

FINALIZATIONS

DEPARTMENT

1. Departments will communicate general finalization package requirements to the Assistant Claims Manager (ACM) at each adjusting location.
2. Departments will provide an appropriate reply in writing to State Fund's complete request for authorization within 30 days.
 - a. Appropriate reply is either Yes, Need More Information, or No.
 - i. If the answer is yes, but less than the requested amount, please explain why.
 - ii. If the answer is no, please explain why.
 - iii. If more information is needed, please ask for what you need.
3. If the request for authorization is time sensitive, then the Department will provide an appropriate reply as soon as possible.
4. Granted authority will be valid for one year unless the Department indicates otherwise.

STATE FUND

1. State Fund will make every effort to provide as much time as possible for the department to review the request for authority.
2. State Fund will complete a "Proposed Finalization for State Cases" form within 30 days from receipt of all Maximum Medical Improvement (MMI) reports.
 - a. If discovery is not complete and/or files are not ready update narrative with this significant information
3. If the request for authority is time sensitive, State Fund will contact the department to communicate the urgency and provide the "Proposed Finalization for State Cases" form as soon as possible

The best practice is to have authority in place in advance of the Mandatory Settlement Conference (MSC). These examples of time sensitive trigger points and target completion of "Proposed Finalization for State Cases" will help achieve that best practice.

- a. Attorney demand for settlement (14 days)
- b. Declaration Of Readiness to proceed (DOR) filed (5 days)
- c. MSC notice received (5 days)
 - o Any updates, revisions or additional authority should be requested within 5 days after the MSC.
- d. Hearing date set (15 days of hearing date)

4. Trial date set – getting proper response to the request for authority on the file is a priority
5. In addition to the “Proposed Finalization for State Cases” form, the adjuster will provide all supporting documentation the department requests such as, but not limited to:
 - a. Assigned attorneys and their contact information
 - i. Include subrogation specialist and/or attorney
 - b. Claims balance report
 - c. Benefit printout with Industrial Disability Leave (IDL)
 - d. Estimate evaluation report
 - e. Actual rating worksheet from Cedaron with exact report upon which rating is based
 - f. Disability Evaluation Unit (DEU) rating
 - g. Medicare set aside status
 - h. Present value assessment/actuary figures
 - i. All medical reports upon which settlement is based
 - j. A list of all claims and body parts to be addressed in settlement
 - k. Deposition transcripts (after review by State Fund legal and redacted if necessary)
 - l. Copies of prior awards
 - m. Legal review if applicable
 - n. Full dollar amount of outstanding liens and notice of any potential liens
 - o. Petitions to reopen, contribution or joinder
6. Upon receipt of authority
 - a. Make a settlement offer and communicate that with the department
 - b. Set mutual date for follow up with the department to discuss the next step
7. Provide signed award (with all pages of the document) to the department
 - a. Whomever finalizes settlement documents will be responsible for providing a copy to the department (adjuster or attorney)