



MISSISSIPPI WORKERS' COMPENSATION COMMISSION

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EDI News & Information:

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TOTAL CLAIMS BY YEAR (Last 10 Years)

<u>YEAR</u>	<u>TOTAL LOST-TIME</u>	<u>TOTAL CONTESTED</u>	<u>% CONTESTED</u>
2000	15,111	2,996	19.82%
2001	14,685	2,836	19.31%
2002	13,586	2,725	20.06%
2003	13,413	2,727	20.33%
2004	13,197	2,779	21.05%
2005	12,536	2,778	22.16%
2006	12,598	2,367	18.79%
2007	12,369	2,640	21.34%
2008	11,720	2,569	21.92%
2009	11,090	2,621	23.63%



TOTAL COMPENSATION & MEDICAL (Last 10 Years)

<u>YEAR</u>	<u>INS. COMPANIES</u>	<u>SELF-INSURERS</u>	<u>TOTAL</u>
2000	\$178,022,883.88	\$91,147,505.14	\$269,170,389.02
2001	\$169,536,834.35	\$101,389,229.85	\$270,926,064.20
2002	\$168,748,746.92	\$117,638,498.89	\$286,387,245.81
2003	\$146,113,975.31	\$125,438,135.49	\$271,552,110.80
2004	\$149,198,396.35	\$133,028,381.55	\$282,226,777.90
2005	\$150,727,095.49	\$139,034,637.67	\$289,761,733.16
2006	\$163,020,481.46	\$147,610,935.68	\$310,631,417.14
2007	\$175,764,689.44	\$146,991,162.35	\$322,755,851.79
2008	\$198,784,062.20	\$144,324,315.19	\$343,108,377.39
2009	\$184,251,962.74	\$134,050,664.59	\$318,302,627.33



BACKGROUND

- In 1948 the Mississippi Legislature enacted the Mississippi Workers' Compensation Law. At the time, there was no standard, equitable system prescribing the rights and liabilities of employers, employees and third parties in respect to industrial injuries. The only course of action available to an injured employee was to either negotiate a settlement with the employer or resort to a common law tort action. In a great majority of cases, this proved to be neither equitable nor economically feasible for the interested parties.
- The workers' compensation system was created to provide a measured level of benefits to employees injured in the course of employment, without regard to negligence or fault, and, at the same time, to limit the liability of employers for these injuries. An employer's assumption of the cost of occupational injury, without regard to fault, is considered a cost of doing business which may ultimately be spread to the consuming public. In exchange for this assumption, the employee is precluded from seeking traditional remedies.



THE COMMISSION

- In order to further the basic objectives of the Mississippi Workers' Compensation Law, the Legislature created the Mississippi Workers' Compensation Commission to enforce and administer the Law. The Commission performs all necessary administrative and judicial functions, and promulgates all rules and regulations relating to the processing of claims.
- The Commission is comprised of three members appointed for 6-year terms by the Governor, with the advice and consent of the State Senate. The Governor designates the chairman of the Commission. The Commission may appoint such officers and employees as are necessary to adequately administer the Act, including up to eight (8) Administrative Judges, with the consent of the Governor. These Judges conduct hearings, make investigations, determine disputed issues, and review settlements. Their decisions may be reviewed by the Full Commission, and from there appeal may be taken through the state court system.



THE COMMISSION (cont'd)

- The Commission receives notices of injury. On receipt of any such notice, a determination is made whether to establish a claim file. Each case is then processed through prescribed procedures until it is finally closed. The severity of the injury or the complexity of the claim determines the length of time a claim remains open.
- In the vast majority of cases, a claimant need not retain an attorney and wait for an administrative proceeding or an adjudication of his claim in order to receive benefits under the Workers' Compensation Law. Most claims are not controverted, and compensation is paid voluntarily without a formal hearing or award. Employers and insurers are obligated to notify the Commission and the claimant if the right to compensation is being denied. Either party may request a hearing to resolve any disputed issues.
- In administering the Law, the Commission has the authority to hear and determine all claims, make awards, conduct necessary investigations, require medical services for injured employees, approve and fix attorneys' fees and assess penalties. The Commission also has the responsibility of approving settlement agreements and requests for lump sum awards.



ADMINISTRATIVE EXPENSES

The Commission receives no funds from the State General Fund. Costs of the Commission's administrative expenses are borne entirely by the insurance carriers and self-insuring employers whose claim operations are supervised by the Commission. Each carrier and self-insured employer pays a pro-rata share of the annual expenses of the Commission based on its own total compensation and medical payments made during the previous year. By statute, the Commission is required to estimate annually in advance the amounts necessary for the administration of the Workers' Compensation Law. This amount is used by the Commission as the basis for determining the amount to be assessed annually against each carrier and self-insured employer. Regulations of the Commission provide for the collection of the assessments to be paid into the Administrative Expense Fund.



The Mississippi Workers' Compensation Commission is located at 1428 Lakeland Drive, Jackson, Mississippi, 39216. We can be reached by phone, toll free, at (866) 473 - 6922.

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