

OFFICE OF INJURED EMPLOYEE COUNSEL																							
FY 2014 Measures	Sept	Oct	Nov	1ST QTR	Dec	Jan	Feb	2ND QTR	Mar	Apr	May	3RD QTR	Jun	Jul	Aug	4TH QTR	YEAR-TO-DATE	% OF TARGET	FY2014 TARGET	High Values are?	4th Quarter Result	Explanation of Variance	
<b>Outcome Measures</b>																							
<b>Key</b>	<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	61.26%	62.24%	67.32%	63.40%	71.81%	64.66%	55.71%	63.84%	67.45%	67.36%	64.84%	66.57%	69.62%	60.56%	69.10%	66.07%	65.01%	104.85%	62.00%	Good	Met	
	<i>Total Disputes Resolved Prior</i>	1,249	1,416	1,205	3,870	1,182	1,440	1,025	3,647	1,432	1,416	1,335	4,183	1,375	1,411	1,337	4,123	15,823					
	<i>Total Disputes Received</i>	2,039	2,275	1,790	6,104	1,646	2,227	1,840	5,713	2,123	2,102	2,059	6,284	1,975	2,330	1,935	6,240	24,341					
<b>Key</b>	<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	44.86%	41.63%	41.98%	42.84%	44.40%	44.62%	46.83%	45.25%	42.25%	43.20%	45.68%	43.76%	43.46%	45.02%	44.76%	44.40%	44.01%	89.81%	49.00%	Good	Negative	The Office of Injured Employee Counsel's Ombudsman Program assists all injured employees who request assistance in the dispute resolution process. Although the number of Benefit Review Conferences and Contested Case Hearings are higher than projected, the percentage of proceedings with Ombudsmen assistance was lower than projected because more injured employees chose another type of representation. The agency has stepped up efforts to collaborate with the workers' compensation claimant's bar. OIEC has an attorney referral webpage providing contact information about the State Bar of Texas Attorney Referral Program, private representation, and services provided by Texas' three largest legal aids. Through this collaboration, OIEC hopes to further safeguard injured employees rights.
	<i>Total Number with Assistance</i>	933	963	699	2,595	702	888	775	2,365	763	838	905	2,506	808	868	645	2,321	9,787					
	<i>Total Number Proceedings Held</i>	2,080	2,313	1,665	6,058	1,581	1,990	1,655	5,226	1,806	1,940	1,981	5,727	1,859	1,928	1,441	5,228	22,239					
<b>Key</b>	<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	30.54%	30.00%	25.99%	29.23%	30.89%	29.14%	28.15%	29.36%	26.87%	29.04%	28.74%	28.23%	26.09%	25.99%	29.04%	26.97%	28.49%	105.52%	27.00%	Good	Positive	The Office of Injured Employee Counsel exceeded this measure's target for FY 2014 because more injured employees are prevailing at Contested Case Hearings when assisted by an Ombudsman which is a positive result.
	<i>Number Issues Employee Prevailed</i>	204	204	112	520	160	132	161	453	140	160	146	446	120	144	133	397	1,816					
	<i>Total Number of CCH Issues Raised</i>	668	680	431	1,779	518	453	572	1,543	521	551	508	1,580	460	554	458	1,472	6,374					
<b>Key</b>	<i>Outcome Measure 1.1 oc 4</i> Percentage of Issues Raised on Appeal where the Injured Employee Prevailed When Assisted by an Ombudsman	20.96%	19.83%	23.11%	21.35%	21.85%	24.05%	23.67%	22.97%	24.70%	17.05%	30.92%	24.60%	23.67%	22.69%	21.21%	22.55%	22.90%	99.56%	23.00%	Good	Met	
	<i>Number Issues Employee Prevailed</i>	57	46	61	164	78	57	49	184	61	44	94	199	58	54	49	161	708					
	<i>Total Number of Appeal Issues Raised</i>	272	232	264	768	357	237	207	801	247	258	304	809	245	238	231	714	3,092					
<b>Key</b>	<i>Outcome Measure 2.1 oc 1</i> Percentage of Injured Employees Reached Regarding their Rights & Responsibilities.	91.39%	91.65%	90.71%	91.27%	92.10%	91.62%	91.96%	91.89%	92.40%	92.88%	94.72%	93.36%	92.07%	91.24%	94.60%	92.64%	92.32%	97.17%	95.00%	Good	Met	
	<i>Number R&amp;Rs Reached</i>	15,496	17,186	14,596	47,278	12,992	14,883	16,268	44,143	15,736	17,291	17,617	50,644	16,770	17,200	17,762	51,732	193,797					
	<i>Total Number R&amp;Rs Mailed</i>	16,956	18,752	16,091	51,799	14,106	16,245	17,690	48,041	17,031	18,617	18,600	54,248	18,215	18,852	18,775	55,842	209,930					
	<i>Outcome Measure 3.1 oc 1</i> Percentage of Workers' Compensation Formal or Informal Rules Analyzed by OIEC	#DIV/0!	#DIV/0!	100.00%	100.00%	100.00%	#DIV/0!	#DIV/0!	100.00%	100.00%	#DIV/0!	#DIV/0!	100.00%	#DIV/0!	100.00%	#DIV/0!	100.00%	100.00%	100.00%	100.00%	Good	Met	
	<i>Number All Rules Analyzed</i>	0	0	1	1	1	0	0	1	2	0	0	2	0	1	0	1	5					
	<i>Number All Rules Adopted</i>	0	0	1	1	1	0	0	1	2	0	0	2	0	1	0	1	5					
	<i>Outcome Measure 3.1 oc 2</i> Percentage of Workers' Compensation Formal or Informal Rulemaking Processes in which OIEC Participated	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	100.00%	#DIV/0!	#DIV/0!	100.00%	#DIV/0!	100.00%	#DIV/0!	100.00%	100.00%	100.00%	100.00%	Good	Met	
	<i>Number IE Rules Participated</i>	0	0	0	0	0	0	0	0	2	0	0	2	0	1	0	1	3					
	<i>Number IE Rules Adopted</i>	0	0	0	0	0	0	0	0	2	0	0	2	0	1	0	1	3					

