-	0%	-	148
Equipment Maintenance	942	-	942	-	-	0%	-	942
Sales Tax Paid	3,000	-	3,000	33	454	15%	-	2,556
Total Fixed Charges	55,520	10,000	65,520	4,470	28,411	43%	-	37,109
Travel (Includes Leased Car)								
In State - Meals (Non Reportable)	400	-	400	-	-	0%	-	400
In State Registration	100	-	100	-	-	0%	-	100
Reportable Meals	150	-	150	39	140	97%	-	4
In State - Lodging	700	-	700	-	-	0%	-	700
Total Travel	1,350	-	1,350	39	140	11%	-	1,104
Total Other Operating Expenditures	125,645	24,700	150,345	8,485	64,011	43%	-	86,234
Total Insurance and Medical Services	\$ 558,663	\$ 39,656	\$ 598,319	\$ 44,395	\$ 281,972	44%	\$ -	\$ 336,747

South Carolina Workers' Compensation Commission

2011 - 2012 Budget

December 31, 2011

Earmarked Funds

	Original Budget	Budget Amendments	Amended Budget	Year To Date : 50.00%				
				Expended December	Year To Date	%	Prncumb	Balance
Judicial								
Salaries								
Classified Positions	\$ 251,750	\$ 26,985	\$ 278,735	\$ 30,011	\$ 175,959	46%	\$ -	\$ 202,776
Total Salaries	251,750	26,985	278,735	30,011	175,959	46%	-	202,776
Other Operating Expenditures								
Contractual Services								
Office Equipment Services	80	-	80	-	-	0%	-	80
Copy Equipment Services	850	-	850	-	303	36%	-	547
Print/Bind/Advertisement	800	-	800	-	253	32%	-	547
Print/Pub Annual Reports	20	-	20	-	-	0%	-	20
Data Processing Services	23,000	8,000	31,000	-	12,807	41%	-	18,193
Telephone	2,000	-	2,000	708	1,042	52%	-	952
Cellular Phone Service	1,104	-	1,104	64	413	37%	-	691
Other Professional Services	200	-	200	-	-	0%	-	200
Total Contractual Services	28,054	8,000	36,054	269	14,862	41%	-	21,202
Supplies & Materials								
Office Supplies	2,000	-	2,000	64	787	39%	-	1,213
Copying Equipment Supplies	1,200	1,000	2,200	-	923	42%	-	1,277
Printing	1,000	-	1,000	253	560	56%	-	440
Data Processing Supplies	75	-	75	-	-	0%	-	75
Postage	9,000	-	9,000	656	4,258	47%	-	4,742
Maintenance/Janitorial Supplies	150	-	150	17	52	35%	-	98
Promotional Supplies	20	-	20	-	-	0%	-	20
Other Supplies	100	-	100	-	-	0%	-	100
Total Supplies & Materials	13,545	1,000	14,545	992	6,580	45%	-	7,963
Flood Charges								
Rental-Com: Rent Payment	1,750	500	2,250	212	1,023	45%	-	1,227
Rent-Non State Owned Property	60,000	2,000	62,000	5,159	10,954	50%	-	21,046
Rent-Other	125	-	125	-	-	0%	-	125
Insurance- State	1,121	500	1,621	-	595	37%	-	1,026
Insurance- Non State	120	-	120	-	-	0%	-	120
Total Flood Charges	63,116	3,000	66,116	5,371	12,572	49%	-	33,544
Travel (Includes Leased Car)								
In State - Meals / Non-Reportable	250	-	250	-	125	50%	-	125
Reportable Meals	250	500	750	79	383	51%	-	367
In State - Lodging	750	1,000	1,750	-	509	29%	-	1,241
In State - Auto Mileage	1,200	1,000	2,200	55	758	34%	-	1,442
In State - Misc Travel Expense	100	-	100	-	-	0%	-	100
In-State Registration	100	-	100	-	-	0%	-	100
Out State - Auto Mileage	300	-	300	-	-	0%	-	300
Total Travel	2,950	2,500	5,450	134	1,865	34%	-	3,585
Total Other Operating Expenditures	107,665	14,500	122,165	6,766	55,870	46%	-	66,295
Total Judicial	\$ 459,415	\$ 41,485	\$ 500,900	\$ 36,777	\$ 231,829	46%	\$ -	\$ 269,072
Earmarked Funds								
Department Totals								
Commissioners	\$ 522,501	\$ -	\$ 522,501	\$ 36,099	\$ 235,314	45%	\$ -	\$ 287,187
Administration	662,562	112,534	775,096	41,283	294,253	38%	-	483,843
Claims	466,393	-	466,393	36,245	228,865	49%	-	239,548
Insurance & Medical	558,565	39,656	598,221	44,746	261,972	44%	-	336,249
Judicial	459,415	41,485	500,900	36,777	231,829	46%	-	269,072
Total Departmental Expend	\$ 2,670,631	\$ 193,675	\$ 2,864,306	\$ 198,404	\$ 1,252,232	44%	\$ -	\$ 1,609,737
Employer Contributions	445,184	-	445,184	36,536	239,645	53%	-	205,538
Total Earmarked Funds	\$ 3,115,815	\$ 193,675	\$ 3,312,490	\$ 234,940	\$ 1,491,878	45%	\$ -	\$ 1,818,295
Capital / Computer Project Carryforward	\$ 9,931	\$ -	\$ 9,931	\$ -	\$ 2,475	25%	\$ -	\$ 7,456

MEMORANDUM

January 11, 2012

TO: Mr. Gary Cannon
Executive Director

FROM: Cathy Floyd
Human Resources

SUBJECT: Human Resource Report Period of December 13, 2011 – January 10, 2012

Below is a summary of the Human Resource activity for the period of December 13, 2011 – January 10, 2012.

Employee Relations (ER)

- One ER issue was addressed during the activity period
- Nominations have been opened for the 2011 Employee of the Year
- Continuing to work with Kim Ballentine on the content of the Employee Web Page
- The Holiday Luncheon was held December 19, 2011

Recruitment and Selection

- Assisted with the human resources portion of the appointment of Commissioner Gene McCaskill
- Processed a temporary reappointment for the clerical specialist position after a mandatory two-week break in service

Reporting

- Verified the EQ Report with Human Affairs Commission for the General Assembly publication in February

Benefits

- Assisted an employee with retirement time purchase
- Assisted an employee with insurance coverage changes
- Completed the distribution of the 2012 Insurance Benefits Guides

SC Enterprise Information System (SCEIS)

- Processed three employment verifications
- Twenty-seven transactions were keyed into the system
- Assisted six employees with leave/time issues
- Managed donations for the Leave Transfer Program

Training

- The 2012 Leadership Retreat to be held January 20, 2012
- Have begun coordinating a Harassment Training session for supervisors to be held during the 2nd quarter of the year

WCCU Projects Status Report

Period	09/15/12	Status Key:	Not Started	Reporting Period:	Timing
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ID	Key Projects	Sub Project	Regulation	Due Date	% of completion	% of time devoted to issue	Lead	Issues / Comments
1	PC and Server Rollout	Rollout		6/30/2011	100%	10%	DJA-R	Server installation 12/18/2011
2	PC and Server Rollout	Rollout		6/30/2011	100%	0%	America	PCs are installed
3	Phase 1 - Claims EDI release 1			Apr 1 2012	10%	50%	DJA-R	Verification & validation of data format to call items
3	Phase 1 - Claims EDI release 2			Apr 1 2012	10%	50%	America	Development Standards
3	Phase 1 - Claims EDI release 3			Apr 1 2012	10%	5%	Halley	Development and validation of EDI for bank electronic
4	Electronic Service releases	87-213	hold until after EDI RLS 3	3	0%			Development of program
4		67-213	hold until after EDI RLS 4	3	0%			Development of program
4		87-231	T90	3	0%			Development of program
4		67-205	T90	3	0%			Development of program
4		67-112	T90	3	0%			Development of program

WCSH Projects Status Report

Period: 09/17/12 Status: All No. Closed: 100 One-Time: 0 Timing: 0

Item	Description	Start	End	Progress	Assignee	Notes
850	View Field	4/1/12	2	45%	Betsy	Design Portal - save for estimate to browser
850	View Field	4/1/12	2	35%	Betsy	Have requirements from Comshare - need to write up for browser.
850	View Field	4/1/12	2	10%	Betsy	Write up requirements for estimate
850	View Field	4/1/12	2	50%	Betsy	
850	View Field	4/1/12	2	80%	Project Amanda	
850	View Field	4/1/12	2	80%	Project Dina	
850	View Field	4/1/12	2	70%	Project Betsy	

Period

Q1 2011

Status Key: Not Started

Completed

In Progress

Training

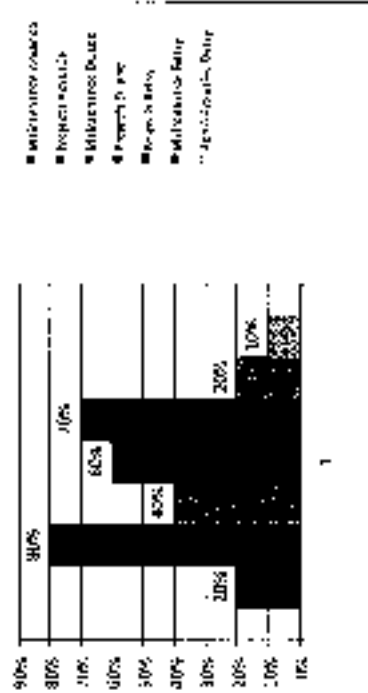
Priority	Maintenance Issue	Project	Start date	Estimated completion	% complete	% of time devoted to issue	Assigned to	Status
	FOIA issues	all coverage	August	6/30/2011	100%	20%	Duane	
	FOIA report requests, general issues and questions from Coverage, Clerks and Judicial	all departments	ongoing	ongoing		20%	Duane	
	FOIA report requests, general issues and questions from Coverage, Clerks and Judicial	all departments	ongoing	ongoing	Maintenance Duane	40%		Forecast
	FOIA report requests, general issues and questions from Coverage, Clerks and Judicial	all departments	ongoing	ongoing	Maintenance Amanda	20%	Amanda	
	FOIA report requests, general issues and questions from Coverage, Clerks and Judicial	all departments	ongoing	ongoing		20%	Betsy	
					Maintenance Betsy	20%		

2006 IT Projects Status Report

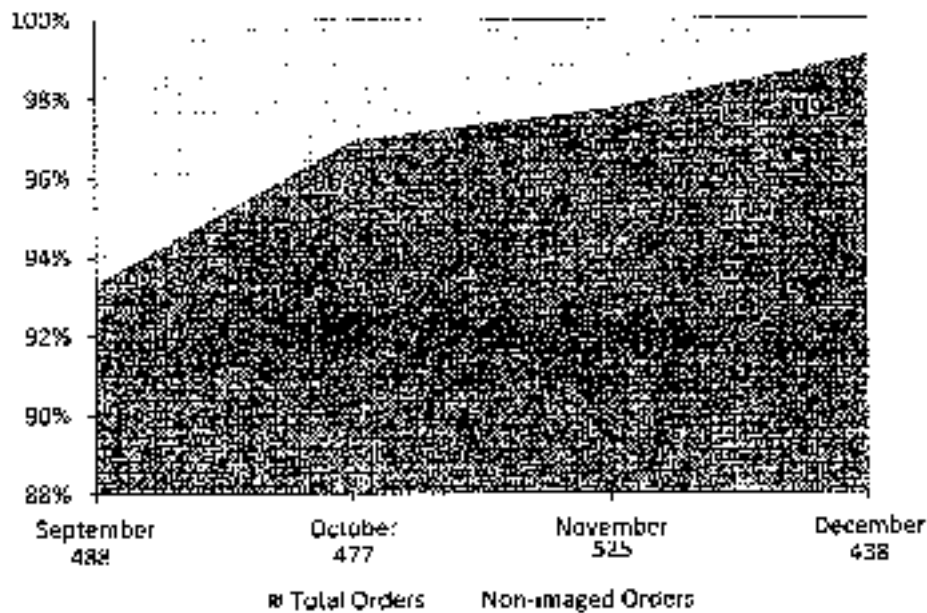
Period	01/1/12	Status Key: Not Started	Administrative	Timing
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Administrative Policy							
ID	Project	Sub Project	Due Date	% of completion	% of Time devoted to Issue	Assigned to	Status
2	MC and Server Refresh	Refresh	180	100%	5%	Betsy	Waiting on user review
4	Business Continuity Planing & Co-locate sales	D/SIT	ongoing	85%	25%	Betsy	waiting for review from city council
				Administrative Policy	10%		

IT Projects and Maintenance
December 20, 2011 to January 17, 2012



eService Order Process Implemented 9/1/2011



A new business process was implemented in September 2011 to allow Orders of the Commission to be served electronically in cases where all parties are represented. The process applies to Orders of all types, including Single Commissioner Decision and Orders, Consent Orders, Administrative Orders, Fine Orders, 14 Day Orders and Guardian Ad Litem Orders; as well as, Full Commission Orders and Judicial Conference Orders. In addition to serving Orders to represented parties by email, the end result of this process is an electronic copy of the Order, including cases involving pro se parties, available to Commission staff through the OnBase Imaging System. The chart reflects the total number of orders served by month. The percentages reflect the number of orders stored electronically, including orders served by email and pro se orders served by the US Postal Service.

To: Gary M. Cannon
Executive Director, SCWCC

From: Grant W. Duffield
Insurance and Medical Services Director

Subj: Insurance and Medical Services Department
December 2011 Full Commission Report

Date: January 10, 2012

Mr. Cannon:

Please find attached information provided to summarize the status and workflow of initiatives currently underway within the Insurance and Medical Services (IMS) Department

The statistical data concerning the IMS Department's December 2011 endeavors is organized as follows:

Page 1: Compliance Division Information.

Page 2: Coverage Division Information.

Page 3: Self Insurance and Medical Services.

In addition to the statistical data provided, please be advised of the following workflow initiatives:

Compliance Division	<ol style="list-style-type: none">1. Processing of Outstanding Carrier fines.2. Gear program support.
Coverage Division	<ol style="list-style-type: none">1. Partnering with SC Homebuilders Association for coverage verification2. Evaluate the need for Form 39 submittal3. SAF data-share partnership opportunity.
Medical Services	<ol style="list-style-type: none">1. Updates to "Frequently Asked Questions" segment of website2. Transmittal of Pharmacy Fee changes to MSPM holders
IMS Administration:	<ol style="list-style-type: none">1. Monthly department-wide meetings.2. Coordinating data collection effort for Surgical Implant and Fee Schedule initiatives.3. Working on fiscal impacts analysis with Ms. Garitt.

Mr. Cannon, while this summary is in no way all-inclusive, it may serve to assist you and our Commissioners in understanding the key initiatives underway in the IMS Department and provide measures by which the Department's effectiveness can be gauged. IMS welcomes any guidance that you and/or our Commissioners can provide concerning our performance and direction.

Carryover Caseload:

The Compliance Division is decreasing the "carry-over" caseload (backlog) in support of a 300 carry-over caseload metric and is approaching this threshold as Compliance closed December 2011 with 387 cases active.

