**The Process To Successfully**

**Settle More Workers' Comp Claims**

**Introduction: (5 minutes)**

* Welcome to WC Mastery Training
  + Our job is to move injured workers OUT of the WC system.
  + Problems occur when claims get Stuck
  + Roadmap to consistently follow and create WIN-WIN Outcomes
* Introduce 3 Major Points
  + You’ll Go Faster & Farther Together
  + The Process to Successfully Settle More WC Claims
  + Getting Started Running Your New Settlement System

**Notes:**

**Main Point #1: You’ll Go Faster & Farther Together (10-15 Minutes)**

* African proverb
  + “if you want to go fast, go alone, if you want to go far, go together.”
* Build your settlement team
  + What is a settlement advisor?
  + What is an MSA and MSA Vendor?
    - Ensures Medicare doesn’t pay for something they shouldn’t
  + What is professional administration?
  + Other players to consider
    - Attorney
    - Medical Advisor
* Bring In EARLY:
  + Cost of services is minimal
* Challenges to Settlement
  + Paul plaintiff attorney insight
    - Part of successful settlement is overcoming Fear
    - Adjuster gone, case manager gone, “how am I going to handle it”
  + Claims don’t get better with age
  + Disagree on total value
  + Advice receiving from attorney / family / friends
  + Concern with exhausting the funds in the account;
  + Provide support after settlement:
    - Like the support of adjuster & coordination of care
    - Bills reviewed, PBM network, medical networks
    - Don’t like UR
  + Compliance & billing are difficult / overwhelming
  + File is put on auto-pilot
    - Not asking the right questions
    - Legacy claims
* Team Strategy
  + Intervene early
  + Define each partner’s responsibility
  + Collaborate effectively
  + Deliver excellence
    - WIN-WIN

**Notes:**

**Main Point #2: The Process to Successfully Settle More WC Claims (30 Minutes)**

* **Step 1: Identify claims for settlement early**
  + Stable & consistent medical treatment & prescriptions
    - MSA needed – Medicare ALWAYS secondary
      * Medicare beneficiary, total settlement > $25,000; or
      * Medicare within 30 months, > $250,000
      * SSDI under 65
        + No work in any capacity
        + Catastrophic injury
        + Many in 50s and Early 60s
      * Reference internal criteria
  + Frustration
    - UR Medical treatment denials
    - Tired of IMEs
  + Fear
    - Worried about money, afraid settlement money will run out
    - Won’t have system support: adjuster, case manager, etc.
    - Concerns of dealing with Medicare & MSA reporting
* **Step 2: Engage team**
  + Reach out with claim information:
    - Synopsis of history
    - Is injured worker represented?
    - Medical cost projection if available.
  + Clinical & Pharmacy review of treatment plan
  + Pre-MSA triage
* **Step 3: Roundtable with Team & Leverage Settlement Tactics**
  + **Leverage team approach:**
    - Lean on team for answers instead of trying to figure out yourself
      * Use team as need them; calls, email, conference calls, at mediations
    - Build trusted relationships
    - Follow the system
  + **Soft Tactics:**
    - **Personal Outreach**
      * What are injured workers wants? fears? desires? worries?
      * Spend time
      * Listen
      * Can connect directly with injured worker, or through their attorney.
        + Some plaintiff attorneys prefer settlement advisor explains directly
    - **Empathy**
      * Walk in injured workers’ shoes & imagine their situation
  + **Technical Tactics**
    - **Accurate MSA / Settlement Projections**
      * “An MSA is only as good as the information it is based upon”
      * Information to provide:
        + Complete referral form
        + Claim payment history
        + Two years of medical records for each settling body part or condition
        + IMEs, AMEs, QME, PQMEs
        + Claim prescription drug history
        + Accepted and denied body parts/conditions
        + Denial Letters
        + Multiple dates of injury settling
        + Court orders and rulings
        + Depositions
      * Identify cost drivers & clinical intervention opportunities
        + Physician Follow-up
        + Physician Peer Review
        + Clinical Oversight
      * Two-way communication
        + Read MSA report
        + Provide feedback
    - **Structuring the Medicare Set Aside (MSA) Settlement**
      * Every MSA should consider Structure
        + Secure, predictable, tax-free income
        + Minimum for placing annuity is $10k
        + 35-37% average savings by structuring MSA
      * Structured Settlement: Annuity
        + Medicare compliance, such as a Medicare Set-Aside (MSA)
        + Lien satisfaction
        + Public benefits
        + College education for children, grandchildren or the injured worker himself
        + Home ownership
        + Business setup
      * Professional admin for MSA reporting
    - **Price Out Future Prescription Drug Costs**
      * Real-time pricing discounts using professional administration
    - **Use Rated Ages**
      * Medial actuary assessment of “true” age
      * Use on every claim considered for settlement
      * Serve as basis for reserves and future projections
        + Lower monetary amount
        + Cap exposure
        + Don’t settle
      * No cost to obtain
    - **Medical Cost Projections**
      * Companies specialize in medical cost projections for future medical treatments
    - **Post-Settlement System of Ongoing Support**
      * Professional Administration
        + Navigate healthcare system
        + Network discounts on medical costs
        + Reporting to Medicare
      * Removes “fear” of settlement
* **Step 4: Negotiate Lowest Reasonable Settlement**
  + Include options and all fees in proposal
    - Professional admin $1k
  + Remove emotion from the case
  + Legitimate claims are supposed to be paid
  + Settle at lowest reasonable cost

**Main Point #3: Getting Started Running Your New Settlement System (10 minutes)**

* Build initial relationship with settlement team
* Pilot cases
  + Legacy cases
  + Top 50 cases driving your costs
* Refine system, deepen trust, follow consistently