

LMAC 06/17/2014

Responses to the LMAC Injured Worker/Employer Notification Letter

Employer comments are in black (29)

Injured worker comments are in blue (7)

As a business owner, I spend way too much time fighting false claims! If you added up the lost production/time of employers and the Montana State Fund employees in fighting fraudulent claims, it would be horrendous! There is currently nothing in place to persuade against filing a false claim. Nothing.

I have been lead to believe that it is not against the law to file false claims. Why not? It is only a criminal offence if they receive money and then it is proven to be false. Why is that? Who reimbursed the employer or the investigator? All these costs have to be taken care of at some point....usually in Work Comp premiums.

I think it would cut down on these fraud cases if it was criminal offense. Just my 2 cents but it's all I have left after paying my premiums.

Greg Beeler - Vice President
Truss Works, Inc.
1500 Stuckey Road
Great Falls, MT 59404

To Whom it may concern,

As the owner of three transportation Companies we pay workers compensation on the drivers. However, because of the laws in Montana if our driver is in an accident they automatically go on workers Compensation. Yet, if the accident is not our drivers fault and the other at fault driver has insurance the State Fund will not subrogate or go after the at fault driver.

It seems even when we are not at fault it still effects our claims (therefore our rating hence our premiums) when it should effect the at fault's pocket book (Or Insurance Companies) I feel if we allowed State Fund to even send a letter demanding repayment to the at fault party or insurance company it may payback some of the monies. I know from personal experience I have one or two claims per year where an employee goes on our workers Comp when they (WE) were not at fault.

Overall I know there are many drivers on the road in company vehicles that are not at fault during accidents. I think it would be interesting to find out how many accidents are in this number and how much monies the State Fund might be able to recoup. Of course, You all know more about the issue and the laws but it seems that this is a possible windfall with very little effort. At any rate, thank you for your time and consideration.

Rodney R. Willson
Member/Manager Willson LLC

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Angela,

I received your letter today regarding feedback on workman's compensation. Here are my thoughts: I think it is easier if I can send my employees to the doctor and have the workman's compensation claim number be assigned to the injury as soon as the employee has made a visit to the doctor. It has been inconvenient for us at times to report the injury to Workman's comp. first and then have the injured employee go see the doctor or head to the emergency room. I have been reprimanded by employees of Workman's comp. for not reporting the injury first and then I am also reprimanded by doctor's offices for the fact that the claim number never came through and the bill was never paid. If the doctor's office could immediately be in touch with Workman's comp. at the time of the visit, things would go more smoothly in my estimation. Then you could call me at my office to confirm the employee's name, title and injury.

Thanks,

Kelly Clouse, Spirit at Play Early Child Program

Dear Lieutenant Governor McLean and the Labor Management Advisory Council:

Thank you for the opportunity to provide input on our state's Workers' Compensation System.

The comment I just posted on your website is attached. I wanted to let you know that I am not only a health care worker who has experience with being injured but also a candidate for the state senate.

As a candidate as well as a worker, I would be interested in knowing more about the work of the committee and policies under discussion. It would be great to discuss some of the options being considered with fellow workers and voters in Senate District 29. Please put my on any lists you have to keep me informed about the work of the committee.

It's great to know that you are giving this system thorough-going consideration.

Thank you all for your work and service to our state.

Elli

Elli for SD 29
Susan "Elli" Elliott
P. O. Box 2326
Red Lodge, MT 59068
406-426-1330
elli@elli4sd29.com

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Your Name: Susan M Elliott
Company Name: St. John's Lutheran Ministries
Address: P. O. Box 1042
City: Red Lodge
Email: elli@visi.com
Stakeholder: Workers' Compensation Claimant
Subject: Response to Invitation for Input.

Comments: When I consider what from my experience might be helpful to your policy discussion specifically around workers' compensation policy, I would suggest you consider the following:

1) working with the appropriate agencies on regulations and on legislation for better occupational safety standards and enforcement for direct care occupations. My injury was the result of inadequate equipment for an assigned task. Attention to working conditions and requirements in assisted living facilities would be helpful. The most important thing is not getting injured in the first place.

2) Once a direct care worker is injured as I was, especially when it's a back injury or another injury that's not visible to other workers or to clients being served, there need to be stronger regulations and enforcement to prevent the worker being assigned to any direct care for "light duty." My injury worsened and lasted longer due to six weeks on "light duty" in which I was the only one in charge of my keeping within the prescribed limits. Assigned duties included lifting and movements that aggravated my injury. I was constantly in the position of either doing the task or saying "no" in the midst of a situation that was not staffed for anyone to be doing less than the full work load. I only started to recover when I was assigned to duties off the floor. I have seen others placed in a similar situation. I think some state regulation that would make it clear that injured workers with lifting restrictions cannot be assigned to such situations, or that "light duty" must include additional staffing to account for tasks that the injured worker must say "no" to.

3) My claim was mostly medical care. I was never off work. The most effective care and evaluation was from the physical therapists. I was not impressed with the back specialist's knowledge or care. I don't think I ever saw the actual billing for any of this. It would be a great policy for the injured worker to be able to see an itemized account of all the charges to the worker's compensation insurance to verify that the care was actually delivered, and to have some avenue for evaluation of the care providers. Injured workers could provide checks and balances to make sure that the whole system is receiving value for our dollars from the medical care providers.

4) My employer's insurance carrier had a nurse who managed my case and made appointments for me. She also came along to the back specialist appointment. I found this very helpful, in general. I don't know if this is already a requirement or the way this insurance provider chooses to operate. I would recommend it for consideration as a "best practice" at least.

5) The insurance provider generally handled things in a timely fashion. I am very aware that this is not the case with many providers. Could injured workers and their employers be

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involved in some evaluation and checks and balances for the licensing of workers' compensation insurance providers?

6) With many, many injuries among direct care providers in the health field, I hope that you will have some subcommittee work devoted to the needs of workers like me. I don't see anyone on your ample list who really represents health care workers. It might be good to draw someone in to represent us.

Thank you for your invitation for response,
Susan (Elli) Elliott

Received a letter from the LT Governor Angela McLean regarding input on the current Workman's Comp program. My response is this.

