#### AGENDA

#### SOUTH CAROLINA WORKERS' COMPENSATION COMMISSION

1333 Main Street, 5<sup>th</sup> Floor Columbia, South Carolina 29201 **May 8, 2023 10:30 a.m.** 

#### Meeting to be held in Hearing Room A

The Commission's Business Meeting will be broadcast live on the Internet via Zoom. Interested parties may access the broadcast at the following link:

Join Zoom Meeting https://us02web.zoom.us/j/8249297108?pwd=akcwMkMxSnYzQWFxdEs4V2x6UWtyUT09

Meeting ID: 824 929 7108 Passcode: 073988

This meeting agenda was posted prior to the meeting and proper advance notice was made to all concerned parties in compliance with requirements in the Freedom of Information Act.

1.	CALL TO ORDER	CHAIRMAN BECK
2.	APPROVAL OF AGENDA OF BUSINESS MEETING OF MAY 8, 2023	CHAIRMAN BECK
3.	APPROVAL OF MINUTES OF THE REGULAR BUSINESS MEETING OF APRIL 17, 2023, (Tab 1)	CHAIRMAN BECK
4.	GENERAL ANNOUNCEMENTS	MR. CANNON
5.	APPLICATIONS FOR APPROVAL TO SELF-INSURE (Tab 2)	MS. BROWN
6. 7.	DEPARTMENT DIRECTORS' REPORTS Human Resources (Tab 3) Information Services (Tab 4) Insurance and Medical Services (Tab 5) Claims (Tab 6) Judicial (Tab 7) DEPARTMENT OF VOCATIONAL REHABILITATION	MS. WARD MR. PLUSS MR. DUCOTE MS. SPANN MS. BRACY MR. CANNON
8.	Monthly Report (Tab 8)	MR. CANNON
	EXECUTIVE DIRECTOR'S REPORT (Tab 9)	MR. CANNON
9.	FINANCIAL REPORT (Tab 10)	MR. CANNON
10.	OLD BUSINESS	CHAIRMAN BECK
11.	EXECUTIVE SESSION General Counsel has requested an Executive Session to discuss pending litig	CHAIRMAN BECK gation.
12.	ADJOURNMENT	CHAIRMAN BECK

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1	Approval of Minutes of Business Meeting of April 17, 2023
2	Self-Insurance
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6	Claims
7	Judicial
8	Vocational Rehabilitation
9	Executive Director's Report
10	Financial Report
11	New Business

#### THE SOUTH CAROLINA WORKERS' COMPENSATION COMMISSION BUSINESS MEETING April 17, 2023

A Business Meeting of the South Carolina Workers' Compensation Commission was held in Hearing Room A of the Workers' Compensation Commission on Monday, April 17, 2023, at 10:30 a.m. The meeting agenda was posted prior to the meeting and proper advance notice was made to all concerned parties in compliance with requirements in the Freedom of Information Act. The following Commissioners were present:

#### T. SCOTT BECK, CHAIRMAN GENE MCCASKILL, VICE CHAIR AVERY WILKERSON, COMMISSIONER AISHA TAYLOR, COMMISSIONER R. MICHEAL CAMPBELL, II, COMMISSIONER MELODY JAMES, COMMISSIONER CYNTHIA DOOLEY, COMMISSIONER

Present also were Gary Cannon, Executive Director; Keith Roberts, General Counsel, Christy Brown, Self-Insurance Director; Sonji Spann, Claims Director; Kristen Mcree, Staff Attorney; Bridget Ward, Human Resource Director; Kris Pluss, Director of Information Technology and Douglas Mann, IT Consultant.

Chairman Beck called the meeting to order at 10:45 a.m.

#### AGENDA

Commissioner McCaskill moved that the agenda be approved. Commissioner James seconded the motion, and the motion was approved.

#### APPROVAL OF MINUTES – BUSINESS MEETING OF MARCH 13, 2023

Commissioner McCaskill moved that the minutes of the Business Meeting of March 13, 2023, be approved. Commissioner Dooley seconded the motion, and the motion was approved.

#### **GENERAL ANNOUNCEMENTS**

There were no general announcements.

#### APPLICATIONS FOR APPROVAL TO SELF-INSURE

Self-insurance applications were presented by Christy Brown, Self-Insurance Director. **Eleven (11)** prospective members of One (1) fund were presented to the Commission for approval. The applications were:

#### South Carolina Home Builders SIF

Atlas Construction Services LLC Byars Heating & Air LLC Building Art LLC BZRRA Renovations & Building LLC Cooper Builders LLC Flash Disposal LLC Greenstone Construction LLC Hagood Homes of the Low Country, Inc. Inland Home Builders LLC SEC Contracting LLC Woodland Builders

After examination of the applications, it was determined that each complied with the Commission's requirements, and each was recommended for approval.

Commissioner Wilkerson made the motion to approve the applications to self-insure. Commissioner Dooley seconded the motion to approve the applications to self-insure, and the motion was approved.

## **DEPARTMENT DIRECTORS' REPORTS**

Each Department report was submitted in written form and included in the Commission's agenda booklets.

## HUMAN RESOURCES

Ms. Ward presented the Human Resources report. There were no comments or questions from the Commission.

## **INFORMATION TECHNOLOGY DEPARTMENT**

Mr. Pluss presented the IT report. There were no comments or questions from the Commission.

## **INSURANCE AND MEDICAL SERVICES DEPARTMENT**

Mr. Ducote presented his report in written form. There were no comments or questions from the Commission. Mr. Ducote introduced Diane Dininno as his new Coverage Analyst and Jacqueline Marvin's promotion to Coverage and Claims Director.

## **CLAIMS DEPARTMENT**

Ms. Spann presented her report in written form. There were no comments or questions from the Commission.

# JUDICIAL DEPARTMENT

Ms. Bracy presented her report in written form. There were no questions from the Commission. Ms. Bracy introduced McKenzie Stites as her new Program Assistant.

#### **VOCATIONAL REHABILITATION**

Mr. Cannon presented the Vocational Rehabilitation Report.

#### **EXECUTIVE DIRECTOR'S REPORT**

Mr. Cannon submitted his report in written form. There were no comments or questions from the Commission.

## ADMINISTRATION – FINANCIAL REPORT

Mr. Cannon submitted his report in written form. Commissioner Taylor asked about the difference in the budgeted amount and the YTD expenditures in the Other Pers Services account. Mr. Cannon responded the expenditures were part-time law clerks and other expenditures. He stated he will research and provide a response.

#### **OLD BUSINESS**

There was no old business.

#### NEW BUSINESS

There was no new business.

#### **ADJOURNMENT**

Commissioner Wilkerson made the motion to adjourn. Commissioner Taylor seconded the motion, and the motion was approved.

The April 17, 2023, meeting of the South Carolina Workers' Compensation Commission adjourned at 11:12 am.

Reported April 27, 2023 Arnisha Keitt Executive Assistant

# State of South Carolina

1333 Main Street, 5<sup>th</sup> Floor P.O. Box 1715 Columbia, S.C. 29202-1715



TEL: (803) 737-5700 FAX: (803) 737-5764

Workers' Compensation Commission

TO: Gary Cannon

**FROM:** Bridget Ward

DATE: May 1, 2023

#### SUBJECT: Monthly Human Resources Report for May 2023 Business Meeting

This report summarizes Human Resources' activities from April 1, 2023, through April 30, 2023. At the end of April, the Commission had 49 full-time employees and one part-time employee.

