

OFFICE OF INJURED EMPLOYEE COUNSEL																						
FY 2017 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	FY2017 TARGET	High Values are?	2nd Quarter Result	Explanation of Variance
Outcome Measures																						
<i>Outcome Measure 1.1 oc 1</i> Percentage of disputed issues resolved by the Office of Injured Employee Counsel prior to holding a Texas Department of Insurance administrative dispute resolution proceeding	61.25%	65.97%	63.03%	63.45%	74.84%	68.73%	55.40%	66.44%	58.92%	61.67%	58.97%	59.80%	67.48%	60.40%	65.92%	64.64%	63.49%	102.40%	62.00%	Good	Met	
<i>Total Disputes Resolved Prior</i>	1,258	1,363	1,057	3,678	1,172	1,266	872	3,310	1,139	1,099	1,173	3,411	1,307	1,138	1,267	3,712	14,111					
<i>Total Disputes Received</i>	2,054	2,066	1,677	5,797	1,566	1,842	1,574	4,982	1,933	1,782	1,989	5,704	1,937	1,884	1,922	5,743	22,226					
Key <i>Outcome Measure 1.1 oc 2</i> Percentage of Texas Department of Insurance administrative dispute resolution proceedings in which an Ombudsman assisted an unrepresented injured employee	50.33%	45.77%	47.95%	48.01%	49.70%	49.14%	53.88%	50.87%	51.45%	53.33%	50.12%	51.58%	51.99%	52.55%	51.01%	51.87%	50.56%	114.91%	44.00%	Good	Positive	The Office of Injured Employee Counsel (OIEC) exceeded this measure due to a higher rate of proceedings in which an Ombudsman assisted an injured employee than anticipated.
<i>Total Number with Assistance</i>	988	903	889	2,780	836	1,056	1,014	2,906	1,117	1,000	1,032	3,149	1,032	856	786	2,674	11,509					
<i>Total Number Proceedings Held</i>	1,963	1,973	1,854	5,790	1,682	2,149	1,882	5,713	2,171	1,875	2,059	6,105	1,985	1,629	1,541	5,155	22,763					
Key <i>Outcome Measure 1.1 oc 3</i> Percentage of issues raised at contested case hearings where the injured employee prevailed when assisted by an Ombudsman	24.31%	24.83%	25.59%	24.90%	24.10%	22.87%	22.73%	23.20%	22.85%	22.01%	21.69%	22.19%	21.46%	23.86%	25.74%	23.71%	23.36%	86.53%	27.00%	Good	Negative	The Office of Injured Employee Counsel (OIEC) did not meet this measure due to the continued result of the more stringent burden of proof that has been required on extent of injury disputes. Extent of injury disputes are now the majority of the issues that we encounter. The quality of the causation letters that we are able to obtain, when we actually get one, is usually insufficient to meet our burden. We hope the pending causation bill will help in this area.
<i>Number issues employee prevailed</i>	141	142	142	425	147	164	153	464	202	188	190	580	162	178	200	540	2,009					
<i>Total number of CCH issues raised</i>	580	572	555	1,707	610	717	673	2,000	884	854	876	2,614	755	746	777	2,278	8,599					
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	23.99%	21.71%	20.75%	22.60%	22.53%	17.62%	10.86%	17.71%	22.75%	17.54%	19.34%	19.92%	23.66%	22.37%	25.93%	23.49%	21.32%	92.71%	23.00%	Good	Negative	The Office of Injured Employee Counsel (OIEC) did not meet this measure due to the continued result of the more stringent burden of proof that has been required on extent of injury disputes. Extent of injury disputes are now the majority of the issues that we encounter. The quality of the causation letters that we are able to obtain, when we actually get one, is usually insufficient to meet our burden. We hope the pending causation bill will help in this area.
<i>Number issues employee prevailed</i>	71	28	33	132	57	34	19	110	53	37	53	143	97	119	56	272	657					
<i>Total number of appeal issues raised</i>	296	129	159	584	253	193	175	621	233	211	274	718	410	532	216	1,158	3,081					
Key <i>Outcome Measure 2.1 oc 1</i> Percentage of injured employees reached about their rights & responsibilities in the workers' compensation system	90.49%	90.42%	90.57%	90.49%	90.77%	90.77%	91.51%	91.01%	91.72%	91.32%	91.60%	91.55%	90.78%	90.68%	94.67%	92.17%	91.32%	99.26%	92.00%	Good	Met	
<i>Number r&rs reached</i>	17,131	17,422	14,720	49,273	14,248	15,014	14,542	43,804	17,205	15,779	18,108	51,092	16,566	14,927	18,838	50,331	194,500					
<i>Total number r&rs mailed</i>	18,931	19,268	16,252	54,451	15,697	16,541	15,891	48,129	18,759	17,279	19,769	55,807	18,249	16,462	19,898	54,609	212,996					
<i>Outcome Measure 3.1 oc 1</i> Percentage of adopted workers' compensation rules analyzed	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	100.00%	#DIV/0!	#DIV/0!	100.00%	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	100.00%	100.00%	100.00%	Good	Met	
<i>Number All Rules Analyzed</i>	0	0	0	0	1	0	0	1	0	0	0	0	0	0	0	0	1					
<i>Number All Rules Adopted</i>	0	0	0	0	1	0	0	1	0	0	0	0	0	0	0	0	1					
<i>Outcome Measure 3.1 oc 2</i> Percentage of adopted workers' compensation rules in which the Office of Injured Employee Counsel participated	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	100.00%	#DIV/0!	#DIV/0!	100.00%	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	100.00%	100.00%	100.00%	Good	Met	
<i>Number IE rules participated</i>	0	0	0	0	1	0	0	1	0	0	0	0	0	0	0	0	1					
<i>Number IE rules adopted</i>	0	0	0	0	1	0	0	1	0	0	0	0	0	0	0	0	1					
Key <i>Outcome Measure 3.1 oc 3</i> Percentage of adopted workers' compensation rules changed for the benefit of injured employee as a result of the Office of Injured Employee Counsel participation	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	100.00%	#DIV/0!	#DIV/0!	100.00%	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	100.00%	133.33%	75.00%	Good	Positive	The Office of Injured Employee Counsel participated in 100% of adopted rules that were changed for the benefit of injured employees.
<i>Number rules changed</i>	0	0	0	0	1	0	0	1	0	0	0	0	0	0	0	0	1					
<i>Number IE rules participated</i>	0	0	0	0	1	0	0	1	0	0	0	0	0	0	0	0	1					
Output Measures																						

