

MINUTES OF THE HOUSE COMMITTEE ON LABOR AND INDUSTRY.

The meeting was called to order by Chairman David Heinemann at 9:09 a.m. on February 18, 1993, in Room 526-S of the Capitol.

All members were present except:

Committee staff present: Jerry Ann Donaldson, Legislative Research Department
Kay Scarlett, Committee Secretary

Conferees appearing before the committee:

Martha Gabehart, Executive Director, Commission on Disability Concerns
Bill Curtis, Assistant Executive Director, Kansas Association of School Boards

Others attending: See attached list

Martha Gabehart, Executive Director, Commission on Disability Concerns, appeared before the committee opposing the open records portion of the Workers Compensation Law stating it is in conflict with the Americans With Disabilities Act. State laws only take precedence over the ADA if they provide equal or greater protection or discriminate with legitimate purpose. Ms. Gabehart expressed three concerns: 1) Title II of the ADA prohibits state and local governments from aiding and perpetuating discrimination, 2) There is no tracking system on the current computer system nor is there any record of written or telephone inquiries, 3) Title I of the ADA requires employers to keep medical information on employees confidential and in separate files from personnel files. (Attachment 1)

Bill Curtis, Assistant Executive Director, Kansas Association of School Boards, addressed the committee presenting statistical information gathered from the KASB Workers Compensation Fund. The Kansas Association of School Boards sponsored a workers compensation pool that began operations in July, 1987, now covering approximately 42,000 employees across the state. From the 5-year data collected by their workers compensation pool, Mr. Curtis felt medical costs and attorney involvement are the two areas needing attention. (Attachment 2)

Chairman Heinemann appointed four subcommittees to work on various areas of workers compensation reform stating he would like to have a bill out of committee next week.

Subcommittee No. 1

Representative Lane, Chairman
Representative Garner
Representative Mayans
Representative Packer
Representative Grant

Medical Issues

- Fee Schedule
- Advisory Panel
- Choice of Physician
- Change of Physician
- Unauthorized Medical
- Utilization and Peer Review

Insurance

- Experience-Based Rating for surcharge on Fund
- Assigned Risk

CONTINUATION SHEET

MINUTES OF THE HOUSE COMMITTEE ON LABOR AND INDUSTRY, Room 526-S Statehouse, at 9:09 a.m. on February 18, 1993.

Subcommittee No. 2

Representative Cornfield, Chairman
Representative Mason
Representative Nichols
Representative Lynch

Vocational Rehabilitation
Information and Educational Materials
Accident Prevention Programs
Workplace Safety
Drugs and Alcohol
Safety Guards
Wages

Subcommittee No. 3

Representative Hayzlett, Chairman
Representative Donovan
Representative Smith
Representative Standifer
Representative Edlund

Fraud
Assistant Attorney General
Third Party Recovery
Employer's Lien
Child and Spouse Support
Non-citizen Beneficiaries
Abusive Practices

Subcommittee No. 4

Representative Carmody, Chairman
Representative Boston
Representative Pauls

Workers Compensation Review Board
Workers Compensation Fund Issues
Definitions and Benefits
- Work Disability
- Pre-existing Conditions
- Accidental Injury
Dispute Resolution Issues

The meeting adjourned at 9:53 a.m. The next meeting is scheduled for February 19, 1993.

GUEST LIST

COMMITTEE: HOUSE LABOR AND INDUSTRY

DATE: 2-18-93

NAME	ADDRESS	COMPANY/ORGANIZATION
Jim Allen	Topeka	P P A C Inc
Dave Frankel	Lawrence	KTLA - intern
Cameron Brewer	Topeka	KTLA
Harriet Lange	Topeka	Ks Assn. Broadcasters
Jim McHaff	Topeka	KS AFL-CIO
Sharon Hoffman	"	KCDC
Bill Curtis	Topeka	KASB
Pam Wilson	Topeka	KS Co-op Council
But Brown	"	KS UBR Dealers
Terry Heatherman	Topeka	KCCT
Janis Wright	"	Wichita Eagle
Bill Meyer	Lawrence	KU Intern
Henry Blake	Topeka	C C I A
Nauden Austin	TOPEKA	CWA
Betty Mason	El Dorado	-
Marla Clickman	Topeka	Ut. Gov.
Murline Priest	Topeka	Leg Post Audit
Larry Shaffer	Topeka	Kns Hosp Assoc.
Billy Newman	Topeka	State Self Ins Fund
Self Haward	Lawrence	Intern
Joe Fungain	Topeka	K C A
Lise Keaden	Lawrence	Intern
George Ruckett	Wichita/Topeka	KRHA

