

Commonwealth of Kentucky
Department of Workers' Claims
2023-2024 Annual Report



TEAM
KENTUCKY.

EDUCATION AND
LABOR CABINET

Commonwealth of Kentucky

Education and Labor Cabinet Department of Workers' Claims

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500 Mero Street, 3rd Floor
Frankfort, Kentucky 40601
(502) 564-5550

Website: elc.ky.gov/Workers-Compensation

Forms can be obtained at
elc.ky.gov/Workers-Compensation/Pages/Forms

COMMISSIONER
Scott C. Wilhoit

DEPUTY COMMISSIONER
Lucretia Reasons Johnson (Retired)

CHAIRMAN, WORKERS' COMPENSATION BOARD
Michael W. Alvey

CHIEF ADMINISTRATIVE LAW JUDGE
Douglas W. Gott

DWC specialists may be contacted at the following number for
information and assistance regarding workers' compensation
issues:

Toll-free: 800-554-8601

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Kentucky Department of Workers' Claims



Mission Statement:

The Department of Workers' Claims (DWC) administers Kentucky's workers' compensation program with equitable and expedient processing of claims.

Performance Objectives:

- Assure prompt delivery of statutory benefits, including medical services and indemnity payments
- Provide timely and competent services to stakeholders
- Foster stakeholder knowledge of rights and responsibilities under the Workers' Compensation Act
- Encourage stakeholder involvement in the development of policy
- Provide the public and policymakers with accurate and current indicators of program performance
- Anticipate changes in the program environment and respond appropriately
- Be at the forefront in seeking new and innovative techniques to meet the needs of our constituents

No individual in the United States shall, on the grounds of race, color, religion, sex, national origin, age, disability, political affiliation, or belief, be excluded from participation in, denied benefits of, or be subjected to discrimination under any program or activity under the jurisdiction of the Kentucky Education and Labor Cabinet.

Printed with State Funds



Andy Beshear
GOVERNOR

EDUCATION AND LABOR CABINET

Department of Workers' Claims
Scott C. Wilhoit
Commissioner
500 Mero Street, 3rd Floor
Frankfort, Kentucky 40601
(502) 564-5550

Jamie Link
SECRETARY

December 15, 2024

The Honorable Andy Beshear
Governor of Kentucky
Capitol Building
700 Capital Avenue, Suite 100
Frankfort, KY 40601

In accordance with KRS 342.230(1) and KRS 342.435, the Fiscal Year 2023-2024 Annual Report for the Department of Workers' Claims (DWC) is attached. The annual report outlines the agency's activities to ensure prompt and efficient delivery of statutory benefits and provides statistical information designed to openly share the Department's activities.

The DWC continues to work closely with all stakeholders, including businesses, labor, medical providers, attorneys, self-insureds, and insurers, to develop ideas and implement programs. This will improve the effectiveness of the Workers' Compensation system by delivering high-quality services to the public in a cost-effective manner.

The DWC continues to leverage new and improved technologies to be more accessible and accountable to all stakeholders. The department's advancements are attributable to dedicated employees concerned with the best interests of employees and employers of the Commonwealth of Kentucky. Thank you for your interest and support for the Department of Workers' Claims during this fiscal year.

Yours very truly,

A handwritten signature in blue ink, appearing to read "Scott C. Wilhoit".

Scott C. Wilhoit
Commissioner



**Scott C. Wilhoit
Commissioner**

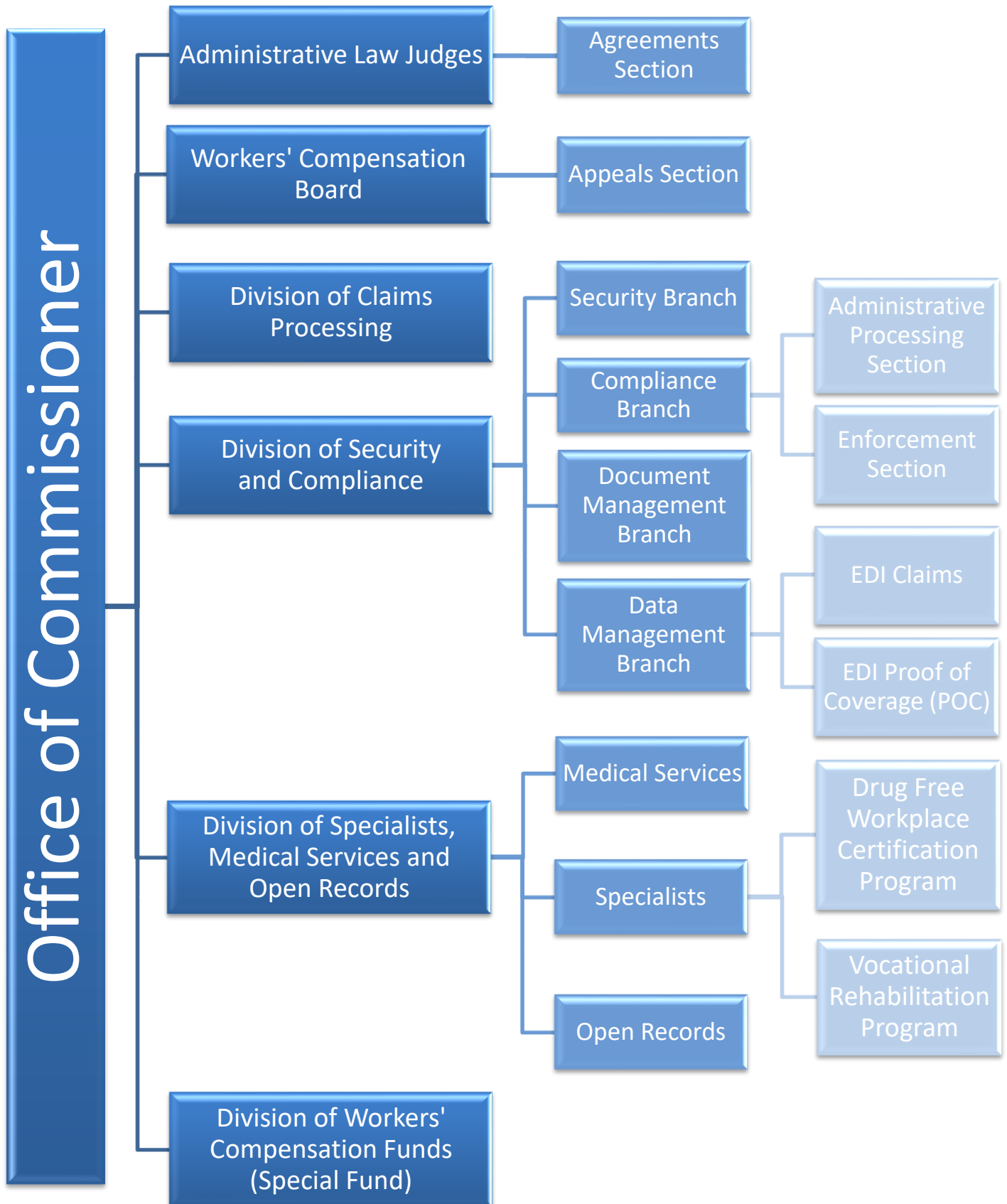
Scott C. Wilhoit graduated from the University of Kentucky with a bachelor's degree in Journalism in 1985. He then earned his Juris Doctorate from the University of Kentucky in 1989. Over the past 30 years, Scott has extensively practiced workers' compensation and civil litigation across the Commonwealth. He has litigated workers' compensation cases at all levels including Administrative Hearings, Workers' Compensation Board, Kentucky Court of Appeals and the Kentucky Supreme Court. Scott is licensed to practice in Kentucky, Indiana, Eastern and Western Districts of the United States District Courts and the United States Sixth Circuit Court of Appeals. He is a member of the Kentucky Bar Association. Scott resides in Louisville with his wife and three dogs. He is an active member with his church's community outreach programs.



**Lucretia R. Johnson
Deputy Commissioner (Retired)**

Lucretia Reasons Johnson graduated from Murray State University with a bachelor's degree in Education. She dedicated 29 years of her career to the field of workers' compensation, serving the Department of Workers' Claims for 26 years in various roles, including Specialist, Director and most recently as Deputy Commissioner. She retired from state government on August 1, 2024. A Kentucky Certified Public Manager, Lucretia has served on numerous boards and previously co-chaired the Medical Committee for the Southern Association of Workers' Compensation Administrators (SAWCA). She resides in Frankfort with her husband.