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FY 2017 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	FY2017 TARGET	High Values are?	2nd Quarter Result	Explanation of Variance
	<i>Output Measure 1.1.1 op 1</i> Number of injured employees prepared for a benefit review conference by an Ombudsman	919	806	508	2,233	469	475	457	1,401	492	372	412	1,276	400	402	362	1,164	6,074	110.44%	5,500	Good	Positive	The Office of Injured Employee Counsel (OIEC) exceeded this measure due to more BRCs preparations were provided than anticipated.
Key	<i>Output Measure 1.1.1 op 2</i> Number of benefit review conferences with Ombudsman assistance	710	647	602	1,959	567	744	692	2,003	710	646	681	2,037	678	544	518	1,740	7,739	119.06%	6,500	Good	Positive	The Office of Injured Employee Counsel (OIEC) exceeded this measure due to more BRCs w/ ombudsman assistance were provided than anticipated.
	<i>Output Measure 1.1.1 op 3</i> Number of injured employees prepared for a contested case hearing by an Ombudsman	440	356	298	1,094	327	255	351	933	410	284	327	1,021	332	277	243	852	3,900	130.00%	3,000	Good	Positive	The Office of Injured Employee Counsel (OIEC) exceeded this measure due to more CCHs preparations were provided than anticipated.
Key	<i>Output Measure 1.1.1 op 4</i> Number of contested case hearings with Ombudsman assistance	278	256	287	821	269	312	322	903	407	354	351	1,112	354	312	268	934	3,770	125.67%	3,000	Good	Positive	The Office of Injured Employee Counsel (OIEC) exceeded this measure due to more CCHs w/ ombudsman assistance were provided than anticipated.
Key	<i>Output Measure 1.1.1 op 5</i> Number of injured employees prepared for an appeal by an Ombudsman	95	134	110	339	107	106	134	347	143	146	159	448	145	127	166	438	1,572	157.20%	1,000	Good	Positive	The Office of Injured Employee Counsel (OIEC) exceeded this measure due to more appeals w/ ombudsman assistance were provided during the first quarter than anticipated.
	<i>Output Measure 2.1.1 op 1</i> Number of telephone calls made or received by the Office of Injured Employee Counsel where injured employees were educated or assisted	25,608	24,699	21,794	72,101	19,799	22,214	19,329	61,342	22,493	19,409	21,109	63,011	21,130	19,219	20,216	60,565	257,019	116.83%	220,000	Good	Positive	The Office of Injured Employee Counsel (OIEC) exceeded this measure due to an increase in both phone calls and emails.
	<i>Output Measure 2.1.1 op 2</i> Number of in-person visits (walk-ins) by injured employees assisted at local field offices by the Office of Injured Employee Counsel	2,413	2,263	2,063	6,739	2,031	2,338	2,142	6,511	2,540	2,168	2,364	7,072	2,353	2,061	2,065	6,479	26,801	99.26%	27,000	Good	Met	
	<i>Output Measure 2.1.1 op 3</i> Number of public outreach presentations performed	32	22	17	71	19	16	15	50	17	21	22	60	20	20	32	72	253	389.23%	65	Good	Positive	The Office of Injured Employee Counsel (OIEC) exceeded this measure due to more outreach presentations given than anticipated.
	<i>Output Measure 2.1.1 op 4</i> Number of referrals to the Department of Assistive and Rehabilitative Services, the Texas Workforce Commission, the Texas Department of Insurance, or other social or regulatory services	299	257	239	795	167	294	239	700	319	829	713	1,861	733	448	492	1,673	5,029	104.77%	4,800	Good	Met	The Office of Injured Employee Counsel (OIEC) experienced a sharp increase in the 3rd quarter after several training exercises to ensure ombudsman and customer service specialists make an effort to get a referral in on every contact with an injured employee. The agency is on track to reach it's target. OIEC needs 23 referrals in August to reach this target within 95% compliance.
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	0	0	0	1	0	0	1	0	0	0	0	0	0	0	0	1	16.67%	6	Good	Negative	The Office of Injured Employee Counsel does not have any control over how many rules are adopted by the Texas Department of Insurance-Division of Workers' Compensation during a fiscal year. During the first quarter, TDI-DWC did not adopt any rules, therefore it was impossible for us to meet the performance measure target. OIEC does analyze all rules that are adopted and this is tracked in non-key outcome measure 3.1 oc and 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	0	0	0	1	0	0	1	0	0	0	0	0	0	0	0	1	25.00%	4	Good	Negative	The Office of Injured Employee Counsel does not have any control over how many rules are adopted by the Texas Department of Insurance-Division of Workers' Compensation during a fiscal year. During the first quarter, TDI-DWC did not adopt any rules, therefore it was impossible for us to meet the performance measure target.
	<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	1	0	0	1	0	0	0	0	0	0	0	0	1	33.33%	3	Good	Negative	The Office of Injured Employee Counsel does not have any control over how many rules are adopted by the Texas Department of Insurance-Division of Workers' Compensation during a fiscal year. During the second quarter, TDI-DWC adopted one rule, therefore it was impossible for us to meet the performance measure target.
	<i>Output Measure 3.1.1 op 4</i> Number of assists a regional staff attorney provides to an Ombudsman	324	330	270	924	221	292	269	782	331	216	311	858	279	285	241	805	3,369	124.78%	2,700	Good	Positive	The Office of Injured Employee Counsel (OIEC) exceeded this measure due to a higher rate of assists from regional staff attorneys to an Ombudsman than anticipated.