Hi, my name is Janice Moser, my husband and I own and operate 4J Well Service Inc. in Baker, MT. We currently work in North Dakota and Montana. Due to the laws and regulations of the workman's comp rules, I have to pay in both states for all my workers. Therefore, I am paying for their hours worked twice – once in ND and once in MT. I have both Montana employees that work in ND and ND employees that work in ND. At the beginning, I paid MT for the MT employees and ND for the ND employees – that seems fair. Now I pay for all in both States. If an employee gets injured – only 1 state is going to pay. Which state do you file in. If you have a MT employee that gets hurt in ND – what state? ND tells me Montana – why do I have to pay for both states then. I feel that Workman's comp is double dipping – same employee – same hours – paid to 2 states. UNFAIR.

John and Janice Moser
4J Well Service, Inc.
PO Box 72
Baker MT 59313

Labor Management Advisory Council:

I am writing as HR Manager for a state-wide commercial cleaning company in response to your letter soliciting feedback regarding worker's compensation. Puritan Cleaning Professionals performs cleaning and maintenance services to banks, professional offices, medical offices, Glaxo-Smith-Kline, Bozeman Deaconess, Washington Corporations' headquarters, and many other professional spaces.

As a janitorial business, Puritan Cleaning has had several claims to report in the past few years. I have found the process to be relatively easy to navigate in helping employees through accident reporting, claims, Doctors' releases, etc.

State Fund, our current insurer, has been pleasant to deal with. However, I do not feel that claims are properly or thoroughly investigated. It seems there is no burden of proof whatsoever on the part of an employee who claims they have sustained any kind of health issue on the job. The mere mention of "I think this started when I was clocked in" will result in employer responsibility. Might it be possible to initiate some sort of standard in regards to health issues, particularly degenerative health issues for which the origin is impossible to determine?

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Thank you for your time.

Susan Massey | HR Manager
Puritan Cleaning Professionals
T 406.721.4501 | F 406.721.4240
susan@puritancleaning.com

Hello Ms. McLean

First, thank you for allowing input and feedback regarding experience with Montana's WC law/system. Montana Workers' Compensation System is the most costly and ripe for overuse, abuse and fraud, that I have ever work in. The employers also have no involvement at or or control but foot the bill. This is not occurring in other states but Montana seems to be stepping backward with the current "climate" even with the recent reform. I deal with more "questionable and very costly" WC claims in this state than I have ever worked in for 25 years in WC.

I currently work with a large employer (8 Montana locations) who provide senior and rehabilitation services. I work in employee health and safety/injury prevention and workers' compensation case management nationwide for this company, basically full time. I have worked in Risk Management since 1989 and spent my entire career in managing this risk for various employers across the nation and internationally; both internally as an employee, as well as a consultant for large insurance brokerage firms. I have worked in or with approximately 20 states and frankly probably over 100 companies and internationally. Ten years of my career I worked for a fortune 100 size privately held company operating in over 120 countries and had best practices in this area honed. I don't work for employers who "don't care" or just want to "focus on the bottom dollar at the expense of employees". In fact it is the opposite and those companies, in my opinion just are not out there as much as they were 20 or even 10 years ago. If they are, they aren't around long or are not thriving.

I am a nurse (BSN), Masters in Public Health with a specialty in Occupational and Environmental Health and Safety and have a fellowship in aging. My number one priority and belief, which I have proven out over and over in my practice, is it is a win with for employers and employees when safety/injury prevention is the primary focus and you care about your employees. We want them to keep them safe and healthy and injury free. But if they are injured, we want them to receive prompt and quality medical care and want them to return to work as we value them and need them. They deserve the benefits, that WC was originally designed to provide, however, the system in Montana clearly allows people to get benefits and walk away with significant settlements that should not have receive. The problem is that word of mouth spreads and we are finding the number of cases like this growing. We know them right from the start usually. This is VERY costly to employers in Montana and unjust in my opinion. I would tell anyone that if you are starting a business or growing business in Montana, the WC system and the judicial climate is stacked against you as an employer in Montana so be prepared to pay huge WC costs EVEN WITH THE BEST SAFETY PROGRAM and OTHER BEST PRACTICES as it is not the legitimate cases that will cost you it is the other ones and the number is growing for many reasons I won't expand on here unless someone requests more of my experiences. Please note: A MAJORITY OF CLAIMS ARE LEGITIMATE but those are not the ones I am discussing here that are costing employers significant money.

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I have seen over and over in Montana that if an employee wants benefits, they frankly don't even have to have a legitimate injury or in many cases have a gripe against the employer, don't want to really work or have a pre-existing condition (that basically everyone has or will have) and/or are close to retiring. Even with the best of programs, intentions and work, the most costly and challenging cases are those where the employee does not want to return to work due to secondary gain issues that the Montana WC System provides or "enables". Montana, in my opinion, is the most costly and difficult state, with the most "overuse, abuse and fraud" that I have ever worked in, including California and Florida. These states had significant problems in the past but have sense made significant improvements including allow employers to direct medical care (still have some allowance for employee to change if unhappy with the care), have a higher threshold of what is considered compensable and in particular in Florida an "aggravation". The most problematic for the employer is that in Montana, unlike any state I have ever worked in, will not allow the employer to be involved as a partner in managing the case and cuts the employer totally out, except for paying 100% of the bill and providing return to work. I see much less "overuse, abuse and fraud" in those states now than in Montana clearly.

I tell people if you want to know how to "retire" on WC and then get SSDI with more money and benefits than you would ever get anywhere else, and not even have a legitimate injury at work, I can tell you just how to do it: move to Montana, its winning the WC lottery except the likelihood is a given, unlike the lottery. I have absolutely no problem with the Montana system for those employees with legitimate injuries, who want to come back to work and are not influenced/swayed by the secondary gain issues. The have legitimate injuries, get quality medical care, come back to work in modified duty (when they medically able in the "reasonable period of time that would be expected for their injury") and get back to full duty. In some cases they may not be able to but that is what the system was originally intended and designed to do and pay for, not overuse, abuse and fraud for cases that clearly should not cost as much as they do or frankly even be considered work related.

I see it over and over and the claims are in the \$50,000 to 6 figures. I clearly have people with legitiamate injuries and the cases go well. The problem in Montana is: 1. employers can not be involved in the case at all except with return to work. This is a MAJOR impediment and I have not worked anywhere else in the country that has this threat of "bad faith claims" in the hundreds of thousands of dollars into the millions hanging over employers and insurers/TPAs heads. Companies, who are not technically self insured still have very high retentions and thus basically pay the entire cost up to catastrophic levels and should be allowed to be involved versus shut out of the process. Companies have not way to verify if the insurance company and adjusters are managing the cases well. This is challenging in Montana where it is VERY challenging for insurance companies to find and keep good adjusters. This is not the case in other states and the adjusters must live in Montana. This provides even greater risk as without a strong adjuster managing a case it can cost much more and the outcome for everyone can be more adverse.