GUEST LIST

COMMITTEE: HOUSE LABOR AND INDUSTRY

DATE: 2-18-93

[illegible]



Kansas Department of Human Resources

Joan Finney, Governor
Joe Dick, Secretary

Commission on Disability Concerns

1430 S.W. Topeka Boulevard, Topeka, Kansas 66612-1877

913-296-1722 (Voice) -- 913-296-5044 (TDD)

913-296-4065 (Fax)

TESTIMONY FOR HOUSE LABOR AND INDUSTRY

by

Martha K. Gabehart, Executive Director

February 18, 1993

CONCERNS ABOUT WORKERS COMPENSATION

KCDC is required by law to report to the Governor and Legislature on the concerns of Kansans with disabilities. The Kansas Commission on Disability Concerns (KCDC) voted at its December meeting to make closure of the Workers Compensation open records one of this session's legislative concerns. These comments presented today are a reflection of the opinions of the Kansas Commission on Disability Concerns and are not necessarily those of the Department of Human Resources.

CONCERN 1: The open records portion of the Workers Compensation law is in conflict with the Americans with Disabilities Act (ADA). State laws only take precedence over the ADA if they provide equal or greater protection or discriminate with legitimate purpose. An example is the Hawaiian law which requires dogs coming into the state be quarantined for 120 days to make sure they do not have rabies. This is a legitimate health reason and this law would supersede the ADA even though this impairs those people with disabilities who require dogs for guidance and assistance.

House Labor and Industry

Attachment 1

2-18-93

House Labor & Industry
February 18, 1993

Title II of the ADA applies to state and local governments. Two sections would apply. The General Requirements section prohibits state and local governments from aiding and perpetuating discrimination against a qualified person with a disability by providing significant assistance to an agency, organization or person that discriminates on the basis of disabilities in providing any aid, benefit or service to beneficiaries of the public entity's program (§35.130(b)(1)(v)).

Probably more applicable is the another section under General Requirements which prohibits utilizing a method of administration (i) which has the effect of subjecting people with disabilities to discrimination on the basis of disability; and (ii) which has the purpose or effect of defeating or substantially impairing accomplishment of the objectives of the program with respect to people with disabilities; (§35.130(b)(3)(i) & (ii))

CONCERN 2: There is no tracking system on the current computer system nor is there any record of written or telephone inquiries. This allows employers to use the information illegally to discriminate against people with disabilities with no evidence of accessing the information used.

We are in communication with the Secretary Dick and the administration of Workers Compensation about this situation. We realize the tracking system for the computer is going to be expensive and the added clerical assistance to answer written

House Labor & Industry
February 18, 1993

and telephone inquiries will be an expense, but some means of tracking is necessary if the records are not closed.

We feel there is much abuse. Employers have asked me about using the computer dial up system in most of the employer seminars I have presented and I have presented over 100 seminars since the passage of the ADA. I respond that it is discriminatory to use the information from Workers Compensation prior to the offer of employment. It is also discriminatory to base an employment decision solely on the history of Workers Compensation claims. The decision to hire should be based on the person's ability to perform the essential functions at the time of hiring, not at the time of the injury. Workers Compensation claims show a history of a disability not necessarily the presence of an ongoing disability.

CONCERN 3: Title I of the ADA applies to employment. It requires employers to keep medical information on employees confidential and in separate files from personnel files. There are a few exceptions to this confidentiality requirement. The exception which allows release of information for access to second injury funds is not found in the law or the regulations, but in the Equal Employment Opportunity Commission's (EEOC) Title I Technical Assistance Manual. It appears they are expanding the exceptions outside the intent of Congress that medical information be kept confidential when Workers Compensation agencies require their records be open to the public.

