Ohio Industrial Commission BIENNIAL BUDGET

2024 – 2025



Mike DeWine, Governor · Jon Husted, Lt. Governor

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LETTER FROM THE CHAIRMAN

The Ohio Industrial Commission (IC) is dedicated to a simple objective: Managing our public funds in a responsible, conservative manner while providing Ohio's injured workers and employers with timely, impartial resolution of their workers' compensation appeals. With that mission in mind, it is my pleasure to present to you our 2024 and 2025 Biennial Budget Request.



The IC is responsible for providing a forum for fair and impartial claims resolution of disputed workers' compensation claims, adjudicating claims involving an employer's violation of specific safety requirements, and determining eligibility for permanent total disability benefits. We serve the injured workers and employers of Ohio across a footprint of 12 offices and through an internet portal with a clear mission of customer service.

As a non-GRF agency, the IC is funded solely by an Administrative Cost Fund surcharge applied to the workers' compensation insurance base premium coverage rate. Prudent fiscal management has enabled the Commission to maintain a stable environment for Administrative Cost rates for our Ohio employer group stakeholders as BWC base rates have been reduced significantly over the decade. We intend to maintain the optimal rate structure through the end of the next biennial budget period

to fund operations and benefit employers.

Decision quality is also of paramount importance as measured by external court review of an appealed order. Our 71 hearing officers, all of whom are licensed attorneys, adjudicated over 90,105 claims in fiscal year 2022. By external measure, the IC continues to be viewed favorably. The number of IC orders that were appealed to the Tenth District Court of Appeals through an action in mandamus in 2022 was only 52 which is .06% of total claims. No decisions have been issued on those 52 appeals.

In the next fiscal biennium, the IC will continue to provide injured workers and employers with a timely, impartial, high quality resolution of their workers' compensation appeals while remaining on a path of fiscal prudence and outstanding service.

Sincerely,

Jim Hughes

Chairman and CEO

WHO WE ARE

STABLE PREMIUM ASSESSMENT FOR OHIO EMPLOYERS

The IC does not receive any Ohio general revenue funding for its operations. The agency is funded by an Administrative Cost Fund (ACF) rate which is a surcharge that is applied to the workers' compensation base rate premiums of Ohio's employers. Since 2014, the Ohio Bureau of Workers' Compensation (BWC) has made significant reductions in employers' base rates which has a direct impact in the amount of revenue generated for funding IC operations. Therefore, to offset the base rate decrease and maintain a stable revenue flow, the IC is compelled to increase rates. However, the IC has maintained a steady expenditure level through these years. The overall combined net change of the base and ACF rate has been minimized and a stable total rate structure has resulted.

ACF Rates by Policy Year

Employer Group	PY-21	РҮ-22
Private	3.08 percent	3.11 percent
Public State	5.16 percent	5.30 percent
Public Taxing Districts	4.60 percent	5.33 percent
Self-Insuring	9.79 percent	10.29 percent

PROVIDING EXCELLENT SERVICE

The IC provides a forum for appealing Ohio Bureau of Workers' Compensation (BWC) and self-insured employer decisions. The IC adjudicates claims including but not limited to: allowances; temporary total disability compensation; treatment; permanent partial disability; applications for additional awards for violation of specific safety requirements; and determination of eligibility for permanent total disability benefits. Throughout the appeals process, the agency offers information and resources to assist parties, including a customer-service phone line and assorted web services which allow representatives to manage and submit evidence for consideration.

The IC adjudicates claims across three hearing levels. The first level of hearings is at the District hearing level (DHO). If this DHO decision is appealed, a hearing is held at the Staff hearing level (SHO). If the decision of the SHO is disputed, the claim can be further appealed to the Commission hearing level. The Governor appoints the three-member Commission and the Ohio Senate confirms these appointments. By previous vocation, employment, or affiliation, one member must represent employees, one must represent employers and one must represent the public. One of these members must be an attorney. Hearings are conducted in 12 IC offices around the state. The Executive Director manages the agency's day-to-day operations. The IC continues to maintain a high level of compliance with the statutory mandates of providing a hearing with 45 days of appeal filing and 7 days to issue an order after that hearing.