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Efficiency Measures																						
<i>Efficiency Measure 1.1.1 of 1</i> Average number of days to resolve a disputed issue prior to entering the Texas Department of Insurance administrative dispute resolution system	22.35	18.47	20.47	20.42	19.75	27.15	25.18	24.41	23.20	22.01	20.33	21.88	19.93	19.95	23.64	21.21	21.96	99.82%	22.0	Bad	Met	
<i>Total # days from ID'd to resolved</i>	10,304	8,607	6,797	25,708	6,934	13,112	10,121	30,167	10,903	9,727	8,863	29,493	9,346	7,722	10,591	27,659	113,027					
<i>Number of issues resolved prior</i>	461	466	332	1,259	351	483	402	1,236	470	442	436	1,348	469	387	448	1,304	5,147					
Key <i>Efficiency Measure 2.1.1 of 1</i> Average number of educational sessions provided to or on behalf of injured employees per month	28,053	26,984	23,874	26,304	21,849	24,568	21,486	22,634	25,050	21,598	23,495	23,381	23,503	21,300	22,313	22,372	23,673	118.36%	20,000	Good	Positive	The Office of Injured Employee Counsel (OIEC) continues to exceed this measure due to more telephone calls, walk-ins, and outreach presentations being provided than anticipated.
<i>211op1+211op2+211op3</i>	28,053	26,984	23,874	78,911	21,849	24,568	21,486	67,903	25,050	21,598	23,495	70,143	23,503	21,300	22,313	67,116	284,073					
<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					