House Labor & Industry
February 18, 1993

We realize that some information is necessary to access the Workers Compensation Fund. But when Workers Compensation medical records are open for public inspection, it appears the state is providing an outlet for information which is considered confidential under the ADA. This refers back to CONCERN 1 about aiding and perpetuating discrimination and methods of administration.

KCDC has been asked by Secretary Dick to survey other states to determine how they are handling their Workers Compensation laws now that the ADA is in effect. Included with this testimony is one of the first surveys returned. Wisconsin has closed their Workers Compensation files effective January 1, 1992.

We appreciate the opportunity to bring these concerns to your attention.



Kansas Department of Human Resources

Joan Finney, Governor
Joe Dick, Secretary

Commission on Disability Concerns

1430 S.W. Topeka Boulevard, Topeka, Kansas 66612-1877
913-296-1722 (Voice) -- 913-296-5044 (TDD)
913-296-4065 (Fax)

EXTRACT FROM KANSAS WORKERS COMPENSATION ACT

K.S.A. 44-550. Records of proceedings, documents; custody and preservation. The director shall designate a person to maintain a full, true and correct record of all proceedings of the director, of all documents or papers filed by the director, or with the director, of all awards, orders and decisions made by the director and such person shall be responsible to the director for the safe custody and preservation of all such papers and documents.

44-550b. Records open to public. (a) All records provided to be maintained under K.S.A. 44-550 and amendments thereto shall be open to public inspection.

(b) This section shall be part of and supplemental to the workmen's compensation act.

WORKERS COMPENSATION SURVEY

1. Does your state have a law similar to K.S.A. 44-550b which requires that all workers compensation records be open to public inspection? ☐ yes ☒ no

2. Which of the following records are open to public inspection: *all except claims files.*

☐ medical history

☐ accident record

☐ legal proceedings

3. Do you require a release of information form from the claimant prior to giving out information? ☒ yes ☐ no *If the information is confidential, it is releaseable if the requester provides written release from authorized person*

4. Is there a penalty assessed for the illegal use of the information obtained? *yes*
(eg. New York Workers' Compensation Law, Section 125. **Job discrimination prohibited based on prior receipt of benefits.** 1. It shall be unlawful for any employer to inquire into, or to consider for the purpose of assessing fitness or capability for employment, whether a job applicant has filed for or received benefits under this chapter, or to discriminate against a job applicant with regard to employment on the basis of that claimant having filed for or received benefits under this chapter. An individual aggrieved under this subdivision may initiate proceedings in a court of competent jurisdiction seeking damages, including reasonable attorney fees, for violation of this subdivision.

2. An employer who violates the provisions of subdivision one of this section shall be guilty of a misdemeanor, and upon conviction shall be punished, except as in this chapter or in the penal law otherwise provided, by a fine of not more than one thousand dollars.

3. In addition to the criminal penalty set forth herein, where the chair has determined that an employer has violated the provisions of subdivision one of this section, the chair may, after a hearing, impose a penalty against such employer in an amount not exceeding twenty-five hundred dollars.

☐ yes (please attach copy of extract from your law and any supporting documents)

☒ no

If no, have you done any research in the area of public disclosure?

☐ yes (please attach any case history, legal opinions, EEOC or DOJ opinions)

☐ no

5. How are the records made available to the public? only public (now claims) records

☒ telephone ☒ written request ☐ computer dial-up ☒ in person ☐ other (explain)

6. Please give an estimate of the number of requests processed annually for each of the methods marked in question #5: Most requests are for claims

records - access is restricted

7. If available, please indicate annual cost of providing information to the public: _____

8. Do you use a tracking system to record who has accessed a file or requested information?

☒ yes (please attach a sample record or explain) ☐ no

9. Are workers compensation records available through any other entity, such as Insurance Index Bureaus? ☐ yes (please explain) ☒ no

