

## AGENDA

### SOUTH CAROLINA WORKERS' COMPENSATION COMMISSION

1333 Main Street, 5<sup>th</sup> Floor  
Columbia, South Carolina 29201

**September 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 SEPTEMBER 17, 2012 *CHAIRMAN BECK*
  
2. APPROVAL OF MINUTES OF THE BUSINESS MEETING OF AUGUST 27, 2012 (Tab 1) *CHAIRMAN BECK*
  
3. GENERAL ANNOUNCEMENTS *MR. CANNON*
  
4. APPLICATIONS FOR APPROVAL TO SELF-INSURE (Tab 2) *MR. SMITH*
  
5. DEPARTMENT DIRECTORS' REPORTS *MS. GANTT*
  - Administration – Financial Report (Tab 3) *MS. FLOYD*
  - Human Resources (Tab 4) *MS. HARTMAN*
  - Information Services (Tab 5) *MR. DUFFIELD*
  - Insurance & Medical Services (Tab 6) *MR. LINE*
  - Claims (Tab 7) *MS. CROCKER*
  - Judicial (Tab 8)
  
6. EXECUTIVE DIRECTOR'S REPORT (Tab 9) *MR. CANNON*
  
7. OLD BUSINESS *CHAIRMAN BECK*
  
8. NEW BUSINESS *CHAIRMAN BECK*
  - A. R67-213 Official Receipt of Electronic Notification (Tab 10) *Mr. Cannon*
  - B. Commissioners Annual Ethics Training (Tab 11) *Mr. Cannon*
  
9. ADJOURNMENT *CHAIRMAN BECK*

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<b>1</b>	<b>Approval of Minutes of the Business Meeting of August 27, 2012</b>
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<b>4</b>	<b>Human Resources</b>
<b>5</b>	<b>Information Services</b>
<b>6</b>	<b>Insurance and Medical Services</b>
<b>7</b>	<b>Claims</b>
<b>8</b>	<b>Judicial</b>
<b>9</b>	<b>Executive Director's Report</b>
<b>10</b>	<b>R67-213 Official Receipt of Electronic Notification</b>
<b>11</b>	<b>Commissioners Annual Ethics Training</b>

THE  
SOUTH CAROLINA WORKERS' COMPENSATION COMMISSION  
BUSINESS MEETING

**Monday, August 27, 2012**

A Business Meeting of the South Carolina Workers' Compensation Commission was held in Hearing Room A of the Workers' Compensation Commission on Monday, August 27, 2012 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  
MELODY L. JAMES, COMMISSIONER  
GENE MCCASKILL, COMMISSIONER  
ANDREA C. ROCHE, COMMISSIONER  
AVERY B. WILKERSON, JR., COMMISSIONER  
DERRICK L. WILLIAMS, COMMISSIONER

Present also were Gary M. Cannon, Executive Director, Grant Duffield, Insurance and Medical Services Director; Virginia Crocker, Judicial Director; Greg Line, Claims Director; Diana Gantt, Accounting/Fiscal Manager; Cathy Floyd, Human Resources Manager; Wayne Ducote, Coverage Director; W.C. Smith, Self-Insurance Director; Betsy Hartman, IT Director; Amanda Underhill, Senior Application Analyst; and Keith Roberts, Law Clerk; Visitors present were AnnMargaret McCraw and Will Churm, Midlands Orthopaedics/SC Orthopaedic Association; Clara Smith, Injured Workers' Advocates; Rebecca Halberg, Collins & Lacy, P.C.; Mary Elkins, SC Orthopaedic Association; and Jeff Griffith, Southern Strategy Group.

Chairman Beck called the meeting to order at 10:43 a.m.

**AGENDA**

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

**APPROVAL OF MINUTES – BUSINESS MEETING OF JULY 16, 2012**

Commissioner Roche moved that the minutes of the Business Meeting of July 16, 2012 be approved. Commissioner Wilkerson seconded the motion, and the motion was approved.

**GENERAL ANNOUNCEMENTS**

There were no general announcements.

**APPLICATIONS FOR APPROVAL TO SELF-INSURE**

Self-insurance applications were presented by W.C. Smith, Self-Insurance Director. Nineteen (19) prospective members of three (3) funds were presented to the Commission for approval. The applications were:

**Palmetto Timber Fund**

Mack Logging, LLC

**SC Automobile Dealers SIF**

Clemson Automotive, LLC dba Lake Hartwell Hyundai

**SC Home Builder SIF**

Associated Contractors of Spartanburg  
Clark Construction, LLC  
Certified Plumbing Company, Inc.  
Groves Drywall, LLC  
Hanis Renovations, LLC  
Hurricane Construction, Inc.  
Johnny Cooper dba Total Comfort Heating & Air  
Johnny Thompkins dba TNT Masonry  
J & P Specialties  
Mark Westmoreland  
Paul D Bishop dba Southern Tradesmen  
P H Campbell Construction, LLC  
Pinnacle Construction Partners  
Raphael Oviedo dba Grand Strands Finest  
Rawson Services, Inc.  
Sharp Cut Lawn Maintenance, LLC  
Sunset Construction Co., Inc.

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 Williams 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**

Diana Gantt presented the Summary of Revenues and Expenditures for Fiscal Year 2012. Revenue collected for FY 2012 was under budget by 8.75%. 100% of State Appropriations were spent and 93.6% of Earmarked Funds were spent for FY 2012.

Ms. Gantt presented the Summary of Revenues and Expenditures for the period ending July 31, 2012. The benchmark for July is 8.33%. The Commission's revenues are at 8.09%, and expenses are at 8%.

**Human Resources Department**

Cathy Floyd presented the Human Resources report for the period of July 11 – August 14, 2012. Ms. Floyd announced that the Employee Performance Management System (EPMS) universal review date is October 1. She reported that an agency wide survey on Snacks with Executive Director was conducted. There were 21 responses to the survey. Ms. Floyd reported a

total of 18 DACUM job analyses have been completed. She anticipates having the ten remaining DACUMS completed by September 19.

### **Information Services**

Betsy Hartman presented the Information Services Department's report. Ms. Hartman reported the final coding and testing of matching criteria for EDI Release 3 is slated for completion by the end of August. Hewett Coleman and Associates is scheduled for implementation on September 4.

Ms. Hartman reported DSIT has installed and is testing the OnBase Mobile Application on the server. The application allows iPad users the ability to retrieve documents. She anticipates the testing to be complete during the month of September.

### **Insurance & Medical Services**

Grant Duffield presented the Insurance & Medical Services Department's report. The Department continues to work through the GEAR process, modifications to workflows and process improvements. Mr. Grant noted a correction in his report under Compliance Division, #4, change "Officer" to "Director" so that it reads, "Completion of DACUM studies for Compliance Director position.

### **Claims Department**

Greg Line presented the Claims Department's report. Included in the report is a chart comparing forms processed and other claims activities for FY 2010-2011 and FY 2011-2012. Mr. Line said the Claims Department has averaged processing approximately 11,000 forms and other claims related duties, such as clinchers, fee petitions and third party settlements, per month over the past two years. DACUM job analyses have been completed for the department.

### **Judicial Department**

Virginia Crocker presented the Judicial Department's report. She will begin next month reporting the number of mediations, settlements, and Informal Conferences separately from the pleadings that go before the Commission.

### **EXECUTIVE DIRECTOR'S REPORT**

Gary Cannon, Executive Director, presented his report which was also submitted to the Commission in written form. He pointed out the following highlights from his report:

#### **Audit Report – State Auditor's Office**

The State Auditor's Office Report for fiscal year ending June 30, 2011 is posted on the State Auditor's website along with the Commission's response.

#### **Commuted Value Discount Calculation Advisory Committee**

The Committee held its first meeting on Friday, August 24, 2012 and directed staff to conduct research.

#### **Surgical Implant Advisory Committee**

Mr. Cannon reported that the SC Hospital Association formed a Task Force to develop the data requested by the Surgical Implant Advisory Committee. The Task Force met on July 31, 2012 and by conference call on August 14, 2012. The Committee is waiting on information from the Hospital Association regarding the data.

### Workers' Compensation Advisory Committee

The Governor's Advisory Committee met on July 27, 2012 and established concepts to include in their report to the General Assembly. They will meet again in October to finalize the report.

### OLD BUSINESS

#### **A. Medical Services Provider Manual**

Mr. Cannon said that on July 1, 2010 Commissioners revised and updated the 2003 Medical Services Provider Manual (MSPM) Schedule. At the time of the 2010 revision, the Commission stated its position to review the MSPM Fee Schedule annually to ensure a fair and reasonable reimbursement amount for medical services providers. On November 14, 2011, the Commission contracted with OptumInsight to conduct a review of the 2010 MSPM Fee Schedule.

Mr. Cannon discussed four options for the Commission to consider:

Option 1: No change in MSPM Fee Schedule.

Option 2: Revise the 2010 MSPM using a single conversion factor. This option updates the MSPM using the methodology the Commission has used in the past using the 2012 resource based relative value scale (RBRVS) established by the Center for Medicare and Medicaid Services (CMS) and the current conversion factor of \$50.

Option 3: Update the MSPM Fee Schedule using Multiple Conversion Factors. This option provides for the adoption of a different conversion factor for each of the service area categories using 2012 RBRVS.

Option 4: Update the MSPM with new CPT codes. Under this option, the Commission updates the MSPM to add only those CPT codes that have been created since 2010 approved by the American Medical Association (AMA) and delete from the MSPM the CPT codes which are no longer in use.

Mr. Cannon said there is uncertainty of the impact of statutory changes with the enactment of House Bill 3111 (ACT 183). He presented a recommendation of staff to obtain a legal opinion from the SC Attorney General's Office concerning the statutory changes contained in H3111 (Act 183) and implications on the regulatory requirements provided in R 67-1302 if the Commission were to update or revise the 2010 MSPM Fee Schedule.

### Motion to Obtain Legal Opinion from Attorney General's Office

Commissioner McCaskill made a motion that staff obtain a legal opinion from the Attorney General's Office concerning the statutory changes contained in H3111. Commissioner Wilkerson seconded the motion. The vote was taken, and the motion carried.

### NEW BUSINESS

#### **A. Informal Conference and Hearing Costs Assessment**

Mr. Cannon presented a recommendation that for FY 2013 the new Informal Conference cost be set at \$389.63, an increase of \$30.51 over the current assessment cost for Informal Conferences. Further, Mr. Cannon presented a recommendation that for FY 2013 the new Hearing Cost be set at \$1,123.49, an increase of \$108.63 over the current assessment cost for cases docketed and hearings conducted. The Informal Conference cost and Hearing cost are calculated using a cost allocation methodology in which a percentage of the total cost of salary, travel and other operating expenses of the Commissioners and Judicial Department are allocated to the process of scheduling or conducting the Informal Conference or Hearing.

**Motion on Hearing and Informal Conference Costs Assessments**

Commissioner Williams moved to approve the Hearing cost and Informal Conference cost as recommended for FY 2013. Commissioner Roche seconded the motion, and the motion was approved.

**ADJOURNMENT**

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

The August 27, 2012 meeting of the South Carolina Workers' Compensation Commission adjourned at 11:08.

Reported September 17, 2012

Kim Ballentine, Office of the Executive Director

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**INTEROFFICE MEMORANDUM**

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**TO:** GARY CANNON, EXECUTIVE DIRECTOR  
**FROM:** DIANA GANTT, DIRECTOR OF ADMINISTRATION  
**SUBJECT:** FINANCIAL REPORT PERIOD ENDING AUGUST 31, 2012  
**DATE:** 9/12/2012

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

- August is the 2nd Fiscal Month of FY13.
- There were 41 payments made to vendors, travelers, and other State Agencies.
- The benchmark for August is 16.67%. The Commission's revenues are at 12.92% and expenses are at 19%.
- There were three payrolls processed during the month of August (1, 16, 31), therefore, the benchmarks for salaries is off due to this additional expenditure. The month of September will only have one payroll posting and the benchmark percentages will be back in line on that finance report.
- The following is a summary of each department expenditure benchmarks:

**General Fund:** Total expenditures are at 22%.

**Earmark Fund:**

*Commissioners –*

- Total expenditures are at 12% of budget.

*Administration –*

- Overall the expenditures are 17% of budget.

*Claims –*

- Expenditures are at 17% of budget.

*Insurance & Medical –*

- Total expenditures are at 20% of budget

*Judicial –*

- Total expenditures are at 18% of budget.

**Activity Report from the Procurement Office:**

	MTD	YTD
SCEIS Shopping Carts	1	3
Vendors Contacted for Price Quotes	8	27
Visa Procurement Card Orders Placed	4	6
SC Dept of Corrections Orders Placed	0	0
Staples Orders Placed	2	6
State Leased Vehicles taken for Service	4	4
State Reports filed by Procurement Officer	0	0

**Mail Room Activity:**

	MTD	YTD
Files Copied for Outside Parties	259	462
Pages Copied	17,453	22,873



**South Carolina Workers' Compensation Commission**  
**Summary of Revenues and Expenditures**  
**2012 - 2013 Budget**  
**August 31, 2012**

	<b>Budget</b>	<b>FY To Date</b>	<b>Benchmark</b>	<b>16.67%</b>
<b>STATE APPROPRIATIONS</b>				
General Appropriation	<u>\$ 1,763,619</u>	<u>\$ 293,936.50</u>		16.67%

<u>Account Description</u>	<u>Appropriation</u>	<u>Expenditure</u>	<u>Balance</u>	<u>% Expended</u>
Personal Services	\$ 1,329,429	\$ 295,338	\$ 1,034,091	22.2%
Other Operating Expenses	-	-	-	0.0%
Employer Contribution	434,190	87,795	346,395	20.2%
<b>Total</b>	<b><u>\$ 1,763,619</u></b>	<b><u>\$ 383,133</u></b>	<b><u>\$ 1,380,486</u></b>	<b><u>21.7%</u></b>

**OTHER APPROPRIATIONS**

<b>EARMARKED</b>	<b>Budgeted Revenues</b>	<b>Received thru 8/31/12</b>	<b>% Received</b>
Training Conference Registration Fee	\$ 1,000	\$ 35	3.50%
Sale of Publication and Brochures	8,000	1,200	15.00%
Workers' Comp Award Review Fee	75,000	10,050	13.40%
Sale of Photocopies	95,000	16,682	17.56%
Workers' Compensation Filing Violation Fee	1,891,000	220,489	11.66%
Sale of Listings and Labels	30,000	3,701	12.34%
Workers' Comp Hearing Fee	600,000	93,225	15.54%
Insurance Reserve Refund (Prepaid Legal)		3,460	
Earmarked Funds - Original Authorization	<b><u>\$ 2,700,000</u></b>	<b><u>\$ 348,842</u></b>	<b><u>12.92%</u></b>
Increase Authorization	535,066		
Increase Authorization - BD100	-		
<b>Total Earmarked Revenues + Fund Balance</b>	<b><u>\$ 3,235,066</u></b>		

