

AWCC ADVISORY 89-5, *Revised*

AWCC Form 1

TO: Claims Managers

Advisory 89-5 outlines procedures for first reports (Form 1) and the insurer's intent (Form 2). Compliance with 89-5 will eliminate much of the returned filings by the Arkansas Workers' Compensation Commission (AWCC).

(1) No Form 1 will be accepted if it does not **clearly** indicate indemnity payments may become due.

(2) The AWCC requires all carriers, self-insured employers or third party administrators (insurers), pursuant to Rule 099.08, to review first reports and timely submit to the AWCC **only** indemnity or controverted medical-only cases.

(3) If the AWCC returns a Form 1 which was not **clearly** marked as an indemnity case, the insurer must note on the resubmitted document that it reports an indemnity case; otherwise, it will be returned again.

(4) Effective January 1, 2002, in regard to timely filings of forms under Rule 099.39, forms "**rejected**" by the AWCC will not be given a receipt date for Rule 099.39 report cards until the data is "**accepted**".

(5) The claimant's Social Security number is required.

(6) After Form 1 has been accepted by the AWCC, a notification of receipt (Form A-110) is e-mailed to the claims office. It instructs the insurer to use the AWCC case number when communicating with the AWCC. The A-110 is e-mailed to the Rule 099.29 address the morning of the first business day following the Form 1 acceptance and entry into the Commission's computer system. If there are errors on the A-110, notify the AWCC, in writing, immediately to prevent future problems. The Form 1 receives priority handling by the AWCC, so insurers can assume the AWCC did not receive an acceptable Form 1 if an A-110 is not received within two (2) business days of submission.

(7) All documentation and correspondence after the initial filing of Form 1 must **clearly** reflect the AWCC number which has one alphabetic character followed by six numeric characters.

(8) Necessary data on Form 2 includes: first payment (**or** statement of controversion); AWCC file number; average weekly wage; compensation rate; and Date of Disability (DoD), including Permanent-Partial-Only cases **but specifically excluding DoD for med-only**.

Rule 099.39 reduces litigation and monetary penalties for insurers by compelling timely filing of AWCC forms and timely first payments.

Companies with forms problems can contact the AWCC to improve Report Card grades. Companies performing poorly may be contacted by the AWCC to participate in training programs.

Form 1 Tips

1. An “accepted” Form 1 **must** have: Day of Injury (DoI), Day of Disability (DoD); site-specific locale; employer/employee/insurer names, addresses, and FEIN/Social Security numbers. Form 1 should be filed before Form 2 or at the same time, never afterward.
2. For **all indemnity and controverted med-only** cases, file both 1 and 2. For a controverted med-only, file 1 and 2 together if possible, otherwise the AWCC may return a non-controverted med-only Form 1 filed alone. To prevent an unwanted return, mark Form 1's Initial Treatment box at “O” (controverted medical); mark Form 2's Medical-Only box, then fill in controversion section.
3. Once Form 1 or C (claim form) opens a case, a Form 2 **must** be filed to state position.

Form 2 Tips

1. For **all** indemnity cases, including permanent partial disability (PPD)-Only cases, both Form 1 and Form 2 are required.
2. If claimants open cases on Form C, a Form 2 filing is required, **even if the case is med-only**. The AWCC must know respondent's intentions.
3. For Form 2 to be “filed”, it must be “accepted” by the AWCC. If a Form 2 is rejected, an e-mail notice advising same will be sent immediately upon

rejection of the Form 2 to the designated claim office per commission Rule 099.29. Until an acceptable Form 2 is received, the claim record and the Report Card will show no receive date of Form 2 for that case.

4. An “accepted” Form 2 has claimant/respondent/adjustor names; DoI; DoD; average weekly wage; compensation rate; first payment **or** reason for controversion.

5. If the AWCC file number is known, use it on Form 2 and **all** subsequent forms. If the AWCC number is unknown: (a) Call Research & Statistics or (b) Be sure Form 2 data is identical to information on Form 1. Are employee/employer names the same? If Form 1 is filed for Bobby Jones at the Smith Company, and Form 2 is filed for Robert X. Jones at the Williams & Smith Co., the AWCC may be unable to link them up without the commission file number. Such a Form 2 is returned and marked **No Report**, i.e., the AWCC is unable to find a folder for it.

6. Form 2 does not open an AWCC case; only a Form 1 or a Form C does that. Send it after or at the same time as Form 1, never before.

7. If a med-only is opened by Forms 1 or C, Form 2 still must be filed; mark “Medical Only Claim” on the right side in the middle of the page. **Send substantiation** (Form 3).

8. If Form C opens a case and the respondent controverts, a Form 2 Controversion is filed.

9. If a case is PPD-Only, Form 2 is filed; there is a box for PPD-Only.

This Advisory replaces Advisory 89-5 issued in 1989