#### • New Hires: One Promotion: One Separations or Retirements: None FMLA Leaves: None

HR processed five SCEIS personnel transactions and four SCEIS time/leave transactions in April. All detailed reports were run as scheduled, and any issues that arose were corrected with the collaborative effort of the SCEIS teams and the Comptroller General's Office. HR sent seven "All Employee emails during April and processed eight travel trip reports. In addition, HR received and reviewed 1206 and sent 1189 emails.

HR attend:

- An in-person 2023 EEO Forum hosted by SC Human Affairs Commission
- HR Advisory Webex meeting hosted by the Department of Administration DSHR
- State Accident Fund Workers' Compensation 101 Workshop Webinar.
- LinkedIn Learning Quarterly Sub-Administrator Webinar.

There was one parking issue in April and six building issues. All building issues were resolved, the parking issue is ongoing and two parking assignments were updated. There were no COVID cases or scares in April, and HR will continue to obtain testing kits from DHEC to provide convenient free testing for all employees.

Vacant positions to be filled:

- Legal Law Clerk Temp Hourly
- IMS Program Co I AH35

With the internal promotion in IMS, a Program Coordinator I position became available in April. HR posted the vacancy on the SC Careers website, and the interviews will start in May. In addition, HR posted a Temporary position for a law clerk for the Legal Department, and those interviews will also begin in May.

Position(s) filled in April:

- IMS Director or Coverage & Compliance Program Manager I AH45 4/17
- Claims Insurance Analyst I AP01 4/19

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# Workers' Compensation Commission

To: Gary Cannon, SCWCC Executive Director
From: Kris Pluss, IT Director
Date: May 3, 2023
Subject: IT Department April 2023 Full Commission Report

This report summarizes the activities and accomplishments for projects and initiatives in the IT Department during April 2023.

# I. Systems Operations, Maintenance and Support

# <u>EDI</u>

WCC IT Staff continues to work with the ISO/Verisk to establish processes and an implementation plan for the EDI 3.0 claims processing migration. The WCC IT Team attended one MS Teams Meeting with ISO/Verisk in April. ISO/Verisk has encountered an issue with ingesting the historical claims data in the existing EDI 3.0 format. WCC IT has produced the sample history claims data in the revised format and sent the extracted data on April 13, 2023. WCC IT and Verisk mutually agreed to pause the weekly MS Teams Meetings to allow Verisk to focus on the four deployments they have scheduled between May and November, 2023 and WCC IT to focus on the Legacy Modernization Project. WCC IT and Verisk will continue to exchange Historical Claims Data in the test formats until weekly meetings resume in August, 2023.

# Progress

WCC IT attended six Virtual Meetings with Progress Application Staff and Project Managers in April. Internal Testing for eCase Display enhancements started in April. Doc Pop functionality was integrated as well and is currently being testing with the existing eCase upgrade.

## Systems Support

WCC IT continues to work with WCC users to support agency laptops, iPhones, and iPads.

## Security

No phishing emails were reported to the WCC IT Team during this timeframe.

## Reporting

- 94 Service Desk tickets were received by WCC IT during April 2023.
- 90 Tickets were assigned a priority of Low / Medium.
- 4 Ticket was assigned a priority of High.
- 0 Tickets were assigned a priority of Urgent.

## II. Projects, Enhancements and Development

#### Legacy Modernization

WCC IT participated in three Virtual Meetings with SC.Gov and the Department of Administration's, Digital of Governmental Services Division to confirm the timeline for the electronic form uploads and electronic payment processing services. SC.Gov has provided a Tentative Project Schedule that outlines the remaining development, testing and, implementation dates. The tentative go-live date is prior to July 1, 2023.

#### IMS COMPLIANCE DIVISION

# Employer Rule to Show Cause Hearings and Compliance Activity

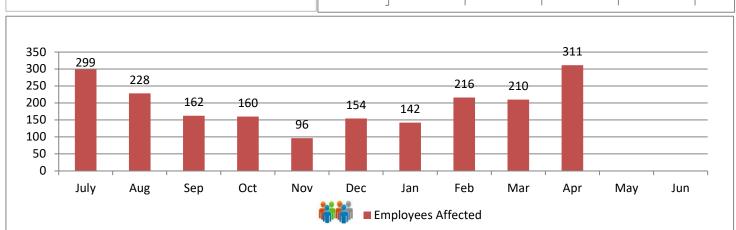
The Compliance Division docketed 0 new RTSC cases and 0 total RTSC cases in the month of April. And, compelled 30 South Carolina employers to come into compliance with the Act. Year to date, 5 new RTSC cases and 19 total RTSC cases have been docketed.

# **Employers Obtaining Coverage**

Year to date, the Compliance Division has compelled 219 South Carolina employers to come into compliance with the Act. In so doing, approximately 1,978 previously uninsured workers are now properly covered.

## **Penalties Waived**

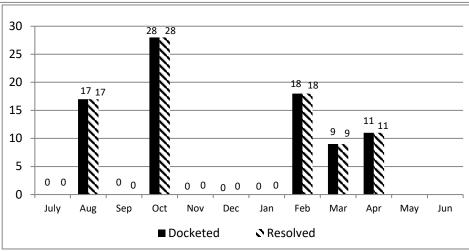
Although the Division has assessed \$3.0 m in fines this fiscal year, \$2.1 m have been <u>waived</u> or <u>rescinded</u> as employers have either obtained insurance coverage or were found not to be subject to the Act.



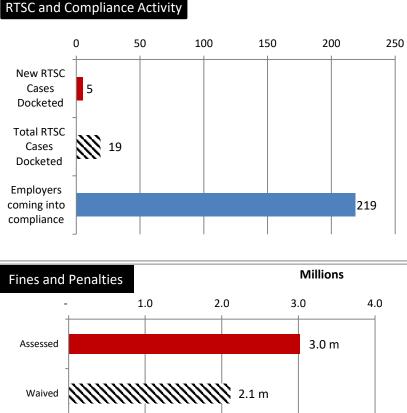
## **Carrier Rule to Show Cause Hearings**

The Compliance Division manages the Rule to Show Cause process involving the recovery of outstanding carrier fines and penalties . In the month of April 2023, 11 carrier RTSC cases were docketed; 11 cases were resolved for a total of \$18,800.

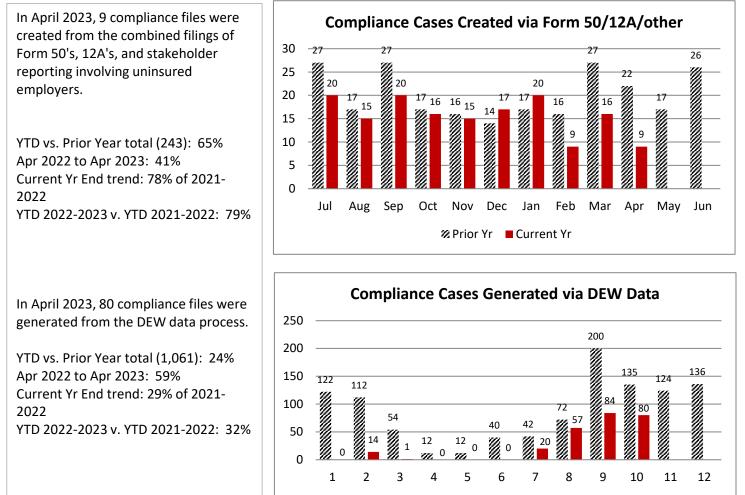
Year to date, a total of 83 carrier RTSC cases have been docketed, 83 cases for a total of \$133,078 have been resolved.



