

Tennessee Workers' Compensation Data Calendar Years 2009-2015

A Report of Statewide Data for the
Tennessee Advisory Council on Workers' Compensation

August 2016



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Data Summary

- 2,755 cases concluded in 2015 contained dates of injuries after the implementation of the 2013 Reform Act. 4,578 had dates of injuries before implementation.
- The median number of weeks from injury to conclusion for 2015 pre act cases was 84.5 weeks compared to 38 weeks for 2015 post act cases.
- The median number of weeks from the date of maximum medical improvement to the date of conclusion was 29 weeks for 2015 pre act cases and 13 for 2015 post act cases.
- The median age of injured workers in cases with permanent disability ranged from 46 to 48 years old for all years analyzed.
- The percent of injured workers with a high school or high school equivalent level of education decreased to 58% for 2015 post act cases. The percent of injured workers with more than a high school education increased to 30% for 2015 post act cases.
- The median compensation rate for injured workers for 2015 pre act cases was \$425, down \$5 from 2014. The median post act compensation rate for 2015 was \$451.
- The median number of weeks of temporary total benefits increased to 21 for 2015 pre act cases. The median number of weeks of TTD benefits for 2015 post act cases was 10.
- Permanent impairment ratings for injured workers who returned to pre injury employment continued to show decreases. The median for 2015 pre act cases was 2.0. PPI ratings include body as a whole and scheduled member injuries converted to body as a whole impairment percentages.
- Permanent partial disability amounts for injured workers who returned to pre injury employment was 5.0 for 2015 pre act cases.
- When adding converted scheduled member PPI ratings with body as a whole PPI ratings for return to work cases, median PPD multipliers were 1.5 for pre act cases and 1.0 for post act cases.
- Median PPD benefit amounts for cases where injured workers were returned to work were \$10,438 for 2015 pre act cases and \$4,579 for 2015 post act cases.
- The median amount of medical benefits paid for return to work cases increased from to \$17,636 for 2015 pre act cases. For 2015 post act cases, the median amount paid was \$8,936.

- For 2015 pre act cases where injured workers were not returned to pre injury employment, the median PPI rating was 4.0. This included scheduled member ratings converted to body as a whole as well as body as a whole ratings. For 2015 post act cases, the median PPI rating was 3.0, however there were only data for 22 cases statewide.
- The median PPD amounts paid for cases where injured workers were not returned to pre injury employment were \$29,968 for 2015 pre act cases and \$6,190 for 2015 post act cases.
- Median amounts paid for non return to work medical benefits were \$29,158 for 2015 pre act cases and \$12,682 for 2015 post act cases.
- Between 3.0% and 5.4% of cases per year contained information regarding lump sum payments made. The median amount of lump sum payments for 2015 pre act cases increased from \$7,000 in 2014 to \$9,354. Seventy-four 2015 post act cases contained lump sum data. The median for those cases was \$3,284.
- According to information given at the time of conclusion, medical and permanent partial disability benefits comprised between 85 and 88% of the total systemic benefits paid for cases involving permanent disability.
- Missing case information from SD-1 forms remains an issue
- The case data that does exist behaved in an expected fashion. 2015 pre act cases typically were longer and had higher TTD, PPD and medical benefit amounts, while the post act cases were typically shorter and injured workers were more likely to return to pre injury employment. This is expected to even out with more post act case history in upcoming years.

Introduction

The Tennessee Advisory Council on Workers' Compensation has been benchmarking workers' compensation statistical information with reports for cases dating back to 1996. Analyzing reform act implementations has been a key factor of many of these reports. The effects of the 2013 Reform Act will be prominent in future reports for many years. It is too early to determine 2013 Reform Act impacts in this report however. Workers' compensation cases involving permanent injury typically take around a year and a half to two years to conclude. For 2015, just over one-third of the cases have dates of injury after the implementation of the 2013 Reform Act. This report continues to lay the basis for future pre and post act comparisons as more cases that fall under the post act system conclude. Because this is a transition period between systems, 2014 and 2015 cases have been split up depending on whether each fall under the pre or post reform systems and are labeled as such.

To aid in reviewing the impacts of the 2013 Reform Act, it was agreed, beginning with last year's report, to analyze workers' compensation data from 2009 onward. Also as a continuation of last year's report, body as a whole and scheduled member injuries were grouped together. The Reform Act considers all impairments as impairments to the body as a whole, therefore pre act impairments and disability amounts have been converted to corresponding body as a whole amounts. Additionally, it was determined that greater emphasis will be placed on the median, which will provide a more accurate picture of the typical workers' compensation case experience. Median amounts or percentages are presented graphically to the right of or below the tables, below the descriptive text for the variables analyzed.

Methods

Pursuant to Tennessee statute, participants in the Tennessee workers' compensation system are required to send certain reports to the Tennessee Bureau of Workers' Compensation, formerly the Workers' Compensation Division. One of the final reports received by the Division/Bureau is the Statistical Data Form (SD-1). It is the closing document for a claim in which a permanent injury was sustained. The Bureau operates an integrated computer system which is referred to as the Workers' Compensation Computer System (WCS). It is into this database that the information from the SD-1 forms are entered. The Bureau provided, at the request of the Advisory Council on Workers' Compensation, data from the WCS. Appeals data was provided by the Tennessee Administrative Office of the Courts.

Because it is necessary to have adequate time to obtain a representative collection of closed case information for analysis and pre/post act comparisons, cases were selected with dates of conclusion between January 1, 2009 and December 31, 2015. Some of the cases presented multiple conclusion dates coinciding with the various venues in which cases can be finalized. This is possible because a case may be reconsidered if, for example, changes in the injured employee's work status occur. It is impossible from a data perspective to piece back together what information translates to which conclusion, therefore cases with multiple conclusion dates were excluded from this report, with two exceptions. There were some Division¹ offices that did

¹ Now referred to as the Bureau of Workers' Compensation

not have a Workers' Compensation Specialist 4 present to approve settlements at the time of agreement. In this situation, the parties needed court approval for their case to be finalized, thus creating a Division approval date and a court approval date in close proximity. To include cases of this nature, cases with court approval dates and Division approval dates within 30 days of each other were included and coded as Division approved settlements. The other case of dual conclusion date inclusion in analysis was when a joint petition settlement and a court approved settlement were within 30 days of each other.

Until the Reform Act, permanent impairment and disability in Tennessee were split between scheduled members and the body as whole (BAW). Under the Reform Act, all impairment and disability are calculated based on the impact to the body as whole. To aid in future comparisons, pre act cases have been converted to BAW impairments and disabilities. Permanent partial impairment ratings were converted using the AMA guides and permanent partial disability amounts were converted using the reported permanent partial disability amount multiplied by the ratio of the pre act scheduled member number of weeks of benefits to the pre act body as whole number of weeks of benefits.

