

Trovillion, Inveiss & Demakis

Trovillion, Inveiss & Demakis, APC has grown in reputation as one of Southern California's premier law firms specializing in representation of employers, insurance carriers and third party administrators in workers' compensation litigation.

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INSURANCE CARRIERS REQUIRED TO REPORT COSTS OF ALL CLAIMS

On October 14, 2016, the California Insurance Commissioner approved an amendment to the California Workers' Compensation Uniform Statistical Reporting Plan - 1995 (USRP) requiring that the cost of ALL claims be reported. The amendment is set forth in Section II, Definitions, Rule 24, Medical Only or Medical Claims Only, and Section V, Loss Information, Subsection A, General Loss Reporting Instructions, Rule 1, Reporting Losses, of the USRP.

Effective January 1, 2017, insurers are required to report the cost of ALL claims to the WCIRB, including first-aid only claims that the employer has paid in full. In the past, when an employer paid the full cost of a first aid only claim, the claim was reported as having a zero value. Employers frequently paid the full cost of relatively inexpensive first-aid only claims to avoid an increase in premiums. Now, the full cost of the claim must be reported regardless of whether the employer or insurer paid for the treatment. The new regulation has removed the incentive for an employer to pay the full cost of first-aid only claims out-of-pocket.

Failure to report first-aid only claims paid by the employer is potentially a violation of California Insurance Code Section

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11755. Violations of California Insurance Code Section 11755 will affect the rates, rating systems or premiums for workers' compensation insurance and employer's liability insurance incidental thereto and written in connection therewith.

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