

OFFICE OF INJURED EMPLOYEE COUNSEL

FY 2013 Measures		Sept	Oct	Nov	1ST QTR	Dec	Jan	Feb	2ND QTR	Mar	Apr	May	3RD QTR
Outcome Measures													
	<i>Outcome Measure 1.1 oc 1</i> Percentage of Disputes Resolved by the Office of Injured Employee Counsel Prior to Holding a Texas Department of Insurance Administrative Dispute Resolution Proceeding	60.63%	59.64%	63.74%	61.17%	68.53%	61.07%	57.92%	62.21%	57.14%	55.67%	60.12%	57.72%
	<i>Total Disputes Resolved Prior</i>	1,275	1,479	1,220	3,974	1,113	1,266	1,068	3,447	1,157	1,143	1,343	3,643
	<i>Total Disputes Received</i>	2,103	2,480	1,914	6,497	1,624	2,073	1,844	5,541	2,025	2,053	2,234	6,312
Key	<i>Outcome Measure 1.1 oc 2</i> Percentage of proceedings Held before the Division of Workers' Compensation in which the Injured Employee was assisted by an Ombudsman	48.96%	48.95%	44.82%	47.63%	45.49%	45.80%	47.13%	46.13%	45.81%	46.03%	44.52%	45.44%
	<i>Total Number with Assistance</i>	918	1,145	891	2,954	766	943	822	2,531	799	946	914	2,659
	<i>Total Number Proceedings Held</i>	1,875	2,339	1,988	6,202	1,684	2,059	1,744	5,487	1,744	2,055	2,053	5,852
Key	<i>Outcome Measure 1.1 oc 3</i> Percentage of Issues Raised at Contested Case Hearings (CCH) where the Injured Employee Prevailed When Assisted by an Ombudsman	31.26%	28.96%	24.18%	28.12%	27.29%	25.00%	26.31%	26.23%	25.00%	26.57%	24.88%	25.46%
	<i>Number Issues Employee Prevailed</i>	196	194	155	545	158	132	146	436	114	135	151	400
	<i>Total Number of CCH Issues Raised</i>	627	670	641	1,938	579	528	555	1,662	456	508	607	1,571
Key	<i>Outcome Measure 1.1 oc 4</i> Percentage of Issues Raised on Appeal where the Injured Employee Prevailed When Assisted by an Ombudsman	29.26%	21.07%	23.75%	24.54%	28.99%	16.46%	24.17%	23.90%	23.79%	19.58%	25.74%	23.30%
	<i>Number Issues Employee Prevailed</i>	79	63	71	213	100	40	51	191	74	47	78	199
	<i>Total Number of Appeal Issues Raised</i>	270	299	299	868	345	243	211	799	311	240	303	854

FY 2013 Measures		Sept	Oct	Nov	1ST QTR	Dec	Jan	Feb	2ND QTR	Mar	Apr	May	3RD QTR
Key	<i>Outcome Measure 2.1 oc 1</i> Percentage of Injured Employees Reached Regarding their Rights & Responsibilities.	92.74%	92.72%	91.47%	92.34%	92.18%	92.52%	92.75%	92.49%	92.54%	92.50%	92.00%	92.33%
	<i>Number R&Rs Reached</i>	14,568	15,932	13,569	44,069	11,843	13,831	13,537	39,211	13,776	14,264	16,437	44,477
	<i>Total Number R&Rs Mailed</i>	15,709	17,183	14,835	47,727	12,848	14,950	14,595	42,393	14,886	15,421	17,866	48,173
	<i>Outcome Measure 3.1 oc 1</i> Percentage of Workers' Compensation Formal or Informal Rules Analyzed by OIEC	#DIV/0!	100.00%	#DIV/0!	100.00%	100.00%	#DIV/0!	100.00%	100.00%	100.00%	#DIV/0!	#DIV/0!	100.00%
	<i>Number All Rules Analyzed</i>	0	1	0	1	1	0	1	2	1	0	0	1
	<i>Number All Rules Adopted</i>	0	1	0	1	1	0	1	2	1	0	0	1
	<i>Outcome Measure 3.1 oc 2</i> Percentage of Workers' Compensation Formal or Informal Rulemaking Processes in which OIEC Participated	#DIV/0!	100.00%	#DIV/0!	100.00%	100.00%	#DIV/0!	#DIV/0!	100.00%	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!
	<i>Number IE Rules Participated</i>	0	1	0	1	1	0	0	1	0	0	0	0
	<i>Number IE Rules Adopted</i>	0	1	0	1	1	0	0	1	0	0	0	0
Key	<i>Outcome Measure 3.1 oc 3</i> Percentage of Workers' Compensation Rules Changed for the Benefit of the Injured Employee as a Result of OIEC Participation	#DIV/0!	100.00%	#DIV/0!	100.00%	100.00%	#DIV/0!	#DIV/0!	100.00%	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!
	<i>Number Rules Changed</i>	0	1	0	1	1	0	0	1	0	0	0	0
	<i>Number IE Rules Participated</i>	0	1	0	1	1	0	0	1	0	0	0	0
Output Measures													
	<i>Output Measure 1.1.1 op 1</i> Number of Injured Employees Prepared for a Benefit Review Conference (BRC) by an Ombudsman	729	790	507	2,026	395	458	427	1,280	467	496	495	1,458
Key	<i>Output Measure 1.1.1 op 2</i> Number of Benefit Review Conferences (BRC) with Ombudsman assistance	620	810	620	2,050	518	657	558	1,733	572	672	617	1,861