#### April 2023

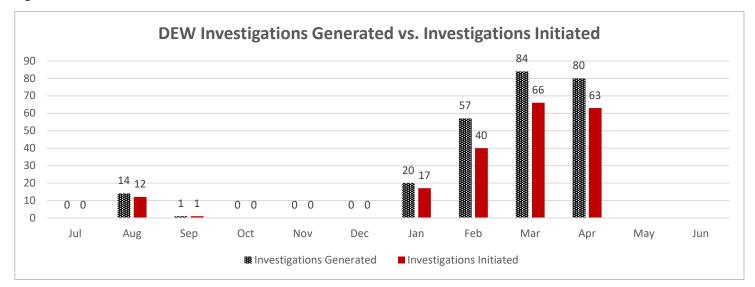


#### IMS COMPLIANCE DIVISION



The DEW Data Pool is determined by the total number of potential, non-compliant employers who report wages to DEW with at least 4 employees and who's FEIN does not match with any coverage records in the Commission's coverage database. The investigations generated is the number of compliance investigations generated from the pool. The investigations initiated is the number of compliance investigations initiated from those that were generated.

Prior Yr Current Yr



April 2023

#### IMS COMPLIANCE DIVISION

#### **Carryover Caseload:**

The Compliance Division closed Apr 2023 with 134 cases active, compared to an active caseload of 383 at the close of April 2022.

#### **Cases Resolved:**

For the month of April 2023, Compliance Division staff closed-out 120 cases.

#### **Compliance Fines:**

250

200

150

100

50 0

106,696

Jul

Aug

Sep

Oct

Nov

Dec

Serior Yr ■ Current Yr

Jan

150,000

100,000

50,000

0

In April 2023, the Compliance Division collected \$58,093 in fines and penalties. Year to Date, the Compliance Division has collected \$340,727 in fines and penalties.

Year to Date vs Prior Year Total (\$686,193): 50% Apr 2022 vs. Apr 2023: 147% Current Year End trend is 60% of 2021-2022 YTD 2021-22 (Apr - June) vs YTD 2022-2023: 59%



Feb

Mar

Apr

May

Jun

April 2023

**Caseload Pending v. Prior Year** 

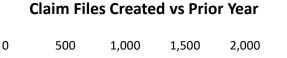
#### IMS COVERAGE DIVISION

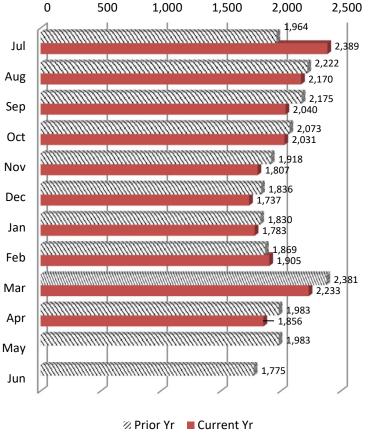
#### WCC Claim Files:

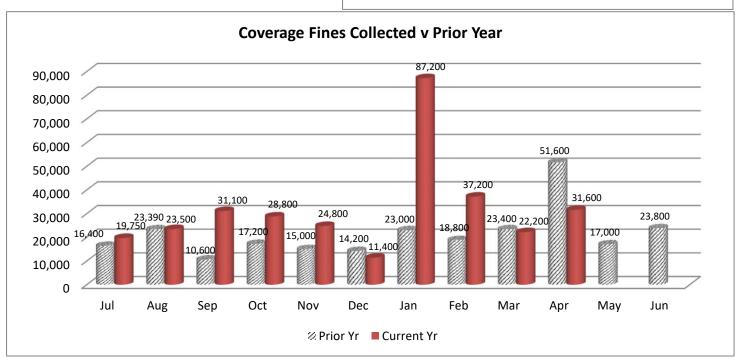
In April 2023, the Coverage Division received a total of 1,856 WCC Claim files. Of these, 1,628 were created through proper carrier filing of a 12A, and 228 were generated as a result of a Form 50 claim filing. Year to Date 19,951 Claim files have been created which is 83% of claim file volume prior year (24,009).

#### **Coverage Fines:**

The Coverage Division collected \$31,600 in fine revenue in April 2023, as compared to \$51,600 in Coverage fines/penalties accrued during April 2022. Year on Year, Coverage fines are at 125% of collections for prior year.





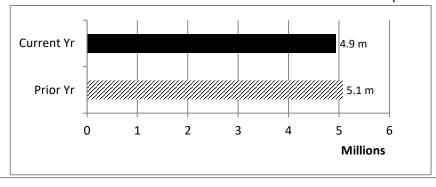


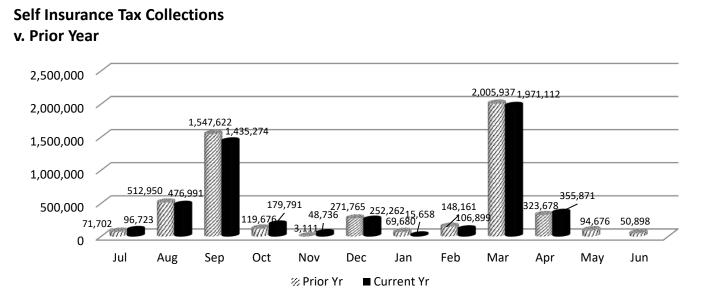
## IMS SELF INSURANCE DIVISION

During the month of April 2023, the Self Insurance Division:

- \* collected \$355,871 in self-insurance tax.
- \* added 11 new self-insurers.
- \* conducted 4 Self Insurance audits.

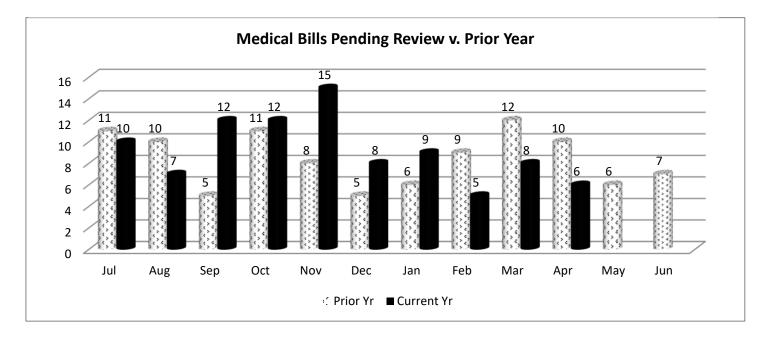
Year to Date, Self Insurance tax revenue is trending at 97% of prior year and 40 Self Insurance audits have been completed.





## IMS MEDICAL SERVICES DIVISION

In April 2023, the Medical Services Division began the month with 8 bills pending review, received an additional 11 bills for review, conducted 13 bill reviews and ended the month with 6 bills pending.



# State of South Carolina

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# Workers' Compensation Commission MEMORANDUM

To: Gary Cannon, Executive Director

From: Sonji Spann, Claims Director

Date: May 8, 2023

#### Re: Claims Department May 2023 Full Commission Report

Attached is the Statistical Report for the Claims Department for the period July 1, 2022 – April 30, 2023, for the Business Meeting on May 8, 2023. Please note the format using row numbers and column letters for ease of use when referencing data.

