



LHWCA BULLETIN NO. 14-03

Issue Date: November 26, 2013

Subject: Consolidation of case create and mail receipt for the Office of Workers' Compensation Program's (OWCP), Division of Longshore and Harbor Workers' Compensation (DLHWC)

Background: As outlined in LHWCA Bulletin No. 13-03 [Deployment of the Office of Workers' Compensation (OWCP) Imaging System (OIS) within the Division of Longshore and Harbor Workers' Compensation (DLHWC)], issued on August 12, 2013, the New York District Office began imaging all new claims received/created in its jurisdiction. All offices receiving a DBA claim created in the New York District Office on and after that date no longer received a jacketed paper case file; instead, only an electronic file was created and the offices used OIS to review these new DBA claims and correspondence. Also on August 12, 2013, the New York District Office began imaging all of its mail for both DBA and non-DBA cases. The Jacksonville District Office, which had been imaging mail already at that time, continued to image mail received for Jacksonville's electronic files.

Mail received in the New York District Office is scanned and then electronically accessed by employees in the Jacksonville District Office. Jacksonville employees route every piece of mail into the correct imaged file within OIS (as described in Bulletin 13-03), regardless of the owning district office. Since this phase of implementation was successful, DLHWC is now moving to Program-wide electronic files, as well as a Central Case Create site and Central Mail Receipt site effective **December 2, 2013**.

Purpose: To outline the policies pertaining to the processing of case documents within OIS, received via the Central Mail Receipt site and Central Case Create site.

Applicability: All DLHWC Contract and Federal Staff

I. **Stakeholder Actions:** Industry Notice 144 was issued on November 14, 2013 and provides details on how DLHWC stakeholders (including injured workers, adjusters, employers/carriers, authorized representatives and rehabilitation counselors) will be affected by the transition to the Central Case Create site and Central Mail Receipt site. The topics below, and others, are discussed in that Industry Notice. In particular, the notice asks the public to submit documents to specific offices as outlined below.

1. **Central Case Create Site – New York DLHWC District Office.** Submission of claim forms for new injuries should no longer be sent to the individual district offices. Instead all claim forms submitted for the creation of a new case (with the corresponding attachments) should be sent to the New York District Office.

Forms submitted to the Central Case Create site for creation of a new case include the following (unless a case number has already been assigned):

- LS-201 (Notice of Employee's Injury or Death)
- LS-202 (Employer's First Report of Injury or Occupational Illness)
- LS-203 (Employee's Claim for Compensation)
- LS-262 (Claim for Death Benefits)

If forms other than those listed above or routine documents for existing case files are received in the Central Case Create site, they will be forwarded to the Central Mail Receipt site in Jacksonville in most circumstances for scanning into the file.

See also section III.2 of this Bulletin (Mail without a case number) for further details regarding receipt of a document indicating that a new injury is being claimed (e.g. a letter from an injured worker) or that compensation has been paid (e.g. an 8(i) settlement agreement or an LS-206 or LS-208 showing payment of compensation).

2. Central Mail Receipt Site – Jacksonville DLHWC District Office. Only the forms listed above in #1 (with the corresponding attachments) submitted for the creation of a new case should be sent to the Central Case Create site. All other case specific documents should be sent to the Central Mail Receipt site.

Documents submitted to the Central Mail Receipt site include, but are not limited to, the following:

- All OWCP/DLHWC forms, other than those used to create a new case (see above)
- All case specific correspondence
- Informal Conference Requests
- LS-18 (Pre-Hearing statement)
- 8(i) Settlements
- Requests for case file copies/documents
- 8(f) Applications
- Medical Reports
- EFT Forms
- Change of Address Notifications

3. Checks submitted in response to a penalty assessment should be submitted to the DLHWC Chief - Branch of Financial Management, Insurance and Assessments, Washington, DC. The Branch will process the check as usual, update the penalty log with the check receipt date and enter the diary actions codes [ppr2 and ppr8] in the Longshore Case Management System (LCMS). A copy of the check will then be scanned and imaged into the appropriate OIS case file with the category/subject pair of Priorities/Special Fund and the review status of Unreviewed for District Office review.

4. Any inquires pertaining to insurance coverage, insurance assessments, etc. and all other checks (not just penalty assessments) should be sent to the DLHWC Chief - Branch of Financial Management, Insurance and Assessments Washington, DC.

5. General non case-specific inquiries (e.g. jurisdictional inquiries, requests to visit an office, etc.) should still be sent to the individual District Offices to the attention of the District Director.

II. Central Case Create Site Actions:

1. Creation of Cases. Cases will continue to be created in the same manner; no changes are being made, except that forms submitted for the creation of a new case should be submitted to the Central Case Create site.