Department of Workers' Claims Organizational Chart



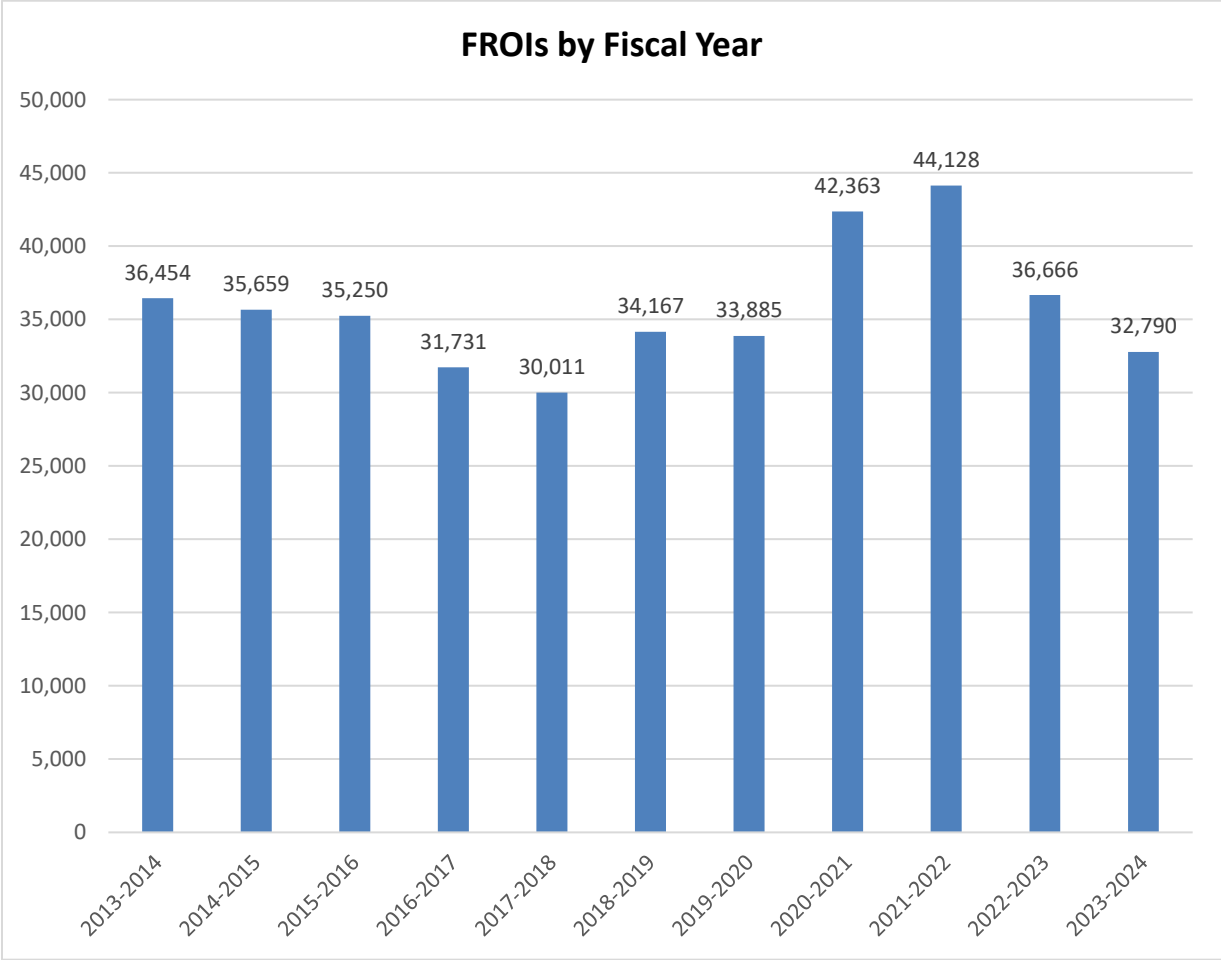


Program Statistics

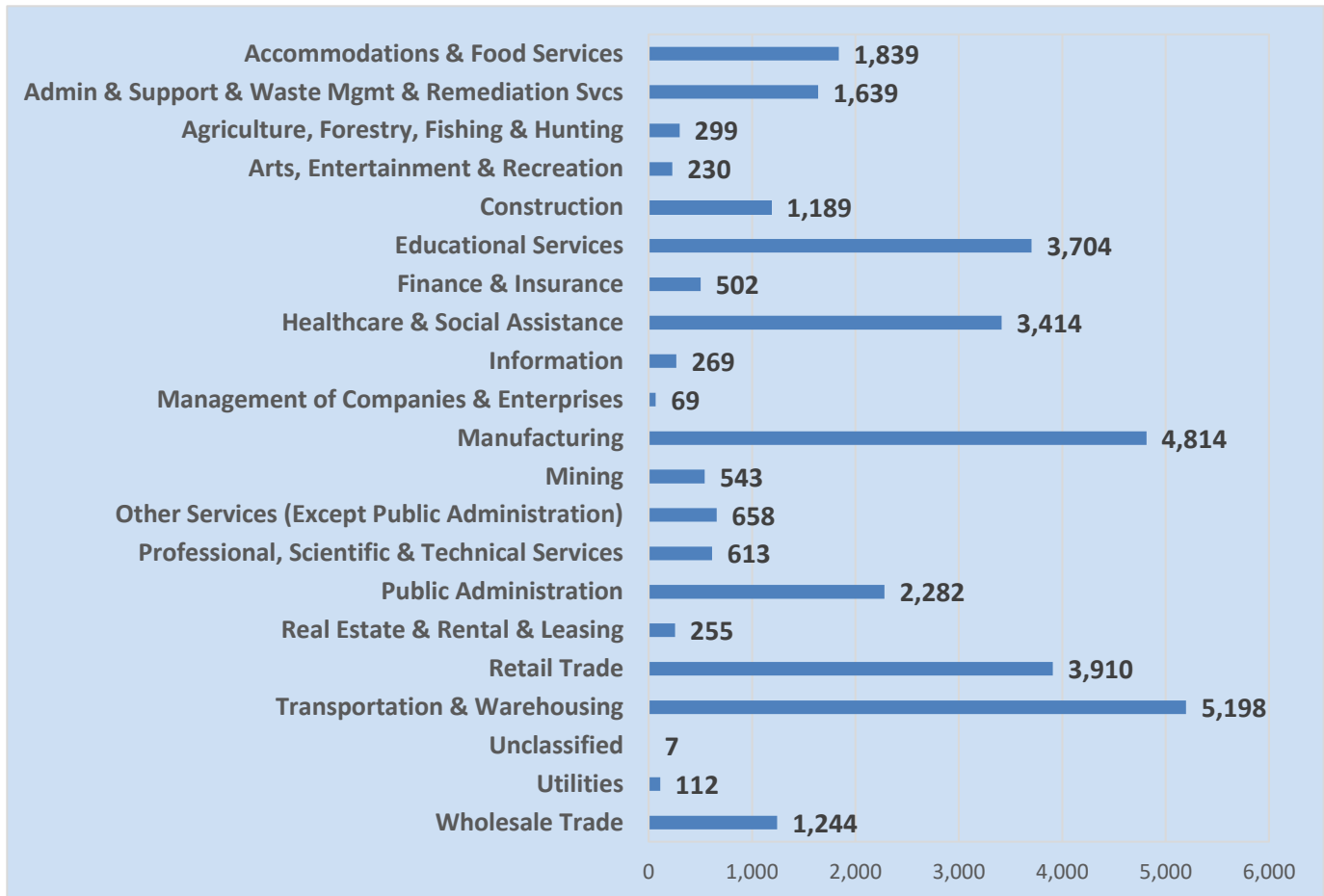
First Reports of Injury

Kentucky Revised Statute (KRS) 342.038 mandates that employers keep a record of all employee workplace injuries and fatalities. When an injured worker misses more than one day of work due to an injury, the employer has three days to inform its workers’ compensation insurance carrier or claims administrator. These entities then have one week to file a First Report of Injury (FROI) with the DWC. Failure to comply with these reporting requirements may result in penalties pursuant to KRS 342.990.

This fiscal year, 32,790 lost time FROIs were filed with the department. The three most common causes of work-related injuries reported were Strain or Injury by Lifting (2,624), Fall, Slip or Trip on Same Level (2,153) and Strain or Injury by, Not Otherwise Classified (2,095).



FROIs by Industry



FROIs by Body Part

Among the reported FROIs, the low back (lumbar and lumbo-sacral spine) was the most frequently injured body part (2,903). The second most common injury reported was to the fingers (2,833), and the third was injury to the knee (2,369).

FROIs by Nature of Injuries

A review of the nature of injuries indicated that 7,832 strains or tears and 4,791 contusions were reported. Together, these two categories account for 38% of all reported injuries. The third most common type of injury was lacerations, which occurred in 3,093 cases.

FROIs by Nature Type

Coal Workers' Pneumoconiosis (CWP)	26
Hearing Loss	50
Injury	31,555
Other Occupational Disease	1,159

Workers' Compensation Claims

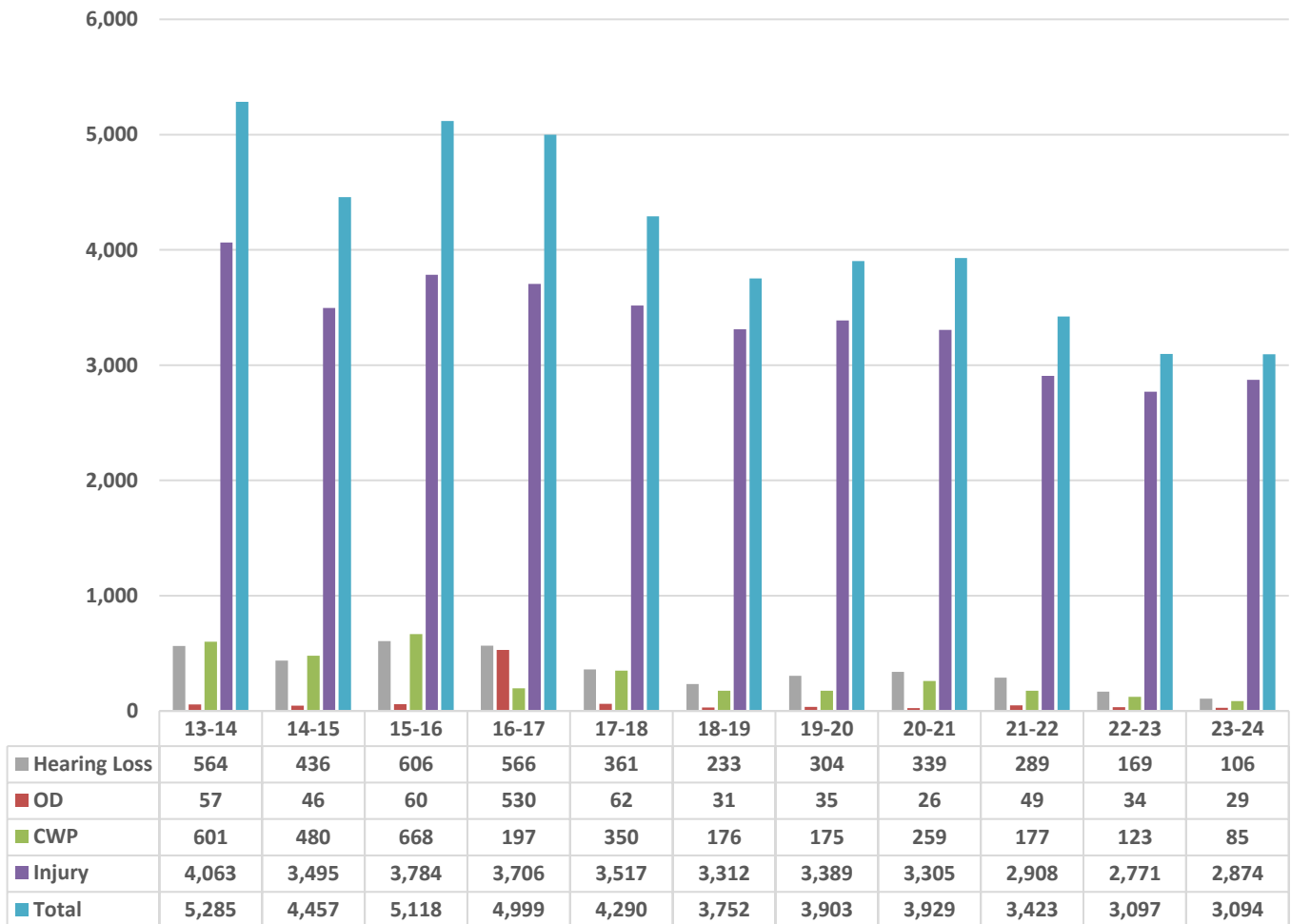
A workers' compensation claim in Kentucky originates when one of the following occurs:

- A voluntary settlement agreement is filed to resolve workers' compensation issues between parties; or
- An application for resolution of a claim is filed when the parties cannot agree, and an Administrative Law Judge must resolve the matter.