Claims activities are in Column (a) with the totals for the first-month period for FY22-23 in column (o). Column (q) reflects the percentage change when comparing the totals for same period in the current fiscal at the totals for the same period in last fiscal year. The total Claims Activities, for this period have increase 2% when compared to the same period from last fiscal year.

The number of Total Fines assessed are down 2% compared to the same period last fiscal year and the Total Fines paid 8% higher when compared to the same period last year

I will be happy to answer any questions you or the Commissioners have.

С	laims [	Depart	ment S	Statisto	cal Repo	ort	Claims Department Statistcal Report											
	FY2022-2023																	
	July 1, 2022 - April 30, 2023																	
Claims Activities	Jan	Feb	March	April	FY22-23 Total	FY21-22 Total	% Diff from prev year											
(a)	(h)	(i)	(j)	(k)	(o)	(p)	(q)											
Forms 15-I	1,065	1,131	1,190	1,036	10,900	10,542	3%											
Forms 15-II/Forms 17	917	930	1,112	861	9,297	8,732	6%											
Forms 16 for PP/Disf	208	180	240	208	2,044	2,183	-6%											
Forms 18	5,029	4,897	5,389	4,720	49,681	44,110	13%											
Forms 20	540	634	600	546	5,719	7,160	-20%											
Form 50 Claims Only	241	272	289	228	2,638	3,001	-12%											
Form 61	807	719	765	627	6,825	6,625	3%											
Letters of Rep	175	201	256	164	2,416	2,093	15%											
Clinchers	910	841	878	787	8,100	8,170	-1%											
Third Party Settlements	21	11	18	15	210	185	14%											
SSA Requests for Info	40	40	50	39	343	397	-14%											
Cases Closed	2,034	2,006	2,379	2,057	20,808	21,694	-4%											
Cases Reviewed	2,775	2,603	2,961	2,561	27,693	28,884	-4%											
Total	14,762	14,465	16,127	13,849	146,674	143,776	2%											
					-	-												
Total Fines Assessed	310	249	288	223	2,972	3,044	-2%											
Form 18 Fines	264	235	224	194	2,579	3,000	-14%											
Total Amt Paid	\$63 <i>,</i> 450	\$45,800	\$49,600	\$44,800	509,650	472,000	8%											

# State of South Carolina



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# Workers' Compensation Commission

May 2, 2023

To: Gary Cannon Executive Director

From: Amy A. Bracy Judicial Director

# RE: Monthly Judicial Report for April 2023

During the month of April, the Judicial Department processed seven hundred sixty-one (761) requests for hearings (claimant and defense pleadings). Comparing the numbers from the same period last year, claimant pleadings are up 6% and defense pleadings experienced an 8% decrease. The department received ninety-six (96) Motions, a 3% decrease compared to the same period last year and one hundred forty (140) clincher conference requests, a 5% increase compared to the same time last year.

There were forty-five (45) Single Commissioner Hearings conducted during the past month, twenty-three (23) pre-hearing conferences held, and six (6) Full Commission hearings held. A total of four hundred forty-eight (448) Orders (Single Commissioner Orders, Consent Orders and Administrative Orders) were served at the single Commissioner level, forty-one (41) of those were Decision and Orders that resulted from hearings that went on the record and one hundred forty-eight (148) were Motion Orders that were a result of Motions ruled upon by Commissioners.

There were two hundred one (201) Informal Conferences requested during April and one hundred eighty-two (182) were conducted.

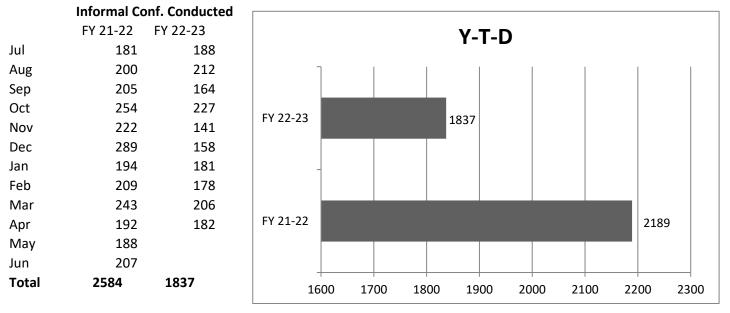
There were twenty-five (25) regulatory mediations scheduled and fifty (50) requested mediations. Totals are up 11% and 8% in the respective categories for the same period last year. The Judicial Department was notified of fifty (50) matters resolved in mediation, with the receipt of Forms 70. This category's total is up 6% compared to this period last year. This does not include mediations that take place outside of what is reported to the Commission.

In the month of April, Judicial received one (1) Notices of Intent to Appeal to the Court of Appeals and zero (0) to the Circuit Court.

1333 Main Street P.O. Box 1715 Columbia, S.C. 29202-1715

# Judicial Department Statistical Report Statistics For Fiscal Year 2022-2023

											Totals YTD	Totals YTD	% Diff from	YTD Diff +	FY22-23	FY21-22
	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	March	April	2022-2023	2021-2022	prev year	(-)	Mth Avg	Mth Avg
Claimant Pleadings	612	586	510	590	546	475	507	504	651	539	5,520	5,209	6%	311	552	521
Defense Response to Pleadings	474	495	439	397	536	373	439	335	539	436	4,463	4,271	4%	192	446	427
Defense Pleadings	223	301	200	263	253	224	266	241	310	222	2,503	2,734	-8%	(231)	250	273
Motions	104	130	112	111	98	96	115	105	118	96	1,085	1,113	-3%	(28)	109	111
Form 30	11	7	9	5	8	6	7	12	11	15	91	131	-31%	(40)	9	13
FC Hearings Held	4	8	10	9	7	6	5	4	4	6	63	81	-22%	(18)	6	8
FC Orders Served	8	6	11	9	10	6	20	9	10	8	97	104	-7%	(7)	10	10
Single Comm. Hearings Held	31	52	57	67	40	46	48	55	52	45	493	557	-11%	(64)	49	56
Single Comm. Orders Served	160	182	183	216	167	191	217	200	237	202	1,955	1,828	7%	127	196	183
Single Comm. Pre-Hearing Conf Held	20	31	6	19	11	11	8	20	29	23	178	139	28%	39	18	14
Consent Orders	261	230	318	281	287	266	353	352	355	242	2,945	2,453	20%	492	295	245
Adminstrative Orders	2	23	15	8	13	9	18	12	12	4	116	106	9%	10	12	11
Clincher Conference Requested	122	149	144	125	130	140	143	124	200	140	1,417	1,351	5%	66	142	135
Informal Conference Requested	222	267	242	234	212	211	285	198	277	201	2,349	2,606	-10%	(257)	235	261
Informal Conference Conducted	188	212	164	227	141	158	181	178	206	182	1,837	2,189	-16%	(352)	184	219
Regulatory Mediations	27	39	29	34	37	30	30	18	33	25	302	271	11%	31	30	27
Requested Mediations	47	67	55	53	46	41	72	64	69	50	564	523	8%	41	56	52
Ordered Mediations	1	0	0	0	0	2	1	0	0	1	5	2	100%	3	1	0
Mediation Resolved	39	60	33	49	61	57	55	22	75	50	501	473	6%	28	50	47
Mediation Impasse	8	12	8	11	16	19	15	14	17	10	130	147	-12%	(17)	13	15
Mediation Held; Issues Pending	0	0	2	0	0	0	1	0	1	0	4	10	0%	(6)	0	1
Claim Settled Prior to Mediation	6	9	10	12	7	11	13	6	15	10	99	100	-1%	(1)	10	10
Mediation Not Complete in 60 days	2	6	3	2	1	1	1	0	1	2	19	26	-27%	(7)	2	3

