

STATE OF NEBRASKA



DEPARTMENT OF INSURANCE

Ann M. Frohman
Director

Dave Heineman
Governor

MEMORANDUM

TO: Workers' Compensation Insurers

FROM: Department of Insurance at request of Nebraska
Workers' Compensation Court Administrator

DATE: January 15, 2009

RE: Diagnostic Related Group Claims Report

The Nebraska Workers' Compensation Act, *Neb. Rev. Stat.* §48-120.04(9), requires each workers' compensation insurer to report to the administrator of the workers' compensation court by October 15 of each year, in the form and manner prescribed by the administrator, the total number of claims submitted for each Diagnostic Related Group and the number of times billed charges exceeded the Stop-Loss Threshold amount for each Diagnostic Related Group. The operative date of this section was September 1, 2007. The first reports were due on October 15, 2008.

The court's analysis of the reports submitted by insurers reveals less than satisfactory compliance with the requirements of the statute. The court received data from the Department of Insurance indicating 220 different licensed insurers wrote workers' compensation policies. The court received reports from or filed on behalf of 69 insurers. An insurer's failure to report this information to the court is a failure to comply with an obligation under the Nebraska Workers' Compensation Act which can lead to the penalties set forth in *Neb. Rev. Stat.* §48-146.02 of the Act.

Since this report is required annually, workers' compensation insurers are encouraged to take the steps necessary to ensure accurate reporting by October 15, 2009. If an insurer questions the information required, please review the information on the court's website at http://www.wcc.ne.gov/medical/fee_schedule/drg.htm. If there are additional questions following the review, please contact Kris Peterson, Coverage and Claims Manager, Nebraska Workers' Compensation Court, at kris.peterson@wcc.ne.gov or (402) 471-6282.