Conclusion Types

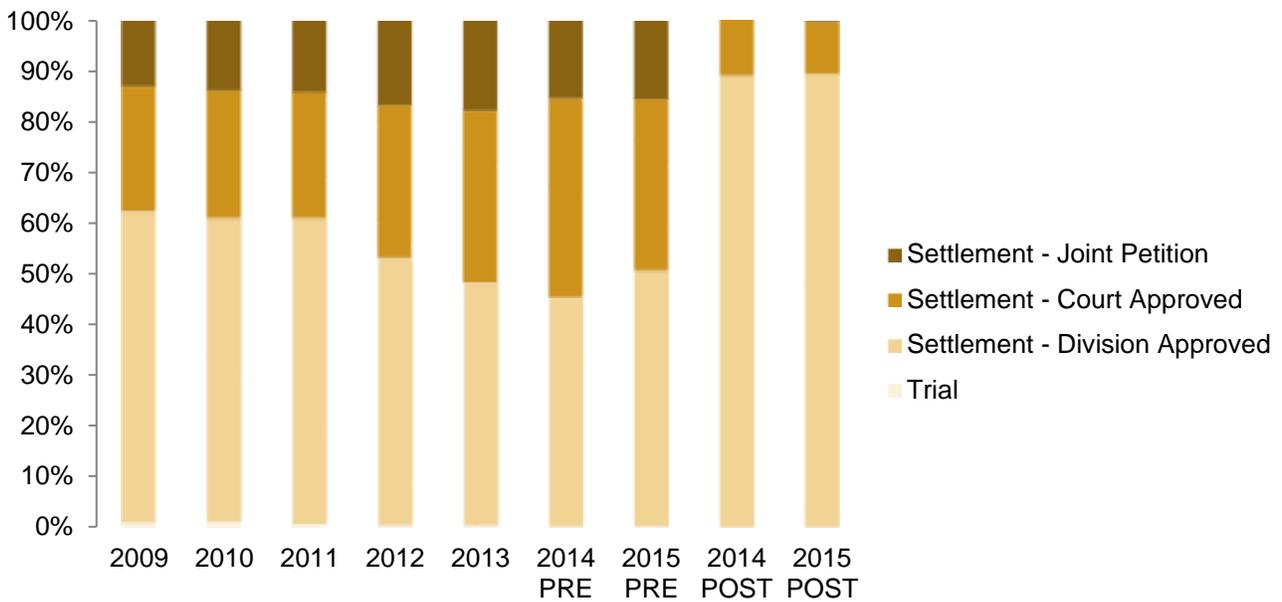
Pre reform act workers' compensation cases could be concluded in four ways, by trial, joint petition settlement, Workers' Compensation Division approved settlement (now Bureau of Workers' Compensation), and by court approved settlement. The following charts depict the frequency and percent in which the various conclusion types were utilized. The conclusion types were determined by the conclusion type date field that was indicated on SD-1 forms. Cases were excluded if they contained more than one conclusion type date. However, as mentioned in the methods section, cases with both court and Division approved settlements within 30 days of each other or joint petition settlement and court approved settlement within 30 days of each other were included.

From 2010 to 2015 pre act cases, trials were utilized in a decreasing amount, from 1.1% to 0.2% of conclusion types. Joint petition settlement utilization increased from 12.9% in 2009 to 17.6% in 2013. 15.2% of 2014 and 2015 pre act cases were concluded with joint petition settlements. Division approved settlements decreased from 61.4% of cases in 2009 to 45.2% of 2014 pre act cases. Half (50.1%) of 2015 pre act cases were Division approved settlements. Court approved settlements increased from 24.7% of settlements in 2009 to 39.4% of 2014 pre act cases. One-third (33.7%) of 2015 pre act cases were court approved settlements. Since post act cases are handled by the Bureau of Workers' Compensation, new terminology or education regarding conclusion types may be necessary for data collection.

Frequency and Percent of Workers' Compensation Conclusion Types

Year	Trial		Settlement - Joint Petition		Settlement - Division Approved		Settlement - Court Approved		Total
	N	Percent	N	Percent	N	Percent	N	Percent	N
2009	88	1.0	1135	12.9	5398	61.4	2174	24.7	8795
2010	93	1.1	1122	13.7	4908	59.9	2075	25.3	8198
2011	60	0.8	1112	14.0	4789	60.3	1984	25.0	7945
2012	42	0.5	1397	16.5	4472	52.7	2570	30.3	8481
2013	45	0.5	1580	17.6	4316	48.0	3047	33.9	8988
2014 PRE	22	0.3	1236	15.2	3675	45.2	3201	39.4	8134
2015 PRE	13	0.2	701	15.2	2345	50.1	1553	33.7	4612
2014 POST	-	-	-	-	41	89.1	5	10.9	46
2015 POST	-	-	12	0.4	2463	89.4	280	10.2	2755

Percent of Workers' Compensation Conclusion Types

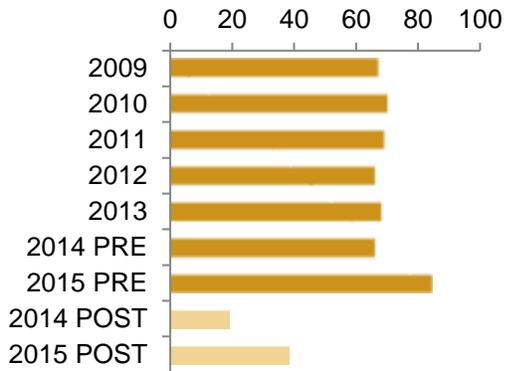


Date of Injury to Date of Conclusion

Between 2009 and 2014 (pre act), case lengths ranged from 66 to 70 weeks. The median case length for 2015 pre act cases from the date of injury to the date of conclusion was 84.5 weeks. The following table displays total case length averages for all conclusion types for cases involving permanent disability. The median number of weeks for 2015 post act cases was 38.

Average Number of Weeks from Date of Injury to Date of Conclusion

Year	N	Median	Mean	Std. Deviation
2009	8751	67.0	84.3	60.5
2010	8166	70.0	87.6	62.3
2011	7917	69.0	85.7	59.7
2012	8457	66.0	83.7	60.7
2013	8952	68.0	86.7	65.4
2014 PRE	8109	66.0	85.4	67.0
2015 PRE	4578	84.5	113.2	86.9
2014 POST	46	19.0	19.2	3.3
2015 POST	2753	38.0	39.3	13.4

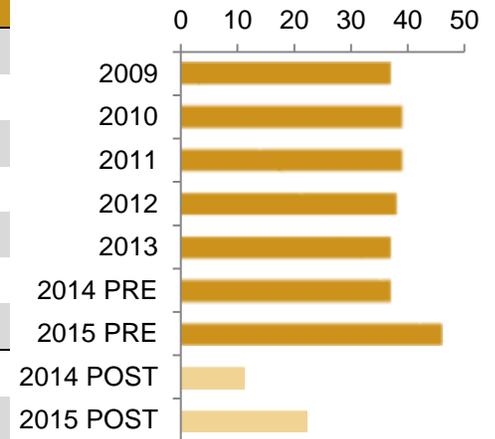


Date of Injury to Date of Maximum Medical Improvement

The following table presents the average number of weeks from the date of injury to the date of maximum medical improvement. Median amounts from 2009 to 2014 pre act cases ranged from 37 to 39 weeks. For 2015 pre act cases, the median number of weeks from injury to MMI increased to 46. The median duration for 2015 pre act cases from the date of injury to the date of MMI was 22 weeks.

Average Number of Weeks from the Date of Injury to the Date of MMI

Year	N	Median	Mean	Std. Deviation
2009	8084	37.0	49.1	44.1
2010	7601	39.0	51.2	42.9
2011	7415	39.0	50.7	44.6
2012	8003	38.0	49.8	43.5
2013	8267	37.0	51.1	49.8
2014 PRE	7711	37.0	50.7	50.8
2015 PRE	4213	46.0	61.2	58.9
2014 POST	43	11.0	10.7	3.3
2015 POST	2667	22.0	23.7	11.7

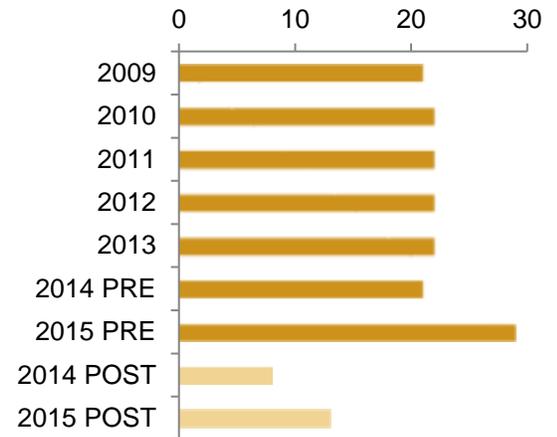


Date of MMI to Date of Conclusion

For 2015 pre act cases, the median length of time from the date of maximum medical improvement to the date of conclusion was 29 weeks, compared to 13 weeks for 2015 post act cases. The median number of weeks from MMI to conclusion was 21 or 22 weeks for the six previous years analyzed.