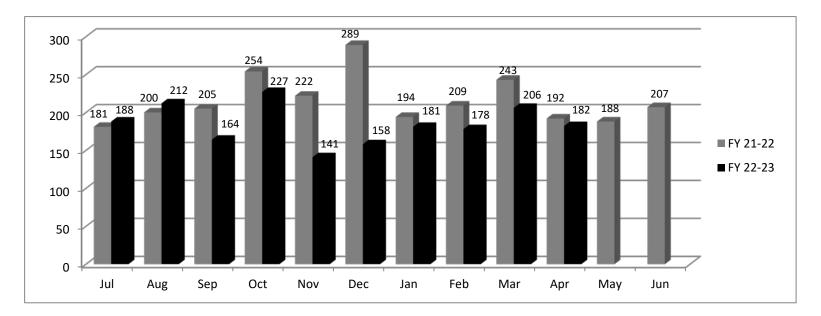


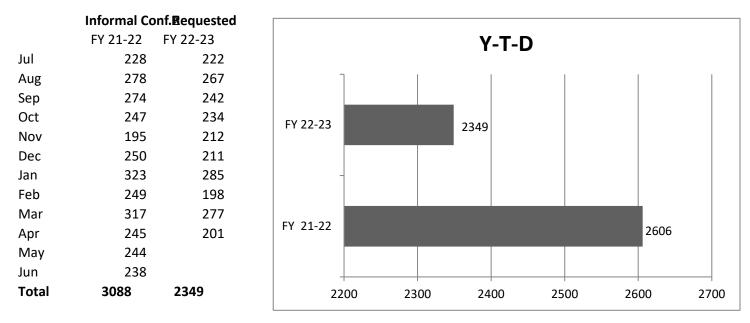
FY 21-22 FY 22-23

2189

Y-T-D

1837



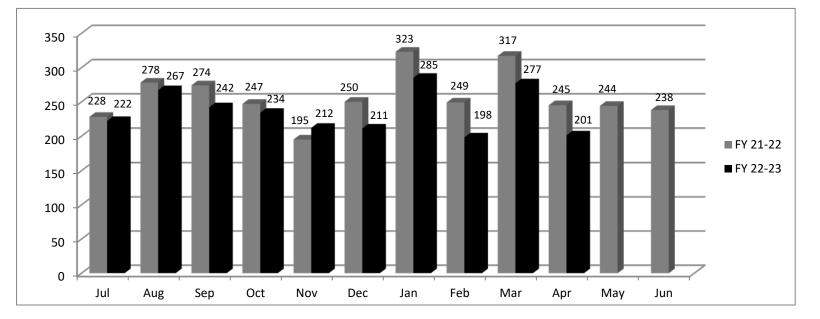


FY 21-22 FY 22-23

2606

Y-T-D

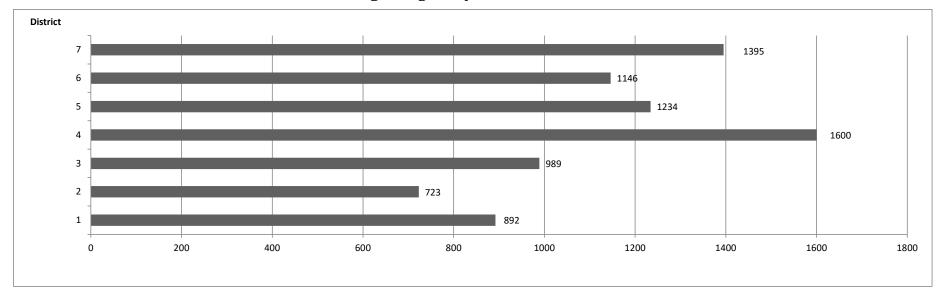
2349



	I	District	1	E	District	2	I	District	3	I	District	4	I	District	5	I	District	6		Distric	t 7
	Greenville		Anderson		Orangeburg		Charleston		Florence		Spartanburg		ırg	Richland							
	22-23	21-22	20-21	22-23	21-22	20-21	22-23	21-22	20-21	22-23	21-22	20-21	22-23	21-22	20-21	22-23	21-22	20-21	22-23	21-22	20-21
Jul	105	112	120	81	87	81	112	72	85	150	166	151	111	109	126	135	122	112	142	156	154
Aug	105	93	88	70	67	73	86	101	105	172	174	142	118	112	125	124	101	95	155	134	133
Sep	93	109	87	68	77	70	98	96	107	144	158	162	121	143	128	104	112	113	135	143	169
Oct	78	89	93	59	73	81	97	103	125	140	152	175	114	110	115	96	95	104	126	130	159
Nov	90	96	92	77	66	88	106	95	100	180	144	176	135	112	96	137	84	104	164	116	134
Dec	91	104	90	74	80	68	108	100	115	166	156	168	136	123	132	113	108	96	117	131	141
Jan	74	85	79	74	54	56	90	84	96	172	167	172	126	129	110	97	91	88	130	118	124
Feb	78	93	84	69	75	88	90	87	86	144	170	133	102	105	101	88	108	93	122	145	118
Mar	96	108	125	69	87	93	124	84	118	174	186	201	133	149	132	139	130	106	158	166	164
Apr	82	106	94	82	75	63	78	82	100	158	181	138	138	120	112	113	127	106	146	164	134
May		82	90		69	69		81	85		149	134		130	110		103	98		136	126
Jun		122	95		74	74		100	98		161	164		152	117		111	103		147	134
Totals	892	1199	1137	723	884	904	989	1085	1220	1600	1964	1916	1234	1494	1404	1146	1292	1218	1395	1686	1690

**Pleadings Assigned - Three Year Comparison by Month** 

#### Pleadings Assigned by District Year to Date



No report submitted at the time of publication.

# State of South Carolina



# Workers' Compensation Commission

#### Executive Director's Report May 8, 2023

#### **Meetings/Activities – April**

The Executive Director attended the Senate Judiciary Subcommittee hearing on the proposed changes to Regulation 67-610 presented as Doc. 5131, S. 250 (Commissioners qualifitications) and S. 79 (Appointment of Chairman); attended the Senate Judiciary Committee meeting to consider S. 250 and Doc. 5131; met with Roland Franklin to discuss the House Legislative Oversight Presentation; interviewed two law students for clerkships; presented at the GAP Growers Webinar; the Department of Administration Budget Advisory Group meeting; 2 staff meetings to discuss a Self-insurance issue and a IT Legacy System Modernization project; and two days of hearings before the Chief Procurement Officer.

#### Regulation 67-610 & S. 250

The Senate Judiciary Committee approved a Joint Resolution to approve Document 5131, changes to to R67-610. They carried over S.250 requesting additional information on the Fiscal Impact Statement.

#### **Constituent / Public Information Services**

For the month of April, the Executive Director's and the General Counsel's offices had 122 contacts with stakeholders.

#### **Financial Transactions Activity**

During the month of April, the Director's office processed and approved (5) 10 Purchase orders, (8) 16 travel expense reports, 112 invoices and 44 deposits for DOA to process in the SCIES system.