<u>Account Description</u>	<u>Appropriation</u>	<u>Expenditure</u>	<u>Balance</u>	<u>% Expended</u>
Personal Services	\$ 1,464,017	\$ 303,895	\$ 1,160,122	20.8%
Taxable Subsistence	80,000	7,569	72,431	9.5%
Other Operating Expenses	1,242,865	153,660	1,089,205	12.4%
Employer Contribution	448,184	119,365	328,819	26.6%
<b>Total Earmarked</b>	<b><u>\$ 3,235,066</u></b>	<b><u>\$ 584,489</u></b>	<b><u>\$ 2,650,577</u></b>	<b><u>18.1%</u></b>

**COMPUTER FUNDS CARRIED FORWARD**

Computer Services - Carry forward	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>0.0%</u>
<b>TOTAL OTHER APPROPRIATIONS</b>	<b><u>\$ 3,235,066</u></b>	<b><u>\$ 584,489</u></b>	<b><u>\$ 2,650,577</u></b>	<b><u>18.1%</u></b>

**South Carolina Workers' Compensation Commission**  
**2012 - 2013 Budget**  
 August 31, 2012

**Consolidated**

	Original Budget	Budget Amendments	Amended Budget	Year-To-Date : 16.67%				
				Expended July	Year to Date	%	Encumb	Balance
<b>Commissioners</b>								
Salaries	\$ 1,150,244	\$ -	\$ 1,150,244	\$ 142,751	\$ 237,409	21%	\$ -	\$ 72,431
<b>Other Operating Expenditures</b>								
Total Contractual Services	219,128	-	219,128	13,078	24,563	11%	-	194,565
Total Supplies & Materials	23,499	-	23,499	1,351	1,432	6%	-	22,067
Total Fixed Charges	158,028	-	158,028	11,809	23,503	15%	-	134,525
Total Travel	90,950	-	90,950	4,937	10,699	12%	-	80,251
<b>Total Other Operating Exp</b>	<b>491,605</b>	<b>-</b>	<b>491,605</b>	<b>31,175</b>	<b>60,196</b>	<b>12%</b>	<b>-</b>	<b>431,409</b>
<b>Total Commissioners</b>	<b>\$ 1,641,849</b>	<b>\$ -</b>	<b>\$ 1,641,849</b>	<b>\$ 173,925</b>	<b>\$ 297,605</b>	<b>18%</b>	<b>\$ -</b>	<b>\$ 503,840</b>
<b>Administration</b>								
Salaries	\$ 559,791	\$ -	\$ 559,791	\$ 69,442	\$ 116,342	21%	\$ -	\$ 443,449
<b>Other Operating Expenditures</b>								
Total Contractual Services	105,502	-	105,502	3,668	13,854	13%	-	91,648
Total Supplies & Materials	23,053	-	23,053	2,264	2,259	10%	-	20,794
Total Fixed Charges	132,810	-	132,810	10,561	19,785	15%	-	113,025
Total Travel	14,490	-	14,490	977	1,131	8%	-	13,359
Total Equipment	-	-	-	-	-	0%	-	-
<b>Total Other Operating Exp</b>	<b>275,855</b>	<b>-</b>	<b>275,855</b>	<b>17,469</b>	<b>37,029</b>	<b>13%</b>	<b>-</b>	<b>238,826</b>
<b>Total Administration</b>	<b>\$ 835,646</b>	<b>\$ -</b>	<b>\$ 835,646</b>	<b>\$ 86,912</b>	<b>\$ 153,371</b>	<b>18%</b>	<b>\$ -</b>	<b>\$ 682,275</b>
<b>Claims</b>								
Salaries	\$ 376,757	\$ -	\$ 376,757	\$ 48,856	\$ 81,201	22%	\$ -	\$ 295,556
<b>Other Operating Expenditures</b>								
Total Contractual Services	64,472	-	64,472	2,088	6,541	10%	-	57,931
Total Supplies & Materials	37,471	-	37,471	2,635	2,731	7%	-	34,740
Total Fixed Charges	79,659	-	79,659	6,089	11,936	15%	-	67,723
Total Travel	2,100	-	2,100	52	52	2%	-	2,048
<b>Total Other Operating Exp</b>	<b>183,702</b>	<b>-</b>	<b>183,702</b>	<b>10,864</b>	<b>21,260</b>	<b>12%</b>	<b>-</b>	<b>162,442</b>
<b>Total Claims</b>	<b>\$ 560,459</b>	<b>\$ -</b>	<b>\$ 560,459</b>	<b>\$ 59,719</b>	<b>\$ 102,460</b>	<b>18%</b>	<b>\$ -</b>	<b>\$ 457,999</b>
<b>Insurance and Medical Services</b>								
Salaries	\$ 422,768	\$ -	\$ 422,768	\$ 53,290	\$ 96,237	23%	\$ -	\$ 326,531
<b>Other Operating Expenditures</b>								
Total Contractual Services	73,104	200	73,304	3,034	9,566	13%	-	63,738
Total Supplies & Materials	22,725	(200)	22,525	1,376	1,446	6%	-	21,079
Total Fixed Charges	62,194	-	62,194	4,268	8,395	13%	-	53,799
Total Travel	1,350	-	1,350	-	-	0%	-	1,350
<b>Total Other Operating Exp</b>	<b>159,373</b>	<b>-</b>	<b>159,373</b>	<b>8,677</b>	<b>19,408</b>	<b>12%</b>	<b>-</b>	<b>139,965</b>
<b>Total Insurance and Medical Services</b>	<b>\$ 582,141</b>	<b>\$ -</b>	<b>\$ 582,141</b>	<b>\$ 61,967</b>	<b>\$ 115,645</b>	<b>20%</b>	<b>\$ -</b>	<b>\$ 466,496</b>
<b>Judicial</b>								
Salaries	\$ 363,886	\$ -	\$ 363,886	\$ 45,470	\$ 75,613	21%	\$ -	\$ 288,273
<b>Other Operating Expenditures</b>								
Total Contractual Services	33,570	200	33,770	330	3,991	12%	-	29,779
Total Supplies & Materials	22,770	(200)	22,570	1,187	1,244	6%	-	21,326
Total Fixed Charges	70,545	-	70,545	5,307	10,466	15%	-	60,079
Total Travel	5,445	-	5,445	-	66	1%	-	5,379
<b>Total Other Operating Exp</b>	<b>132,330</b>	<b>-</b>	<b>132,330</b>	<b>6,824</b>	<b>15,768</b>	<b>12%</b>	<b>-</b>	<b>116,562</b>
<b>Total Judicial</b>	<b>\$ 496,216</b>	<b>\$ -</b>	<b>\$ 496,216</b>	<b>\$ 52,294</b>	<b>\$ 91,381</b>	<b>18%</b>	<b>\$ -</b>	<b>\$ 404,835</b>
<b>Totals By Departments</b>								
<b>Department Totals</b>								
Commissioners	\$ 1,641,849	\$ -	\$ 1,641,849	\$ 173,925	\$ 297,605	18%	\$ -	\$ 503,840
Administration	835,646	-	835,646	86,912	153,371	18%	-	682,275
Claims	560,459	-	560,459	59,719	102,460	18%	-	457,999
Insurance & Medical	582,141	-	582,141	61,967	115,645	20%	-	466,496
Judicial	496,216	-	496,216	52,294	91,381	18%	-	404,835
<b>Total Departmental Expend</b>	<b>\$ 4,116,311</b>	<b>\$ -</b>	<b>\$ 4,116,311</b>	<b>\$ 434,818</b>	<b>\$ 760,462</b>	<b>18%</b>	<b>\$ -</b>	<b>\$ 2,515,445</b>
Employer Contributions	882,374	-	882,374	115,272	207,160	23%	-	675,214
<b>Total General &amp; Earmarked Funds</b>	<b>\$ 4,998,685</b>	<b>\$ -</b>	<b>\$ 4,998,685</b>	<b>\$ 550,090</b>	<b>\$ 967,622</b>	<b>19%</b>	<b>\$ -</b>	<b>\$ 3,190,659</b>

**South Carolina Workers' Compensation Commission**  
**2012 - 2013 Budget**  
**August 31, 2012**

**General Appropriation**

	Original Budget	Budget Amendments	Amended Budget	Year-To-Date : 16.67%				Encumb	Balance
				Expended August	Year to Date to Date	%			
<b>Commissioners</b>									
<b>Salaries</b>									
Chairman	\$ 115,567	\$ -	\$ 115,567	\$ 14,261	\$ 23,769	21%	\$ -	\$ 91,798	
Commissioner	664,602	-	664,602	86,167	143,613	22%	-	520,990	
Terminal Leave	-	-	-	-	-	0%	-	-	
Classified Employees	290,075	-	290,075	37,475	62,459	22%	-	227,616	
<b>Total Commissioners</b>	<b>1,070,244</b>	<b>-</b>	<b>1,070,244</b>	<b>137,904</b>	<b>229,840</b>	<b>21%</b>	<b>-</b>	<b>-</b>	
<b>Administration</b>									
<b>Salaries</b>									
Director	\$ 94,152	\$ -	\$ 94,152	\$ 12,122	\$ 20,203	21%	\$ -	\$ 73,949	
Classified Positions	44,825	-	44,825	5,771	17,344	39%	-	27,482	
<b>Total Administration</b>	<b>138,977</b>	<b>-</b>	<b>138,977</b>	<b>17,893</b>	<b>37,547</b>	<b>27%</b>	<b>-</b>	<b>101,430</b>	
<b>Claims</b>									
<b>Salaries</b>									
Classified Positions	\$ 67,000	\$ -	\$ 67,000	\$ 9,920	\$ 16,534	25%	\$ -	\$ 50,467	
<b>Total Claims</b>	<b>67,000</b>	<b>-</b>	<b>67,000</b>	<b>9,920</b>	<b>16,534</b>	<b>25%</b>	<b>-</b>	<b>50,467</b>	
<b>Insurance and Medical Services</b>									
<b>Salaries</b>									
Classified Positions	\$ 25,350	\$ -	\$ 25,350	\$ 3,264	\$ 5,440	21%	\$ -	\$ 19,910	
<b>Total Ins and Medical Svcs</b>	<b>25,350</b>	<b>-</b>	<b>25,350</b>	<b>3,264</b>	<b>5,440</b>	<b>21%</b>	<b>-</b>	<b>19,910</b>	
<b>Judicial</b>									
<b>Salaries</b>									
Classified Positions	\$ 27,858	\$ -	\$ 27,858	\$ 3,587	\$ 5,978	21%	\$ -	\$ 21,880	
<b>Total Judicial</b>	<b>27,858</b>	<b>-</b>	<b>27,858</b>	<b>3,587</b>	<b>5,978</b>	<b>21%</b>	<b>-</b>	<b>21,880</b>	
<b>General Funds</b>									
<b>Department Totals</b>									
Commissioners	\$ 1,070,244	\$ -	\$ 1,070,244	\$ 137,904	\$ 229,840	21%	\$ -	\$ 840,404	
Administration	138,977	-	138,977	17,893	37,547	27%	-	101,430	
Claims	67,000	-	67,000	9,920	16,534	25%	-	50,467	
Insurance & Medical	25,350	-	25,350	3,264	5,440	21%	-	19,910	
Judicial	27,858	-	27,858	3,587	5,978	21%	-	21,880	
<b>Total Departmental Expend</b>	<b>\$ 1,329,429</b>	<b>\$ -</b>	<b>\$ 1,329,429</b>	<b>\$ 172,567</b>	<b>\$ 295,338</b>	<b>22%</b>	<b>\$ -</b>	<b>\$ 1,034,091</b>	
Employer Contributions	434,190	-	434,190	51,113	87,795	20%	-	346,395	
<b>Total General Fund Appropriations</b>	<b>\$ 1,763,619</b>	<b>\$ -</b>	<b>\$ 1,763,619</b>	<b>\$ 223,681</b>	<b>\$ 383,133</b>	<b>22%</b>	<b>\$ -</b>	<b>\$ 1,380,486</b>	

**South Carolina Workers' Compensation Commission**

**2012 - 2013 Budget**

August 31, 2012

**Earmarked Funds**

	Original Budget	Budget Amendments	Amended Budget	Year-To-Date : 16.67%				
				Expended August	Year to Date	%	Encumb	Balance
<b>Commissioners</b>								
<b>Salaries</b>								
Taxable Subsistence	\$ 80,000	\$ -	\$ 80,000	\$ 4,847	\$ 7,569	9%	\$ -	\$ 72,431
<b>Total Salaries</b>	<b>80,000</b>	<b>-</b>	<b>80,000</b>	<b>4,847</b>	<b>7,569</b>	<b>9%</b>	<b>-</b>	<b>72,431</b>
<b>Other Operating Expenditures</b>								
<b>Contractual Services</b>								
Office Equipment Service	1,700	-	1,700	-	-	0%	-	1,700
Copying Equipment Service	1,200	-	1,200	-	-	0%	-	1,200
Print/Bind/Advertisement	1,510	-	1,510	-	-	0%	-	1,510
Print Pub Annual Reports	1,028	-	1,028	-	-	0%	-	1,028
Data Processing Services	34,000	-	34,000	-	4,797	14%	-	29,203
Freight Express Delivery	1,490	-	1,490	-	-	0%	-	1,490
Telephone	6,100	-	6,100	322	322	5%	-	5,778
Cellular Phone Service	9,100	-	9,100	862	1,863	20%	-	7,237
Legal Services/Attorney Fees	160,000	-	160,000	11,894	17,581	11%	-	142,419
Other Professional Services	3,000	-	3,000	-	-	0%	-	3,000
<b>Total Contractual Services</b>	<b>219,128</b>	<b>-</b>	<b>219,128</b>	<b>13,078</b>	<b>24,563</b>	<b>11%</b>	<b>-</b>	<b>194,565</b>
<b>Supplies &amp; Materials</b>								
Office Supplies	7,500	-	7,500	171	239	3%	-	7,261
Copying Equipment	4,200	-	4,200	535	535	13%	-	3,665
Printing	1,200	-	1,200	-	-	0%	-	1,200
Data Processing Supplies	1,649	-	1,649	-	-	0%	-	1,649
Postage	8,500	-	8,500	563	563	7%	-	7,937
Communication Supplies	50	-	50	-	-	0%	-	50
Maint/Janitorial Supplies	200	-	200	15	28	14%	-	172
Motor Vehicle Supp/Gasoline	100	-	100	-	-	0%	-	100
Other Supplies	100	-	100	67	67	67%	-	33
<b>Total Supplies &amp; Materials</b>	<b>23,499</b>	<b>-</b>	<b>23,499</b>	<b>1,351</b>	<b>1,432</b>	<b>6%</b>	<b>-</b>	<b>22,067</b>
<b>Fixed Charges</b>								
Rental-Cont Rent Payment	2,500	-	2,500	115	115	5%	-	2,385
Rent-Non State Owned Property	149,000	-	149,000	11,694	23,388	16%	-	125,612
Rent-Other	250	-	250	-	-	0%	-	250
Insurance-State	4,500	-	4,500	-	-	0%	-	4,500
Insurance-Non State	1,169	-	1,169	-	-	0%	-	1,169
Fees & Fines	109	-	109	-	-	0%	-	109
Equipment Maintenance	500	-	500	-	-	0%	-	500
<b>Total Fixed Charges</b>	<b>158,028</b>	<b>-</b>	<b>158,028</b>	<b>11,809</b>	<b>23,503</b>	<b>15%</b>	<b>-</b>	<b>134,525</b>
<b>Travel (Includes Leased Car)</b>								
In State - Meals (Non-Reportable)	350	-	350	-	-	0%	-	350
In State - Auto Mileage	20,000	-	20,000	1,302	2,319	12%	-	17,681
In State - Subsistence Allowance	30,000	-	30,000	1,230	5,974	20%	-	24,026
Out State - Meals	100	-	100	-	-	0%	-	100
Out State - Auto Mileage	2,000	-	2,000	-	-	0%	-	2,000
Leased Car	38,500	-	38,500	2,405	2,405	6%	-	36,095
<b>Total Travel</b>	<b>90,950</b>	<b>-</b>	<b>90,950</b>	<b>4,937</b>	<b>10,699</b>	<b>12%</b>	<b>-</b>	<b>80,251</b>
<b>Total Other Operating Expenditures</b>	<b>491,605</b>	<b>-</b>	<b>491,605</b>	<b>31,175</b>	<b>60,196</b>	<b>12%</b>	<b>-</b>	<b>431,409</b>
<b>Total Commissioners</b>	<b>\$ 571,605</b>	<b>\$ -</b>	<b>\$ 571,605</b>	<b>\$ 36,022</b>	<b>\$ 67,765</b>	<b>12%</b>	<b>\$ -</b>	<b>\$ 503,840</b>