If yes, is a penalty assessed for the illegal use of the information? ☐ yes ☐ no

Thank you for taking the time to complete this survey. Please return it to:

Sharon Huffman
Kansas Commission on Disability Concerns
1430 SW Topeka Blvd
Topeka KS 66612-1877

fax: (913)296-4065



State of Wisconsin \ Department of Industry, Labor and Human Relations

WORKER'S COMPENSATION DIVISION

201 East Washington Avenue
P. O. Box 7901
Madison, Wisconsin 53707
Madison: (608) 266-1340
Milwaukee: (414) 227-4382
Appleton: (414) 832-6450

DATE: January 28, 1992

TO: Persons Requesting Access or Information from Worker's Compensation Files

FROM: Gregory A. Frigo, Administrator
Worker's Compensation Division

SUBJECT: Accessing and Photocopying of Division Claims Files

Purpose. To explain the Division's policy on who is authorized to access or obtain information (including photocopies) of Division files. The intent of the new language and policy is not meant to hinder the parties but to protect the sensitive and confidential documents pertaining to the parties contained in the Division files in accordance with newly amended s. 102.33 of the Statutes.

Background. Effective January 1, 1992 the Worker's Compensation Law provides that claims records are confidential and available for inspection and copying only by certain individuals. See attached copy of new W.C. law on W.C. records.

Requirements:

- 1) As of January 1, 1992, Worker's Compensation claims files do not fall under the Open Records Law due to the sensitive and confidential nature of documents contained therein.
- 2) Authorized Requesters are:
 - Any party to the claim (employee, employer, insurance carrier).
 - An authorized attorney or agent of a party to the claim.
 - A spouse or adult child to a deceased employee.
 - A Legislator or Legislative Aide or any other government official on behalf of and about a specific constituent who is a party to the claim, may receive information about the WC claim. A Legislator or Legislative Aide or any other government official may not receive medical records or be allowed to inspect files which include medical records without a written authorization from a constituent who is an authorized requester. The Staff will advise that official of the confidentiality of Worker's Compensation records and that with release of the information the requester assumes responsibility for appropriate confidentiality.
- 3) When receiving an inquiry from an individual either by telephone, in person, or by writing, W.C. staff will ask for identifiers to determine whether the person requesting access or information is authorized to receive it. (In-person requests will be required to complete a Records Access Form which will be retained by the Division.)

-2-

- 4) All requests for access or information will be confirmed before information is released or access granted by checking the identifiers provided against the information in the Division's computer system, actual claim file or both.
- 5) Worker's Compensation staff are not permitted by the W.C. law to conduct a random search to determine if injuries to specific employees have been reported.
- 6) Files may not be immediately available if staff are working on the files or if they must be retrieved from the Record Center. Your patience is appreciated in these instances.
- 7) Files can only be examined under the supervision of staff; they cannot be removed from the room without the Division Administrator's written approval.
- 8) File access and review should be completed and the file returned no later than 4:30 p.m. on the same day.
- 9) Photocopy requests whether in person, by telephone or in writing will be treated in the same manner as stated above. Those requests in writing may receive a letter or telephone call from the Division requesting the additional information or documentation to confirm authorization.
- 10) Authorized Requesters have the right to obtain copies of the files they have the right to inspect. The following are charges for copies:
 - a. A dime (\$0.10) per copy if you do the photocopying yourself.
 - b. Twenty cents (\$0.20) per copy if staff are requested to do the copying. (Please plan on 15 work days for completion.)
 - c. A flat fee of three dollars (\$3.00) will be charged for postage and handling should you desire that copies be mailed to you.
 - d. Fees for certified copies are as follows:
 - Twenty cents (\$0.20) per page; please plan on 15 work days for completion.
 - A two dollar (\$2.00) certification fee will be charged per file in addition to the cost of copying.
 - e. The Division can arrange to bill persons who request copies by letter.
- 11) Your cooperation is requested in assuring file content remains in the same order as received.

1-8

s. 102.33(2)(a), s. 102.33(2)(b), Stats.

s. 102.33(2)(a) Except as provided in par. (b), the records of the department related to the administration of this chapter are subject to inspection and copying under s. 19.35(1).