#### SCWCC Stakeholder Electronic Distribution List

For the month of April, the Office had two (2) additions and 45 deletions to the email distribution list.

#### **Advisory Notices**

During the month of April, the office posted four (4) notices on the Commission's website and emailed it to the distribution list.

# State of South Carolina

1333 Main Street, 5<sup>th</sup> Floor P.O. Box 1715 Columbia, S.C. 29202-1715



TEL: (803) 737-5700 www.wcc.sc.gov

Workers' Compensation Commission

# MEMORANUM

TO: COMMISSIONERS

FROM: Gary Cannon, Executive Director

DATE: May 8, 2023

## RE: FINANCIAL REPORT – FY Period ending April 30, 2023

Attached is the Budget vs. Actual Report for the General Fund and Earmarked Fund for the fiscal year period ending April 30, 2023. The benchmark for this period is 83%.

## Expenditures – General Fund

The expenditures for the General Fund are on pages 1-2 of the attached report "Budget vs. Actual Report FY2023. The year-to-day expenditures in the General Fund (10010000) for this period is \$2,249,556 or 78% of the budget. Page 3 and 4 reflects the balances of funds appropriated by the General Assembly for the IT System Modernization Project.

At last month's Business Meeting you asked about the variance between the budgeted amount and actual expenditures in the 501070 Other Pers SVC account in Administration and Commissioners. The expenditures in this account were for the \$1,500 Bonus awarded to each State employee last fall and terminal leave payout for employees ending employment with the Commission. The 501050 Taxable Substance account in the Commissioners is 99% depleted. I will transfer the budget amount needed to cover the current overages and expenses for the remainder of the fiscal year from the 512001 Other Operating account to these accounts.

## Expenditures – Earmarked Fund

The Earmarked Fund (38440000) financials begin on page 5 with the total expenditures found on page 13. The total expenditures for this period are \$3,369,894 which is 60% of budget.

The expenditures in 501070 Other Pers SVC account were for the \$1,500 Bonus awarded to each State employee last fall, terminal leave payout for employees ending employment with

the Commission and temporary part-time employees. The amount budgeted in 512001 Other Operating account is found on page 7 or 13 in the Earmarked Fund. The expenditures in the YTD column are in subaccounts. The total expenditure for the 512001 Other Operating account, \$983,862 is found on page 8 of 13. The amount is 44% of the budgeted amount, \$2,246,222. Funds will be transferred from expenditure accounts having with a surplus to accounts with expenditures greater than the budgeted amount at the end of the fiscal year.

#### <u>Revenues – Earmarked</u>

The Commission received \$2,259,461 in Earmarked Fund operating revenues for this period, which is 71% of the amount budgeted for the year. The total projected amount of operating revenues for the remainder of the fiscal year is \$2,711,353, which is a shortfall of \$459,638. In order to achieve a balanced budget in the Earmarked Fund funds are transferred from the Self-Insurance Taxes collected and retained by the Commission.

#### Self-Insurance Tax Funds

The amount budgeted from the Self-Insurance Tax for the Commission is \$2,500,000. The current YTD Revenue, \$4,926,952. We are authorized to retain 50% of the collections. Based on the YTD revenue, we would retain \$2,463,476, which is \$36,524 under the budgeted amount.

# South Carolina Workers' Compensation Commission Budget vs. Actual Report FY 2023 As of 4/30/2023 83% of year elapsed

# Fund 10010000 - GENERAL FUND - Operating Items

#### Administration

Commitment Item	Commitment Item Description	Current Budget	YTD Expenditures	% Used	Commitments	Remaining Balance
501015	DIRECTOR	146,418	122,014	83%		24,404
501058	CLASSIFIED POS		11,375			-11,375
501070	OTH PERS SVC	1,500	7,320	488%		-5,820
512001	OTHER OPERATING	216,035				
5050010000	IN ST-MEALS-NON-REP		230			
5050020000	IN ST-LODGING		1,421			
5050041000	HR-IN ST-AUTO MILES		729			
5050060000	IN ST-MISC TR EXP		196			
	Total OTHER OPERATING:	216,035	2,576	1%	0	213,459
Total Admin	istration:	363,953	143,285	39%	0	220,668

#### Claims

Commitment Item	Commitment Item Description	Current Budget	YTD Expenditures	% Used	Commitments	Remaining Balance
501058	CLASSIFIED POS	85,056	70,880	83%		14,176
501070	OTH PERS SVC	1,500	1,500	100%		0
Total Claims	:	86,556	72,380	84%	0	14,176

#### Commissioners

Commitment Item	Commitment Item Description	Current Budget	YTD Expenditures	% Used	Commitments	Remaining Balance
501026	CHAIRMAN	177,426	147,854	83%		29,572
501033	COMMISSIONER	1,033,541	891,747	86%	0	141,794
501050	TAXABLE SUBS	56,950	56,418	99%		532
501058	CLASSIFIED POS	373,421	304,125	81%		69,296
501070	OTH PERS SVC	18,000	20,707	115%		-2,707
Total Comm	issioners:	1,659,338	1,420,851	86%	0	238,487

# South Carolina Workers' Compensation Commission Budget vs. Actual Report FY 2023 As of 4/30/2023 83% of year elapsed

# Fund 10010000 - GENERAL FUND - Operating Items

#### **Insurance & Medical**

Commitment Item	Commitment Item Description	Current Budget	YTD Expenditures	% Used	Commitments	Remaining Balance
501058	CLASSIFIED POS	32,306	11,105	34%		21,201
Total Insura	nce & Medical:	32,306	11,105	34%		21,201

#### **Judicial**

Commitment Item	Commitment Item Description	Current Budget	YTD Expenditures	% Used	Commitments	Remaining Balance
512001	OTHER OPERATING	31,158				
	Total OTHER OPERATING:	31,158				31,158
Total Judicia	al:	31,158				31,158

# **Employer Contributions**

Commitment Item	Commitment Item Description	Current Budget	YTD Expenditures	% Used	Commitments	Remaining Balance
513000	EMPLOYER CONTRIB	703,431	601,936	86%		101,495
Total Employ	yer Contributions:	703,431	601,936	86%		101,495
Total GENI	ERAL FUND - Operating Items:	2,876,742	2,249,556	78%	0	627,186

### Fund 10010000 - GENERAL FUND - Special Items

### **IT System Project**

Commitment Item	Commitment Item Description	Current Budget	YTD Expenditures	% Used	Commitments	Remaining Balance
561000	Special Item	1,695,084				1,695,084
Total IT Syst	em Project:	1,695,084				1,695,084

Total GENERAL FUND - Special Items:	1,695,084		1,695,084
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### Fund 10050023 - GF-NONRECUR APROP-23 - Special Items

### **IT System Project**

Commitment Item	Commitment Item Description	Current Budget	YTD Expenditures	% Used	Commitments	Remaining Balance
561000	Special Item	5,000,000				5,000,000
Total IT Syst	tem Project:	5,000,000				5,000,000
Total IT Syst	tem rioject.	3,000,000				3,000,000

Total GF-NONRECUR APROP-23 - Special	5,000,000	5,000	,000
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### Fund 31C30000 - COVID-19 RESP RESERV