I have a case in the 6 figures that the insurance carrier appears to have completely mismanaged BUT they will and can not provide us information and we can not prove it because of Montana's WC law and legal climate with the potential for a "bad faith claim". They are not allowed to provide us information so we just have to keep paying it. Even with legal/attorney involvement it has been decided that we are not allowed information to determine if the carrier mishandled the claim. So the employer is left with "hoping" the cases are managed well and paying 100% of the bill. I have another case where everyone at the workplace knew the employee had a bad joint problem/pre-existing and the individual readily discussed this but as the employee neared "retirement" she had more problems and it was stated that she "needed this to be WC" and her personal physician indicated that XYZ works at a nursing home so

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work must have aggravated it. With the well documented trend in America with the graying of the workforce, if you scan everyone, a majority of people will have a "positive finding" that could be contributed to work but yet can have nothing to do with work, so should this be deemed as WC so easily? Not in other states: they are changing it to be the "major contributing cause". I am also seeing a trend with employees nearing retirement, and probably not having as much saved in retirement as they should (another well documented fact in America) and their best option financially and most easy to get is clearly workers' compensation. Where else can you get 100% of your medical paid with no co-pays, wage payment for not working, lump sum for "permanency" which is usually higher than most states, and then most likely a lump sum settlement as employers are financially better to settle than face a permanent total disability claim. Employees can much more easily walk away making much more money in WC than they can working if they use the Montana system to their advantage and the word is clearly spreading. To be frank, I would tell anyone I work for or with, that if they were planning to do more business or enter business in Montana, to seriously consider the WC climate and cost. Virtually no employer control, involvement, easy to file a claim and have it compensable/LOW burden of proof and VERY easy with pre-existing conditions to get them covered as compensable, in particular surgeries and then permanency and settlement.

Lastly, I have worked in this profession for 25 years and have prided myself as being an effective leader with a strong reputation in the industry who "does the right thing" ethically and gets the best outcomes for employees and employers. I continue to be a strong advocate for employees and know that employees and employers are on the same side of the table in most cases. In 25 years of practice, my greatest frustration has been working within the Montana WC climate and number of cases I would consider fraud and abuse which are so costly, time consuming and becoming so increasingly common. I would encourage Montana to take a look at Florida's law and reform: where they were and where they are now. The system works for all involved. It isn't perfect but no system is. Montana has swung way to far one way and has gotten way to costly than it should be for employers.

Respectfully, Linda Cornelison

Linda Cornelison, RN, BSN, MPH, Fellowship in Aging

Risk Solutions, LLC

Contractor for The Goodman Group

Senior Living and Health Care

Workers' Compensation and Safety

952.221.5361

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To: Angela McLean
Lt. Governor

From: Rebecca L. Price
Vice President
Preston Price Masonry, Inc.

Dear Ms. McClean:

Our business received your letter in yesterday's mail inviting input from businesses about Workers' Compensation Insurance.

We started our masonry business in 1982. We incorporated our business, Preston Price Masonry, Inc., in 2006. During the early years of our business in the 1980s, we were required to pay 56% of our payroll for Workman's Compensation Insurance. This was a tremendous hardship for our business during that time.

We watched as Workman's Compensation was partially privatized and evolved into the operation as it now exists. Our Insurance rates are now considerably lower than they were in years past. Our employees have received the benefits and coverage they have needed.

While we cannot say we enjoy be audited every year, we believe it is a small price to pay for lower insurance rates.

When we have seen Legislators introduce hostile legislation or exhibit hostile attitudes towards Workers' Compensation, we wonder if they are too young or too new to the area to remember the unreasonable rates of the past. We sincerely hope your council will look at the big picture regarding Workers' Compensation. It is important to us that any changes made will benefit both businesses and workers. What benefits businesses usually benefits the workers they employ. Additionally, we hope that any changes that are made will be, in reality, changes that are necessary and will not be changes urged by individuals with axes to grind.

Sincerely,

Rebecca L. Price
Vice President
Preston Price Masonry, Inc.

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Dear Angela,

My name is Art Simons. I have owned and operated a small Assisted Living business in Montana since 2003. I have a business degree from the University of Montana. I have worked hard to create a job in the state I was born.

Thank you for the opportunity to discuss workers compensation and my experience with it.

As a whole, I agree with the idea and philosophy of workers compensation. Having said that, I have had three workers comp cases in my business history (two were by the same individual). As a result of these cases, I am left with a bitter taste in my mouth. I have spent several hours (in person, and on the phone) talking with my "team" at the State fund level. I could spend a lot of time detailing the points of interest, but for the sake of this conversation, I will summarize.

I had an investigator state that the workers comp system relies on the workers honesty. Both individuals were somewhat close to retirement age (had husbands/boyfriends not working at home) and just simply did not want to work anymore.

I think it is not reasonable that workers compensation does not take into account someone's personal hereditary physical and mental issues.

I had a worker turn a stumble on the ramp (no blood, completed the next few days of work) into over 60 days off....physical turned into mental. Her second claim turned into a year and a half of "temporary total disability".

The term permanent total disability seems to be all too quick of a solution for the State fund managers. Both of these workers could (and still do) walk, talk, drive a car. That is not the picture of TOTAL DISABILITY to me. Is there no job that these people could do?

Both workers immediately got lawyers involved. It is pretty obvious that the issue is a free paycheck. From that point on the conversations were all about how heavy the workload was, and the wages they had previously worked. Not once did they ask about a return to work program, light duty etc. (I am referring to the lawyers).

In a nutshell, it seems like the Montana State fund is too quick to wave a free paycheck in front of the employee and offer disability status. They have forgotten who pays for the party (so to speak). Return to work or job re-training should be more important, and happen early in the process, not after the disability status has been brought into the discussion.

Thank you,
Art

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I work for the MCPS in Missoula as a custodian just for something to do, as I have been retired from the Washington State Dept of Transportation as Chief Engineer since 2003. My first impression of this system is the cost to the employer. WOW!!! And I have seen people abuse it also. It appears headed in the same direction as a lot of other Government programs are going up, up and up in expense.

We are very impressed with the improvements to the work comp system over the past few years. Our case worker is Jacqui Garcia, team 3, and she is the hardest working, most dedicated, tenacious individual I've ever had the pleasure of meeting. Hopefully she will continue working on our claims. Hats off to her and all the other claims workers. It can't be an easy job!

