

Agency 037 - 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 establish 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:

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 or as otherwise provided by law.

MISSION AND PRINCIPLES:

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 or as otherwise provided by law.

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.

GOALS:

1. Adjudicate contested cases in a timely fashion within the formal hearing process and approve settlements.
2. Provide a program to resolve disputed cases or issues 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 fees for medical and hospital services.
5. Enforce compliance with insurance coverage, claims handling, reporting, and other obligations under the Nebraska Workers' Compensation Act.
6. Administer a program for self insurance of workers' compensation liability in accordance with the Nebraska Workers' Compensation Act.

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Financial Data

	FY08 Actual	FY09 Approp	FY10 Request	FY10 Recomm	FY11 Request	FY11 Recomm
Operations Funding						
General Fund	0	0	0	0	0	0
Cash Fund	4,241,887	4,850,783	5,627,979	4,820,783	5,549,735	4,820,783
Federal Fund	33,590	31,512	51,149	49,556	34,794	31,512
Revolving Fund	0	0	0	0	0	0
Other Fund	0	0	0	0	0	0
Total Operations	4,275,477	4,882,295	5,679,128	4,870,339	5,584,529	4,852,295
Aid Funding						
General Fund	0	0	0	0	0	0
Cash Fund	0	0	0	0	0	0
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 Aid Funding	0	0	0	0	0	0
Total Funding						
General Fund	0	0	0	0	0	0
Cash Fund	4,241,887	4,850,783	5,627,979	4,820,783	5,549,735	4,820,783
Federal Fund	33,590	31,512	51,149	49,556	34,794	31,512
Revolving Fund	0	0	0	0	0	0
Other Fund	0	0	0	0	0	0
Total Agency	4,275,477	4,882,295	5,679,128	4,870,339	5,584,529	4,852,295

Agency 037 - WORKERS COMPENSATION COURT

Program 526 - WC JUDGES SALARIES

PROGRAM DESCRIPTION:

This program is maintained solely for the purpose of paying the salaries, benefits, and workers' compensation premiums for the seven judges of the Workers' Compensation Court. All other administrative and adjudicative expenses are budgeted to Program 530. The salary level is established by statute (section 48-159) at 92.5% of the salary level of the Supreme Court justices.

PROGRAM OBJECTIVES:

This program is maintained solely for the purpose of paying the salaries, benefits, and workers' compensation premiums for the seven judges of the Workers' Compensation Court. All other administrative and adjudicative expenses are budgeted to Program 530. The salary level is established by statute (section 48-159) at 92.5% of the salary level of the Supreme Court justices.

PERFORMANCE MEASURES:

Performance measures are not applicable 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 037 - WORKERS COMPENSATION COURT
Program 526 - WC JUDGES SALARIES

Financial Data

	FY08 Actual	FY09 Approp	FY10 Request	FY10 Recomm	FY11 Request	FY11 Recomm
Operations Funding						
General Fund	0	0	0	0	0	0
Cash Fund	983,893	1,036,827	1,045,224	1,044,721	1,054,461	1,054,328
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 Operations	983,893	1,036,827	1,045,224	1,044,721	1,054,461	1,054,328
Aid Funding						
General Fund	0	0	0	0	0	0
Cash Fund	0	0	0	0	0	0
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 Aid Funding	0	0	0	0	0	0
Total Funding						
General Fund	0	0	0	0	0	0
Cash Fund	983,893	1,036,827	1,045,224	1,044,721	1,054,461	1,054,328
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 Program	983,893	1,036,827	1,045,224	1,044,721	1,054,461	1,054,328

Agency 037 - WORKERS COMPENSATION COURT

Program 530 - WC COURT ADMINISTRATION

PROGRAM DESCRIPTION:

This program supports all functions and activities of the court, with the exception of judges' salaries which are covered under program 526 and acting judges' salaries which are covered under program 635.

PROGRAM OBJECTIVES:

The objectives of this program and the court in general are 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 or as otherwise provided by law. The court also conducts a survey of work-related injuries and illnesses and a data collection program for fatal injuries pursuant to a grant from the U.S. Department of Labor - Bureau of Labor Statistics (BLS) (CFDA #17.005). All of the goals identified in the Agency Narrative are applicable to this program.

PERFORMANCE MEASURES:

Performance Measures	FY 2008 Actual	FY 2009 Current	FY 2010 Request	FY 2011 Request
Petitions @ 1st hearing stage	1,355	1,400	1,400	1,400
Applications @ review stage	91	100	100	100
Appeals to Ct. of Appeals & Sct	42	45	45	45
Motions filed	2,457	2,500	2,500	2,500
Dispositions @ 1st hearing stage	1,371	1,400	1,400	1,400
Dispositions @ review stage	107	110	110	110

A complete list of the Performance Measures may be found in the Workers' Compensation Court Biennial Budget Request on the Budget Division website at: <https://das-nebs.ne.gov/public/faces/budgetRequestDocuments.jsp>

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Program 530 - WC COURT ADMINISTRATION

Financial Data

	FY08 Actual	FY09 Approp	FY10 Request	FY10 Recomm	FY11 Request	FY11 Recomm
Operations Funding						
General Fund	0	0	0	0	0	0
Cash Fund	3,255,522	3,758,689	4,527,488	3,720,795	4,440,007	3,711,188
Federal Fund	33,590	31,512	51,149	49,556	34,794	31,512
Revolving Fund	0	0	0	0	0	0
Other Fund	0	0	0	0	0	0
Total Operations	3,289,112	3,790,201	4,578,637	3,770,351	4,474,801	3,742,700
Aid Funding						
General Fund	0	0	0	0	0	0
Cash Fund	0	0	0	0	0	0
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 Aid Funding	0	0	0	0	0	0
Total Funding						
General Fund	0	0	0	0	0	0
Cash Fund	3,255,522	3,758,689	4,527,488	3,720,795	4,440,007	3,711,188
Federal Fund	33,590	31,512	51,149	49,556	34,794	31,512
Revolving Fund	0	0	0	0	0	0
Other Fund	0	0	0	0	0	0
Total Program	3,289,112	3,790,201	4,578,637	3,770,351	4,474,801	3,742,700

Agency 037 - WORKERS COMPENSATION COURT

Program 635 - ACTING JUDGES SALARIES

PROGRAM DESCRIPTION:

This program is maintained solely for the purpose of providing salaries 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.

PROGRAM OBJECTIVES:

This program is maintained solely for the purpose of providing salaries 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.

PERFORMANCE MEASURES:

Performance measures are not applicable 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 037 - WORKERS COMPENSATION COURT
Program 635 - ACTING JUDGES SALARIES

Financial Data

	FY08 Actual	FY09 Approp	FY10 Request	FY10 Recomm	FY11 Request	FY11 Recomm
Operations Funding						
General Fund	0	0	0	0	0	0
Cash Fund	2,472	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 Operations	2,472	55,267	55,267	55,267	55,267	55,267
Aid Funding						
General Fund	0	0	0	0	0	0
Cash Fund	0	0	0	0	0	0
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 Aid Funding	0	0	0	0	0	0
Total Funding						
General Fund	0	0	0	0	0	0
Cash Fund	2,472	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 Program	2,472	55,267	55,267	55,267	55,267	55,267