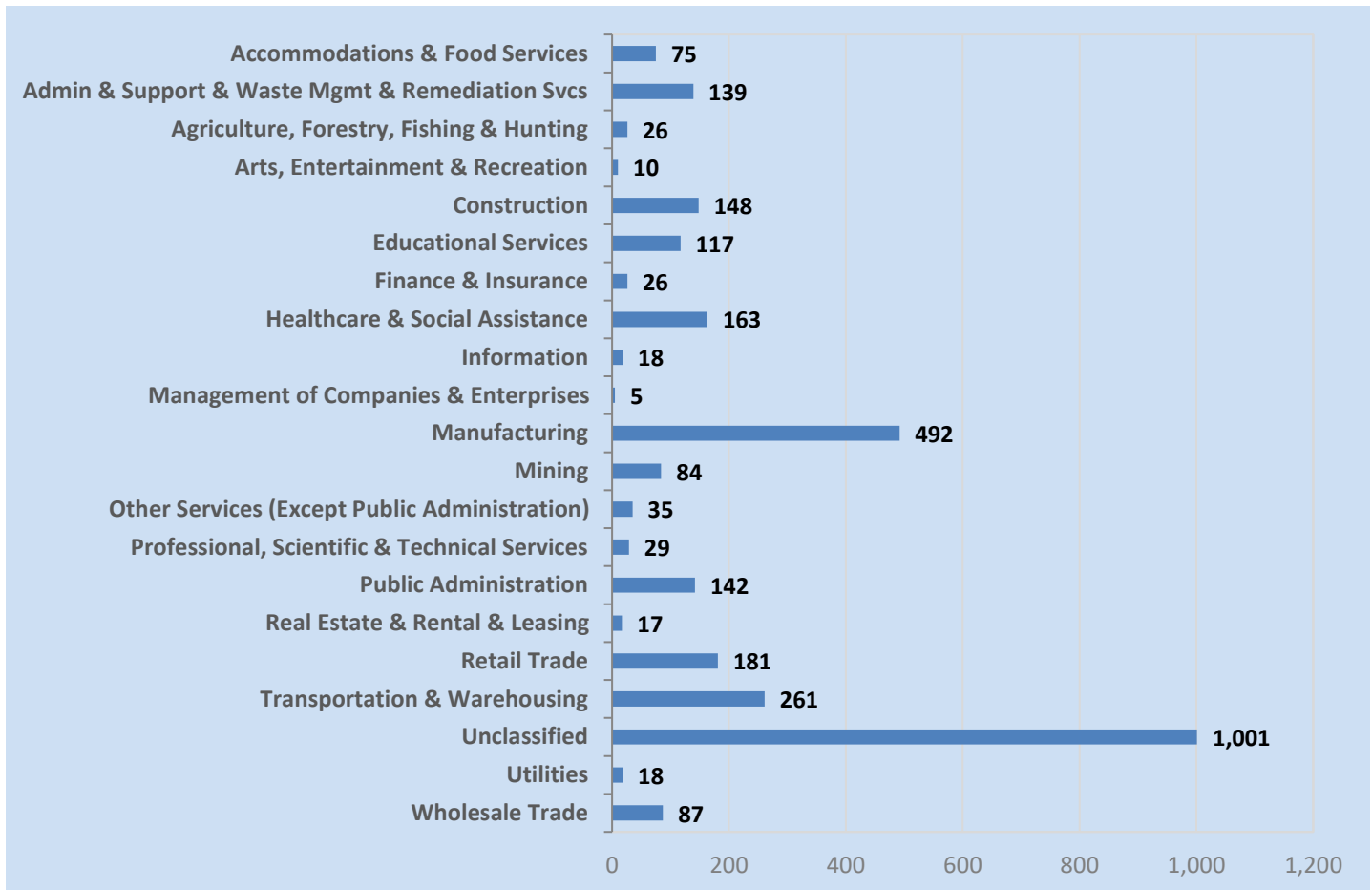
For an injury to be compensable, it must be a direct result of the employee's work. Compensable workers' compensation claims are typically divided into two types: indemnity and medical. Indemnity claims are those for which income benefits are paid to compensate for lost wages, functional impairment, or death. An injured worker must miss more than seven days of work to be considered for temporary total income benefits. Medical claims are those for which medical service costs are paid. Some claims are eligible for indemnity and medical benefits, while others are only eligible for medical benefits.

In FY 2023-2024, there were 3,094 new applications for resolution of claims filed with the DWC.

Claims by Fiscal Year



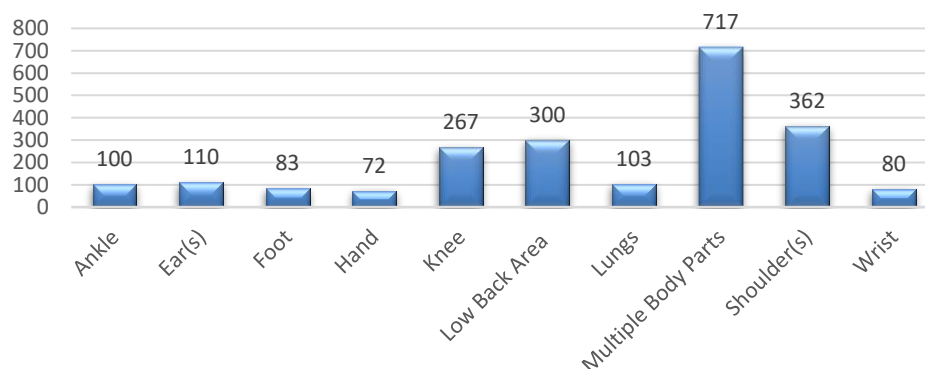
Claims by Industry



Of the 3,094 claims filed this fiscal year, 993 were filed by females (32.1%) and 2,089 by males (67.5%). Eleven claims did not specify gender (less than 1%). The average age of those who filed claims with the DWC was 49 years.

Claims by Body Part

Distribution of Claims by Body Part - Top Ten



Claims by Nature of Injuries

A review of the nature of injuries cited for claims indicated the three most common causes of injury were strain or tear (1,140), all other cumulative injuries (391) and all other specific injuries not otherwise classified (300).

Comparison by County Labor Force:
Lost Time FROIs and Litigated Claims FY 23-24

County	Total Labor Force	FROIs	% of FROIs to Labor Force	Claims	% of Claims to FROIs
Adair	7,337	76	1.04%	1	1.32%
Allen	9,069	176	1.94%	0	0.00%
Anderson	12,135	59	0.49%	1	1.69%
Ballard	3,469	13	0.37%	0	0.00%
Barren	17,684	246	1.39%	6	2.44%
Bath	4,616	32	0.69%	0	0.00%
Bell	8,384	112	1.34%	6	5.36%
Boone	71,418	1221	1.71%	22	1.80%
Bourbon	9,518	161	1.69%	3	1.86%
Boyd	17,125	258	1.51%	8	3.10%
Boyle	12,622	194	1.54%	1	0.52%
Bracken	3,750	17	0.45%	0	0.00%
Breathitt	3,168	34	1.07%	0	0.00%
Breckinridge	7,890	40	0.51%	0	0.00%
Bullitt	42,253	448	1.06%	18	4.02%
Butler	5,109	35	0.69%	1	2.86%
Caldwell	5,732	99	1.73%	1	1.01%
Calloway	17,038	193	1.13%	4	2.07%
Campbell	50,161	345	0.69%	5	1.45%
Carlisle	2,199	17	0.77%	2	11.76%
Carroll	5,428	165	3.04%	1	0.61%
Carter	9,595	52	0.54%	2	3.85%
Casey	6,586	90	1.37%	3	3.33%
Christian	24,652	416	1.69%	11	2.64%
Clark	17,353	225	1.30%	12	5.33%
Clay	5,112	39	0.76%	1	2.56%
Clinton	3,397	46	1.35%	0	0.00%
Crittenden	3,731	22	0.59%	0	0.00%
Cumberland	3,560	29	0.81%	0	0.00%
Daviess	44,586	623	1.40%	13	2.09%
Edmonson	4,830	16	0.33%	0	0.00%
Elliott	1,894	9	0.48%	0	0.00%
Estill	5,155	29	0.56%	1	3.45%
Fayette	176,675	3580	2.03%	57	1.59%
Fleming	5,946	51	0.86%	2	3.92%
Floyd	10,962	105	0.96%	5	4.76%
Franklin	25,470	1029	4.04%	15	1.46%
Fulton	2,119	33	1.56%	1	3.03%
Gallatin	3,960	35	0.88%	0	0.00%
Garrard	8,031	41	0.51%	1	2.44%
Grant	11,567	83	0.72%	2	2.41%
Graves	15,475	139	0.90%	5	3.60%

