

Agency 37 - Workers' Compensation Court

Statutory Authority:

The Nebraska Workers' Compensation Court was created in 1935 pursuant to Article V, Section 1, of the Constitution of the State of Nebraska. Chapter 48, Sections 101-191, 1,110, and 1,113-1,118 of the Revised Statutes of Nebraska provide for the authority and responsibilities of the court. The court also operates in accordance with its Rules of Procedure which have been adopted pursuant to section 48-163. Section 48-1,116, establishes the Compensation Court Cash Fund which was created in 1993 to aid in providing for the expense of administering the Act and for the salaries and expenses of the personnel of the court.

Vision Statement:

The vision of the court is to impartially, effectively, and efficiently administer and enforce the provisions of the Nebraska Workers' Compensation Act, except those provisions that are committed to the courts of appellate jurisdiction.

Mission Statement:

The mission of the Nebraska Workers' Compensation Court is to administer and enforce the Nebraska Workers' Compensation Act, except those provisions that are committed to the courts of appellate jurisdiction.

The principles of the court are to remain impartial in all disputes between employers and employees and other matters that come before the court, to be responsive to the needs of the various parties involved in the workers' compensation system, and to operate programs effectively and efficiently so as to minimize system costs.

Goals:

- 1) Adjudicate contested cases in a timely fashion within the formal hearing process and approve settlements.
- 2) Provide a program to resolve disputed issues or cases through informal means.
- 3) Oversee vocational rehabilitation counselors and services that return injured employees to suitable employment.
- 4) Administer programs relating to managed care, independent medical examiners, and maximum fees for medical and hospital services.
- 5) Enforce compliance with insurance coverage, claims handling, reporting, and other obligations in the Nebraska Workers' Compensation Act.
- 6) Administer a program for self insurance in accordance with the Nebraska Workers' Compensation Act.
- 7) Process reports of injury and benefit payments so that data is readily accessible and accurate as reported.
- 8) Inform, educate, and assist workers' compensation system participants.
- 9) Administer the Compensation Court Cash Fund and the Workers' Compensation Trust Fund in accordance with the Nebraska Workers' Compensation Act.
- 10) Conduct the activities of two federal grants as contracted with the U.S. Department of Labor-Bureau of Labor Statistics.

Financial Data:

	Actual FY04	Approp FY05	Request FY06	Recom FY06	Request FY07	Recom FY07
General Fund	0	0	0	0	0	0
Cash Fund	3,610,425	3,988,713	4,265,975	4,071,060	4,779,276	4,160,518
Federal Fund	31,852	29,617	29,617	29,617	29,617	29,617
Revolving Fund	0	0	0	0	0	0
Other Fund	0	0	0	0	0	0
Total Agency	3,642,277	4,018,330	4,295,592	4,100,677	4,808,893	4,190,135

Agency 37 - Workers' Compensation Court Program 526 - Judges' Salaries

Program Objectives:

This program covers the salaries and benefits of the 7 Judges of the Workers' Compensation Court. The salary level is established by statute (section 48-159) at 92.5% of the salary level of the Supreme Court justices.

Financial Data:

	Actual FY04	Approp FY05	Request FY06	Recom FY06	Request FY07	Recom FY07
General Fund	0	0	0	0	0	0
Cash Fund	877,665	883,560	886,368	888,525	886,368	895,678
Federal Fund	0	0	0	0	0	0
Revolving Fund	0	0	0	0	0	0
Other Fund	0	0	0	0	0	0
Total	877,665	883,560	886,368	888,525	886,368	895,678

Performance Measures:

Performance measures are not appropriate for salaries set by statute for judges. A measure of their work is provided in Program 530 as part of the total Court effort to promptly resolve disputed cases.

Agency 37 - Workers' Compensation Court Program 530 - Work Comp Administration

Program Objectives:

The objectives of this program and the court in general are to impartially, effectively, and efficiently administer and enforce the Nebraska Workers' Compensation Act, except those provisions that are committed to the courts of appellate jurisdiction. The court also conducts a survey of work-related injuries and illnesses and a data collection program for fatal injuries pursuant to two grants from the U.S. Department of Labor - Bureau of Labor Statistics (BLS). All of the goals identified in the Agency Narrative are applicable to this program.

Financial Data:

	Actual FY04	Approp FY05	Request FY06	Recom FY06	Request FY07	Recom FY07
General Fund	0	0	0	0	0	0
Cash Fund	2,732,760	3,049,886	3,324,340	3,127,268	3,837,641	3,209,573
Federal Fund	31,852	29,617	29,617	29,617	29,617	29,617
Revolving Fund	0	0	0	0	0	0
Other Fund	0	0	0	0	0	0
Total	2,764,612	3,079,503	3,353,957	3,156,885	3,867,258	3,239,190

Performance Measures:

Description	FY04 Actual	FY05	FY06 Request	FY07 Request
# of appl @ 1st contested stage	1384	1400	1400	1400
# of appl @ review stage	144	150	150	150
# of appeals to Appeals & Supreme Ct	63	65	65	65
# of motions filed	2557	2600	2600	2600
# of LSS reviewed for appr/disapp	2116	2150	2150	2150
# of IDR/Mediation cases	153	170	170	170
# of certified VR counselors	224	225	225	225
# of req for appointment of VR	163	175	175	175
# of VR plans approved	444	450	450	450
Amt pd from Trust Fund for VR training	1,104,248	1,105,000	1,105,000	1,105,000
# of mngd care plans certified	7	7	7	7
# of employers cvrd by cert mngd plans	1,624	2,000	2,000	2,000
# of employees cvrd by cert mngd plans	93,265	105,000	105,000	105,000
# of physicians approved as IME	234	235	235	235
# of req filed for assign of IME	90	100	100	100
# of cases invest by Compliance	297	310	310	310
# of employers approved for self ins	50	50	55	55
# of employees covered by self ins	135,670	140,000	150,000	150,000
# of injury & pymt rpts filed & processd	158,108	165,000	165,000	165,000
# of inquiries on info line or website	25,253	26,000	26,500	27,000
# of inj employees recv Sec Inj Benefits	49	48	46	44

Agency 37 - Workers' Compensation Court Program 635 - Acting Judges' Salaries

Program Objectives:

This program covers the salaries and benefits for acting judges that may be appointed by the Governor pursuant to section 48-155.01, and for retired judges that may be assigned by the Supreme Court pursuant to section 24-729.

Financial Data:

	Actual FY04	Approp FY05	Request FY06	Recom FY06	Request FY07	Recom FY07
General Fund	0	0	0	0	0	0
Cash Fund	0	55,267	55,267	55,267	55,267	55,267
Federal Fund	0	0	0	0	0	0
Revolving Fund	0	0	0	0	0	0
Other Fund	0	0	0	0	0	0
Total	0	55,267	55,267	55,267	55,267	55,267

Performance Measures:

Performance measures are not appropriate for salaries set by statute for judges. A measure of their work is provided in Program 530 as part of the total court effort to promptly resolve disputed cases.