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<b>Key</b>	<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!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	100.00%	#DIV/0!	#DIV/0!	100.00%	#DIV/0!	100.00%	#DIV/0!	100.00%	100.00%	128.21%	78.00%	Good	Positive	The Office of Injured Employee Counsel (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 exceeded this measure's target in FY 2014 because all workers' compensation rules in which OIEC participated in were changed for the benefit of injured employees based on OIEC's suggestions, which is more than OIEC anticipated.
	<i>Number Rules Changed</i>	0	0	0	0	0	0	0	0	2	0	0	2	0	1	0	1	3					
	<i>Number IE Rules Participated</i>	0	0	0	0	0	0	0	0	2	0	0	2	0	1	0	1	3					
<b>Output Measures</b>																							
	<i>Output Measure 1.1.1 op 1</i> Number of Injured Employees Prepared for a Benefit Review Conference (BRC) by an Ombudsman	775	691	496	1,962	342	491	426	1,259	454	399	471	1,324	396	420	357	1,173	5,718	103.96%	5,500	Good	Met	
<b>Key</b>	<i>Output Measure 1.1.1 op 2</i> Number of Benefit Review Conferences (BRC) with Ombudsman assistance	640	654	471	1,765	493	629	525	1,647	550	582	660	1,792	582	627	466	1,675	6,879	105.83%	6,500	Good	Positive	The Office of Injured Employee Counsel exceeded this measure's target for FY 2014 because the number of Benefit Review Conferences (BRCs) with Ombudsman assistance was higher than anticipated which is a positive result.
	<i>Output Measure 1.1.1 op 3</i> Number of Injured Employees Prepared for a Contested Case Hearing (CCH) by an Ombudsman	442	360	238	1,040	213	250	268	731	271	260	255	786	221	257	258	736	3,293	140.13%	2,350	Good	Positive	
<b>Key</b>	<i>Output Measure 1.1.1 op 4</i> Number of Contested Case Hearings (CCH) with Ombudsman assistance	293	309	228	830	209	259	250	718	213	256	245	714	226	241	179	646	2,908	123.74%	2,350	Good	Positive	The Office of Injured Employee Counsel exceeded this measure's target for FY 2014 because the number of Contested Case Hearings (CCHs) with Ombudsman assistance was higher than anticipated which is a positive result.
<b>Key</b>	<i>Output Measure 1.1.1 op 5</i> Number of Injured Employees Prepared for an Appeal by an Ombudsman	82	137	93	312	88	84	107	279	95	129	97	321	73	89	67	229	1,141	138.30%	825	Good	Positive	The Office of Injured Employee Counsel exceeded this measure's target because more injured employees were prepared for an appeal than anticipated during FY 2014 which is a positive result.
	<i>Output Measure 2.1.1 op 1</i> Number Injured Employees Assisted by Telephone (OGT,OIC)	17,430	20,476	15,658	53,564	14,318	20,306	18,601	53,225	19,647	20,168	20,148	59,963	17,700	20,544	19,104	57,348	224,100	95.36%	235,000	Good	Met	
	<i>Output Measure 2.1.1 op 2</i> Number of Injured Employees Assisted at Field Office Locations (OWI)	2,516	2,597	2,033	7,146	1,852	2,450	2,104	6,406	2,299	2,233	2,321	6,853	2,108	2,247	1,995	6,350	26,755	89.18%	30,000	Good	Negative	
	<i>Output Measure 2.1.1 op 3</i> Number of presentations performed by OIEC	8	14	3	25	0	8	9	17	5	5	13	23	3	2	11	16	81	124.62%	65	Good	Positive	