FY 2013 Measures		Sept	Oct	Nov	1ST QTR	Dec	Jan	Feb	2ND QTR	Mar	Apr	May	3RD QTR
	<i>Output Measure 1.1.1 op 3</i> Number of Injured Employees Prepared for a Contested Case Hearing (CCH) by an Ombudsman	414	374	296	1,084	246	283	243	772	269	287	326	882
Key	<i>Output Measure 1.1.1 op 4</i> Number of Contested Case Hearings (CCH) with Ombudsman assistance	298	335	271	904	248	286	264	798	227	274	297	798
Key	<i>Output Measure 1.1.1 op 5</i> Number of Injured Employees Prepared for an Appeal by an Ombudsman	107	139	94	340	91	125	84	300	83	91	133	307
Key	<i>Output Measure 2.1.1 op 1</i> Number of Injured Employees Reached Regarding their Rights and Responsibilities	14,568	15,932	13,569	44,069	11,843	13,831	13,537	39,211	13,776	14,264	16,437	44,477
	<i>Output Measure 2.1.1 op 2</i> Number Injured Employees Assisted by Telephone (OGT,OIC)	19,083	22,239	17,785	59,107	13,860	19,043	16,792	49,695	17,268	17,927	19,516	54,711
	<i>Output Measure 2.1.1 op 3</i> Number of Injured Employees Assisted at Field Office Locations (OWI)	2,656	3,189	2,530	8,375	2,061	2,767	2,483	7,311	2,385	2,704	2,657	7,746

FY 2013 Measures		Sept	Oct	Nov	1ST QTR	Dec	Jan	Feb	2ND QTR	Mar	Apr	May	3RD QTR
	<i>Output Measure 2.1.1 op 4</i> Number of presentations performed by OIEC	6	9	9	24	1	9	11	21	0	8	13	21
	<i>Output Measure 2.1.1 op 5</i> Number of Referrals to Department of Assistive and Rehabilitative Services (DARS), the Texas Workforce Commission (TWC), the Texas Department of Insurance (TDI), or Other Social or Regulatory Services	549	542	390	1,481	294	514	384	1,192	431	420	436	1,287
Key	<i>Output Measure 3.1.1 op 1</i> Number of Adopted Workers' Compensation Rules Analyzed by the Office of Injured Employee Counsel	0	1	0	1	1	0	1	2	1	0	0	1
Key	<i>Output Measure 3.1.1 op 2</i> Number of Adopted Workers' Compensation Rules in which the Office of Injured Employee Counsel Participated	0	1	0	1	1	0	0	1	0	0	0	0
	<i>Output Measure 3.1.1 op 3</i> Number of Adopted Workers' Compensation Rules Changed for the Benefit of Injured Employees as a Result of the Office of Injured Employee Counsel Participation	0	1	0	1	1	0	0	1	0	0	0	0
	<i>Output Measure 3.1.1 op 4</i> Number of Assists a Regional Staff Attorney Provides to an Ombudsman	249	267	240	756	161	236	244	641	202	199	193	594

