

WORKSAFEBC

REVIEW DIVISION

Statistical Overview – 2nd Quarter 2007

The Review Division

The Review Division was created in 2002 as a result of amendments to the Workers Compensation Act (the "Act") that made significant changes to the workers' compensation appeal process. These changes, which took effect on March 3, 2003, established two levels of review or appeal for most decisions made by the WorkSafeBC (Workers' Compensation Board) under the Act.

The first level is internal but independent, involving a review by a Review Officer in the Review Division and the second level is to the independent Workers' Compensation Appeal Tribunal ("WCAT").

The Review Division's mission is to effectively process reviews and to reduce disputes leading to reviews and appeals by providing:

- Opportunity for decision-makers and participants to understand and resolve disagreements.
- Clients an opportunity to present their case.
- Clear, fair and consistent decisions.
- Information and feedback to decision-makers about decision-making.
- Information and feedback to workers and employers and others about decision-making.

Purpose of this Report

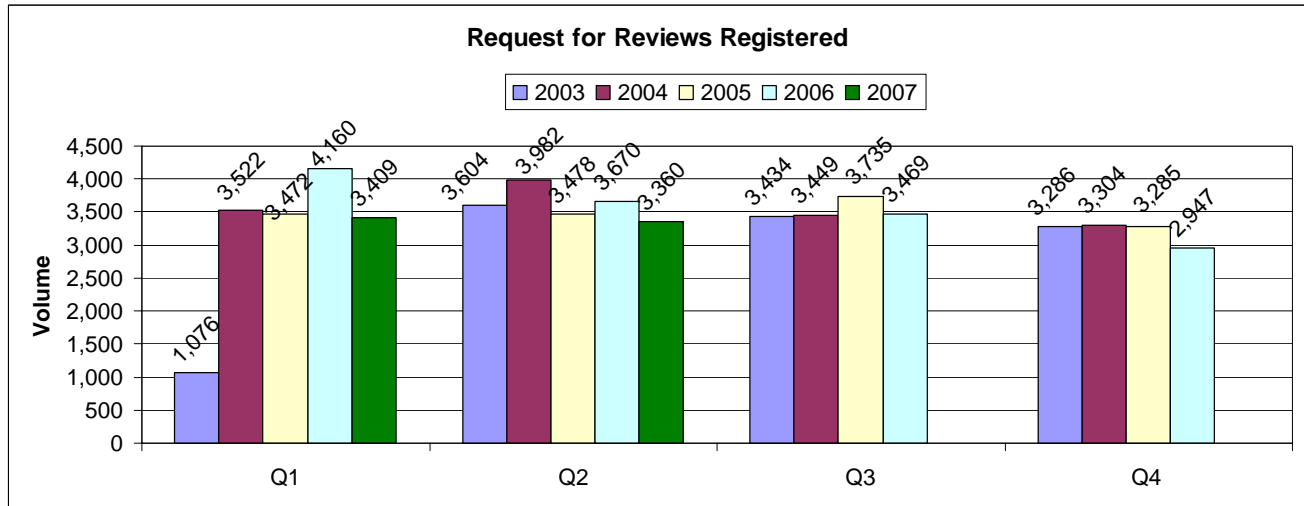
This statistical overview report will be issued at the end of each quarter. The report includes three sections:

- A. Incoming Requests for Review – Information about the volume of requests for review received by the Review Division
- B. Completed Reviews – Information about the volume and outcome of completed reviews
- C. Completed Issues – Information about the volume and outcome of issues decided in completed reviews

This report is intended primarily for readers who are already familiar with the WorkSafeBC decision-making environment and the Review and Appeal processes. Additional information about the Division and the WorkSafeBC can be found at www.worksafebc.com or by contacting the Review Division directly by phone at 604-214-5411.

A. Incoming Requests for Review

Reviews may be requested on decisions concerning Compensation, Prevention or Assessment matters. A very small percentage of decisions made by the Board are reviewed. It is estimated that in the course of their duties, WorkSafeBC officers make approximately two million reviewable claim-related decisions a year. Either party may request a review on a decision on a claim-related matter. This creates a potential for almost four million decisions a year that could be subject to a review.