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	<i>Output Measure 2.1.1 op 4</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	453	426	385	1,264	308	384	404	1,096	359	414	459	1,232	413	458	348	1,219	4,811	96.22%	5,000	Good	Met	
<b>Key</b>	<i>Output Measure 3.1.1 op 1</i> Number of Adopted Workers' Compensation Rules Analyzed by the Office of Injured Employee Counsel	0	0	1	1	1	0	0	1	2	0	0	2	0	1	0	1	5	62.50%	8	Good	Negative	The Office of Injured Employee Counsel (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 2014 because fewer workers' compensation rules were adopted than anticipated.
<b>Key</b>	<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	0	0	0	0	0	0	0	2	0	0	2	0	1	0	1	3	60.00%	5	Good	Negative	The Office of Injured Employee Counsel (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 2014 because fewer workers' compensation rules were adopted than anticipated.
	<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	0	0	0	0	0	0	0	2	0	0	2	0	1	0	1	3	75.00%	4	Good	Negative	
	<i>Output Measure 3.1.1 op 4</i> Number of Assists a Regional Staff Attorney Provides to an Ombudsman	233	232	166	631	175	241	240	656	252	249	266	767	228	291	231	750	2,804	100.14%	2,800	Good	Met	
<b>Efficiency Measures</b>																							
	<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	27.87	23.82	25.27	25.59	24.51	24.95	21.49	23.67	22.73	19.78	20.10	20.90	16.34	17.96	22.01	18.59	22.18	110.90%	20.0	Bad	Negative	
	<i>Total # Days from ID'd to Resolved</i>	12,959	12,507	9,930	35,396	8,236	11,525	8,554	28,315	11,955	10,521	9,287	31,763	6,781	8,800	7,988	23,569	119,043					
	<i>Number of Issues Resolved Prior</i>	465	525	393	1,383	336	462	398	1,196	526	532	462	1,520	415	490	363	1,268	5,367					
<b>Key</b>	<i>Efficiency Measure 2.1.1 ef 1</i> Average number of educational sessions provided to or on behalf of injured employees per month	19,954	23,087	17,694	20,245	16,170	22,764	20,714	19,883	21,951	22,406	22,482	22,280	19,811	22,793	21,110	21,238	20,911	104.56%	20,000	Good	Met	
	<i>211op2+211op3+211op4</i>	19,954	23,087	17,694	60,735	16,170	22,764	20,714	59,648	21,951	22,406	22,482	66,839	19,811	22,793	21,110	63,714	250,936					
	<i>Number of months in reporting period</i>	1	1	1	3	1	1	1	3	1	1	1	3	1	1	1	3	12					
<b>Explanatory Measures</b>																							
	<i>Explanatory Measure 1.1.1 ex 1</i> Average dollar amount saved per injured employee when assisted by an Ombudsman	\$1,267			\$1,267	\$1,539			\$1,539	\$1,748			\$1,748	\$1,885			\$1,885	\$1,885	104.72%	\$1,800	Good	Met	
	<i>Sum of Fees Approved to be Paid</i>	\$2,230,405			\$2,230,405	\$4,358,025			\$4,358,025	\$6,623,333			\$6,623,333	\$8,929,240			\$8,929,240	\$8,929,240					
	<i>Number Clms w/ Approved Atty Fees</i>	1,761			1,761	2,832			2,832	3,789			3,789	4,738			4,738	4,738					