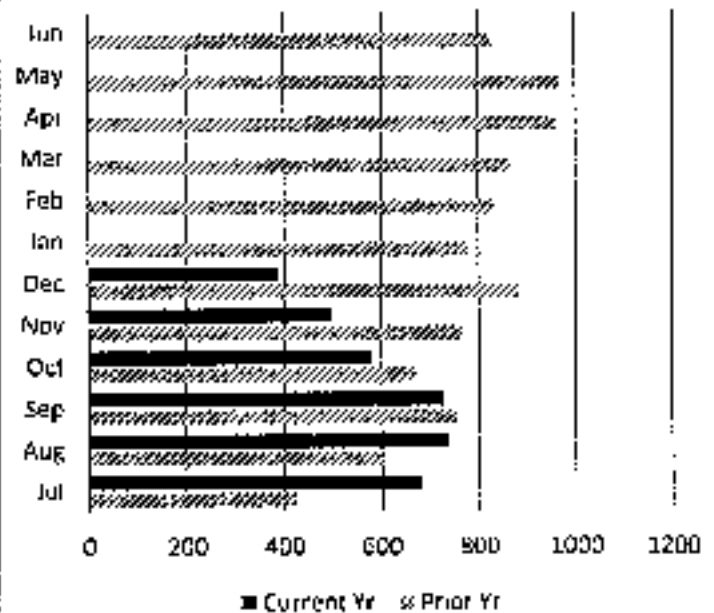
Cases Resolved:

Due to the decrease in carry-over, greater effort is focused on case resolution. For the month of December 2011, Compliance closed-out 103 cases, up from 63 cases closed in November.

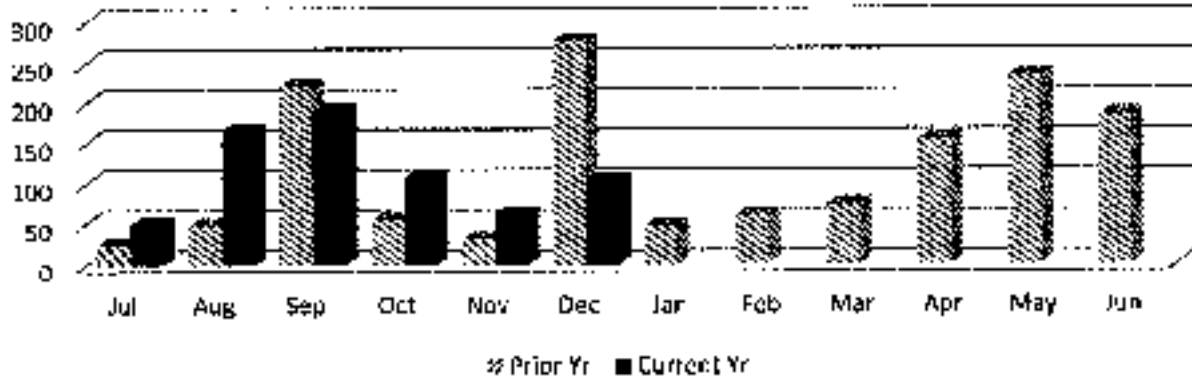
Compliance Fines:

Year to Date, Compliance fines are being collected at a rate of 91% of prior year. Compliance fine revenue represents 19% of the Commission's annual earmarked revenue budget.

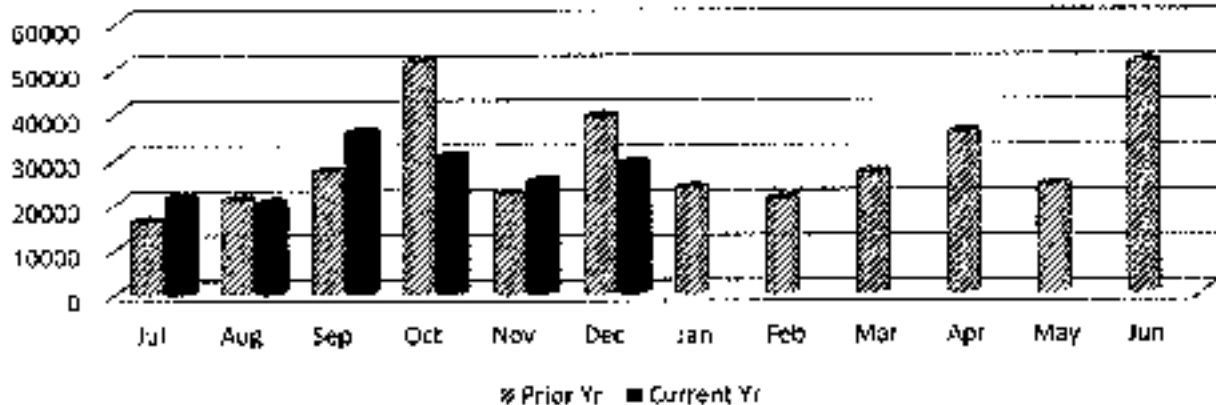
Caseload Pending v. Prior Year



Cases Resolved v. Prior Year



Compliance Fines Collected v. Prior Year



IMS COVERAGE DIVISION

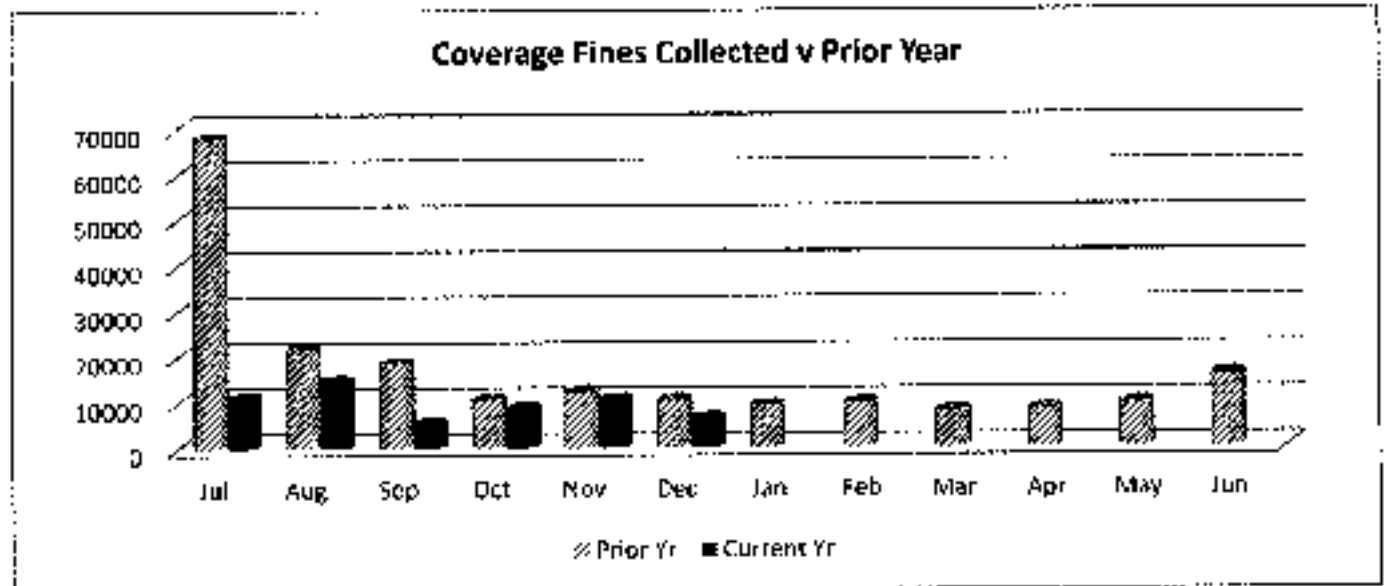
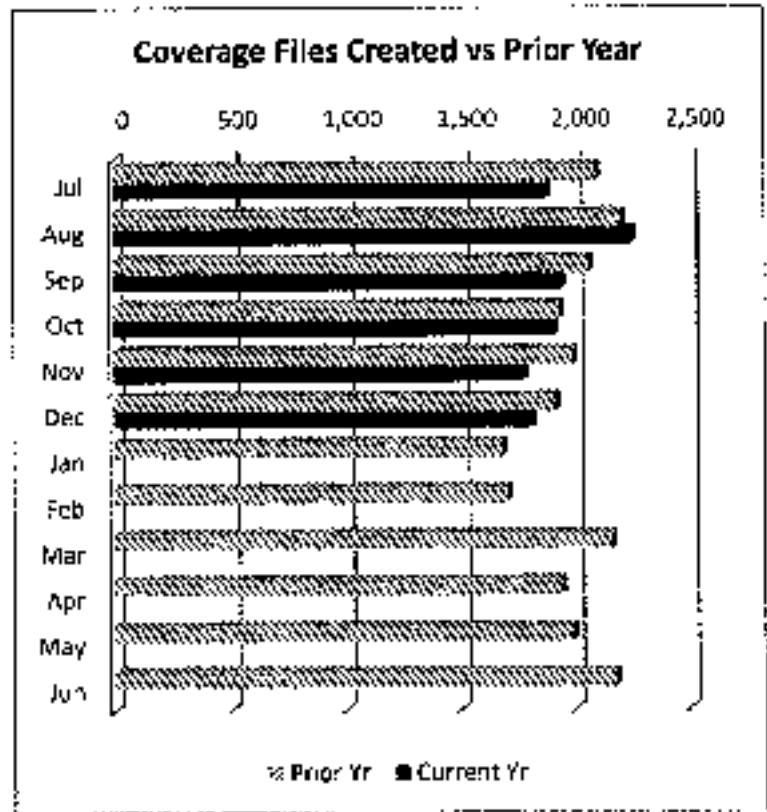
WCC Claim Files:

In December, the Coverage Division created a total of 1,818 WCC Claim files. Of these, 1,436 were created electronically, and 382 were submitted in hard copy format. Year to Date, 9,752 Claim files have been created which is 95% of claim file volume for the same time during the prior year.

Coverage Fines:

The Coverage Division collected \$10,400 in fine revenue in December 2011. The Coverage Division assessed \$22,000 in fines/penalties for the months of November and December, 2011

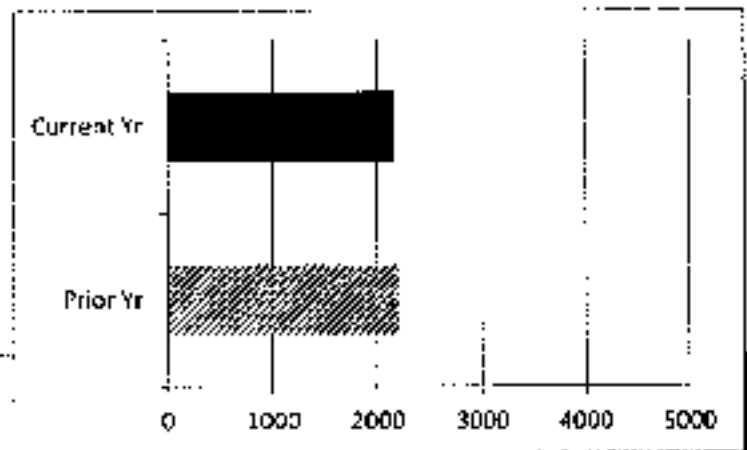
Coverage Division fines represent 10% of The Commission's annual earmarked budget.



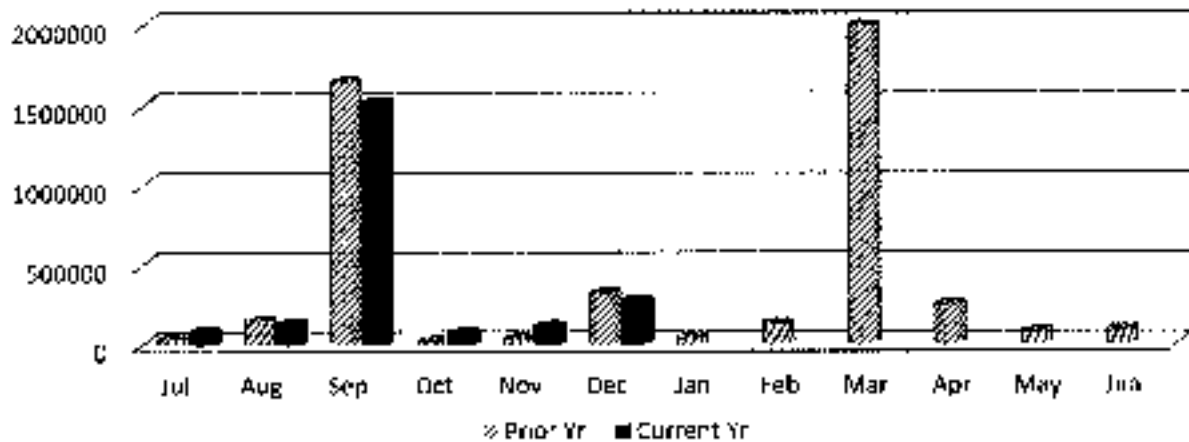
IMS SELF INSURANCE DIVISION

During the month of December, the Self Insurance Division:

- * collected \$270,602 in self-insurance tax.
 - * added 6 new self-insurers.
 - * conducted 5 Self Insurance audits
- Year to Date, Self Insurance tax collection revenue is trending at 99% of prior year.



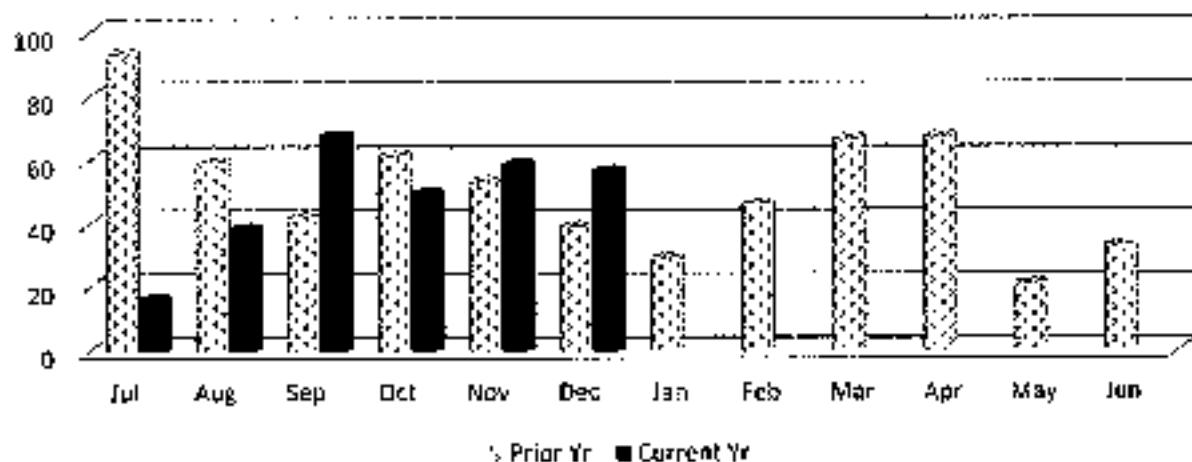
Self Insurance Tax Collections v. Prior Year



IMS MEDICAL SERVICES DIVISION

In November, the Medical Services Division began the month with 48 bills pending review, received an additional 40 bills for review and ended the month with 56 bills pending.

Medical Bills Pending Review v. Prior Year



TO: GARY CANNON, EXECUTIVE DIRECTOR
FROM: GREGORY S. LINE, DIRECTOR OF CLAIMS
SUBJECT: CLAIMS REPORT FOR THE MONTH OF NOVEMBER
DATE: January 9, 2012

Fines assessed for the month of December 2011:

- We assessed 444 fines for the month of December which was down from assessing 514 fines for the month of November.
- The dollar amount of the fines assessed for the month December was \$96,100 which was down from assessing \$113,450 for the month of November.

Fines received for the month of December 2011:

- We received payment on 511 fines for the month of December which was up from receiving 419 fines for the month of November.
- The dollar amount of fines received for the month December was \$11,700 which was up from receiving \$85,100 for the month of November.