With investment in state-of-the-art technological processes, the IC has continued to maintain a high level of statutory compliance with requirements for timely service. These processes include:

- Modified existing core hearing process applications for external presentation. This required a rewrite of
 multiple application components, as well as significant security changes to support continued operations
 until such time that laptops were made available to all agency employees;
- Changes were made to the docketing system to implement bridge lines secured via Cincinnati Bell Technology Solutions (CBTS);
- Secured cellphones for all hearing officers and critical hearing services support staff in order to support teleconference hearing options;
- Procured laptops and prepared them with appropriate software images and encryption and distributed to employees at offices statewide;
- Deployed docking stations within the office environment as a desktop replacement to maintain flexibility;
- Secured Virtual Private Network (VPN) access and DUO Mobile two-factor authentication for employees agency wide;
- Implementation of scalable Nuance Dragon voice recognition software for all hearing officers; and
- Implementation of hybrid hearing process via Webex.

IC COMMISSIONERS



Jim Hughes Employee Member Dates of Service: July 2019 - June 2025

Jim Hughes has spent his career demonstrating his passion for public service.

He was appointed by Governor Mike DeWine to be the chairman and employee member of the Ohio Industrial Commission for a term that began on July 1, 2019.

Jim brings decades of legal knowledge and public policy experience to his role as

chairman. He began his career as a bailiff and court constable in the Franklin County Court of Common Pleas. He later served as assistant prosecutor in the City of Columbus Prosecutor's Office and then as assistant prosecutor for Franklin County. He also worked previously as an attorney and partner at the Isaac Wiles law firm in Columbus.

In 2000, he was appointed to the Ohio House of Representatives and was later elected to the Ohio House of Representatives in 2000, 2002, 2004, 2006, and 2016; and the Ohio Senate in 2008 and 2012. During his 18 years in the Ohio General Assembly, Jim supported legislation that toughened criminal penalties, protected children, reformed taxes, streamlined regulations, and incentivized businesses to settle in Ohio. He also served on many legislative committees including Civil Justice, Insurance and Financial Institutions, Energy and Public Utilities, Transportation and Public Safety, and Criminal Justice.

Jim has received numerous accolades from several groups over the course of his career. He has been named Legislator of the Year by the FOP Capitol City Lodge No. 9, the Ohio Fire Chief's Association, the Ohio Nurses Association, the Ohio Association of Professional Firefighters and the AMVETS Department of Ohio. In addition, he has received the Ohio Association for Justice Workers Compensation Outstanding Service Award, and the Watchdog of the Treasury Award, among others.

Jim earned his Juris Doctorate at Capital University Law School after completing his bachelor's degree in business administration at The Ohio State University. He and his wife Susan live in Upper Arlington, and have a daughter, Kaela.



Karen L. Gillmor, Ph.D. Public Member Dates of Service: July 2017 - June 2023

With over three decades of dedicated public service, Karen brings a tremendous knowledge of workers' compensation issues to the Industrial Commission of Ohio. A native of Ohio, she earned her diploma from Rocky River High School before earning a bachelor's degree with honors from Michigan State University and a master's degree and Ph.D. from The Ohio State University.

Her career shows a passionate interest in the fields of health care, labor relations and workers' compensation.

From 1983 to 1986, Karen served as Chief of Management Planning and Research at the Industrial Commission of Ohio. In this position, she authored a study of self-insurance, which was incorporated into Ohio's omnibus

workers' compensation reform law. She also served as the employee representative to the Industrial Commission of Ohio's Regional Board of Review and the Ohio Bureau of Workers' Compensation Oversight Commission. Karen was first appointed to the IC by Governor John Kasich in July 2011 and was appointed to a second term in July 2017.

Before coming to the IC, Karen was elected to Ohio's 26th Senate District seat in 1992, 1996 and 2008. She chaired the Senate Insurance, Commerce and Labor Committee, was a member of the Unemployment Compensation Advisory Committee, and the Labor-Management-Government Committee. She served as vice chair of the State Employment Relations Board from 1997 to 2007 and was a consultant to the United States Secretary of Labor. Nationally, Karen served on the Health Committee of the American Legislative Exchange Council, as well as on the Health and Human Services Committee of the Council of State Governments' Midwestern Region.

Karen was married to United States Congressman Paul Gillmor, who tragically passed away in 2007. They have five children, Linda, Julie, Paul Michael and twins Connor and Adam.