Comparison by County Labor Force:
Lost Time FROIs and Litigated Claims FY 23-24

County	Total Labor Force	FROIs	% of FROIs to Labor Force	Claims	% of Claims to FROIs
Grayson	10,318	122	1.18%	1	0.82%
Green	4,987	21	0.42%	0	0.00%
Greenup	12,900	81	0.63%	1	1.23%
Hancock	3,709	63	1.70%	0	0.00%
Hardin	47,825	939	1.96%	25	2.66%
Harlan	6,395	98	1.53%	5	5.10%
Harrison	8,859	69	0.78%	3	4.35%
Hart	7,614	87	1.14%	3	3.45%
Henderson	20,208	236	1.17%	10	4.24%
Henry	8,002	56	0.70%	1	1.79%
Hickman	1,671	9	0.54%	0	0.00%
Hopkins	18,417	410	2.23%	14	3.41%
Jackson	4,183	12	0.29%	0	0.00%
Jefferson	389,256	8354	2.15%	191	2.29%
Jessamine	26,766	273	1.02%	8	2.93%
Johnson	6,749	73	1.08%	5	6.85%
Kenton	86,853	844	0.97%	14	1.66%
Knott	4,251	19	0.45%	0	0.00%
Knox	9,805	66	0.67%	3	4.55%
Larue	5,840	14	0.24%	0	0.00%
Laurel	24,681	304	1.23%	7	2.30%
Lawrence	5,691	37	0.65%	3	8.11%
Lee	2,198	41	1.87%	0	0.00%
Leslie	2,503	33	1.32%	4	12.12%
Letcher	5,976	66	1.10%	2	3.03%
Lewis	4,433	31	0.70%	1	3.23%
Lincoln	9,227	57	0.62%	2	3.51%
Livingston	3,655	32	0.88%	0	0.00%
Logan	12,092	108	0.89%	7	6.48%
Lyon	3,177	23	0.72%	0	0.00%
Madison	47,358	526	1.11%	15	2.85%
Magoffin	3,168	15	0.47%	1	6.67%
Marion	9,600	162	1.69%	2	1.23%
Marshall	15,126	94	0.62%	1	1.06%
Martin	2,211	20	0.90%	1	5.00%
Mason	6,507	74	1.14%	2	2.70%
McCracken	29,920	545	1.82%	8	1.47%
McCreary	4,673	49	1.05%	1	2.04%
McLean	3,855	15	0.39%	2	13.33%
Meade	11,800	76	0.64%	0	0.00%
Menifee	2,326	11	0.47%	0	0.00%

Comparison by County Labor Force:
Lost Time FROIs and Litigated Claims FY 23-24

County	Total Labor Force	FROIs	% of FROIs to Labor Force	Claims	% of Claims to FROIs
Mercer	10,244	76	0.74%	2	2.63%
Metcalfe	3,863	37	0.96%	2	5.41%
Monroe	4,448	42	0.94%	2	4.76%
Montgomery	11,594	146	1.26%	2	1.37%
Morgan	4,465	37	0.83%	0	0.00%
Muhlenberg	9,987	156	1.56%	11	7.05%
Nelson	23,995	281	1.17%	4	1.42%
Nicholas	3,345	9	0.27%	1	11.11%
Ohio	9,065	73	0.81%	1	1.37%
Oldham	32,858	242	0.74%	1	0.41%
Owen	5,175	11	0.21%	0	0.00%
Owsley	1,117	5	0.45%	0	0.00%
Pendleton	6,876	42	0.61%	0	0.00%
Perry	7,968	152	1.91%	9	5.92%
Pike	19,045	352	1.85%	8	2.27%
Powell	5,114	45	0.88%	3	6.67%
Pulaski	25,130	429	1.71%	9	2.10%
Robertson	791	7	0.88%	0	0.00%
Rockcastle	6,539	49	0.75%	1	2.04%
Rowan	10,315	141	1.37%	4	2.84%
Russell	6,446	66	1.02%	2	3.03%
Scott	30,539	788	2.58%	28	3.55%
Shelby	25,443	280	1.10%	4	1.43%
Simpson	9,040	185	2.05%	8	4.32%
Spencer	10,392	25	0.24%	0	0.00%
Taylor	11,893	119	1.00%	0	0.00%
Todd	5,782	42	0.73%	2	4.76%
Trigg	5,993	42	0.70%	1	2.38%
Trimble	3,753	14	0.37%	0	0.00%
Union	5,903	276	4.68%	12	4.35%
Warren	67,087	1297	1.93%	26	2.00%
Washington	6,327	63	1.00%	1	1.59%
Wayne	6,850	54	0.79%	1	1.85%
Webster	5,234	35	0.67%	1	2.86%
Whitley	13,680	344	2.51%	7	2.03%
Wolfe	2,165	24	1.11%	1	4.17%
Woodford	14,908	264	1.77%	3	1.14%
Out-of-State		911		25	2.74%
Unknown		0		0	0.00%
Grand Total	2,034,915	31,959	1.57%	736	2.30%

Workforce data provided by the Department of Workforce Development. Agriculture is included in the total labor force numbers. Unknown numbers are due to insufficient reporting information provided by the reporting source.

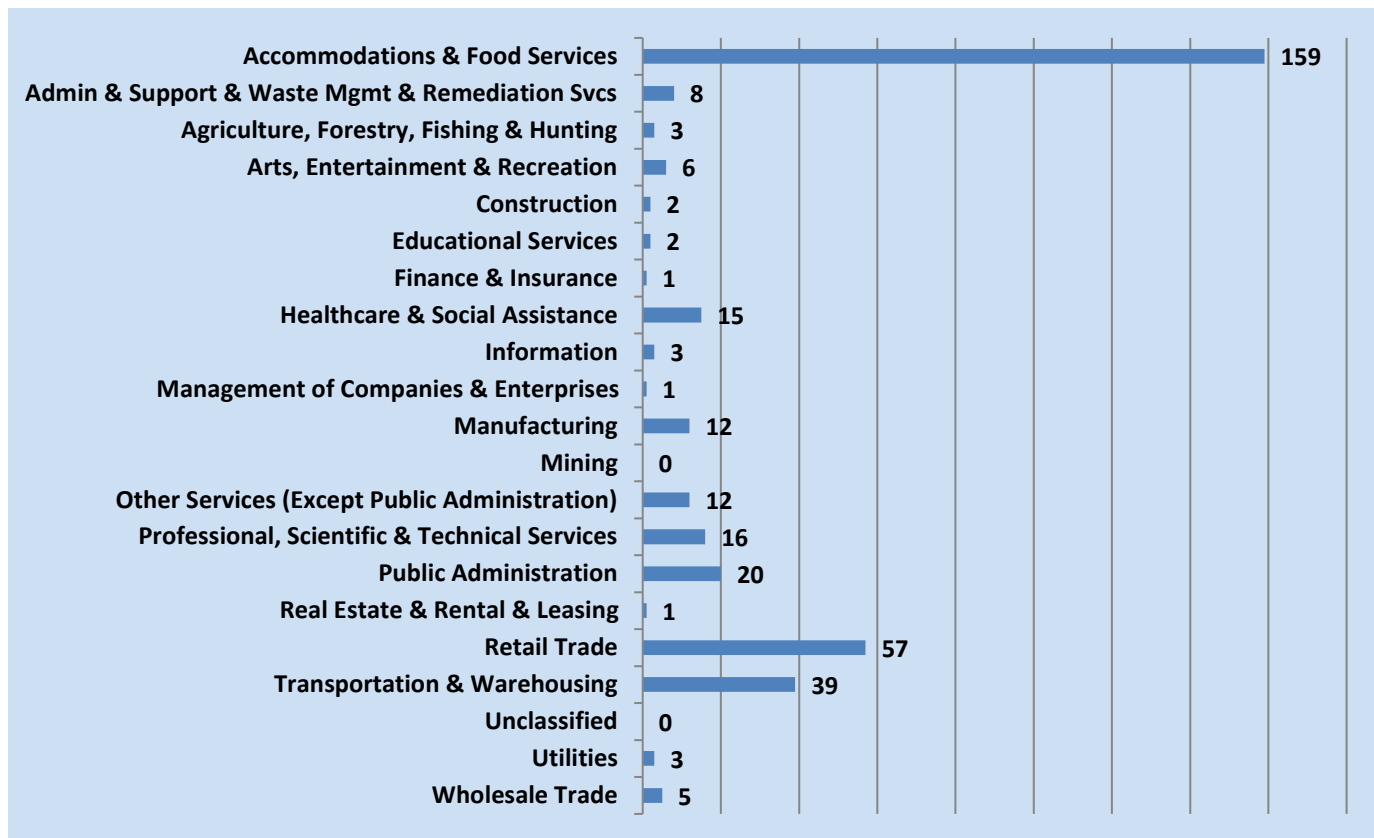
Injuries to Minors

This fiscal year, 457 lost-time injuries to workers under 18 were reported to the DWC.

According to electronic data submitted to the department, one injury was reported for a worker 13 years of age; four injuries were reported for workers 14 years of age; 25 injuries were reported for workers 15 years of age; 130 injuries were reported for workers 16 years of age; and 306 injuries were reported for workers 17 years of age.

The top three causes of injury to minors reported during this fiscal year were other injury (not otherwise classified) (32); fall, slip or trip on same level (31); and burn or scald, contact with hot object or substances (30). The three body parts most frequently injured were the finger (62), hand (58) and ankle (30).

Injuries To Minors by Industry



Work-Related Fatalities

There were 111 workplace fatalities reported to the DWC this fiscal year. The youngest casualty was an 18-year-old male who was struck by a tire from a vehicle on the interstate. The oldest casualty was an 81-year-old male whose reported cause of injury was repetitive motion caused by cleaning debris from an old building. The leading causes of death this fiscal year were other injury (not otherwise classified) (24), motor vehicle accidents (11) and stress, shock or psychological trauma (6).

The fatalities reported to DWC occurred in various industries, including local trucking, manufacturing, construction, lawn and garden, mining and automotive.

Fiscal Performance

Funding for the DWC comes from an assessment imposed upon the amount of workers' compensation premiums received by every insurance carrier writing workers' compensation insurance in the Commonwealth and against the simulated premium of every employer carrying its own risk. These funds are collected and managed by the Workers' Compensation Funding Commission (KRS 342.122). These are restricted funds; no General Fund dollars are appropriated for DWC operations.

