

Update: WorkSafeNB Phase II - Management of Injured Workers' Claims



Paragraph Number	Recommendation	2020 Update	Implemented	Not Implemented
3.36	We recommend WorkSafeNB automate the claims management system to allow electronic submission and processing of claims documents, to reduce work and speed up intake and adjudication processes.	With the magnitude of systems transformation required at WorkSafeNB, the financial system has been prioritized for the targeted implementation of 2021, with the claims management system to follow in 2022.		x
3.40	We recommend claims be sent directly to an adjudicator after initial intake team gathers personal information and accident details.	This recommendation is part of a comprehensive redesign of the intake and adjudication processes. While claims are currently sent directly to an adjudicator after initial information is gathered, cycle time improvements targeted in the larger project will result in timelier decisions and payments. Estimated completion is year-end 2020.	x	
3.41	We recommend WorkSafeNB uses separate "Report of Accident" forms for the employer and employee.	While the paper Form 67 has been separated, process changes and change management Will be on-going during 2020 and into 2021.	x	
3.48	We recommend WorkSafeNB focus on return to work during adjudication by identifying risks to return to work; prioritizing complex claims and initiating a plan to address barriers.	An intake assessment role has been created to assess / triage claims once created to ensure first treatment has occurred and to direct the claim to the most competent team based on the nature of injury and complexity of the claim. This means risks to return to work, barriers, and prioritizing complex claims for immediate intervention will happen sooner in the claim. While this work was targeted for December 2019, competencies required to identify these return-to-work factors are not part of the current unionized adjudicator roles. As the collective agreement bargaining process is underway, changes to unionized job profiles and responsibilities are restricted. We anticipate movement in the area to begin in late 2020, depending on the status of the bargaining process .		x
Auditee Comments:				
<p>Note #1: Recommendations 3.40, 3.41, 3.48, and 3.66 are related and focus on embedding RTW earlier in WorkSafeNB’s process. These recommendations were targeted for implementation between March and December 2019. By year end 2019, foundational work was completed to determine the extent of changes required in WorkSafeNB’s front-end processes to align with these recommendations. With the magnitude of work required in these processes, WorkSafeNB established a Business Transformation office which became fully staffed January 2020 to ensure success of this transformational work.</p>				

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3.49	We recommend WorkSafeNB communicate a detailed case plan with return to work goals, proposed treatments, and forecast date for recovery.	This recommendation was implemented in advance of the December 2019 target. A detailed case plan is now developed, documented, and communicated to workers after the claim is accepted. It includes seven elements: anticipated RTW date (based on Disability Duration Guidelines), mechanism of injury, current treatment, RTW options, barriers, action completion dates, and contingency plans. While note #3 provides details on additional improvements to the case management practice, WorkSafeNB continues to work toward consistently implementation and control in these processes.	x	
3.53	We recommend WorkSafeNB develop a treatment plan right after a claim is accepted and enable the adjudicator to communicate it to the injured workers.	This recommendation was implemented on target in September 2019. New treatment plan standards require its development within five days of the claim being assigned to a case manager. WorkSafeNB continues to work toward consistent implementation within these standards for all claims. As the time to accept claims improves, the treatment plan will also be delivered earlier in the claim. Based on competency required to develop and deliver a case plan, this function will continue with a case manager and not an adjudicator.	x	
3.54	We recommend WorkSafeNB use disability duration guidelines to provide a forecast of return to work and include it in the initial decision letter sent to injured workers.	The use of disability duration guidelines was integrated into the overall case management practice improvements rolled out September 2019 (this recommendation was targeted for implementation June 2019). The disability duration guidelines are used to plan return to work, set milestones in the treatment plan, communicate expectations to workers and employers, and to trigger further/different intervention. Best practice suggests most workers should return to work before the end of the disability duration guideline. To manage client expectations and motivation, the specific guideline will not be communicated to workers in a decision letter but communicated broadly that WorkSafeNB follows these best practice guidelines.	x	