* The review and appeals system change arising from Bill 63 did not come fully into effect until March 3, 2003.

Comments:

- In quarter 2, incoming volumes continue to drop and the number of registered Requests for Review decreased by 8% compared to the same period in 2006.

B. Processing Status of Requests for Reviews

Status		Q2 2006	Q2 2007
Outstanding Balance Beginning of Period		4,596	3,683
Registered During Period		3,670	3,360
Reactivated Reviews*		16	9
Less:	Rejected	84	31
	Declined	161	108
	Discarded	122	82
	Abandoned	8	6
	Withdrawn	457	389
	Completed	3,024	2,595
Outstanding Balance end of Period		4,444	3,842

* Reviews that were initially rejected or declined and subsequently reactivated.

Comments:

- The "drop-off rate" of Requests for Review in Q2 2007 is 18%, which is lower than the previous quarter (20%). This is comprised of 7% Requests for Review rejected/declined/discarded/abandoned (the primary reasons for rejection include late submission requests, no underlying decision to review, and requests outside of Review Division jurisdiction) and 11% reviews withdrawn before the review was completed.

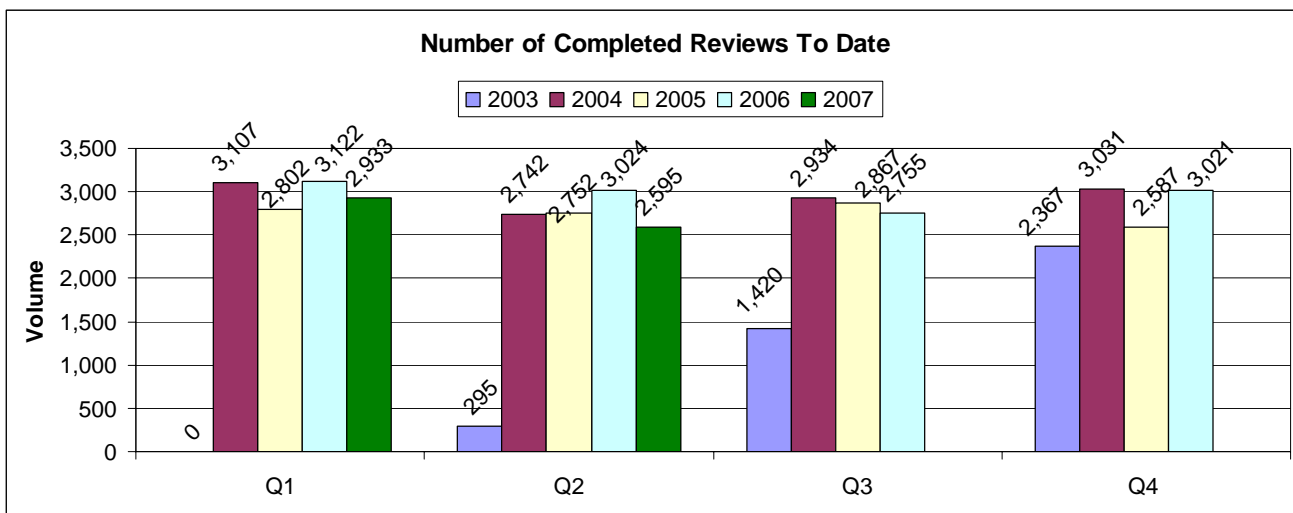
C. Decision on Applications for Extensions of Time to Apply for a Review

Decision	Q2 2006	YTD 2006	Q2 2007	YTD 2007
Allowed	102	180	109	224
Denied	114	219	63	132
Total	216	399	172	356

Comments:

- The number of “late review” requests (filed outside of the 90 days statutory deadline) in Q2 2007 was 20% less than compared to Q2 2006.
- The percent “allowed” was also higher than the percent denied (63% vs 37%).