FY 2013 Measures		Sept	Oct	Nov	1ST QTR	Dec	Jan	Feb	2ND QTR	Mar	Apr	May	3RD QTR
Efficiency Measures													
	<i>Efficiency Measure 1.1.1 ef 1</i> Average number of days to resolve a disputed issue prior to entering the Texas Department of Insurance administrative dispute resolution system	14.75	13.64	22.35	16.61	22.25	19.48	22.56	21.33	19.12	19.84	23.79	21.09
	<i>Total # Days from ID'd to Resolved</i>	6,902	7,761	9,946	24,609	7,833	9,002	9,722	26,557	8,736	9,823	13,347	31,906
	<i>Number of Issues Resolved Prior</i>	468	569	445	1,482	352	462	431	1,245	457	495	561	1,513
Key	<i>Efficiency Measure 2.1.1 ef 1</i> Average Time from Date of Injury to the Date an Injured Employee is Sent Their Rights and Responsibilities	22.42	24.00	24.02	23.43	24.47	20.61	19.15	21.27	17.66	16.88	15.72	16.74
	<i>Total Number Days from DOI to Sent</i>	144,251	152,414	118,552	415,217	122,843	127,072	108,327	358,242	103,750	105,086	96,618	305,454
	<i>Number R&Rs Reached</i>	6,434	6,351	4,936	17,721	5,021	6,167	5,657	16,845	5,876	6,227	6,145	18,248
Explanatory Measures													
	<i>Explanatory Measure 1.1.1 ex 1</i> Average Indemnity Cost Avoided per Injured Employee Assisted by an Ombudsman	\$1,346			\$1,346	\$1,565			\$1,565	\$1,734			\$1,734
	<i>Sum of Fees Approved to be Paid</i>	\$2,035,832			\$2,035,832	\$3,955,878			\$3,955,878	\$6,125,999			\$6,125,999
	<i>Number Clms w/ Approved Atty Fees</i>	1,512			1,512	2,528			2,528	3,533			3,533
	<i>Explanatory Measure 1.1.1 ex 2</i> Number of disputed issues resolved prior to entering the Texas Department of Insurance administrative dispute resolution system	468	569	445	1,482	352	462	431	1,245	457	495	561	1,513
	<i>Explanatory Measure 3.1.1 ex 1</i> Number of Workers' Compensation Rules Adopted	0	1	0	1	1	0	1	2	1	0	0	1

FY 2013 Measures		Sept	Oct	Nov	1ST QTR	Dec	Jan	Feb	2ND QTR	Mar	Apr	May	3RD QTR
NEW FY 2014 Measures													
Key	<i>Explanatory Measure 1.1.1 ex 3</i> The number of preparation appointments held prior to a Benefit Review Conference by an Ombudsman	1,344	1,645	1,352	4,341	1,047	1,429	1,413	3,889	1,408	1,542	1,479	4,429
Key	<i>Explanatory Measure 1.1.1 ex 4</i> The number of preparation appointments held prior to a Contested Case Hearing by an Ombudsman	444	546	443	1,433	407	501	438	1,346	460	510	570	1,540
Key	<i>Explanatory Measure 1.1.1 ex 5</i> The number of preparation appointments held for an Appeal by an Ombudsman	110	151	107	368	96	131	94	321	96	96	145	337
Key	<i>Efficiency Measure 2.1.1 ef 1</i> Average number of educational sessions provided to or on behalf of injured employees per month	21,745	25,437	20,324	22,502	15,922	21,819	19,286	19,009	19,653	20,639	22,186	20,826
	<i>211op2+211op3+211op4</i>	21,745	25,437	20,324	67,506	15,922	21,819	19,286	57,027	19,653	20,639	22,186	62,478
	<i>Number of months in reporting period</i>	1	1	1	3	1	1	1	3	1	1	1	3

SUMMARY

KEY MEASURES

Met Target	3	7	58.33%	Positive Performance
Variance is Positive	4			
Variance is Negative	5	5	41.67%	Negative Performance
Total Measures	12			

The Goal for Positive Performance is 80%

ALL MEASURES

Met Target	7	17	62.96%	Positive Performance
Variance is Positive	10			
Variance is Negative	10	10	37.04%	Negative Performance
Total Measures	27			

NOTE: New FY 2014 Measures are not included in the Summary.