The number of fines assessed went down for the month of September and the number of fines collected went down slightly for the month:

• July '10 fines assessed	1,195	July fines collected	742
• August fines assessed	699	August fines collected	722
• September fines assessed	839	September fine collected	580
• October fines assessed	560	October fines collected	599
• November fines assessed	715	November fines collected	649
• December fines assessed	661	December fines collected	488
• January '11 fines assessed	701	January fines collected	510
• February fines assessed	479	February fines collected	512
• March fines assessed	579	March fines collected	552
• April fines assessed	631	April fines collected	620
• May fines assessed	487	May fines collected	577
• June fines assessed	358	June fines collected	609
• July fines assessed	487	July fines collected	543
• August fines assessed	553	August fines collected	516
• September fines assessed	469	September fines collected	406

- October fines assessed **504** October fines collected **396**
- November fines assessed **514** November fines collected **419**
- December fines assessed **444** December fines collected **511**

The fines assessed for Form 18's went down **70** fines for the month of December. The previous two months the fines had gone down **82** fines. We collected **\$25,600** more for the month of December from the previous month. The last four months the Form 18 fines assessed have averaged **229** fines per month.

Since October 2010, we are averaging assessing **544** fines per month and collecting **527** fines per month. The Claims Department processed **5,335** Form 18's for the month of December.

I would think the fines being assessed, for Form 18's, would stay between 200 and 250 per month for the next several months.

The dollar amount of fines assessed for each form, for the month of June, and fines collected for each form from December 1, 2011 through December 31, 2011
 The number of fines assessed and collected, for each form, are in parenthesis.

	<u>Assessed</u>	<u>Collected</u>
Form 12A -	\$ 17,600.00 (188)	\$ 13,800.00 (69)
Form 15 Section I -	\$ 18,300.00 (82)	\$ 13,300.00 (56)
Form 15 Section II -	\$ 5,600.00 (28)	\$ 4,400.00 (22)
Form 15 S -	\$ 2,000.00 (10)	\$ 1,600.00 (9)
Form 17 -	\$ 2,200.00 (11)	\$ 1,000.00 (6)
Form 18 -	\$ 46,600.00 (216)	\$ 69,300.00 (299)
Form 19 -	\$ 200.00 (4)	\$ 700.00 (14)
Denial letter -	\$ 2,400.00 (12)	\$ 3,200.00 (18)
Failure to respond -	\$ 1,000.00 (5)	\$ 3,400.00 (18)
Form 16	\$ 200.00 (1)	\$ 0
Form 20	\$ 200.00 (1)	\$ 0
TOTAL -	\$ 96,300.00 (458)	\$ 110,700.00 (511)

Fine Report for July, August, September, October & December 2011

	Jul	Aug	Sept	Oct	Nov	Dec
Amt assess	\$103,850	\$120,450	\$96,900	\$105,400	\$113,450	\$96,300
# fines assess	487	553	470	504	514	458
Amt coll	\$111,875	\$103,800	\$83,300	\$81,300	\$85,100	\$110,700
<u>Fines coll</u>	<u>542</u>	<u>516</u>	<u>406</u>	<u>396</u>	<u>434</u>	<u>511</u>
Form 18's						
Fines assess						
Daily	\$42,400	\$50,300	\$43,200	\$47,700	\$42,400	\$42,400
Fines assessed						
file review	\$ 6,200	\$4,600	\$ 4,800	\$4,200	\$13,200	\$ 4,200
Total amount						
<u>Assessed</u>	<u>\$48,600</u>	<u>\$54,900</u>	<u>\$48,000</u>	<u>\$51,900</u>	<u>\$55,600</u>	<u>\$46,600</u>
fines assess daily (81		206	184	225	190	197
# fines assess						
file review	26	18	22	20	36	19
<u>Total fines assess</u>	<u>210</u>	<u>224</u>	<u>226</u>	<u>245</u>	<u>226</u>	<u>216</u>
Amt coll	\$75,200	\$61,350	\$45,000	\$40,000	\$49,300	\$69,300
# coll	350	295	206	182	230	299
All other fines assessed						
(Form 12-A, Form 15, Form 17, Form 19, denial letter, Form 20, failure to respond)						
Amt assess	\$55,250	\$65,550	\$48,900	\$57,400	\$57,850	\$39,900
# fines assess	277	329	244	259	288	242
Amt paid	\$36,675	\$42,450	\$38,300	\$41,300	\$35,800	\$41,400
# fines pd	192	221	200	214	189	212

TO: Gary M. Cannon, Executive Director

FROM: Gregory S. Line
Director of Claims

DATE: January 9, 2012

RE: Claims
Outstanding line status

Below is a list of four carriers that were sent a Second and Final Notice of fines Assessment on January 3, 2012.

1. Zurich North America (00090)
 - a. Beginning bal \$ 11,636.33
 - b. Bal as of 1/9/12 \$ **11,636.23**

2. US Fidelity & Guaranty Company (00086)
 - a. Beginning bal \$ 800.00
 - b. Bal as of 1/9/12 \$ **600.00**

3. Liberty Mutual Ins. Co. (00055)
 - a. Beginning bal \$ 2,600.00
 - b. Bal as of 1/9/12 \$ **2,600.00**

4. American Casualty Co. of Rdg. PA (00017)
 - a. Beginning bal \$ 1,186.33
 - b. Bal as of 1/9/12 \$ **1,186.33**

TO: Gary M. Cannon, Executive Director
FROM: Gregory S. Line
DATE: January 9, 2012
RE: Claims
Outstanding Fines Status

Below is the status of 4 companies that were sent a Second and Final Notice of fines Assessment on August 8, 2011.

1. YRC, Inc. (00767)
 - a. Beginning bal \$ 1,800.00
 - b. Bal as of 1/9/12 \$ 400.00

2. Accident Fund Ins. Co. of America (01072)
 - a. Beginning bal \$ 5,875.00
 - b. Bal as of 1/9/12 \$ 700.00

3. Lexington County Health Services (01702)
 - a. Beginning bal \$ 3,600.00
 - b. Bal as of 1/9/12 \$ 3,600.00

4. Premier Group Ins. Co. (01100)
 - a. Beginning bal \$ 4,200.00
 - b. Bal as of 1/9/11 \$ 400.00

TO: Gary M. Cannon, Executive Director

FROM: Gregory S. Line
Director of Claims

DATE: January 9, 2012

RE: Claims
Outstanding fine status

Below is a list of four carriers that were sent a Second and Final Notice of fines Assessment on July 14, 2011.

1. Electric Insurance Company (00497)
 - a. Beginning bal \$ 2,250.00
 - b. Bal as of 1/9/12 \$ 200.00

2. US Fire Insurance Co. (00125)
 - a. Beginning bal \$ 2,000.00
 - b. Bal as of 1/9/12 \$ 400.00

3. Limitedbrands, Inc. (01644)
 - a. Beginning bal \$ 3,400.00
 - b. Bal as of 1/9/12 \$ 1,200.00

4. Great American Alliance Ins. Co. (00372)
 - a. Beginning bal \$ 7,400.00
 - b. Bal as of 1/9/12 \$ 200.00

TO: Gary M. Cannon, Executive Director

FROM: Gregory S. Lane
Director of Claims

DATE: January 9, 2012

RE: Claims
Outstanding fine status

Below is a list of five carriers that were sent a Second and Final Notice of fines Assessment on February 28, 2011.

1. American Casualty Co. of Rdg PA (00017)
 - a. Beginning bal \$ 7,086.33
 - b. Bal as of 1/9/12 \$ 386.33

2. Lowe's Companies, Inc. (00946)
 - a. Beginning bal \$ 4,386.33
 - b. Bal as of 1/9/12 \$ 586.33

3. Kroger Company (01691)
 - a. Beginning bal \$ 4,000.00
 - b. Bal as of 1/9/12 \$ 400.00

4. SC School Board Self Ins. Trust Fund (00926)
 - a. Beginning bal \$ 9,600.00
 - b. Bal as of 1/9/12 \$ 600.00

5. Federal Express Corp. (00956)
 - a. Beginning bal \$ 1,400.00
 - b. Bal as of 1/9/12 \$ 400.00

TO: Gary M. Cannon, Executive

FROM: Gregory S. Line
Director of Claims

DATE: January 9, 2012

RE: Claims
Outstanding Fines Status

Below is a list of four carriers that were sent a Second and Final Notice of fines Assessment on February 18, 2011

1. Williamsburg National Ins. Co. (01058)
 - a. Beginning bal \$ 1,200.00
 - b. Bal as of 01/9/12 \$ 0
2. Safety National Casualty Corp. (01026)
 - a. Beginning bal \$ 1,800.00
 - b. Bal as of 1/9/12 \$ 400.00
3. PA Manufacturers Assn. Ins. Co. (00394)
 - a. Beginning bal \$ 5,200.00
 - b. Bal as of 1/9/12 \$ 400.00
4. Nash Johnson & Sons Farm, Inc. (00994)
 - a. Beginning bal \$ 4,800.00
 - b. Bal as of 1/9/12 \$ 400.00

SCWCC Judicial Report



January 2012

Pleadings Assigned

	District 1 Greenville	District 2 Anderson	District 3 Orangeburg	District 4 Charleston	District 5 Florence	District 6 Spartanburg	District 7 Richland
Jul-11	85	106	103	153	155	139	163
Aug-11	140	104	122	199	149	184	183
Sep-11	121	95	128	143	151	131	148
Oct-11	118	97	134	198	128	132	144
Nov-11	159	94	133	151	121	138	191
Dec-11	164	142	104	181	117	115	144
Jan-12							
Feb-12							
Mar 12							
Apr-12							
May-12							
Jun-12							
Totals	787	638	724	1025	822	839	973
FY 2011-2012							

Informal Conference & Mediations

Staff	Mileage/Hours	Month												Total			
		Jul-11	Aug-11	Sep-11	Oct-11	Nov-11	Dec-11	Jan-12	Feb-12	Mar-12	Apr-12	May-12	Jun-12				
Staff 1 Greg	SVM 245.00	410.00	0.00	218.00	769.00	375.00											1997.00
	PVM 0.00	0.00	0.00	0.00	0.00	0.00											0.00
	Time 12.00	23.00	44.00	12.00	56.00	42.00											189.00
	Hotel 0.00	0.00	0.00	0.00	0.00	0.00											0.00
Staff 2 Ginger	SVM 426.00	187.00	0.00	620.00	455.00	0.00											1688.00
	PVM 0.00	43.00	28.00	34.00	390.00	0.00											495.00
	Time 32.00	26.00	48.00	44.50	51.00	0.00											291.50
	Hotel 0.00	0.00	0.00	0.00	0.00	0.00											0.00
Mediations	SVM 0.00	0.00	0.00	0.00	0.00	0.00											0.00
	PVM 0.00	0.00	301.00	0.00	0.00	0.00											301.00
	Time 0.00	0.00	133.00	0.00	12.00	0.00											145.00
	Hotel 0.00	0.00	0.00	0.00	0.00	0.00											0.00
Staff 3 Vivian	SVM 302.00	0.00	0.00	0.00	0.00	0.00											302.00
	PVM 0.00	0.00	0.00	0.00	0.00	0.00											0.00
	Time 28.00	8.00	8.00	0.00	0.00	0.00											44.00
	Hotel 0.00	0.00	0.00	0.00	0.00	0.00											0.00
Staff 4 Garry	SVM 713.00	509.00	795.00	273.00	581.00	130.00											3002.00
	PVM 0.00	0.00	0.00	0.00	0.00	0.00											0.00
	Time 38.50	32.50	41.00	27.50	31.50	32.50											203.50
	Hotel 0.00	0.00	0.00	0.00	0.00	0.00											0.00
Staff 5 Kelly	SVM 0.00	0.00	0.00	0.00	0.00	0.00											0.00
	PVM 0.00	0.00	0.00	0.00	0.00	0.00											0.00
	Time 0.00	13.00	24.50	12.50	12.50	12.50											75.00
	Hotel 0.00	0.00	0.00	0.00	0.00	0.00											0.00
Staff 6 Robin	SVM 0.00	0.00	0.00	0.00	0.00	0.00											0.00
	PVM 190.00	0.00	367.00	139.00	56.00	31.00											783.00
	Time 43.50	18.50	86.00	23.00	27.50	7.00											207.50
	Hotel 0.00	0.00	0.00	0.00	0.00	0.00											0.00

Totals FY 2011-2012	
SVM = State Vehicle Miles	6989.00
PVM = Personal Vehicle Miles	1579.00
T = Time	1065.50
FI = Hotel Cost	0.00

State of South Carolina

1355 Main Street, 5th Floor
P.O. Box 1715
Columbia, S.C. 29202-1715



TEL: (803) 737-5760
FAX: (803) 737-5764

Workers' Compensation Commission

Executive Director's Report
Gary M. Cannon
January 17, 2012

Regulation 67-706. Oral Argument

The Notice of Drafting was published in the December 23, 2011 issue of the *State Register*. Comment period closes 5:00 p.m. January 24, 2012.

Vocational Rehabilitation Department

Development of the referral system is progressing. We are developing a portal for Vocational Rehabilitation.

FY 2012-13 Budget

Our agency budget presentation before the House Ways and Means Transportation and Regulatory subcommittee is scheduled for January 24.

Medical Services Provider Manual Update

OptumInsight has received and is analyzing the system utilization data to update the Medical Services Provider Manual (Physician Fee Schedule). We anticipate the consultant will present the first draft of the fiscal impact to the Commissioners at the Business Meeting in February.

Surgical Implant Advisory Committee

OptumInsight has received and has initiated analysis of the surgical utilization data. We anticipate the consultant will present the analysis and proposed recommendations to the Advisory Committee within the next 45 days.

Employee Meetings/Staff Training

The Executive Staff met on December 20, 2011 and January 10, 2012. An all Employee Meeting is scheduled for January 19, 2012. The Executive Team Leadership retreat is scheduled for January 20, 2012.

Constituent /Public Information Services

For the period December 15, 2011 through January 11, 2012 the Executive Director's Office had 121 contacts with various system constituents and stakeholders. The contacts included telephone communications; electronic and personal contacts with claimants or constituents, state agencies, federal agencies, attorneys, service providers, business partners; and letters with congressional offices.

Court Fines and Assessments Aging Report

The attached Fines and Assessments Aging Report reflects the number and amount of fines assessed for the period ending December 31, 2011.