Daniel J. Massey Employer Member Dates of Service: July 2021 - June 2027

Dan brings decades of experience both within and outside state government.

He began his career as an Ohio assistant attorney general where his practice was both in litigation and agency representation. During his tenure, Dan's clients included the Ohio Department of Transportation, the Ohio Department of Commerce, and the Ohio Department of Insurance. He also represented various boards and

commissions, including the Ohio Dental Board and the Ohio State Racing Commission.

While working in state government, he also headed the legislative program within the Ohio Attorney General and was involved in the enactment of the Ohio Consumer Sales Practice Act and the lobbying disclosure law.

After leaving government service, he practiced law in Columbus. He maintained both a legislative and corporate practice and was instrumental in the passage of the alternate retirement system legislation, which allows certain public employees to join a private, defined contribution plan. He also served as a hearing officer for the Ohio State Racing Commission.

Prior to his appointment at the Ohio Industrial Commission, Dan worked at the law firm of Murray, Murray, Moul and Basil in Columbus.

He has both a bachelor's degree and law degree from Capital University. He and his wife, Marilyn live in Columbus. They have two children and four grandchildren.



OUR BUDGET PLAN

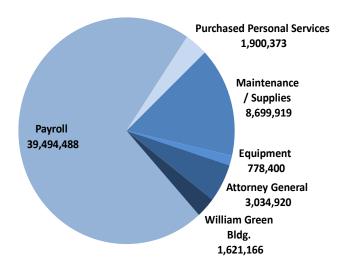
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BUDGET REQUEST

As we prepare to enter the next biennium budget period, the IC faces the continued challenges of succession planning and technological infrastructure conversion. The IC has 47.7 percent of its current contingent of Full Time Equivalent resources eligible for at least one of three retirement options by the end of FY 2024. As the agency transitions through this period, it is devoted to keeping costs down while ensuring a seamless knowledge transfer as new employees enter and retirees exit. In the next biennium, we expect to encounter some overlapping in job classification staffing totals as succession transition continues.

Migration of legacy systems will be a high priority for the information technology staff as support for older programmed platforms becomes scarce. Migration costs are estimated at \$1.5MM over the biennium. Cloud migration may also be initiated for various other IC hearing applications. Timing will depend on the further maturation of external solutions and their ability to match these applications' requirements. Funding will also be required for service fees related to the agency's further integration within the Ohio Department of Administrative Services (DAS) Office of Information Technology enterprise. Conservative financial projections and highly scrutinized spending have kept the IC on firm financial footing and this will continue in the next biennium. We are requesting a total budget of \$55,529,266 for FY 2024 and \$55,606,639 for FY 2025.

Exhibit A

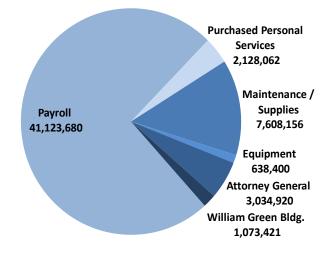


Biennium Budget – Fiscal Year 2024

Description	2024
Payroll	\$39,494,488
Purchases Personal Service	\$1,900,373
Maintenance/Supplies	\$8,699,919
Equipment	\$778,400
Attorney General	\$3,034,920
William Green Building	\$1,621,166
Total Budget	\$55,529,266

Biennium Budget – Fiscal Year 2025

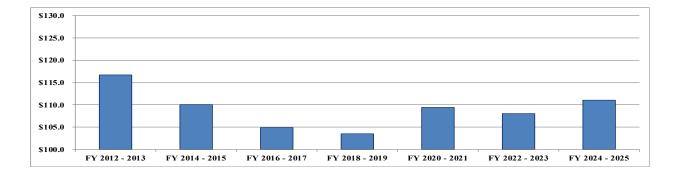
Description	2025
Payroll	\$ 41,123,680
Purchases Personal Service	\$2,128,062
Maintenance/Supplies	\$7,608,156
Equipment	\$638,400
Attorney General	\$3,034,920
William Green Building	\$1,073,421
Total Budget	\$55,606,639



COMPARISON TO PREVIOUS BUDGETS

The proposed budget for FY 2024 at \$55.5MM is an increase of \$7.8MM over the current FY 2023 budget while the FY 2025 proposed budget is only \$77,373 above the FY 2024 request. The combined biennium request is \$111.1MM.

