



ALABAMA SELF-INSURERS

— A S S O C I A T I O N —

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ASIA Objectives

ASIA is committed to a workers' compensation program that:

- Adequately compensates the employee with a work-related injury
- Recognizes fair limitations on employer responsibility
- Provides for an appropriate distribution of the compensation dollar
- Reduces litigation
- Is dedicated to eliminating abuses within the system
- Operates within the bounds of reasonable and necessary regulations

ASIA Winter Workshop

February 5-6, 2015
Sheraton Birmingham Hotel
Birmingham, Alabama

ASIA Summer Conference

August 9-11, 2015
Hilton Sandestin Beach Golf Resort & Spa
Destin, Florida

INSIDE THIS ISSUE:

A Word from the President	2
Calendar of Events	3
Summer Conference Wrap Up	4
Summer Conference Sponsors	6
Membership Update.	10
Member Announcements	11



Proactive Strategy Can Eliminate More Than 40 Percent of Workers' Comp Claims Cost

BY: COREY LILE

When employers are financially responsible for workers' compensation claims through a self-insured platform, they cannot afford to take a reactive approach to workplace injuries. Expediency is key to minimizing the cost of a claim, but all too often, employers wait until an injury occurs to navigate the workers' compensation claims process.



Whether handling claims in-house or working with a Third Party Administrator (TPA), employers must embrace a proactive strategy to workers' compensation claims that encompasses more than creating a sufficient risk management program. While risk management can lower the number of injuries, medical costs do not

account for the brunt of the bill. National Council on Compensation Insurance (NCCI) statistics show that while lost time claims account for just 23 percent of total workers' compensation claims, they account for more than 94 percent of the costs, meaning it's the inefficiencies

CONTINUED ON PAGE 3

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A Word from the President...

Doug Kitchens

On behalf of the entire ASIA Board of Directors, I want to thank all of those who were able to attend the Summer Conference recently held in Destin. To all of the attendees, sponsors, exhibitors, and speakers, a special appreciation is extended for your continued support of our organization. Our Summer Conference enjoyed 615 attendees and a "amazing" 10exhibitors. The continued growth of our organization comes from your participation.

ASIA recognized the support of some a few individuals with some awards (Scottie Spates and Tom Surtees). We were very proud to have Mr. Fitzgerald Washington attend and be recognized as the new Director of the Department of Labor. We look forward to building a strong relationship with him and his staff in the coming years.



Can you believe it is already September! Shall we even dare mention Christmas is just around the corner! Any holiday season presents opportunities for families to gather and enjoy each other. With regard to the ASIA organization, those of you who were fortunate to attend the Summer Conference were reminded what a family atmosphere we proudly hold. Never question your role in this Family. Take every opportunity to bring others into our fold as you work with various vendors and other self-insured companies.

The ASIA organization actively seeks to provide educational benefit to our membership. With a focus on the interests of Alabama employers who self-insure workers' compensation coverage for their employees, ASIA remains as committed to our original objectives as we have ever been. During our Summer Conference, we provided educational benefit to many in the area of group benefits by offering "break-out" sessions. This proved to be very popular so we are looking forward to being able to further that effort. We welcome your suggestions toward areas of interest you would like for us to address.

On behalf of the Board, I would like to thank each of you for your participation in the Silent Auction. As you all know, the ASIA organization works hard to promote and support conservative Judges in political races thru our Comp Pac. During our Summer Conference, we experienced one of our most successful fund raisers by raising \$10,400.00 during our Silent Auction. We thank all of the vendors who provided items for auction as well as all of those who bid. The golf scramble was moved to Saturday this year for the first time in our history. Another change that was met with great support and success. The golf scramble enables the ASIA organization to make an annual contribution to the KidsChance program. This year, were provided a contribution of \$10,000.00 to the Kids Chance program. This program provides scholarship opportunities to dependants of workers who have had a parent suffer an injury at work resulting in fatality or permanent total disability.

Again, thank you all for the continued support of ASIA. I look forward to serving as your president and appreciate any suggestions you wish to present as we work to improve our organization.

Doug

Proactive Strategy... continued from page one

behind the claim, rather than the claim itself, that causes the most financial pain.