**South Carolina Workers' Compensation Commission**

**2012 - 2013 Budget**

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**Earmarked Funds**

	Original Budget	Budget Amendments	Amended Budget	Year-To-Date : 16.67%				
				Expended August	Year to Date	%	Encumb	Balance
<b>Administration</b>								
<b>Salaries</b>								
Classified Positions	\$ 408,567	\$ -	\$ 408,567	\$ 51,071	\$ 77,393	19%	\$ -	\$ 331,174
Temporary Employees	11,247	-	11,247	478	1,402	12%	-	9,845
Terminal Leave	1,000	-	1,000	-	-	0%	-	1,000
<b>Total Salaries</b>	<b>420,814</b>	<b>-</b>	<b>420,814</b>	<b>51,549</b>	<b>78,795</b>	<b>19%</b>	<b>-</b>	<b>342,019</b>
<b>Other Operating Expenditures</b>								
<b>Contractual Services</b>								
Office Equipment Service	5,800	-	5,800	-	4,727	82%	-	1,073
Copying Equipment Service	550	-	550	-	-	0%	-	550
Print/Bind/Advertisement	500	-	500	-	-	0%	-	500
Print Pub Annual Reports	22	-	22	-	-	0%	-	22
Data Processing Services	62,000	-	62,000	1,247	6,493	10%	-	55,507
Freight Express Delivery	800	-	800	102	102	13%	-	698
Telephone	4,600	-	4,600	674	674	15%	-	3,926
Cellular Phone Service	3,000	-	3,000	179	392	13%	-	2,608
Education & Training Services	1,000	-	1,000	-	-	0%	-	1,000
Attorney Fees	25,000	-	25,000	1,020	1,020	4%	-	23,980
General Repair	230	-	230	-	-	0%	-	230
Audit Acct Finance	100	-	100	-	-	0%	-	100
Catered Meals	300	-	300	-	-	0%	-	300
Other Professional Services	100	-	100	-	-	0%	-	100
Other Contractual Services	1,500	-	1,500	445	445	30%	-	1,055
<b>Total Contractual Services</b>	<b>105,502</b>	<b>-</b>	<b>105,502</b>	<b>3,668</b>	<b>13,854</b>	<b>13%</b>	<b>-</b>	<b>91,648</b>
<b>Supplies &amp; Materials</b>								
Office Supplies	5,000	-	5,000	107	179	4%	-	4,821
Subscriptions	175	-	175	-	-	0%	-	175
Copying Equipment Supplies	3,434	-	3,434	423	423	12%	-	3,011
Printing	1,964	-	1,964	-	-	0%	-	1,964
Data Processing Supplies	500	-	500	852	852	170%	-	(352)
Postage	10,000	-	10,000	869	783	8%	-	9,217
Maint/Janitorial Supplies	200	-	200	12	22	11%	-	178
Fees & Fines	280	-	280	-	-	0%	-	280
Gasoline/ Motor Vehicle Supply	100	-	100	-	-	0%	-	100
Employee Recog Award	1,000	-	1,000	-	-	0%	-	1,000
Other Supplies	400	-	400	-	-	0%	-	400
<b>Total Supplies &amp; Materials</b>	<b>23,053</b>	<b>-</b>	<b>23,053</b>	<b>2,264</b>	<b>2,259</b>	<b>10%</b>	<b>-</b>	<b>20,794</b>
<b>Fixed Charges</b>								
Rental-Cont Rent Payment	6,000	-	6,000	534	839	14%	-	5,162
Rent-Non State Owned Property	95,000	-	95,000	7,567	15,133	16%	-	79,867
Rent-Other	11,000	-	11,000	1,975	2,603	24%	-	8,397
Insurance-State	7,490	-	7,490	-	705	9%	-	6,785
Insurance-Non State	134	-	134	-	-	0%	-	134
Dues and Memberships	5,000	-	5,000	-	20	0%	-	4,980
Sales Tax Paid	8,186	-	8,186	485	485	6%	-	7,701
<b>Total Fixed Charges</b>	<b>132,810</b>	<b>-</b>	<b>132,810</b>	<b>10,561</b>	<b>19,785</b>	<b>15%</b>	<b>-</b>	<b>113,025</b>
<b>Travel (Includes Leased Car)</b>								
In State - Meals Non/ Reportable	100	-	100	-	-	0%	-	100
Reportable Meals	100	-	100	-	-	0%	-	100
Out of State - Milage	90	-	90	-	-	0%	-	90
In State - Registration Fees	200	-	200	40	194	97%	-	6
Leased Car	14,000	-	14,000	937	937	7%	-	13,063
<b>Total Travel</b>	<b>14,490</b>	<b>-</b>	<b>14,490</b>	<b>977</b>	<b>1,131</b>	<b>8%</b>	<b>-</b>	<b>13,359</b>
<b>Equipment</b>								
Equipment Data Processing- PC's	-	-	-	-	-	0%	-	-
<b>Total Equipment</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>0%</b>	<b>-</b>	<b>-</b>
<b>Total Other Operating Expenditures</b>	<b>275,855</b>	<b>-</b>	<b>275,855</b>	<b>17,469</b>	<b>37,029</b>	<b>13%</b>	<b>-</b>	<b>238,826</b>
<b>Total Administration</b>	<b>\$ 696,669</b>	<b>\$ -</b>	<b>\$ 696,669</b>	<b>\$ 69,018</b>	<b>\$ 115,824</b>	<b>17%</b>	<b>\$ -</b>	<b>\$ 580,845</b>

**South Carolina Workers' Compensation Commission**

**2012 - 2013 Budget**

August 31, 2012

**Earmarked Funds**

	Original Budget	Budget Amendments	Amended Budget	Year-To-Date : 16.67%				
				Expended August	Year to Date	%	Encumb	Balance
<b>Claims</b>								
<b>Salaries</b>								
Classified Positions	\$ 294,757	\$ -	\$ 294,757	\$ 37,529	\$ 62,549	21%	\$ -	\$ 232,208
Temporary Positions	14,000	-	14,000	1,406	2,119	15%	-	11,881
Terminial Leave	1,000	-	1,000	-	-	0%	-	1,000
<b>Total Salaries</b>	<b>309,757</b>	<b>-</b>	<b>309,757</b>	<b>38,935</b>	<b>64,667</b>	<b>21%</b>	<b>-</b>	<b>245,090</b>
<b>Other Operating Expenditures</b>								
<b>Contractual Services</b>								
Office Equipment Services	200	-	200	-	-	0%	-	200
Copying Equipment Service	400	-	400	-	-	0%	-	400
Print / Bind / Adv	750	-	750	-	-	0%	-	750
Print Pub Annual Reports	22	-	22	-	-	0%	-	22
Data Processing Services	30,000	-	30,000	513	4,498	15%	-	25,502
Freight Express Delivery	500	-	500	21	21	4%	-	479
Telephone	4,000	-	4,000	304	304	8%	-	3,696
Cellular Phone Service	2,500	-	2,500	52	104	4%	-	2,396
Temporary Services	26,000	-	26,000	1,197	1,614	6%	-	24,386
Other Professional Services	100	-	100	-	-	0%	-	100
<b>Total Contractual Services</b>	<b>64,472</b>	<b>-</b>	<b>64,472</b>	<b>2,088</b>	<b>6,541</b>	<b>10%</b>	<b>-</b>	<b>57,931</b>
<b>Supplies &amp; Materials</b>								
Office Supplies	8,271	-	8,271	117	203	2%	-	8,068
Copying Equipment	3,000	-	3,000	423	423	14%	-	2,577
Printing	900	-	900	-	-	0%	-	900
Data Processing Supplies	3,000	-	3,000	-	-	0%	-	3,000
Postage	22,000	-	22,000	2,061	2,061	9%	-	19,939
Maint/Janitorial Supplies	200	-	200	33	44	22%	-	156
Other Supplies	100	-	100	-	-	0%	-	100
<b>Total Supplies &amp; Materials</b>	<b>37,471</b>	<b>-</b>	<b>37,471</b>	<b>2,635</b>	<b>2,731</b>	<b>7%</b>	<b>-</b>	<b>34,740</b>
<b>Fixed Charges</b>								
Rental-Cont Rent Payment	2,500	-	2,500	242	242	10%	-	2,258
Rent-Non State Owned Property	73,000	-	73,000	5,847	11,694	16%	-	61,306
Rent-Other	225	-	225	-	-	0%	-	225
Insurance-State	2,000	-	2,000	-	-	0%	-	2,000
Insurance-Non State	134	-	134	-	-	0%	-	134
Equipment- Copying	800	-	800	-	-	0%	-	800
Equipment Maintenance	1,000	-	1,000	-	-	0%	-	1,000
<b>Total Fixed Charges</b>	<b>79,659</b>	<b>-</b>	<b>79,659</b>	<b>6,089</b>	<b>11,936</b>	<b>15%</b>	<b>-</b>	<b>67,723</b>
<b>Travel (Includes Leased Car)</b>								
In State - Meals (Non-Reportable)	300	-	300	-	-	0%	-	300
In State - Lodging	600	-	600	-	-	0%	-	600
In State - Auto Mileage	600	-	600	-	-	0%	-	600
In-State Registration	200	-	200	-	-	0%	-	200
Reportable Meals	400	-	400	52	52	13%	-	348
<b>Total Travel</b>	<b>2,100</b>	<b>-</b>	<b>2,100</b>	<b>52</b>	<b>52</b>	<b>2%</b>	<b>-</b>	<b>2,048</b>
<b>Total Other Operating Expenditures</b>	<b>183,702</b>	<b>-</b>	<b>183,702</b>	<b>10,864</b>	<b>21,260</b>	<b>12%</b>	<b>-</b>	<b>162,442</b>
<b>Total Claims</b>	<b>\$ 493,459</b>	<b>\$ -</b>	<b>\$ 493,459</b>	<b>\$ 49,799</b>	<b>\$ 85,927</b>	<b>17%</b>	<b>\$ -</b>	<b>\$ 407,532</b>

**South Carolina Workers' Compensation Commission**

**2012 - 2013 Budget**

August 31, 2012

**Earmarked Funds**

	Original Budget	Budget Amendments	Amended Budget	Year-To-Date : 16.67%				
				Expended August	Year to Date	%	Encumb	Balance
<b>Insurance and Medical Services</b>								
<b>Salaries</b>								
Classified Positions	378,434	-	378,434	48,093	84,061	22%	-	294,373
Temporary Employees	15,469	-	15,469	1,933	3,222	21%	-	12,247
Terminal Leave	3,515	-	3,515	0	3,515	100%	-	(0)
<b>Total Salaries</b>	<b>397,418</b>	<b>-</b>	<b>397,418</b>	<b>50,026</b>	<b>90,797</b>	<b>23%</b>	<b>-</b>	<b>306,621</b>
<b>Other Operating Expenditures</b>								
<b>Contractual Services</b>								
Office Equipment Service	200	-	200	-	-	0%	-	200
Copying Equipment Service	300	-	300	-	-	0%	-	300
Print/Bind/Advertisement	500	-	500	-	-	0%	-	500
Print Pub Annual Report	24	-	24	-	-	0%	-	24
Data Processing Services	47,000	-	47,000	1,622	7,968	17%	-	39,032
Freight Express Delivery		200	200	21	21	11%	-	179
Telephone	2,626	-	2,626	225	225	9%	-	2,401
Cell Phone	3,000	-	3,000	143	199	7%	-	2,801
Catered Meals	2,000	-	2,000	-	-	0%	-	2,000
Other Professional Services	10,000	-	10,000	1,022	1,152	12%	-	8,848
Other Contractual Services	7,454	-	7,454	-	-	0%	-	7,454
<b>Total Contractual Services</b>	<b>73,104</b>	<b>200</b>	<b>73,304</b>	<b>3,034</b>	<b>9,566</b>	<b>13%</b>	<b>-</b>	<b>63,738</b>
<b>Supplies &amp; Materials</b>								
Office Supplies	5,000	-	5,000	166	226	5%	-	4,774
Copying Equipment	3,500	-	3,500	468	468	13%	-	3,032
Printing	1,500	-	1,500	-	-	0%	-	1,500
Data Processing Supplies	500	-	500	-	-	0%	-	500
Postage	11,000	(200)	10,800	728	728	7%	-	10,072
Maintenance/Janitorial Supplies	75	-	75	13	25	33%	-	50
Building Materials	1,000	-	1,000	-	-	0%	-	1,000
Fees & Fines	50	-	50	-	-	0%	-	50
Other Supplies	100	-	100	-	-	0%	-	100
<b>Total Supplies &amp; Materials</b>	<b>22,725</b>	<b>(200)</b>	<b>22,525</b>	<b>1,376</b>	<b>1,446</b>	<b>6%</b>	<b>-</b>	<b>21,079</b>
<b>Fixed Charges</b>								
Rental-Cont Rent Payment	2,104	-	2,104	115	115	5%	-	1,989
Rent-Non State Owned Property	52,000	-	52,000	4,127	8,254	16%	-	43,746
Rent-Other	2,000	-	2,000	-	-	0%	-	2,000
Insurance-State	2,000	-	2,000	-	-	0%	-	2,000
Insurance-Non State	148	-	148	-	-	0%	-	148
Equipment Maintenance	942	-	942	-	-	0%	-	942
Sales Tax Paid	3,000	-	3,000	26	26	1%	-	2,974
<b>Total Fixed Charges</b>	<b>62,194</b>	<b>-</b>	<b>62,194</b>	<b>4,268</b>	<b>8,395</b>	<b>13%</b>	<b>-</b>	<b>53,799</b>
<b>Travel (Includes Leased Car)</b>								
In State - Meals (Non-Reportable)	400	-	400	-	-	0%	-	400
In-State Registration	100	-	100	-	-	0%	-	100
Reportable Meals	150	-	150	-	-	0%	-	150
In State - Lodging	700	-	700	-	-	0%	-	700
<b>Total Travel</b>	<b>1,350</b>	<b>-</b>	<b>1,350</b>	<b>-</b>	<b>-</b>	<b>0%</b>	<b>-</b>	<b>1,350</b>
<b>Total Other Operating Expenditures</b>	<b>159,373</b>	<b>-</b>	<b>159,373</b>	<b>8,677</b>	<b>19,408</b>	<b>12%</b>	<b>-</b>	<b>139,965</b>
<b>Total Insurance and Medical Services</b>	<b>\$ 556,791</b>	<b>\$ -</b>	<b>\$ 556,791</b>	<b>\$ 58,704</b>	<b>\$ 110,205</b>	<b>20%</b>	<b>\$ -</b>	<b>\$ 446,586</b>

