

Good afternoon Representative Marcotte,

You have asked for some more data on the Workers' Compensation Division's administration of insurers' requests for the discontinuance of temporary benefits. You already have Director Monahan's report from 2018: <https://legislature.vermont.gov/assets/Legislative-Reports/discontinuance-study.pdf>

The following numbers are from 1/1/2018 to roughly the present:

Total number of Form 27's (employer's/insurer's notice of intent to discontinue temporary benefits) filed since 1/1/2018: **2945** (A copy of the form is linked to below)

[http://labor.staging.vermont.gov/sites/labor/files/doc\\_library/Form%2027%20%E2%80%93%20Notice%20of%20Intention%20to%20Discontinue%20Payments%20%E2%80%93rev%205-18.pdf](http://labor.staging.vermont.gov/sites/labor/files/doc_library/Form%2027%20%E2%80%93%20Notice%20of%20Intention%20to%20Discontinue%20Payments%20%E2%80%93rev%205-18.pdf)

14-day request for extensions Filed: **270**

Granted: **250**

Rejected: **9**

Not acted on: **11**

Number of days it took to rule on the request for extension: **1.5**

Additional Info submitted to support an objection to the discontinuance: **133**

After review, request to discontinue rejected: **77**

After review, request to discontinue found reasonably supported: **118**

Total number of Form 27's reasonably supported: **1692**

Number rejected: **883**

Average # of days to reject: **18**

Number of Form 27's not appealed: **2533**

What all this seems to tell us the following:

- 1) The additional 14-day period appears to have slightly altered the percentage of Form 27 rulings that resolved in the claimants' favor.
- 2) The additional 14-day period in which to object to a discontinuance was utilized by claimants in roughly nine percent of all discontinuances sought.
- 3) The average number of days taken by the Department to rule on the discontinuance request was 18. This means that (on average) the extra 14 days of benefit payments (21 total) meant no break in the receipt of benefits to claimants whose discontinuance requests were denied. Under the prior 7-day window, most claimants (on average) would have seen their benefit payments interrupted.

**\*CAVEAT\*** I realize that the numbers above do not exactly add up. Please be aware that this was all derived from a last-minute data extraction made by my staff around 4:00 p.m. so I could get the committee some information before tomorrow's vote. If there is a desire by the committee for me to do a deeper dive, I can do that, but it will take a few days.

Sincerely,



Dirk Anderson  
Director of Workers' Compensation & Safety  
Vermont Department of Labor