### Administration

Commitment Item	Commitment Item Description	Current Budget	YTD Expenditures	% Used	Commitments	Remaining Balance
512001	OTHER OPERATING	35,726				
	Total OTHER OPERATING:	35,726				35,726
Total Admin	istration:	35,726				35,726

### Inform. services

Commitment Item	Commitment Item Description	Current Budget	YTD Expenditures	% Used	Commitments	Remaining Balance
5020050000	PHOTO & VISUAL SVCS		12,695			
5030050000	PHOTO & VISUAL SUPP		23,031			
	Total OTHER OPERATING:		35,726		0	-35,726
Total Inform	services:		35,726		0	-35,726
Total COVI	D-19 RESP RESERV:	35,726	35,726	100%	0	0

## Fund 38410000 - SALE OF PUBLIC

#### Commissioners

Commitment Item	Commitment Item Description	Current Budget	YTD Expenditures	% Used	Commitments	Remaining Balance
Total Commissioners:					0	0
Total SALE	OF PUBLIC:				0	0

### Fund 38440000 - EARMARKED FUND

## Administration

Commitment Item	Commitment Item Description	Current Budget	YTD Expenditures	% Used	Commitments	Remaining Balance
501058	CLASSIFIED POS	791,985	179,313	23%		612,672
501070	OTH PERS SVC	41,000	6,000	15%		35,000
512001	OTHER OPERATING	2,246,222				
5020030000	PRINT / BIND / ADV		3,141			
5020077100	SERVICES- APP SUP		68,100			
5020077160	SERVICES- MGT ADMN		48			
5020077220	SERVICES- VOICENET				24,399	
5020077240	DP SERVICES – STATE		200,548			
5020080000	FREIGHT EXPRESS DELV		138			
5020120000	CELLULAR PHONE SVCS		24			
5021010000	LEGAL SERVICES		63			
5021010003	LEGAL SRV-TRANSCRIPT		548			
5021010004	LEGAL SRV-WITNESS FE		22,344			
5021020000	ATTORNEY FEES		21,132			
5021450000	MOTOR VEHICLE SVCS		39			
5021479202	CARPET MAINTENANCE		2,000			
5021490000	AUDIT ACCT FINANCE		118			
5021540000	NON-IT OTHER PRO SRV		45			
5021540001	PROF SRV-LANG INTER		91		143	
5021570000	CONTRACTUAL SERVICES		14			
5024990000	OTH CNT-NON-IT & REA		3,000			
5030010000	OFFICE SUPPLIES		9,959			
5030010004	SUBSCRIPTIONS		16,745		1,822	
5030030000	PRINTED ITEMS		909			
5030067101	PRGM LIC - APP SUPP		95,886		42,432	
5030067110	EQUIP&SUPP- DATA NET		522			
5030067141	PLM- ITSD		9,590			
5030067170	EQUIP&SUPP- PRINT EU		5,355			
5030067201	PLM- SERVERS		0		21,002	
5030070000	POSTAGE		215			
5031010001	FURNISHINGS		1,812			
5031479203	JANITORIAL SUPPLIES		703			

### Fund 38440000 - EARMARKED FUND

Total Admini	stration:	3,079,207	1,169,175	38%	142,636	1,767,396
	Total OTHER OPERATING:	2,246,222	983,862	44%	142,636	1,119,724
5140010000	INDM CLAIMS & AWARDS		106,910			
5051540000	LEASED CAR-ST OWNED		29,807			
5051520000	REPORTABLE MEALS		37			
5050570000	TRNG-OUT-ST REG FEE		4,755			
5050510000	OUT ST-MEALS-NON-REP		220			
5050060000	IN ST-MISC TR EXP		418			
5050050000	IN ST-OTHER TRANS		345			
5050041000	HR-IN ST-AUTO MILES		2,055			
5050031000	HR-IN ST-AIR TRANS		957			
5050020000	IN ST-LODGING		3,400			
5050010000	IN ST-MEALS-NON-REP		693			
5041850000	LEASE BLDG INTEREST		8,379		1,551	
5041840000	LEASE BLDG PRINCIPAL		338,010		39,520	
5041020001	FF - BACKGRD CK		104			
5041020000	FEES AND FINES		130			
5041010000	DUES & MEMBER FEES		6,034			
5040490009	RENT PARKING		15,145		5,680	
5040490003	RENT PO BOX		1,646			
5040070000	RENT-ST OWN RL PROP		120			
5040060000	ST RENT-NON ST BLDG				6,087	
5033990000	OTHER SUPPLIES		194			
5033140002	CREDENTIAL SUPPLIES		40			
5033090000	EMPLOYEE RECOG AWARD		608			
5033030000	PROMOTIONAL SUPPLIES		24			
5032820000	INSTRUCTIONAL MAT		582			
5032410000	MED/SCIENT/LAB SUPP		125			
5031510006	MV TAGS TITLES REGS		33			

### Fund 38440000 - EARMARKED FUND

#### Inform. services

Commitment Item	Commitment Item Description	Current Budget	YTD Expenditures	% Used	Commitments	Remaining Balance
501058	CLASSIFIED POS		291,728			-291,728
501070	OTH PERS SVC		4,500			-4,500
5020050000	PHOTO & VISUAL SVCS		0		1,200	
5020077100	SERVICES- APP SUP		825		72,117	
5020077200	SERVICES- SERVERS		643			
5020077220	SERVICES- VOICENET		9,652		16,946	
5021469316	SECURITY ALARM SRVC		2,713			
5030050000	PHOTO & VISUAL SUPP		0		1,939	
5030067130	EQUIP&SUPP- EUC		16,345			
5030067170	EQUIP&SUPP- PRINT EU				3,660	
5040057000	CONTINGNT RENT - IT		2,460			
5050020000	IN ST-LODGING		504			
5050041000	HR-IN ST-AUTO MILES		414			
	Total OTHER OPERATING:		33,556		95,861	-129,417
Total Inform	. services:		329,784		95,861	-425,645

#### Litigation - it proj

Commitment Item	Commitment Item Description	Current Budget	YTD Expenditures	% Used	Commitments	Remaining Balance
512001	OTHER OPERATING	35,000				
	Total OTHER OPERATING:	35,000				35,000
Total Litigati	ion - it proj:	35,000				35,000

### Fund 38440000 - EARMARKED FUND

## Claims

Commitment Item	Commitment Item Description	Current Budget	YTD Expenditures	% Used	Commitments	Remaining Balance
501058	CLASSIFIED POS	280,850	167,313	60%		113,537
501070	OTH PERS SVC		14,935			-14,935
512001	OTHER OPERATING	19,700				
5050020000	IN ST-LODGING		504			
5050041000	HR-IN ST-AUTO MILES		196			
	Total OTHER OPERATING:	19,700	701	4%	0	18,999
Total Claims	:	300,550	182,949	61%	0	117,601