2. Jurisdiction. Cases will be created based on the employee's home address with the prefix that coincides with that District Office; however, if the claimant has an overseas address (Defense Base Act cases), the case will be assigned to the appropriate district office based on the country.

3. Scanning of Documents. After a case has been created, the documents for that new case will be scanned and checked for quality as outlined in LHWCA Bulletin No. 13-03 in the New York District Office, and then validated and indexed by the Central Mail Receipt site in Jacksonville before release into the OIS file. LHWCA Bulletin No. 13-03 provided specific guidance with regard to how documents will be prepared and scanned. That guidance has not changed and will continue to be used by the Central Case Create site.

4. Case Designations. Cases created in the OIS environment (fully imaged cases) will have a unique case number designation; a "3" will be the third digit of the case number (e.g. XX-3XXXXX).

Also, an automatic non-editable designation is displayed in the LCMS case screen top window which identifies the case type as being Imaged, Hybrid, or Paper. If a new case is created in the imaged environment and has no paper component, only an electronic component, it will be designated in LCMS as "Imaged." If the case has a paper and an imaged component, e.g. a piece of mail was received and imaged for a case that previously existed only in paper, the case will have a designation of "Hybrid" in LCMS. If a case only exists in paper, with no imaged component, it is designated as a "Paper" in LCMS. This field is populated automatically in LCMS and cannot be edited by the user.

5. Case Notification Letters. When cases are created, standard letters will be sent to both the claimant and the carrier from the Central Case Create site. The letters will include the case number, useful information about the Program, as well as the contact information for the owning district office and the address for the Central Mail Receipt site.

III. Central Mail Receipt Site Actions: LHWCA Bulletin No. 13-03 provided specific guidance with regard to the actions the Contractor will take upon receipt of mail. These actions included how the mail would be prepared, scanned and indexed. That guidance has not changed and will continue to be used by the Central Mail Receipt site. Additional/updated guidance is being provided at this time on the topics below:

1. Forms Submitted to Create Cases. The Central Mail Receipt site will not routinely create cases. If such a form is received, the Central Mail Receipt site will scan it (with any attachments) into the OIS Case Create queue for creation by the Central Case Create site.

2. Mail Without a Case Number. If mail is received that does not have a case number (other than the forms noted above that will be used for the creation of a case), the Central Mail Receipt site will query the LCMS database to determine if a case number can be identified. If so, the document will be placed into the correct case. If a matching case number cannot be found, and the document is a claim for compensation, it will be routed to the Central Case Create site for processing. Otherwise, the document will be placed in a temporary OIS mail file by received date for review by the District Offices.

3. Physical Evidence. If physical evidence is received (photos, CDs, etc.), the Central Mail Receipt Site will place a standard memo into the electronic case file indicating that the physical evidence has been received for the individual case. The memo must include a brief description of the piece of evidence and the received date. The Central Mail Receipt Site will

then forward the actual physical evidence to the District Office so that the CE can review it. When the CE reviews the actual evidence, he/she will provide a more detailed description of the physical evidence in a memo to the file, if needed. The owning District Office will then store the physical evidence in a file folder in a specified area of the office and index the original memo created by the Central Mail Receipt site as Review Complete.

4. Redacting Documents. Documents should be submitted for individual cases; documents should not be submitted that contain information for multiple injured workers in one document. If such a document is received, and it is possible to copy the document for each relevant case file, the Central Mail Receipt Site will copy the document and then redact each copy to protect the Personally Identifiable Information (PII) of each injured worker. After this process, the Central Mail Receipt Site will scan the redacted document for the electronic case file.

IV. DLHWC District Office Actions:

1. Documents Created by DLHWC Staff. None of the documents created by DLHWC District Office staff should be sent to the Central Mail Receipt site for scanning. They will all be handled in the District Office as outlined below. DLHWC District Office staff will ensure that a copy of all outgoing documents is retained in OIS and that the retained copy is a clear and accurate representation of the final, as-sent document.

a. Documents issued by a Claims Examiner (or other staff member) - LHWCA Bulletin No. 13-03 provided that for all documents created in the District Office that are to be associated with a case file, claims staff will create an electronic document, upload or “bronze” the electronic document into OIS, and index it. In addition to outgoing correspondence, all CE notes and documentation of telephone calls will be bronzed and indexed in the OIS file. This guidance has not changed.