**South Carolina Workers' Compensation Commission**

**2012 - 2013 Budget**

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**Earmarked Funds**

	Original Budget	Budget Amendments	Amended Budget	Year-To-Date : 16.67%				
				Expended August	Year to Date	%	Encumb Balance	
<b>Judicial</b>								
<b>Salaries</b>								
Classified Positions	\$ 333,028	\$ -	\$ 333,028	\$ 41,628	\$ 69,381	21%	\$ -	\$ 263,647
Temporary Employees	3000	0	3000	255	255	9%	-	2,745
<b>Total Salaries</b>	<b>336,028</b>	<b>-</b>	<b>336,028</b>	<b>41,883</b>	<b>69,636</b>	<b>21%</b>	<b>-</b>	<b>266,392</b>
<b>Other Operating Expenditures</b>								
<b>Contractual Services</b>								
Office Equipment Services	80	-	80	-	-	0%	-	80
Copy Equipment Services	850	-	850	-	-	0%	-	850
Print/Bind/Advertisement	800	-	800	-	-	0%	-	800
Print Pub Annual Reports	20	-	20	-	-	0%	-	20
Freight Express Delivery	-	200	200	21	21	11%	-	179
Data Processing Services	28,000	-	28,000	-	3,591	13%	-	24,409
Telephone	2,500	-	2,500	239	239	10%	-	2,261
Cellular Phone Service	1,120	-	1,120	69	139	12%	-	981
Other Professional Services	200	-	200	-	-	0%	-	200
<b>Total Contractual Services</b>	<b>33,570</b>	<b>200</b>	<b>33,770</b>	<b>330</b>	<b>3,991</b>	<b>12%</b>	<b>-</b>	<b>29,779</b>
<b>Supplies &amp; Materials</b>								
Office Supplies	5,500	-	5,500	100	148	3%	-	5,352
Copying Equipment Supplies	2,500	-	2,500	379	379	15%	-	2,121
Printing	2,000	-	2,000	-	-	0%	-	2,000
Data Processing Supplies	2,500	-	2,500	-	-	0%	-	2,500
Postage	10,000	(200)	9,800	697	697	7%	-	9,103
Maintenance/Janitorial Supplies	150	-	150	11	20	13%	-	130
Promotional Supplies	20	-	20	-	-	0%	-	20
Other Supplies	100	-	100	-	-	0%	-	100
<b>Total Supplies &amp; Materials</b>	<b>22,770</b>	<b>(200)</b>	<b>22,570</b>	<b>1,187</b>	<b>1,244</b>	<b>6%</b>	<b>-</b>	<b>21,326</b>
<b>Fixed Charges</b>								
Rental-Cont Rent Payment	3,000	-	3,000	148	148	5%	-	2,852
Rent-Non State Owned Property	65,300	-	65,300	5,159	10,318	16%	-	54,982
Rent-Other	125	-	125	-	-	0%	-	125
Insurance-State	2,000	-	2,000	-	-	0%	-	2,000
Insurance-Non State	120	-	120	-	-	0%	-	120
<b>Total Fixed Charges</b>	<b>70,545</b>	<b>-</b>	<b>70,545</b>	<b>5,307</b>	<b>10,466</b>	<b>15%</b>	<b>-</b>	<b>60,079</b>
<b>Travel (Includes Leased Car)</b>								
In State - Meals / Non-Reportable	450	-	450	-	-	0%	-	450
Reportable Meals	770	-	770	-	47	6%	-	723
In State - Lodging	2,200	-	2,200	-	-	0%	-	2,200
In State - Auto Mileage	1,800	-	1,800	-	19	1%	-	1,781
In State - Misc Travel Expense	25	-	25	-	-	0%	-	25
In-State Registration	100	-	100	-	-	0%	-	100
Out State - Auto Mileage	100	-	100	-	-	0%	-	100
<b>Total Travel</b>	<b>5,445</b>	<b>-</b>	<b>5,445</b>	<b>-</b>	<b>66</b>	<b>1%</b>	<b>-</b>	<b>5,379</b>
<b>Total Other Operating Expenditures</b>	<b>132,330</b>	<b>-</b>	<b>132,330</b>	<b>6,824</b>	<b>15,768</b>	<b>12%</b>	<b>-</b>	<b>116,562</b>
<b>Total Judicial</b>	<b>\$ 468,358</b>	<b>\$ -</b>	<b>\$ 468,358</b>	<b>\$ 48,708</b>	<b>\$ 85,403</b>	<b>18%</b>	<b>\$ -</b>	<b>\$ 382,955</b>
<b>Earmarked Funds</b>								
<b>Department Totals</b>								
Commissioners	\$ 571,605	\$ -	\$ 571,605	\$ 36,022	\$ 67,765	12%	\$ -	\$ 503,840
Administration	696,669	-	696,669	69,018	115,824	17%	-	580,845
Claims	493,459	-	493,459	49,799	85,927	17%	-	407,532
Insurance & Medical	556,791	-	556,791	58,704	110,205	20%	-	446,586
Judicial	468,358	-	468,358	48,708	85,403	18%	-	382,955
<b>Total Departmental Expend</b>	<b>\$ 2,786,882</b>	<b>\$ -</b>	<b>\$ 2,786,882</b>	<b>\$ 262,251</b>	<b>\$ 465,124</b>	<b>17%</b>	<b>\$ -</b>	<b>\$ 2,321,758</b>
Employer Contributions	448,184	-	448,184	64,159	119,365	27%	-	328,819
<b>Total Earmarked Funds</b>	<b>\$ 3,235,066</b>	<b>\$ -</b>	<b>\$ 3,235,066</b>	<b>\$ 326,409</b>	<b>\$ 584,489</b>	<b>18%</b>	<b>\$ -</b>	<b>\$ 2,650,577</b>



**South Carolina Workers' Compensation Commission**

**2012 - 2013 Budget**

August 31, 2012

**Earmarked Funds**

	Original Budget	Budget Amendments	Amended Budget	Year-To-Date : 16.67%				
				Expended August	Year to Date	%	Encumb	Balance
Capital / Computer Project Carryforward	\$ -	\$ -	\$ -	\$ -	\$ -	0%		\$ -

## MEMORANDUM

Date: September 12, 2012

**TO:** Mr. Gary Cannon  
Executive Director

**FROM:** Cathy Floyd  
Human Resources

**SUBJECT:** Human Resources Report Period of August 15 – September 11, 2012

Below is a summary of the Human Resources activity for the period of August 15 – September 11, 2012.

### Employee Relations (ER)

- Three ER issues were addressed during the activity period
- Conducted many DACUM job analyses
  - Phase two of the DACUM process will begin by the end of the month
- Reminders were sent regarding the EPMS Universal Review Date
  - All regular reviews are due October 1, 2012
- The Social Committee continues to work on the bi-monthly office activities and Annual Holiday Event

### Benefits

- Attended the Annual Benefits at Work Conference
  - Annual Enrollment will be held the month of October for 2013
- Assisted two employees with insurance coverage changes and/or inquires
- Assisted three employees with retirement system issues
- Completed one inquiry with the Retirement Systems

### SC Enterprise Information System (SCEIS)

- One employment verification
- Assisted one employee with payroll issues
- Assisted five employees with leave and time issues
- Forty-one transactions were keyed into the system

### State Human Resources Department (HRD)

- Contacted HRD Consultant regarding an employee issue

### Ombudsman

- Assisted two claimants with inquires by email and phone

### Finance Related

- Assisted with the daily deposit
- Approved 56 SCEIS financial transactions



## Workers' Compensation Commission

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To: Gary Cannon  
SCWCC Executive Director  
From: Betsy Hartman  
IT Director  
Date: September 17, 2012  
Subject: IT Department  
August 2012 Full Commission Report

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### Summary of IT Department Activities

SCWCC received an Honorable Mention for the Innovation Award at the South Carolina IT Directors Association Conference on September 11th for eCase.

### Projects – In Process

#### Accountability Report

- Compiling data and finalizing report – Due September 17, 2012

#### EDI Release 3

- Final coding and testing of matching criteria is slated for completion by the end of August 2012
- Testing with Trading Partners
  - Approved
    - Hewett Coleman
  - In Approval Process
    - State Accident Fund
    - Mitchell

#### Lapse in Insurance Web Portal

- Gave a demonstration of the portal to Frank Norris' office
- Additional report requested, in development
- Launch with users at Home Builders Association event September 21, 2012

## Projects – to be started in September 2012

### OnBase Upgrade

- Testing to begin after completion of EDI Release 3 testing and sign off by business owners (IMS)

### OnBase Mobile Application

- DSIT conducting security testing on application

### SC Vocational Rehabilitation Web Portal

- Finalizing the requirements before turning over to BravePoint for coding.
- Coding to start September 2012

### Mediation

- Work with Judicial and Claims on IT changes needed

## Help Desk Activities

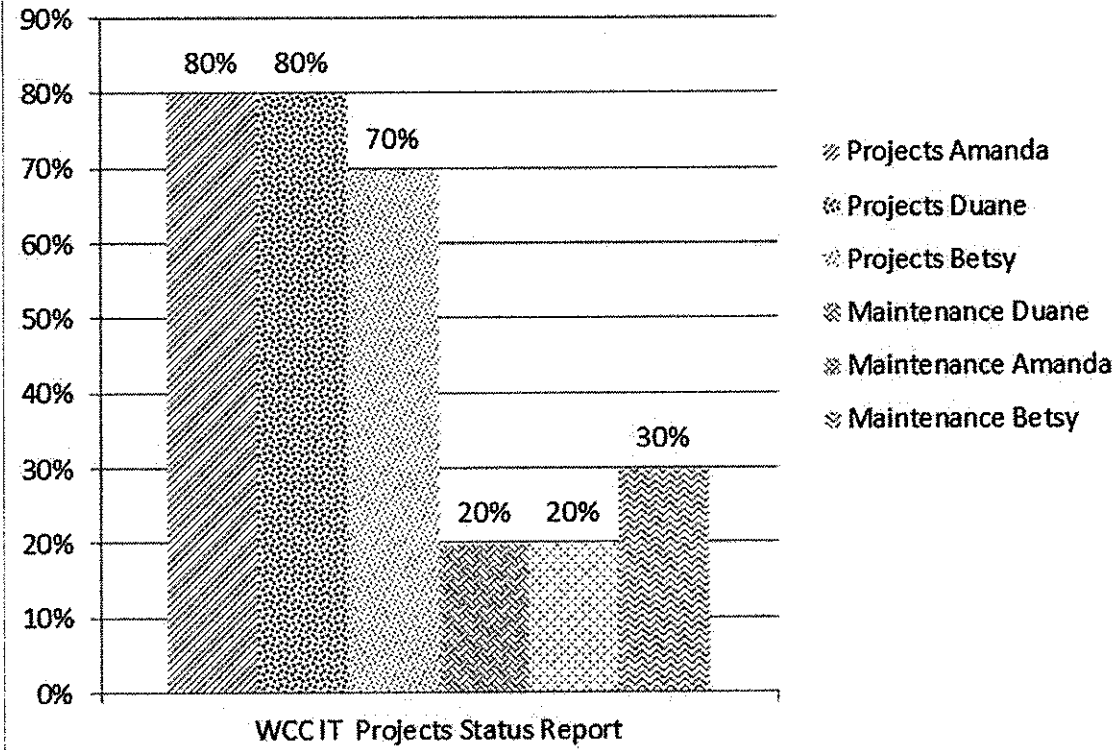
### Current IT Staff Activities – 8/16/2012 – 9/11/2012

Non Help Desk Activities	Time spent on non-Help Desk Activities or projects	Open Help Desk tickets	Time spent on Help Desk tickets (including projects)
91	81:50 hours	82	Gathering data starting September 2012

We are still in the process of developing a better way to track IT activities. Any suggestions are welcome. The point is what we track needs to benefit our productivity. This report will change over time as we determine what the best manner of tracking our activities is.