Average Number of Weeks from the Date of MMI to the Date of Conclusion

Year	N	Median	Mean	Std. Deviation
2009	8159	21.0	34.5	41.1
2010	7665	22.0	36.1	45.5
2011	7452	22.0	34.9	41.6
2012	8030	22.0	34.0	39.6
2013	8366	22.0	34.0	38.8
2014 PRE	7753	21.0	33.7	39.1
2015 PRE	4251	29.0	43.2	46.7
2014 POST	44	8.0	13.0	32.5
2015 POST	2679	13.0	15.9	11.9

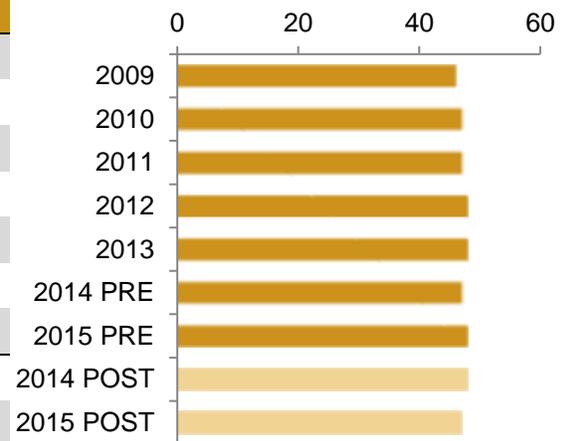


Age

Median ages of injured workers in cases that involved permanent disability ranged from 46 to 48 years. The median age for injured workers for 2015 pre act cases was 48. The median age for 2015 post act cases was 47. Average age is one of the few workers' compensation variables that is normally distributed, therefore the mean and median are close in their measures of central tendency. Mean ages for injured workers were between 45.2 and 47.6 for the years analyzed.

Average Age of Injured Workers

Year	N	Median	Mean	Std. Deviation
2009	5779	46.0	45.2	11.6
2010	5147	47.0	45.8	11.2
2011	5110	47.0	46.2	11.5
2012	5639	48.0	46.6	11.6
2013	6072	48.0	46.6	11.6
2014 PRE	5409	47.0	46.3	11.6
2015 PRE	2877	48.0	46.7	11.7
2014 POST	31	48.0	47.6	12.0
2015 POST	2040	47.0	45.9	12.5



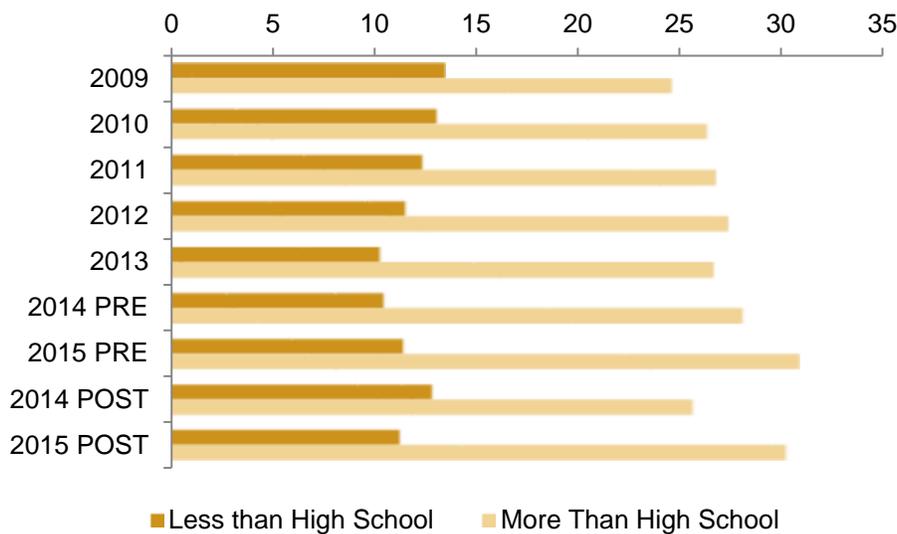
Education

From 2009 to 2014, the percent of injured workers with less than a high school education dropped from 13.5% to 10.4%. During that same period, the percent with more than a high school education increased from 24.6% to 28.1%. The percent of injured workers with a high school or equivalent education remained relatively constant at around 61% to 63%. The percent of injured workers with a high school education was 57.7% and 58.6% for the 2015 pre act and 2015 post act cases respectively. The percentage of injured workers with more than a high school education continues to increase.

Educational Attainment of Injured Workers

Year	N	Percent		
		Less than High School	High School/GED	More Than High School
2009	6670	13.5	61.9	24.6
2010	6126	13.0	60.6	26.3
2011	5927	12.3	60.9	26.8
2012	6508	11.5	61.1	27.4
2013	6397	10.3	63.1	26.7
2014 PRE	5692	10.4	61.5	28.1
2015 PRE	3283	11.4	57.7	30.9
2014 POST	39	12.8	61.5	25.6
2015 POST	2104	11.2	58.6	30.2

Percent of Injured Workers with Less Than or More Than a High School Education

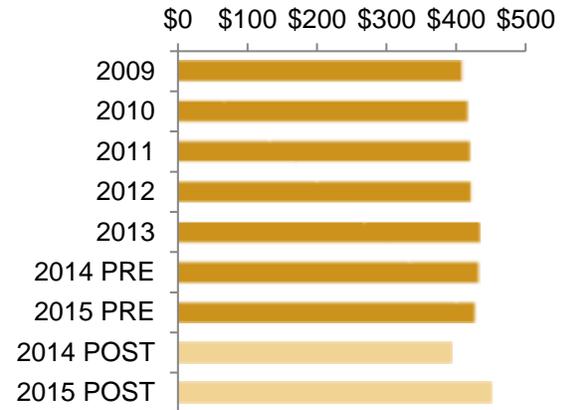


Compensation Rate

The median compensation rate for injured workers in 2015 pre act cases was \$425. This is down slightly from the previous two years. Mean compensation rates still displayed year-to-year increases. The median compensation rate for 2015 post act cases increased to \$451.

