

COMPLIANCE AUDIT REPORT

STATE OF MAINE
WORKERS' COMPENSATION BOARD



Zurich Insurance Group
Engagement Date: February 18, 2022
Issue Date: October 10, 2024

Office of Monitoring, Audit & Enforcement

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SUMMARY

Zurich insurance group of affiliated companies (collectively Zurich) provides a wide variety of business insurance products including workers' compensation.

The Audit Division of the Maine Workers' Compensation Board (Board) examined twenty-nine (29) claim files where indemnity benefits were paid for the period under examination (2021) as well as fifty-three (53) medical payments for the period under examination (2021) to determine compliance with statutory and regulatory requirements in the following areas:

- Form filing
- Timeliness of benefit payments
- Accuracy of benefit payments

The claim sample was drawn from a listing of all of Zurich's 2021 Maine workers' compensation claims. The medical payment sample was drawn from a listing of all of Zurich's 2021 medical payments for those claims in the sample.

Two (2) "Complaint for Audit" forms that named Zurich as the claims administrator were filed with the Audit Division since the last audit, but all issues raised by those documents were resolved or withdrawn prior to this audit engagement. Therefore, those two (2) complaints were not included in this audit.

Due to questionable claims-handling techniques identified early in the audit process, this review was expanded to include a limited-scope audit of indemnity claims with 2022 through 2024 dates of injury where a WCB-4, Discontinuance or Modification of Compensation and/or WCB-4M, Modification of Compensation form was utilized in lieu of a revised WCB-3, Memorandum of Payment to increase the average weekly wage from an estimated rate to actual. The sample for the limited-scope audit was drawn from the Board's records of reported Zurich claims. Of the claim files audited, there were two (2) 2022 claims, ten (10) 2023 claims, and one (1) 2024 claim.

Zurich handles its Maine workers' compensation claims solely in Boston, Massachusetts. Zurich also utilizes the services of Sedgwick Claims Management Services as its claims agent within the State.

The audit work was conducted as a desk audit.

The compliance tables found on pages 15 through 20 of this report are representative of Board findings as of February 18, 2022. Since that time, the Audit Division has received additional information, missing form filings, form corrections, indemnity payments and adjustments. Based on this information, the Detailed Claims Information provided as an appendix of this report is representative of Board findings and updated form filings as of the issuance of this report.

Following is a discussion of the aforementioned compliance tables and of the steps taken since February 18, 2022 to rectify identified noncompliance issues. This discussion also includes other significant issues identified by the audit.

◆ **Form filing**

- Title 39-A M.R.S.A. and the Board Rules and Regulations provide the requirements for reports to the Board:

<i>WCB-1, First Report of Occupational Injury or Disease</i>	<i>39-A M.R.S.A. Section 303, Rules & Regs, Ch 8 Section 13, Rules & Regs, Ch 3 Section 4</i>
<i>WCB-2, Wage Statement</i>	<i>39-A M.R.S.A. Section 303</i>
<i>WCB-2B, Fringe Benefits Worksheet</i>	<i>39-A M.R.S.A. Section 303</i>
<i>WCB-3, Memorandum of Payment (MOP)</i>	<i>Rules & Regs, Ch 1 Section 1.1, Rules & Regs, Ch 1 Section 1.3, 39-A M.R.S.A. Section 205(7), Rules & Regs, Ch 8 Section 12</i>
<i>WCB-4, Discontinuance or Modification of Compensation</i>	<i>Rules & Regs, Ch 8 Section 11, Rules & Regs, Ch 8 Section 12</i>
<i>WCB-4A, Consent Between Employer and Employee</i>	<i>Rules & Regs, Ch 8 Section 18</i>
<i>WCB-8, (21 Day) Certificate of Discontinuance or Reduction of Compensation</i>	<i>39-A M.R.S.A. Section 205(9)</i>
<i>WCB-9, Notice of Controversy (NOC)</i>	<i>Rules & Regs, Ch 1 Section 1.1, Rules & Regs, Ch 3 Section 4</i>
<i>WCB-11, Statement of Compensation Paid</i>	<i>Rules & Regs, Ch 8 Section 1, Rules & Regs, Ch 8 Section 12</i>