#### Fund 38440000 - EARMARKED FUND

#### Commissioners

Commitment Item	Commitment Item Description	Current Budget	YTD Expenditures	% Used	Commitments	Remaining Balance
501050	TAXABLE SUBS	70,000				70,000
512001	OTHER OPERATING	230,700				
5020120000	CELLULAR PHONE SVCS		20,114			
5021010003	LEGAL SRV-TRANSCRIPT		3,306			
5021010005	LEGAL SRV-REPORTER		104,985			
5021410000	EDUC & TRNG-STATE		75			
5030067130	EQUIP&SUPP-EUC		4,774			
5041020000	FEES AND FINES		75			
5050010000	IN ST-MEALS-NON-REP		1,615			
5050020000	IN ST-LODGING		8,013		-	
5050031000	HR-IN ST-AIR TRANS		1,130			
5050041000	HR-IN ST-AUTO MILES		24,306			
5050050000	IN ST-OTHER TRANS		140			
5050060000	IN ST-MISC TR EXP		663			
5050080000	IN ST-SUBSIST ALLOW		4,828			
5050510000	OUT ST-MEALS-NON-REP		400			
5050520000	OUT ST-LODGING		1,607			
5050531000	HR-OUT ST-AIR TRANS		1,524			
5050541000	HR-OUT ST-AUTO MILES		53			
5050560000	OUT ST-MISC TR EXPEN		480			
	Total OTHER OPERATING:	230,700	178,087	77%	0	52,613
Total Comm	issioners:	300,700	178,087	<b>59%</b>	0	122,613

### Fund 38440000 - EARMARKED FUND

#### **Insurance & Medical**

Commitment Item	Commitment Item Description	Current Budget	YTD Expenditures	% Used	Commitments	Remaining Balance
501058	CLASSIFIED POS	459,463	346,834	75%		112,629
501070	OTH PERS SVC	22,881	11,935	52%		10,946
512001	OTHER OPERATING	54,500				
5020080000	FREIGHT EXPRESS DELV		137			
5021540000	NON-IT OTHER PRO SRV		2,365			
5024990000	OTH CNT-NON-IT & REA		650			
5030010000	OFFICE SUPPLIES		1,179			
5030010004	SUBSCRIPTIONS		16,500			
5050010000	IN ST-MEALS-NON-REP		706			
5050020000	IN ST-LODGING		3,723		504	
5050031000	HR-IN ST-AIR TRANS		1,533			
5050041000	HR-IN ST-AUTO MILES		757		198	
5050050000	IN ST-OTHER TRANS		618			
5050060000	IN ST-MISC TR EXP		400			
5050510000	OUT ST-MEALS-NON-REP		130			
5050520000	OUT ST-LODGING		1,743			
5050531000	HR-OUT ST-AIR TRANS		930			
5050541000	HR-OUT ST-AUTO MILES		100			
5050550000	OUT ST-OTHER TRANS		808			
5050560000	OUT ST-MISC TR EXPEN		280			
5050570000	TRNG-OUT-ST REG FEE		45			
5140010000	INDM CLAIMS & AWARDS		5,651			
	Total OTHER OPERATING:	54,500	38,255	70%	702	15,543
Total Insura	nce & Medical:	536,844	397,024	74%	702	139,118

### Fund 38440000 - EARMARKED FUND

### Judicial

Commitment Item	Commitment Item Description	Current Budget	YTD Expenditures	% Used	Commitments	Remaining Balance
501058	CLASSIFIED POS	500,000	405,611	81%		94,389
501070	OTH PERS SVC	75,000	46,655	62%		28,345
512001	OTHER OPERATING	25,000				
5020010000	OFFICE EQUIP SERVICE		1,719			
5021020000	ATTORNEY FEES		-36			
5030070000	POSTAGE		24,000			
5040490008	RENT POSTAGE EQUIP		575			
5050010000	IN ST-MEALS-NON-REP		81			
5050020000	IN ST-LODGING		504			
5050041000	HR-IN ST-AUTO MILES		258			
5050570000	TRNG-OUT-ST REG FEE		56			
	Total OTHER OPERATING:	25,000	27,157	109%	0	-2,157
Total Judicia	ıl:	600,000	479,422	80%	0	120,578

## **Employer Contributions**

Commitment Item	Commitment Item Description	Current Budget	YTD Expenditures	% Used	Commitments	Remaining Balance
513000	EMPLOYER CONTRIB	719,818	633,454	88%	0	86,364
Total Employer Contributions:		719,818	633,454	88%	0	86,364
Total EAR	MARKED FUND:	5,572,119	3,369,894	60%	239,199	1,963,025

## South Carolina Workers' Compensation Commission Commitments FY 2023 As of 4/30/2023

#### Fund 38440000 - EARMARKED FUND

#### Administration

Commitment Item	Commitment Item Description	Vendor	Commitment
5020077220	SERVICES- VOICENET	NWN CORPORATION	24,399
5021540001	PROF SRV-LANG INTER	GLOBAL INTERPRETING NETWORK INC	143
5030010004	SUBSCRIPTIONS	WEST PUBLISHING CORPORATION	1,822
5030067101	PRGM LIC - APP SUPP	INSURANCE SERVICES OFFICE INC	35,640
5030067101	PRGM LIC - APP SUPP	WEST PUBLISHING CORPORATION	6,792
5030067201	PLM- SERVERS	PROGRESS SOFTWARE CORP	21,002
5040060000	ST RENT-NON ST BLDG	GALIUM 1333 MAIN LLC	6,087
5040490009	RENT PARKING	REPUBLIC PARKING SYSTEM INC	5,680
5041840000	LEASE BLDG PRINCIPAL	GALIUM 1333 MAIN LLC	39,520
5041850000	LEASE BLDG INTEREST	GALIUM 1333 MAIN LLC	1,551
Total Administ	ration:		142,636

#### Inform. services

Commitment Item	Commitment Item Description	Vendor	Commitment
5020050000	PHOTO & VISUAL SVCS	SUMMIT SOLUTIONZ INC	1,200
5020077100	SERVICES- APP SUP	INSURANCE SERVICES OFFICE INC	62,640
5020077100	SERVICES- APP SUP	PROGRESS SOFTWARE CORP	9,477
5020077220	SERVICES- VOICENET	NWN CORPORATION	16,946
5030050000	PHOTO & VISUAL SUPP	SUMMIT SOLUTIONZ INC	1,939
5030067170	EQUIP&SUPP- PRINT EU	US INK AND TONER INC	3,660
Total Inform. s	ervices:		95,861

Total E	ARMARKED FUND:
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238,497

Account	Acct No.	Bu	dget	D Actual venue	% of Budget
WORKERS' COMPENSATION HEARING FEE	4110090000	\$	1,091,322	\$ 910,450	83%
WORKERS COMP SELF INSURANCE APPLICATION FEE	4160040000	\$	26,555	\$ 2,127	8%
WORKERS COMPENSATION FILING VIOLATION PENALTY	4223030000	\$	1,985,476	\$ 1,256,504	63%
PARKING FEE	4350040000	\$	5,900	\$ 4,525	77%
WORKERS COMPENSATION AWARD REVIEW FEE	4350140000	\$	32,251	\$ 12,100	38%
PHOTOCOPYING FEE	4380050000	\$	25,300	\$ 51,687	204%
SALE OF SERVICES	4480020000			\$ 1,151	
SALE OF LISTINGS & LABELS	4480060000	\$	4,187	\$ 650	16%
REFUND PRIOR YR EXPENDITURE	4520010000			\$ -	
RETURNED CHECKS	4530010000			\$ (50)	
ADJUSTMENT TO AGENCY DEPOSITS	4530020000			\$ -	
MISCELLANEOUS REVENUE	4530030000			\$ 31,174	
REFUND PRIOR YR REVENUE	4890450000			\$ (10,857)	
Total Revenues		\$	3,170,991	\$ 2,259,461	71%
Self Insurance Tax		\$	2,500,000	\$ 4,926,953	197%

Total

\$ 5,670,991 \$ 7,186,413

127%