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	<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	465	525	393	1,383	336	462	398	1,196	526	532	462	1,520	415	490	363	1,268	5,367	82.57%	6,500	Good	Negative	
<b>Key</b>	<i>Explanatory Measure 1.1.1 ex 3</i> The number of preparation appointments held prior to a Benefit Review Conference by an Ombudsman	1,432	1,555	1,337	4,324	1,112	1,566	1,395	4,073	1,481	1,461	1,548	4,490	1327	1409	1352	4,088	16,975	113.17%	15,000	Good	Positive	The Office of Injured Employee Counsel exceeded this measure's target for FY 2014 because the number of Benefit Review Conferences (BRCs) with Ombudsman assistance was higher than anticipated, which resulted in more preparation appointments than anticipated and is a positive result.
<b>Key</b>	<i>Explanatory Measure 1.1.1 ex 4</i> The number of preparation appointments held prior to a Contested Case Hearing by an Ombudsman	496	545	412	1,453	381	491	496	1,368	493	495	479	1,467	433	459	441	1,333	5,621	124.91%	4,500	Good	Positive	The Office of Injured Employee Counsel exceeded this measure's target for FY 2014 because the number of Contested Case Hearings (CCHs) with Ombudsman assistance was higher than anticipated, which resulted in more preparation appointments than anticipated and is a positive result.
<b>Key</b>	<i>Explanatory Measure 1.1.1 ex 5</i> The number of preparation appointments held for an Appeal by an Ombudsman	84	147	105	336	89	91	116	296	104	134	108	346	82	100	72	254	1,232	117.33%	1,050	Good	Positive	The Office of Injured Employee Counsel exceeded this measure's target because more preparation appointments were held than anticipated prior to an appeal during FY 2014 which is a positive result.
	<i>Explanatory Measure 3.1.1 ex 1</i> Number of Workers' Compensation Rules Adopted	0	0	1	1	1	0	0	1	2	0	0	2	0	1	0	1	5	62.50%	8	Good	Negative	

**SUMMARY**

KEY MEASURES			
Met Target	3	11	78.57% Positive Performance
Variance is Positive	8		
Variance is Negative	3	3	21.43% Negative Performance
Total Measures	14		

The Goal for Positive Performance is 80%

ALL MEASURES			
Met Target	11	21	72.41% Positive Performance
Variance is Positive	10		
Variance is Negative	8	8	27.59% Negative Performance
Total Measures	29		