One thought for improvement from the employers' standpoint:

If I understand correctly, we are allowed to call work comp to see if a prospective employee has ever filed a comp. claim in Montana and are allowed to ask the employee if they have any pre-existing conditions. We can also require them to take a physical.

It would be easier for work comp and much better for employers if prospective employees were required to provide employers with information on their health and previous claims, in Montana and other states, in writing. The penalty for falsifying information would be denial of any claim based on pre-existing conditions.

Thank you for your time. We appreciate your efforts.

Betty Stinger, owner, Trego Mercantile, Inc., Fortine, Montana

Dear Lt. Governor Mclean:

Thank you for you invitation to reply on what I believe is a very broken system.

Please see attached letter.

Vickie Roller

Billings, Montana

MPEA Member

5/28/14

LT. Governor Angela McLean

PO Box 200810

Helena, MT 59620

RE: Workers' Compensation System

Dear Lt. Governor McClean;

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Thank You for your invitation requesting information. My date of injury: 4/4/2013

My experience with the Billings Clinic Doctor Care Provider and X-Ray Technician was very poor. After waiting for a half an hr. in pain (next time I go straight to the emergency center) the Dr. ordered X-Rays, whereby the technician could not assist me onto the table- mind you I can barely walk, sit or lay and after this session I was crying due to more pain! On their scale- of 1-10- I gave it a 15! The Dr. could not see anything wrong on the X-Ray and sent me home with a prescription for minor narcotic dose with Tylenol, and said to use heat and ice for comfort. Probably a pulled muscle was his diagnose.

A few days later I had a friend drive me to the emergency center where I was diagnosed with Lumbar Disc Herniation W/Myelopathy. Not a pulled muscle after all. But Workers Comp and the Dr. on my case said all I would need is a few pills and rest and it will get better in time.

I had to fight to see why my pain was so severe, fight to see why my hip hurt so badly, and fight to see specialists to narrow down the problem. The hip specialist said it was my back, but gladly gave me a hip shot to prove his diagnosis! Out of sheer disgust and need to get back to a salary so I would not put my mortgage in jeopardy- I returned to work. Mind you now, due to swelling, pulled muscles, my hips and tail bone is out of place that was fun to work with.

I believe the end of July I went on my own to see a Chiropractor and Massage therapist to try and get straightened back into place. Out of pocket I spent close to \$400.00. Workers Comp did agree to allow 10 visits.

After a letter to my case worker Shauna Foley in August of 2013 due to shooting leg pain, requesting a second opinion about my "pulled muscle" and she finally allowed me to see a surgeon "whom she's had good luck with in the past" is how she put it! When the School Dist. 2's Office got the October report of my Disc Herniation in January – they grounded me from work immediately and called my case worker.

Finally, granted to see a spine specialist, the series of back injections started, and surgery of an L-4 Laminoforaminotomy happened on **2/24/14**. I was released to work full time with continued P.T. sessions.

If Workers Compensation organization is really serious about putting Montana workers back to work, than:

1. Stop awarding huge bonus' to Executive employees.
2. Hire competent Doctors.
3. Instruct Doctors to listen to the patients' needs and offer the necessary tests to determine causes of pain. Or, get second opinions from qualified specialists in a timely manner.
4. Allow more than one person to access case files to prevent endless delays in communication to patient and provider care.

Employees- Workers should Not Have to Fight for Competent care, or Care providers.

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I can't believe in this day and age, only one case worker can access my case file! That system is seriously broken. My experience on a scale of 1-10 with the Billings Clinic Occupation Health Services on a scale of 1-10, I would grade a **3.5**.

Now I completely understand why my Nephew in N.E. Montana is so frustrated, as he has been fighting to get healed for over 2 and half years and continues the battles. I wonder too, had he not been treated competently in the first visits, he might be on the road to recovery instead of having blown discs and in chronic pain. I wished just once, I could hear someone tell a "good story" about dealing with workers compensation. Enough Said.

Kindest Regards,

Vickie A Roller School District 2 / Custodial Worker/ Billings, Montana
835 Ahoy Ave, Billings, MT 59105 MPEA Member

I'm writing in response to an invitation to provide input regarding Montana's workers' compensation system.

First, it seems if an injury case is disputed then the burden of proof falls on the employer. For example, if an employee comes to me and says he hurt his back lifting a trailer last week, unless I can come up with someone who's willing to say otherwise, the claim will be paid. It doesn't matter that there were no witnesses on the job site and it doesn't matter that it wasn't reported immediately. The employer has to prove that it absolutely did not happen on the job. I think the worker needs to take some responsibility for proving that it did happen while at work.

Second, if someone has filed multiple workers' compensation claims, at some point the burden of proof should shift to the worker even if they report it immediately. It's too easy for people (especially those with experience) to get "free" money from the system.

Sincerely,

Joy Bartos
Comptroller
Gull Fibre-Plastic Products
Missoula MT

Dear Lt. Governor McLean,

Thank you for the letter asking for input on the current workers compensation system in Montana. I would like to share an issue that affects our company in a significant way.

I am the production manager for Alpine Theatre Project in Whitefish, MT. We are a non-profit arts organization that produces live theatrical productions. We have a staff of 3 full time employees and 1 part time employee year round. Currently, the 3 full time employees are classed in 9156: performers and 9154: other theatre employees at a rate of \$8.59 per \$100.00. The part time employee is classed 8110: office/clerk at \$0.48 per \$100.00. The rules that are in place require us to pay the highest rate class for the entire year on an employee who might work under multiple codes.

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The issue we have is there are significant portions of our work year where we only work in our administrative office that is offsite from the Performing Arts Center. We understand why theatre performers and other theatre professionals should have higher rates and have no problem paying them for the time that we work at the theatre. However, it seems unfair for us to have to pay that same rate for the time we spend working in the office as it clearly involves less risk. This reduction in risk is reflected in the drastic difference of rates. e.g. Employee 1 is performing during our summer season of June/July. The rest of the year employee 1 works as the marketing director at the office. We would pay the \$8.59 rate for 2 months and the \$0.48 rate for 10 months.