- Failure to file any Board form within established time frames is a violation of Title 39-A M.R.S.A. Section 360(1) (A) or (B).
- First Report of Occupational Injury or Disease (WCB-1):
 - Nineteen (19) First Report of Occupational Injury or Disease forms were filed in accordance with the above requirements.
 - Zurich's compliance rate for First Report of Occupational Injury or Disease filings is 66%, which is below the Board's performance benchmark of 85%.
 - Nine (9) First Report of Occupational Injury or Disease forms were filed late.
 - One (1) First Report of Occupational Injury or Disease form was required, but not filed.
 - Since February 18, 2022, Zurich submitted that one (1) First Report of Occupational Injury or Disease form.

- Wage Statement (WCB-2) and Fringe Benefits Worksheet (WCB-2B):
 - Twenty-five (25) Wage Statements and twenty-five (25) Fringe Benefits Worksheets were filed in accordance with the above requirements.
 - Zurich's compliance rate for Wage Statement filings is 83%, which is above the Board's performance benchmark of 75%.
 - Zurich's compliance rate for Fringe Benefits Worksheet filings is 83%, which is above the Board's performance benchmark of 75%.
 - Four (4) Wage Statements and four (4) Fringe Benefits Worksheets were filed late.
 - One (1) Wage Statement and one (1) Fringe Benefits Worksheet were required, but not filed.
 - Since February 18, 2022, Zurich submitted that one (1) Wage Statement and that one (1) Fringe Benefits Worksheet.
- Memorandum of Payment (WCB-3 or WCB-4A) and Notice of Controversy (WCB-9):
 - Twenty-one (21) Memorandum of Payment forms and two (2) Notice of Controversy ("lost time") forms were filed in accordance with the above requirements.
 - Zurich's compliance rate for Memorandum of Payment filings is 72%, which is below the Board's performance benchmark of 85%.
 - Zurich's compliance rate for Notice of Controversy filings is 50%, which is below the Board's performance benchmark of 90%.
 - Seven (7) Memorandum of Payment forms and two (2) Notice of Controversy ("lost time") forms were filed late.
 - One (1) Memorandum of Payment form was required, but not filed.
 - Since February 18, 2022, Zurich submitted that one (1) Memorandum of Payment form.
- Discontinuance of Compensation (WCB-4, WCB-4D or WCB-4A):
 - Twelve (12) Discontinuance of Compensation forms were filed in accordance with the above requirements.
 - Six (6) Discontinuance of Compensation forms were filed late.
 - One (1) Discontinuance of Compensation form was required, but not filed.
 - Since February 18, 2022, Zurich submitted that one (1) Discontinuance of Compensation form.

- Modification of Compensation (WCB-4 or WCB-4M):
 - Eight (8) Modification of Compensation forms were filed in accordance with the above requirements.
 - Two (2) Modification of Compensation forms were filed late.
 - One (1) Modification of Compensation form was required, but not filed.
 - Since February 18, 2022, Zurich submitted that one (1) Modification of Compensation form.
 - Nine (9) Modification of Compensation forms were filed, but not required.
- (21 Day) Certificate of Discontinuance or Reduction of Compensation (WCB-8 or WCB-4A):
 - One (1) (21 Day) Certificate of Discontinuance or Reduction of Compensation form was filed in accordance with the above requirements.
 - One (1) (21 Day) Certificate of Discontinuance or Reduction of Compensation form was required, but not filed.
- Statement of Compensation Paid (WCB-11):
 - Twenty (20) Statement of Compensation Paid forms were filed in accordance with the above requirements.
 - Three (3) Statement of Compensation Paid forms were required, but not filed.