Average Compensation Rates for Injured Workers

Year	N	Median	Mean	Std. Deviation
2009	8529	\$406	\$432	\$184
2010	8016	\$415	\$442	\$189
2011	7805	\$418	\$446	\$193
2012	8350	\$419	\$447	\$196
2013	8874	\$432	\$459	\$201
2014 PRE	8016	\$430	\$461	\$209
2015 PRE	4510	\$425	\$462	\$209
2014 POST	46	\$394	\$418	\$197
2015 POST	2697	\$451	\$481	\$215

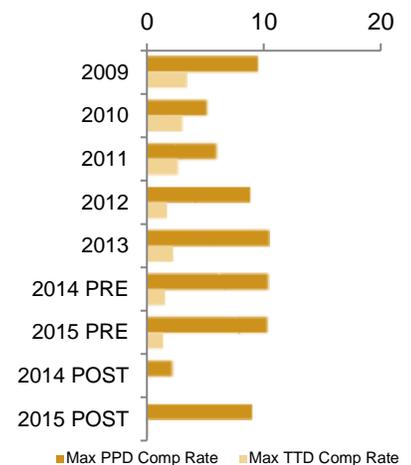


Maximum Compensation Rate

Temporary total benefits are capped at 110% of the Tennessee's average weekly wage. Permanent partial benefits are capped at 105% of the state's average weekly wage. The following charts show the percent of cases with compensation rates capped at the maximum amount for 2009 to 2015 cases. For 2015 pre act cases, 10.3% were capped at the PPD maximum and 1.3% were capped at the TTD maximum. PPD maximum percentages have fluctuated between 5.1% and 10.5% of cases. The number at the TTD maximum has fluctuated between 0.1% and 3.3% of cases.

Frequency and Percent of Cases with Maximum Compensation Rates

Year	Max PPD Comp Rate		Max TTD Comp Rate	
	N	Percent	N	Percent
2009	807	9.5	285	3.3
2010	410	5.1	238	3.0
2011	462	5.9	204	2.6
2012	736	8.8	140	1.7
2013	928	10.5	195	2.2
2014 PRE	824	10.3	121	1.5
2015 PRE	465	10.3	61	1.3
2014 POST	1	2.2	0	0.0
2015 POST	244	9.0	3	0.1

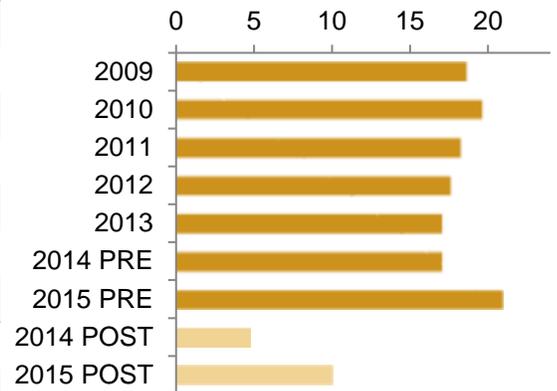


Number of Weeks of Temporary Total Disability Benefits

The median number of weeks of temporary total benefits paid for cases involving permanent injury increased to 20.9 for 2015 pre act cases. The median number of weeks of TTD benefits for 2015 post act cases was 10.0. The charts below represent the average number of weeks of TTD benefits paid for all injury types and severities where there has been permanent disability.

Average Number of Weeks of Temporary Total Disability Benefits Paid

Year	N	Median	Mean	Std. Deviation
2009	5624	18.6	32.2	40.1
2010	5374	19.6	34.8	44.4
2011	5185	18.2	33.9	45.1
2012	5678	17.6	31.8	42.2
2013	5851	17.0	31.5	43.0
2014 PRE	5516	17.0	31.2	42.7
2015 PRE	3091	20.9	34.6	40.2
2014 POST	26	4.7	7.3	6.2
2015 POST	1787	10.0	13.8	15.5

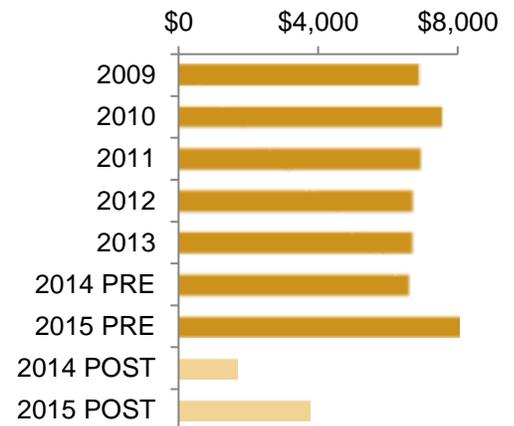


Temporary Total Disability Benefit Amounts

The median amount of TTD benefits was \$8,540 for 2015 pre act cases, up nearly \$2,000 from 2014. For 2015 post act cases, the median amount of TTD benefits paid was \$3,746. The tables below depict the average amounts paid for TTD benefits from 2009 to 2015.

Average Amounts of Temporary Total Disability Benefits Paid

Year	N	Median	Mean	Std. Deviation
2009	5624	\$6,872	\$12,803	\$16,232
2010	5374	\$7,530	\$13,928	\$16,947
2011	5185	\$6,932	\$13,470	\$17,367
2012	5678	\$6,696	\$12,875	\$16,560
2013	5851	\$6,692	\$12,631	\$16,266
2014 PRE	5516	\$6,592	\$12,429	\$15,888
2015 PRE	3091	\$8,540	\$14,685	\$17,475
2014 POST	26	\$1,650	\$2,595	\$2,285
2015 POST	1787	\$3,746	\$5,996	\$6,851

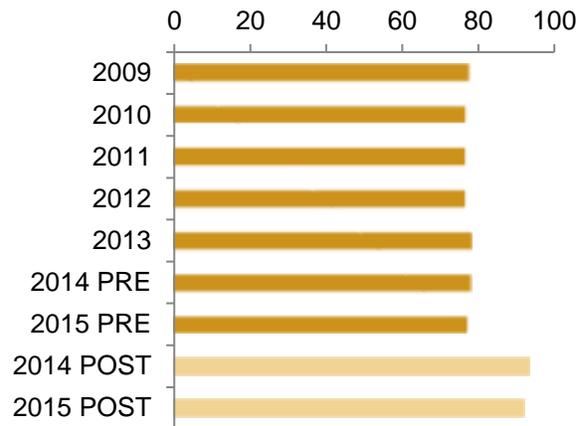


Return to Work

The SD-1 form has a field to indicate whether the employee returned to work for the same employer. This is the field used to delineate return to work status for permanent partial impairment and permanent partial disability reporting. The following charts depict the percent of SD-1 forms per year that indicated the employee returned to work for their pre injury employer. In 76.9% of 2015 pre act cases, the injured workers returned to work, compared to 92.1% of 2015 post act cases.

Percent of Injured Workers That Returned to Pre Injury Employment

Year	N	Percent
2009	6422	77.3
2010	5916	76.4
2011	5773	76.3
2012	6350	76.3
2013	6904	78.2
2014 PRE	6212	77.9
2015 PRE	3350	76.9
2014 POST	43	93.5
2015 POST	2425	92.1



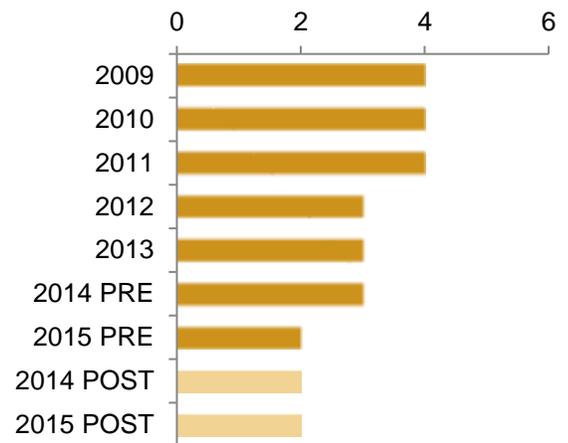
Permanent Partial Impairment Ratings – Employee Returned to Work

To be able to get as accurate of a picture as possible for permanent impairment, disability and subsequent multipliers, cases were selected with only one permanent disability per side, including those with no side indicated. In other words, an injury to the left shoulder would result in a left PPI rating and PPD amount. It would not be possible to piece back together case information for multiple injuries to the same side. Analyzing single side injury information allowed for clean determination of which impairment ratings went with the corresponding disability and accounted for over 98% of permanent impairment cases. Multiple injuries were included if the injuries were to different, or no, sides. Less than 4% of cases had injury information to more than one side.