D. Completed Reviews to Date

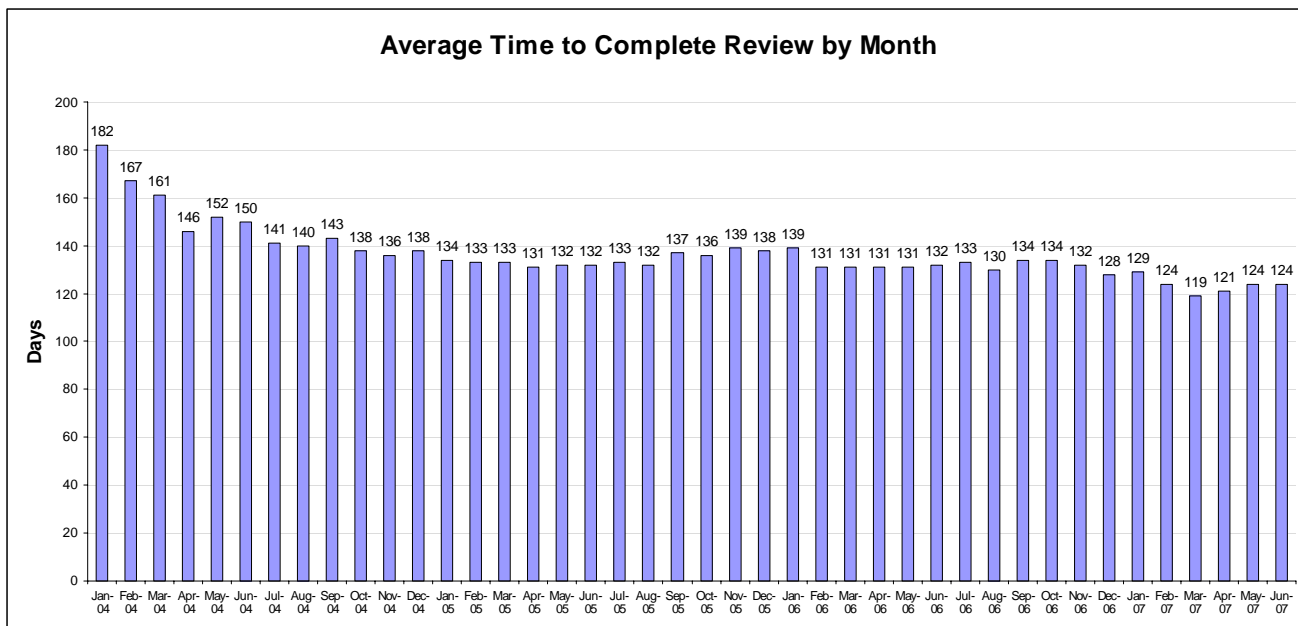


* The review and appeals system change arising from Bill 63 did not come fully into effect until March 3, 2003.

Comments:

- The number of completed reviews in Q2 2007 decreased by 14% compared to Q2 2006.
- This decrease can be partially attributed to the decrease in request for reviews received in the quarter which is down 11% from Q2 2006

E. Average Time to Complete a Review



Comments:

- The average days from receipt of a request for review to the completion of the review has been substantially reduced since January 2004. The average number of days to complete a review in 2006 was 132 days. In this quarter, the average time to complete a review has decreased to 123 days.

F. Review Outcomes

Each Request for Review usually relates to a specific decision letter from one of the WorkSafeBC operating divisions. As shown in the table below, one of four possible outcomes was coded to each completed review:

Outcome for Completed Reviews*	YTD Q2 2006	% of YTD Q2 2006 Total	YTD Q2 2007	% of YTD Q2 2007 Total
Confirm	4,336	71%	3,826	69%
Cancel	82	1%	46	1%
Vary	1,260	20%	1,205	22%
Return to Board	468	8%	451	8%
Total	6,146	100%	5,528	100%