◆ **Timeliness of benefit payments**

- Title 39-A M.R.S.A. Section 205(2) provides the time requirements for indemnity payments.
- When there is not an ongoing dispute, failure to pay weekly compensation benefits or accrued weekly benefits within 30 days after becoming due and payable is a violation of Title 39-A M.R.S.A. Section 205(2) and subject to penalty under Section 205(3).
- Initial Indemnity Payments:
 - Twenty (20) initial indemnity payments were made timely, and one (1) claim received “salary continuation” from its respective employer.
 - Zurich’s compliance rate for initial indemnity payments (timely payments and “salary continuation” collectively) is 72%, which is below the Board’s performance benchmark of 87%.
 - Eight (8) initial indemnity payments were made late.
 - One (1) late initial indemnity payment was made later than 30 days after it became due and payable, in violation of Section 205(2) and subject to penalty under Section 205(3).
- Subsequent Indemnity Payments:
 - Two hundred twenty-one (221) subsequent indemnity payments were made timely.
 - Nine (9) subsequent indemnity payments were made late.
 - One (1) late subsequent indemnity payment was made later than 30 days after it became due and payable in violation of Section 205(2) and subject to penalty under Section 205(3).
- Board Rules and Regulations Chapter 5 states in part, “The employer/insurer shall pay the health care provider's charge or the maximum allowable payment under this fee schedule, whichever is less, within 30 days of receipt of a bill unless the bill or previous bills from the same provider or the underlying injury has been controverted or denied. If an employer/insurer controverts whether a health care provider’s bill is reasonable and proper under § 206 of the Act, the employer/insurer shall send a copy of the notice of controversy to the health care provider.”
 - Forty-nine (49) medical payments were made timely.
 - Four (4) medical payments were made late.

◆ **Accuracy of indemnity payments**

- Title 39-A M.R.S.A. Section 102(4) and Board Rules and Regulations Chapter 1, Section 5 provide the requirements for calculating average weekly wages (AWWs). Title 39-A M.R.S.A. Section 102(1) and Board Rules and Regulations Chapter 8, Section 9 provides the requirements for determining weekly compensation rates (WCRs). Title 39-A M.R.S.A. Sections 212, 213, and 215 provide the requirements for compensation for total incapacity, partial incapacity, and death benefits.
- The accuracy of indemnity payments was reviewed for twenty-nine (29) claims.
- Average Weekly Wage:
 - Fifteen (15) AWWs were correct.
 - Fourteen (14) AWWs were incorrect.
- Weekly Compensation Rate:
 - Seventeen (17) WCRs were correct.
 - Twelve (12) WCRs were incorrect.
- Partial Benefits Calculation Method:
 - The method used to calculate partial benefits was correct for six (6) claims.
 - The method used to calculate partial benefits was incorrect for four (4) claims.
- Amount Paid:
 - Eight (8) claims were compensated correctly.
 - Ten (10) claims were underpaid (\$25,192.05 aggregately).
 - Since February 18, 2022, Zurich paid \$1,541.48 of the amounts due.
 - Eleven (11) claims were overpaid (\$4,638.06 aggregately).
 - Collectively, the aforementioned errors resulted in a net underpayment of \$20,553.99 to injured workers.

◆ **Accuracy of medical payments**

- Title 39-A M.R.S.A. Section 209-A and Board Rules and Regulations Chapter 5 provide the fee setting requirements for medical and ancillary services and products rendered by individual health care practitioners and health care facilities.
- The accuracy of fifty-three (53) medical payments was reviewed among seventeen (17) claims.
- Amount Paid:
 - Forty-nine (49) medical payments sampled were correct.
 - Four (4) medical payments sampled were incorrect.

