



IDAHO INDUSTRIAL COMMISSION

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COMMISSIONERS
Thomas P. Baskin, Chairman
R. D. Maynard
Thomas E. Limbaugh

C.L. "BUTCH" OTTER, GOVERNOR

Mindy Montgomery, Director

August 23, 2013

Dear Workers' Compensation Practitioner:

This letter is to inform you of a change in the Industrial Commission's internal processing of lump sum settlements. **Beginning September 3, 2013, all settlements, regardless of whether they are mediated or negotiated without the assistance of the Commission, will be reviewed and processed by the Benefit Analysts in the Commission's Claims and Benefits Department.** The reason for this change is to insure that all proposed settlements receive the same scrutiny by the Commission. Dennis Burks will continue to serve in his role as Mediator, but it is hoped this change will allow him to devote his attention to helping to resolve the tough cases, which was always the purpose of the Commission's mediation program.

Because all settlements will be processed in the same manner, we ask that all settlements mailed or hand delivered to the Commission be addressed solely to the Industrial Commission, not to any specific department or individual. Settlements submitted as email attachments should be addressed to: settlements@iic.idaho.gov

As always, documents in support of the settlement should continue to be submitted simultaneously, in order to allow the Commission to make an informed determination as to "Best Interest", per Idaho Code § 72-404.

Likewise, Claimant's Counsel's Memorandum should not be delivered to any specific individual, but rather sent as an email attachment as indicated in the footer of that document. If it is not delivered in time for the review by one of the Benefit Analysts, claimant's counsel may be asked to send it as an attachment to the specific analyst reviewing the settlement. If it is still not delivered within 24 business hours, a partial order may be issued ordering all fees to be held in trust pending further order of the Commission. This will allow the settlement approval process to not be delayed, and for the parties to obtain their respective objectives (funds for the claimant, closure for the surety).

We are satisfied that the implementation and utilization of the settlement templates has substantially reduced the time from receipt to approval within the Claims and Benefits Department. Even with the additional workload of processing mediated settlements, it is the Commission's goal to maintain internal processing time to approximately 7 days. We thank you in advance for helping us achieve these goals.

Sincerely,

Thomas P. Baskin, Chairman

R. D. Maynard, Commissioner

Thomas E. Limbaugh, Commissioner