



# Oregon Ombudsman for Injured Workers Annual Report, CY 2005

Information Management Division

Department of Consumer & Business Services

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## Introduction

The Office of the Ombudsman for Injured Workers (OIW) is an independent advocate for Oregon's injured workers. OIW advocates for injured workers by helping them understand their rights and responsibilities, investigating complaints, and acting to resolve those complaints. OIW also provides training and outreach to injured workers and stakeholders to improve awareness of the services the ombudsman's office provides and to ensure that workers who need help have access to those services regardless of language, disability, or other barriers.

The legislature established the OIW in 1987. The director of the Department of Consumer and Business Services, with the governor's concurrence, appoints the ombudsman. The ombudsman supervises a staff of seven.

**Table 1. Inquiries by inquirer, 2001-2005**

Inquirer	2001		2002		2003		2004		2005	
	Count	Share								
Attorney	86	0.8%	93	0.7%	69	0.5%	61	0.5%	66	0.5%
Workers' Comp. Board	236	2.2%	278	2.2%	353	2.4%	407	3.2%	431	3.4%
Employer	95	0.9%	133	1.0%	93	0.6%	89	0.7%	85	0.7%
Governor/Legislature	116	1.1%	86	0.7%	59	0.4%	79	0.6%	55	0.4%
Worker	9,852	90.0%	11,468	90.4%	13,463	91.4%	11,531	90.4%	11,528	90.0%
Insurer	87	0.8%	82	0.6%	101	0.7%	80	0.6%	91	0.7%
Insurance Division	37	0.3%	23	0.2%	22	0.1%	33	0.3%	36	0.3%
Medical provider	172	1.6%	208	1.6%	258	1.8%	184	1.4%	189	1.5%
Other	188	1.7%	233	1.8%	224	1.5%	178	1.4%	250	2.0%
Union representative	24	0.2%	28	0.2%	27	0.2%	15	0.1%	20	0.2%
Workers' Comp. Div.	51	0.5%	53	0.4%	61	0.4%	95	0.7%	58	0.5%
<b>Total</b>	<b>10,944</b>	<b>100%</b>	<b>12,685</b>	<b>100%</b>	<b>14,730</b>	<b>100%</b>	<b>12,752</b>	<b>100%</b>	<b>12,809</b>	<b>100%</b>

## Inquiries

The OIW received 12,809 inquiries in 2005 (see Table 1), almost 0.5 percent more than in 2004. As in prior years, about 90 percent of the **inquiries** were initiated by the worker. For about 90 percent\* of inquiries, the method was telephone.

**Non-English speakers** made about 27 percent\* of inquiries, compared to 23 percent for 2001-2004. Many inquiries required **additional contacts** to be resolved; the average number of such contacts per inquiry was 1.35.\*

## Issues

In October 2005, OIW significantly changed how it records inquiry issues, so issue counts are not comparable to prior years. Previously, the office entered 71 specific issues; the change reduced that number to the 19 more-general issues listed in Table 2. For this table, issues entered before October were translated into the new issue codes. The average number of issues per inquiry was 1.38. The top four issues constituted 48.9 percent of all issues, and the top nine issues were 80.6 percent of all issues. Historically, the most-frequent issues have tended to be the same from one year to the next.

**Table 2. Issues by decreasing count, 2005**

Issue	Count
Medical services, bills, problems	2,637
Accurate/timely benefits	2,203
Litigation, including settlements	2,042
Acceptance/denial	1,805
General claim process	1,482
Closure and reconsideration	1,390
Other issues	995
Filing worker's comp. claims	907
Employer issues, problems	863
Return to work	731
Aggravation	540
CDA OIW required*	451
Unknown issue	410
Attorney problems	392
Insurer issue or problem	327
Vocational assistance	291
Independent medical exam	144
CDA general inquiry**	126
<u>Permanent total disability/fatal</u>	<u>29</u>
<b>Total issues</b>	<b>17,765</b>

\*Insurer or WCB refers worker to OIW.

\*\*Issue first recorded in October 2005.  
CDA is claim disposition agreement.

\* Note: These values are data for October-December only, due to incomplete data for the first part of the year.

## Results

The OIW responded to all inquiries within 2 days, and completed about 96 percent within 2 days. Table 3 provides information about the **type of service** provided by the OIW. Note that the OIW provided assistance beyond basic information in almost 25 percent of the cases, the highest value in several years. In about 5.4 percent\* of inquiries, the OIW **referred** the worker to another agency. About 64 percent\* of these referrals were to the Bureau of Labor and Industries.

\* Note: These values are data for October-December only, due to incomplete data for the first part of the year.

**Table 3. Type of service provided, 2001-2005**

Type	2001	2002	2003	2004	2005
Provide information	78.3%	81.1%	83.1%	82.4%	75.2%
Provide assistance*	21.7%	18.9%	16.9%	17.6%	24.8%

Percentages exclude inquiries where the worker could not be reached (usually about 0.5 percent of inquiries).

\*The OIW advocates on behalf of the worker to reach a resolution, or additional contacts are required to provide specific information.

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