Jun	Jul	Aug	4TH QTR	YEAR-TO-DATE	% OF TARGET	FY2013 TARGET	High Values are?	4th Quarter Result	Explanation of Variance
61.79%	59.47%	69.47%	63.32%	61.04%	164.97%	37.00%	Good	Positive	
1,169	1,322	1,295	3,786	14,850					
1,892	2,223	1,864	5,979	24,329					
45.84%	45.96%	43.18%	45.08%	46.10%	124.59%	37.00%	Good	Positive	The Office of Injured Employee Counsel exceeded this measure's target in FY 2013 due to the increase in the need for Ombudsman assistance. Since FY 2010, when the target was developed, the percentage of proceedings in which Ombudsmen assisted injured employees has increased 18 percent. In FY 2010, Ombudsmen assisted injured employees in 39 percent of proceedings and in FY 2013, the percentage has increased to 46 percent of proceedings. OIEC believes the increase in the need for Ombudsman services is due to OIEC's education efforts, the economy, and the free assistance provided by the Ombudsman Program.
844	966	738	2,548	10,692					
1,841	2,102	1,709	5,652	23,193					
26.09%	26.87%	28.29%	27.01%	26.78%	74.38%	36.00%	Good	Negative	The Office of Injured Employee Counsel did not meet this measure's target in FY 2013 for several reasons: 1) the majority of disputed issues that enter a Contested Case Hearing are more complex due to the fact that less complex issues are resolved earlier in the administrative process, 2) a substantial amount of additional evidence is required to resolve disputes in favor of injured employees, 3) an Ombudsman is required to assist injured employees upon request regardless of the merits of the disputed issue, and 4) the need for Ombudsman services has increased dramatically.
143	169	129	441	1,822					
548	629	456	1,633	6,804					
17.53%	17.45%	26.64%	21.01%	23.34%	70.71%	33.00%	Good	Negative	The Office of Injured Employee Counsel did not meet this measure's target in FY 2013 for several reasons: 1) the majority of disputed issues that are appealed are more complex due to the fact that less complex issues are resolved earlier in the administrative process, 2) a substantial amount of additional evidence is required to resolve disputes in favor of injured employees, 3) an Ombudsman is required to assist injured employees upon request regardless of the merits of the disputed issue, and 4) the need for Ombudsman services has increased dramatically.
27	41	65	133	736					
154	235	244	633	3,154					

Jun	Jul	Aug	4TH QTR	YEAR-TO-DATE	% OF TARGET	FY2013 TARGET	High Values are?	4th Quarter Result	Explanation of Variance
91.77%	91.74%	95.59%	93.07%	92.56%	96.42%	96.00%	Good	Met	
14,951	14,844	16,179	45,974	173,731					
16,291	16,181	16,925	49,397	187,690					
#DIV/0!	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	Good	Met	
0	1	1	2	6					
0	1	1	2	6					
#DIV/0!	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	Good	Met	
0	1	1	2	4					
0	1	1	2	4					
#DIV/0!	100.00%	0.00%	50.00%	75.00%	96.15%	78.00%	Good	Met	
0	1	0	1	3					
0	1	1	2	4					

397	482	444	1,323	6,087	173.91%	3,500	Good	Positive	
559	683	530	1,772	7,416	210.98%	3,515	Good	Positive	OIEC exceeded this measure's target in FY 2013 due to the substantial increase in the need for Ombudsman assistance, which continues to be significantly higher than anticipated. The number of BRCs with Ombudsman assistance has increased 87 percent since FY 2010 when the target was developed. There were 3,956 BRCs held with Ombudsman assistance in FY 2010, 4,915 in FY 2011, 7,226 in FY 2012 and the number increased to 7,416 in FY 2013. OIEC believes the increase in the need for Ombudsman assistance is due to OIEC's education efforts, the economy, and the free assistance provided by the Ombudsman Program.