Fines and Assessments Aging Report
Monthly Totals

1/9/2012

Page 1

Summary All Depts.	August	Sept	Oct	Nov	Dec	Jan	Feb	Mar	April	May	June
Total	\$1,241,794	\$1,159,840	\$1,208,332	\$1,304,713	\$1,305,072						
Count	3,459	3,421	3,472	3,449	3,363						
> 91 Days	\$910,973	\$900,237	\$809,103	\$896,275	\$967,105						
Count	2,726	2,522	2,577	2,508	2,329						
61-90 Days	\$19,842	\$48,758	\$45,694	\$49,714	\$50,413						
Count	187	164	198	166	198						
31-60 Days	\$72,480	\$82,013	\$60,385	\$114,054	\$156,864						
Count	204	289	251	286	348						
< 30 days	\$56,561	\$10,438	\$73,090	\$24,689	\$167,690						
Count	372	452	423	480	481						
OK Fines Over 90 Days Old											
Debits	\$2,485	\$2,365	\$2,385	\$2,385	\$1,775						
Count	10	9	9	8	6						
Judgments	\$20,174	\$253,507	\$253,367	\$253,267	\$292,222						
Count	532	542	541	540	539						

Claims	July	August	Sept	Oct	Nov	Dec	Jan	Feb	Mar	April	May	June
Division Total	\$648,378	\$627,953	\$627,083	\$637,413	\$641,193	\$600,288						
Count	3,084	2,981	2980	3,014	3036	2843						
> 91 Days	\$459,778	\$467,253	\$453,533	\$467,173	\$463,343	\$415,238						
Count	2423	2284	2219	2271	2204	2028						
61-90 Days	\$91,950	\$78,150	\$94,800	\$35,000	\$28,750	\$38,350						
Count	747	94	150	158	145	173						
31-60 Days	\$18,300	\$49,290	\$68,280	\$49,700	\$56,800	\$70,090						
Count	180	214	258	213	254	335						
< 30 days	\$79,950	\$92,300	\$76,500	\$49,600	\$151,500	\$75,650						
Count	344	389	385	401	433	388						
Off Fines Over 90 Days Old												
Orders	\$2,585	\$2,485	\$2,385	\$2,385	\$2,385	\$1,775						
Count	10	9	8	8	8	6						
Judgments	\$59,468	\$93,468	\$92,848	\$92,728	\$92,808	\$92,583						
Count	478	478	478	477	478	475						

Compliance	July	August	Sept	Oct	Nov	Dec	Jan	Feb	Mar	April	May	June
Division Total	\$502,184	\$446,015	\$513,772	\$480,888	\$581,760	\$608,987						
Count	173	172	186	188	278	234						
> 91 Days	\$449,938	\$268,741	\$368,443	\$384,697	\$369,722	\$378,988						
Count	143	127	131	135	134	142						
61-90 Days	\$7,380	\$16,978	\$13,383	\$6,750	\$19,036	\$62,976						
Count	6	12	10	10	15	48						
31-60 Days	\$37,837	\$16,471	\$19,675	\$21,593	\$55,977	\$38,670						
Count	14	11	10	22	23	40						
< 30 days	\$19,199	\$49,890	\$114,259	\$77,668	\$143,025	\$90,353						
Count	11	22	45	32	56	33						
Off Fines Over 90 Days Old												
Orders												
Count												
Judgments	\$196,708	\$758,129	\$160,458	\$150,654	\$60,859	\$180,659						
Count	53	83	84	84	61	84						

Coverage	July	August	Sept	Oct	Nov	Dec	Jan	Feb	Mar	April	May	June
Division Total	\$54,650	\$50,400	\$53,760	\$62,300	\$55,900	\$69,250						
Count	170	174	189	189	123	210						
> 90 Days	\$42,450	\$51,600	\$56,500	\$63,100	\$64,500	\$47,460						
Count	113	130	123	118	116	101						
61-80 Days	\$18,200	\$20,000	\$20,000	\$20,000	\$20,000	\$20,000						
Count	42	40	40	40	40	40						
31-60 Days	\$1,600	\$0	\$4,000	\$1,400	\$1,200	\$0						
Count	8	0	20	7	5	0						
< 30 days	\$1,400	\$8,600	\$6,200	\$5,400	\$0	\$21,000						
Count	7	43	31	27	0	105						
Of Fines Over 90 Days Old												
Orders												
Count												
Judgments												
Count												
Judicial												
Division Total	\$26,601	\$25,471	\$26,620	\$28,620	\$25,800	\$26,547						
Count	62	58	67	67	62	68						
> 90 Days	\$22,253	\$23,378	\$23,778	\$24,358	\$24,710	\$25,428						
Count	41	48	49	53	54	58						
61-80 Days	\$1,302	\$544	\$575	\$644	\$718	\$267						
Count	3	7	4	2	5	2						
31-60 Days	\$944	\$718	\$807	\$1,290	\$267	\$144						
Count	2	5	3	8	2	1						
< 30 days	\$2,093	\$631	\$1,580	\$431	\$744	\$607						
Count	10	4	11	3	7	4						

INTEROFFICE MEMORANDUM

TO: COMMISSIONERS BECK, BARDEN, LYNDON, MCCASKILL, ROCHE,
AND WILKERSON

FROM: COMMISSIONER WILLIAMS *OW*

SUBJECT: PROPOSED MEDIATION REGULATION

DATE: 1/9/2012

CC: GARY CANNON, RENEE SMITH

PROPOSED MEDIATION REGULATION (REG. 67-1801)

In advance of our Full Commission Business Meeting on next Tuesday, I wanted to provide you all with a copy of the proposed mediation regulation (and revised forms as a result of the regulation) that my committee has now completed. I will be presenting this to you for your consideration on next Tuesday, but I wanted you all to have a chance to digest the information before the meeting. The proposed regulation itself is self-explanatory; however, I wanted to provide you all with a brief summary of the proposed regulation, the changes to the Forms 21, 50, and 51 that would accompany the regulation, and the addition of a Form 70 as a result of the proposed regulation.

Our committee met twice – October 28, 2011 and December 2, 2011 -- and had a lot of discussion via e-mail to tweak any language in the regulation. The committee was made up of several defense and claimant's attorneys, self-insured representatives, and industry group representatives. The committee had the following members: Earl Ellis, Lana Sims, Mills Gallivan, Stan Lacy, Buster Holland, Allison Carter, Cindy Dooley, Hugh McAague, Ann Mickle, Kathryn Williams, David Pearman, Andy Safran, Mark Arden, Kenny Harrell, Hood Temple, Matt Robertson, Latonya Edwards, Clifford Bourke, Leslie Mitchum, Ken Stoller, Ashley Hunter, Clara Smith, Michaela Isler and Ginger Crocker. Dave DeMasters was the Commission staff person assigned to help me with the committee, and he was an excellent right hand throughout this process. The main goals in drafting the proposed regulation were to 1) give Commissioners explicit authority to order mediations, 2) create a list of cases for which mediation before any hearing would be beneficial to all the parties, and 3) deal with

any procedural issues in requesting mediations, choosing mediators, splitting costs, etc. I am happy to state that there was consensus among the committee on nearly every major part of the proposed regulation.

This purpose of the regulation is to establish a defined mechanism to resolve disputes without the necessity of a hearing. The goal is to afford a meaningful opportunity to the parties to achieve an efficient and a just resolution of their disputes in a timely and a cost-effective manner. **The goal was not to draft a regulation for mandatory mediation of all cases.** I personally thought that would be counterproductive to our current system to have mandatory mediation on all cases, as we run efficiently and effectively. However, the committee members agreed that defining certain cases for mediation would be beneficial.

The major highlights of the regulation are as follows: 1) Commissioners would have authority to order mediation in any case, 2) admitted cases under §42-9-10, 42-9-30 (21), occupational disease cases, 3rd party lien cases, mental/mental cases, and concurrent jurisdiction cases under the Federal Longshore Act would be mediated before any hearing on the claims, 3) contested death cases would be mediated before a hearing is held, 4) mass facility cases would be mediated before any hearings held, 5) the Forms 21, 50, 51, and the response to the Form 21 would be the mechanism to request mediation or to "opt out" of mediation, 6) the mediator must go through the SC Bar training, 7) selection must take place within 10 days of filing of the 51 or response to the Form 21, 7) the mediation must be completed within 60 days, 8) proper representatives must be present, but may attend by telephone, 9) communications within the mediation are confidential, and 10) parties who do not mediate in good faith are subject to sanctions, fines, or penalties.

If implemented, the regulation would require some minor changes to the Forms 21, 50, and 51. Namely, the parties would check off a box on the forms indicating whether they are requesting mediation, opting out of mediation, whether the case is subject to mediation under the regulation, or whether the case is not subject to mediation under the regulation. These are minor changes to the forms, but they are necessary to ensure that cases on the mediation track are not scheduled for a hearing before they are mediated.

Finally, a "Form 70" has been proposed to be used by the mediators to update the Commission on whether the case was successfully mediated or not. This form would only be for tracking purposes and would not become a part of the Commission file. I thought it was important that we track the mediation progress going forward, to determine if it is working or not. This form would be helpful also in either placing the file back in the normal docket to be scheduled, or to remove the case as a settlement or agreement has been reached.

I look forward to sharing this information with you all in detail on next Tuesday. In advance of next week, please do not hesitate to contact me for any clarification or to answer any questions about the proposed regulation.

67-1801. Mediation.

- A. This mediation regulation is established to resolve disputes without the necessity of a hearing. The purpose is to afford a meaningful opportunity to the parties to achieve an efficient and a just resolution of their disputes in a timely and a cost-effective manner.
- B. A Commissioner has the discretion to order mediation in any pending claim before them and to select a duly qualified mediator.
 - (1) A Commissioner must retain jurisdiction of the claim solely for those issues being mediated.
 - (2) A Commissioner does not retain jurisdiction of the claim for the life of the claim, only until those pending issues are resolved.
- C. Required Mediation:
 - (1) Claims arising under §42-9-10, §42-9-30 (2), occupational disease cases, third-party lien reduction claims, contested death claims, mental/mental injury claims, and cases of concurrent jurisdiction under the South Carolina Workers' Compensation Act and the Federal Longshore and Harbor Workers' Compensation Act must be mediated prior to a hearing.
 - (a) In contested death claims, a Commissioner must still make a finding that a good faith dependency investigation has been completed.
 - (b) Except for contested death claims, all claims listed in section (C)(1) would apply only to claims where compensability of the accident is admitted by the employer/carrier.
 - (2) Claims involving multiple employees arising out of employment with the same Employer, whether or not compensability has been admitted, shall be subject to a scheduling order and shall be mediated prior to a hearing. Participation in mediation in no way constitutes an admission of compensability at any subsequent proceeding.
 - (3) A Commissioner's authority to order mediation in any pending claim is not limited by the claims listed in section (C) (1) and (C) (2).
- D. The parties may request mediation by the proper submission of a Form 21, Form 50, Form 51, or the response to the Form 21, indicating a request for mediation. Except as provided in section (C), either party may object to mediation by the proper submission of the Form 21, Form 50, Form 51, or the response to the Form 21.
- E. The parties may consent to use any mediator who is duly qualified.
 - (1) The mediator must be qualified to be certified as a mediator per the certification process established by the South Carolina Bar Association.

- F. The parties must select a mediator within ten (10) days of the filing of the Form 51 or the response to the form 21, and must promptly notify the Commission of the mediator and proposed mediation date.
- G. The mediation must be completed within sixty (60) days of the filing of the Form 51 or the response to the form 21, unless otherwise agreed to by the parties.
- H. If the parties cannot agree on a mediator, the Commission shall appoint a duly qualified mediator for them.
- I. In addition to their attorney being present, each party shall provide a representative, who shall attend the mediation in person or via telephone. The representative should have authority to enter into negotiations, in good faith, to resolve the issues in dispute. If the representative attends via telephone, they shall be available by telephone for the duration of the mediation. Reasonable notice shall be provided to the opposing party concerning attendance via telephone, prior to the mediation.
- J. All communications and statements, which take place within the context of mediation, shall be confidential and not subject to disclosure. Such communications or statements shall not be disclosed by any mediator, party, attorney, or attendee and may not be used as evidence in any proceeding. An executed agreement resulting from mediation is not subject to the confidentiality described above.
- K. Neither the mediator nor any third party observer may be subpoenaed or otherwise required to testify concerning a mediation or settlement negotiation in any proceeding. The mediator's notes shall not be placed in the Commission's file, shall not be subject to discovery, and shall not be used as evidence in any proceeding.
- L. The parties shall share the cost of mediation equally, unless otherwise agreed by the parties, or as otherwise ordered by the Commission.
- M. Any party who refuses or neglects to act in good faith during the mediation may be subject to a fine not to exceed the actual cost of the mediation. Any party who believes this provision has been violated may file a Motion for a Rule to Show Cause before the jurisdictional Commissioner for purposes of assessing fines and penalties. The parties shall have the right of review and appeal as in other cases.

N. A Form 70 shall be filed by the Mediator with the Judicial Department at the conclusion of the mediation. A Form 70 shall not become a part of the Commission's file and will solely be used for tracking purposes.

South Carolina Workers' Compensation Commission
1333 Main Street, Suite 500
Post Office Box 1715
Columbia, South Carolina 29202-1715
(803) 737-5675



WCC File #: _____
Carrier File #: _____
Carrier Code #: _____
Employer FEIN #: _____

Claimant's Name: _____ SSN: _____ Employer's Name: _____
Address: _____ Address: _____
City: _____ State: _____ Zip: _____ City: _____ State: _____ Zip: _____
Home Phone: (____) _____ Work Phone: (____) _____ Insurance Carrier: _____
Preparer's Name: _____ Law Firm: _____ Preparer's Phone #: (____) _____

The date of injury reported on Form 12A is: ____ (m/d/yyyy)

Check appropriate section(s). The employer's representative requests a hearing to:

- I. **Stop payment of compensation.** Claimant has reached maximum medical improvement and Claimant continues to receive temporary compensation payments. The employer's representative requests a hearing pursuant to § 42-9-260(D) to stop payment of temporary compensation. A hearing requested pursuant to this section must be held within sixty days of the date of the request.

Claimant reached maximum medical improvement on ____ (m/d/yyyy) (copy of medical report must be attached).
Compensation payments are current as of ____ (m/d/yyyy) and shall continue until otherwise ordered or until Form 17 is signed by the claimant.
A Form 17 was offered and refused on ____ (m/d/yyyy).

- II. **Address suspension, termination, or reduction of temporary disability payments for any cause.**

- a. At any time pursuant to § 42-9-260(E).
 b. After the one-hundred-fifty day period has expired pursuant to § 42-9-260(F), R. 67-506 and R. 67-506.

The basis for the termination/ suspension is _____

- III. **Determine if compensation is due pursuant to § 42-9-10, § 42-9-20 or § 42-9-30 and, if so, in what amount, based on the following grounds:**

Claimant reached maximum medical improvement on ____ (m/d/yyyy) (copy of medical report must be attached)

- IV. **Request Credit for Overpayment of temporary compensation pursuant to § 42-9-210.**

- V. **Determine amount of compensation for claims involving a fatality.** (Dependency investigation must be attached).

- a. Payment of unpaid balance of compensation when employee dies pursuant to § 42-9-280.
 b. Amount of compensation for death of employee due to accident pursuant to § 42-9-290.

A hearing requested pursuant to this section will be set on an expedited basis.

- VI. **Mediation**

- a. I am requesting mediation of this case.
 b. I am not requesting mediation of this case.
 c. This case is subject to mediation pursuant to Reg. 67-1801
 d. This case is not subject to mediation pursuant to Reg. 67-1801.

- A \$ 25.00 filing fee and updated Form 19 must be included with an employer's request for a hearing.
- An employer requesting a hearing must include certification that the request has been served on all parties in compliance with R. 67-211.

Preparer's Signature _____ Title _____ Date _____

Address _____

Questions about the use of this form should be directed to the Judicial Department at 803-737-5675, or visit us online at www.wcc.sc.gov. Refer to R. 67-1801 for mediation.



Claimant's Name: _____ SSN: _____ Employer's Name: _____
 Address: _____ Address: _____
 City: _____ State: _____ Zip: _____ City: _____ State: _____ Zip: _____
 Home Phone: () _____ Work Phone: () _____ Insurance Carrier: _____
 Preparer's Name: _____ Law Firm: _____ Preparer's Phone #: () _____

Complete each information blank. To request a hearing, check Box 13b, indicate the kinds of benefits claimed by checking the box(es) at Lines 6, 7, 8, and 9, and file this form in duplicate.