It is also my understanding that construction businesses are currently allowed to split classes for their employees. If one type of business is allowed to split it is hard to understand why others aren't allowed to do so. I'd hate for there to be the perception that the council makes arbitrary decisions due to the size of the lobbying group. Please consider allowing non-profit arts companies to class their employees according to the work that is actually being done. We aren't trying to "game" the system here, we just want to pay for the risk that is actually being taken by our employees. For fiscal year 2014, being able to split classes would have saved us approximately \$7000.00. As a non profit, this is a significant portion of our budget that would be better used in one of our community outreach or education programs.

Please feel free to contact me if you would like to discuss this issue further. It is my hope that this particular rule can be changed to benefit not only Alpine Theatre Project, but every performing arts company in Montana.

Thank you for your time.

Rachel

--

Rachel Naber Burke
Production Manager
Alpine Theatre Project
406-862-7469
cell 406 871-2008

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To: Honorable Angela McClean
Lieutenant Governor
State of Montana
Helena, Mt. 59620

Dear Lt. Governor McClean:

My comment addresses what seems to be an unfair and unwise policy of Montana's workers' compensation system. I write not only on behalf of my organization, Alpine Theatre Project (ATP), a non-profit theatre in Whitefish, but also in the interest of all non-profit performing arts companies in Montana. Theatre companies entertain and inspire audiences and broaden the perspective of communities. They attract to our state the coveted "cultural traveler," who, studies show us, stay in more upscale lodging, spend more money on meals and shopping, and will extend their stay in a location in order to take in a cultural event. However, most theatre companies struggle to pay workers' compensation premiums that assess a clerical/office worker (8110 at \$.48 per \$100.00) at an actor's rate (9154 or 9156 at \$8.59 per \$100.)

ATP, which is presenting its 10th Season this year as Montana's only Equity summer theatre, brings to Whitefish New York Broadway talent, making the best of theatre available to many Montanans who don't otherwise have an opportunity to experience it. The economic impact of ATP to the local communities ranges from \$1 million to \$1.8 million dollars. The actors who appear on our stages return to New York and other locations as ambassadors of Northwest Montana. Virtually every one asks to return to Whitefish and the ATP stage. We have featured stars such as John Lithgow, Olympia Dukakis, Kelli O'Hara, and Louis Zorich. Numerous out of state patrons come to Whitefish to enjoy ATP's shows. We hope that we are an asset to the state.

Our actors appear essentially during the summer season in July and August and for a week in December. We expect to pay the highest workers' compensation rates for them during that period.

Here is the problem. We have a small staff of three full time and one part time persons. Artistic Director Betsi Morrison is responsible for the artistic content of our productions. Luke Walrath is Development and Education Director. Both are essentially full time office workers, venturing out to conduct children's programs and as needed in connection with productions. Luke is on stage in some productions, primarily in July and August and for a week in December. Betsi directs shows and generally is on stage only for the week in December. But because Betsi and Luke are on stage during these brief periods, workers' compensation requires that they pay the highest rate for the entire year! This is an enormous burden for a small company to meet and threatens the sustainability of the company and, I'm sure, other companies, as well.

We urge the Council to allow non-profits to split premiums and pay the rate consistent with the risk level of staff members' actual activities. Accordingly, for any period that staff members are on stage, they would be assessed according to the actor rate. For the times that they are working in administration, they would be assessed as clerical/office workers. This would be an enormous benefit to all Montana performing arts companies, and it wouldn't increase the risk to worker's compensation carriers. A definite "win-win" situation.

Thank you for considering this comment.

Best regards,
Sharon Morrison

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I am a board member of Alpine Theatre Project in Whitefish. We are small (as are most performing arts groups in the state). Our staff has to multi-task. There are times when staff is performing on stage, and properly belongs in the current risk category (9156 or 9154), however, it is unfair to categorize them in that risk category for the other 90% of the time when they are working in a clerical/office (8110) work capacity. At this time we are unable to split the risk according to the days/dates/time frames and we must pay the highest rate for the ENTIRE YEAR.

This is not fair and unnecessarily encumbers organizations like this with state-obligated expenses that can be better directed elsewhere.

We would appreciate a logical solution to this matter. I urge the LMAC to find a solution that assesses risk fairly. These contribution-dependent arts organizations in this state do not need unnecessary costs. I challenge you to find a politically expedient solution to the problem. Montana is a state of get it done leaders, and I hope you will find a workable solution.

Thank you for your attention to this important matter.

Kathryn Mercord
P. O. Box 8
Somers, Mt 59932
406-857-3414
kmercord@centurytel

We appreciate the efficient, professional assistance that we consistently receive from the workers' comp system. Information has always been provided to us immediately. We prefer electronic access for all documentation and correspondence. Thank you for your attentiveness to customer needs, thorough and patient service.
Sincerely,

Patty R. Davis

Red Lodge Area Chamber of Commerce
P.O. Box 988
701 North Broadway
Red Lodge, MT, 59068
406-446-1718 Office
redlodgechamber@qwestoffice.net

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To whom it may concern,

Over the past couple of years me and the administration at The Truck Shop of Billings, Inc. have spent a great deal of time looking into worker's compensation options. These options have proven to be very limited for a semi dealership that has a small mechanic shop.

Here is the biggest issue that we have run into through this search.

Every time we want a quote, from State Fund or any other insurance company that provides workers compensation insurance, it has proven next to impossible. Each place has asked for extensive information that we are only able to receive through an agent who has to get it from the actual company. The biggest frustration comes from being transferred to a million different agents and never getting a clear answer or quote. We understand an insurance companies need to base quotes on loss runs and history of a company, but there should be a way to have clear answers that rates are based from.

Thanks for your concern about these issues,

Best of luck on your review,

Maggie Weber
The Truck Shop of Billings, Inc.
(406) 254-2400

A recent letter from Lt. Governor Angela McClean made me aware of an open invitation to comment on Montana's Workers Compensation System (WCS). The fact that the Labor Management Advisory Council is undertaking a review of the WCS is encouraging, given that anything that can be done to reduce the cost of doing business in Montana, and encouraging job creation in return, will be a very welcome outcome.

The fact that Montana's WC rates are among the highest in the nation is at issue. On the one hand, high rates are not surprising given the accident track record of our dominant farm and forest products industries. However, even with that, it is important to review and challenge existing rules to make certain the state is doing everything possible to mitigate high WC rates. I cite below one example that is need of review.