WCC IT Projects Status Report									
Period			09/17/12		Status Key:	Not Started	On Track	Timing	
Key Projects	Sub Project	Regulation	Due Date	% of completion	% of time devoted to issue	Lead	Issues / Comments		
Phase II - Claims EDI release 3			August 2012	90%	80%	Duane	complete edit testing and roll out to prod.		
Phase II - Claims EDI release 3			August 2012	90%	80%	Amanda	Finish Match testing and get final approval from end users.		
Phase II - Claims EDI release 3			August 2012	90%	10%	Betsy	Implementation Plan completed. Waiting on final OK from end users. Hewitt Coleman to be first.		
Upgrade OnBase to Onbase 11X	EDI R3 complete		September 2012			Amanda	Need plan for testing and roll out.		
Lapse in Coverage notification			August 2012	90%	45%	Betsy	testing complete. Demo with Frank Norris' office. Minor changes and new report request.		
iPad Application for eService	Upgrade to OnBase 11.x		September 2012	10%	10%	Betsy	Waiting on Onbase upgrade to 11X.		
Accountability Report			September 2012	80%	5%	Betsy	After approval of Annual Report Statistics.		
Upgrade wccsql server to Windows 2008 R2, Progress 10.2b.06	EDI RIs 3 and Lapse in coverage in projection		TBD				obtaining quotes for upgrading.		
SC Voc. Rehab	Upgrade to WCCSQL		TBD	50%	5%	Betsy	Final review of specification prior to giving to coder.		
Upgrade wccsqlprdProgress 10.2b.06			TBD				obtaining quotes for upgrading.		
Electronic Service Initiatives	Electronic Service Initiatives Clinchers	67-213	hold until after EDI RLS 3	0%					
	Electronic Service Initiatives Fee Petitions - Form 61	67-213	hold until after EDI RLS 3	0%					
	Electronic Service Initiatives - Receipt of electronic pleadings	67-211	TBD	0%					
	Electronic receipt of any form or document	67-205	TBD	0%					
	12 M Revamp of current Minor Medical Reporting from Carriers	67-412	TBD	0%					
Mediation			TBD	15%		Betsy	have mediation info from Ginger Ticket 509		
Security plan	ITSC guidelines					Betsy	look at ITSC Security document		
				Projects Amanda	80%				
				Projects Duane	80%				
				Projects Betsy	70%				

**IT Projects and Maintenance**  
**July 20, 2012 to August 15, 2012**



State of South Carolina



Workers' Compensation Commission

**To:** Gary Cannon  
SCWCC Executive Director

**From:** Grant Duffield  
IMS Director

**Date:** 12 – Sept – 2012

**Subj:** Insurance and Medical Services Department  
August 2012 Full Commission Report

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

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

- |                     |  |
|---------------------|--|
| Compliance Division | <ol style="list-style-type: none"><li>1. Processing of Outstanding Carrier fines.</li><li>2. GEAR program support and scheduling of GEAR Hearings.</li><li>3. Developing revised approaches to ORSC case investigation and docketing.</li><li>4. Completion of DACUM studies for Compliance Officer positions.</li></ol> |
| Coverage Division   | <ol style="list-style-type: none"><li>1. SC Homebuilder's Association coverage verification web interface module in final release.</li><li>2. Working to implement cross training / staff development opportunities within IMS dept.</li></ol>   |
| Medical Services    | <ol style="list-style-type: none"><li>1. Identifying updates / edits needed within the Medical Services Provider Manual.</li><li>2. Working to Approve / Re-Approve Medical Bill review entities.</li><li>3. Division received 11 Bill Disputes in August 2012.</li></ol>  |
| IMS Administration: | <ol style="list-style-type: none"><li>1. Monthly department-wide meetings.</li><li>2. Working with team-members to review / improve team processes and key functions.</li><li>3. Assisting Roberts with AG opinion letter request.</li><li>4. Working with SCHA on Surgical Implant study issues.</li></ol>              |

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 endeavors to maintain a month-on-month "carry-over" caseload (backlog) of 300 cases. Compliance closed August 2012 with 425 cases active, compared to an active caseload of 738 at the close of August 2011.

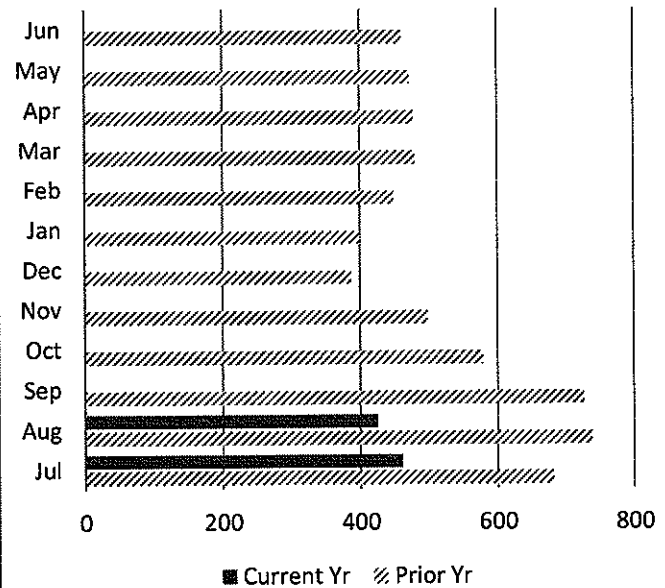
**Cases Resolved:**

Due to the decrease in carry-over, greater effort is focused on case resolution. For the month of August 2012, Compliance Division staff closed-out 45 cases.

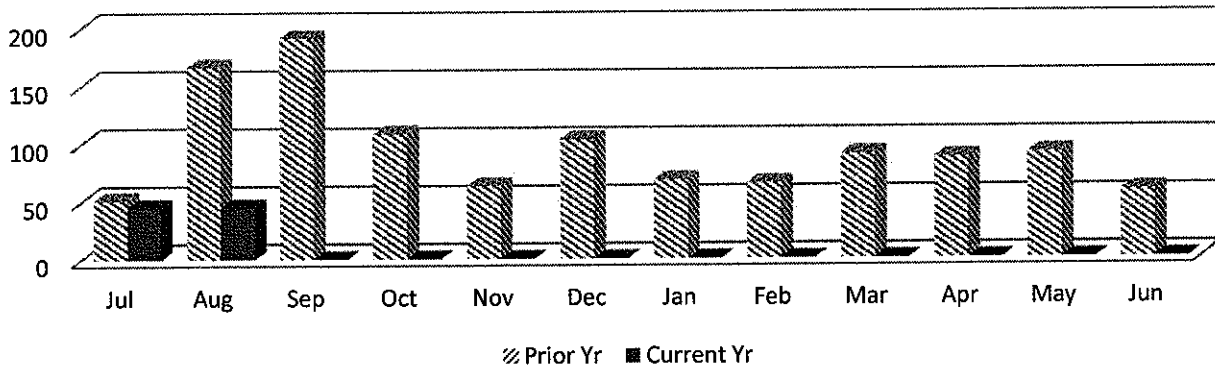
**Compliance Fines:**

Year to Date, the Compliance Division has collected \$41,894 in fines which represents 1.02% of prior year's accrual (\$40,997). Compliance fine revenue represents 19% of the Commission's annual earmarked revenue budget.

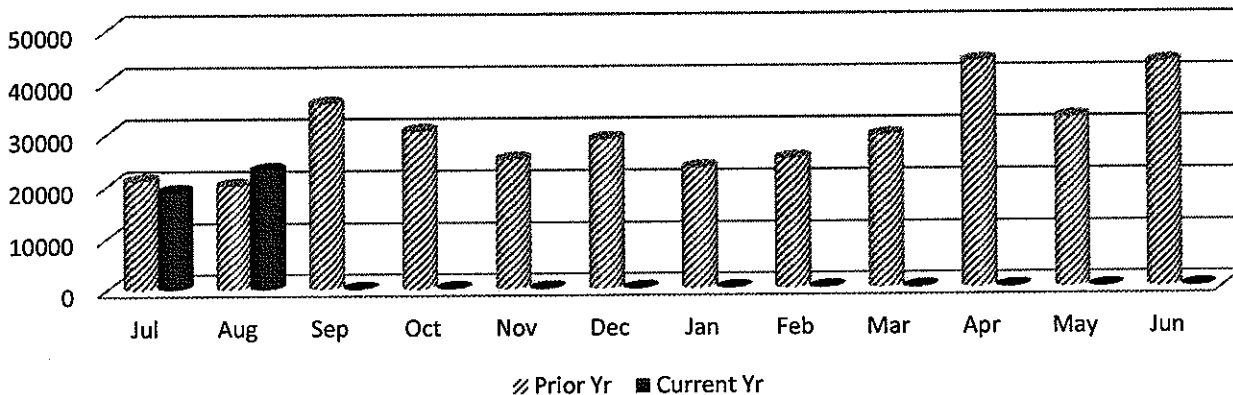
**Caseload Pending v. Prior Year**



**Cases Resolved v. Prior Year**



**Compliance Fines Collected v. Prior Year**





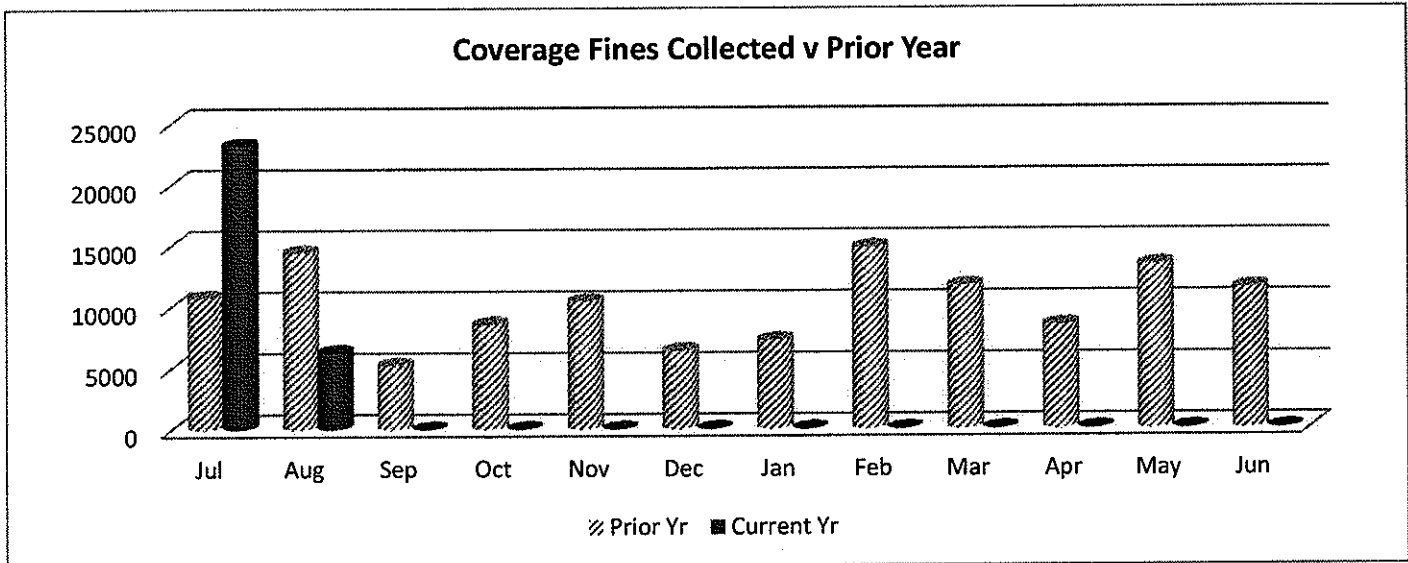
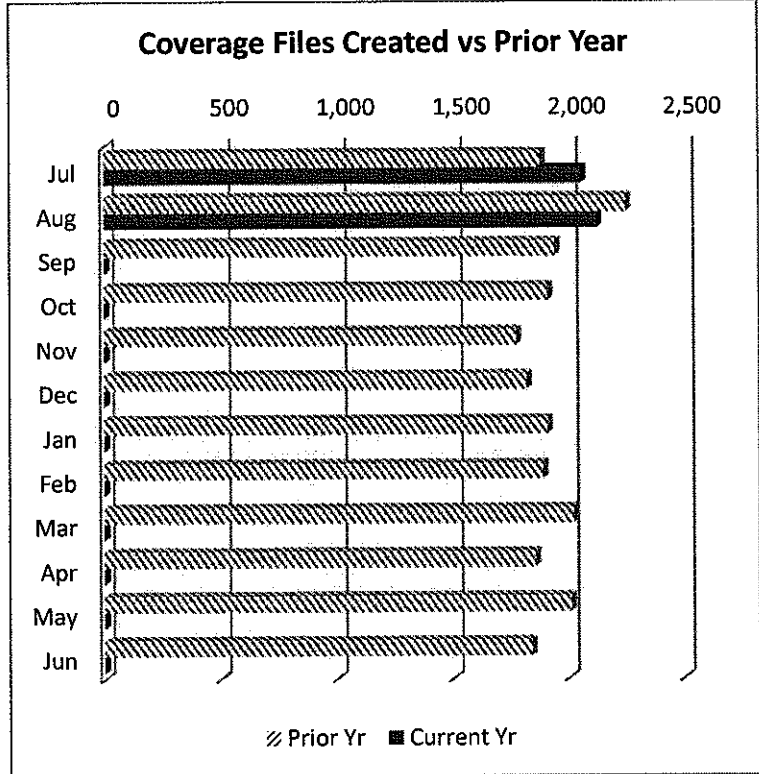
**WCC Claim Files:**

In August 2012, the Coverage Division created a total of 2,122 WCC Claim files. Of these, 1,794 were created electronically, and 328 were submitted in hard copy format. Year to Date, 4,175 Claim files have been created which is 101% of claim file volume for the same period in prior year (4,128).

**Coverage Fines:**

The Coverage Division collected \$6,250 in fine revenue in August 2012, a decrease from \$14,400 in Coverage fines/penalties accrued during the same period in prior year (August 2011). Year on Year, Coverage fines are at 117% of collections for the same period.

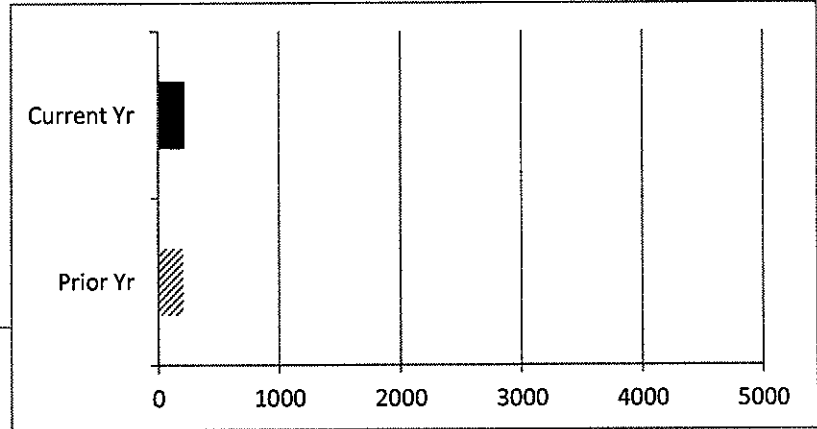
Coverage Division fines represent 10% of the Commission's annual earmarked budget.



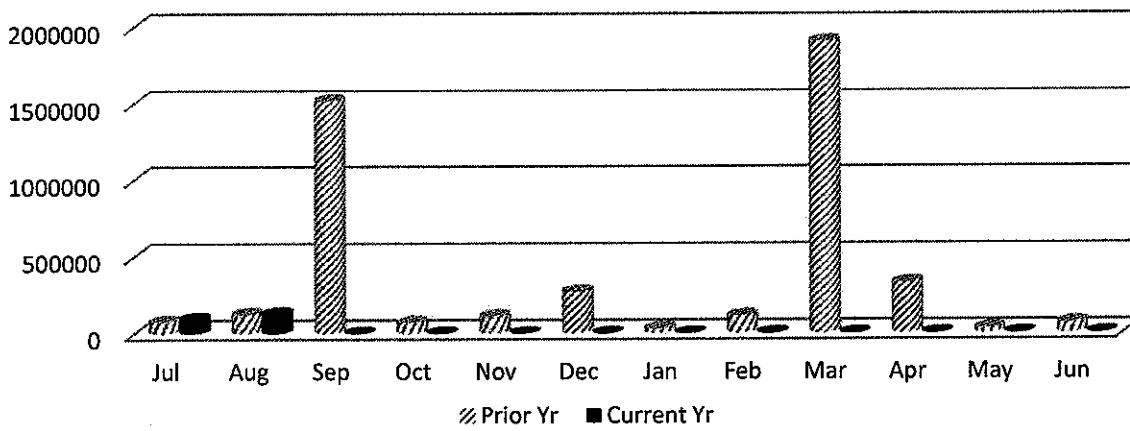
During the month of August 2012, the Self Insurance Division:

- \* collected \$126,046 in self-insurance tax.
- \* added 19 new self-insurers.
- \* conducted 3 Self Insurance audits.