DWC Personnel and Budget History

FISCAL YEAR	PERSONNEL CAP	PERSONNEL ACTUAL	BUDGET ALLOTMENT	ACTUAL EXPENDITURES	DIFFERENCE	PERCENTAGE BUDGET
2023 - 2024	133	114	\$62,256,200	\$50,017,789	-\$12,238,411	80.3%
2022 - 2023	133	115	\$61,552,300	\$51,259,296	-\$10,293,004	83.3%
2021 - 2022	120	97	\$71,061,800	\$52,415,713	-\$18,646,087	73.8%
2020 - 2021	120	94	\$71,061,800	\$53,034,878	-\$18,026,922	74.6%
2019 - 2020	120	92	\$75,227,500	\$57,924,216	-\$17,303,284	77.0%
2018 - 2019	130	105	\$75,004,600	\$60,839,172	-\$14,165,428	81.1%
2017 - 2018	177	114	\$94,443,300	\$62,975,261	-\$31,468,038	66.7%
2016 - 2017	174	146	\$66,027,100	\$51,045,811	-\$14,981,289	77.0%
2015 - 2016	177	156	\$18,039,100	\$17,673,180	-\$365,920	97.7%
2014 - 2015	177	165	\$21,788,000	\$18,456,148	-\$3,331,852	84.7%
2013 - 2014	177	168	\$16,527,200	\$14,973,463	-\$1,553,737	90.6%
2012 - 2013	181	162	\$15,945,500	\$15,122,771	-\$822,729	94.8%
2011 - 2012	181	170	\$15,670,600	\$14,563,810	-\$1,106,790	92.9%
2010 - 2011	181	172	\$15,229,700	\$14,827,465	-\$402,235	97.4%
2009 - 2010	185	175	\$14,888,900	\$14,283,695	-\$605,205	95.9%
2008 - 2009	174	167	\$14,170,100	\$13,373,435	-\$796,665	94.4%
2007 - 2008	184	160	\$11,455,000	\$10,794,005	-\$660,995	94.2%
2006 - 2007	184	167	\$10,211,700	\$9,840,070	-\$371,630	96.4%
2005 - 2006	173	156	\$11,093,300	\$10,634,776	-\$458,524	95.9%
2004 - 2005	173	163	\$9,498,700	\$9,182,865	-\$315,834	96.7%
2003 - 2004	195	188	\$13,649,200	\$10,735,937	-\$2,913,263	78.7%
2002 - 2003	242	201	\$16,397,700	\$13,384,935	-\$3,012,765	81.6%
2001 - 2002	242	204	\$15,806,800	\$13,373,836	-\$2,432,963	84.6%
2000 - 2001	242	208	\$14,942,300	\$12,716,927	-\$2,258,373	85.1%
1999 - 2000	268	207	\$15,637,000	\$12,387,288	-\$3,249,712	79.2%
1998 - 1999	268	208	\$14,994,000	\$12,606,188	-\$2,387,812	84.1%
1997 - 1998	272	227	\$15,182,500	\$12,588,527	-\$2,593,973	82.9%
1996 - 1997	272	229	\$12,137,900	\$11,057,391	-\$1,080,509	91.0%

Office of Administrative Services

The Education and Labor Cabinet's Office of Administrative Services (OAS) provides essential support services to the DWC. These services include financial management and personnel services. OAS manages the annual budget, contracts, leases, publications, procurement, and infrastructure across 17 agency locations. OAS ensures compliance with all applicable policies and procedures while providing support to all divisions of the DWC.

Workers' Claims Legal Division

Every Kentucky employer must secure its workers' compensation liability by either maintaining a policy of workers' compensation insurance or, with the Commissioner's approval, depositing acceptable security to pay workers' compensation benefits directly. If an employer fails to obtain insurance, the Commissioner issues a citation and fine, with the Workers' Claims Legal Division representing the Commissioner to ensure compliance and collection of the fine. Similarly, when employers with security deposits default, the Commissioner calls the security to provide benefits to injured employees, with the legal division representing the Commissioner in collecting and retaining this security.

Under KRS Chapter 342, insurance carriers are subject to fines for violations of established claims settlement and administration practices. The legal division investigates and prosecutes unfair claims practices as directed by the Commissioner, drafts regulations, reviews open records requests, and represents other areas of the Education and Labor Cabinet in workers' compensation matters. Penalties for additional violations are imposed under KRS 342.990, with the division representing the Commissioner in imposing these fines and defending the department or its employees when they are named as defendants in legal actions.

During the past fiscal year, the legal division collected approximately \$724,595 in fines from non-compliant employers and \$114,500 from unfair claims practices. It represented the Commissioner in multiple disputes over millions in security, investigated 268 challenges to citations, and addressed 17 allegations of unfair claims practices. The division represents the Commissioner, department and cabinet in all KRS Chapter 342 matters across all levels of the administrative, state and federal court systems.

Administrative Law Judges

The DWC has 19 Administrative Law Judge (ALJ) positions allocated, 17 of which are currently filled. Each ALJ is appointed by the governor for a four-year term and is subject to confirmation by the Kentucky Senate. One of the ALJs is designated Chief Administrative Law Judge (CALJ) pursuant to KRS 342.230(7).

Chief Administrative Law Judge

The CALJ presides over the Frankfort motion docket. In addition, the CALJ rules on settlement agreements in unassigned cases, conducts hearings and renders opinions in various enforcement actions and reports on workers' compensation litigation to other DWC sections. The CALJ supervises ALJ activities, prepares a rotation schedule for the ALJs, plans two adjudicator training sessions annually and covers dockets for other ALJs on an emergency basis.



Douglas W. Gott, Chief Administrative Law Judge

B.A., 1987, Western Kentucky University

J.D., 1991, University of Kentucky

Initial Appointment Date: June 23, 2008



Administrative Law Judge Activity

Under the CALJ's guidance, ALJs adjudicate workers' compensation claims by conducting benefit review conferences, presiding over formal hearings, and issuing opinions awarding or denying benefit claims within 60 days of the hearing. Decisions must contain findings of fact and rulings of law and are subject to appeal to the Workers' Compensation Board, Kentucky Court of Appeals and Kentucky Supreme Court.

Benefit review conferences and hearings are held in-person and virtually at various DWC hearing sites, currently located in Bowling Green, Florence, Hazard, Lexington, London, Louisville, Owensboro, Paducah, and Pikeville.

During the past fiscal year, ALJs conducted 2,869 benefit review conferences, which are informal meetings for the parties to define and narrow the issues of the claim, discuss settlement options, and consider other matters that may aid in resolving the claim. A substantial number of these cases were settled in conference; formal hearings were held in the remainder. ALJs conducted 802 hearings (582 virtual, 220 in-person) and issued 1,509 opinions.

The ALJs participated in two statutorily required training sessions and attended or presented at various seminars on workers' compensation topics.

Mediation Program

The DWC operates a formal mediation program as an alternate means of resolving workers' compensation claims. Under the terms of the program, one or more ALJs are assigned on a rotating basis to serve as mediators when the parties to a claim request a referral for mediation. The DWC promulgated an administrative regulation, 803 KAR 25:300, to govern the mediation program. This fiscal year, 482 mediations were conducted, and 392 were settled.

Agreements Section

The agreements section processes and records all settlement agreements (Form 110s) received by the department. Staff reviews pre-litigation agreements for accuracy before the CALJ approves them if they meet the statutory and regulatory requirements. This fiscal year, 2,611 agreements were received for approval by the CALJ. Of those, 2,408 were approved. The remaining deficient agreements were returned to the parties for corrections.

The agreements section also handles motions to substitute a party (widow/widower's benefits). A total of 57 motions for widow/widower's benefits were received and processed. Forty-nine were approved by the CALJ this fiscal year.



Workers' Compensation Board

Since 1987 and pursuant to KRS 342.285, the Kentucky Workers' Compensation Board (WCB) has been the first step in the appellate process for litigated workers' compensation claims. The appeals procedure is set forth in 803 KAR 25:010 Section 22. The board consists of three members appointed to four-year terms by the governor, subject to Senate confirmation, and must meet the qualifications required of Court of Appeals (COA) judges.

Since 1994, the WCB has been statutorily required to render opinions within 60 days of the filing of the last brief. Cases are randomly assigned to board members for primary authorship of opinions. Unless a board member must recuse themselves, all three participate in rendering the decision.

From 1991 to the present, over 65% of the decisions rendered by the WCB were appealed no further. A higher percentage of appeals tend to arise following changes in the law or new interpretations of existing statutory law by either the Kentucky COA or the Kentucky Supreme Court.

WCB members are statutorily limited to determine whether the ALJ acted without or in excess of their powers; whether the order, decision, or award was procured by fraud; whether the order, decision, or award was in conformity with the provisions of the Kentucky Workers' Compensation Act; whether the order, decision, or award is clearly erroneous on the basis of the reliable, probative and material evidence contained in the record; and whether the order, decision, or award is arbitrary or capricious or characterized by abuse or a clearly unwarranted exercise of discretion.

The Honorable Michael W. Alvey of Louisville has served as Chairman of the WCB since January 5, 2010. The Honorable Franklin A. Stivers of London has served as a member of the WCB since June 28, 2007. The Honorable Scott M. Miller of Louisville has served as a member of the WCB since January 1, 2022.

Appeals Section

Effective December 1, 2016, the Appeals Section came under the authority of the WCB. The final awards, orders and decisions from the ALJs that are appealed must pass through this section. Staff enters the appeals information into the DWC database and verifies the timeliness of filings, completeness of records and ensures compliance with 803 KAR 25:010, Section 22 in preparation for the WCB review and judgment. Staff prepares a weekly roster of requests for additional actions filed on appealed claims, assigns appealed claims to the WCB, tracks motions daily, and prepares a weekly docket. In the event the decision of the WCB is appealed, section staff shall, upon request, ready and certify files for review by the Kentucky COA and, if necessary, the Kentucky Supreme Court.

The Appeals Section processed 81 appeals to the WCB this fiscal year. A total of 170 motions were submitted for the board's consideration during weekly motion dockets. The WCB rendered 72 opinions. A total of 99 cases were completed by the WCB during this fiscal year, either by opinion or by final order.

For the preceding fiscal year, 28 petitions for review were filed with the Kentucky COA, and the Court requested 26 records. Staff prepared, indexed and transferred the requested records to the COA, with 26 opinions and 2 final orders being issued. Additionally, 10 appeals were made to the Kentucky Supreme Court, with the Court rendering 15 opinions and issuing 2 final orders.