A claim for workers' compensation benefits is made based on the following grounds: _____ Date of Injury or Illness: _____

- Injury Illness Repetitive Trauma
- 1a. The claimant sustained an injury to _____ (Part(s) of Body Injured) on _____ (Month/Day/Year) in _____ county, State of _____.
 - 1b. Body part(s) affected are: _____
 Briefly describe how the accident occurred: _____
 2. Both the claimant and the employer were subject to the South Carolina Workers' Compensation Act at the time of injury
 3. The relationship of employer and employee existed at the time of injury.
 4. At the time of the injury the claimant was performing services arising out of and in the course of employment.
 5. Notice of the accident/injury was given to the Employer on _____ (Month/Day/Year) in the following manner: _____
 6. Due to injury, the claimant is in need of (check one):
 (a) medical examination and treatment for: _____
 (b) additional medical examination and treatment for: _____
 7. Due to injury, the claimant requests temporary total disability benefits because of lost compensable time from work and wages for the period of: _____
 8. Due to the injury, the Claimant has permanent disability of the following nature and extent (check one):
 (1) General Disability: Total (2) Specific Disability: Total
 (3) Wage Loss Partial Partial
 9. Due to the injury, the Claimant has a serious bodily disfigurement consisting of: _____
 - 10a. At the time of the injury, the Claimant was paid weekly wages of \$_____, and demands accounting of days worked and wages earned as provided by law.
 - 10b. Give names and addresses of all employers for whom the Claimant has worked since the date of the accident: _____
 - 11a. Further grounds or unusual aspects of claim: _____
 - 11b. List names and addresses of all physicians or other medical specialists who have seen or treated the Claimant as a result of the accident: _____
 - 11c. To the best of your knowledge, did you have any prior permanent disability? _____
 If yes, describe: _____
 12. Appropriate benefits as provided in the Act for the above grounds and other relief as the Workers' Compensation Commission may direct as just and proper.
 - 13a. I am filing a claim, I am not requesting a hearing at this time. 15a. I am requesting mediation of this case.
 - 13b. I am requesting a hearing. A \$25 fee is required. 15b. I am not requesting mediation of this case.
 - 16a. This case is subject to mediation pursuant to Reg. 67-1801.
 - 16b. This case is not subject to mediation pursuant to Reg. 67-1801.
 14. Estimated time needed for hearing: _____

I verify the contents of this form are accurate and true to the best of my knowledge.

Preparer's Signature _____ Title _____ Email _____ Date _____

Refer to R.67-204 through R.67-210 and R.67-601 through R.67-615. Refer to R. 67-1801 for mediation. Questions about the use of this form may be directed to the Commission's Claims Dept.



Claimant's Name: _____ SSN: _____ Employee's Name: _____
 Address: _____ Address: _____
 City: _____ State: _____ Zip: _____ City: _____ State: _____ Zip: _____
 Home Phone: () - _____ Work Phone: () - _____ Insurance Carrier: _____
 Date of Injury: _____
 Preparer's Name: _____ Law Firm: _____ Preparer's Phone #: () - _____

Date of Injury or Illness:

Complete each information blank. Specify clearly when contentions are admitted in part and denied in part. The employer/carrier in answer to the claim, respectfully shows:

1. It is **Admitted / Denied** the employee sustained an injury or illness on or about the date set forth in the Form 50. The reasons for denial are: _____
2. It is **Admitted / Denied** both the employer and employee were subject to the Workers' Compensation Act at the time in question. The reasons for denial are: _____
3. It is **Admitted / Denied** the relationship of employer and employee existed at the time in question. The reasons for denial are: _____
4. It is **Admitted / Denied** at the time in question the employee was performing services arising out of and in the course of employment. The reasons for denial are: _____
5. It is **Admitted / Denied** notice of injury was given the employer. The reasons for denial are: _____
6. It is **Admitted / Denied** the employee **Needs / Is Entitled to Additional** medical care as a result of injury or illness. The reasons for denial are: _____
7. It is **Admitted / Denied** the employee is entitled to temporary total disability for the period(s) of _____
8. It is **Admitted / Denied** the employee is permanently disabled. The reasons for denial are: _____
9. It is **Admitted / Denied** the employee has serious disfigurement.
10. It is contended that an average weekly wage of \$ _____ applies, according to attached Form 20 as provided by law.
11. Further contentions, grounds of defense, or unusual aspects are: _____
12. Estimated time needed for hearing: _____

- 13a. I am requesting mediation of this case. 14a. This case is subject to mediation pursuant to Reg. 67-1801
 13b. I am not requesting mediation of this case. 14b. This case is not subject to mediation pursuant to Reg. 67-1801.

I certify I have served this document pursuant to R.67-212 by delivering a copy to:

Name: _____

Address: _____

on the ____ day of _____ by first class mail personal service certified mail.

I verify the contents of this form are accurate and true to the best of my knowledge.

Preparer's Signature _____ Title _____ Email _____ Date _____

Refer to R.67-204 through R.67-210 and R.67-640 through R.67-615. Refer to R. 67-1801 for mediation. Questions about the use of this form may be directed to the Commission's Judicial Department. Pursuant to R.67-606, a Form 20 must be filed with the Cal's Department at least 30 days from the date of filing this form.

South Carolina Workers' Compensation Commission

1331 Main Street, Suite 500
P.O. BOX 1715
Columbia, SC 29202-1715
(803) 737-5739
www.wcc.sc.gov



MEDIATOR REPORT FORM

WCC File No: _____

Claimant's Name: _____

Employer's Name: _____

Address: _____

Address: _____

City: _____ State: _____ Zip: _____

City: _____ State: _____ Zip: _____

Home Phone: () - _____ Work Phone: () - _____

Carrier: _____

Preparer's Phone #: () - _____

Preparer's Name: _____

The undersigned mediator reports the following results of a mediated settlement conference in this case:

Mediation was held and completed on: _____

_____ was held and not completed because: _____

_____ was not held because: _____

The parties reached: _____ agreement on all issues _____ a partial agreement _____ an impasse

The party who will submit the Final Agreement & Release, Consent Order, or Form 16A to the Commission is:

_____ Claimant _____ Defendants

The parties request: _____ the case be set for a hearing _____ the case be returned to general files pending a hearing request from either party

Mediator Signature: _____

Date: _____

This report is to be returned to the Commission in all cases, whatever the mediation results. This form is used solely for tracking purposes and does not become a part of the Commission file.

State of South Carolina

1111 Main Street, 3rd Floor
P.O. Box 1715
Columbia, S.C. 29202-1715



TEL: (803) 757-5700
FAX: (803) 757-3764

Workers' Compensation Commission

TO: Workers' Compensation Commissioners

FROM: Gary M. Cannon

Date: January 12, 2012

Re: Proposed Regulation Change 67-706 – Oral Argument

Attached is the schedule for the proposed amendment to Regulation 67-706 Oral Argument. The amendment requires parties to arrive at the Appellate Panel Hearing 30 minutes prior to the scheduled time for the hearing to begin.

I request the Commission schedule the Public Hearing for 10:30 a.m. May 21, 2012. This is the same day of the Commission Business Meeting in May.

Regulation 67-706 Oral Argument Timeline

Proposed Amendment - Regulation 67-706 Oral Argument for parties to show up and sign in 30 minutes prior to their appellate hearing.

Task	Date	Complete
Submit Notice of Drafting to State Register	12/9/2011	11/29/2011
Notice of Drafting Published in State Register	12/23/2011	12/23/2011
Deadline for Comments	1/24/2012	
Post Notice on website	12/24/2012	12/21/2011
Proposed Regulation (Commissioners approval of proposed language)	2/21/2012 (FC Business mtg)	
Submit Proposed Regulation to State Register	3/9/2012	
Proposed Regulation Published in State Register (Public hearing 30 days after publication in State Register - include deadline to receive comments)	3/23/2012	
Document Number Assigned		
Deadline to receive comments for Public Hearing	4/23/2012	
Public Hearing Notice One Month Out (include Deadline to receive comments)	4/20/2012	
Date of Public Hearing (30 days after publication in State Register)	5/21/2012 (FC Business mtg or called meeting)	
No later than 5 working days after public hearing presiding official issues a written report (unless presiding official orders an extension for not more than 20 days)	5/28/2012	
Agency Approval	6/18/ 2012 (FC Business mtg or called meeting)	
Submit for General Assembly Review Deadline for submission to General Assembly Regulation must be submitted to the General Assembly for review within one year of the date of publication of the Notice of Drafting (Section 1-23-120(A))		

MEMORANDUM

TO: Gary M. Cannon, Executive Director

FROM: J. Keith Roberts, Law Clerk

DATE: January 10, 2012

RE: Court Interpreters

You asked me to perform some research regarding the use of court interpreters and to draft some documents to assist our Commissioners in ensuring that translations and interpretations provided during proceedings before the Workers' Compensation Commission are as accurate and fair as possible.

Neither the Workers' Compensation Act nor the Regulations of the Workers' Compensation Commission address the issue of interpreters for parties with limited English proficiency or a speech or hearing impairment. However, the South Carolina Rules of Civil Procedure provide that

When a witness does not speak the English language sufficient to testify, the court may appoint an interpreter of its own selection and may fix his reasonable compensation. The compensation shall be paid out of funds provided by law or by one or more of the parties as the court may direct, and may be taxed ultimately as costs, in the discretion of the court

Rule 43(f) S.C.R.C.P.

South Carolina Court Administration maintains a list of certified or otherwise qualified interpreters for use by the clerks of court. Court personnel are able to schedule interpreters as the need arises. The courts do not employ staff interpreters.

The South Carolina Supreme Court has produced Rules of Professional Conduct for Court Interpreters, which I have attached. Rule 511, S.C.A.C.R. I propose that we recommend to the Commissioners that they take these Rules under consideration when determining if an interpreter presented at a Hearing is qualified to serve.

I have prepared a draft affidavit to proffer to the interpreters appearing at a Hearing to have them sign to help ensure that their translations or interpretations are as fair and accurate as possible. I have attached a copy for your review. Furthermore, I have prepared a list of questions that the Hearing Commissioner can ask the interpreter and the parties on the record to determine if the interpreter should be disqualified from serving due to a conflict, which I have also attached for your review. Keep in mind these documents were prepared by me and have not been reviewed by counsel. I recommend that we submit the proposed affidavit and questions to the Commissioners for their input and revisions.



South Carolina
Judicial Department

[Site Map](#)

Court News

Rules of Professional Conduct for Court Interpreters

The Supreme Court has promulgated rules governing the professional conduct of court interpreters. These rules, which will be contained in Rule 511, SCACR, are effective immediately.

2008-08-21-01

The Supreme Court of South Carolina

RE: Amendments to South Carolina Appellate Court Rules

ORDER

Pursuant to Art. V, §4 of the South Carolina Constitution, the South Carolina Appellate Court Rules are amended as follows:

(1) The title of Part V of the Rules is amended to read: "Rules Governing the Judiciary, Employees of the Judicial Department, and Others Assisting the Judiciary."

(2) The attached Rule 511 is added.

These amendments shall be effective immediately.

IT IS SO ORDERED

s/Jean H. Toal C.J.

s/James E. Moore J.

s/John H. Wailer, Jr. J.

s/E.C. Givens, III J.

s/Costa M. Pleicones J.

Columbia, South Carolina
June 21, 2008

**RULE 511
RULES OF PROFESSIONAL CONDUCT FOR
COURT INTERPRETERS**

PREAMBLE

Many persons who come before the courts are partially or completely excluded from full participation in the proceedings due to limited English proficiency (LEP) or a speech or hearing impairment. It is essential that this communication barrier be removed, as much as possible, so that these persons are placed in the same position

as a similarly situated person for whom there is no such barrier. A non-English speaker should be able to understand just as much as an English speaker with the same level of education and intelligence.

As officers of the court, interpreters help assure that such persons may enjoy equal access to justice and that court proceedings and court support services function efficiently and effectively. Interpreters are highly skilled professionals who fulfill an essential role in the administration of justice. Anyone serving as a court interpreter should be required to understand and abide by the precepts set out in these Rules. Judges and attorneys should also become familiar with the Rules and expect conduct from interpreters that is consistent with them.

APPLICABILITY

These Rules shall guide and be binding upon all persons, agencies and organizations who administer, supervise use of, or deliver interpreting services to the judiciary.

RULE 1 ACCURACY AND COMPLETENESS OF INTERPRETATION

Interpreters shall render a complete and accurate interpretation, or sight translation, without altering, omitting or adding anything to what is stated or written, and without explanation or summarization. The interpreter shall preserve the nuances and level of formality, or informality, of the speech.

Commentary

The interpreter has a two-fold duty: (1) to ensure that the proceedings in English reflect precisely what was said by a non-English speaking person, and (2) to place the non-English speaking person on an equal footing with those who understand English. This creates an obligation to conserve every element of information contained in a source language communication when it is rendered in the target language.

Therefore, interpreters are obligated to apply their best skills and judgment to preserve faithfully the meaning of what is said in court, including the style or register of speech. Verbatim, "word for word," or literal oral interpretations are not appropriate when they distort the meaning of the source language. Every spoken statement, even if it appears non-responsive, obscene, rambling, or incoherent should be interpreted. This includes apparent misstatements.

Interpreters should never interject their own words, phrases, or expressions. If the need arises to explain an interpreting problem (e.g., a term or phrase with no direct equivalent in the target language or a misunderstanding that only the interpreter can clarify), the interpreter should ask the court's permission to provide an explanation. Interpreters should convey the emotional emphasis of the speaker without reenacting or mimicking the speaker's emotions, or dramatic gestures.

Sign language interpreters, however, must employ all of the visual cues that the language they are interpreting for requires, including facial expressions, body language, and hand gestures. Sign language interpreters, therefore, should ensure that court participants do not confuse these essential elements of the interpreted language with inappropriate interpreter conduct.

The obligation to preserve accuracy includes the interpreter's duty to correct any error of interpretation discovered by the interpreter during the proceeding. Interpreters should demonstrate their professionalism by objectively analyzing any challenge to their performance.

RULE 2 REPRESENTATION OF QUALIFICATIONS

Interpreters shall accurately and completely represent their certifications, training, and pertinent experience.

Commentary

Acceptance of a case by an interpreter conveys linguistic competency in legal settings. Withdrawing or being asked to withdraw from a case after it begins causes a disruption of court proceedings and is wasteful of scarce public resources. It is, therefore, essential that interpreters present a complete and truthful account of their training, certification and experience prior to appointment so the officers of the court can fairly evaluate their qualifications for delivering interpreting services.

**RULE 3
IMPARTIALITY AND AVOIDANCE OF CONFLICT OF INTEREST**

Interpreters shall be impartial and unbiased and shall refrain from conduct that may give an appearance of bias. Interpreters shall disclose any real or perceived conflict of interest.

Commentary

The interpreter serves as an officer of the court and the interpreter's duty in a court proceeding is to serve the court and the public to which the court is a servant. This is true regardless of whether the interpreter is publicly retained at government expense or retained privately at the expense of one of the parties.

The interpreter should avoid any conduct or behavior that presents the appearance of favoritism toward any of the parties. Interpreters should maintain professional relationships with their clients, and should not take an active part in any of the proceedings. The interpreter should discourage a non-English speaking party's personal dependence.

During the course of the proceedings, interpreters should not converse with parties, witnesses, jurors, attorneys, or with friends or relatives of any party, except in the discharge of their judicial functions. It is especially important that interpreters, who are often familiar with attorneys or other members of the courtroom work group, including law enforcement officers, refrain from casual and personal conversations with anyone in court that may convey an appearance of a special relationship or partiality to any of the court participants.

The interpreter should strive for professional detachment. Verbal and non-verbal displays of personal attitudes, prejudices, emotions, or opinions should be avoided at all times.