Year to Date, Self Insurance tax revenue is trending at 108% of prior year and 6 Self Insurance audits have been completed.



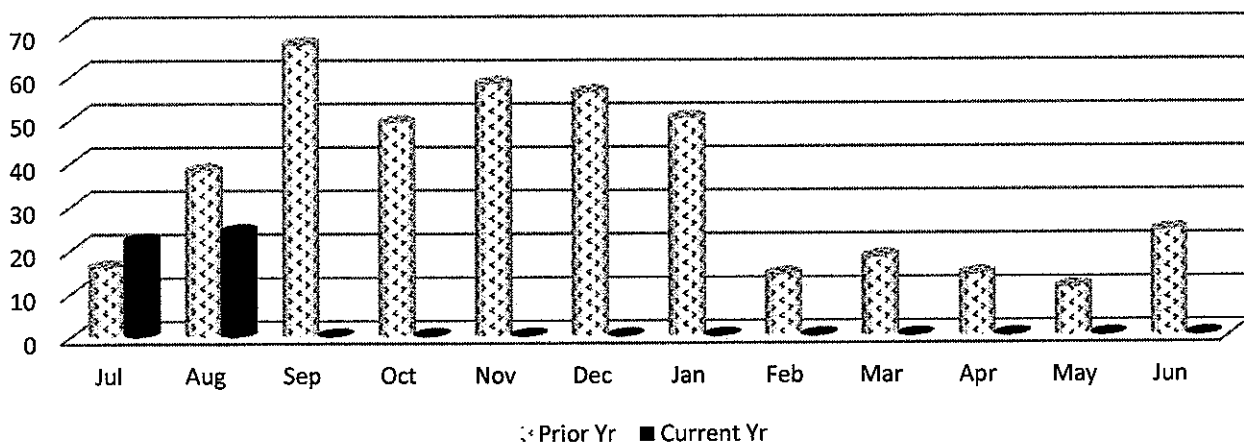
**Self Insurance Tax Collections v. Prior Year**



**IMS MEDICAL SERVICES DIVISION**

In August 2012, the Medical Services Division began the month with 24 bills pending review, received an additional 30 bills for review, conducted 32 bill reviews and ended the month with 22 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 AUGUST

DATE: September 12, 2012

Forms processed each month by the Claims Department

The department processed **1,917** more forms in August than we did in July. This could be contributed to a holiday in July and none in August and more personnel on vacation in July than in August. Over the past two years the department has averaged processed **11,229** forms (clinchers, fee petitions and 3<sup>rd</sup> party settlements) per month.

These forms are processed manually and checked by an individual in the department. Once the form is reviewed and ready for processing the form is scanned to the computer and then indexed to the appropriate file.

The examiners and administrative assistants work hard to ensure that the forms are processed timely and accurately. As our computer processes keep improving the addition of having other forms filed electronically will certainly help in the time spent on manually entering each form.

**Statistics for Fiscal Year 2012-2013**

**I. Claims Services Division**

	<b>July</b>	<b>August</b>	<b>Total</b>
Forms 15-I	1,387	1,456	2,843
Forms 15-II/Forms 17	867	921	1,788
Forms 16 for PP/Disf	253	366	619
Forms 18	4,899	5,294	10,193
Forms 20	979	1,002	1,981
Form 50 Claims Only	293	327	620
Form 61	690	779	1,469
Letters of Rep	164	181	345
Clinchers	748	826	1,574
Third Party Settlements	22	27	49
SSA Requests for Info	141	134	275
Cases Closed	2,117	2,562	4,679
Cases Reviewed	943	1,545	2,488
<b>Total</b>	<b>13,503</b>	<b>15,420</b>	<b>28,923</b>

**II. Fines Assessed by Claims Department**

	July	August	Total
# Assessed	406	489	895
# Rescinded	92	105	197
# Reduced	49	22	71
# Paid	363	314	677
# Outstanding*	823	893	893
Total Amt. Assessed	\$86,325	\$105,800	\$192,125
Total Amt. Rescinded	\$19,000	\$23,100	\$42,100
Total Amt. Reduced	\$8,200	\$2,900	\$11,100
Total Amt. Paid	\$80,825	\$69,100	\$149,925
Total Outstanding*	\$174,898	\$185,598	\$185,598

**Amounts assessed and fines collected for each form – August 2012**

Form	Assessed	# Fines Assessed	Collected	# Fines Collected
12-A	\$22,000	110	\$12,000	60
Form 15 Section I	\$15,400	60	\$10,400	46
Form 15 Section II	\$4,800	23	\$2,300	12
Form 15 S	\$3,600	18	\$800	5
Form 17	\$2,600	13	\$1,200	7
Form 18	\$48,800	217	\$36,450	151
Form 19	\$400	8	\$150	3
Denial Letter	\$3,400	17	\$2,000	11
Failure to Respond	\$4,600	23	\$3,800	19
Form 16	\$200			
<b>TOTAL</b>	<b>\$105,800</b>	<b>489</b>	<b>\$69,100</b>	<b>314</b>

**Form 18 Fines Assessed**

	Mar-12	Apr-12	May-12	Jun-12	Jul-12	Aug-12
Assessed Daily	\$47,200	\$44,400	\$45,600	\$38,900	\$38,925	\$42,800
Assessed File Review	\$10,200	\$7,200	\$7,600	\$34,600	\$5,000	\$6,000
<b>TOTAL FINES ASSESSED</b>	<b>\$57,400</b>	<b>\$51,600</b>	<b>\$53,200</b>	<b>\$73,500</b>	<b>\$43,925</b>	<b>\$48,800</b>
# Assessed Daily	203	187	203	199	178	187
# Assessed File Review	42	37	34	39	25	30
<b>Total # Form 18 Fines Assessed</b>	<b>245</b>	<b>224</b>	<b>237</b>	<b>238</b>	<b>203</b>	<b>217</b>
<b>Form 18 Fines Collected</b>	<b>\$70,200</b>	<b>\$61,000</b>	<b>\$39,450</b>	<b>\$55,800</b>	<b>\$49,000</b>	<b>\$36,450</b>
<b># Form 18 Fines Collected</b>	<b>347</b>	<b>238</b>	<b>184</b>	<b>231</b>	<b>199</b>	<b>151</b>

The fines assessed for Form 18's went up **24** fines for the month of August. The last five months the Form 18 fines assessed have averaged **230** fines per month.

The Department is working hard to ensure all files are reviewed timely. The examiners are diligently processing all forms daily to ensure the files/computer is as up to date as possible. I would anticipate that the Form 18 fines would remain between the 200 and 250 fines per month for the next several months.

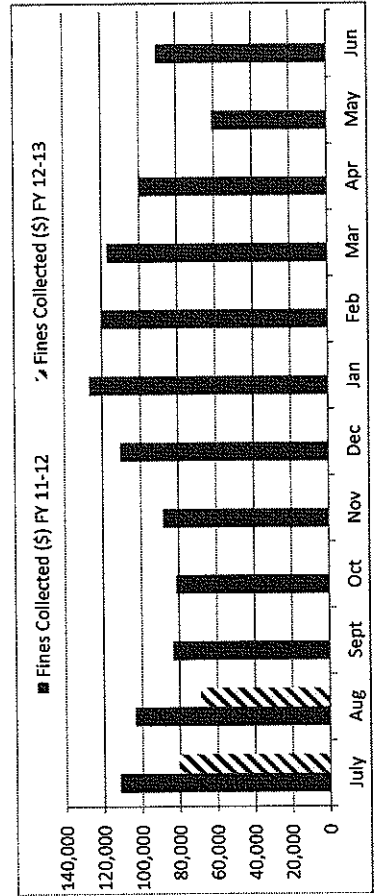
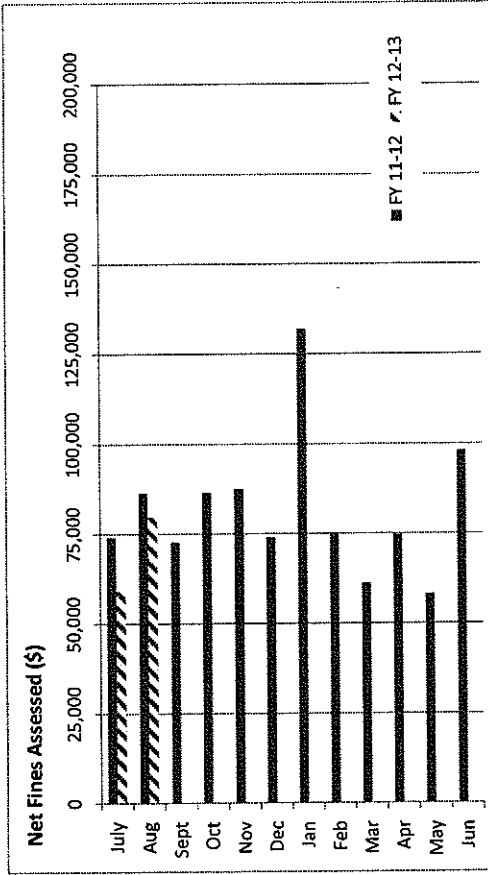
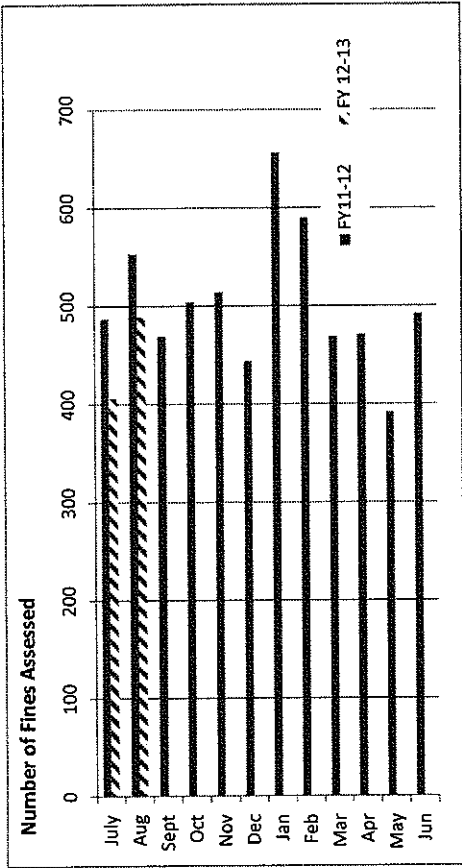
**All Other Fines Assessed**

(Form 12-A; Form 15; Form 17; Form 19; Denial Letter; Form 20; Failure to Respond)						
	Mar-12	Apr-12	May-12	Jun-12	Jul-12	Aug-12
Amt Assessed	\$46,550	\$49,750	\$31,000	\$49,050	\$42,400	\$57,000
# Fines Assessed	\$224	247	\$155	254	203	286
Amt Collected	\$46,715	\$39,200	\$21,600	\$34,650	\$31,825	\$32,650
# Fines Collected	245	218	113	182	164	165

	Fines Assessed (#)		Fines Received (#)	
	FY 11-12	FY 12-13	FY 11-12	FY 12-13
July	487	406	543	363
Aug	553	489	516	314
Sept	469	0	406	0
Oct	504	0	396	0
Nov	514	0	434	0
Dec	444	0	511	0
Jan	656	0	608	0
Feb	590	0	593	0
Mar	469	0	592	0
Apr	471	0	421	0
May	392	0	299	0
Jun	492	0	412	0
<b>Total</b>	<b>6,041</b>	<b>895</b>	<b>5,731</b>	<b>677</b>
Mo Avg	503	448	478	339

	Net Fines Assessed (\$)*		Fines Collected (\$)	
	FY 11-12	FY 12-13	FY 11-12	FY 12-13
July	74,075	59,125	111,875	80,825
Aug	86,375	79,800	103,800	69,100
Sept	72,750	0	83,300	0
Oct	86,600	0	81,300	0
Nov	87,500	0	88,100	0
Dec	74,050	0	110,700	0
Jan	132,000	0	126,700	0
Feb	75,375	0	120,225	0
Mar	61,315	0	116,915	0
Apr	74,750	0	100,200	0
May	58,325	0	61,050	0
Jun	98,075	0	90,450	0
<b>Total</b>	<b>981,190</b>	<b>138,925</b>	<b>1,194,615</b>	<b>149,925</b>
Mo Avg	81,766	69,463	99,551	74,963

\*after reductions and rescinded



State of South Carolina



1333 Main Street  
P.O. Box 1715  
Columbia, S.C. 29202-1715

Tel: (803) 737-5700  
Fax: (803) 737-5768  
www.wcc.sc.gov

## Workers' Compensation Commission

September 17, 2012

To: Gary M. Cannon  
Executive Director

From: Virginia L. Crocker  
Judicial Director

**RE: September Monthly Report**

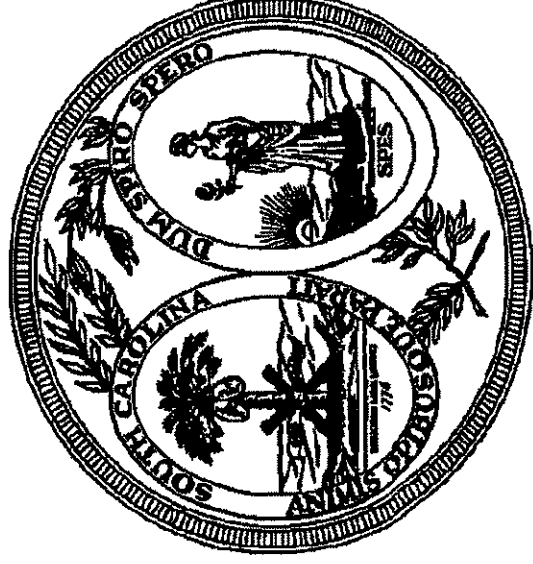
Now that summer and vacations have come to a close, you are able to see the number of filings have increased for the month of September. A review of the past several years indicates that this is the customary increase for the Fall of the year.

Our report has been amended this month in that we are reporting all mediated cases, both Informal Conferences and Mediations on a separate report which better reflects our numbers. Once our mediation regulation passes, this report will be reflective of the total number of cases which go to mediation rather to hearings. We have also included the requests for Informal Conferences for the Final Agreement and Release conferences referred to the Jurisdictional Commissioner. This number is not inclusive of all Final Agreement and Releases in that it does not reflect those cases which are settled after assignment to the Jurisdictional Commissioner.

We completed mediation in an aggregate case matter including thirty four (34) cases which settled this week for \$1.6 million. The next round of these cases is set for the first week in December.

The Department is developing our strategic plan for the implementation of the new mediation process and will continue to develop that process to ensure a smooth transition upon passage of the regulation, hopefully in April, 2013.