Exhibit B



Biennium Years	Biennium Budgets	Biennium to Biennium Change
FY 2012-2013	\$116.7 Million	
FY 2014-2015	\$110.1 Million	-5.71%
FY 2016-2017	\$105.0 Million	-4.63%
FY 2018-2019	\$103.6 Million	-1.31%
FY 2020-2021	\$109.5 Million	5.67%
FY 2022-2023	\$108.1 Million	-1.25%
FY 2024-2025	\$111.1 Million	2.78%
Decrease in Biennium Request over the Period	-\$5.6 Million	-4.82%

IC COST SAVINGS AND CUSTOMER SERVICE EFFORTS – HEARING PROCESS

The IC continues to install customer focused improvements by either its own operational review or by listening to its stakeholders (employers, injured workers, representatives, legislators, etc.).

In turn, some of these changes resulted in greater efficiencies and cost savings for the hearing process. These changes include:

- Implementation of Microsoft Teams agency wide to allow for enhanced collaboration.
- Migration of all agency server infrastructure to the State of Ohio Computer Center in advance of the required date set forth by Governor DeWine's Executive Order 15-D. This has allowed for the restructuring of technical staff to better support infrastructure-based applications agency-wide.
- Preservation of a well-funded Administrative Cost Fund (ACF) reserve through long range forecasting and cost containment. Employer ACF rate change impacts have been stabilized by leveraging base rate reductions into our funding needs. These efforts significantly reduce the risk of fund depletion during challenging economic periods.
- IC achieved a 38.09% Set-Aside rate in FY 21 and 23.04% in FY 22 for Minority Business Enterprise (MBE) directed expenditures vs. the statutory mandate of 15%. IC achieved a 32.78% Encouraging Diversity, Growth and Equality (EDGE) rate in FY 21 and 27.15% in FY 22 vs. the 5 percent policy requirement for the same period.
- Updating all signage at our office locations throughout the state, including outside, front door and interior signage.

A VISION FOR THE FUTURE

In the next biennium, the IC will face a potential workforce "retirement wave."

By the end of FY 2022, the potential for retirement is as follows:

Exhibit C

Position Description	Total Eligible	Percentage Eligible
Claims Examiner (inc. Supervisor)	26	48.6%
District Hearing Officer	10	28.2%
Staff Hearing Officer (inc. SHO2)	25	60.0%
Program Administrator	14	66.7%
All Others	57	44.8%
Total Agency	132	47.7%

SHO ranks are back-filled by promoting eligible and qualified District Hearing Officers (DHO). New DHO positions will require external hiring at a level based on observed hearing levels trends at that time. Advanced legal and medical knowledge is required for a DHO position. The training period is usually a minimum of six months before a full docket of hearings is assigned. To avoid disruptions in customer service during this training and possibly exceeding statutory timeframe mandates for hearing and order issuance, it is the IC's intent to on-board new hires while the retiring employee is still active.

While the need to fill Claims Examiner (CE) slots is not as vital as a hearing officer since CE work is pooled through the paperless platform, extended training of at least 3-4 months will be required to determine success. This will result in some staffing overlaps to secure an effective knowledge transfer resulting in a temporary bump in full time employee (FTE) counts during these transitions. We anticipate a high end of these bumps to reach 328 FTEs which includes the 3 Governor appointed Commissioners, matching our funding request.

In the non-personnel area, migration of legacy systems will be a high priority for the information technology staff as support for these older programmed platforms becomes scarce. There are at least three systems that are a priority with direct impact to the hearing process. Migration costs are estimated at \$1.5MM over the biennium. Cloud migration may also be initiated for various other IC hearing applications. Timing will depend on the further maturation of external server systems and their ability to match these applications' requirements. Funding will also be required for service fees related to the agency's further integration within the DAS Office of Information Technology enterprise.

The IC maintains an adequate reserve for funding these needs. Any shortfalls in revenue streams will be supported by these internal resources and enhanced by offsetting expenses in other non-priority areas.

The IC has a single mission dedicated to the adjudication of contested workers' compensation claims. In the upcoming biennium, activities focused on staffing management, customer service and technological advances will include:

- Creation of workforce development plans that balances turnover to claim volume levels to on-site office staff presence need;
- Further Industrial Commission Online Network (ICON) enhancements for better claimant/employer/ representative access;
- Migration of legacy systems to emerging technologies; and
- Migration of remaining core system servers to DAS Office of Information Technology's State of Ohio Computer Center or public cloud.

