

Memo 4.21

## COEMP AND SPECIAL HANDLING CLAIMS POLICY

### Definitions

Company or BWC Employee (COEMP) claims are defined as:

- All claims past, present or future pertaining to current and former Bureau of Workers' Compensation and Industrial Commission (BWC/IC) employees and their spouses, and
- Claims for all persons residing in the employee's home.

Special Handling claims are defined as:

- All claims past, present, or future pertaining to relatives (whether by blood or marriage) of current BWC/IC employee not residing in the residence, for example parents, children, siblings, grandparents, in-laws, aunts and uncles,
- All claims past, present, or future pertaining to relatives (whether by blood or marriage) of former BWC/IC employees not residing in the residence, for example parents, children, siblings, grandparents, in-laws, aunts and uncles as determined by the service office manager,
- All claims pertaining to individuals who have business or personal relationships with the BWC/IC employee, for example business associates, business partners, employee and employers as determined by the service office manager,
- Any other claim so deemed by the service office manager.

**NOTE:** This Policy pertains to all claims (both medical only and lost time) whether state fund, self-insured, uninsured and any other type of workers' compensation claim which BWC may handle.

### Assignment of Claims

All new claims with a BWC or IC risk will be assigned to Special Claims. During the initial investigation of any claim, the claims service specialist (CSS) will routinely ask the injured worker if he or she has a family member employed by BWC or IC and will document the response in their progress notes. If the claim meets the COEMP or Special Handling definitions as described above, the CSS will immediately give the claim to the immediate supervisor for possible reassignment to Special Claims. The transfer of the claim will be documented in the progress notes.

When a BWC or IC employee has knowledge (actual or constructive) of a COEMP or Special Handling claim or policy number, he or she shall either promptly notify his or her immediate supervisor or contact the Special Claims supervisor via the COEMP/Special Handling request e-mail box to have the claim or policy flagged appropriately and reassigned.

### Handling of Claims

Pursuant to the following statutes and policies:

- OAC 4121-15-02,03,09, and OAC 4123-15-02,03,09, and
- BWC/IC Code of Ethics, and BWC Work Rules,

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# Exhibit 2

Page 2 of 2

## Memo 4.21

no employee of the BWC is permitted to possess or electronically access, using the agency's internal on-line systems (e.g., Version 3, Data Warehouse, BWC's link to Dolphin), any workers' compensation claim file unless the claim file is necessary to the performance of the employee's duties. Changes will be made to the internal on-line systems to limit access to claim files, in accordance with this Policy.

Employees are prohibited from any action which would result in, or create the appearance of, utilizing their public office for private gain. Likewise, employees are prohibited from giving preferential treatment to any person, entity or group. This prohibition includes, but is not limited to, the use of:

- State resources,
- Any state employee or subordinate,
- State-owned computers, copiers or fax machines,
- State-owned vehicles and state-purchased supplies,
- State mail, e-mail, the Internet and state phones, to influence the housing, handling, or processing of COEMP or Special Handling claims or policy numbers.

## Exceptions

The following are exceptions to this prohibition. BWC employees:

- **May answer**, using e-mail, state phones or state fax machines, an e-mail, state phone call, or state fax machine message initiated by the Special Claims CSS, regarding the BWC employee's own personal workers' compensation claim. Employees may not initiate contact with their CSS by these means except when using the state telephone for personal use in accordance with the Telephone Policy (see Employee Handbook Memo 4.26),
- **May use** state equipment to notify their immediate supervisors of the existence of a COEMP or a Special Handling claim or policy number, as required in this Policy.

This policy serves as a reminder of what BWC considers to be acceptable ethical conduct in processing COEMP and Special Handling claims and policy numbers. COEMP and Special Handling claims and policy numbers can be difficult to identify and BWC and IC must rely upon the personal integrity and professional ethics of its employees to assist in their identification. If you have questions about this Policy, or if you need further clarification, please contact the COEMP Unit at 614-466-9903, or the Employee and Labor Relations Department at 614-644-7811.