Jun	Jul	Aug	4TH QTR	YEAR-TO-DATE	% OF TARGET	FY2013 TARGET	High Values are?	4th Quarter Result	Explanation of Variance
234	265	276	775	3,513	206.65%	1,700	Good	Positive	
285	283	208	776	3,276	182.91%	1,791	Good	Positive	OIEC exceeded this measure's target in FY 2013 due to the substantial increase in the need for Ombudsman assistance, which continues to be significantly higher than anticipated. The number of CCHs with Ombudsman assistance has increased 70 percent since FY 2010 when the target was developed. In FY 2010 there were 1,925 CCHs held with Ombudsman assistance and in FY 2013 there were 3,276. OIEC believes the increase in the need for Ombudsman assistance is due to OIEC's education efforts, the economy, and the free assistance provided by the Ombudsman Program. Additionally, a substantial amount of additional evidence is required to resolve disputes in favor of injured employees; therefore, more disputed issues are continuing through the administrative dispute resolution system.
96	111	103	310	1,257	240.80%	522	Good	Positive	OIEC exceeded this measure's target because more injured employees were prepared for an appeal than anticipated during FY 2013. The number of injured employees that have attended preparation appointments has increased 118 percent since FY 2010 when the target was developed. In FY 2010, 577 injured employees were prepared for an appeal by an Ombudsman and in FY 2013 there were 1,257 perepared. OIEC believes the increase in the need for Ombudsman assistance is due to OIEC's education efforts, the economy, and the free assistance provided by the Ombudsman Program. Additionally, a substantial amount of additional evidence is required to resolve disputes in favor of injured employees; therefore, more disputed issues are continuing through the administrative dispute resolution system.
14,951	14,844	16,179	45,974	173,731	93.91%	185,000	Good	Negative	OIEC did not meet this measure's target because the workers' compensation system experienced fewer injuries than anticipated in FY 2013. The number of injured employees that were reached regarding their rights and responsibilities in FY 2013 decreased 5 percent compared to FY 2012. In FY 2013, 173,731 injured employees were reached and in FY 2012 182,794 were reached.
15,288	18,689	17,459	51,436	214,949	78.74%	273,000	Good	Negative	
2,218	2,565	2,341	7,124	30,556	137.33%	22,250	Good	Positive	

Jun	Jul	Aug	4TH QTR	YEAR-TO-DATE	% OF TARGET	FY2013 TARGET	High Values are?	4th Quarter Result	Explanation of Variance
7	11	11	29	95	118.75%	80	Good	Positive	
335	383	451	1,169	5,129	54.56%	9,400	Good	Negative	
0	1	1	2	6	66.67%	9	Good	Negative	OIEC analyzes and actively participates in both the Texas Department of Insurance and Division of Workers' Compensation rule initiatives to carryout its statutory mission to advocate on behalf of the injured employees of Texas pursuant to Texas Labor Code Sections 404.101 and 404.104. OIEC did not meet this measure's target in FY 2013 because fewer rules were adopted than anticipated.
0	1	1	2	4	44.44%	9	Good	Negative	OIEC analyzes and actively participates in both the Texas Department of Insurance and Division of Workers' Compensation rule initiatives to carryout its statutory mission to advocate on behalf of the injured employees of Texas pursuant to Texas Labor Code Sections 404.101 and 404.104. OIEC did not meet this measure's target in FY 2013 because fewer rules were adopted than anticipated.
0	1	0	1	3	42.86%	7	Good	Negative	
163	208	192	563	2,554	106.42%	2,400	Good	Positive	

Jun	Jul	Aug	4TH QTR	YEAR-TO-DATE	% OF TARGET	FY2013 TARGET	High Values are?	4th Quarter Result	Explanation of Variance
33.01	21.48	25.99	26.61	21.39	178.22%	12	Bad	Negative	
15,053	10,932	12,762	38,747	121,819					
456	509	491	1,456	5,696					
14.15	11.91	8.69	12.00	18.64	103.56%	18	Bad	Met	
77,410	64,200	29,607	171,217	1,250,130					
5,469	5,390	3,408	14,267	67,081					
\$1,820			\$1,820	\$1,820	103.99%	\$1,750	Good	Met	
\$8,154,797			\$8,154,797	\$8,154,797					
4,481			4,481	4,481					
456	509	491	1,456	5,696	99.93%	5,700	Good	Met	
0	1	1	2	6	66.67%	9	Good	Negative	

Jun	Jul	Aug	4TH QTR	YEAR-TO-DATE	% OF TARGET	FY2013 TARGET	High Values are?	4th Quarter Result	Explanation of Variance
1322.00	1571.00	1431.00	4,324	16,983	199.80%	8,500	Good	Positive	
453	464	484	1,401	5,720	136.19%	4,200	Good	Positive	
100	124	117	341	1,367	136.70%	1,000	Good	Positive	
17,513	21,265	19,811	19,530	20,467	93.03%	22,000	Good	Negative	
17,513	21,265	19,811	58,589	245,600					
1	1	1	3	12					