The IC has an enviable record in meeting these goals and will continue to support Governor Mike DeWine's program through the next biennium.

EXCELLENT CUSTOMER SERVICE AT LOWER COST

EXCELLENT CUSTOMER SERVICE AT A LOWER COST

In addition to the Commissioners, there are 71 hearing officers with additional hires in process — all attorneys — in five regional and seven district offices throughout the state.

In FY 2022, the IC heard 90,105 claims at all adjudicatory levels. District Hearing Officers (DHOs) heard 63,673 claims, while Staff Hearing Officers (SHOs) heard 26,319 claims, and the Commission heard 113 claims.

The Industrial Commission Online Network (ICON) has made it easy for parties to file motions and appeals online. First level motions and appeals filed on ICON this fiscal year totaled 35,900. Second level and above ICON filings, inclusive of appeals filed to DHO and SHO orders, totaled 41,244 in FY 2022.

INVENTORY

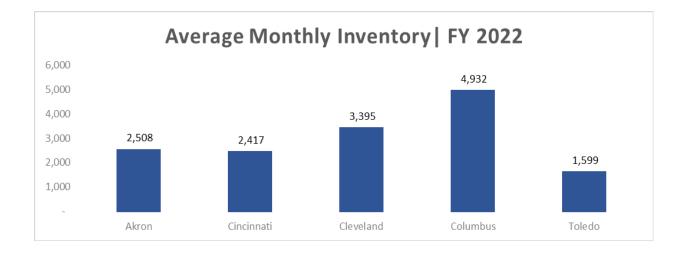
Motion/Appeal Filings

IC workloads and performance are initiated by and heavily dependent upon the volume of new motion and appeal filings. IC inventory volume is volatile depending on appeal filings, claims flow from the Bureau of Workers' Compensation (BWC), docketing volume, and other factors.

Approximately 90,784 new first level motions and appeals were filed during FY 2022 for 58,033 separate claims.

Hearing Inventory

Statewide average monthly DHO/SHO inventory, inclusive of medical inventory, was 14,851 for FY 2022. Regional breakdown of average inventories for FY 2022 is as follows: Columbus - 33 percent; Cleveland - 23 percent; Akron - 17 percent; Cincinnati - 16 percent; and Toledo - 11 percent.



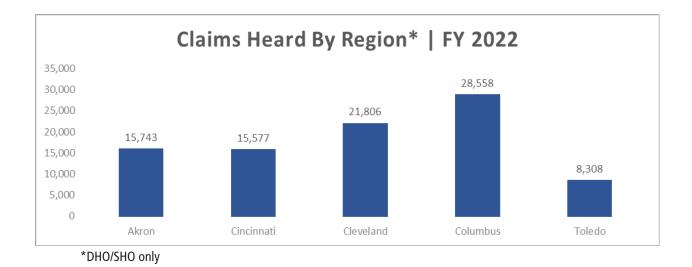
HEARING ACTIVITY

Formal hearings and administrative reviews account for the majority of IC activity. In FY 2022, the IC made approximately 148,682 decisions on issues arising from workers' compensation claims.

During FY 2022, the IC performed 13,819 administrative reviews and heard a total of 90,105 claims at all adjudicatory levels. Claims heard are inclusive of hearings at the DHO, SHO, and Commission venues. Administrative reviews incorporate issues that do not initially require formal adjudication via hearing (Hearing Administrator issues, Commission requests, etc.). These issues are reviewed and processed but are not typically reflected in routine production reports under DHO or SHO dockets. However, these issues may subsequently result in a hearing under the normal adjudicatory processes and are reflected accordingly under respective hearing venues.