102.33(2)(b), Stats., Notwithstanding par.(a), a record maintained by the department that reveals the identity of an employee who claims worker's compensation benefits, the nature of the employee's claimed injury, the employee's past or present medical condition, the extent of the employee's disability, the amount, type or duration of benefits paid to the employee or any financial information provided to the department by a self insured employer or by an applicant for exemption under s. 102.28(2)(b) is confidential and not open to public inspection or copying under s. 19.35(1). The department may deny a request made under s. 19.35(1) to inspect and copy a record that is confidential under this paragraph, unless one of the following applies:

1. The requester is the employee who is the subject of the record or an attorney or authorized agent of that employee. An attorney or authorized agent of an employee who is the subject of a record shall provide a written authorization for inspection and copying from the employee if requested by the department.

2. The record that is requested contains confidential information concerning a worker's compensation claim and the requester is an insurance carrier or employer that is a party to the claim or an attorney or authorized agent of that insurance carrier or employer. An attorney or authorized agent of an insurance carrier or employer that is a party to an employee's worker's compensation claim shall provide a written authorization for inspection and copying from the insurance carrier or employer if requested by the department.

3. The record that is requested contains financial information provided by a self-insured employer or by an applicant for exemption under s. 102.28(2)(b) and the requester is the self-insured employer or applicant for exemption or an attorney or authorized agent of the self-insured employer or applicant for exemption. An attorney or authorized agent of the self insured employer or of the applicant for exemption shall provide a written authorization for inspection and copying from the self-insured employer or applicant for exemption if requested by the department.

N

WORKERS COMPENSATION ACCIDENT REPORT

PA 02

DATE - 10/22/92

SSN: 0488827271 MOD: 020 DOA: 01/04/87 CART NO: 321-492
CLAIMANT: MCCANON, LYLE G FILED: 01/04/87 SEX: N-N/A
1116 E CEDAR AGE: 22
OLATHE KS 66061-4804

EMPLOYER: 0000000 SERIAL NOT IN FILE SIC: 07000

INSUR NO: 00000-00 INSURANCE CO. UNKNOWN
CLAIM NO:

INJURY: YES DISEASE: N - NO REHAB: 0
SEVERITY: 1 - TIME LOSS DEATH DATE: 00/00/00 RTW: 00/00/00
CAUSE: 121 - LIFTING OBJECTS (LIFTING, PULLING, LOADING INVOLVED)
SOURCE: 9800 - NONCLASSIFIABLE
NATURE: 311 - NOT IN TABLE
MEMBER: 420 - BACK
COUNTY: 091 - JOHNSON

DOCKET NO.:

PROC DATE: 01/04/87

SCREEN: AU

Alt-Z FOR HELP| VT102 | FDX | 1200 E71 | LOG CLOSED | PRINT OFF | ON-LINE
PC N PAGE 01

WORKERS COMPENSATION ACCIDENT REPORT

DATE - 10/22/92

SSN: 0488827271 MOD: 010 DOA: 08/24/87 CART NO: 344-7
CLAIMANT: MCCANON, LYLE G FILED: 10/02/87 SEX: M-MALE
1116 E CEADER AGE: 23
OVERLAND PARK KS 66061-4804

EMPLOYER: 2000430 LIFE CARE CENTER OF OP SIC: 07392
7541 SWITZER

INSUR NO: 11223-02 OVERLAND PARK KS 66214
AETNA CASUALTY & SURETY CO
CLAIM NO:

INJURY: YES DISEASE: N - NO REHAB: 0
SEVERITY: 0 - NO TIME LOSS DEATH DATE: 00/00/00 RTW: 08/24/87
CAUSE: 121 - LIFTING OBJECTS (LIFTING, PULLING, LOADING INVOLVED)
SOURCE: 6020 - PERSON, OTHER THAN INJURED
NATURE: 310 - SPRAINS, STRAINS
MEMBER: 420 - BACK
COUNTY: 091 - JOHNSON

DOCKET NO.:

PROC DATE: 10/12/87

SCREEN: AU

Alt-Z FOR HELP| VT102 | FDX | 1200 E71 | LOG CLOSED | PRINT OFF | ON-LINE

Requester's Name	Claimant's Name WC # or SS # & Date of Injury	Firm or Relationship to Claimant	Requester's Signature - Date & Address
1. _____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
2. _____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
3. _____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
4. _____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
5. _____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

Note: Worker's Compensation Staff may request additional information if our computer records do not confirm that you represent, have legal access to these records.