*See appendix for definitions

G. Issue Outcomes

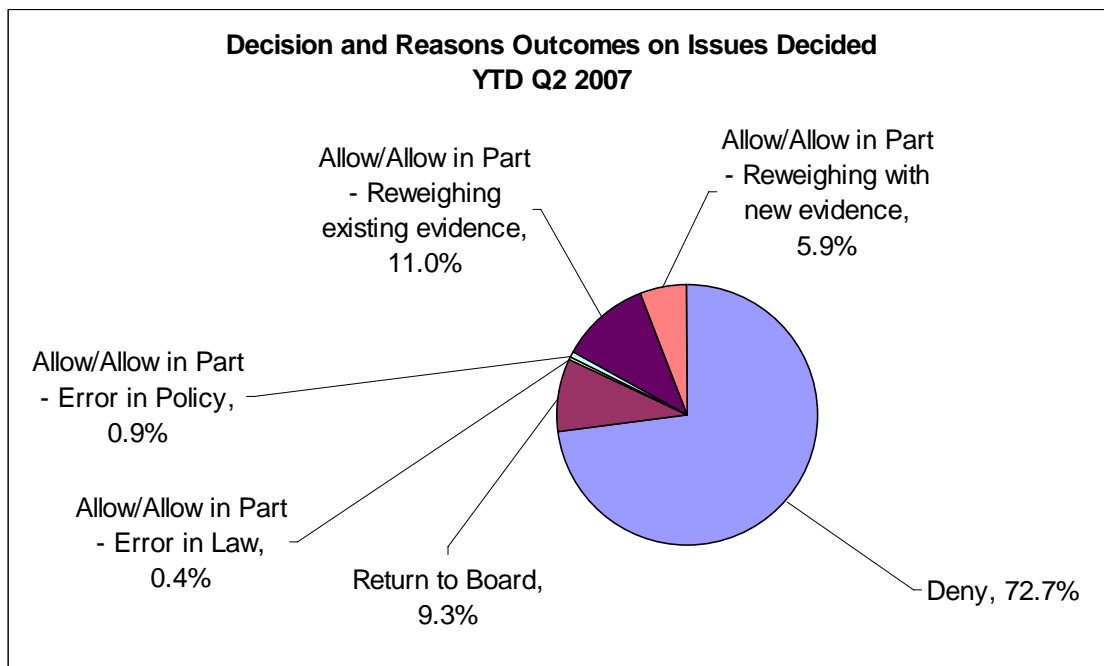
I. Overall Issue Outcomes

Within each decision letter reviewed, there will be one or more issues under review. The Review Division provides statistics on decisions concerning the overall reviews and on the issues under review. As shown in the table below, one of four possible outcomes is coded to each completed issue:

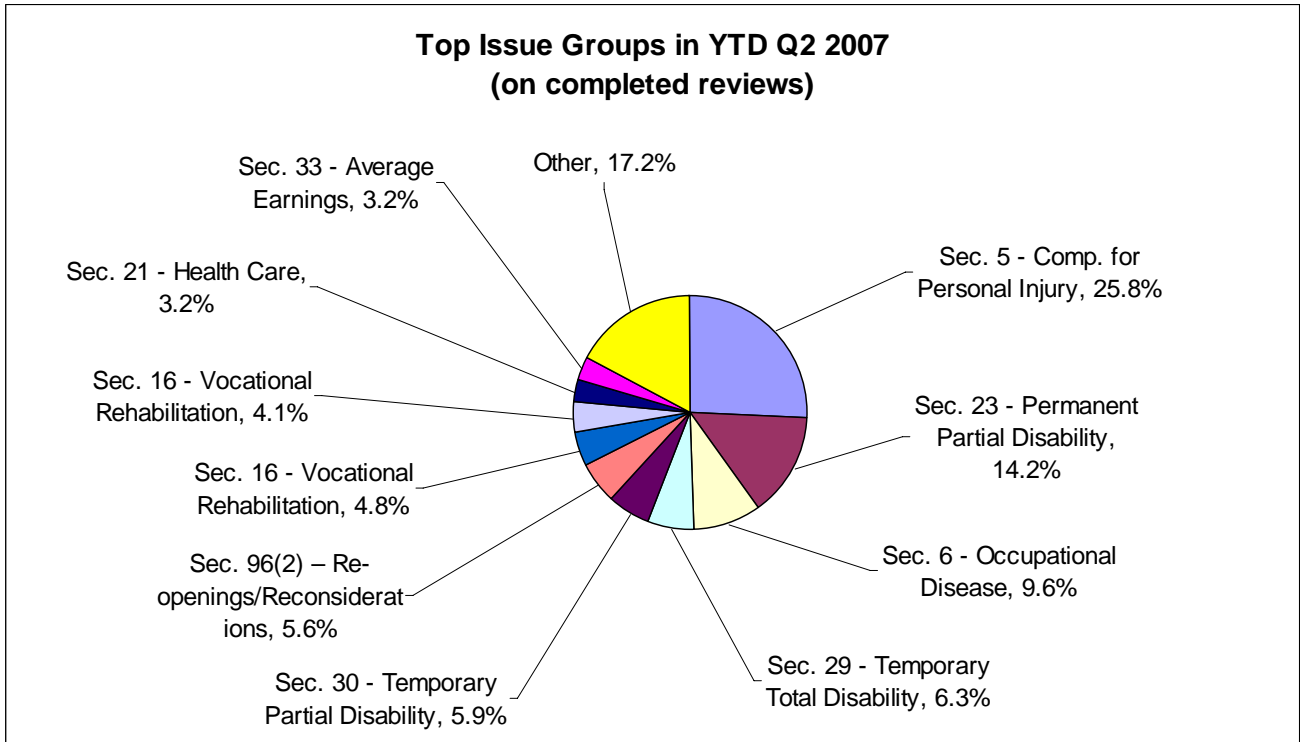
Outcome for Completed Issues*	YTD Q2 2006	% of YTD Q2 2006 Total	YTD Q2 2007	% of YTD Q2 2007 Total
Allow	991	13.2%	937	13.3%
Allow in Part	343	4.5%	331	4.7%
Deny	5,552	73.7%	5,103	72.7%
Return to Board	648	8.6%	653	9.3%
Total	7,534	100%	7,024	100%

*See appendix for definitions.

II. Outcome and Reasons for Issues Decided Year to Date



III. Top 10 Issues under Review



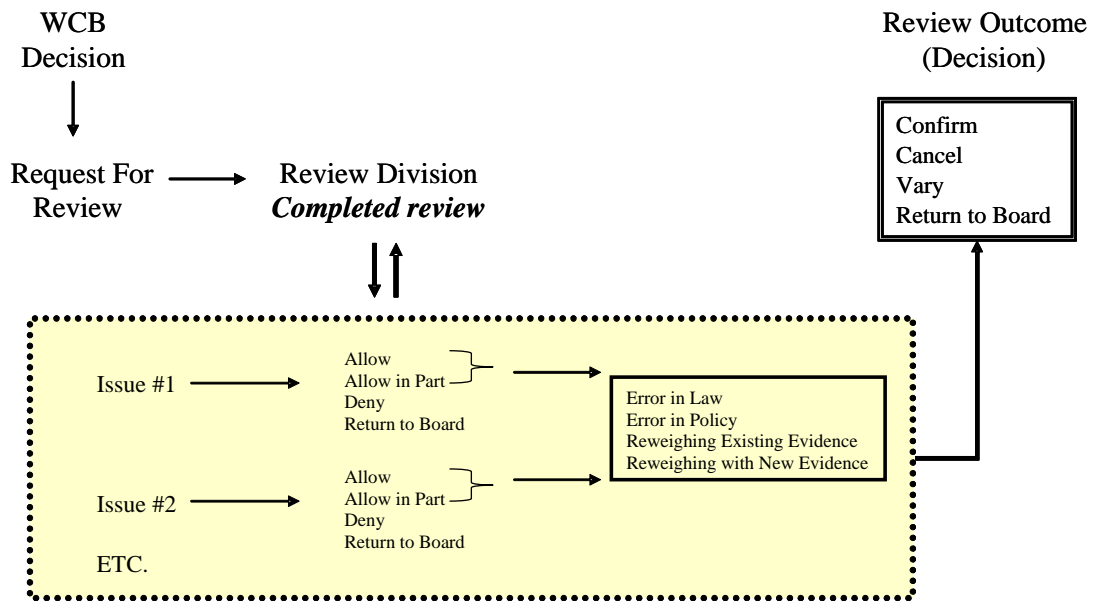
Issue Group	# of Issues in YTD Q2 2007	% of YTD Q2 2007 Total
Sec. 5 - Comp. for Personal Injury	858	25.8%
Sec. 23 - Permanent Partial Disability	473	14.2%
Sec. 6 - Occupational Disease	319	9.6%
Sec. 29 - Temporary Total Disability	210	6.3%
Sec. 30 - Temporary Partial Disability	198	5.9%
Sec. 96(2) – Re-openings/Reconsiderations	187	5.6%
Sec. 16 - Vocational Rehabilitation	161	4.8%
Sec. 16 - Vocational Rehabilitation	135	4.1%
Sec. 21 - Health Care	108	3.2%
Sec. 33 - Average Earnings	108	3.2%
Other	573	17.2%
Total	3,330	100.0%