In preparation for post act comparisons, pre act scheduled member impairment ratings have been converted to body as a whole equivalents. This was done using the AMA guides. The average PPI ratings reported below are for all injury types, scheduled member ratings converted to body as a whole as well as body as a whole ratings. Previous reports showed a decreasing trend in PPI ratings, which was also reflected in the data analyzed. The median PPI rating for 2015 pre and post act return to work cases was 2.0.

Average PPI Ratings – Employee Returned to Work

Year	N	Median	Mean	Std. Deviation
2009	5190	4.0	6.0	6.6
2010	4882	4.0	5.7	6.7
2011	4822	4.0	5.4	6.1
2012	5163	3.0	4.9	5.5
2013	5482	3.0	4.9	5.9
2014 PRE	5074	3.0	4.7	5.5
2015 PRE	1270	2.0	3.5	4.5
2015 POST	31	2.0	2.2	1.4
2015 POST	200	2.0	3.3	2.9



Percentage Awarded for Permanent Partial Disability – Employee Returned to Work

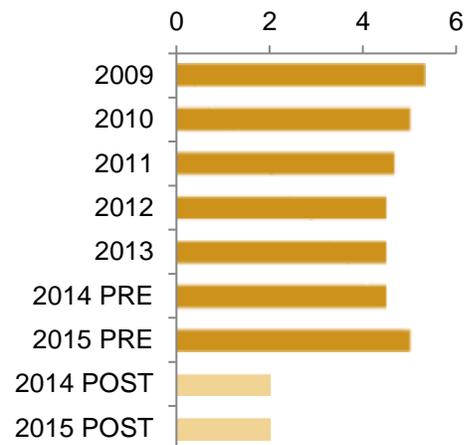
Like the PPI ratings, scheduled member ratings have been converted to body as a whole and are reported together in the following charts. Pre act scheduled member disability amounts were converted using the following formula:

$$\text{Case PPD Amount} \times \frac{\text{Scheduled Member \# of weeks}}{400 \text{ (previous BAW \# of weeks)}}$$

The median PPD percent amount for 2012 to 2014 pre act cases was 4.5, this translates to 18 weeks of benefits. The median PPD amount for 2015 pre act cases was 5.0, compared to 2.0 for 2015 post act cases where injured workers returned to work.

Average PPD Percent – Employee Returned to Work

Year	N	Median	Mean	Std. Deviation
2009	4281	5.3	8.4	9.8
2010	4177	5.0	8.2	10.0
2011	4294	4.7	7.7	9.6
2012	4637	4.5	6.9	8.3
2013	5052	4.5	6.7	8.3
2014 PRE	3911	4.5	6.7	8.7
2015 PRE	1821	5.0	7.5	8.9
2014 POST	21	2.0	2.8	2.8
2015 POST	1258	2.0	3.4	4.5

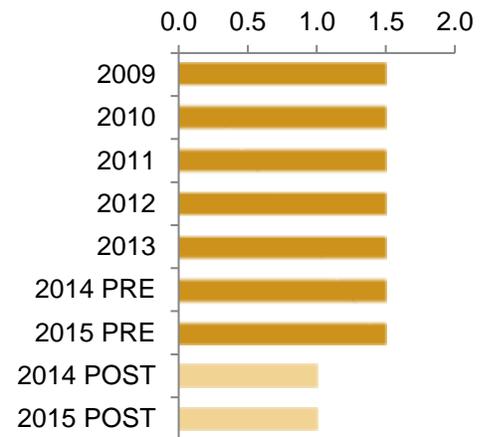


Permanent Partial Disability Multipliers – Employee Returned to Work

A permanent partial disability multiplier is the ratio of the PPD judgment or settlement amount to the highest PPI rating associated with an injury. PPD multipliers are calculated by dividing the PPD percent amount by the highest PPI rating. PPD multipliers reported in the tables below present the combination of converted scheduled member injuries with body as a whole injuries. The median PPD multiplier for 2009 to 2015 pre act cases is 1.5. The PPD multiplier for 2014 and 2015 post act cases was, 1.0, the statutory multiplier for cases where the injured workers were returned to pre injury employment.

Average PPD Multipliers – Employee Returned to Work

Year	N	Median	Mean	Std. Deviation
2009	4139	1.5	1.6	1.3
2010	4084	1.5	1.6	1.2
2011	4190	1.5	1.5	0.9
2012	4542	1.5	1.6	1.1
2013	4925	1.5	1.6	1.3
2014 PRE	3810	1.5	1.5	1.3
2015 PRE	858	1.5	1.7	1.7
2014 POST	19	1.0	1.0	0.4
2015 POST	98	1.0	1.0	0.3

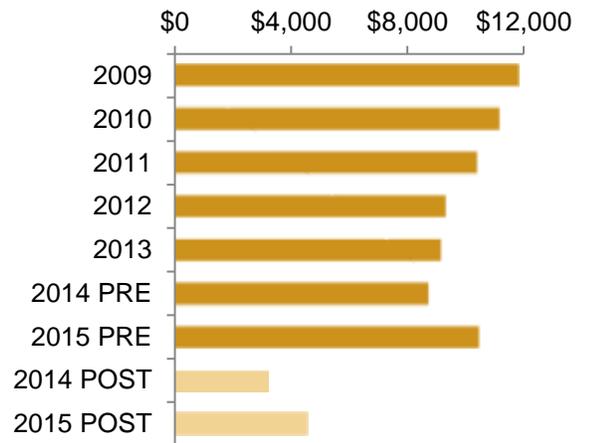


Permanent Partial Disability – Monetary Benefits – Employee Returned to Work

Median PPD monetary benefits reduced from \$11,809 in 2009 to \$8,707 for 2014 pre act cases. For 2015 pre act cases, the median PPD amount increased to \$10,438. The median amount for 2015 post act return to work cases was \$4,579. Average amounts reported in the table below reflect the combination of converted scheduled member injuries with body as a whole injuries.

Average PPD Benefit Amount – Employee Returned to Work

Year	N	Median	Mean	Std. Deviation
2009	5185	\$11,809	\$25,558	\$47,367
2010	4852	\$11,145	\$25,203	\$50,940
2011	4854	\$10,366	\$23,844	\$48,826
2012	5181	\$9,302	\$20,855	\$43,829
2013	5542	\$9,133	\$19,741	\$37,402
2014 PRE	5162	\$8,707	\$19,318	\$42,400
2015 PRE	2700	\$10,438	\$22,862	\$44,353
2014 POST	34	\$3,181	\$4,464	\$3,805
2015 POST	2198	\$4,579	\$7,844	\$12,387

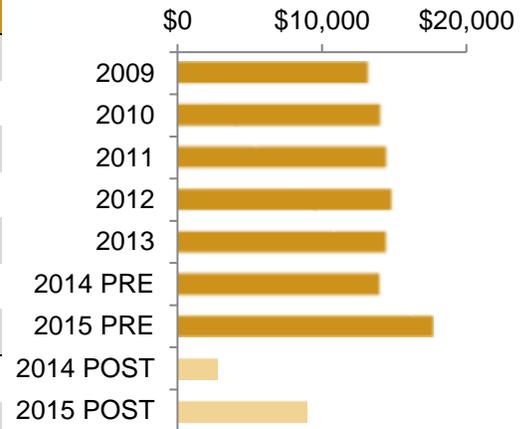


Medical Benefits/Expenses – Employee Returned to Work

Average medical benefits/expenses for cases where the injured workers were returned to pre injury employment are reported in the charts below. Average medical amounts reported are for combined scheduled member and body as a whole cases and ranged from a median of \$13,135 in 2009 to \$17,636 in 2015 pre act cases. The median amount for 2015 post act cases was \$8,936.