Should an interpreter become aware that a proceeding participant views the interpreter as having a bias or being biased, the interpreter should disclose that knowledge to the presiding judge. Any condition that interferes with the objectivity of an interpreter constitutes a conflict of interest and must be disclosed to the judge. An interpreter should not serve in any matter in which payment for their services is contingent upon the outcome of the case.

Before providing services in a matter, court interpreters must disclose to all parties and the presiding judge any prior involvement, whether personal or professional, that could be reasonably construed as a conflict of interest. This disclosure should not include privileged or confidential information.

The following are circumstances that create potential conflicts of interest that must be disclosed:

- (1) The interpreter is a friend, associate, or relative of a party or counsel for a party involved in the proceedings;
- (2) The interpreter has served in an investigative capacity for any party involved in the case;
- (3) The interpreter has previously been retained by a law enforcement agency to assist in the preparation of the criminal case at issue;
- (4) The interpreter or the interpreter's spouse or child has a financial interest in the subject matter in controversy or in a party to the proceeding, or any other interest that would be affected by the outcome of the case;
- (5) The interpreter has been involved in the choice of counsel or law firm for that case;
- (6) The interpreter is an attorney in the case;
- (7) The interpreter has previously been retained for private employment by one of the parties to interpret in the case;
- (8) For any other reason, the interpreter's independence of judgment would be compromised in the course of providing services.

The existence of any of the above-mentioned circumstances does not alone disqualify an interpreter from providing services as long as the interpreter is able to render services objectively. An interpreter may serve if the judge and all parties consent. If an actual or apparent conflict of interest exists, the interpreter may, without explanation to any of the parties or the judge, decline to provide services.

Should an interpreter become aware that a non-English speaking participant views the interpreter as having a bias, or being biased, the interpreter should disclose that knowledge to the judge.

**RULE 4
PROFESSIONAL Demeanor**

Interpreters shall conduct themselves in a manner consistent with the dignity of the court and shall be as unobtrusive as possible.

Commentary

Interpreters should know and observe the established protocol, rules, and procedures for delivering interpreting services. When speaking in English, interpreters should speak at a rate and volume that enables them to be heard and understood throughout the courtroom, but the interpreter's presence should otherwise be as unobtrusive as possible. Interpreters should work without drawing undue or inappropriate attention to themselves. Interpreters should dress in a manner that is consistent with the dignity of the proceedings of the court. Interpreters should avoid obstructing the view of any of the individuals involved in the proceedings. However, interpreters who use sign language or other visual modes of communication must be positioned so that hand gestures, facial expressions, and whole body movement are visible to the person for whom they are interpreting.

Interpreters are encouraged to avoid personal or professional conduct that could discredit the court.

RULE 5 CONFIDENTIALITY

Interpreters shall protect the confidentiality of all privileged and other confidential information.

Commentary

The interpreter shall protect and uphold the confidentiality of all privileged information obtained during the course of her or his duties. It is especially important that the interpreter understand and uphold the attorney-client privilege, which requires confidentiality with respect to any communication between attorney and client. This rule also applies to other types of privileged communication.

Interpreters must also refrain from repeating or disclosing information obtained by them in the course of their employment that may be relevant to the legal proceeding.

In the event that an interpreter becomes aware of information that suggests imminent harm to someone or relates to a crime being committed during the course of the proceedings, the interpreter should immediately disclose the information to the presiding judge. If the judge is not available, the interpreter should disclose the information to an appropriate authority in the judiciary.

RULE 6 RESTRICTION OF PUBLIC COMMENT

Interpreters shall not publicly discuss, report, or offer an opinion concerning a matter in which they are, or have been, engaged even when that information is not privileged or required by law to be confidential.

Commentary

Generally, interpreters should not discuss outside of the interpreter's official duties, interpreter assignments, persons involved or the facts of the case. However, interpreters may share information for training and educational purposes. Interpreters should only share as much information as is required to accomplish their purpose. An interpreter must not reveal privileged or confidential information.

RULE 7 SCOPE OF PRACTICE

Interpreters shall limit themselves to interpreting or translating, and shall not give legal advice, express personal opinions to individuals for whom they are interpreting, or engage in any other activities which may be construed to constitute a service other than interpreting or translating while serving as an interpreter.

Commentary

Since interpreters are responsible only for enabling others to communicate, they should limit themselves to the activity of interpreting or translating only. Interpreters should refrain from initiating communications while interpreting unless it is necessary for assuring an accurate and faithful interpretation. Interpreters may be required to initiate communications during a proceeding when they find it necessary to seek assistance in performing their duties. Examples of such circumstances include seeking direction when unable to understand or express a word or thought, requesting speakers to moderate their rate of communication or repeat or rephrase something.

correcting their own interpreting errors, or notifying the court of reservations about their ability to satisfy an assignment competently. In such instances they should make it clear that they are speaking for themselves.

An interpreter may convey legal advice from an attorney to a person only while that attorney is giving it. An interpreter should not explain the purpose of forms, services, or otherwise act as counselors or advisors unless they are interpreting for someone who is acting in that official capacity. The interpreter may translate language on a form for a person who is filling out the form, but may not explain the form or its purpose for such a person.

The interpreter should not personally serve to perform official acts that are the official responsibility of other court officials including, but not limited to, court clerks, pre-trial release investigators or interviewers, or probation counselors.

RULE 8 ASSESSING AND REPORTING IMPEDIMENTS TO PERFORMANCE

Interpreters shall assess at all times their ability to deliver their services. When interpreters have any reservation about their ability to satisfy an assignment competently, they shall immediately convey that reservation to the presiding judge.

Commentary

If the communication mode or language of the non-English-speaking person cannot be readily interpreted, the interpreter should notify the presiding judge.

Interpreters should notify the presiding judge of any environmental or physical limitation that impedes or hinders their ability to deliver interpreting services adequately (e.g., the court room is not quiet enough for the interpreter to hear or be heard by the non-English speaker, more than one person at a time is speaking, or principals or witnesses of the court are speaking at a rate of speed that is too rapid for the interpreter to adequately interpret). Sign language interpreters must ensure that they can both see and convey the full range of visual language elements that are necessary for communication, including facial expressions and body movement, as well as hand gestures. Interpreters should notify the presiding judge of the need to take periodic breaks to maintain mental and physical alertness and prevent interpreter fatigue. Interpreters should recommend and encourage the use of team interpreting whenever necessary.

Interpreters are encouraged to make inquiries as to the nature of a case whenever possible before accepting an assignment. This enables interpreters to match more closely their professional qualifications, skills, and experience to potential assignments and more accurately assess their ability to satisfy those assignments competently.

Even competent and experienced interpreters may encounter cases where routine proceedings suddenly involve technical or specialized terminology unfamiliar to the interpreter (e.g., the unscheduled testimony of an expert witness). When such instances occur, interpreters should request a brief recess to familiarize themselves with the subject matter. If familiarity with the terminology requires extensive time or more intensive research, interpreters should inform the presiding judge.

Interpreters should refrain from accepting a case if they feel the language and subject matter of that case is likely to exceed their skills or capacities. Interpreters should notify the presiding judge if they feel unable to perform competently, due to lack of familiarity with terminology, preparation, or difficulty in understanding a witness or defendant.

Interpreters should notify the presiding judge of any personal bias they may have involving any aspect of the proceedings. For example, an interpreter who has been the victim of a sexual assault may wish to be excused from interpreting in cases involving similar offenses.

RULE 9 DUTY TO REPORT ETHICAL VIOLATIONS

Interpreters shall report to the proper judicial authority any effort to impede their compliance with any law, any provision of these Rules, or any other judicial policy governing court interpreting and legal translating.

Commentary

Because the users of interpreting services frequently misunderstand the proper role of the interpreter, they may ask or expect the interpreter to perform duties or engage in activities that conflict with the provisions of these Rules or other laws, regulations, or policies governing court interpreters. It is incumbent upon the interpreter to inform such persons of his or her professional obligations. If, having been apprised of these obligations, the person persists in demanding that the interpreter violate them, the interpreter should report it to the presiding judge.

RULE 10 PROFESSIONAL DEVELOPMENT

Interpreters shall continually improve their skills and knowledge and advance the profession through activities such as professional training and education, and interaction with colleagues and specialists in related fields.

Commentary

Interpreters must continually strive to increase their knowledge of the languages they work in professionally, including past and current trends in technical, vernacular, and regional terminology as well as their application within court proceedings.

Interpreters should keep informed of all statutes, rules of courts and policies of the judiciary that relate to the performance of their professional duties.

An interpreter should seek to elevate the standards of the profession through participation in workshops, professional meetings, interaction with colleagues, and reading current literature in the field.

I certify that the purposes of my services in the proceeding today are to ensure full participation in the proceedings by a person or persons with limited English proficiency or a speech or hearing impediment and to place them in the same position as a similarly situated person, for whom there is no such barrier, by rendering a complete and accurate translation, or sight translation, without altering, omitting or adding anything to what is stated or written, to the best of my abilities.

I further certify that I have the necessary certifications, training or pertinent experience to competently render a complete and accurate translation, or sight translation, without altering, omitting or adding anything to what is stated or written.

I further certify that I will render a complete and accurate translation, or sight translation, without altering, omitting or adding anything to what is stated or written, and without explanation or summarization, to the best of my abilities.

I further certify that payment for my services is not contingent on the outcome of this matter and that I have no financial interest in the outcome of this matter.

I further certify that I will protect the confidentiality of all privileged and confidential information obtained during the course of my duties.

I further certify that I shall limit myself to interpreting or translating and will not give legal advice, express my personal opinions to individuals for whom I am interpreting, or engage in any other activities which may be construed to constitute a service other than interpreting or translating during the course of this proceeding.

Finally, I further certify that I am neither related to, nor counsel for, nor an employee of, any of the parties hereto or interested in the outcome of this action.

Or

I further certify that I will be impartial and unbiased in rendering render a complete and accurate translation, or sight translation, and will disclose on the record any real or perceived conflict of interest.

[NOTARY BLOCK]

Questions to be asked by the Commissioner on the record prior to the commencement of the interpreter's services

TO THE INTERPRETER

1. Are you a friend, associate, or relative of a party or counsel for a party involved in the proceedings?
2. Have you served in an investigative capacity for any party involved in the case?
3. Do you or your spouse or child have a financial interest in the subject matter in controversy or in a party to the proceeding, or any other interest that would be affected by the outcome of the case?
4. Have you been involved in the choice of counsel or law firms for that case?
5. Are you an attorney or an employee of an attorney in the case?
6. Have you previously been retained for private employment by one of the parties to interpret in the case?
7. Is there any other reason your independence of judgment would be compromised in the course of providing services in the case?

TO THE PARTIES

Do you consent that the interpreter should not be disqualified and should be allowed to render services in this case?

State of South Carolina

1311 Main Street, 5th Floor
P.O. Box 1711
Columbia, S.C. 29202-1711



TEL: (803) 737-5700
FAX: (803) 737-5764

Workers' Compensation Commission

TO: Commissioners
FROM: Gary M. Cannon
DATE: January 17, 2012
RE: Commuted Values Tables

Attached is a thread of emails concerning the calculation of the commuted values as required by Regulation 67-1605. Dr. Powers called to our attention that the commuted values table for the 5% NPV was incorrect and provided a corrected table.

Staff is unable to verify the date the Commission approved the table currently used. Mr. Line indicated the tables were calculated over 25 years ago by a local financial institution.

Paragraph 67-1605 (5) states the Commission must approve the commuted value tables. In order to utilize a table containing correct commuted values, I recommend the Commission approve the new 5% table attached.

Dr. Powers plans to attend the Business Meeting on January 17 to respond to questions from the Commission.

Cannon, Gary

From: Powers, Eric <epowers@moore.sc.edu>
Sent: Tuesday, November 01, 2011 10:14 AM
To: Cannon, Gary
Subject: RE: 5% Commuted Value Table
Attachments: Present Worth Table.xlsx

Gary, I am attaching an Excel spreadsheet that has the correct present worth calculations for a 5% discount rate. As discussed in my e-mail to Greg Line, the Present Worth factors are calculated with the Excel PV function. The PV function is structured as follows:

=PV(rate,nper,pmt,fv,type)

Rate is the interest rate per period, in our case 5%/52 (you can simply change cell A2 to 2% and you end up with the existing 2% Present Worth Table).

Nper is the total number of payment periods in an annuity. This is given by the adjacent "Weeks" cell.

Pmt is the payment made each period. It is set to 1.

Fv accounts for any end of term lump sum that is not accounted for in the weekly payments. This is set to 0.

Type specifies whether the first payment occurs at the end of the first week (0) or at the beginning of the first week. It is set to 0.

While the regulations don't specify precisely how to do the calculation, I am following standard practice and calculating the weekly interest rate as 5%/52 and assuming that the first payment occurs at the end of the first week (i.e. a regular annuity rather than an annuity due.) These are the assumptions that generate the figures on your 2% Present Worth Table.

My suggestion is that you have one of your admin people take the figures from my excel spreadsheet and paste them to a word processing document that has the format that you want to present. E-mail me the result and then I can write a letter certifying the validity of the Table.

Sincerely

Eric A. Powers
Associate Professor of Finance
Moore School of Business
University of South Carolina
803-777-4928



From: Cannon, Gary [mailto:gcannon@wcc.sc.gov]
Sent: Monday, October 31, 2011 11:21 AM
To: Powers, Eric
Cc: Line, Greg
Subject: FW: 5% Commuted Value Table
Importance: High

Professor Powers,

Thank you for calling this miscalculation to our attention. It is my understanding the tables were manually calculated by a local financial institution in _____. We are unable to locate any record of the calculation. Regulation 67-1605 (5) states the Commission must approve the commuted value tables. Therefore I would like to ask the Commission approve the correct calculations at their Business Meeting on November 14.

In your capacity as Assistant Professor of Finance at USC, will you be willing to officially submit the calculations for the Commission approval on Nov 14?

Below is language from the regulation.

(5) The present worth of the remaining weeks is determined according to the discount tables designated by the Commission.

(a) A table based on a discount of two percent per annum on each installment yet to mature is used for less than one hundred weeks.

(b) A table based on a discount of five percent per annum on each installment yet to mature is used for more than one hundred weeks.

Thank you for your assistance in this matter.

Gary M. Cannon
Executive Director

From: Powers, Eric [mailto:epowers@moore.sc.edu]
Sent: Thursday, August 25, 2011 8:51 AM
To: Line, Greg
Cc: Brown, Vivian
Subject: 5% Commuted Value Table

Greg, Vivian sent me your present worth tables. I wanted to see them because I kept arriving at different values for commuted values when I looked at cases that were online. Your 2% tables look fine. It looks to me, however, that your 5% tables are incorrect!

Consider the 500 week 5% figure of 408.2957 (in finance we call this the Present Value Factor for an Annuity or PVFA). This factor should be the present value of 500 weeks of \$1 with first payment occurring one week from today and last payment occurring on the 500th week. Using Excel, I calculate a PVFA of 396.81. The function that you would use to come up with this figure is =PV(5%/52,500,1,0). Calculations on a standard financial calculator verify this figure.

Note that with your 2% table, everything is fine. The 136 week 2% factor is 132.4795. Using Excel, I calculate exactly the same value: =PV(2%/52,136,1,0) =(\$132.48).

I suspect that the same problem with your 5% PVFA's occurs in whatever computer program you are using to calculate commuted values.