Staff may also request that you provide identification in the form of a driver's license or state ID.



**Testimony on Workers Compensation
before the
House Committee on Labor and Industry**

by

**Bill Curtis, Assistant Executive Director
Kansas Association of School Boards**

February 18, 1993

Mr. Chairman and members of the committee, we appreciate the opportunity to testify on issues of workers compensation reform. The testimony presented today is limited to those issues which have some statistical evidence as gathered from the KASB Workers Compensation Fund. We are attempting to gather further information on additional topics.

The Kansas Association of School Boards sponsored a workers compensation pool that began operations under a certificate of authority granted by the Kansas Commissioner of Insurance on July 1, 1987. The fiscal and policy years of the pool coincide with the fiscal year of a school district. The pool operates under statutory authority granted in K.S.A. 12-2616 et seq. The pool currently covers approximately 42,000 employees across the state.

Attached to this testimony are several sheets which offer some evidence that there are two areas needing some attention. The first area is medical costs and the second is attorney involvement. The issue of medical costs should also include consideration of utilization

*House Labor and Industry
Attachment 2
2-18-93*

review. While medical costs are consuming an ever greater share of claims cost it cannot be solely due to the increase in cost. It must also examine the frequency of medical services. The second area of concern is the ever increasing trend to involve attorneys. The KASB pool, as a matter of policy, does not involve an attorney unless the claimant is represented by one.

103	Cheylin	300	Comanche County	400	Smokey Valley
200	Tribune	301	Nes Tre La Go	401	Chase
202	Turner	302	Smoky Hill	404	Riverton
203	Piper	303	Ness City	405	Lyons
204	Bonner Springs	304	Bazine	406	Wathena
207	Fort Leavenworth	305	Salina	409	Atchison
210	Hugoton	307	Ell-Saline	410	Hillsboro
212	Northern Valley	309	Nickerson	412	Hoxie
216	Deerfield	310	Fairfield	413	Chanute
220	Ashland	311	Pretty Prairie	416	Louisburg
223	Barnes	312	Haven	418	McPherson
224	Republican Valley	314	Brewster	426	Pike Valley
226	Meade	316	Golden Plains	427	Belleville
227	Jetmore	318	Atwood	428	Great Bend
229	Blue Valley	320	Wamego	429	Troy
230	Spring Hill	322	Onaga	431	Hoisington
231	Gardner	323	Pottawatomie West	433	Midway-Denton
232	DeSoto	324	Eastern Heights	434	Santa Fe Trail
233	Olathe	326	Logan	440	Halstead
234	Fort Scott	327	Ellsworth-Kanopolis	445	Coffeyville
239	Minneapolis	328	Lorraine	448	Inman
240	Twin Valley	329	Mill Creek Valley	450	Shawnee Heights
241	Sharon Springs	333	Concordia	453	Leavenworth
242	Weskan	336	Holton	454	Burlingame
243	Lebo-Waverly	337	Mayetta	455	Hillcrest-Cuba
245	LeRoy-Gridley	338	Valley Falls	456	Marais des Cygnes
247	Cherokee	339	Jefferson County North	457	Garden City
248	Girard	341	Oskaloosa	458	Basehor
249	Frontenac	342	McLouth	463	Udall
250	Pittsburg	343	Perry	464	Tonganoxie
251	Americus	344	Pleasanton	465	Winfield
252	Southern Lyon Co.	345	Seaman	466	Scott County
257	Iola	346	Jayhawk	467	Leoti
258	Humboldt	349	Stafford	470	Arkansas City
260	Derby	350	St. John	475	Junction City
261	Haysville	352	Goodland	476	Copeland
262	Valley Center	353	Wellington	477	Ingalls
265	Goddard	358	Oxford	479	Crest
268	Cheney	363	Holcomb	480	Liberal
269	Palco	366	Yates Center	481	Rural Vista
270	Plainville	367	Osawatomie	482	Dighton
274	Oakley	368	Paola	486	Elwood
275	Triplains	369	Burrton	487	Herington
278	Mankato	372	Silver Lake	490	El Dorado
279	Jewell	373	Newton	494	Syracuse
280	West Graham	375	Circle	496	Pawnee Heights
282	West Elk	377	Atchison County	498	Valley Heights
284	Cottonwood Falls	379	Clay Center	499	Galena
285	Cedar Vale	380	Vermillion	500	Kansas City
286	Chautauqua	381	Spearville	503	Parsons
288	Central Heights	382	Pratt	504	Oswego
290	Ottawa	383	Manhattan	506	Labette County
291	Grinnell	384	Blue Valley	507	Satanta
292	Gove County	385	Andover		
297	St. Francis	390	Hamilton		
299	Sylvan Grove	393	Solomon		
		394	Rose Hill		
		395	LaCrosse		
		397	Centre		
		398	Peabody		