Average Medical Benefit/Expense – Employee Returned to Work

Year	N	Median	Mean	Std. Deviation
2009	4953	\$13,135	\$22,264	\$37,946
2010	4646	\$13,967	\$24,905	\$44,866
2011	4668	\$14,401	\$25,671	\$48,283
2012	5070	\$14,745	\$24,622	\$42,800
2013	5453	\$14,378	\$25,127	\$55,397
2014 PRE	5070	\$13,926	\$25,315	\$63,591
2015 PRE	2612	\$17,636	\$29,613	\$54,515
2014 POST	35	\$2,698	\$3,987	\$3,657
2015 POST	2182	\$8,936	\$12,827	\$14,799



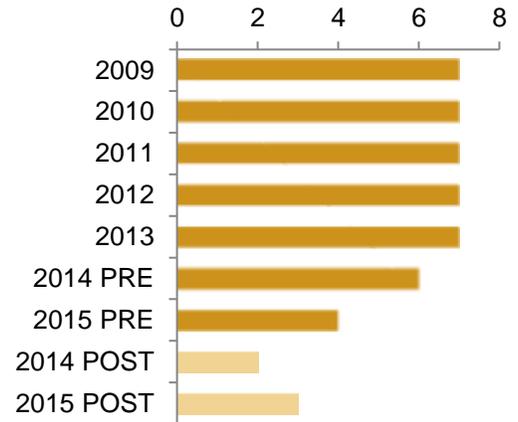
Permanent Partial Impairment Ratings – Employee did not Return to Work

Using the same methods as cases where the injured worker was returned to pre injury employment, cases involving single side injuries were selected for PPI, PPD, multiplier, and medical amount for analysis of non return to work experiences. Additionally, scheduled

member PPI ratings were converted to body as a whole using the AMA guides. The median PPI rating for 2015 pre act cases was 4.0, down from 7.0 in 2009 through 2013 cases. The median PPD rating for 2015 post act non return to work cases was 3.0.

Average PPI Ratings – Employee did not Return to Work

Year	N	Median	Mean	Std. Deviation
2009	2459	7.0	10.7	10.8
2010	2414	7.0	10.6	11.5
2011	2280	7.0	9.6	9.9
2012	2598	7.0	10.5	11.9
2013	2603	7.0	10.3	12.4
2014 PRE	2232	6.0	8.5	9.4
2015 PRE	469	4.0	6.8	10.4
2014 POST	9	2.0	2.7	3.5
2015 POST	22	3.0	4.6	4.2

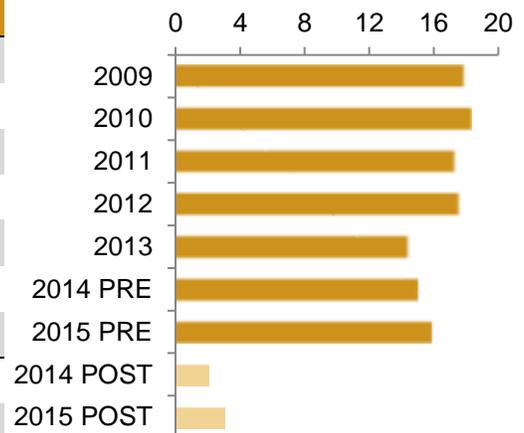


Percentage Awarded for Permanent Partial Disability – Employee did not Return to Work

The median PPD percent for 2015 pre act cases where injured workers did not return to work was 15.8. The charts below display average PPD percentages and present converted scheduled member and body as a whole amounts together. Pre act PPD percentages ranged from a high of 18.3 in 2010 to a low of 14.4 in 2013. Post act cases had a PPD percent of 3.0, however the number of cases is small.

Average PPD Percent - Employee did not Return to Work

Year	N	Median	Mean	Std. Deviation
2009	2078	17.8	24.7	22.2
2010	2096	18.3	25.4	22.3
2011	1965	17.2	23.7	21.0
2012	2301	17.5	23.6	21.1
2013	2465	14.4	21.7	21.0
2014 PRE	1690	15.0	21.8	21.0
2015 PRE	1082	15.8	21.9	20.8
2014 POST	5	2.0	5.9	6.4
2015 POST	209	3.0	4.9	5.1

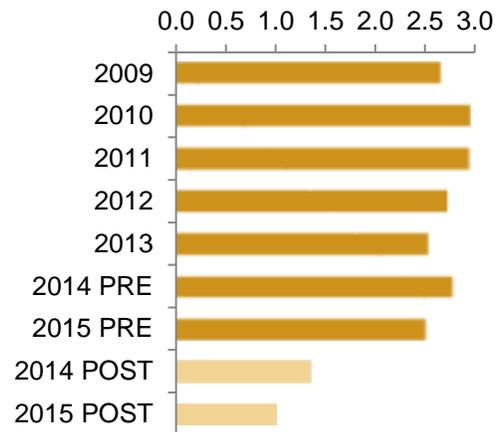


Permanent Partial Disability Multipliers – Employee did not Return to Work

Pre act permanent partial disability multipliers for cases involving permanent injury where injured workers did not return to pre injury employment ranged from 2.5 to 2.9. The PPD multiplier for 2015 pre act cases where the injured worker did not return to work was 2.5. This does not include cases that were reconsidered due to changes related to the injured workers' work status or other factors of reconsideration. There were only nine 2015 post act cases with PPI and PPD information for non-return to work claimants.

Average PPD Multiplier - Employee did not Return to Work

Year	N	Median	Mean	Std. Deviation
2009	1985	2.7	2.8	1.8
2010	2038	2.9	3.1	2.6
2011	1906	2.9	3.0	2.2
2012	2238	2.7	3.0	2.4
2013	2298	2.5	3.2	6.4
2014 PRE	1641	2.8	3.1	4.7
2015 PRE	318	2.5	4.0	7.6
2014 POST	5	1.4	1.7	1.3
2015 POST	9	1.0	1.1	0.7

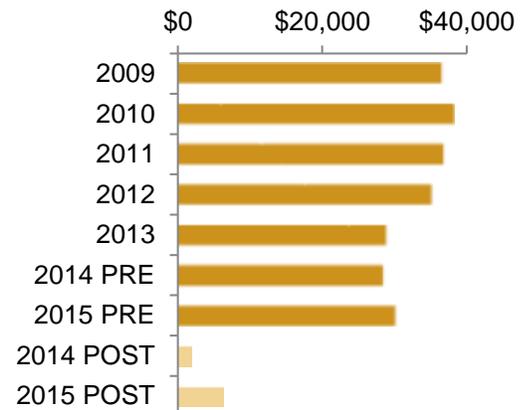


Permanent Partial Disability – Monetary Benefits – Employee did not Return to Work

The median PPD amount paid for injured workers who did not return to pre injury employment for 2015 pre act cases was \$29,968, down from \$38,125 for cases concluded in 2010. The following charts display average medical expenses paid for cases involving permanent disability where injured workers did not return to work.