If it isn't already known, Montana has a huge (per capita) performing arts community, especially in northwest Montana. All such arts employers want to pay their fair share into workers comp. But at the same time they do indeed want it to be fair. In one particular case (not at all uncommon) a not for profit professional performing arts company based in Whitefish is having to pay WC rates for performers as though they are on stage all 12 months out of the year, when in fact the resident artists are performing only 1 to 2 months, with the balance of time being desk jobs in various roles as educators, artistic designers, marketers and fund raisers. The question of what would be more representative of how business is being conducted is what's at stake. I serve on the Board of the example cited (Alpine Theatre Project) and understand firsthand the challenge of bringing first class professional arts education and entertainment to our corner of "the last best place". Please take this comment to heart as you undertake your review of the WCS. Despite the challenges, we continue to contribute much to the economy of our region, as are other Montana based not for profit arts organizations.

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Respectfully,

Dr. Richard E. Ward

Dear Lt. Governor McLean,

I am writing as a member of the board of directors of Alpine Theatre Project, a member of performing arts community, and an educator deeply concerned about the arts in Montana.

While I am grateful that the Montana Workman's Compensation program is being studied and reviewed, my hope is that consideration will be taken to ensure that not-for-profit arts groups that so important to the rich cultural fabric of our state are not ever burdened financially and allowed to contribute based on the basis of their specific employment patterns. Having worked within professional theatre for two decades before coming to reside in Montana and working as a consultant for the National Endowment for the Arts for multiple years, I am aware of the need for the protection of our workers. In creating guidelines we would like to request that different tiers or rates or classifications be extended to performing arts groups and artists in like fashion to that extended to other seasonal or split time work groups, ex: construction workers.

Thank you in advance for your realization of the importance of the performing arts for providing cultural enrichment, stimulating tourism, and impacting spending in local economies. Your support of that contribution through affordable Workman's Compensation is greatly appreciated.

Sincerely,

Jere Hodgkin
Associate Professor of Theatre
Former Director/Chair- School of Theatre & Dance
406 243-2877

Ms. McLean,

Thanks for the opportunity to comment on the Montana WC System.

My feedback is limited to one issue, the lack of employer involvement in the Workers' Compensation claim adjudication process.

We conduct business in all 50 states and Montana is the only state where the employer is not considered a party to the claim. We are barred from seeing adjuster notes, investigative information, reserves, claim status information, claim acceptances or denials, etc. This makes absolutely no sense.

We are held to a standard of claims management, controlling costs and making business decisions that include WC claim experience. The current state of affairs holds us hostage to pay expenses, etc., where we have NO control over what transpires with a claim. Claims can be settled, reserves increased

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and significant decisions made with no regard for the exposure to the employer.

How can we manage and be held accountable for results in an atmosphere where we have limited if no say in the claims management process?

I recognize this situation came about as a matter of unfavorable case law that was part of a WC decision and there may be limited action to address the issue.

I would appreciate, however, your guidance as to how others employers are handling this and suggestions you may have to make the claims experience more equitable from the employer's standpoint. In addition, if there is any type of discussion forum with respect to this, I would be very interested in participating.

Regards,

Scott A. Mattes
Manager, Workforce Health Team
AmeriGas Propane
Ph: 610-768-3694
Fax: (610) 768-7647
Email: Scott.Mattes@AmeriGas.com

Thank you for the invitation to provide input regarding Montana's Workers' Compensation system. Montana's accident claims have been reduced over that last few years. Montana now ranks about 8th in the country. Moving down from 1st or 2nd. But it seems our premiums are not reflecting this. If my business was located in Wyoming or North Dakota for example, I would be paying over 30% less in premiums! These premiums can kill a small business and there is VERY little leeway in getting help on payment options from the State Fund. Our roofing company has a clean safety record and we strive very hard to keep it that way. We would like to see a deep discount for safer companies like ours. We should reap the benefits for maintaining a safe work environment for our employees. It seems we all get grossly penalized for another companies unsafe practices. So, in closing, lower premiums would help my company.

Regards ,

Jake Magalsky
Ace Roofing, LLC
Wilsall, MT
(406) 578-2107

We appreciate the opportunity to discuss one particular issue that has cost us and numerous other employers in the State of Montana significant amounts of money. We have suffered workers' compensation loses that have resulted solely from 3rd party negligence. Montana subrogation statute MCA 39-71-414 in conjunction with Article II, Section 16 of the Montana Constitution

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has the chilling effect of precluding recoveries from third parties. We conduct business in Montana as well as five other surrounding states. Montana has by far the most expensive workers' compensation rates. No doubt the inability to recover from 'at fault' third parties is one reason. We would appreciate a review of this issue in your review of the current Montana Workers' Compensation System.

Blaine I. Burt
Vice President
North Park Transportation
5150 Columbine St.
Denver, CO 80216-2305
Phone 303-295-0300
Fax 303-295-6244
bburt@nopk.com

I am responding to a letter sent to me several weeks ago regarding the Work Comp system. What I'd like to say is that when an employee gets hurt, is compensated with his lost wages, and medical bills, why then is there a settlement paid out? Our employees were able to return to work, full time, doing exactly the same things as prior to their injury. Why can't these lawsuits be stopped??

One big thing I noticed that drives up the cost of the claim, is the delay in getting treatment, or testing to see what is needed. Sometimes a week or more will go by. And then small delays, one after the other, weeks and months, the wheels turn so slowly. One of our employees needed to have a minor adjustment to his shoulder after a year went by of not working, and the doctor was out of town, and the adjustment was delayed a whole month. Why couldn't another doctor taken over?

A suggestion to hinder fraudulent claims, would be for the employer to, upon hiring a new person, immediately call the Work Comp office with the new employees name and social security number and first day of work. I know of one incident a long time ago, where a friend of a rancher was helping with branding, not as an employee but just for fun. The friend got hurt, and somehow, all his bills were paid by Workers Comp as he suddenly became an employee.

I also feel that too many small contractors are bypassing the system, by hiring under the table, people who are not covered by WC. The honest employers are getting penalized by picking up the tab for everyone else. Some of our employees do side work. Even all the ones we have had claims for.

I do feel that the 1.5 mod factor that we are being penalized for at this time for claims, is too much and puts a heavy burden on our business. It keeps us from raising some of our more deserving employees wages.

I have heard of and know people who where on disability and still worked. One guy in Sheridan had an ad in the paper every week, a few years ago, stating his wife as the owner of the chinking business. Of course he did the work and also collected for disability. Should not these people be checked on annually, and reviewed by someone??? It is very frustrating to see people bypass the system, and let the honest people support the governmental laws.

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Thank you and I hope to see some changes in the future.

