



SAIF Claims Presentation

Management Labor Advisory Committee

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Stress and mental health claims

- SAIF receives relatively few of these types of claims.
- We recognize these are complex conditions and assign experienced staff to manage the claims.
- We use the same standard (course and scope) to determine compensability.



Workers' compensation is "no fault" insurance

- Benefits are provided regardless of who caused the condition.
- SAIF does not determine the fault except in cases where a third party may have contributed to the condition.
- Instead, SAIF determines whether the claim is **compensable** under Oregon law, meaning the condition occurred during the course and scope of the worker's job and work is the major contributing cause.



Injury vs. occupational disease

- Injury
 - Usually occurs in a discreet period of time
- Occupational disease
 - Usually occurs over time
 - A series of traumatic events or occurrences
 - Mental stress claims are evaluated as an occupational disease



Compensability

- Did the condition occur in the course and scope of the worker's employment and was work the major contributing cause?
- SAIF will:
 - Evaluate information received from claim forms
 - Openly communicate with the worker, employer, and medical provider(s)
 - Develop action plan for each case as they are worked based on its individual circumstances
 - Issue decision when all information is gathered and communicate this decision with all parties
 - Facilitate return to work



Evaluating compensability

- Identify the stressor(s)
- Pre-existing conditions
- Off-the-job exposures
- Investigations-gathering information
- Independent medical exams (IMEs)



Stepping outside the box

- Delivery of benefits prior to claim decision
- SAIF evaluates the circumstances and will authorize treatment during the evaluation of the claim when it is appropriate.
- SAIF understands it is not an obligation, however, it is a step toward moving the worker toward a better outcome.



Workers' rights in the process

- Workers choose their own physicians and have the option of changing physicians twice. SAIF cannot manage worker's care.
- Workers can choose to be represented by an attorney at no cost.
- If a worker's physician disagrees with an Independent Medical Exam (IME), the worker has a right to a Worker Requested Medical Exam (WRME).
- There are four levels of appeal with the Workers' Compensation Board and potential for claim settlement even in cases of denial.



Compensability outcomes

Acceptance | Facts and medical evidence support a compensable injury or occupational disease.

Denial | Based on established facts and expert opinions, the claim is not compensable in accordance with Oregon workers' compensation law. **The worker has the right to appeal the decision.**

Settlement



What SAIF is doing

- **Total Worker Health** | SAIF has made a commitment to promoting the integration of safety and health programs—including stress prevention programs—to support workers' well-being.
- **Online resources** | Tips, tools, and training at saif.com/relax.