

# Work Comp Connection



October 2014 Newsletter

Division of Workers Compensation:  
Serving Kansas for more than 100 years

## The Workers Compensation Judicial Section and Appeals Board

The division has ten administrative law judges throughout the state whose primary function is to conduct timely hearings in contested workers compensation claims and render orders based on the facts presented, as applied to the workers compensation act. For an initial determination of benefits, preliminary hearings are set on a priority basis and preliminary decisions are issued within five days of the hearing. A [list of the workers compensation administrative law judges and their contact information](#) is available online.

Also available online is a [map showing the counties \(areas\) of coverage](#) by each administrative law judge.

The Workers Compensation Appeals Board was established in 1993 to decide appeals of orders and awards from the Workers Compensation Administrative Law Judges. The Legislature created the Board to replace the state district court judges' place in the appeal process to obtain more uniform decisions throughout the state.

Appeals board members conduct de novo review of decisions. Review is on the record. All five Board members decide final orders, awards and modifications of final awards. Review of preliminary hearing orders are decided by a single Board member.

Decisions from the Board are due within 30 days of the date arguments are presented. Decisions are posted online at [Recent Board Decisions](#) and [Search and Access Board Decisions](#).

The 2015 Board Hearing Dates and Location (found at the right) are also found [online](#). Continue to monitor the website for updates in the 2015 schedule.

### 2015 Work Comp Appeals Board Hearing Dates and Locations

Lenexa	Topeka	Wichita
January 13	January 6 & 21	March 20
April 14	February 3, 10 & 17	April 24
July 14	March 3 & 10	May 22
October 13	April 7	June 19
	May 5 & 12	July 24
	June 2 & 9	August 21
	July 7	September 25
	August 4* & 11	October 23
	September 9 & 15	
	October 6	
	November 3, 10 & 17	
	December 8 & 15	

## Changes to the Medical Fee Schedule Coming in November



The Workers Compensation Medical Services section administers the Division's fee schedule for provision of medical services to injured workers. The section revises the fee schedule on at least a biennial basis. This assures that the fee schedule is reasonable and promotes health care cost containment, yet ensures the availability of necessary treatment and care for injured employees.

The changes to the medical fee schedule will be posted on the section's website in November and go into effect in January 2015.

\* NOTICE: The Board has decided to hold oral arguments on Tuesday, August 4, 2015, at the Crawford County Courthouse in the district courtroom at 120 West 4th St., Pittsburg, KS 66762. A minimum of four claims will need to be set for hearing that day or the hearing location will revert to Topeka.



**Download Seminar Handouts until 4 p.m. Oct. 15**

## Fraud and Abuse

The Fraud and Abuse unit was created in 1994 to combat fraudulent activities or abusive acts and practices by employers, employees and healthcare providers. This unit is responsible for the investigation of alleged violations of the Workers Compensation Act. The unit does not investigate misconduct by insurance carriers or agents. Instead, the Kansas Insurance Department ([www.ksinsurance.org](http://www.ksinsurance.org)) addresses these complaints.

If a violation of the Workers Compensation Act is discovered, the Fraud and Abuse unit is willing to pursue administrative remedies. In certain cases, the unit may ask a county or district attorney to file criminal charges.

Identifying and prosecuting workers compensation fraud is a priority for Kansas. An Assistant Attorney General is assigned to direct and assist in the investigation and prosecution of alleged fraudulent or abusive acts or practices.

If you believe or have knowledge that a violation of the Workers Compensation Act has occurred or is occurring, you may notify the Division's Fraud and Abuse unit by using one of the following reporting options:

[Online Fraud Reporting](#) (to report by email)  
[Fillable Reporting Form](#)

or contact the unit at:

Kansas Workers Compensation  
Fraud and Abuse Investigation Unit  
401 SW Topeka Blvd, Suite 2  
Topeka, Kansas 66603-3105  
(785) 296-4000 (option 4)  
Toll free (800) 332-0353 (option 3); email at [wcfraud@dol.ks.gov](mailto:wcfraud@dol.ks.gov)

For more information, visit the website at [www.dol.ks.gov/WorkComp/fraud.aspx](http://www.dol.ks.gov/WorkComp/fraud.aspx),

## Unemployment Fraud also a problem for Unemployment Benefits

Unemployment fraud is the willful misrepresentation of information by a worker to collect unemployment benefits. Each year, employers pay unemployment taxes which are deposited into the Unemployment Insurance (UI) Trust Fund. Unemployment benefits are paid out from this fund to workers who have lost their job through no fault of their own. Employers' tax rates are affected when workers make claims against their account and the balance of the Trust Fund. The Kansas Department of Labor (KDOL) wants to ensure unemployment benefits are not being diverted from the Trust Fund to those who are not eligible. Kansas law provides penalties to claimants and employers who commit fraud.

You can report suspected unemployment fraud online at <https://www.dol.ks.gov/UI/FraudReport.aspx?ssl=1>.

There is a link to the Workers Compensation and Unemployment Insurance fraud information from a button on the KDOL homepage.



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Annual  
Workers Compensation  
Seminar  
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[www.dol.ks.gov/WorkComp/default.aspx](http://www.dol.ks.gov/WorkComp/default.aspx)