Summary of FY 2023-2024 Published Kentucky Supreme Court Workers' Compensation Cases

Tennco Energy, Inc. v. Richard Lane, et al., 677 S.W.3d 445

Subject: Statutory obligation to provide notice

Employer appealed decision by the Workers' Compensation Board that reversed an administrative law judge's dismissal of worker's claim for Coal Workers' Pneumoconiosis (CWP) for failure to give timely notice. Supreme Court held that when a claimant has received CWP benefits from a previous employer, the claimant's awareness of a harmful change in his condition triggers an obligation to provide notice of impending new claim to a subsequent employer.

Hicks v. Kentucky Employers' Mutual Insurance Company, 686 S.W.3d 215

Subject: Entitlement to KRS 342 benefits based upon localization of employee

Workers' compensation carrier appealed decision of the Workers' Compensation Board that affirmed an administrative law judge's determination that the coal mine foreman who suffered on-the-job injury was entitled to medical and disability benefits. Supreme Court determined that the injured worker did not qualify for KRS 342 benefits under KRS 342.670(1)(a) because his employment was not principally localized in Kentucky, nor did he qualify under KRS 342.670(1)(b) because, although working under a Kentucky employment contract, his employment was principally located in another state.

Farley v. P&P Construction et al., 677 S.W.3d 415

Subject: Billing

Employer appealed a Workers' Compensation Board's decision that affirmed the administrative law judge's determination that medical providers did not have to submit their billings until after a determination of liability. Supreme Court held that under the workers' compensation statutes, medical providers are required to submit their billings within 45 days of service, regardless of whether a determination of liability has been made. Such requirement applies both pre- and post-award.

Miller v. Kentucky Power Company et al., 683 S.W.3d 669

Subject: Up-the-ladder immunity

Widow of an employee of tree trimming company, which was performing tree trimming right-of-way maintenance work under contract with an electric utility company, brought action against the utility for wrongful death and loss of consortium, arising out of the employee's death after being electrocuted while performing tree trimming work, and after settling a workers' compensation claim against the employer. Circuit Court granted the utility's motion for summary judgment. Supreme Court affirmed the Court of Appeals ruling that tree trimming work was a "regular" and "recurrent" part of work of a utility, entitling the utility to up-the-ladder immunity to action.

Rodarte v. Blulinx et al., 677 S.W.3d 469

Subject: Accrual of claim; joinder

Employee who had entered into a settlement agreement with the employer regarding an injury to his knee and ankle sought review of the Workers' Compensation Board decision affirming an ALJ's order denying his motion to reopen the claim to add an injury to his shoulder. Employer sought review of the WCB decision that reversed the ALJ's order dismissing the employee's claim for the shoulder injury for failure to join it with the earlier claim. Court of Appeals affirmed the WCB's ruling on the motion to reopen but reversed the WCB's determination that the employee's shoulder claim was not barred. Supreme Court affirmed, holding that employee was not entitled to reopen a prior workers' compensation claim to add language to the settlement agreement joining his subsequent claim for a shoulder injury; that the employee's shoulder injury claim accrued on the date he injured his shoulder; that the employee was not required to reach MMI before his shoulder injury claim could accrue and that the employee's failure to join the shoulder claim to the settlement agreement for a prior knee and ankle injury waived his shoulder injury claim.



Division of Claims Processing

The Division of Claims Processing provides essential support to the ALJs and their staff. Key responsibilities of this division include the timely processing of Applications for Resolution of Claim Injury (Form 101), Occupational Disease (Forms 102 and 102-CWP), Hearing Loss (Form 103) and Reopenings. All processing in the division must adhere to strict timelines.

Once Applications for Resolution of Claim are filed with the Department, claims are prepared, sorted into regions based on the plaintiff's county of residence, and assigned to an ALJ. When the claims are ready to be scheduled, it is this division's responsibility to ensure that all parties are notified of the assignment to an ALJ and the scheduling of a Benefit Review Conference.

The Division of Claims Processing is not only the beginning point for a claim, but also where many of the transactions occur on the claim's path to resolution. The following outlines the division's activities for FY 2023-2024, accompanied by a brief narrative of its duties and responsibilities.

Claims Review

The claims review procedure focuses on processing Applications for Resolution of Claim and verifying that filing requirements outlined in 803 KAR 25:010 are followed. Staff reviews applications for required elements, enters parties and addresses into the DWC database, assigns claim numbers and identifies and verifies insurance coverage for all named defendant employers. In FY 2023-2024, there were 3,094 new Applications for Resolution of Claim filed with the department including 2,874 Injury (Form 101), 114 Occupational Disease (Forms 102, 102-CWP) and 106 Hearing Loss (Form 103). Of the 114 Occupational Disease Applications, 85 were for coal workers' pneumoconiosis (Form 102-CWP).

Claims Assignment

The responsibilities of the claims assignment docket involve assigning new and reopened claims as ordered by the CALJ. Other related duties include routing motions on claims before assignment to an ALJ, scheduling court reporters, reserving hearing sites and serving as exhibit custodians. This fiscal year, 3,033 new and 19 reopened/motion docket claims were assigned to the ALJs and scheduled for a benefit review conference. In addition, the division contacted and scheduled court reporter services to attend and transcribe 1,348 hearings. Each transcript is examined and verified for payment within this division. Once a claim is final, it is electronically transmitted to the division to be audited by confirming all documents are present in the electronic file and that there are no pending matters requiring further action by the ALJ before it is closed. A total of 6,650 claims were audited and closed during FY 2023-2024.



Division of Security & Compliance

The Division of Security and Compliance focuses on ensuring that workers' compensation benefits are available to employees in Kentucky by ensuring employers have obtained and maintained the required insurance coverage or have met their duties as employers authorized to self-insure their compensation liabilities. The division is comprised of the Security, Compliance, Document Management and Data Management branches.

Security Branch

Currently, there are 79 self-insured employers in Kentucky and approximately 387 former self-insured employers. The Security Branch regulates individual self-insured employers by examining financial statements and claims data and monitoring the overall financial status of current and former self-insured employers. The staff reviewed 66 financial statements during this fiscal year. The examinations also include an assessment of the adequacy of claims reserves and reserving practices. The branch gathers data, provides analysis and, when requested, makes recommendations to the Commissioner regarding the amount and acceptability of the security an employer is required to deposit to assure payment of workers' compensation benefits. The branch also uses this data to establish simulated premium assessments pursuant to 803 KAR 25:021. The DWC currently maintains \$1.3 billion in security to assure payment of workers' compensation benefits.

Companies that are no longer self-insured may request a reduction in the security held by the DWC. If a reduction is requested, the branch reviews the request to determine the appropriate security to cover future workers' compensation liabilities. During this fiscal year, 19 reviews were conducted for former self-insured companies.

When a self-insured employer fails to meet its obligations, the branch calls the security deposited by the employer.

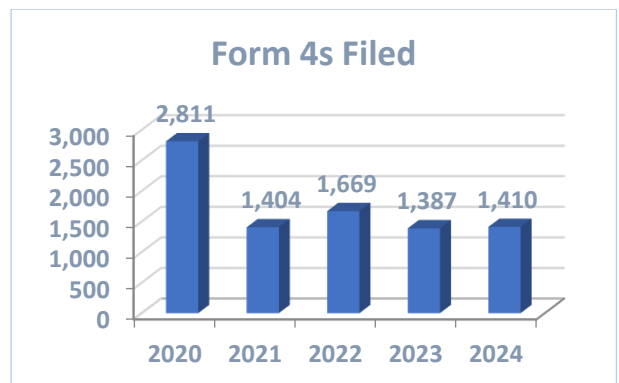
Compliance Branch

The Compliance Branch consists of the Administrative Processing and Enforcement sections. Each is distinct in purpose, but compliance with the Act is their joint mission.

Administrative Processing Section

The Administrative Processing Section provides essential support services to the branch, including:

- **Certifications of Coverage:** Issued 118 certifications of coverage this fiscal year for ALJs, private attorneys and open records requests.
- **Professional Employer Organizations (PEO) Registration:** Currently, 147 registered PEOs provide employee leasing services to Kentucky businesses.
- **Wrap Up and Split Coverage Applications:** Reviews and processes applications for Split Coverage and Wrap Up filings for employers with owner or contractor-controlled insurance programs (OCIPs or CCIPs). KRS 342.375 requires that every policy cover the entire liability of the employer; the statute permits the Commissioner to authorize a separate policy for specific locations (Split Coverage/Wrap-ups/OCIPs or CCIPs). Approved contractors must submit subcontractor lists and policy numbers. Currently, files are maintained for 31 approved Wrap Up and 20 Split Coverage projects.
- **Employee's Notice of Rejection of Workers' Compensation Act (Form 4s):** Processes notarized Form 4 filings that allow employees to waive workers' compensation benefits. In FY 2024, the branch received 1,410 Form 4s (1,072 processed, 338 returned for corrections) and mailed 3,347 original forms. See the chart below for the five-year filing trend.



Enforcement Section

The Enforcement Section ensures employer compliance with the Workers' Compensation Act, primarily through the investigative efforts of its 11 investigators. Investigators conduct onsite inspections to verify that employers have workers' compensation insurance. They investigate leads from section staff, referrals submitted to the DWC and the Office of the Attorney General's Uninsured Employer Fund (UEF). The section also promotes timely compliance through educational initiatives.

Investigators cover all 120 Kentucky counties from field offices statewide. Each employer contact is recorded electronically and transmitted to the Frankfort office. Non-compliant employers are subject to citation and civil penalties by the Commissioner. Investigations, citations and penalties are logged and tracked in the DWC's legal database by section staff, with all penalties forwarded to the Kentucky Workers' Compensation Funding Commission (KWCFC) as required by statute.

During this fiscal year, investigators conducted 9,620 on-site inspections. These efforts resulted in 531 citations for employers failing to maintain required workers' compensation insurance. The branch processed a total of \$871,653.91 in penalties, including full payments and collections on contested citations by the Legal Division. The following chart shows the number of investigations and citations over the past five years for comparison.

Investigation Analysis for Fiscal Years

	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024
Number of Investigations	8,090	831	11,555	12,148	9,620
Number of Citations	407	134	458	508	531
Penalties Collected*	\$868,415.11	\$461,917.00	\$800,612.00	\$878,622.00	\$871,653.91

*This includes penalties paid in full to the Compliance Branch and settlements collected by the Legal Division. All collected penalties are processed by the Administrative Processing Section and forwarded to KWCFC.