# SCWCC Judicial Report



September 2012

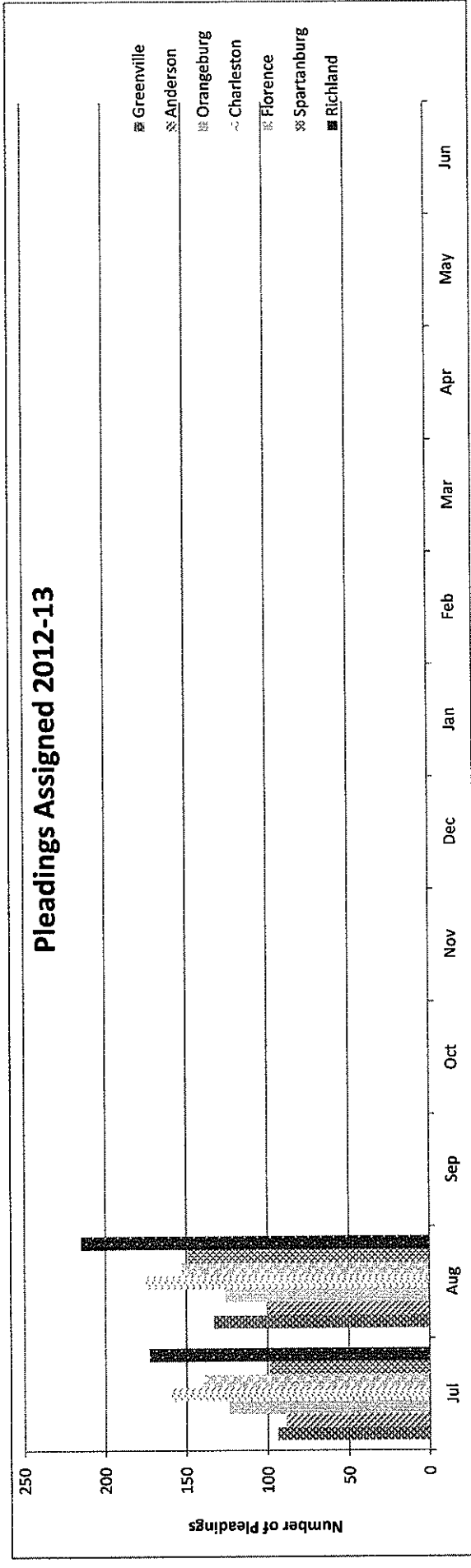


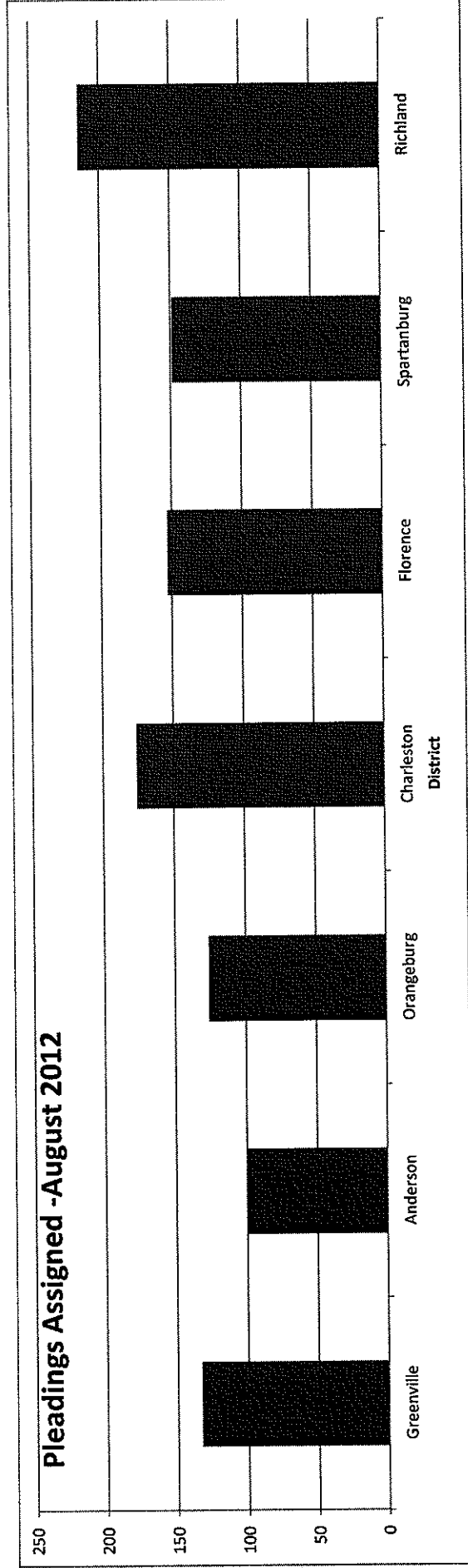
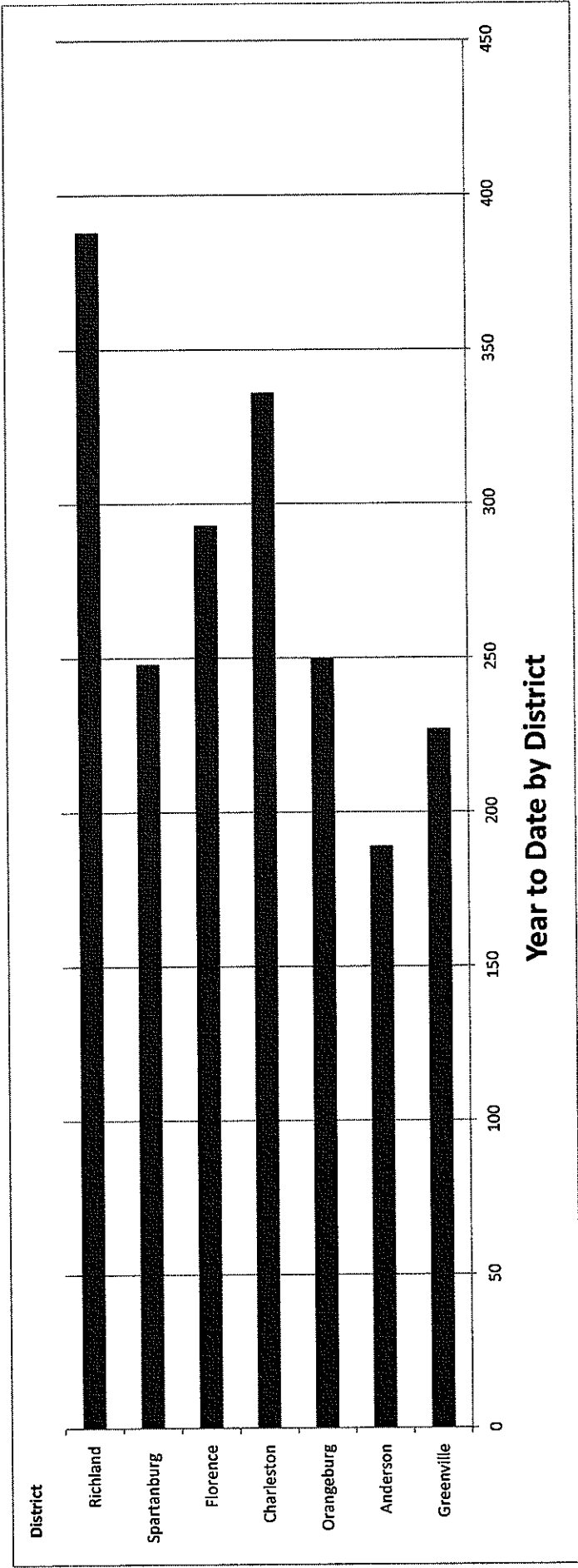




### Pleadings Assigned

	District 1 Greenville		District 2 Anderson		District 3 Orangeburg		District 4 Charleston		District 5 Florence		District 6 Spartanburg		District 7 Richland	
	12-13	10-11	12-13	10-11	12-13	10-11	12-13	10-11	12-13	10-11	12-13	10-11	12-13	10-11
Jul	94	85	89	106	124	103	118	160	146	99	139	114	173	140
Aug	133	140	100	104	126	122	113	176	138	149	184	109	215	132
Sep		121		95		128	105	143	152		131	103		163
Oct		118		97		134	84	198	128		132	83		144
Nov		159		94		133	122	151	121		138	98		191
Dec		164		142		104	111	181	117		115	83		144
Jan		112		90		122	123	180	111		98	101		129
Feb		163		114		112	102	141	136		117	85		153
Mar		118		84		126	109	162	149		134	133		118
Apr		121		89		101	112	126	143		106	106		185
May		105		79		131	113	148	130		109	86		144
Jun		112		94		119	112	170	134		143	111		154
<b>Totals</b>	<b>227</b>	<b>1518</b>	<b>189</b>	<b>1188</b>	<b>250</b>	<b>1435</b>	<b>1324</b>	<b>336</b>	<b>293</b>	<b>248</b>	<b>1546</b>	<b>1212</b>	<b>388</b>	<b>1856</b>

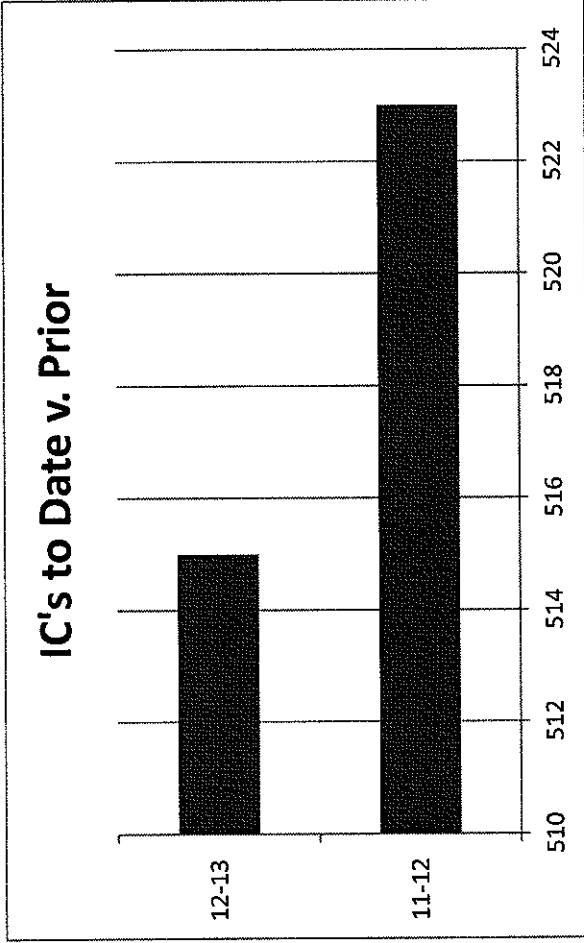




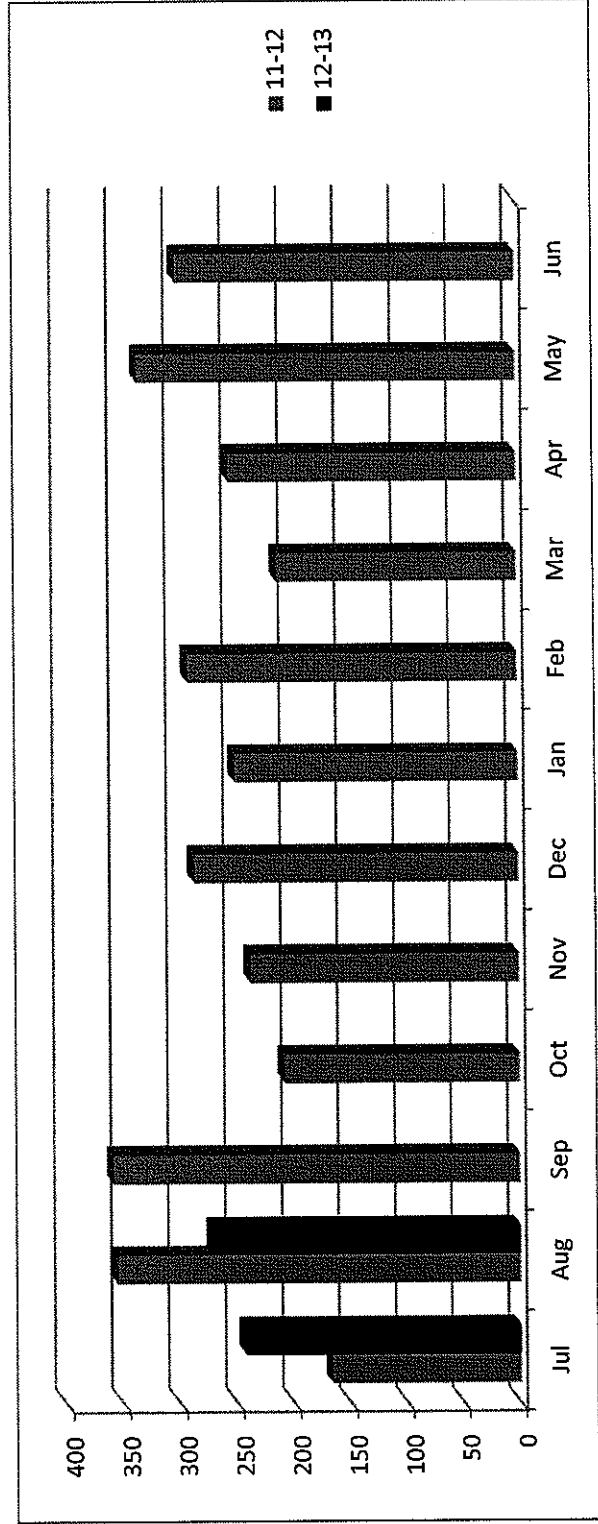
**Informal Conf. Conducted**

	11-12	12-13	
Jul	167	243	145.5%
Aug	356	272	76.4%
Sep	359		0.0%
Oct	208		0.0%
Nov	238		0.0%
Dec	287		0.0%
Jan	251		0.0%
Feb	292		0.0%
Mar	213		0.0%
Apr	255		0.0%
May	335		0.0%
Jun	301		0.0%
<b>Total</b>	<b>3262</b>	<b>515</b>	