◆ **Other significant issues**

- Box 2b (Was Employee Paid for ½ Day or More on Day of Injury?) must accurately reflect whether the employee was paid for ½ day or more on the day of injury. Board Rules and Regulations Chapter 8, Section 3 states, “When an employee is paid 1/2 day or more wages on the date of injury, the date of injury will not be considered a day of incapacity.”
 - Incorrect dates were reported in Boxes 2b of the FROIs that were filed for two (2) claims.
- Boxes 19a and 19b of the WCB-4, Discontinuance or Modification of Compensation and/or Boxes 21a and 21b of the WCB-4D, Discontinuance of Compensation must accurately reflect the date the incapacity began (Box 19a/21a) and/or ended (Box 19b/21b). See the Board’s Forms and Petitions Manual.
 - Incorrect dates were reported in Box 19a and/or 19b of the WCB-4, Discontinuance or Modification of Compensation and/or Box 21a and/or 21b of the WCB-4D, Discontinuance of Compensation forms filed for three (3) claims.
- Box 22 (First Day Of Compensability After Waiting Period Is Met) of the WCB-3, Memorandum of Payment (MOP) must accurately reflect the date of the first compensable day that follows the completion of the 7-day waiting period. See the Board’s Forms and Petitions Manual.
 - Incorrect dates were reported in Box 22 of the MOPs that were filed for four (4) claims.
- Boxes 23a (Date of Incapacity) and 23b (Date Employer Notified) of the WCB-3, Memorandum of Payment (MOP) must accurately reflect the date of incapacity and date that the employer was notified of the incapacity. Note: the Date of Incapacity reported in Box 23a and the Date Employer Notified in Box 23b must equal the Date of Incapacity (DN56) and Date Employer Notified (DN281) reported in box 43 of the WCB-1, Employer’s First Report of Occupational Injury or Disease (First Report). See the Board’s Forms and Petitions Manual.
 - Incorrect dates were reported in Boxes 23a and/or 23b of the MOPs and/or Boxes 43a and/or 43b of the FROIs that were filed for four (4) claims.
- Box 24 (Date Check Mailed) of the WCB-3, Memorandum of Payment (MOP) must accurately reflect the date that the initial indemnity payment (for the incapacity addressed by the MOP) is sent to the employee. See the Board’s Forms and Petitions Manual.
 - Incorrect dates were reported in Box 24 of the MOPs that were filed for three (3) claims.
- Additional payments were made since the “Final” WCB-11 Statement of Compensation Paid was filed for six (6) claims.

1) Due to questionable claims-handling techniques identified early in the audit process, this review was expanded to include a limited-scope audit of indemnity claims with 2022 through 2024 dates of injury where a WCB-4, Discontinuance or Modification of Compensation and/or WCB-4M, Modification of Compensation form was utilized in lieu of a revised WCB-3, Memorandum of Payment to increase the average weekly wage from an estimated rate to actual. Two (2) 2022 claims, ten (10) 2023 claims, and one (1) 2024 claim were included in this audit as follows:

- Claims with 2022 dates of injury:
 - Lacasse, Joanne DOI 11/14/22 Claim# 2440363357*
 - Reed, David DOI 01/17/22 Claim# 2440354689
 - Stacey, Alicia DOI 10/04/22 Claim# 2440362703
- Claims with 2023 dates of injury:
 - Bennett, Autumn DOI 12/28/23 Claim# 2440380466
 - Cloutier, Tanya DOI 12/02/23 Claim# 2440379636
 - Fleurant, Kayla DOI 12/26/23 Claim# 2440380372
 - Lanzarone, Alex DOI 02/26/23 Claim# 2440369794
 - McDermott, Kelly DOI 12/01/23 Claim# 2440379454
 - Mitchell, Heidi DOI 07/14/23 Claim# 2440373187
 - Rabon, Judy DOI 10/13/23 Claim# 2440377576
 - Shaheen, Adam DOI 05/16/23 Claim# 2440371642
 - Smith, Kari DOI 07/06/23 Claim# 2440372859
 - Teimori, Esham DOI 11/07/23 Claim# 2440379029
- Claims with 2024 dates of injury:
 - Atiyah, Methaq DOI 03/01/24 Claim# 2440382876

*Claim selected in error and, therefore, not included in this audit.

According to Section 205(9)(B)(1) of Title 39-A, "...the employer, insurer or group self-insurer may discontinue or **reduce** benefits by sending a certificate by certified mail to the employee and the board..." (emphasis added). Effective September 1, 2018, Rule Chapter 1 §5(2)(C) expanded this provision to allow an insurer/employer to "adjust an employee's average weekly wage one time by filing a Modification form...instead of a 21-day certificate if...filed within 90 days after making the first lost time payment...". As this rule allows for the filing of a Modification form in lieu of a 21-day certificate, it is evident the terms "adjust" and "reduce" were intended to be interchangeable, requiring a Modification be filed only when the average weekly wage is **reduced** within the 90-day period. After this period, a 21-day certificate must be utilized. Consequently, the customary procedure of **increasing** an average weekly wage by amending a WCB-3, Memorandum of Payment remained unaltered.