H. Frank and Paulette Hardy

Dear Mr. Mclean;

On behalf of D&M Water Service, Inc., I would like to express my concerns regarding Workers Compensation:

We are an Oilfield service company based in Montana and only 13 miles from the North Dakota border. We also have a special waste landfill in North Dakota whose employees are reported to ND WC. Our corporate headquarters is in Montana and our trucks are dispatched out of Montana. Several of our Oilfield customers have fields that are in Montana and North Dakota. North Dakota no longer allows extraterritorial coverage for our drivers going into North Dakota. Our ND WC premium is based on ALL hours worked in ND, however, Montana will not reduce the Montana premium for those hours. As a result, D&M Water is paying ND AND MT premium based on the hours worked in ND.

I suggest Montana and North Dakota set up a Workers Compensation fund in the same manner the International Fuel Tax Agreement is set up. The business owner pays into one pool and the funds allocated to each states based on the hours worked in that state. OR Montana should reduce the MT premium by the hours worked in North Dakota.

This issue is very important for many Oilfield businesses and needs to be dealt with.

We look forward to hearing from the Labor-Management Advisory Council regarding this very important matter.

Respectfully,
Donna Hoffman
PO Box 848
Baker, MT 59313
Vice President
D&M Water Service, Inc.
Office: 406-778-3107
Cell: 406-853-5203
Fax 406-778-2677
www.dmwaterservice.com
www.pclittlemiss.com

LMAC,

There are numerous issues that need to be addressed regarding workers compensation in Montana. The major issue is equity between the worker and the employer. The employer has no rights and no protection in our system. Why are there no restrictions regarding when an employee notifies the employer of an injury? It should be immediately unless there are circumstances that prevent the employee from doing so but no more than 24 hours. If an employer is in a physically demanding business the employer is not allowed to ask the employee if there are physical issues that may lead to injury over an extended period of time or at any time due to a pre-existing condition. Why does the employer pick up the entire cost of injuries that are only aggravated on the job due to hereditary or lifelong disease? When these injuries are totally out of control of the employer why are the employer's rates affected so drastically? I am not going to argue that the employer has no responsibility in these situations but taking 100% of

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responsibility is not equitable. They system has to figure out how to deal with claims more efficiently. We have experienced two different claims in the last four years that it took months to get the correct diagnosis and the proper medical treatment done while just adding to the expense of the claim against the employer.

Those are an outline of what I feel are the major problems with our system. If LMAC would like to discuss any of this further with me I would be happy to do so.

Regards,

Barney White

Rocky Mountain Moving & Storage

P.O. Box 1987

Missoula, MT 59806

406-728-2116

Feedback on the MT workers and employers claim system-

1. Dr. Singer is efficient but very intimidating.
2. He wouldn't even look at me and bullet-ed questions at me in a very severe way.
3. I felt the decision was made before I even attended the independent evaluation.
4. Went away feeling low, incompetent, and ridiculous. I guess that would be the intent of the system.
5. I was not informed that I should get an independent evaluation concerning my claim in advance. That would have been helpful.
6. It was a waste of tax payer money to go through the system as I did. Essentially, my money.
7. I had a legitimate claim. I'm sure most people feel that way. but I was not out to have any expectations.

Please see attached letter from Shopko Stores Operating Company, LLC. Workers Compensation Claims Manager.

Thank you,

Donnell Miranda

Workers' Compensation Claims Manager

Shopko Stores Operating Co., LLC

920/429-4096 (telephone)

920/429-5096 (e-fax)

Donnell.Miranda@Shopko.com

Date: June 13, 2014

To: Lt. Governor Angela McLean
Chairman, Labor- Management Advisory Counsel

From: Donnell Miranda
Workers Compensation Claims Manager
Shopko Stores Operating Co., LLC.

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RE: Workers Compensation System in Montana

I am responding to your letter asking for feedback as to what our thoughts are regarding your Workers' Compensation System in Montana.

Here are some of the areas of concern:

No longer allowed to review the adjuster's notes on-line

No longer able to review claims level financials

Shopko has a large deductible, so all claims cost are paid directly by the company, yet we are prohibited from managing those costs. This restriction interferes with our ability to meet our governance obligations to our shareholders

Not allowed to choose who will represent us or attend hearings

Must rely on the store location when attempting to obtain return to work (RTW) documentation with restrictions. Shopko has an extensive RTW program in which we pride ourselves in having all injured teammates RTW immediately upon medical release.

Not allowing the employer access to this information has hindered many of our policies regarding claim handling. I do not see the cost benefit of excluding the employer from the decision making processes noted above.

Thank you,

Donnell Miranda
WC Claims Manager

Your Name: Barry Reddick
Company Name: Collision Pro
Address: 420 Dorothy Street
City: Helena
Email: barry@collisionpro.com
Stakeholder: Employer
Subject: Who pays

Comments: Last year one of my employees was driving my company vehicle and was rear ended by another driver. The other driver was found liable for the damages and paid for the damages to the company vehicle. My employee sustained whip lash from the accident and had to receive therapy over the next several weeks. My employee filed a worker's compensation claim for the injury and work comp took care of the claim. The other parties insurance did not have to pay for my employees injuries even though their insured was responsible for my employee's injuries!

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My question is why wouldn't the state of Montana at the very least subrogate the expense of my employees medical cost ...why is my work comp insurance paying a 100% of the cost. In the end I as a Montana business end up paying higher cost (because of the claims) for my workers compensation. There is no recourse for the business we have to pay the higher cost even if we are not at fault! Worst...all Montana business a! re paying for higher claims when other insurance companies should be the one paying these bills...and what would our state save per year if this were changed? I have to wonder what the sate would have done if this would have been a lifelong disability injury. I think we can do better for the people Montana.

Your Name: Ronald Mora

Company Name: Riverview Truck Lines inc.

Address: 1801 33rd ave ne

City: Black Eagle Mt

Email: riverviewshop@yahoo.com

Stakeholder: Employer

Subject: work comp rates

Comments: I feel I am unjustly charged too much because of the labor group I am in. I also feel after a lot of years in business without much for claims I should get a better rate than I am. Sort of a mod factor that swings harder maybe. Also a premium that is based on payroll is not fair. I think about my work comp rates every time I give a raise wondering how it will affect me now. I know my work category is dangerous nationwide but I shouldn't have to pay the enormous amount after a work record has been established. Also estimating my next quarter payroll is very hard as my business has many changing seasonal factors. I allways seem to owe at quarterly time and that is difficult to deal with especially in the off season. I don't have all the answers either but basically I am paying too much for too little in return.