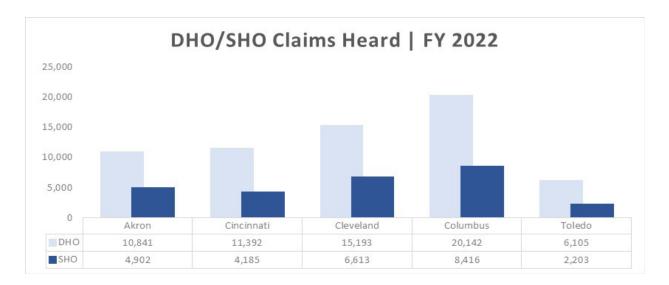
Claims Heard

For FY 2022, the total DHO hearing volume accounts for 63,673 claims heard, while the SHO volume is recorded at 26,319 claims heard. Commission venue recorded 113 claims heard. Total claims heard is inclusive of continuances, referrals, dismissals, and other final determinations made as a result of a hearing.

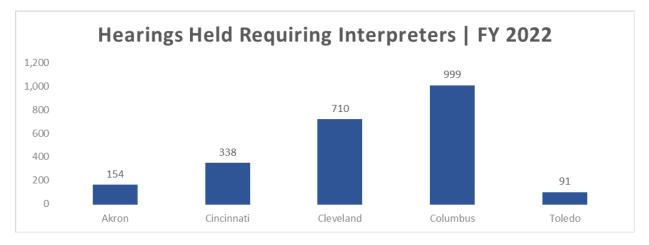


Regionally, the distribution of FY 2022 claims heard at DHO and SHO hearing levels is as follows: (rounded figures): Columbus at 32 percent; Cleveland at 24 percent; Akron and Cincinnati each at 17 percent each; and Toledo at 9 percent.

DHO and SHO hearings were conducted on 249 days during FY 2022. An average of 361 claims were heard per hearing day at the DHO and SHO hearing levels. District level hearings averaged 256 claims heard per day (rounded), while Staff level hearings averaged 106 claims heard per day (rounded).



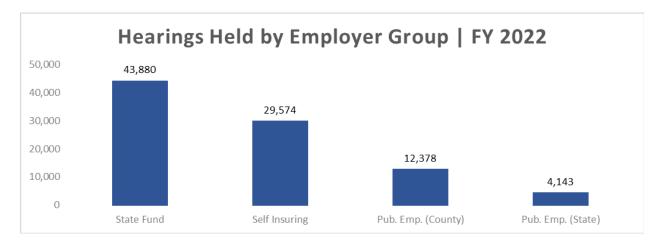
A total of 2,292 hearing records were flagged as requiring interpreter services during FY 2022, accounting for three percent of total hearings held.



Note: An interpreter may not have been present at each hearing.

Hearings Held by Employer Group

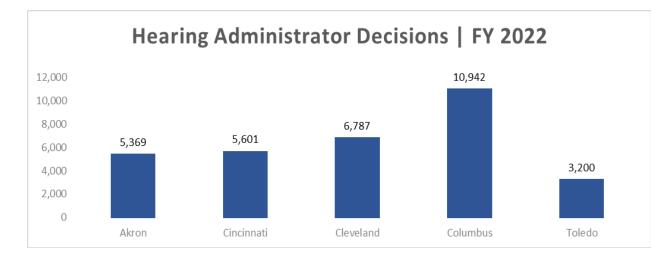
Hearings were conducted for approximately 23,496 different employers in FY 2022. Hearings for claims of private state funded employers accounted for 49 percent of all hearings; self-insuring employers accounted for 33 percent; public county employers accounted for 14 percent; and public state employers' claims accounted for 5 percent (figures rounded).



Hearing Administrator

Hearing Administrators perform a variety of functions that facilitate the adjudication process. In addition to processing approximately 16,612 continuance requests during FY 2022, they also processed 11,903 requests to cancel scheduled hearings. Additionally, Hearing Administrators processed requests for extensions related to permanent total disability (PTD) filings and requests regarding other miscellaneous issues.

Statewide, Hearing Administrators made decisions on, or referred to hearing, approximately 31,899 issues during FY 2022. Regional volumes of Hearing Administrator activity are presented in the graph below.



Medical Activity

The IC schedules medical exams for injured workers that have filed for PTD benefits related to work injuries. Most of these claims will result in a subsequent hearing. The volume of claims within the IC medical section as of June 30, 2022, was 221 claims.

A total of 1,443 specialist exams and medical reviews were performed on behalf of the IC during FY 2022.