Comments:

- Issues are summarized in issue groups which cover a specific topic or area of decision-making.
- 98% of review requests concern claim-related matters.
- The list of top 10 issue groups in Q2 2007 remains consistent with 2006 results.

H. Appendix

I) Linkage of Decisions, Reviews, & Issues



II) Definition of Terms

The Review Division of the Workers' Compensation Board (the "Board") has authority under Sections 96.2 to 96.5 of the Workers Compensation Act (the "Act") to review decisions in specific cases made by officers in the Board's Compensation Services, Finance (Assessment decisions), and Prevention Divisions.

Pursuant to Section 96.2(3) of the *Act*, a Request for Review must be filed within 90 days from the date when the Board decision or order was made. Board decisions are normally communicated in a letter or other document that includes an explanation of the reasons for the decision. This letter or document should be submitted with the Request for Review form when initiating a review of the decision to the Review Division.

With each decision letter, one or more issues may be identified and each of these issues may be reviewed. Upon review, Review Officers will determine an outcome for each of the issues. Outcomes of issues may be one of the following four types:

Allow	The Review Officer disagrees with the determination made on an issue covered by a decision or order under review.
Allow in Part	The Review Officer disagrees in part with the determination made on an issue covered by a decision or order under review.
Deny	The Review Officer agrees with the determination made on an issue covered by a decision or order under review.
Return to Board	A referral of a decision or order back to the Compensation Services, Finance or Prevention Division of the Board so that the Division may make a further determination on one or more issues.

For each issue with the outcome of allow, allow in part, or return to Board, a reason must be provided for why. Reasons provided can be one or more of the following:

Error in law	The decision was inconsistent with the <i>Act</i> , a regulation under the <i>Act</i> , or some other law or regulation.
Error in policy	The decision was inconsistent with the published policy of the Board.
Reweighting existing evidence	The decision was changed because the Review Officer reached a different conclusion on the same evidence that was before the initial decision maker.
Reweighting with new evidence	The decision was changed because the Review Officer reached a different conclusion as a result of significant new evidence that was not before the initial decision maker.

Although each review may deal with one or more issues, an outcome for the whole review must be stated using the terms set out in Section 96.4(8)(a) of the *Act*. Outcomes on each review may be one of the following:

Confirm	The Review Officer agrees with the determinations made on every issue covered by a decision or order under review, though not necessarily with the reasons for those determinations.
Cancel	The Review Officer disagrees with the determinations made on every issue covered by a decision or order under review and determines that the decision should be withdrawn without a new decision being substituted.
Return to Board	A referral of a decision or order back to the Compensation Services, Finance or Prevention Division of the Board so that the Division may make a further determination on one or more issues.
Vary	Any decision by a Review Officer other than one that confirms or cancels a decision or order. This covers situations where the Review Officer <ul style="list-style-type: none"> (a) agrees with the determination made on one or more, but not all, the issues covered by a decision or order under review, or (b) disagrees with the determinations on all issues, and decides to substitute a new decision or order.