Sincerely

Fric A. Powers

Associate Professor of Finance

Moore School of Business

University of South Carolina

803 777-4928



Cannon, Gary

From: Powers, Eric <epowers@moore.sc.edu>
Sent: Wednesday, November 09, 2011 8:32 PM
To: Cannon, Gary
Subject: RE: Present Value Tables

Mr. Cannon,

I certify that the 2% NPV table and the 5% NPV tables presented to me on Wednesday November 9, 2011 are correct. The figures in the respective tables give the present value of a \$1 per week regular annuity, discounted at an Annualized Percentage Rate (APR) of either 2% or 5%. I have verified the figures using a standard financial calculator and with the NPV function in Excel.

Sincerely
Eric A. Powers
Associate Professor of Finance
Moore School of Business
University of South Carolina

From: Cannon, Gary [gcannon@wcc.sc.gov]
Sent: Wednesday, November 09, 2011 5:11 PM
To: Powers, Eric
Subject: FW: Present Value Tables

Dr. Powers,

Attached are the NPV tables for the 2% and 5% rates. Will you certify their accuracy? The Commissioners will consider approving the revised tables at their meeting on November 14. We assemble the meeting agenda notebooks for distribution tomorrow.

Thank you for your assistance.

Gary M. Cannon
Executive Director

From: Ballentine, Kim
Sent: Wednesday, November 09, 2011 4:03 PM
To: Cannon, Gary
Subject: Present Value Tables

Attached.

Kim Ballentine
Office of the Executive Director
S.C. Workers' Compensation Commission
1333 Main Street, Suite 500
P.O. Box 1715
Columbia, SC 29201-1715
803.737.5744

Net Present Value Table – 2% per annum
November 14, 2011

Net Present Value Table	
2% per annum	
Less than 100 weeks	
Week	Present Worth
1	(\$0.9996)
2	(\$1.9988)
3	(\$2.9977)
4	(\$3.9962)
5	(\$4.9942)
6	(\$5.9919)
7	(\$6.9892)
8	(\$7.9862)
9	(\$8.9827)
10	(\$9.9789)
11	(\$10.9747)
12	(\$11.9701)
13	(\$12.9651)
14	(\$13.9597)
15	(\$14.9539)
16	(\$15.9478)
17	(\$16.9413)
18	(\$17.9344)
19	(\$18.9271)
20	(\$19.9195)
21	(\$20.9114)
22	(\$21.9030)
23	(\$22.8942)
24	(\$23.8850)
25	(\$24.8754)
26	(\$25.8655)
27	(\$26.8552)
28	(\$27.8444)
29	(\$28.8334)
30	(\$29.8229)
31	(\$30.8100)
32	(\$31.7978)
33	(\$32.7852)
34	(\$33.7722)
35	(\$34.7588)
36	(\$35.7451)
37	(\$36.7310)

Net Present Value Table	
2% per annum	
Less than 100 weeks	
Week	Present Worth
38	(\$37.7165)
39	(\$38.7016)
40	(\$39.6863)
41	(\$40.6707)
42	(\$41.6546)
43	(\$42.6382)
44	(\$43.6215)
45	(\$44.6043)
46	(\$45.5868)
47	(\$46.5689)
48	(\$47.5506)
49	(\$48.5319)
50	(\$49.5129)
51	(\$50.4934)
52	(\$51.4736)
53	(\$52.4535)
54	(\$53.4329)
55	(\$54.4120)
56	(\$55.3907)
57	(\$56.3690)
58	(\$57.3470)
59	(\$58.3245)
60	(\$59.3017)
61	(\$60.2785)
62	(\$61.2550)
63	(\$62.2310)
64	(\$63.2067)
65	(\$64.1820)
66	(\$65.1570)
67	(\$66.1315)
68	(\$67.1057)
69	(\$68.0796)
70	(\$69.0530)
71	(\$70.0261)
72	(\$70.9988)
73	(\$71.9711)

Net Present Value Table	
2% per annum	
Less than 100 weeks	
Week	Present Worth
74	(\$72.9430)
75	(\$73.9146)
76	(\$74.8858)
77	(\$75.8566)
78	(\$76.8271)
79	(\$77.7971)
80	(\$78.7668)
81	(\$79.7362)
82	(\$80.7051)
83	(\$81.6737)
84	(\$82.6419)
85	(\$83.6098)
86	(\$84.5772)
87	(\$85.5443)
88	(\$86.5111)
89	(\$87.4774)
90	(\$88.4434)
91	(\$89.4090)
92	(\$90.3743)
93	(\$91.3391)
94	(\$92.3036)
95	(\$93.2678)
96	(\$94.2315)
97	(\$95.1949)
98	(\$96.1579)
99	(\$97.1206)
100	(\$98.0828)
101	(\$99.0447)
102	(\$100.0063)
103	(\$100.9675)
104	(\$101.9282)
105	(\$102.8887)
106	(\$103.8487)
107	(\$104.8084)
108	(\$105.7677)
109	(\$106.7267)

Net Present Value Table	
2% per annum	
Less than 100 weeks	
Week	Present Worth
110	(\$107.6853)
111	(\$108.6435)
112	(\$109.6013)
113	(\$110.5588)
114	(\$111.5159)
115	(\$112.4727)
116	(\$113.4290)
117	(\$114.3850)
118	(\$115.3407)
119	(\$116.2960)
120	(\$117.2509)
121	(\$118.2054)
122	(\$119.1596)
123	(\$120.1134)
124	(\$121.0668)
125	(\$122.0199)
126	(\$122.9726)
127	(\$123.9249)
128	(\$124.8769)
129	(\$125.8285)
130	(\$126.7797)
131	(\$127.7306)
132	(\$128.6811)
133	(\$129.6312)
134	(\$130.5810)
135	(\$131.5304)
136	(\$132.4795)
137	(\$133.4282)
138	(\$134.3765)
139	(\$135.3244)
140	(\$136.2720)
141	(\$137.2192)
142	(\$138.1661)
143	(\$139.1126)
144	(\$140.0587)
145	(\$141.0045)

Net Present Value Table – 2% per annum
November 14, 2011

Net Present Value Table	
2% per annum	
Less than 100 weeks	
Week	Present Worth
146	(\$141.9499)
147	(\$142.8949)
148	(\$143.8396)
149	(\$144.7839)
150	(\$145.7279)
151	(\$146.6715)
152	(\$147.6147)
153	(\$148.5576)
154	(\$149.5001)
155	(\$150.4422)
156	(\$151.3840)
157	(\$152.3254)
158	(\$153.2664)
159	(\$154.2071)
160	(\$155.1474)
161	(\$156.0874)
162	(\$157.0270)
163	(\$157.9663)
164	(\$158.9051)
165	(\$159.8437)
166	(\$160.7818)
167	(\$161.7196)
168	(\$162.6571)
169	(\$163.5941)
170	(\$164.5309)
171	(\$165.4672)
172	(\$166.4032)
173	(\$167.3389)
174	(\$168.2741)
175	(\$169.2091)
176	(\$170.1436)
177	(\$171.0778)
178	(\$172.0117)
179	(\$172.9451)
180	(\$173.8783)
181	(\$174.8110)

Net Present Value Table	
2% per annum	
Less than 100 weeks	
Week	Present Worth
182	(\$175.7434)
183	(\$176.6755)
184	(\$177.6072)
185	(\$178.5385)
186	(\$179.4695)
187	(\$180.4001)
188	(\$181.3304)
189	(\$182.2603)
190	(\$183.1898)
191	(\$184.1190)
192	(\$185.0478)
193	(\$185.9763)
194	(\$186.9044)
195	(\$187.8322)
196	(\$188.7596)
197	(\$189.6866)
198	(\$190.6133)
199	(\$191.5396)
200	(\$192.4656)
201	(\$193.3912)
202	(\$194.3165)
203	(\$195.2414)
204	(\$196.1659)
205	(\$197.0901)
206	(\$198.0140)
207	(\$198.9375)
208	(\$199.8606)
209	(\$200.7834)
210	(\$201.7058)
211	(\$202.6278)
212	(\$203.5496)
213	(\$204.4709)
214	(\$205.3919)
215	(\$206.3125)
216	(\$207.2329)
217	(\$208.1528)

Net Present Value Table	
2% per annum	
Less than 100 weeks	
Week	Present Worth
218	(\$209.0724)
219	(\$209.9916)
220	(\$210.9105)
221	(\$211.8290)
222	(\$212.7472)
223	(\$213.6650)
224	(\$214.5825)
225	(\$215.4996)
226	(\$216.4164)
227	(\$217.3328)
228	(\$218.2488)
229	(\$219.1646)
230	(\$220.0799)
231	(\$220.9949)
232	(\$221.9096)
233	(\$222.8239)
234	(\$223.7378)
235	(\$224.6514)
236	(\$225.5646)
237	(\$226.4775)
238	(\$227.3901)
239	(\$228.3023)
240	(\$229.2141)
241	(\$230.1256)
242	(\$231.0367)
243	(\$231.9475)
244	(\$232.8580)
245	(\$233.7681)
246	(\$234.6778)
247	(\$235.5872)
248	(\$236.4962)
249	(\$237.4049)
250	(\$238.3133)
251	(\$239.2212)
252	(\$240.1289)
253	(\$241.0362)

Net Present Value Table	
2% per annum	
Less than 100 weeks	
Week	Present Worth
254	(\$241.9431)
255	(\$242.8497)
256	(\$243.7560)
257	(\$244.6619)
258	(\$245.5674)
259	(\$246.4726)
260	(\$247.3775)
261	(\$248.2820)
262	(\$249.1861)
263	(\$250.0900)
264	(\$250.9934)
265	(\$251.8965)
266	(\$252.7993)
267	(\$253.7017)
268	(\$254.6038)
269	(\$255.5055)
270	(\$256.4069)
271	(\$257.3080)
272	(\$258.2086)
273	(\$259.1090)
274	(\$260.0090)
275	(\$260.9086)
276	(\$261.8079)
277	(\$262.7069)
278	(\$263.6055)
279	(\$264.5038)
280	(\$265.4017)
281	(\$266.2993)
282	(\$267.1965)
283	(\$268.0934)
284	(\$268.9899)
285	(\$269.8861)
286	(\$270.7820)
287	(\$271.6775)
288	(\$272.5727)
289	(\$273.4675)

Net Present Value Table – 2% per annum
November 14, 2011

Net Present Value Table	
2% per annum	
Less than 100 weeks	
Week	Present Worth
290	(\$274.3620)
291	(\$275.2561)
292	(\$276.1499)
293	(\$277.0433)
294	(\$277.9364)
295	(\$278.8292)
296	(\$279.7216)
297	(\$280.6137)
298	(\$281.5054)
299	(\$282.3968)
300	(\$283.2878)
301	(\$284.1785)
302	(\$285.0689)
303	(\$285.9589)
304	(\$286.8485)
305	(\$287.7379)
306	(\$288.6269)
307	(\$289.5155)
308	(\$290.4039)
309	(\$291.2918)
310	(\$292.1794)
311	(\$293.0667)
312	(\$293.9537)
313	(\$294.8403)
314	(\$295.7265)
315	(\$296.6124)
316	(\$297.4980)
317	(\$298.3833)
318	(\$299.2682)
319	(\$300.1527)
320	(\$301.0369)
321	(\$301.9208)
322	(\$302.8043)
323	(\$303.6875)
324	(\$304.5704)
325	(\$305.4529)

Net Present Value Table	
2% per annum	
Less than 100 weeks	
Week	Present Worth
326	(\$306.3351)
327	(\$307.2169)
328	(\$308.0984)
329	(\$308.9796)
330	(\$309.8604)
331	(\$310.7409)
332	(\$311.6210)
333	(\$312.5009)
334	(\$313.3803)
335	(\$314.2595)
336	(\$315.1382)
337	(\$316.0167)
338	(\$316.8948)
339	(\$317.7726)
340	(\$318.6500)
341	(\$319.5271)
342	(\$320.4039)
343	(\$321.2803)
344	(\$322.1564)
345	(\$323.0322)
346	(\$323.9076)
347	(\$324.7827)
348	(\$325.6574)
349	(\$326.5319)
350	(\$327.4059)
351	(\$328.2797)
352	(\$329.1531)
353	(\$330.0261)
354	(\$330.8989)
355	(\$331.7713)
356	(\$332.6433)
357	(\$333.5150)
358	(\$334.3864)
359	(\$335.2575)
360	(\$336.1282)
361	(\$336.9986)

Net Present Value Table	
2% per annum	
Less than 100 weeks	
Week	Present Worth
362	(\$337.8687)
363	(\$338.7384)
364	(\$339.6077)
365	(\$340.4768)
366	(\$341.3455)
367	(\$342.2139)
368	(\$343.0819)
369	(\$343.9496)
370	(\$344.8170)
371	(\$345.6841)
372	(\$346.5508)
373	(\$347.4172)
374	(\$348.2832)
375	(\$349.1489)
376	(\$350.0143)
377	(\$350.8793)
378	(\$351.7441)
379	(\$352.6084)
380	(\$353.4725)
381	(\$354.3362)
382	(\$355.1996)
383	(\$356.0626)
384	(\$356.9254)
385	(\$357.7877)
386	(\$358.6498)
387	(\$359.5115)
388	(\$360.3729)
389	(\$361.2340)
390	(\$362.0947)
391	(\$362.9551)
392	(\$363.8152)
393	(\$364.6749)
394	(\$365.5343)
395	(\$366.3934)
396	(\$367.2522)
397	(\$368.1106)

Net Present Value Table	
2% per annum	
Less than 100 weeks	
Week	Present Worth
398	(\$368.9687)
399	(\$369.8264)
400	(\$370.6839)
401	(\$371.5410)
402	(\$372.3977)
403	(\$373.2542)
404	(\$374.1103)
405	(\$374.9661)
406	(\$375.8215)
407	(\$376.6767)
408	(\$377.5314)
409	(\$378.3859)
410	(\$379.2401)
411	(\$380.0939)
412	(\$380.9473)
413	(\$381.8005)
414	(\$382.6533)
415	(\$383.5058)
416	(\$384.3580)
417	(\$385.2098)
418	(\$386.0614)
419	(\$386.9125)
420	(\$387.7634)
421	(\$388.6139)
422	(\$389.4641)
423	(\$390.3140)
424	(\$391.1636)
425	(\$392.0128)
426	(\$392.8617)
427	(\$393.7103)
428	(\$394.5585)
429	(\$395.4064)
430	(\$396.2540)
431	(\$397.1013)
432	(\$397.9482)
433	(\$398.7949)

Net Present Value Table – 2% per annum
November 14, 2011

Net Present Value Table	
2% per annum	
Less than 100 weeks	
Week	Present Worth
434	(\$399.6412)
435	(\$400.4871)
436	(\$401.3328)
437	(\$402.1781)
438	(\$403.0231)
439	(\$403.8677)
440	(\$404.7121)
441	(\$405.5561)
442	(\$406.3998)
443	(\$407.2432)
444	(\$408.0862)
445	(\$408.9289)
446	(\$409.7713)
447	(\$410.6134)
448	(\$411.4551)
449	(\$412.2966)
450	(\$413.1377)
451	(\$413.9784)
452	(\$414.8189)
453	(\$415.6590)
454	(\$416.4988)
455	(\$417.3383)
456	(\$418.1775)
457	(\$419.0153)
458	(\$419.8548)
459	(\$420.6930)
460	(\$421.5309)
461	(\$422.3684)
462	(\$423.2057)
463	(\$424.0426)
464	(\$424.8792)
465	(\$425.7154)
466	(\$426.5514)
467	(\$427.3870)
468	(\$428.2223)
469	(\$429.0573)