For all thirteen (13) claims noted above, when **increasing** the average weekly wage from an estimated rate to actual, Zurich used a WCB-4, Discontinuance or Modification of Compensation and/or WCB-4M, Modification of Compensation form in error. Instead, Boxes 25 and/or 26 of the WCB-3, Memorandum of Payment should have been amended, stating the reason for the increase in the comments section of that form (Box 28). To address this issue the auditor requested the applicable Modification be voided and Boxes 25, 26 & 28 of the WCB-3 be revised for each claim. As of the issuance date of this report, all forms for the above claims have been filed with the Board per the auditor's request. Therefore, this issue is considered resolved.

In response to these findings, Zurich has revised its procedures to ensure the correct form is utilized when increasing the AWW from an estimated rate to actual.

PENALTIES

♦ Penalties payable to providers and/or injured employees

Title 39-A M.R.S.A. Section 205(3)

“When there is not an ongoing dispute, if weekly compensation benefits or accrued weekly benefits are not paid within thirty (30) days after becoming due and payable, \$50 per day must be added and paid to the worker for each day over thirty (30) days in which the benefits are not paid. Not more than \$1,500 in total may be added pursuant to this subsection. For purposes of ratemaking, daily charges paid under this subsection do not constitute elements of loss.”

A delay of an initial indemnity payment, subject to penalty under Section 205(3), was found on the following claim:

CLAIM	PENALTY JUSTIFICATION	PENALTY EXPOSURE
Celine Collin vs. GDI Services Date of Injury: 9/16/21 Date ER Notified of Incapacity: 9/18/21 Claim #2440348302 Board #21025196	No NOC was filed, and the initial indemnity payment was made 11/15/21, which was 44 days after compensation became due and payable (10/2/21).	\$700.00*
Total Penalties to Injured Employees for Delays of Initial Indemnity Payments		\$700.00

*Paid AIU

A delay of a subsequent indemnity payment, subject to penalty under Section 205(3), was found on the following claim:

CLAIM	PENALTY JUSTIFICATION	PENALTY EXPOSURE
Angela Tanner vs. Wellpath Holdings, Inc. Date of Injury: 11/7/21 Date ER Notified of Incapacity: 11/8/21 Claim #1479-WC-21-0000989 Board #21025239	The subsequent indemnity payment was made 2/18/22, which was 81 days after compensation became due and payable (11/29/21).	\$1,500.00
Total Penalties to Injured Employees for Delays of Subsequent Indemnity Payments		\$1,500.00

Delays of “other” indemnity payments, subject to penalty under Section 205(3), were found on the following claims:

CLAIM	PENALTY JUSTIFICATION	PENALTY EXPOSURE
Brian Bowden vs. Law Family Companies Date of Injury: 5/5/21 Date ER Notified of Incapacity: 5/6/21 Claim #000541026119WC01 Board #21009658	A provisional payment was used to pay benefits for week ending 8/28/21. Payment of accrued benefits was made 7/25/24, which was 1,048 days after compensation became due and payable (9/11/21).	\$1,500.00
Phillip Nogosek vs. Sysco Corporation Date of Injury: 8/27/21 Date ER Notified of Incapacity: 8/30/21 Claim #1276-WC-22-0001591 Board #21019070	The claimant’s benefits were improperly discontinued on 10/7/21. Payment of accrued benefits has not yet been made.	\$1,500.00
Total Penalties to Injured Employees for Delays of “Other” Indemnity Payments		\$3,000.00

◆ Penalties payable to the State General Fund

Title 39-A M.R.S.A. Section 359(2)

“In addition to any other penalty assessment permitted under this Act, the Board may assess civil penalties not to exceed \$25,000 upon finding, after hearing, that an employer, insurer or 3rd-party administrator for an employer has engaged in a pattern of questionable claims-handling techniques or repeated unreasonably contested claims. The Board shall certify its findings to the Superintendent of Insurance, who shall take appropriate action so as to bring any such practices to a halt. This certification by the Board is exempt from the provisions of the Maine Administrative Procedure Act. The amount of any penalty assessed pursuant to this subsection must be directly related to the severity of the pattern of questionable claims-handling techniques or repeated unreasonably contested claims. All penalties collected pursuant to this subsection shall inure to the benefit of the General Fund. An insurance carrier’s payment of any penalty assessed under this section may not be considered an element of loss for the purpose of establishing rates for workers' compensation insurance.”

- No action will be taken at this time.