**IC's to Date v. Prior**

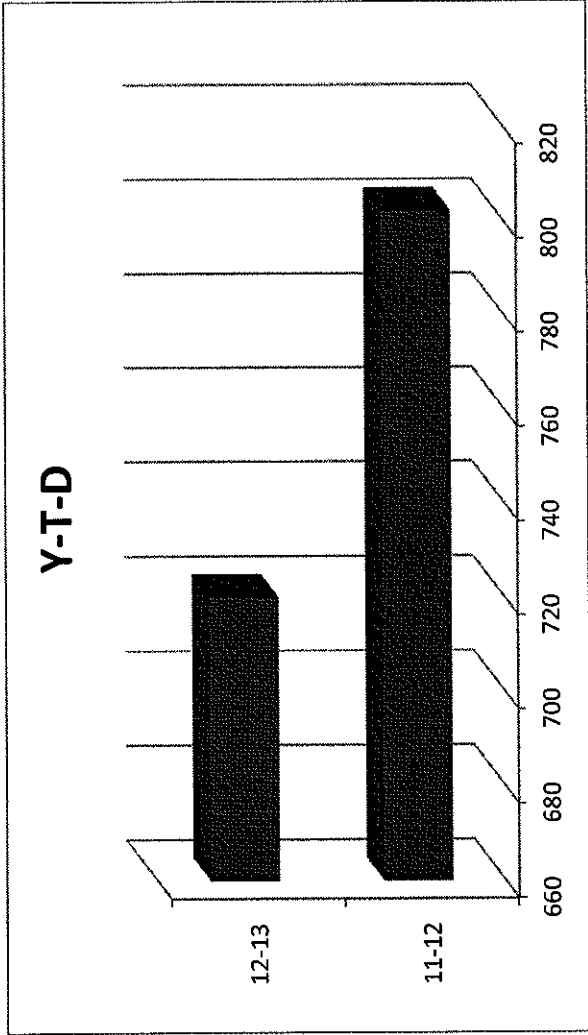


Y-T-D	11-12	12-13	%
11-12	523	515	98.5%



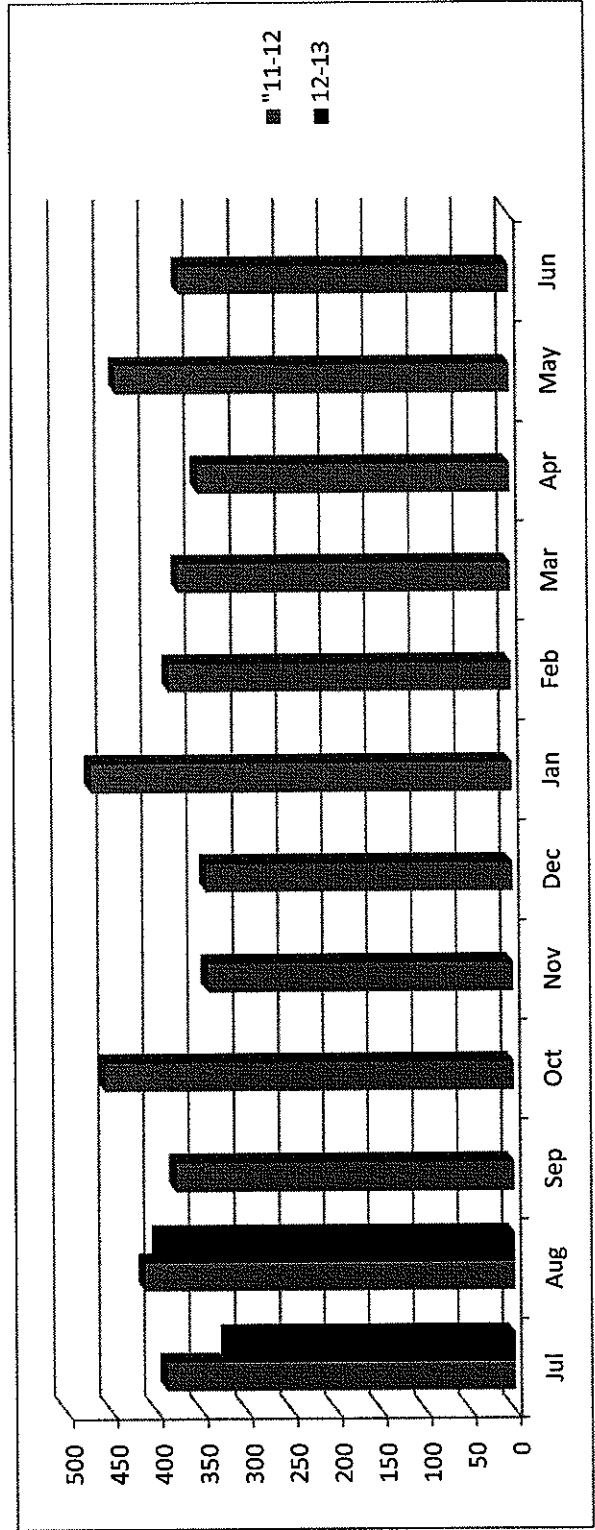
**Informal Conf. Requested**

	"11-12	12-13
Jul	389	322
Aug	413	398
Sep	378	
Oct	456	
Nov	342	
Dec	343	
Jan	470	
Feb	383	
Mar	372	
Apr	350	
May	440	
Jun	370	
<b>Total</b>	<b>4706</b>	<b>720</b>



11-12 802 12-13 720 0.897756

**Y-T-D**



# Informal Conference & Mediations

Staff	Mileage/Hours	Month												Total			
		Jul-12	Aug-12	Sep-12	Oct-12	Nov-12	Dec-12	Jan-13	Feb-13	Mar-13	Apr-13	May-13	Jun-13				
Staff 1 Greg	SVM 615.00	730.00															1345.00
	PVM 50.00	0.00															50.00
	Time 60.00	44.00															104.00
	Hotel 0.00	0.00															0.00
Staff 2 DiAnn	SVM 513.00	776.00															1289.00
	PVM 0.00	0.00															0.00
	Time 42.00	59.75															101.75
	Hotel 0.00	111.95															111.95
Staff 3 Kelly	SVM 0.00	0.00															0.00
	PVM 0.00	0.00															0.00
	Time 12.50	12.50															25.00
	Hotel 0.00	0.00															0.00
Staff 4 Robin	SVM 0.00	0.00															0.00
	PVM 0.00	0.00															0.00
	Time 0.00	0.00															0.00
	Hotel 0.00	0.00															0.00
Staff 5 Ginger	SVM 0.00	0.00															0.00
Mediations	PVM 0.00	0.00															0.00
	Time 8.00	0.00															8.00
	Hotel 0.00	0.00															0.00

Totals FY 2012-2013	
SVM = State Vehicle Miles	2634.00
PVM = Personal Vehicle Miles	50.00
T = Time	238.75
H = Hotel Cost	111.95







# *State of South Carolina*

1333 Main Street, 5<sup>th</sup> Floor  
P.O. Box 1715  
Columbia, S.C. 29202-1715



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

## *Workers' Compensation Commission*

**Executive Director's Report**  
**Gary M. Cannon**  
**September 14, 2012**

### **Second Injury Fund RFP Evaluation Panel**

I have agreed to serve on a panel to evaluate Request for Proposal's from actuaries concerning the closing of the Second Injury Fund. The first meeting will be September 14.

### **Commuted Value Discount Calculation Advisory Committee**

The Committee held its first meeting on Friday, August 24, 2012. They will meet again on Friday, September 21, in the First Floor Conference Room.

### **Surgical Implant Advisory Committee**

The Committee has not met and is awaiting billing information from a task force from the SC Hospital Association.

### **Meetings**

I participated in the following meetings:

- National Association of Workers' Compensation Judiciary College 2012, Orlando, Florida – August 19-22
- NCCI 2012 State Advisory Forum, Columbia Metropolitan Convention Center, August 28
- United Way Kick-Off Luncheon, Lace House, Columbia, August 28

### **Workers' Compensation Advisory Committee**

The next meeting of the Governor's Advisory Committee is scheduled for Friday, October 5, 2012.

### **Employee Meetings/Staff Training**

The Executive Staff met on September 11, 2012. The next Leadership Team Meeting is scheduled for October 9, 2012.

**Constituent /Public Information Services**

For the period August 14 through September 12, 2012 the Executive Director's Office had 261 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.

**SCWCC Stakeholder Electronic Distribution List**

For the period August 14 through September 14, 2012, we added 15 individuals to the Commission's stakeholder distribution list. We have 311 individuals currently receiving notifications from the Commission.

**SC Vocational Rehabilitation Department**

Attached is a statistical report on SCVRD/WCC referrals provided by Michelle Prevost, SCVRD Counselor, for August 2012.

**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 August 31, 2012.



## South Carolina Vocational Rehabilitation Department

*Enabling eligible South Carolinians with disabilities to prepare for,  
achieve and maintain competitive employment.*

Barbara G. Hollis, Commissioner

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### MEMO

TO: Gary Cannon  
FROM: Michelle A. Prevost, SCVRD Counselor  
DATE: September 1, 2012  
RE: SCVRD/WCC Referrals

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As the SCVRD counselor assigned to the Workers Compensation Commission, I held office hours at WCC for four days this past month.

During this month's office hours, I have begun the review of approximately 1300 WCC Richland County cases for 2010. In my review so far, I have identified 12 additional claimants to which I sent referral letters on August 31, 2012. I will continue this review of 2010 cases for the Lexington/Richland area based upon body type and severity of injury through the Claims Maintenance and Documents on file for the cases.

As of August 31<sup>st</sup>, I have had the following contacts regarding potential WCC referrals:

- Since letters were sent on 8/31, I have received 3 return calls for additional information about SCVRD to assist the claimant in making a decision regarding participation. I have sent them this information.
- As a result of the July 19<sup>th</sup> presentation of SCVRD services to all WCC staff, I received one self-referral and three referrals from the WCC Human Resources office to assist WCC employees with Job Retention Services.
- I met with the Judicial Director and one Commissioner to discuss VR services as it relates to a case under review in an attempt to assist with understanding VR services in order to assist the claimant with returning to an appropriate vocation.



Primary Disability	#
Mobility Impairments	
Manipulation/dexterity impairments (hand/fingers)	1
Other Orthopedic Impairments (e.g. limited range of motion)	11
General physical debilitation (faigue, weakness, chronic pain)	
Hearing or visual impairments	
Other physical impairments (not listed above)	1
Total	13









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## Workers' Compensation Commission

**TO: COMMISSIONERS**  
**FROM: GARY CANNON**  
**DATE: SEPTEMBER 13, 2012**  
**RE: ELECTRONIC SERVICE**

Chairman Beck asked staff to research the issue concerning the determination of the actual date service of the document (hearing notice, order, etc.) is deemed complete when served electronically. The following is a brief of the issue prepared by Keith Roberts.

### ISSUE

Do the current regulations provide additional time for service to be deemed complete after the date a document is served on a party electronically?

### LAW

The service of Forms and Documents used in proceedings before the South Carolina Workers' Compensation Commission are governed by 25A S.C. Code Regs. 67-211 (2012). In 2010, the regulation was amended to allow for the service of Forms and Documents electronically. *See* State Register Volume 34, Issue No. 2, eff February 26, 2010. The Commission and the parties may still serve forms and documents via U.S. Mail. R.67-211. If the parties opt for service by mail, service is deemed complete upon mailing, unless the form is returned to the sender by the U.S. Postal Service. *Id.* If a mailed form is returned, the sender must complete service in accordance with Rule 5, South Carolina Rules of Civil Procedure. *Id.*

The service of Orders and Hearing Notices by the South Carolina Workers' Compensation Commission is governed by R.67-213. The Commission may serve Orders and Hearing Notices according to three methods; electronically, via certified mail return receipt requested and, via first class mail. *See* R.67-213. Service may also be made by delivery to the party or his or her attorney. R.67-213(1).

The regulation provides specific provisions for determining the date of service when service is made by certified mail and when service is made by first class mail. When service is made by certified mail, return receipt requested, service is deemed complete on the date the addressee signed the return receipt acknowledging receipt. R.67-213(2). Service made by first class mail is not deemed complete until five days after the item was deposited in the mail, regardless whether the addressee received it earlier. *Id.* The regulations are silent as to the date service is deemed complete when service is made electronically.

The South Carolina Rules of Civil Procedure do not allow for service electronically. *See* SC R. Civ. P. 5 (2012). Service may be completed in the South Carolina Courts by personal delivery or mail. *Id.* The rules provide that “[w]hen a party has the right or is required to do some act or take some proceeding within a prescribed period after the service of a notice or other paper upon him and the notice or paper is served upon him by mail. . . five days shall be added to the prescribed period.” SC R. Civ. P. 6(e).

The Federal Rules of Civil Procedure do, however, allow for service electronically. Fed R. Civ. P. 5(b)(2)(E) (2012); Fed. R. Civ. P. 5(d)(3). The Federal Rules provide that “[w]hen a party may or must act within a specified time after service and service is made [Rule 5(b)(2)(E)], 3 days are added after the period would otherwise expire. . .”. Fed. R. Civ. P. 6(d).

## ANALYSIS

While the Workers' Compensation Commission's regulations make it clear that service by electronic means is appropriate in certain situations, the regulations do not expressly provide when service is deemed complete when it is made by electronic means. Service on a represented party of a Claimant's request for a Hearing, a Defendant's request for a Hearing and other forms and documents may be served by first class mail or electronically. R.67-211. Regulation 67-211 specifically provides that service made by mail is deemed complete upon mailing, unless the form is returned, at which time it must be served pursuant to the South Carolina Rules of Civil Procedure. It does not provide additional time before the time period begins to run in which an opposing party must take a specified action after receipt of service. Regulation 67-211 is silent as to when service is deemed complete when service is made electronically.

Likewise, Regulation 67-213 specifically provides when service is deemed complete for parties served by first class mail and certified mail, but is silent as to when service is deemed complete when service is made electronically. Because of this silence in the regulations, opposing positions could be advocated.

One position would be that the Commission's regulations provide for additional time after certain kinds of service and, had the Commission wished to provide additional time after the date of sending before electronic service was deemed complete, it would have expressly done so. This position can be supported by looking to the places where the Commission's regulations do specifically provide for the date service is deemed complete. When a claimant is represented and serves a request for hearing on opposing parties via first class mail, Regulation 67-211(A) specifically provides that "[s]ervice is deemed complete upon mailing unless the form is returned." In Regulation 67-213(2) the Commission specifically provides five additional days before service is deemed complete for service made by first class mail. No such extension is provided for electronic service. This could be interpreted as evidence that the Commission intended for service to occur at the time it was completed unless otherwise specifically provided. If this is so, then electronic service would be deemed completed at the time it is successfully sent for the purposes of determining the specified time in which a party may or must take affirmative action.

A contrary position could be advocated that electronic service is a substitution for service by mail and therefore should be subject to the five days of additional time provision provided for in Regulation 67-213(2). This argument is supported by the fact that the Federal Rules of Civil Procedure provide the same amount of additional time before service is deemed complete for service made electronically as they do for service made by mailing it to the person's last known address. Fed R. Civ. P. 6(d).<sup>1</sup>

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<sup>1</sup> Rule 6(d) provides three days of additional time when service is made by mailing it to the person's last known address [Rule 5(b)(2)(C)], leaving it with the clerk of court if the person has no known address [Rule 5(b)(2)(D)], sending it by electronic means [Rule 5(b)(2)(E)], and delivering it by means consented to by the party in writing [Rule 5(b)(2)(F)].

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*Workers' Compensation Commission*

**TO: Commissioners**

**FROM: Gary M. Cannon**

**DATE: September 14, 2012**

**RE: Ethics Training**

The Commissioners and their administrative assistants are required to attend a workshop of at least three continuing education hours concerning ethics and the Administrative Procedures Act (§42-3-250 (B)).

I propose November 13 from 2:00-5:00 p.m. as the date and time for the workshop. The Business Meeting is scheduled this date beginning at 10:30 a.m. If you approve this schedule, Appellate Panel hearings will be scheduled for Tuesday, November 14 and, if necessary, Wednesday November 15.