

## Questions for the Workers' Compensation Commission Advisory Board Nominee

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April 24, 2023 | 2023-R-0085

### Workers' Compensation Commission Advisory Board ([CGS §§ 31-280\(b\)\(10\)](#) and [-280a](#))

The Workers' Compensation Commission Advisory Board consists of eight members appointed by the governor and confirmed by both chambers of the General Assembly. Four members must represent employers, including a representative of a major hospital. Four members must represent employees, including an individual who has suffered an extensive disability arising from his or her employment. The eight appointed members choose a ninth impartial member who serves as the board's chairperson.

The chairperson of the Workers' Compensation Commission must consult with the board before adopting a budget, a plan of operations, or regulations to carry out the commission's duties. Among other things, the board must also (1) help evaluate each workers' compensation administrative law judge's (ALJ) performance and submit recommendations for their re-appointment to the governor, (2) advise on the list of physicians available for examinations of injured workers, and (3) advise on standards for approval and removal of physicians on the list.

### Questions

1. Do you believe that the state's workers' compensation system is adequately addressing the needs of both injured workers and their employers?
2. By law, members of the advisory board are split between employer representatives and employee representatives. Do you believe that this arrangement serves the overall workers' compensation system well? How will representing one particular side influence your decisions when advising the commission's chairperson on budgetary matters?

3. Is fraud a significant problem in the workers' compensation system, and does the advisory board have a role in trying to prevent or limit it? To what extent are you aware of instances of fraud being committed by medical practitioners?
4. Many injured employees navigating the workers' compensation system complain that employers and insurers create undue delays in processing their claims or approving necessary medical procedures. Do you feel that these types of complaints are often valid? If so, what can the advisory board and commission do to address them? Does the state have enough workers' compensation ALJs to handle the state's caseload in a timely manner? How long does an average contested claim take to be resolved?
5. This year, the Labor Committee is considering a bill ([SB 913](#)) that would expand eligibility for workers' compensation benefits for post-traumatic stress injuries (PTSI) to cover all employees, rather than only the first responders and Department of Correction employees covered by the current PTSI law. Do you think the workers' compensation system should be doing more to help workers who suffer solely from mental or emotional injuries in the workplace? Are there enough qualified mental health professionals to handle these types of claims? What, if any, changes to the system would you recommend?
6. When board members interview a workers' compensation ALJ as part of the reappointment process, how do they evaluate whether he or she has done a good job? Does a board member who represents employers judge a workers' compensation ALJ differently than one who represents employees? For what reasons, and under what circumstances, would you recommend an ALJ not be re-nominated?
7. Are there a sufficient number of physicians currently participating and available for workers' compensation cases in the state? Does the state have any problems keeping enough physicians involved? What criteria do you consider important when determining a physician's eligibility to be an independent examiner?
8. What role can the board play in trying to reduce or minimize workers' compensation costs for employers? How do you view the workers' compensation system's importance in contributing to the state's overall economic climate? How will you balance the need to contain costs for employers with the need to provide high-quality care to injured employees?
9. How successful was the workers' compensation system in addressing the needs of employers and employees during the COVID-19 pandemic? What changes to the system would you most like to see? Are there any changes to the advisory board's role that you might recommend?
10. Has the board made any recent recommendations to the commission that have helped improve the state's workers' compensation system?

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