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3.59	We recommend WorkSafeNB require case managers discuss with injured workers their abilities, functional limitations and restrictions in determining the modified return to work plan.	Rehabilitation is planned and discussed with the worker, employer and service providers. Standard information must be documented, communicated, monitored and followed up on including anticipated return to work date, mechanism of injury (MOI), current treatment, return to work options, barriers, action/completion dates, and contingency plans. This recommendation was implemented in September 2019 with the case management practice improvements (target April 2019). New re-employment legislation that came into effect January 1, 2020 will also promote alignment of workplace parties toward stay at work during recovery and more aggressive return to work goals. While many large employers have disability management programs, medium and small employers may require additional support.	x	
3.60	We recommend WorkSafeNB improve the adjudication decision making process by requiring adjudicators to document in the claim management system decision rationale with the key legislation and operational policy.	While employees have received training on providing rationale with policy and legislative references in decision letters, the June 2019 target was not met. In 2020, WorkSafeNB will focus on consistency and quality of the decision letters. Comment to be deleted – I think this should still be marked as not fully implemented.		x
3.63	We recommend WorkSafeNB include a clear explanation of potential eligible benefits with the initial decision letter to injured workers.	WorkSafeNB completed this recommendation on target (March 2019) providing a comprehensive explanation of available benefits in all acceptance decision letters with links to additional resources on www.worksafenb.ca .	x	
Auditee Comments:				
<p>Note #3: Recommendations 3.49, 3.53, 3.54, 3.59, 3.75, and 3.84 are all related to case management practice. WorkSafeNB has significantly changed its case management discipline starting with the realignment of the division to a shared services model. Ten case management changes were implemented, with updates to tools and resources that address: RTW in pre-adjudication; RTW in case management offering working to well kits and OT support; timely contacts, treatment plan within 5 days, and follow-ups; RTW implementation without an OT; comprehensive treatment plan; amber flags for earlier medical intervention; addressing doctors notes; monitoring the treatment plan, leveraging WRC opinions on soft tissue injuries, and extended modified work. In 2020, WorkSafeNB will continue to close the gap related to a formal monitoring and performance feedback framework.</p>				

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3.66	We recommend WorkSafeNB develop specific competencies for the adjudication role and require all successful applicants to meet those competencies.	The adjudication role is part of the bargaining unit and it is currently in negotiations, impacting the completion of this recommendation, which was targeted for June 2019. The collective agreement requires these positions be filled based primarily on minimum qualifications and seniority. WorkSafeNB is in the process of designing a competency assessment tool targeted for completion September 2021. WorkSafeNB also has redesigned the structure of the adjudication department creating a new Tier 3 complex adjudication stream, which will require a higher level of proficiency at the competencies identified.		x
3.75	We recommend WorkSafeNB update its guidance to promote early referrals to the workers rehabilitation centre, to maximize return to work outcomes.	Changes have been made to case management practice to promote earlier referrals, ahead of the June 2020 target. Rather than accessing WorkSafeNB Rehabilitation Centre treatment once all local treatment has been exhausted, WorkSafeNB now assesses the most appropriate point in the continuum of care for these referrals. While the average age of the claim upon referral continues to decrease, further improvements are planned to optimize referral times and outcomes.	x	
3.81	We recommend WorkSafeNB formalize the authority and role of the medical advisor and ensure both medical advisors and case managers understand their respective roles regarding medical opinions.	The authority and role of medical consultants and case managers has been formalized by policy in advance of the target of March 2019. WorkSafeNB has a management system in place to monitor the questions and opinions. WorkSafeNB continues to work with both employees and medical consultants to improve the quality and nature of questions requiring an opinion.	x	
3.82	We recommend WorkSafeNB: require medical advisor opinions to be formally documented and be restricted to the specifics of the medical condition; and have templated, specific questions for case managers to ask medical advisors.	Changes targeted for June 2019 were achieved to ensure medical opinions are formally documented, restricted to evidence-based medicine, and questions are templated to assist adjudicators and case managers. WorkSafeNB continues to work toward improving consistent implementation of this recommendation.	x	
3.84	We recommend WorkSafeNB have a plan to: follow up with the injured worker in relation to treatment progress; closely monitor claims with modified return to work to ensure the modified work is suitable; and communicate with health care providers involved in relation to worker's progress.	See note #3 related to the treatment plan. To leverage re-employment legislation that came into effect January 1, 2020, a dedicated contact has been established to support employers with accommodations, disability management, and questions on legislation. A transformation initiative around Client Experience is also underway. Full implementation of this recommendation is planned for 2021.		x