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Explanatory Measures																						
<i>Explanatory Measure 1.1.1 ex 1</i> Average dollar amount saved per injured employee when assisted by an Ombudsman		\$1,366		\$1,366		\$1,574		\$1,574		\$1,918		\$1,918		\$2,145		\$2,145	\$2,145	119.14%	\$1,800	Good	Positive	The Office of Injured Employee Counsel (OIEC) exceeded this measure due to a larger amount of approved attorney fees paid than anticipated.
<i>Sum of fees approved to be paid</i>		\$1,923,987		\$1,923,987		\$3,776,423		\$3,776,423		\$6,225,059		\$6,225,059		\$8,693,932		\$8,693,932	\$8,693,932					
<i>Number claims w/ approved atty fees</i>		1,408		1,408		2,399		2,399		3,245		3,245		4,054		4,054	4,054					
<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	461	466	332	1,259	351	483	402	1,236	470	442	436	1,348	469	387	448	1,304	5,147	95.31%	5,400	Good	Positive	The Office of Injured Employee Counsel (OIEC) did not meet this measure due to a higher rate of disputes going on to a BRC than anticipated. OIEC needs 436 in August to reach this target within 95% compliance.
Key <i>Explanatory Measure 1.1.1 ex 3</i> Number of preparation appointments held prior to a benefit review conference by an Ombudsman	1,675	1,665	1,339	4,679	1,363	1,531	1,287	4,181	1,612	1,289	1,376	4,277	1483	1273	1239	3,995	17,132	114.21%	15,000	Good	Positive	The Office of Injured Employee Counsel (OIEC) exceeded this measure due to a higher rate of benefit review preparations by an Ombudsman than anticipated.
Key <i>Explanatory Measure 1.1.1 ex 4</i> Number of preparation appointments held prior to a contested case hearing by an Ombudsman	469	489	483	1,441	484	520	571	1,575	721	557	570	1,848	586	553	507	1,646	6,510	130.20%	5,000	Good	Positive	The Office of Injured Employee Counsel (OIEC) exceeded this measure due to a higher rate of contested case hearing preparations by an Ombudsman than anticipated.
Key <i>Explanatory Measure 1.1.1 ex 5</i> Number of preparation appointments held for an appeal by an Ombudsman	96	136	115	347	112	115	139	366	151	158	170	479	154	137	176	467	1,659	158.00%	1,050	Good	Positive	The Office of Injured Employee Counsel (OIEC) exceeded this measure due to a higher rate of appeal preparations by an Ombudsman than anticipated.
<i>Explanatory Measure 3.1.1 ex 1</i> Number of workers' compensation rules adopted	0	0	0	0	1	0	0	1	0	0	0	0	0	0	0	0	1	16.67%	6	Good	Negative	The Office of Injured Employee Counsel does not have any control over how many rules are adopted by the Texas Department of Insurance-Division of Workers' Compensation during a fiscal year. During the first quarter, TDI-DWC did not adopt any rules, therefore it was impossible for us to meet the performance measure target.

SUMMARY

KEY MEASURES			
Met Target	2	12	75.00% Positive Performance
Variance is Positive	10		
Variance is Negative	4	4	25.00% Negative Performance
Total Measures	16		

The Internal Goal for Positive Performance is 80%

ALL MEASURES			
Met Target	7	23	79.31% Positive Performance
Variance is Positive	16		
Variance is Negative	6	6	20.69% Negative Performance
Total Measures	29		