Document Management Branch

It is the responsibility of the document processing branch to input, maintain and disseminate claim litigation information for reference and adjudication by agency staff and Commonwealth constituents.

This branch is responsible for scanning and exporting all hard copy claims into the agency's SharePoint Imaging System, one of the DWC's storage mediums. The documents are verified for accuracy via SharePoint prior to being approved for processing and exporting by DWC staff. This fiscal year, 193,791 pages were scanned.

The branch is in the process of digitizing the agency's microfiche records for inclusion in BOX, a searchable cloud-based digital database. This fiscal year, 23,380 sheets of microfiche were processed and migrated to BOX.



Data Management Branch

The Data Management Branch provides detailed information on Electronic Data Interchange (EDI) Claims and Proof of Coverage (POC) submissions to the department, providing the Commissioner actionable data to ensure business entities comply with statutes and regulations.

EDI Claims

Carriers and self-insured employers use the EDI Claims system to report data electronically following the International Association of Industrial Accident Boards and Commissions (IAIABC) standard, EDI Claims Release 3.0.

Staff are responsible for communicating daily with vendors, carriers and third-party administrators to explain procedures and provide directives on filing first and subsequent reports correctly and timely. Each record undergoes program edits prior to acceptance and is scrutinized by staff for accuracy.

EDI is also used to track claims as they progress through adjudication. This fiscal year, the EDI Claims Section received 119,455* first reports and 111,246* subsequent reports of injury.

EDI also serves as a mechanism for issuing notice of statute of limitations and benefits letters. Maintenance Type Codes (MTC) serve as a basis for the notices. During this fiscal year, 15,941 such notices were issued.

EDI POC

The POC section is charged with receiving and maintaining workers' compensation coverage filings for employers doing business in the Commonwealth of Kentucky. The section assigns coverage and location identification numbers to each first report. Staff maintain historical policy information from the last 50 years.

This fiscal year, 748,597* POC transactions were received with an average acceptance rate of 91%. The database is used by internal and external stakeholders and other state and federal agencies. Staff performs ongoing data cleanup and assists with internal divisions' requests for changes from carriers and third-party administrators. By closely monitoring daily transactions, the goal is maintaining a database that reflects correct workers' compensation information.

**This reflects section activity, not database statistics.*



Division of Specialists, Medical Services and Open Records

Services provided by the Division of Specialists, Medical Services and Open Records personnel are a vital component to the delivery of quality, timely medical services and assistance to workers injured in the workplace and their families.

Medical Services Branch

The Medical Services Branch has seven main tasks that relate to the DWC's mission. Those tasks are:

1. Certification of Managed Care Organization (MCO) plans, which encompass physician certification (AMA licensed); proper legal documentation for the managed care provider (provider contracts, etc.); and compliance with Kentucky Revised Statutes regarding grievance rights and procedures for claimants and their employees.
2. Utilization Review (UR) Certification to determine necessary and appropriate medical care for claimants.
3. Medical Bill Audit (MBA) to assure compliance with adopted fee schedules.
4. Hospital Fee Schedule cost-to-charge ratio pursuant to 803 KAR 25:091 and the latest cost report (HCFA-2552), which is supplied by the Kentucky Cabinet for Health and Family Services.
5. Pharmacy Fee Schedule pursuant to 803 KAR 25:092, which mandates using the average wholesale price.
6. Physician Fee Schedule pursuant to 803 KAR 25:089 and related medical data supplied by Fair Health Inc., an independent non-profit organization that supplies medical billing data.
7. University Evaluations wherein staff schedule statutorily required evaluation appointments for pneumoconiosis (black lung), hearing loss and occupational disease claimants.

Medical Services Report

Currently, 22 MCO and 57 UR/MBA plans are certified by DWC.

The hospital fee schedule cost-to-charge (c-t-c) ratio governs the reimbursement for hospital charges in workers' compensation claims, and these ratios are modified on April 1st each year. The DWC promulgates c-t-c ratios for in-state hospitals, out-of-state hospitals, and ambulatory surgery centers. This fiscal year, c-t-c ratios were assigned for 110 in-state hospitals. Out-of-state hospital c-t-c ratios are calculated on an as needed basis throughout the year. By regulation, out-of-state hospitals are reimbursed in the same manner as Kentucky hospitals.

Evaluations: Hearing Loss

- University of Kentucky Hearing Loss Claims Received: 112
- University of Louisville Hearing Loss Claims Received: 0

Evaluations: Coal Workers Pneumoconiosis (CWP) (Black Lung)

- Dr. Srinivas Ammisetty, Claims Referred for Evaluations: 86

Evaluations: Occupational Disease

- University of Louisville Occupational Disease Claims Received: 22

Staff make and coordinate evaluation appointments for claimants alleging to have developed CWP, occupational disease and hearing loss. Additionally, they receive, review, and transmit the evaluation reports to the employee, employer, insurance adjuster and the ALJ assigned to the claim.

Workers' Compensation Specialist Branch

The Workers' Compensation (WC) Specialist Branch assists claimants, attorneys, medical providers, employers, family members of claimants and ALJs. Individuals seeking assistance may call toll-free 1-800-554-8601. Additional information may be found on the DWC website at <https://elc.ky.gov/Workers-Compensation>.

Specialists provide intervention services (e.g., assist with resolving issues between claimants, insurance adjusters and medical providers) that may otherwise have to be resolved by an ALJ.

The other entities within the WC Specialists Branch are the Drug-Free Workplace Certification Program (803 KAR 25:280), Vocational Rehabilitation Program (KRS 342.710), Retraining Incentive Benefits Program (803 KAR 25:120) and Workplace Fatality Reporting.

Beginning in October 2016, with the advent of the Litigation Management System (LMS), the Workers' Compensation Specialists acquired the additional tasks of assigning user access numbers and assisting pro se claimants with filing claims. Specialists also assist law firms, insurance companies and other authorized entities with non-technical navigation of LMS.

Requests Received by Source		Assistance Types	
Attorneys	Claimants	Claim Status Inquiries	Coverage
4,863	2,533	5,702	59
Employers	Family Members	Covid-19	LMS
375	300	1	569
Government Officials	Medical Providers	Medical Disputes	Medical Fee Schedule
25	404	66	18
Widow/Widower	Total of New & Reopen Requests	Rehabilitation	Rights & Procedures
91	10,310	88	2,580
The remaining requests came from Carriers, Medical Reviews, BOS, Drug-Free Workplace and Other: 1,719.			

Drug-Free Workplace

This voluntary program allows employers (private or governmental) to promote a workplace free from drugs. Employers must submit an application and drug-free workplace plan to the DWC. The commissioner will certify the plan upon satisfactory completion of the application and confirmation of workers' compensation insurance coverage. The employer may be eligible for a 5% reduction of its workers' compensation insurance premium pursuant to KRS 304.13-167(6).

New Plans Certified: 5

Plans Renewed: 300

Workplace Fatality Report

Tracks workplace fatalities with assistance from the Occupational Safety and Health Administration (OSHA).

Fatalities: 126

Vocational Rehabilitation

KRS 342.710 permits retraining for those unable to perform work for which they have previous training or experience due to a work-related injury. Evaluations are scheduled to determine aptitude, educational level and employment interest. The test results are provided to all parties and assistance is offered to the injured worker.

Active cases: 4

Retraining Incentive Benefits

This program is dedicated to individuals who contract coal workers' pneumoconiosis (black lung) and is designed to facilitate training to enable transition to an alternative work environment. The program provides for attainment of a GED and other bona fide training and education programs for those who do not desire to or cannot re-enter the coal mining profession.

Program Participants: 0

Open Records

The Open Records section responds to requests for claim and first report information pursuant to KRS 61.872(2). Requests are received from various outside parties including attorneys, insurance carriers, employers, the Social Security Administration and the general public. Requests may be submitted by mail, email, fax, or hand delivery. Currently, charges for copies are 15 cents per photocopied page and 75 cents per microfilmed page. Upon receipt of the request, staff compiles a cost estimate, which is provided to the requesting party. The request is filled upon receipt of payment from the requestor and materials are mailed by U.S. Postal Services or United Parcel Services. Open Records staff is not permitted to fax workers' compensation documentation.

Additionally, a service of pre-employment screening is available to prospective employers. Work injury history may be obtained by submitting a written request and pre-paying \$2 per Social Security Number submitted. This fiscal year, 545 pre-employment requests were processed.

Pursuant to KRS 150.175(27), this section verifies workers' compensation awards for the Department of Fish and Wildlife for individuals applying for free hunting and fishing licenses; 17 such requests were processed this fiscal year.

During this fiscal year, Open Records processed 7,129 written requests and received \$91,380.99 per KRS 61.874.



