

# AR-1

## Accountability Review Findings

Dates of Review: June 16, 2014 – June 20, 2014

Office Reviewed: Jacksonville District Office

Reviewing Office: DEEOIC National Office

Review Period: April 1, 2013 – March 31, 2014

|                  |                                   |
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| <u>Standard:</u> | Category 1: Part B Initial Claims |
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|------------------------------|-----|
| Sample Size (Universe):      | 375 |
| Number of cases reviewed:    | 47  |
| Number of cases with errors: | 1   |
| Acceptable Rating:           | 85% |
| Rating for Review:           | 99% |

### **FINDINGS: Describe Findings and include case file number**

The Jacksonville District Office performed very well in the Part B Initial Claims category.

In terms of deficiencies, the only error found was minor in nature. In that one case, the recommended decision indicated that the claimant identified X10 as the claimed place of employment when in actuality the employee claimed employment at K25 on her EE-3. It was later confirmed that the employee was employed at X10 although the recommended decision did not explain how the district office arrived at this conclusion.

Generally, all the cases reviewed under this element were researched, developed, and adjudicated in a consistent and concise manner. The development letters showed compassion for the claimants and evidence that the CE's were helpful in guiding them through the claims process.

### **OTHER SIGNIFICANT FINDINGS:**

While not errors, the review did find some minor deficiencies including a claim where two 30-day development letters were sent on 01/09 and 01/31, failing to provide the claimant 30 days to respond; a recommended decision that indicated it was a survivor claim but was really an employee claim; and a claim that was sent to NIOSH without complete employment verification, which came later.

**AR-1: ACCOUNTABILITY REVIEW FINDINGS (cont.)**

| <b>REVIEWER(s):</b> | <b>DATE:</b>  |
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| Mike McNally        | June 20, 2014 |
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## Accountability Review Findings

Dates of Review: June 16<sup>th</sup> through June 20<sup>th</sup>  
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| Standard: | Category 2: Part E Causation |
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| Sample Size (Universe):      | 591 |
| Number of cases reviewed:    | 48  |
| Number of cases with errors: | 18  |
| Acceptable Rating:           | 85% |
| Rating for Review:           | 97% |

### **FINDINGS: Describe Findings and include case file number**

The majority of the files reviewed were very well processed, however we did note several issues which we'll discuss separately.

Regarding development letters: In one example, ECS showed that a development letter was sent to a claimant but the document wasn't found in the case file or in OIS. Additionally, the follow up letter that was identified in the case file wasn't coded in ECS.

We found three files with deficiencies regarding the proper use of the Site Exposure Matrices (SEM) and subsequent Industrial Hygienist (IH) referrals. In several cases, the CE attempted to show route, duration and extent of exposures without consulting an IH. A good example is Case ID [REDACTED]. The unique nature of the toxins in this case related to Parkinson's disease required an IH to properly assess the exposure profile of the employee.

Regarding SOAF creation, six cases were identified in which the information contained in the SOAF didn't match the evidence in the case file, or all relevant evidence needing to be conveyed in the SOAF wasn't sufficiently detailed. For example, in case ID [REDACTED] the SOAF identified arsenic, carbon, mineral oil, and sodium arsenite; however, the SEM does not show carbon as a potential exposure in this case.

## AR-1: ACCOUNTABILITY REVIEW FINDINGS (cont.)

In general, Recommended Decisions were well written. However, a few issues were noted:

In one cover letter reviewed regarding an employee case, the letter referenced a survivor claim and differing conditions than those claimed by the employee. However, of note, this error was not replicated in the accompanying Recommended Decision, which was found to be correct.

Four deficiencies were noted within the element of Explanation of Findings (EoF). In one case the file clearly supports a recommended denial based on medical evidence, however, the EoF went into detail about employment and causation requirements (see Case ID [REDACTED]). In another case the EoF provided no justification for the basis of denial.

Finally, we found two cases in which the Conclusion of Law (CoL) failed to reach the appropriate conclusion. For example, one case (see Case ID [REDACTED]) in which the evidence reviewed showed that an IH assessment was necessary, was accepted without consulting an IH. Finally, one case reviewed contained a development letter requesting additional material which was issued on the same date as the recommended decision; thus not providing the claimant sufficient time to overcome the deficiency.

### OTHER SIGNIFICANT FINDINGS:

Overall, the cases we reviewed were well done with attention to detail. We found no trends which concerned us and the issues we identified appeared to be isolated incidents.

| REVIEWER(s):                  | DATE:   |
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| Tina Smith and David Reinhart | 6/20/14 |
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| Standard: | Category 3: Impairment |
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| Sample Size (Universe):      | 554 |
| Number of cases reviewed:    | 51  |
| Number of cases with errors: | 2   |
| Acceptable Rating:           | 85% |
| Rating for Review:           | 99% |

### **FINDINGS: Describe Findings and include case file number**

The Jacksonville District Office performed exceptionally well in the Impairment Category. One area the District Office excelled in was the development of impairment claims prior to issuing a decision. Development letters were concise, easy to read and issued with 100% accuracy.

One area identified for improvement was in the Statement of the Case portion of Recommended Decisions pertaining to impairment claims. Specifically, some examples reviewed were found to be vague, especially in reference to prior Final Decisions. For example, the Statement of the Case would list dates of prior FDs, however, would fail to elaborate on the final determination or amount of compensation awarded in the prior decision being discussed.

Overall, development and adjudication of impairment claims by the Jacksonville District Office was handled with the utmost efficiency.