For documents that call for a Claims Examiner’s signature, CE’s may use any of the following options:

- (1) print and sign documents by hand,
- (2) electronically sign by inserting an image of the CE’s handwritten signature on the document’s signature line, or
- (3) electronically sign by writing “s/” and the Claims Examiner’s typed name on a document’s signature line as follows:

s/ Claims Examiner Doe
Claims Examiner Doe

Examples of forms and documents that may call for a CE’s signature include, but are not limited to, the following: LS-141, LS-209, LS-215a, LS-218, LS-280, narrative letters authored by the CE such as requests for authorization to represent, a recommendation made without conference, a case action letter, notice of payment discrepancy, and a status request on disputed issues.

Documents that are printed and signed by hand (option 1 above) must be scanned post-signature and bronzed into OIS before they are sent out. Documents that are electronically signed (options 2 and 3 above) may be bronzed directly into OIS. If a CE chooses to maintain an image of his or her signature that image file must be

stored on a network drive that is only accessible by the CE after providing proper log-in credentials. The CE who signs a document – by hand or electronically – is responsible for bronzing that document to the case file in OIS.

b. Documents issued by the District Director - LHWCA Bulletin No. 13-03 provided that any outgoing document that calls for the District Director's signature would be uploaded into OIS once signed. This guidance has not changed. Thus, for documents requiring the District Director's signature, the DD may either:

- (1) sign documents by hand, or
- (2) electronically sign documents by inserting an image of the District Director's handwritten signature on the document's signature line.

Examples of forms and documents that may call for a DD's signature include, but are not limited to, the following:

- All Orders issued by the DD, such as Compensation Orders approving settlements, awarding compensation, reconsidering or modifying an order, and ordering a Section 44(c)(1) payment, as well as Orders of Default, Dismissal, Withdrawal, Vacate, Errata, awarding medical treatment or a change of physician, and attorney fee awards.
- Notices and certificates of filing of OALJ Decisions
- Approval of 8(f) applications
- Denial of 8(i) applications
- Recommendations on the payment of benefits
- Compliance issues
- Assessment of penalties
- Orders setting a time for submission of documents, such as for a Section 8(f) application or attorney fee petition and comments to same
- Case file transfer notice
- Congressional inquiry responses

Documents that are printed and signed by hand (option 1 above) must be scanned post-signature and bronzed into OIS before they are sent out. Documents that are electronically signed (option 2 above) should be bronzed directly into OIS either by the DD or his/her designee. The digital file containing an image of the District Director's signature must be stored on a network drive that is only accessible by the DD or his/her designee after providing proper log-in credentials.

c. Serving OALJ Orders. When orders are served, the DD should scan the certified mail documentation showing that it has been sent (and any fax cover or confirmation sheet, if applicable) and bronze it to the electronic file. Since the certified mail receipt is a small piece of paper, it may need to be copied on to full-sized paper or taped down on to letter-sized paper prior to scanning, depending on the type of equipment in the specific district office. Note – Offices should not request return receipt cards since verification of delivery can be obtained on-line.

2. Receipt of Paper Documents and Physical Evidence in the District Offices. As outlined above in the Stakeholder Actions section of this bulletin and in Industry Notice 144, we have asked the public to send documents to the DLHWC Central Mail or Central Case Create site. However, in the event that a document is erroneously mailed to a District Office, directions for how to process any such documents are described below:

a. Forms and Other Documents Submitted to Create Cases – These documents should be date stamped in the District Office and sent to the Central Case Create site for creation of the case and scanning. Any documents that accompanied the submission should be forwarded as well.

b. Routine Mail and Other Forms Received in Paper Form – LHWCA Bulletin No. 13-03 provided initial instructions for receipt of mail by an office other than New York and Jacksonville; however, based on experience during that phase of implementation, the guidance set forth in that bulletin is being updated to provide more flexibility.

The District Office should date stamp all paper mail that is received, and then may take one of two actions depending on the type of submission and the District Office's imaging/scanning capabilities.

1) If the District Office has the ability to image the document within the parameters outlined in LHWCA Bulletin No. 13-03 using a scanner or copier with an image quality setting of at least 200 Pixels Per Inch (PPI), the District Office may image/bronze documents directly into the case file.

If the District Office chooses this option, the date of receipt must be preserved and the District Office must also employ all quality control methods outlined in LHWCA Bulletin No. 13-03, including having designated staff compare each scanned image to the paper original to confirm that the image is a clear, legible, and accurate reproduction of the original paper document and that all pages have been imaged. The original paper document must still be retained/stored for a period of 60 days prior to disposal just as if the document had been received by the Central Mail or Central Case Create site.