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3.88	We recommend WorkSafeNB develop expertise for complex and sensitive conditions among case managers by allocating specific types of injuries to certain case managers and offering professional development opportunities.	The Traumatic Psychological Injury (TPI) team was established April 2019 with the restructuring of the Claims Management and Rehabilitation division to a shared services model (target January 2019). The Claims management division has further evolved in 2020 to leverage and develop case management expertise related to specific industry sectors to improve relationships with employers and return to work opportunities for workers. Have we offered professional development opportunities? No comment here on this. Have we really implemented this?	x	
3.97	We recommend WorkSafeNB: expand the duration and level of detail in case manager training; and enhance ongoing training for existing staff.	In early 2020, WorkSafeNB initiated an organizational learning and development strategy to address this corporate-wide gap. While WorkSafeNB has reinitiated this work, it is anticipated to occur beyond the June 2020 target because of the COVID-19 response. WorkSafeNB has also formed a Quality Management System department that will target formal training (onboarding and ongoing), technical coaching and auditing.		x
3.98	We recommend WorkSafeNB monitor claims managed and provide feedback to staff on an ongoing basis to ensure adherence to policy and consistency among regions.	While targeted for April 2019, WorkSafeNB will establish a formal monitoring and feedback framework in 2020. As of May 1, 2020, WorkSafeNB established a Quality Management System department mandated with formal training, technical coaching, and auditing of adherence to legislation, policy and processes. There is also a daily management discipline established for all teams to track work in progress, claim progress, constraints, and required improvements. With the claims management system not capable of providing real-time dashboard information, this daily management system is integral to our ability to monitor and adjust plans quickly.		x
3.101	We recommend WorkSafeNB annually review long term disability clients with a potential for return to work (for example, a change in functional abilities or a change in the labour market availability) to determine if the claim is still suitable for long term disability.	While targeted for June 2019, the Board approved policy changes effective January 1, 2020 to enable the new process. The new process has been implemented and assesses the status of the compensable injury and employability at each annual review.	x	
3.104	We recommend WorkSafeNB propose to amend the legislation so that appeals go to the Issues Resolution Office of WorkSafeNB as a mandatory first step before an appellant can file an appeal with the Workers Compensation Appeals	Legislative amendments came into effect January 1, 2020, ahead of the December 2020 target.	x	

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	Tribunal.			
3.107	We recommend WorkSafeNB develop Key Performance Indicators which are relevant to the performance of its internal processes.	The March 2019 target has not been achieved. The current claims management system provides no visibility into workflow and does not easily allow identification of critical internal process data or performance. WorkSafeNB has added an operational performance role to formalize its system of metrics and KPIs. Though we will develop and monitor some performance KPIs in 2020 and 2021, a more comprehensive approach to performance management within Claims and rehabilitation will be a key part of the implementation of a new claims management system in 2022.		x
Auditee Comments:				

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3.109	We recommend WorkSafeNB define targets for its Key Performance Indicators and clearly state these on performance reports.	The March 2019 target has not been achieved. This recommendation is dependent on accessing appropriate data and will be fully implemented with the new claims management system. Until then, the Claims Division has added an operational performance role to formalize its system of metrics and KPIs and will create a claims management scorecard.		x
3.111	We recommend WorkSafeNB link: key performance indicators to strategic goals; and improvement initiatives to the Key Performance Indicators identified.	KPIs related to the strategic pillars were approved by the board of directors April 2019, consistent with the March 2019 target. The Executive Leadership Team has also developed and implemented a choice process to align projects and improvements with the strategic pillars.	x	
3.115	We recommend WorkSafeNB reallocate administrative tasks, such as loss of earnings benefit calculations, from case managers to administrative staff.	The first phase of changes occurred April 2019 in advance of the June 2019 target. Subsequent training occurred and administrative tasks related to benefit calculations have been reallocated to administrative employees. A 2020 transformation initiative is underway to align all financial transactions within a Centre of Excellence under the Chief Financial Officer by end of year.	x	
3.119	We recommend WorkSafeNB build tools into the claims management system to free up staff from routine and repetitive tasks so they can focus on progress and treatments of injuries. Such tools would include enhanced data mining capabilities; system reminders to update client information; auto-complete forms; and automated medical claims processing.	This recommendation is linked to future claims management systems changes as noted in 3.36. It will be implemented after the December 2021 target.		x
3.131	When tendering the contract for medical services again in 2019, we recommend WorkSafeNB: ensure tender requirements are comprehensive to minimize the need for significant changes after the tender is issued; and follow procurement regulations and best practices to ensure transparency, fairness, and competitiveness of the bidding process.	This procurement is underway with a targeted implementation of December 2020. WorkSafeNB is adhering to this recommendation throughout the procurement process and anticipates having an RFP posted to NBON around July 2020.		x
Auditee Comments:				

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3.133	We recommend WorkSafeNB use a shorter initial term with an option to renew, when the contract for medical services is tendered in 2019.	This procurement is underway and on track for the December 2020 target. WorkSafeNB is adhering to this recommendation throughout the procurement process. All new related contracts will have a maximum length between two and five years.		x
3.135	We recommend that WorkSafeNB include contract terms addressing intellectual property rights in future contracts for medical and rehabilitation services.	When tendering the contract for medical services, the RFP will contain terms addressing intellectual property rights. These provisions will also be part of other contracts going forward where applicable. To align with the medical services procurement, this recommendation has a targeted implementation for December 2020, rather than December 2019. All new contracts are reviewed by a legal department to ensure they have these provisions.		x
3.141	We recommend WorkSafeNB use progress reports received from physiotherapy clinics to monitor injured workers during treatment.	Monitoring treatment, adjusting the plan and follow up are now formally documented in the treatment plan as part of the case management practice improvements implemented September 2019 ahead of the December 2019 target. See note #3.	x	
Auditee Comments:				