To avoid future penalty referral(s) under Section 359(2) and/or 360(2), Zurich must take corrective measures to address the following inadequacies:

- Failure to file or timely file forms with the Board
- Failure to pay or timely pay benefits
- Failure to pay benefits accurately
- Failure to utilize a correct form when increasing an AWW

Title 39-A M.R.S.A. Section 360(1)(A)

“The Board may assess a civil penalty not to exceed \$100 for each violation on any person: Who fails to file or complete any report or form required by this Act or rules adopted under this Act.”

Violations subject to penalty under Section 360(1)(A) were found on the following claims:

Employee	Date of Injury	Forms Not Filed	Penalty Exposure
	7/29/21	WCB-11, Statement of Compensation Paid	\$100.00
	6/23/21	WCB-11, Statement of Compensation Paid	\$100.00
	5/5/21	WCB-11, Statement of Compensation Paid	\$100.00
TOTAL			\$300.00

Title 39-A M.R.S.A. Section 360(1)(B)

“The Board may assess a civil penalty not to exceed \$100 for each violation on any person: Who fails to file or complete such a report or form within the time limits specified in this Act or rules adopted under this Act.”

Violations subject to penalty under Section 360(1)(B) were found on the following claims:

Employee	Date of Injury	Forms Filed Late	Penalty Exposure
	12/12/21	WCB-3, Memorandum of Payment	\$100.00
	9/16/21	WCB-1, Employer's First Report of Occupational Injury or Disease	\$100.00*
		WCB-2, Wage Statement	\$100.00
		WCB-2B, Fringe Benefits Worksheet	\$100.00
		WCB-3, Memorandum of Payment	\$100.00*
		WCB-4D, Discontinuance of Compensation	\$100.00
	1/14/21	WCB-1, Employer's First Report of Occupational Injury or Disease	\$100.00
		WCB-2, Wage Statement	\$100.00
		WCB-2B, Fringe Benefits Worksheet	\$100.00
	7/29/21	WCB-1, Employer's First Report of Occupational Injury or Disease	\$100.00*
		WCB-2, Wage Statement	\$100.00
		WCB-2B, Fringe Benefits Worksheet	\$100.00
		WCB-3, Memorandum of Payment	\$100.00
		WCB-4D, Discontinuance of Compensation	\$100.00
	5/3/21	WCB-1, Employer's First Report of Occupational Injury or Disease	\$100.00
		WCB-3, Memorandum of Payment	\$100.00
		WCB-4D, Discontinuance of Compensation	\$100.00
	1/21/21	WCB-1, Employer's First Report of Occupational Injury or Disease	\$100.00
	8/9/21	WCB-4D, Discontinuance of Compensation	\$100.00

Employee	Date of Injury	Forms Filed Late	Penalty Exposure
	1/19/21	WCB-1, Employer's First Report of Occupational Injury or Disease	\$100.00
	5/20/21	WCB-4M, Modification of Compensation	\$100.00
	11/1/21	WCB-1, Employer's First Report of Occupational Injury or Disease	\$100.00
		WCB-9, Notice of Controversy	\$100.00
	9/19/21	WCB-2, Wage Statement	\$100.00
		WCB-2B, Fringe Benefits Worksheet	\$100.00
		WCB-3, Memorandum of Payment	\$100.00*
	11/19/21	WCB-1, Employer's First Report of Occupational Injury or Disease	\$100.00
		WCB-3, Memorandum of Payment	\$100.00
	8/17/21	WCB-4M, Modification of Compensation	\$100.00
	1/20/21	WCB-1, Employer's First Report of Occupational Injury or Disease	\$100.00
	11/7/21	WCB-3, Memorandum of Payment	\$100.00
		WCB-4D, Discontinuance of Compensation	\$100.00
	8/20/21	WCB-1, Employer's First Report of Occupational Injury or Disease	\$100.00
		WCB-2, Wage Statement	\$100.00
		WCB-2B, Fringe Benefits Worksheet	\$100.00
		WCB-9, Notice of Controversy	\$100.00
TOTAL			\$3,200.00

* Paid AIU.