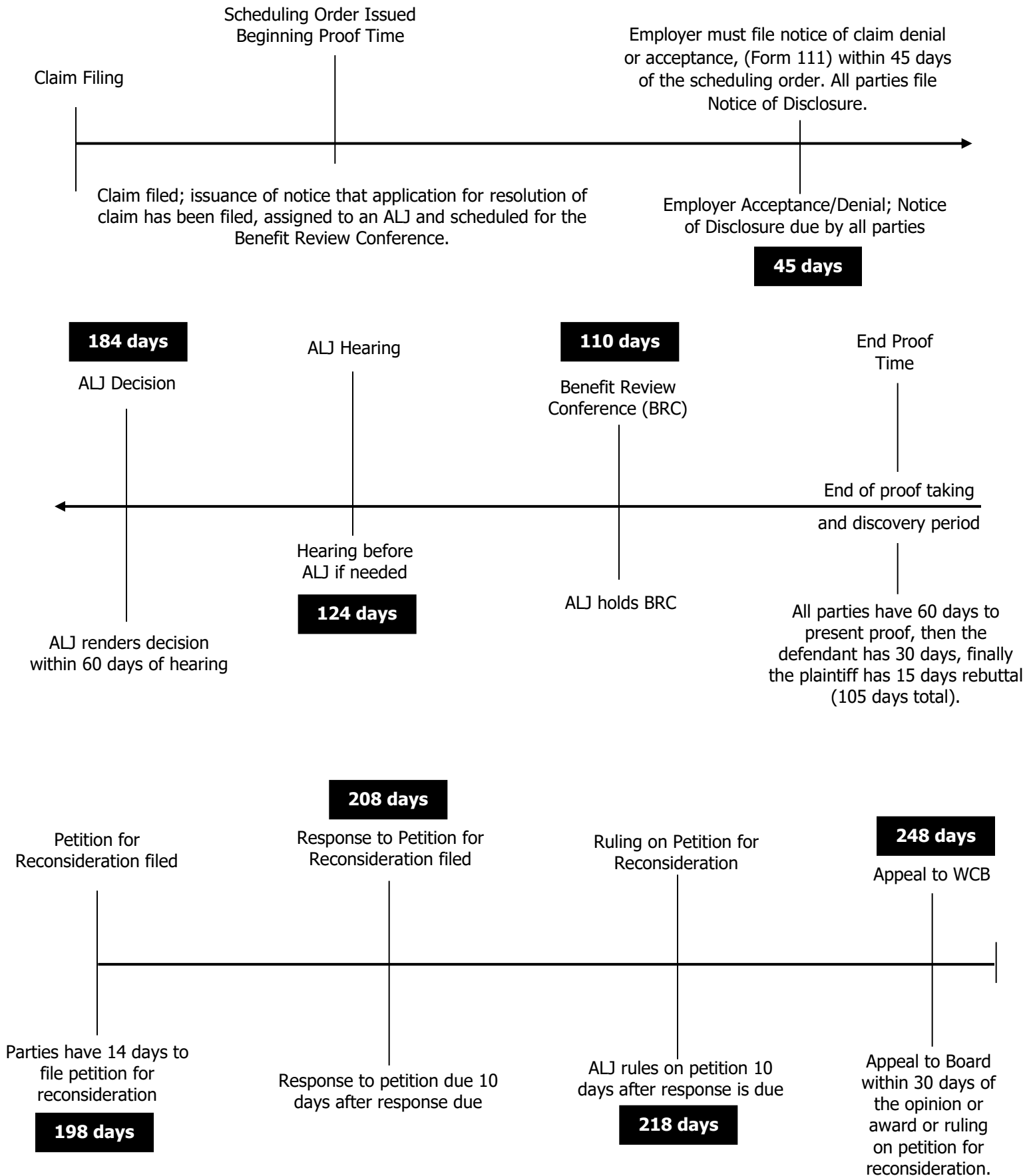
Division of Workers' Compensation Funds

The Division of Workers' Compensation Funds is responsible for the administration of the Special Fund. The Special Fund is liable for part of the income benefits awarded for certain occupational injuries and diseases resulting from incidents or last exposures occurring prior to December 12, 1996. The division pays approximately \$30 million in benefits per year to around 3,000 disabled workers or surviving dependents.

Prior to July 1, 2017, the Division of Workers' Compensation Funds also administered the Coal Workers' Pneumoconiosis Fund. Pursuant to HB 377 of the 2017 Regular Session of the General Assembly, the assets and liabilities of the Coal Workers' Pneumoconiosis Fund were transferred to Kentucky Employers Mutual Insurance.

Benefits are funded by assessments on workers' compensation insurance premiums collected by the Kentucky Workers' Compensation Funding Commission (KWFCF). For more information on the KWFCF visit their website at kwcfc.ky.gov/Pages/index.aspx.

Kentucky Workers' Compensation Adjudication Timeline



SCHEDULE OF WEEKLY WORKERS' COMPENSATION BENEFITS

TYPE OF DISABILITY SECTION OF STATUTE	FOR INJURIES OCCURRING					
	01-01-20 through 12-31-20	01-01-21 through 12-31-21	01-01-22 through 12-31-22	01-01-23 through 12-31-23	01-01-24 through 12-31-24	01-01-25 through 12-31-25
APPLICABLE AVERAGE WEEKLY WAGE OF THE STATE	\$890.00 (2018)	\$917.78 (2019)	\$976.47 (2020)	\$1016.75 (2021)	\$1073.12 (2022)	\$1119.29 (2023)
DEATH (KRS 342.750) a. Widow or widower with no children- 50% of average weekly wage of deceased- subject to the following: MAXIMUM	\$445.00	\$458.89	\$488.24	\$508.38	\$536.56	\$559.65
b. Widow or widowers with children living in the home- 45% of average weekly wage of deceased plus 15% for each child-subject to the following: MAXIMUM	\$667.50	\$688.34	\$732.35	\$762.56	\$804.84	\$839.47
c. Widow or widower with children not living in home- 40% of average weekly wage of deceased plus 15% for each child-subject to the following: MAXIMUM	\$667.50	\$688.34	\$732.35	\$762.56	\$804.84	\$839.47
d. One child, no widow or widower-50% of average weekly wage of deceased- subject to the following: MAXIMUM	\$445.00	\$458.89	\$488.24	\$508.38	\$536.56	\$559.65
d(1) More than one child, no widow or widower-50% of average weekly wage of deceased for the first child with an additional 15% of average weekly wage of deceased for each additional child- subject to the following: MAXIMUM	\$667.50	\$688.34	\$732.35	\$762.56	\$804.84	\$839.47
e. Dependent parents-25% of average weekly wage of deceased to each parent- subject to the following: MAXIMUM	\$667.50	\$688.34	\$732.35	\$762.56	\$804.84	\$839.47
f. Dependent brothers, sisters, grandparents and grandchildren-25% of average weekly wage of deceased to each dependent subject to the following: MAXIMUM	\$667.50	\$688.34	\$732.35	\$762.56	\$804.84	\$839.47

The above is subject to the maximum of 75% of the average weekly wage of the deceased.

SCHEDULE OF WEEKLY WORKERS' COMPENSATION BENEFITS

TYPE OF DISABILITY SECTION OF STATUTE	FOR INJURIES OCCURRING					
	01-01-20 through 12-31-20	01-01-21 through 12-31-21	01-01-22 through 12-31-22	01-01-23 through 12-31-23	01-01-24 through 12-31-24	01-01-25 through 12-31-25
LUMP SUM DEATH BENEFIT INCREASE KRS 342.750(6)	\$87,421.45	\$90,150.18	\$95,915.08	\$99,871.64	\$105,408.66	\$109,943.77
TEMPORARY AND PERMANENT TOTAL KRS 342.730(1)(a) 66 2/3% of average weekly wage of employee-subject to the following: MAXIMUM MINIMUM	\$979.00 \$178.00	\$1,009.56 \$183.56	\$1,074.12 \$195.29	\$1,118.43 \$203.35	\$1,180.43 \$214.62	\$1,231.22 \$223.86
RETRAINING INCENTIVE BENEFITS KRS 342.732(1)(a) – 66 2/3% of average weekly wage of employee-subject to the following: MAXIMUM	\$667.50	\$688.34	\$732.35	\$762.56	\$804.84	\$839.47
PERMANENT PARTIAL FOR INJURIES OCCURRING AFTER 12-11-96 – KRS 342.730(1)(b), (1)(c)(2) and (1)(d) – 99% of 66 2/3% of average weekly wage of employee subject to the following: MAXIMUM	\$734.25	\$757.17	\$805.59	\$838.82	\$885.32	\$923.41
PERMANENT PARTIAL FOR INJURIES OCCURRING AFTER 12-11-96 – KRS 342.730(1)(c)(1) and (1)(d) – When the employee does not retain physical capacity to return to the type of work performed at the time of injury – 99% of 66 2/3% of average weekly wage of employee subject to the following: MAXIMUM	\$979.00	\$1,009.56	\$1,074.12	\$1,118.43	\$1,180.43	\$1,231.22

Key Personnel*

Scott Wilhoit, Commissioner	(502) 564-5550
Douglas Gott, Chief Administrative Law Judge	(270) 746-7178
Michael Alvey, Chairman Workers' Comp Board	(270) 687-7337
Dale Hamblin, Assistant General Counsel	(502) 782-4404
Jessica Portwood, Executive Staff Advisor	(502) 782-1341
Derrick Hill, Technical & Resource Liaison	(502) 782-4440
Austin Maddox, LMS Liaison	(502) 782-4454

Division of Claims Processing

Connie Morris, Director	(502) 782-4407
Melissa Wright, Assistant Director	(502) 782-4467

Division of Specialists, Medical Services and Open Records

Pam Knight, Director	(502) 782-4449
Shari Lafoe, Acting Assistant Director	(502) 782-4487
Brian Butler, Acting Administrative Branch Manager, UR Coordinator	(502) 782-4511
Tara Aziz, Drug Free Coordinator	(502) 782-4555
Peggy Harper, Managed Care	(502) 782-4539
Toll-free Specialist Line	(800) 554-8601

Division of Security and Compliance

Scott Gasser, Director	(502) 782-4534
Mike Watts, Assistant Director	(502) 782-4510
Cam Lawson, Assistant Director	(502) 782-4486
James Wood, Imaging, Document Management Branch Manager	(502) 782-4553
Steve Mason, EDI, Information Systems Branch Manager	(502) 782-4540
Will McGinnis, Compliance, Administrative Branch Manager	(502) 782-4450
Jennifer McKenzie, Administrative Processing Supervisor	(502) 782-4525
Amy Roe, Enforcement Supervisor	(502) 782-4468
Diana Onodu, Security, Administrative Branch Manager	(502) 782-4497

Division of Workers' Compensation Funds

Doug Dawson, Director	(502) 782-4536
Brian Hiles, Assistant Director	(502) 782-8549

Appeals Section

Ashley O'Connell, Supervisor	(502) 782-4483
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DWC Fax Numbers:

Commissioner's Office	(502) 564-0682	Claims	(502) 564-3792
Administrative Services	(502) 564-8250	Rehabilitation	(502) 564-5741
Ombuds & WC Specialist	(502) 564-0682	Security & Compliance	(502) 564-0916
Open Records/EDI	(502) 564-5732	WC Board Offices	(859) 246-2779
Medical Schedulers	(502) 564-5741	Appeals	(502) 782-4467
Legal Services	(502) 564-0681	Special Fund	(502) 564-5467

* As of December 15, 2024

No individual in the United States shall, on the grounds of race, color, religion, sex, national origin, age, disability, political affiliation or belief, be excluded from participation in, or denied benefits of, or be subjected to discrimination under any program or activity under the jurisdiction of the Kentucky Education and Labor Cabinet.