1992-93 WORKERS' COMPENSATION FUND MEMBERS
PAGE TWO

603 ANW Special Ed. Coop.
607 Tri-County Spec. Ed.
608 NE KS Ed Service Cntr
609 SEKRESC
611 High Plains Ed. Coop.
617 Marion Co. Spec. Ed.
702 Barton Co. Com. Clg.
703 Butler Co. Com. Clg.
704 Cloud Co. Com. Clg.
707 Cowley Co. Com. Clg.
709 Fort Scott Com. Clg.
710 Garden City Com. Clg.
712 Highland Com. Clg.
715 Johnson Co. Com. Clg.
716 Kansas City KS Com. Clg.
718 Neosho Co. Com. Clg.
719 Pratt Com. Clg.

TOTAL MEMBERSHIP 186



KANSAS ASSOCIATION OF SCHOOL BOARDS

Workers' Compensation Fund
5401 S.W. 7th Avenue, Topeka, Kansas 66606

CONTRACT DATE
07/01/92-06/30/93

PREMIUM WORKSHEET FOR FUND YEAR

☐ USD

DATE 6/22/92

CLASSIFICATION OF OPERATIONS	NUMBER OF EMPLOYEES	MANUAL RATES (1.)	X	ESTIMATED PAYROLL (2.) (ROUNDED TO NEAREST DOLLAR)	=	ESTIMATED MANUAL PREMIUM (3.) (ROUNDED TO NEAREST DOLLAR)
7380 DRIVERS		5.67/100		\$ 133,190		\$ 7,552
8868 PROFESSIONAL & CLERICAL		.49/100		4,097,188		20,075
9101 ALL OTHERS		4.63/100		500,111		23,155

TOTAL OF COLUMN (2) \$ 4,730,489

FOR ADDITIONAL
INFORMATION CALL:
1-800-432-2471

KASB
WORKERS' COMPENSATION
FUND

Annual gross premium exceeding \$25,000 may be paid in full or in pre-arranged payments. Those with an annual gross premium of \$25,000 or less must pay in full.

TOTAL MANUAL PREMIUM (TOTAL OF COLUMN NO. 3)		\$ 50,784
(5) EXPERIENCE MODIFICATION FACTOR		1.15
(6) STANDARD PREMIUM (Line 4 x Line 5)		58,905
(7) PREMIUM DISCOUNT		(5,891
(8) ADJUSTED PREMIUM		53,017
(9) ADVANCED DISCOUNT 15.0%		(8,483
(10) EXPENSE CONSTANT		140
(11) ANNUAL GROSS PREMIUM ROUNDED TO NEAREST DOLLAR		\$ 44,674

The annual gross premium on line 11 will be adjusted at the end of each Fund year based upon actual payroll. Manual rates, experience modification factors and the expense constant are promulgated by the National Council on Compensation Insurance. Therefore, the annual gross premium may be subject to change if NCCI changes any of those items listed above, depending upon the effective date of those changes.