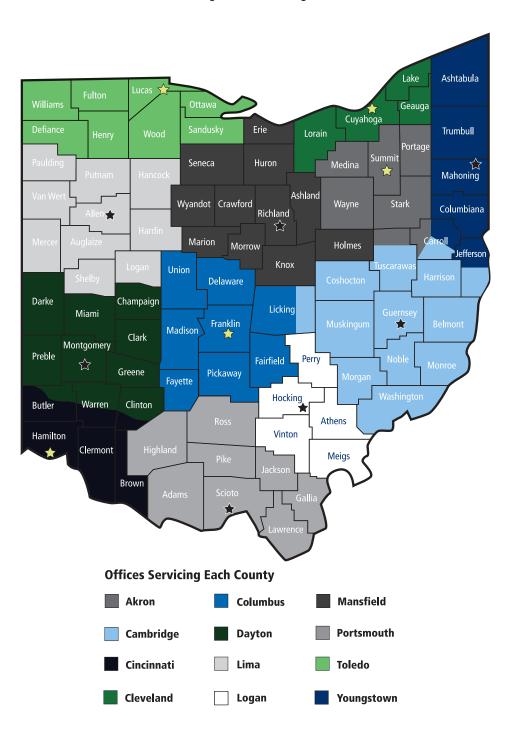


PERMANENT TOTAL DISABILITY (PTD) SUBMISSION PROCESS

Permanent total disability (PTD) claims are in a separate category because they are required to be handled differently than other claims that come to the IC. PTD claims take longer to process because there is a required independent medical exam, and there are submission periods built in to allow parties time to obtain medical and vocational information. The submission periods were put into place so that parties could provide hearing officers with the most information possible as they decide whether to grant or deny a PTD award. Ohio Administrative Code 4121-3-34, shows the submission periods for permanent total disability processing.

DISTRICT OFFICES ASSIGNMENTS MAP

Our 12 offices in 5 regions blanket the state. IC office locations are carefully chosen so that most injured workers do not have to drive more than 45 minutes from their home to get to their hearing.



OFFICE LOCATIONS & CONTACT INFORMATION

Customer Service and Interpretive Services

800-521-2691; toll free, nationwide 614-466-6136; Franklin County 800-686-1589; toll free, TDD Email: AskIC@ic.ohio.gov Web: www.ic.ohio.gov

AKRON REGION

161 S. High St., Suite 504 Akron, Ohio 44308

Tel: 330-643-3550 Fax: 330-643-1468

Youngstown

242 Federal Plaza West Youngstown, Ohio 44503

Tel: 330-792-1063 Fax: 330-792-2473

CINCINNATI REGION Cincinnati

125 E. Court St., Suite 600 Cincinnati, Ohio 45202

Tel: 513-357-9750 Fax: 513-723-9811

Dayton

1242 E. Dayton-Yellow Springs Rd. Fairborn, OH 45324

Tel: 937-264-5116 Fax: 937-264-5130

CLEVELAND REGION

615 Superior Ave. NW, 5th Floor Cleveland, Ohio 44113

Tel: 216-787-3001 Fax: 216-787-3483

COLUMBUS REGION Columbus

30 W. Spring St., 7th Floor Columbus, Ohio 43215

Tel: 614-466-4683 Fax: 614-644-8373

Cambridge

2130 E. Wheeling Ave. Cambridge, Ohio 43725

Tel: 740-435-4000 Fax: 740-435-4010

Logan

12898 Grey St. Logan, Ohio 43138

Tel: 740-380-9685 Fax: 740-385-2436

Mansfield

240 Tappan Drive N., Suite A Mansfield, Ohio 44906

Tel: 419-529-1360 Fax: 419-529-3084

Portsmouth

1005 Fourth St. Portsmouth, Ohio 45662

Tel: 740-354-2334 Fax: 740-353-6975

TOLEDO REGION Toledo

One Government Center, Suite 1500 640 Jackson Street Toledo, Ohio 43604

Tel: 419-245-2740 Fax: 419-245-2652

Lima

2025 E. Fourth St. Lima, Ohio 45804-0780

Tel: 419-227-7193 Fax: 419-227-7150

Ohio Industrial Commission

Timely, Impartial Resolution of Workers' Compensation Appeals

30 West Spring Street, Columbus, Ohio 43215

www.ic.ohio.gov, (800) 521-2691

Mike DeWine, Governor Jon Husted, Lt. Governor

Jim Hughes, Chairman Karen L. Gillmor, Ph.D., Member Daniel J. Massey, Member



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