Average PPD Benefit Amounts - Employee did not Return to Work

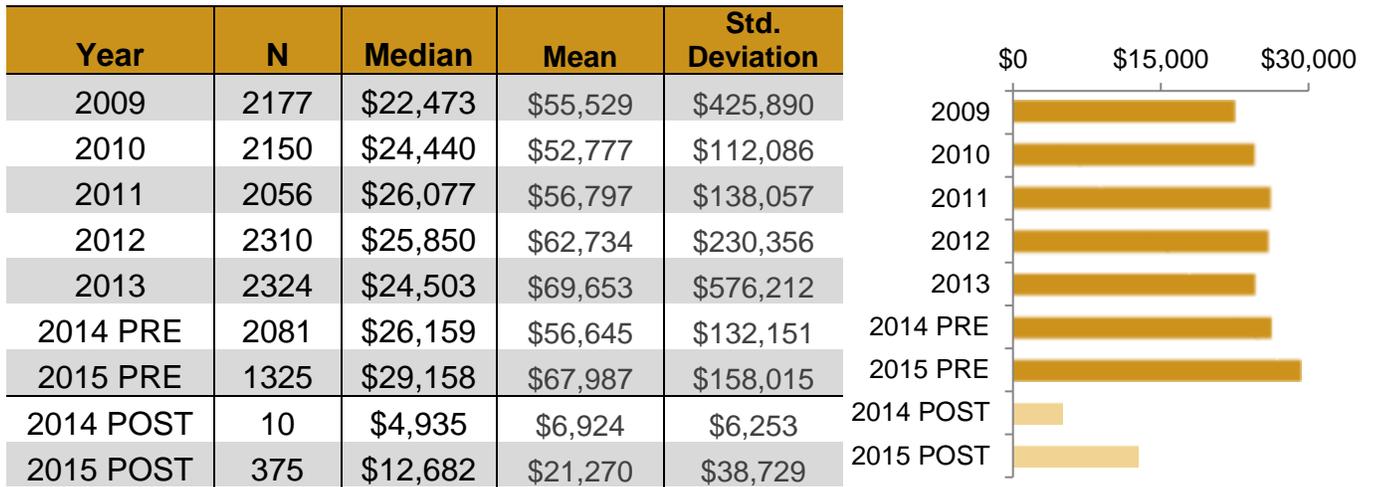
Year	N	Median	Mean	Std. Deviation
2009	2477	\$36,363	\$69,186	\$96,081
2010	2434	\$38,125	\$76,013	\$123,561
2011	2300	\$36,654	\$73,954	\$120,956
2012	2619	\$35,030	\$71,796	\$115,366
2013	2741	\$28,767	\$67,720	\$115,956
2014 PRE	2245	\$28,333	\$65,833	\$117,224
2015 PRE	1596	\$29,968	\$68,933	\$116,767
2014 POST	9	\$1,850	\$5,004	\$6,748
2015 POST	364	\$6,190	\$12,565	\$25,605



Medical Benefits/Expenses – Employee did not Return to Work

Average medical benefits/expenses for cases where the injured workers were not returned to pre injury employment are display below. Cases concluded in 2009 had the lowest median amount of \$22,473 while 2015 pre act cases had the highest amount of \$29,158. The median amount paid for 2015 post act cases was \$12,692.

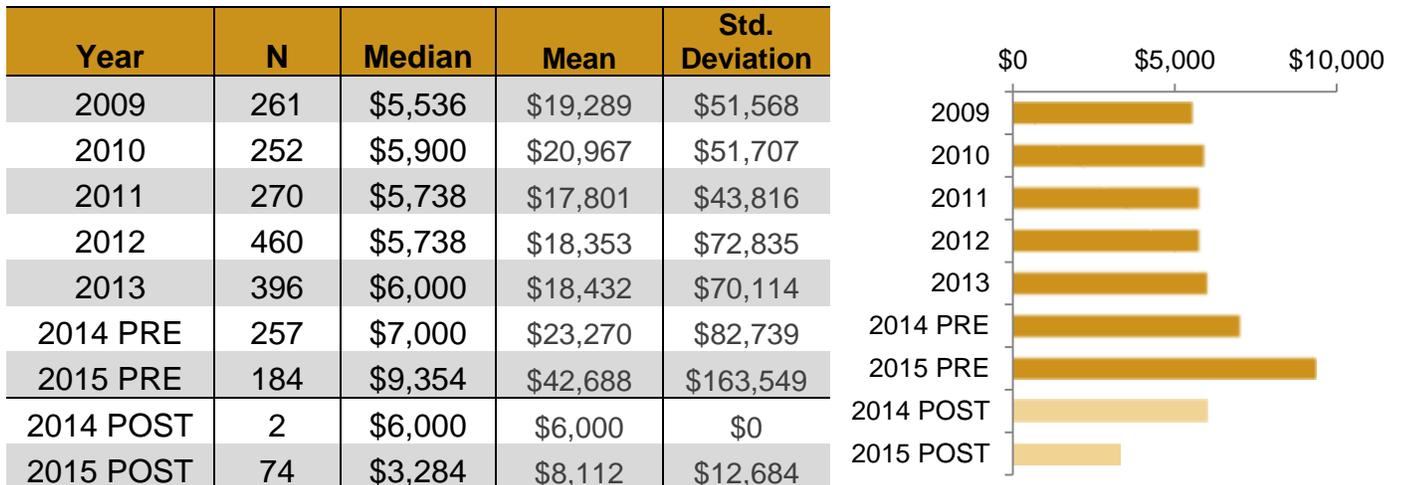
Average Medical Benefits/Expenses - Employee did not Return to Work



Lump Sum Benefits

The following charts depict the average amount paid in lump sums at the time of conclusion (SD-1 filing). The median lump sum amount increased from \$5,536 in 2009 to \$9,354 in 2015 pre act cases. The percent of pre act cases with lump sum payments varied between 3.0% to 5.4% per year. The numbers reported represent all cases, regardless of return to work status. 2015 post act cases had a median lump sum amount of \$3,284.

Average Lump Sum Benefits Paid



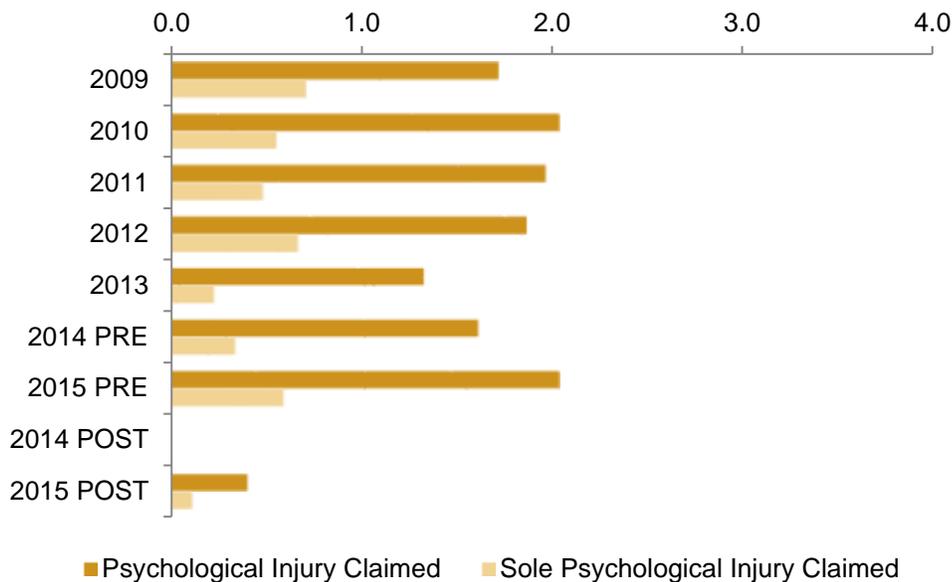
Psychological Injury

Psychological injury can be associated with workers' compensation cases in two ways, an injured worker can claim psychological injury in addition to other injuries, or it can be the sole injury. The chart below displays the frequency and percent of claims involving psychological injury. For 2015 pre act cases, 94 cases (2.0%) involved psychological injury and in 27 (0.6%) cases, psychological injury was the sole claim. For 2015 post act cases, 11 (0.4%) claimed psychological injury and in 3 cases (0.1%), psychological injury was the sole claim.