Net Present Value Table	
2% per annum	
Less than 100 weeks	
Week	Present Worth
470	(\$429.8919)
471	(\$430.7263)
472	(\$431.5603)
473	(\$432.3940)
474	(\$433.2273)
475	(\$434.0604)
476	(\$434.8931)
477	(\$435.7255)
478	(\$436.5576)
479	(\$437.3894)
480	(\$438.2209)
481	(\$439.0520)
482	(\$439.8828)
483	(\$440.7133)
484	(\$441.5435)
485	(\$442.3733)
486	(\$443.2029)
487	(\$444.0321)
488	(\$444.8610)
489	(\$445.6896)
490	(\$446.5178)
491	(\$447.3458)
492	(\$448.1734)
493	(\$449.0007)
494	(\$449.8277)
495	(\$450.6544)
496	(\$451.4807)
497	(\$452.3068)
498	(\$453.1325)
499	(\$453.9579)
500	(\$454.7830)

Net Present Value Table – 5% per annum
November 14, 2011

Net Present Value Table	
5% per annum	
More than 100 weeks	
Week	Present Worth
1	(\$0.9890)
2	(\$1.9871)
3	(\$2.9847)
4	(\$3.9804)
5	(\$4.9856)
6	(\$5.9799)
7	(\$6.9732)
8	(\$7.9655)
9	(\$8.9569)
10	(\$9.9473)
11	(\$10.9368)
12	(\$11.9253)
13	(\$12.9129)
14	(\$13.8996)
15	(\$14.8852)
16	(\$15.8700)
17	(\$16.8538)
18	(\$17.8366)
19	(\$18.8185)
20	(\$19.7995)
21	(\$20.7795)
22	(\$21.7586)
23	(\$22.7367)
24	(\$23.7139)
25	(\$24.6902)
26	(\$25.6655)
27	(\$26.6399)
28	(\$27.6133)
29	(\$28.5859)
30	(\$29.5574)
31	(\$30.5281)
32	(\$31.4978)
33	(\$32.4666)
34	(\$33.4344)
35	(\$34.4013)
36	(\$35.3673)
37	(\$36.3324)

Net Present Value Table	
5% per annum	
More than 100 weeks	
Week	Present Worth
38	(\$37.2965)
39	(\$38.2598)
40	(\$39.2270)
41	(\$40.1834)
42	(\$41.1458)
43	(\$42.1034)
44	(\$43.0620)
45	(\$44.0196)
46	(\$44.9764)
47	(\$45.9322)
48	(\$46.8871)
49	(\$47.8411)
50	(\$48.7942)
51	(\$49.7464)
52	(\$50.6976)
53	(\$51.6480)
54	(\$52.5974)
55	(\$53.5459)
56	(\$54.4935)
57	(\$55.4402)
58	(\$56.3860)
59	(\$57.3309)
60	(\$58.2748)
61	(\$59.2179)
62	(\$60.1600)
63	(\$61.1013)
64	(\$62.0416)
65	(\$62.9811)
66	(\$63.9196)
67	(\$64.8573)
68	(\$65.7940)
69	(\$66.7298)
70	(\$67.6648)
71	(\$68.5988)
72	(\$69.5319)
73	(\$70.4642)

Net Present Value Table	
5% per annum	
More than 100 weeks	
Week	Present Worth
74	(\$71.3955)
75	(\$72.3260)
76	(\$73.2556)
77	(\$74.1842)
78	(\$75.1120)
79	(\$76.0389)
80	(\$76.9649)
81	(\$77.8900)
82	(\$78.8142)
83	(\$79.7375)
84	(\$80.6600)
85	(\$81.5815)
86	(\$82.5022)
87	(\$83.4220)
88	(\$84.3409)
89	(\$85.2589)
90	(\$86.1761)
91	(\$87.0923)
92	(\$88.0077)
93	(\$88.9222)
94	(\$89.8358)
95	(\$90.7485)
96	(\$91.6604)
97	(\$92.5714)
98	(\$93.4815)
99	(\$94.3908)
100	(\$95.2991)
101	(\$96.2056)
102	(\$97.1132)
103	(\$98.0190)
104	(\$98.9239)
105	(\$99.8279)
106	(\$100.7310)
107	(\$101.6333)
108	(\$102.5347)
109	(\$103.4353)

Net Present Value Table	
5% per annum	
More than 100 weeks	
Week	Present Worth
110	(\$104.3349)
111	(\$105.2337)
112	(\$106.1317)
113	(\$107.0288)
114	(\$107.9250)
115	(\$108.8204)
116	(\$109.7149)
117	(\$110.6085)
118	(\$111.5013)
119	(\$112.3932)
120	(\$113.2843)
121	(\$114.1745)
122	(\$115.0639)
123	(\$115.9524)
124	(\$116.8401)
125	(\$117.7269)
126	(\$118.6128)
127	(\$119.4979)
128	(\$120.3822)
129	(\$121.2655)
130	(\$122.1481)
131	(\$123.0298)
132	(\$123.9107)
133	(\$124.7907)
134	(\$125.6698)
135	(\$126.5481)
136	(\$127.4256)
137	(\$128.3023)
138	(\$129.1780)
139	(\$130.0530)
140	(\$130.9271)
141	(\$131.8004)
142	(\$132.6728)
143	(\$133.5444)
144	(\$134.4151)
145	(\$135.2851)

Net Present Value Table ~ 5% per annum
November 14, 2011

Net Present Value Table	
5% per annum	
More than 100 weeks	
Week	Present Worth
146	(\$136.1541)
147	(\$137.0224)
148	(\$137.8898)
149	(\$138.7564)
150	(\$139.6221)
151	(\$140.4871)
152	(\$141.3511)
153	(\$142.2144)
154	(\$143.0768)
155	(\$143.9384)
156	(\$144.7992)
157	(\$145.6591)
158	(\$146.5183)
159	(\$147.3765)
160	(\$148.2340)
161	(\$149.0907)
162	(\$149.9465)
163	(\$150.8015)
164	(\$151.6556)
165	(\$152.5090)
166	(\$153.3615)
167	(\$154.2133)
168	(\$155.0642)
169	(\$155.9142)
170	(\$156.7635)
171	(\$157.6120)
172	(\$158.4590)
173	(\$159.3064)
174	(\$160.1524)
175	(\$160.9976)
176	(\$161.8420)
177	(\$162.6856)
178	(\$163.5283)
179	(\$164.3703)
180	(\$165.2114)
181	(\$166.0518)

Net Present Value Table	
5% per annum	
More than 100 weeks	
Week	Present Worth
182	(\$166.8913)
183	(\$167.7300)
184	(\$168.5679)
185	(\$169.4050)
186	(\$170.2413)
187	(\$171.0768)
188	(\$171.9115)
189	(\$172.7454)
190	(\$173.5785)
191	(\$174.4108)
192	(\$175.2423)
193	(\$176.0730)
194	(\$176.9029)
195	(\$177.7320)
196	(\$178.5603)
197	(\$179.3879)
198	(\$180.2146)
199	(\$181.0405)
200	(\$181.8656)
201	(\$182.6900)
202	(\$183.5135)
203	(\$184.3363)
204	(\$185.1582)
205	(\$185.9794)
206	(\$186.7998)
207	(\$187.6194)
208	(\$188.4382)
209	(\$189.2562)
210	(\$190.0735)
211	(\$190.8899)
212	(\$191.7056)
213	(\$192.5205)
214	(\$193.3346)
215	(\$194.1479)
216	(\$194.9604)
217	(\$195.7722)

Net Present Value Table	
5% per annum	
More than 100 weeks	
Week	Present Worth
218	(\$196.5832)
219	(\$197.3933)
220	(\$198.2028)
221	(\$199.0114)
222	(\$199.8193)
223	(\$200.6264)
224	(\$201.4327)
225	(\$202.2382)
226	(\$203.0430)
227	(\$203.8470)
228	(\$204.6502)
229	(\$205.4527)
230	(\$206.2543)
231	(\$207.0552)
232	(\$207.8554)
233	(\$208.6547)
234	(\$209.4534)
235	(\$210.2512)
236	(\$211.0483)
237	(\$211.8446)
238	(\$212.6401)
239	(\$213.4349)
240	(\$214.2289)
241	(\$215.0221)
242	(\$215.8146)
243	(\$216.6063)
244	(\$217.3973)
245	(\$218.1875)
246	(\$218.9770)
247	(\$219.7656)
248	(\$220.5535)
249	(\$221.3407)
250	(\$222.1272)
251	(\$222.9128)
252	(\$223.6974)
253	(\$224.4819)

Net Present Value Table	
5% per annum	
More than 100 weeks	
Week	Present Worth
254	(\$225.2653)
255	(\$226.0479)
256	(\$226.8298)
257	(\$227.6110)
258	(\$228.3914)
259	(\$229.1710)
260	(\$229.9499)
261	(\$230.7280)
262	(\$231.5054)
263	(\$232.2821)
264	(\$233.0580)
265	(\$233.8332)
266	(\$234.6076)
267	(\$235.3812)
268	(\$236.1542)
269	(\$236.9264)
270	(\$237.6978)
271	(\$238.4685)
272	(\$239.2385)
273	(\$240.0077)
274	(\$240.7762)
275	(\$241.5439)
276	(\$242.3109)
277	(\$243.0772)
278	(\$243.8427)
279	(\$244.6075)
280	(\$245.3716)
281	(\$246.1349)
282	(\$246.8975)
283	(\$247.6594)
284	(\$248.4205)
285	(\$249.1809)
286	(\$249.9406)
287	(\$250.6996)
288	(\$251.4578)
289	(\$252.2153)

Net Present Value Table – 5% per annum
November 14, 2011

Net Present Value Table	
5% per annum	
More than 100 weeks	
Week	Present Worth
290	(\$252.9721)
291	(\$253.7280)
292	(\$254.4833)
293	(\$255.2379)
294	(\$255.9918)
295	(\$256.7449)
296	(\$257.4973)
297	(\$258.2490)
298	(\$259.0000)
299	(\$259.7502)
300	(\$260.4997)
301	(\$261.2485)
302	(\$261.9966)
303	(\$262.7440)
304	(\$263.4906)
305	(\$264.2365)
306	(\$264.9817)
307	(\$265.7262)
308	(\$266.4700)
309	(\$267.2131)
310	(\$267.9554)
311	(\$268.6971)
312	(\$269.4380)
313	(\$270.1782)
314	(\$270.9177)
315	(\$271.6565)
316	(\$272.3946)
317	(\$273.1320)
318	(\$273.8686)
319	(\$274.6046)
320	(\$275.3398)
321	(\$276.0744)
322	(\$276.8082)
323	(\$277.5413)
324	(\$278.2738)
325	(\$279.0055)

Net Present Value Table	
5% per annum	
More than 100 weeks	
Week	Present Worth
326	(\$279.7365)
327	(\$280.4668)
328	(\$281.1965)
329	(\$281.9254)
330	(\$282.6536)
331	(\$283.3811)
332	(\$284.1079)
333	(\$284.8341)
334	(\$285.5595)
335	(\$286.2842)
336	(\$287.0082)
337	(\$287.7316)
338	(\$288.4542)
339	(\$289.1762)
340	(\$289.8974)
341	(\$290.6180)
342	(\$291.3378)
343	(\$292.0570)
344	(\$292.7755)
345	(\$293.4933)
346	(\$294.2104)
347	(\$294.9268)
348	(\$295.6425)
349	(\$296.3576)
350	(\$297.0719)
351	(\$297.7856)
352	(\$298.4986)
353	(\$299.2109)
354	(\$299.9225)
355	(\$300.6334)
356	(\$301.3437)
357	(\$302.0532)
358	(\$302.7621)
359	(\$303.4703)
360	(\$304.1778)
361	(\$304.8847)

Net Present Value Table	
5% per annum	
More than 100 weeks	
Week	Present Worth
362	(\$305.5908)
363	(\$306.2963)
364	(\$307.0011)
365	(\$307.7053)
366	(\$308.4087)
367	(\$309.1115)
368	(\$309.8136)
369	(\$310.5150)
370	(\$311.2158)
371	(\$311.9159)
372	(\$312.6153)
373	(\$313.3140)
374	(\$314.0121)
375	(\$314.7095)
376	(\$315.4062)
377	(\$316.1022)
378	(\$316.7976)
379	(\$317.4924)
380	(\$318.1864)
381	(\$318.8798)
382	(\$319.5725)
383	(\$320.2646)
384	(\$320.9559)
385	(\$321.6467)
386	(\$322.3367)
387	(\$323.0261)
388	(\$323.7149)
389	(\$324.4029)
390	(\$325.0904)
391	(\$325.7771)
392	(\$326.4632)
393	(\$327.1486)
394	(\$327.8334)
395	(\$328.5175)
396	(\$329.2010)
397	(\$329.8838)

Net Present Value Table	
5% per annum	
More than 100 weeks	
Week	Present Worth
398	(\$330.5658)
399	(\$331.2474)
400	(\$331.9283)
401	(\$332.6085)
402	(\$333.2880)
403	(\$333.9669)
404	(\$334.6451)
405	(\$335.3227)
406	(\$335.9996)
407	(\$336.6759)
408	(\$337.3515)
409	(\$338.0265)
410	(\$338.7008)
411	(\$339.3745)
412	(\$340.0475)
413	(\$340.7199)
414	(\$341.3916)
415	(\$342.0627)
416	(\$342.7332)
417	(\$343.4030)
418	(\$344.0721)
419	(\$344.7406)
420	(\$345.4085)
421	(\$346.0758)
422	(\$346.7424)
423	(\$347.4083)
424	(\$348.0736)
425	(\$348.7383)
426	(\$349.4023)
427	(\$350.0657)
428	(\$350.7285)
429	(\$351.3906)
430	(\$352.0521)
431	(\$352.7130)
432	(\$353.3732)
433	(\$354.0328)

Net Present Value Table – 5% per annum
November 11, 2011

Net Present Value Table	
5% per annum	
More than 100 weeks	
Week	Present Worth
434	(\$354.6917)
435	(\$355.3500)
436	(\$356.0077)
437	(\$356.6648)
438	(\$357.3212)
439	(\$357.9770)
440	(\$358.6321)
441	(\$359.2867)
442	(\$359.9406)
443	(\$360.5938)
444	(\$361.2465)
445	(\$361.8985)
446	(\$362.5499)
447	(\$363.2007)
448	(\$363.8508)
449	(\$364.5003)
450	(\$365.1492)
451	(\$365.7975)
452	(\$366.4452)
453	(\$367.0922)
454	(\$367.7386)
455	(\$368.3844)
456	(\$369.0295)
457	(\$369.6741)
458	(\$370.3180)
459	(\$370.9613)
460	(\$371.6040)
461	(\$372.2451)
462	(\$372.8875)
463	(\$373.5284)
464	(\$374.1686)
465	(\$374.8082)
466	(\$375.4472)
467	(\$376.0856)
468	(\$376.7233)
469	(\$377.3605)

Net Present Value Table	
5% per annum	
More than 100 weeks	
Week	Present Worth
470	(\$377.9970)
471	(\$378.6330)
472	(\$379.2683)
473	(\$379.9030)
474	(\$380.5371)
475	(\$381.1706)
476	(\$381.8035)
477	(\$382.4357)
478	(\$383.0674)
479	(\$383.6985)
480	(\$384.3289)
481	(\$384.9588)
482	(\$385.5880)
483	(\$386.2166)
484	(\$386.8447)
485	(\$387.4721)
486	(\$388.0989)
487	(\$388.7252)
488	(\$389.3508)
489	(\$389.9758)
490	(\$390.6002)
491	(\$391.2240)
492	(\$391.8473)
493	(\$392.4699)
494	(\$393.0919)
495	(\$393.7134)
496	(\$394.3342)
497	(\$394.9544)
498	(\$395.5741)
499	(\$396.1931)
500	(\$396.8116)