**AR-1: ACCOUNTABILITY REVIEW FINDINGS (cont.)**

**OTHER SIGNIFICANT FINDINGS:**

| <b>REVIEWER(s):</b> | <b>DATE:</b> |
|---------------------|--------------|
| Shannon Green       | 6/20/2014    |
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| <u>Standard:</u> | Category 4: Wage Loss Claims |
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| Sample Size (Universe):      | 438 |
| Number of cases reviewed:    | 41  |
| Number of cases with errors: | 27  |
| Acceptable Rating:           | 85% |
| Rating for Review:           | 93% |

### **FINDINGS: Describe Findings and include case file number**

Overall, the Jacksonville District Office performed well in this element. The District Office did a great job ensuring that the Conclusions of Law section of wage loss decisions included a clear and concise statement of the decisional outcome (acceptance/denial). At the indicator level, this rated at 100%. The District Office also did an exceptional job ensuring that content of the Statement of the Case communicated information in a logical and chronological manner.

However, the Statement of Case contained deficiencies, as some cases lacked essential information. Several survivor wage loss decisions omitted any discussion of wage loss in the Statement of the Case. These cases typically involved initial processing for Part E combined with a survivor wage loss determination. Deficiencies were also found in file maintenance pertaining to wage loss, as a number of cases were missing the wage loss calculator printouts from ECS/ECMS (not present in physical case file or in OIS).

The majority of deficiencies in the wage loss element (6 cases) were found under the indicator of whether the RD came to the appropriate conclusion given the evidence contained in the case record. Several cases lacked adequate evidence to establish that a year or multiple years of wage loss occurred as a result of the accepted condition and the deficiency of the evidence was never properly developed. In another example, the full amount of survivor wage loss was paid to one claimant child when half of the award should have been held in abeyance for a second claimant child who stated that she was waiving her right to the award. Finally, a Decision accepted only a portion of the wage loss years claimed and denied the remaining years, this is not in adherence with policy which

**AR-1: ACCOUNTABILITY REVIEW FINDINGS (cont.)**

indicates, that when a portion of the claimed wage loss years can be accepted the remaining years are not to be denied, but remain in an unresolved status.

**OTHER SIGNIFICANT FINDINGS:**

| <b>REVIEWER(s):</b> | <b>DATE:</b>  |
|---------------------|---------------|
| Danielle Wyss       | June 20, 2014 |



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|------------------|---------------------------------------|
| <b>Standard:</b> | <b>Category 5: Payment Processing</b> |
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| Sample Size (Universe):      | 314 |
| Number of cases reviewed:    | 51  |
| Number of cases with errors: | 45  |
| Acceptable Rating:           | 90% |
| Rating for Review:           | 86% |

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| <b>FINDINGS: Describe Findings and include case file number</b> |
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The review team found that the Jacksonville District Office Claims Examiners correctly date-stamped the EN-20s with the appropriate AOP received date and correctly entered the AOP received dates in ECS. There is no evidence that the district office accepted or processed any EN-20 forms that were not completed correctly, to include payee signature, payment amount, and other pertinent claim information. In cases where checks were issued, the address in ECS always matched the information on the EN-20. The Jacksonville District Office properly completed all PTF forms.

The only deficiency noted in this category involved the failure to document verification of the bank routing number, account number, and account type in either ECS, phone notes, or through the Department of Treasury's web site. However, there were indications that the district office attempted to verify the account information through other means, but failed to properly document their actions. There was no indication that any payment was processed incorrectly based on the information provided by the payee on the EN-20 form.

**AR-1: ACCOUNTABILITY REVIEW FINDINGS (cont.)**

**OTHER SIGNIFICANT FINDINGS:**

| <b>REVIEWER(s):</b> | <b>DATE:</b> |
|---------------------|--------------|
| Donald Davis        | 6/20/2014    |
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## Accountability Review Findings

Dates of Review: June 16, 2014 – June 20, 2014

Office Reviewed: Jacksonville District Office

Reviewing Office: DEEOIC National Office

Review Period: 04/01/2013 – 03/31/2014

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| <b>Standard:</b> | Category 6: Home Health Care |
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| Sample Size (Universe):      | 198 |
| Number of cases reviewed:    | 52  |
| Number of cases with errors: | 21  |
| Acceptable Rating:           | 85% |
| Rating for Review:           | 89% |

### **FINDINGS: Describe Findings and include case file number**

Overall, the Jacksonville District Office performed satisfactorily in the processing of the Home Health Care category. The review team found that the Jacksonville District Office Claims Examiners correctly identified deficiencies relevant to Home Health Care requests and took the appropriate development action or actions to notify the claimants/providers/physicians, of the additional evidence required to support requests for Home Health Care.

The review team found that, for the most part, the Jacksonville District Office's Claims Examiners reached the proper outcome to approve or deny Home Health Care (HHC) requests.

Further, the review team found that the claims examiners correctly communicated HHC decisions to claimants and providers by issuing either a letter of authorization or a letter decision of denial. However, one finding of the review team was that further development of cases with requests for additional/substantial increases in care was needed, prior to approval.

The review team noted for case [REDACTED] that the denial letter reported incorrect dates of service to the provider and claimant. However, the medical thread was correctly annotated in ECS.

Case [REDACTED] was a claimant accepted for bladder cancer, only. The claimant also had diagnosed conditions of severe congestive heart failure and stage-four kidney disease. Development should have been undertaken to properly assess the patient's HHC needs pertaining only to the accepted condition.

**AR-1: ACCOUNTABILITY REVIEW FINDINGS (cont.)**

Case [REDACTED] authorization letter did not discuss hours of care per day authorized; rather, just total units.

Case [REDACTED], no response whatsoever to a HHC request. No follow-up action was taken regarding a request made on 12/13/13.

**OTHER SIGNIFICANT FINDINGS:**

| <b>REVIEWER(s):</b>              | <b>DATE:</b>  |
|----------------------------------|---------------|
| Melissa Vives and Quanah Jackson | June 20, 2014 |
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