KASB COPY

2-5

RATES PER \$100 OF PAYROLL
FOR SCHOOL DISTRICT PAYROLL CATEGORIES

PAYROLL CATEGORY	1987	1988	1989	1990	1991	1992
7380 (Bus Drivers & Mechanics)	2.81	2.90	3.43	3.81	4.78	5.67
8868 (Professional & Clerical)	.25	.27	.25	.28	.37	.49
9101 (All Others)	2.63	2.88	3.16	3.51	4.18	4.63

WORKERS COMPENSATION EXPERIENCE RATING

USD #

EFFECTIVE DATE

1/92

8409

RISK IDENT. NO

C

15

STATE

KANSAS

1 CODE	2 ELR	3 D - RATIO	4 PAYROLL	5 EXPECTED LOSSES	6 EXP PRIM LOSSES	7 CLAIM DATA	8 I J F	9 ACT INC LOSSES	10 ACT PR LOSSES
CARRIER 13749			POLICY NO.	8259441		EFF-DATE	07/01/88	EXP-DATE	07/01/89
7380	239	33	171009	4087	1349		*	1570	1570
8868	022	34	3345829	7361	2503				
9101	207	35	41994	869	304				
POLICY-TOTAL			3558832					1570	
CARRIER 13749			POLICY NO.	WC8264995		EFF-DATE	07/01/89	EXP-DATE	07/01/90
7380	239	33	173017	4135	1365	2	F	45928	5000
8868	022	34	3717715	8179	2781	4	F	2601	2601
9101	207	35	411591	8520	2982	6	F	3006	3006
							*	3107	3107
POLICY-TOTAL			4302323					54642	
CARRIER 13749			POLICY NO.	8269886		EFF-DATE	07/01/90	EXP-DATE	07/01/91
7380	239	33	146162	3493	1153	5	O	14985	5000
8868	022	34	3931405	8649	2941	6	F	4050	4050
9101	207	35	446098	9234	3232		*	3213	3213
POLICY-TOTAL			4523665					22248	

27465

KASB - Lopez

ASSIGNED RISK SURCHARGE FACTOR (ARAP) IF APPLICABLE: 1.09

(A)	(B)	(C) EXPECTED EXCESS (D-E)	(D)	(E)	(F) ACTUAL EXCESS (H-I)	(G)	(H)	(I)
012		35917	54527	18610	50913	12400	78460	27547

* Total by Policy Year of all cases \$2,000 or less.
Limited loss.

Q

N/A

PAGE NUMBER

1

DATE 08/05/92

FORM 5EXP REV. 7/88-AJB

(11) PRIMARY LOSSES	(12) STABILIZING VALUE	(13) RATABLE EXCESS	(14) TOTALS
ACTUAL	27547	44007	6110
EXPECTED	18610	44007	4310
			77664
			66927
			1.16

2.7

CLAIMS FREQUENCY PER 100 EMPLOYEES

Year	Total # of Employees	Total # of Claims	Frequency
1987-88	17,902	700	3.9
1988-89	19,489	909	4.7
1989-90	22,958	1,035	4.5
1990-91	26,992	1,248	4.6
1991-92	38,525	1,713	4.4

ATTORNEY INVOLVEMENT PER 100 CLAIMS

Year	Total Claims	Claims with Attorney Inv.	Frequency
1987-88	700	45	6.4
1988-89	909	54	5.9
1989-90	1,035	54	5.2
1990-91	1,248	93	7.5
1991-92	1,713	144	8.4

MEDICAL EXPENSES AS A
% OF CLAIMS EXPENSE

YEAR	TOTAL CLAIMS EXPENSE	TOTAL MEDICAL EXPENSES	PERCENTAGE OF TOTAL
1987-88	\$1,375,535	\$619,152	45%
1988-89	\$2,016,983	\$947,199	47%
1989-90	\$1,937,192	\$967,586	50%
1990-91	\$3,333,518	\$1,664,704	50%
1991-92	\$3,886,956	\$2,050,382	53%