

Top 10 Reasons Injured Workers Hire Lawyers (and how you can change that)

IARP Conference 2019



Patrick Palace

Patrick@PalaceLaw.com

[@PalaceLaw](https://twitter.com/PalaceLaw) on twitter

PalaceLaw.com

The Premise:

**There is a
Better System**

(And the answer to “what does it
look like” is in the room right now)

The L&I Preamble

The common law system governing the remedy of workers against employers for injuries received in employment is inconsistent with modern industrial conditions. In practice it proves to be economically unwise and unfair. Its administration has produced the result that little of the cost of the employer has reached the worker and that little only at large expense to the public. The remedy of the worker has been uncertain, slow and inadequate. Injuries in such works, formerly occasional, have become frequent and inevitable. The welfare of the state depends upon its industries, and even more upon the welfare of its wage worker...sure and certain relief for workers, injured in their work, and their families and dependents is hereby provided regardless of questions of fault and to the exclusion of every other remedy...

Rolls of the Parties

Claimant Representative

- Protect the rights of the Claimant
- Follow the Law
- Obtain benefits workers are entitled under the law
- Return worker back to work when employable
- Minimize client costs
- Avoid litigation if possible
- Efficiently and effectively bring claim to resolution

Self Insured Representative

- Protect the rights of the Employer
- Follow the Law
- Provide worker benefits entitled under the law
- Return worker back to work when employable
- Minimize employer costs
- Avoid litigation if possible
- Efficiently and effectively bring claim to resolution

The Top 10 Reasons Injured Workers Hire Lawyers

10. **No retraining** - "They say I won't be retrained, but I can't do my job anymore."
9. **Unpaid benefits** - "My time loss is late and they say it could stop anytime"
8. **Scheduled an IME** - "My employer says I have to see their doctor."
7. **Determination of employability** - "The claims manager says I can work as security guard, but it only pays minimum wage!"
6. **Treatment denials** - "They denied by doctor bill and won't authorize my surgery."
5. **Lost their job** - "It's my employer's fault I got hurt and then they fired me because they say I was late to work. I want to sue!"
4. **Worried about uncertain future** - "I don't know what's going to happen and I want someone on my side"
3. **Frustrated** - "Why won't anyone listen to me!"
2. **Delayed or unreturned calls** - "My claim manager won't call me back"
1. **Don't understand the system** - "I don't understand what is going on and no one will tell me."

Things Lawyers Do To Make Injured Workers Happy

- Listen** to a workers story, fears, needs and frustrations
- Return** all phone calls & **messages** immediately
- Get Approval** for medical care
- Stop unnecessary IMEs**
- Explain** how the system works
- Help Set realistic expectations**
- Empathize and support** injured workers
- Find jobs** workers can do (and want to do)
- Work with employers** to return workers to their jobs
- Respond** to problems **quickly**
- Obtain workers benefits** they are entitled under the law

Problem Statement

How might we create a system that provides all benefits to injured workers, while minimizing adjudication time, reducing money expended and providing quality customer service?

6 Key Elements to Effective Claims Management

- Consumer centric model
- Efficient Workflow
- Feedback Loops
- Responsiveness
- Tech investment
- Customer Service Training

Things Employers Reps Can Do To Keep Injured Workers Happy

- Listen** to a workers story, fears, needs and frustrations
- Return** all phone calls & **messages** immediately
- Approve** medical care
- Stop unnecessary IMEs**
- Explain** how the system works
- Help set Workers realistic expectations**
- Empathize and support** injured workers
- Find jobs** workers can do (and want to do)
- Work with employers** to return workers to their jobs
- Respond** to problems **quickly**
- Give workers benefits** they are entitled under the law



Allstate®

You're in good hands.®

Allstate is customer-centric

In all our brands, we work to exceed customer expectations every day to strengthen relationships and attract new customers. Our initiatives include customer experience surveys, technology simplification and next-generation technologies to offer household solutions.



- Modernize the operating model. The customer experience and cost structure are being improved by building an integrated digital enterprise that leverages technology, information and analytics. We improved operating results through expense reductions, technology simplification and continuous improvement

OUR OPERATING PRINCIPLES

- Put the customer at the center of all our actions.
- Use consumer insights, data, technology and people to create disruptive innovation to better serve customers and generate growth.
- Execute well-considered decisions with precision and speed.
- Focus relentlessly on those few things that provide the greatest impact.
- Be a learning organization that leverages successes, learns from failures and continuously improves.

The Numbers

- 911,510 claims from 2011 – 2017
- 150,000 per year
- 20,000 are compensable (TL or PPD)
- 41,483 appeals to the BIIA
- 4.5% of all claims appealed to the BIIA
- 56% of BIIA appeals are pro se
- 2.7% of all claims represented by lawyers

Problem Statement

How might we create a system that provides all benefits to injured workers, while minimizing adjudication time, reducing money expended and providing quality customer service?

Problem Breakdown

#1 How might we minimize claim expenditures and pay full benefits to workers?

#2 How might we minimize time spent per claim & be worker centric?

#3 How can we work with Claimants & lawyers to resolve claims faster and cheaper?

#4 How might we provide customer service that injured workers rate 5 stars?

Brainstorm Solutions

On separate Post-It Notes, write out different ideas for how to solve or otherwise address the challenge.

One idea per Post-it!
Write big and give the headline version of the idea

This is done alone, in silence.

Share your ideas

Go around the table and have each person briefly share their solutions with the group.

Vote on the solutions

Each person gets two votes.

Cast your votes by placing a dot in the lower right corner of the solution(s) that energize you.


If there is a tie, quickly decide amongst yourselves which solution to take forward.

Map out your solutions/ experiments

As a group, talk through what it will take to make your solution a reality.

List out/Draw the 5 - 10 steps you think it will take to get you from Point A to Point B.

The Future

NEXT EXIT 

Patrick Palace

Founder,



Patrick@PalaceLaw.com

[@PalaceLaw](https://twitter.com/PalaceLaw) on twitter

PalaceLaw.com