

Oregon Ombudsman for Injured Workers Annual Report, CY 2009

Information Management Division

Department of Consumer & Business Services

December 2010

by [Russ Reed](#)

Introduction

The Office of the Ombudsman for Injured Workers (OIW) is an independent advocate for Oregon injured workers. The OIW helps injured workers understand their rights and responsibilities, investigates complaints, and works to resolve those complaints. The OIW also provides training and outreach to injured workers and stakeholders to improve awareness of OIW services and to ensure that workers needing 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.

Inquiries and contacts

The OIW closed 11,624 inquiries (requests for information, advice, or assistance) in 2009 (see Figure 1), 1.9 percent more than in 2008. About 88.4 percent of the inquiries were initiated by the worker, about the same as in recent years, but lower than the 90 percent to 92 percent values of 2000-2005. About 90.7 percent of inquiries were made by telephone. Non-English speakers made about 26.3 percent of inquiries, the highest percentage since 2005's 27.0 percent. Some 78.3 percent of inquiries required no additional contacts to be resolved; the remaining 21.7 percent of inquiries required an average of 2.5 subsequent contacts for resolution. The total number of contacts, including those that originated the inquiries, was 17,869 (4.7 percent more than in 2008).

Issues

There were 18,236 issues addressed in the 11,624 inquiries (Table 1), about 1.6 issues per inquiry. The most frequent issues have been much the same from year to year, especially in recent years. In 2006, 2008, and 2009 the five most frequent issues were the same (in 2007, closure issues, instead of litigation, held the fifth most frequent

Table 1. Issues by decreasing count, 2009

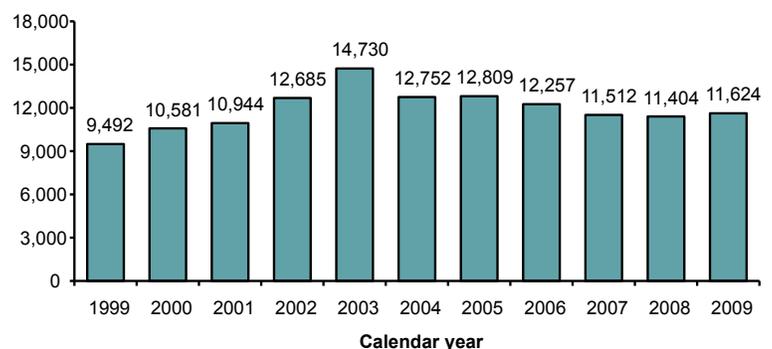
Issue	Count
General claim process	2,918
Medical services, bills, problems	2,679
Accurate/timely benefits	1,984
Accept/deny	1,906
Litigation, including settlements	1,275
Closure and reconsideration	1,129
Employer issues, problems	1,019
Filing worker's comp. claims	902
CDA general inquiry**	720
Return to work	623
CDA OIW required*	588
Other issues	540
Attorney problems	533
Aggravation	499
Independent medical exam	280
Vocational assistance	260
Insurer issue or problem	260
Unknown issue	82
Permanent total disab./fatal	39
Total issues:	18,236

* Insurer or WCB refers worker to OIW.

** Issue first recorded in October 2005.

CDA is claim disposition agreement.

Figure 1. OIW inquiries, 1999-2009



spot). Further, the order of the top five issues (“general claim process” was most frequent, followed by “medical,” etc.) was the same in 2008 and 2009. The top five issues (of 18 possible issues) constituted 59 percent of the issues in inquiries closed in 2009.

Timeliness, assistance, and referrals

The OIW responded to 99.8 percent of inquiries within two days. It completed about 82.6 percent of inquiries the same day, and 91.7 percent within two days. The OIW provided assistance beyond basic information in 23.0 percent of inquiries (Table 2), above the 2001-2009 average of 20.9 percent. In about 3.5 percent of inquiries, the OIW referred the inquirer to another agency. Approximately 73.7 percent of these referrals were to the Bureau of Labor and Industries.

Table 2. Type of service provided, 2005-2009

Type	2005	2006	2007	2008	2009
Provide information	75.2%	76.9%	79.2%	79.1%	77.0%
Provide assistance*	24.8%	23.1%	20.8%	20.9%	23.0%

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.

In compliance with the Americans with Disabilities Act (ADA), this publication is available in alternative formats. Please call 503-378-4100 (V/TTY).

The information in this report is in the public domain and may be reprinted without permission.

Visit the DCBS website, <http://dcbs.oregon.gov>.

To sign up for e-mail notification of new publications, please see the Information Management home page,

<http://www4.cbs.state.or.us/ex/imd/external/>.



Information Management Division
 350 Winter St. NE, Room 300
 P.O. Box 14480
 Salem, OR 97309-0405
 503-378-8254