Laying the foundation for a workers' compensation model that consists of communication, long-term commitment and healing the injury on the front end of the claim is where claims costs will significantly decrease.

Supervisors should be involved in injury methodology

When an employee is injured on the job, there are some essential steps to take to ensure that you are primed for an efficient, cost-effective workers' compensation claim, and this begins with supervisors.

If a worker is injured, he or she will likely turn to his or her supervisor first, meaning all supervisors should be well versed in the company's workers' compensation protocol.

When an employer brings an injury to a supervisor's attention, the supervisor must first ask the right questions to determine the basic facts of the claim: most importantly—learning the specific details of the injury by asking:

- **Who** is injured? Are there any witnesses?
- **What** happened? What part of the body is injured? How badly? Can the injured person move or use the injured part of the body?

- **When** did the injury and/or pain first occur?
- **Where** did the injury first occur?
- **How** did the injury occur? Could any non-work related exertion prior to the injury be a contributing factor?

Physician panels must be narrowed

- Select three physicians for the PPO to whom employers will commit to sending injured employees. This provides the employee with options, but allows the employer to maintain critical communication with the physician and the medical process.
- Communicate the network to all supervisors and employees consistently. An injured worker should never be first introduced to the employer's PPO network after an injury occurs. At that point, it may be too late. The injured employee may not know about the network, and may have gone to a personal physician with whom an employer has no relationship. Or, the employee may have gone directly to the emergency room, which is the most costly form of medical treatment (and should only be used in true emergencies.) The network of doctors should not only be visibly posted in the workplace, it should be routinely

CONTINUED ON PAGE 5

ASIA Calendar of Events

FEBRUARY 5-6, 2015

ASIA Winter Workshop
Sheraton Birmingham Hotel • Birmingham, AL

AUGUST 9-11, 2015

ASIA Summer Conference
Hilton Sandestin Beach Golf Resort & Spa • Destin, FL

FEBRUARY 4-5, 2016

ASIA Winter Workshop
Sheraton Birmingham Hotel • Birmingham, AL

discussed as a matter of protocol.

- Stay in contact with the physicians. Proactively give network physicians a briefing on the workers' compensation model and share your understanding of expectations. Understand the doctor's typical procedures and let he or she know what to expect from the employee so that all parties are on the same page when it comes to processing claims.

Healing employees belong at work—not at home.

- One-handed work
- One-armed work
- One-legged work
- Stationary work

Communication will be the defining factor

- **Hiring** – Before an employee is ever signed on to a company, he or she should be aware of the expectations set forth regarding workplace safety. This is particularly important in industries where injuries are common, such as trucking, manufac-

turing and healthcare. As an employer, explain the importance of, and dedication to, workplace safety and accident avoidance. By requesting a pre-employment physical, employers can ensure they are not hiring an obvious workers' compensation risk.

- **Reporting the claim** – Employers should cultivate a culture of expediency by reporting all workers' compensation claims within 24 hours of learning about the injury, providing complete information to ensure a smooth and timely claims management. If working with a TPA, employers must keep agents involved and aware of all developments within the claim.
- **Firing an injured employee** – Communication is vital when termination enters the equation. Should an injured employee need to be fired, there must be a thorough and comprehensive conversation among company executives and employers should provide full disclosure of the situation to their TPA if applicable, and possibly with an attorney. When termination enters a workers' compensation claim, the potential for litigation rises significantly.



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Please join us in welcoming
Dr. Ashlee Fulmer



Dr. Fulmer, a native of Georgia, completed her medical training at UAB. She is Board Certified in Physical Medicine & Rehabilitation and has just completed her fellowship training in Pain Medicine. She will specialize in all areas of musculoskeletal pain and will provide both interventional and medication management for our pain patients.

**Dr. Fulmer is currently
accepting new patients!**

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- Reduce lost-time claims from an industry average of 23 percent of workers' comp cases to just 15 percent.
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SUMMER CONFERENCE



ASLA President Doug Kitchens poses with Tracy Daniel, University of Alabama student Kelcie Beam and ASLA Executive Director Charles Carr.



Alabama Power's Jeff Cofield visits with speaker Wayne Bowling of Willis



ASLA Vice President Connie Cox, The Drummond Company, Presides over the Employee Benefits Track

WRAP UP!