Frequency of Psychological Injuries

Year	Psychological Injury Claimed		Sole Psychological Injury Claimed	
	N	Percent	N	Percent
2009	151	1.7	62	0.7
2010	167	2.0	45	0.5
2011	156	2.0	38	0.5
2012	158	1.9	56	0.7
2013	119	1.3	20	0.2
2014 PRE	131	1.6	27	0.3
2015 PRE	94	2.0	27	0.6
2014 POST	0	0.0	0	0.0
2015 POST	11	0.4	3	0.1

Percent of Case With Psychological Injuries



Appeals

For pre 2013 Reform Act cases, after a case has been tried by a court in Tennessee, either party may appeal the court's verdict to the Tennessee Supreme Court. Pursuant to Supreme Court rules, all workers' compensation cases are referred to the Special Workers' Compensation Panel for hearing. It is mandatory for the Appeals Panel to hear the case. After the decision of the Panel has been sent to the parties, either or both of the parties can request of the Supreme Court a Full Court Review of the case. This review is discretionary with the Supreme Court. If a Full Court Review is granted, the case is argued before the entire Supreme Court and an opinion is issued. If a motion for a Full Court Review is not filed, the Supreme Court formally adopts the Panel's opinion. Decisions of both the Appeals Panel and the Supreme Court are published on the Supreme Court's website (www.tncourts.gov). For post 2013 Reform Act cases, The University of Tennessee College of Law Library also publishes Court of Workers' Compensation Claims and Appeals Board decisions online. Additionally, the ACWC publishes summaries of significant Supreme Court decisions. The following table contains information regarding workers' compensation appeals that was provided by the Administrative Office of the Courts.

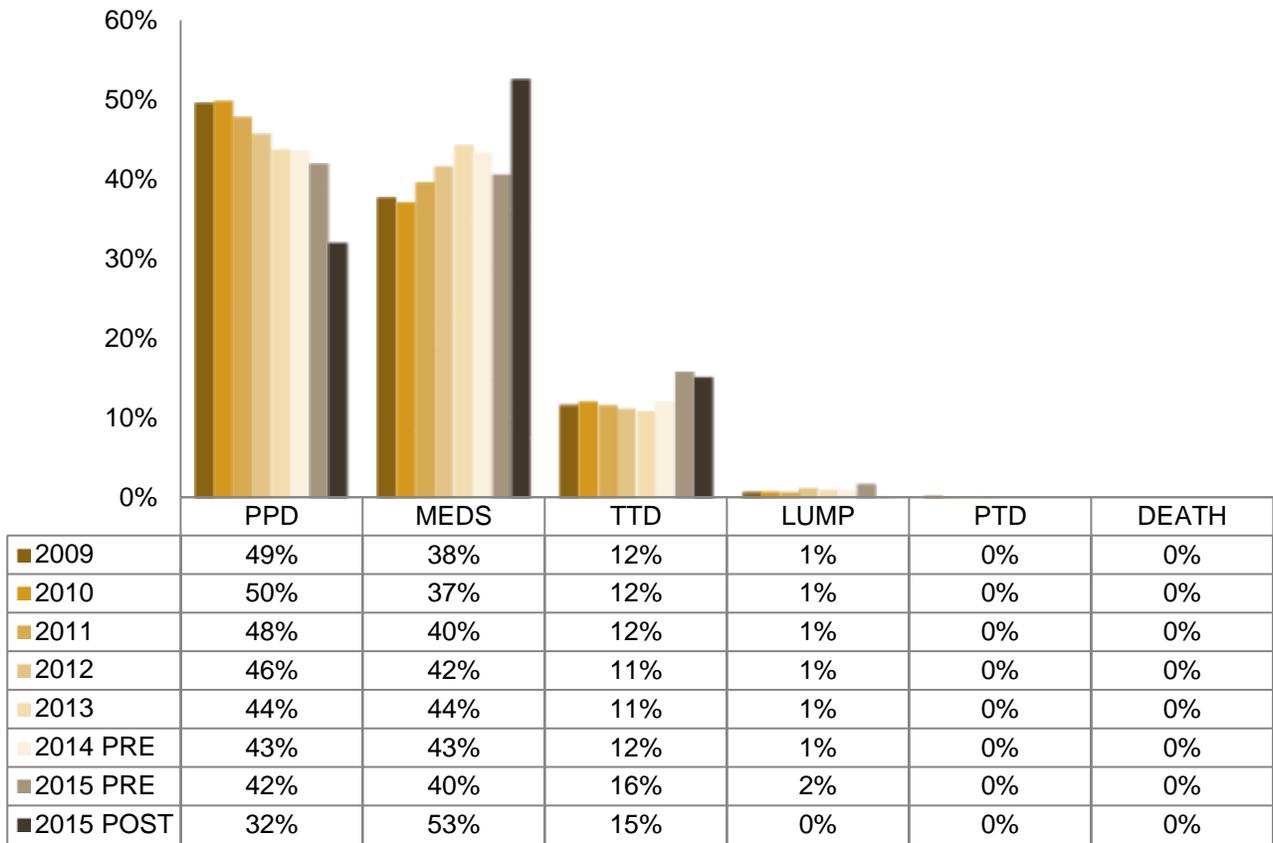
Number of Workers' Compensation Supreme Court Appeals

Year	Number of Workers' Compensation Appeals	Number of Motions for Full Court Review Filed	Number of Motions for Full Court Review Granted	Number of Motions for Full Court Review Denied
2009	111	42	2	45
2010	94	22	3	17
2011	95	27	2	20
2012	76	25	1	25
2013	58	19	1	19
2014	64	22	0	22
2015	53	17	0	18

Medical & Indemnity Summary

The following chart displays the percent of all medical and indemnity dollars paid at the time of conclusion as indicated on SD-1 forms. This does not include payments made in medical only claims. The systemic percentage amount paid for permanent partial disability benefits continued to decrease. Temporary total benefits remained nearly constant at 11% or 12% of the total amount of benefits until 2015, when the percentage increased to 16%. Lump sum payments constituted 1-2% of benefits paid. While some benefit amounts were paid for permanent total disability and death benefits, the percentages were less than a half of a percent for the years analyzed. The total amount of benefits paid at the time of conclusion when medical and indemnity were added together was between \$504 million to \$676 million per year.

Percent Paid for All Medical and Indemnity Dollars at Conclusion



Conclusion

It is still premature to be able to draw concrete conclusions regarding the 2013 Reform Act. However, Tennessee workers' compensation data can still provide insights into systemic functioning. Two-thirds of 2015 cases had dates of injuries before the implementation of the Reform Act. The pre act cases typically are taking longer and have higher temporary total disability, permanent partial disability, medical, and lump sum costs. This is to be expected and serves to provide validity to the data that was available. However, it is also worth highlighting that missing and incomplete data still is a factor when interpreting Tennessee workers' compensation statistics gathered from SD-1 forms.

This report is the 20th year in which the Advisory Council on Workers' Compensation in Tennessee has had data in some form or another. Each report provides a snapshot of annual systemic practices. As more case history transpires, the implementation of the 2013 Reform Act will be reflected, making pre and post act comparisons possible.