2) If the District Office does not have the ability to scan/bronze the document within the parameters outlined in LHWCA Bulletin No. 13-03, the District Office will mail the original date-stamped document to the Central Mail Receipt site with a cover sheet indicating that the document has not been imaged. The Central Mail Receipt site will then image the document within the previously outlined protocols.

c. Office of Administrative Judge (OALJ) Actions - LHWCA Bulletin No. 13-03 provided initial guidance that is now being updated. The OALJ will continue to send decisions, along with transcripts and other documents, to the District Office having jurisdiction over the case. The District Office will scan/image the decision into the file preserving the received date. The transcript of the hearing and other documents or pleadings filed with the OALJ with respect to the claim will not be imaged; they will be filed separately and will not be part of the OIS case file.

d. Physical Evidence - Upon receipt of physical evidence, the CE should review it and add a memo to the file describing the evidence. The memo should then be bronzed into OIS as Miscellaneous/Physical Evidence.

If a paper component exists for the file, the physical evidence should be stored with the paper portion of the case file if possible. If the case is fully imaged, the physical evidence should be stored in another designated area by case number.

3. Checks. If a check is received in relation to a specific case, the District Director or his/her designee should make a copy of the check and that copy should be placed in the imaged file. The check should then be forwarded to the Branch of Financial Management, Insurance and Assessments in Washington.

4. Receipt of Electronic Documents in the District Offices. As noted throughout this bulletin, parties should be advised to send case-specific documents to the Central Mail Receipt site; however, there may be instances when a CE requests that a document be faxed directly. In this instance, if the fax is received electronically, the CE may bronze the document directly into the OIS case without any further action. If the fax is received in paper form, the steps outlined above in #2 should be followed.

5. Diary Actions in LCMS. While OIS and LCMS interact to a degree, they are separate systems; therefore, receipt of a document in OIS does not automatically update diary actions in LCMS. For instance, receipt and indexing of a LS-207 in OIS will not automatically update the 207r diary code (LS-207 – Notice of Controversion) in LCMS.

The CEs should still enter diary codes in LCMS in the same manner; however, there is no need to enter diary action code solely intended to annotate in LCMS the receipt of a routine document. For instance, there would be no need to use the “medr” code to annotate the receipt of a “Narrative Medical Report” since the OIS file is easily accessible from the CE’s desktop.

Also, there would be no need to add a note to a diary action that describes the content of a particular document or a note that contains the full content of a letter issued since the document itself can be easily accessed.

6. Unnumbered Mail. District Office staff will review the mail in the temporary unnumbered mail file on a weekly basis to determine if a matching case number can be found. If a matching case number cannot be found, the following actions will be taken.

- If the document shows that compensation has been paid (e.g. an 8(i) settlement agreement or an LS-206 or LS-208 showing payment of compensation) but no case number has been assigned, the document will be electronically routed in OIS to the Central Case Create site so that a case can be created.
- If the document does not show compensation has been paid or that an injury is being claimed, it will be held aside for another week.

If a matching case number still cannot be found after the second week, the following actions will be taken:

- If the entity that submitted the document can be identified, the document will be returned to sender with instructions to resubmit it with the OWCP File number or a case create form, or
- If the entity that submitted the document cannot be identified, it will be placed in a specified area in received date order, and then destroyed at the end of the standard 60 day cycle along with other documents.

7. Vocational Rehabilitation Activities. Rehabilitation reports and bills should be sent to the Central Mail Receipt site though the Rehabilitation Specialist (RS) may request that certain time sensitive documents be faxed directly to the RS.

If mail is sent to the Central Mail Receipt site, the Rehabilitation Counselors (and providers of vocational rehabilitation services) should mark the envelope clearly with the designation "Rehabilitation Mail." The mail will be scanned in with the category DOL Vocational Rehabilitation. The RS will then be able to find all rehabilitation mail through a search feature in OIS. When CEs index mail, they should not review mail with the category DOL Vocational Rehabilitation. The notification feature in OIS can also be used to notify an RS that rehabilitation mail has been received. If mail is received electronically via fax, the procedures outlined in #4 above should be followed.

If the submission includes a bill that needs to be paid, the RSs should use the Rehabilitation Bill Payment System (RPBS) consistent with current practices.

8. Printing Documents. When documents are printed from the OIS file, there are several options. The document can be printed with a footer that contains the case number, received date and page numbers, or any combination of these items. The document can also be printed without any footer.

- a. OALJ Decisions. When printing OALJ decisions for filing and service, they should be printed without the footer to avoid any confusion on the date that should be used for gauging the timeliness of payment and appeals.
- b. Other Documents. Other documents should routinely be printed with a footer that contains the Case Number and the Received Date. The page number is optional.

Disposition: This bulletin is to be retained until the DLWHC Procedure Manual has been updated.

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