Title 39-A M.R.S.A. Section 360(2)

“The Board may assess, after hearing, a civil penalty in an amount not to exceed \$1,000 for an individual and \$10,000 for a corporation, partnership or other legal entity for any willful violation of this Act, fraud or intentional misrepresentation. The Board may also require that person to repay any compensation received through a violation of this Act, fraud or intentional misrepresentation or to pay any compensation withheld through a violation of this Act, fraud or misrepresentation, with interest at the rate of 10% per year.”

- No action will be taken at this time.

To avoid future penalty referral(s) under Section 360(2) and/or 359(2), Zurich must take corrective measures to address the following inadequacies:

- Failure to file or timely file forms with the Board
- Failure to pay or timely pay benefits
- Failure to pay benefits accurately
- Failure to utilize a correct form when increasing an AWW

COMPLIANCE TABLES

◆ Form Filing

A. First Report of Occupational Injury or Disease (WCB-1)

		2021	
		Number	Percent
Received at the Board:			
Filed	Compliant	19	66%
Late		9	31%
Not Filed		1	3%
Total		29	100%

B. Wage Statement (WCB-2)

		2021	
		Number	Percent
Received at the Board:			
Filed	Compliant	25	83%
Late		4	13%
Not Filed		1	4%
Total		30	100%

C. Fringe Benefits Worksheet (WCB-2B)

		2021	
		Number	Percent
Received at the Board:			
Filed	Compliant	25	83%
Late		4	13%
Not Filed		1	4%
Total		30	100%

D. Memorandum of Payment (WCB-3 or WCB-4A)

		2021	
		Number	Percent
Received at the Board:			
Filed	Compliant	21	72%
Late		7	24%
Not Filed		1	4%
Total		29	100%

E. Discontinuance of Compensation (WCB-4, WCB-4D or WCB-4A)

		2021	
		Number	Percent
Received at the Board:			
Filed	Compliant	12	63%
Late		6	32%
Not Filed		1	5%
Total		19	100%

F. Modification of Compensation (WCB-4 or WCB-4M)

		2021	
		Number	Percent
Received at the Board:			
Filed	Compliant	8	73%
Late		2	18%
Not Filed		1	9%
Total		11	100%

G. Certificate of Discontinuance or Reduction of Compensation (WCB-8 or WCB-4A)

		2021	
		Number	Percent
Received at the Board:			
Filed	Compliant	1	50%
Not Filed		1	50%
Total		2	100%

H. Notice of Controversy (WCB-9)

		2021	
		Number	Percent
Received at the Board:			
Filed	Compliant	2	50%
Late		2	50%
Total		4	100%

I. Statement of Compensation Paid (WCB-11)

		2021	
		Number	Percent
Received at the Board:			
Filed	Compliant	20	87%
Not Filed		3	13%
Total		23	100%

◆ **Timeliness of Benefit Payments**

J. Initial Payment of Indemnity Benefits

			2021	
			Number	Percent
Check Issued Within:				
0-14	Days	Compliant	21	72%
15-44	Days		7	24%
45+	Days		1	4%
Total			29	100%

K. Subsequent Payment of Indemnity Benefits

			2021	
			Number	Percent
Check Issued Within:				
0-7	Days	Compliant	221	96%
8-37	Days		8	3%
38+	Days		1	1%
Total			230	100%

L. Medical Payments

			2021	
			Number	Percent
Check Issued Within:				
0-30	Days	Compliant	49	92%
31+	Days		4	8%
Total			53	100%

◆ **Accuracy of Indemnity Payments**

M. Average Weekly Wage

		2021	
		Number	Percent
Calculated:			
Correct	Compliant	15	52%
Incorrect		14	48%
Total		29	100%

N. Weekly Compensation Rate

		2021	
		Number	Percent
Calculated:			
Correct	Compliant	17	59%
Incorrect		12	41%
Total		29	100%

O. Partial Benefits

		2021	
		Number	Percent
Calculated:			
Correct	Compliant	6	60%
Incorrect		4	40%
Total		10	100%

P. Amount Paid

		2021	
		Number	Percent
Calculated:			
Correct	Compliant	8	28%
Underpaid		10	34%
Overpaid		11	38%
Total		29	100%

◆ **Accuracy of Medical Payments**

Q. Amount Paid

		2021	
		Number	Percent
Calculated:			
Correct	Compliant	49	92%
Incorrect		4	8%
Total		53	100%