Charles Carr and Dr. Stan Faulkner present Dr. Zenko Hrynkiw (Center) with ASIA Leadership Award



Todd Clem, Dr. Chip Thuss and Dr. Todd Smith Present Life of a Claimant



Dr. Jake Epker talks about pain in injured workers



ASIA President Doug Kitchens presents Tom Surtees with an ASIA Leadership Award for his support while leading the Alabama Department of Labor



Dept of Labor General Counsel Joey Ammons closes the Summer Conference with Workers Comp Jeopardy

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ASIA Membership Update

These companies have become members or renewed membership since the 2014 ASIA Directory went to press.

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Member Announcements:

THE BIRMINGHAM, ALABAMA BASED LAW FIRM OF FISH NELSON, LLC IS PLEASED TO ANNOUNCE THAT JOSHUA G. HOLDEN IS NOW A NAMED MEMBER OF THE FIRM. THE NEW FIRM NAME IS FISH NELSON & HOLDEN, LLC.

FISH NELSON & HOLDEN, LLC is an AV rated, full-service law firm that concentrates its practice in the area of insurance defense litigation. The firm is the sole Alabama member of the National Workers' Compensation Defense Network which is an organization of law firms of great reputation and expertise that provide employers and insurers access to high quality representation in workers' compensation and related employer liability fields.

CARR ALLISON'S LEA RICHMOND APPOINTED TO ALABAMA PATTERN JURY INSTRUCTIONS COMMITTEE - CIVIL

BIRMINGHAM, AL – July 30, 2014 – Lea Richmond, IV, a shareholder in Carr Allison's Birmingham office has been appointed to the Alabama Pattern Jury Instructions Committee – Civil for a three-year term.

This committee is charged with drafting the language of the pattern jury instructions that are used across the state of Alabama in all state courts. Richmond was selected by the Alabama Supreme Court in recognition of his superior skills and intellect in his legal practice.

An alumnus of the Cumberland School of Law and the University of the South (Sewanee, TN), Richmond's practice focuses on the defense of transportation liability, products liability and health care litigation. He is a member of the Defense Research Institute (DRI) - Young Lawyers Steering Committee, serves as the Chair of Civility and Professionalism Initiative, and is the Substantive Liaison to the Transportation Committee of DRI. Richmond was named an Alabama Rising Star 2012 and a SuperLawyer® in 2013.

CARR ALLISON WELCOMES NEW ASSOCIATE

BIRMINGHAM, AL – September 10, 2014 - Carr Allison is pleased to welcome new associate Robert A. Hornbuckle to the firm's Birmingham office.

Mr. Hornbuckle has been practicing defense law for five years. He attended undergraduate school at the University of Alabama, graduating magna cum laude, before receiving his Juris Doctor at the University of Alabama School of Law. Mr. Hornbuckle's practice will focus on workers' compensation.

About Carr Allison

Carr Allison is one of the fastest growing civil litigation firms in the Southeast, with more than 90 attorneys and offices located in Birmingham, Dothan, Florence and Mobile, AL, as well as Tallahassee, FL, Gulfport, MS and Chattanooga, TN. Carr Allison serves a variety of clients ranging from privately owned businesses to Fortune 500 companies. Carr Allison's attorneys provide a full range of litigation services and are experienced in the legal needs of many industries including retail, transportation, manufacturing, healthcare, construction and professional and business services.

Eight Carr Allison Attorneys Selected as Best Lawyers in America for 2015

BIRMINGHAM, AL – September, 12 2014 – Carr Allison is pleased to announce that a total of eight of its attorneys were recently selected as Best Lawyers in America for 2015. Included are Russell Allison, Charles F. Carr, Joseph H. Driver, Donald B. Kirkpatrick, II, David McAlister, Thomas L. Oliver and Jeremy N. Trousdale in the Birmingham, AL office along with William H. Sisson of the Mobile, AL office. Attorneys are selected as Best Lawyers using a process of review surveys completed by peers in their practice areas and geographical regions. For nearly three decades, Best Lawyers has been regarded as the premier guide to legal excellence in the United States.



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