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Your Name: Tom Britz

Company Name: Alpine Theatre Project

Address: 700 KM Ranch Rd.

City: Whitefish

Email: tbritz@centurytel.net

Stakeholder: Employer

Subject: Splitting Risk Fairly

Comments: I am Treasurer and a Board Member of Alpine Theatre Project in Whitefish. We are small (as are most performing arts groups in the state). Our staff has to multi-task. There are times when staff is performing on stage, and properly belongs in the current risk category (9156 or 9154), however, it is unfair to categorize them in that risk category for the other 90% of the time when they are working in a clerical/office (8110) work capacity.

At this time we are unable to split the risk according to the days/dates/time frames (however you would define it), and we must pay the highest rate for the ENTIRE YEAR.

This is not fair and unnecessarily encumbers organizations like this with state-obligated expenses that can be better directed elsewhere.

We would support any logical solution to split the risk fairly. We are not trying to shirk our responsibility, and I urge the LMAC to study and find a solution that assesses risk fairly, so that we do not saddle these already contribution-dependent arts organizations in the state with unnecessary costs...simply because nobody would try to find a politically expedient solution to the problem.

Montana is a state of can-do leaders. I encourage you to find a workable solution.

Thank you for your attention to this serious matter.

Your Name: Michael Ruger

Company Name: Colstrip Electric, Inc.

Address: 647 S. 18th St. W.

City: Billings

Email: mruger@cei-online.com

Stakeholder: Employer

Subject: Your Letter Soliciting Input

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Comments: Your letter stated the LMAC is reviewing and monitoring changes to the WC system and may make recommendations for future improvements. I have several issues with the current system, but I was under the impression that any changes take actual legislation...what changes can the LMAC make on it's own?

Your Name: Melody wolf

Company Name: Albertson

Address:

City: Miles city

Email: Aktune@hotmail.com

Stakeholder: Workers' Compensation Claimant

Subject: Victim

Comments: LT. Governor Angela McLean

It would be nice if one person is helped! it is to late for me my life is already destroyed I was a victim of this accident!

Thank you for your invite to provide input to workers comp.

What happened to me destroyed my life I worked at Albertson for over 15 years

I was a baker and cake decorator in miles city there was no question my accident was on tape a cart of frozen bread tipped over on me the Dr. told me not to use my arm and hand Albertsons kept putting me on the schedule getting mad at me for not coming to work Albertson was telling works comp. I was working (because I was on a schedule) I was not the Dr. Was telling me not to work ! Joe told me to tell the Dr. To put me back to work I knew I could not do the work when I would not I was treated real bad I never received any money when it was due to come in. Always late and short Because Joe was telling them I was working I was the main income for us bills did not get payed and we had to sell our place and move I was emotionally destroyed physically damage and treated bad on top of it I was shamed ! I could not even drive past Albertson's.

In order to get Albertson's off my back (to come back to work) after they demoted me to clean up lady! and are still telling work comp. I am working when I am not

No money coming in to pay Bills I quit my job (it took me a year to go in a albertsons store) it took me 2 years to be able to talk to the people I worked with for 15 years

My store director Joe (and) work comp. lied a lot not sure why When I called Work comp. I was told Joe (said this or that) I was pushed and pulled what was good for me did not matter

What was the end was the only way I could get my 401k was to quit my job and I had no place to live no money my husband was sick I had to get to my 401k to live so now I can not get to it because of work comp. so I had to sign off on work comp.

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To me work comp. is a nightmare
Again thank you melody wolf

Your Name: Vanessa Wood

Company Name: Big Bear Tannery Taxidermy & Rug

Address: 405 N Main/ PO Box 102

City: Darby

Email: bigbeartaxi@live.com

Stakeholder: Employer

Subject: Review of MT workers compensation system

Comments: In my experience with the workers comp system I have been sadly disappointed. My husband & I bought a business-unbeknownst to us- who had a pending claim, it effected our company so badly. When we set up our workers comp account they didn't warn us or even acknowledge the fact this could be bad for us to take on the existing company history. So now my company is paying for a loss that we never encountered and it has done a number on our finances. Seems like every where we turn our state and federal wants more and more. There comes a point when our small businesses will have had enough, we need some relief from somewhere. Please consider lowering costs on all fronts. Cut out some of the politics and decrease the number of people with their hand in the pot and you just might be surprised at the outcome!

Your Name: Robin Bird

Company Name: Former employee of Blackfeet Housing

Address: P.O. Box 2023

City: Cut Bank

Email: rockingbird25@yahoo.com

Stakeholder: Workers' Compensation Claimant

Subject: Montana State Fund

Comments: I became an injured employee Oct 2010. I was an employee with the Blackfeet Housing. The Montana State Fund failed me as a workers injured employee insurance company. To this date I have not physically been able to work even part time. The Montana State Fund dropped me from benefits the very same day the Doctor, they had me going to, gave me a shot in

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my leg. They dropped me and I was dragging my entire left side! I was devastated! Not only was I still injured but now I had no means of survival. I never knew such injustice could be a part of a Montana State program. I was not even a person to the Montana State Fund. My injuries were not their concern. They didn't care that I was a hard working person. I still needed help to find out why I wasn't healing. The Indian Health Service in Browning has been treating me ever since Montana State fund dropped me. They have had to utilize their funding for an injury that the Montana State Fund was liable for. I've been told by Doctors that treat me that this injury was not properly treated when it first happened. Dr. Smith told me last week that it is chronic muscle damage. It's been almost 2 years ago that Montana State Fund showed me why the US is in such turmoil. Injured employees are not safe with the Montana State Fund. If they are allowed to continue robbing injured employees please have them take Montana State out of their name. The MSF and their Doctor didn't ruin my life but they sure made it a lot harder to live. I thank you in advance for any attention this may get. I realize that you can't help me but maybe you could look out for the next injured employee.

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*This is in reference to the letter
I received in the mail.*

27 MAY 2014 RCUD

To the office of Lt. Governor Angela Mclean,

My name is Jerry Holmes and my input in reference to the workers comp. System is very disatisfying and that is speaking from experience. For example, I have had a workers comp. Case ongoing for 4 years which went to court 3 years ago as of October 2014 and to this day they have done nothing for me. I have not received workers comp. Benefits other than them covering my doctor appts. Not even the insurer Brentwood in Missoula has not done or offered any kind of help. Also my attorney John Doubek has not been doing his job by representing me as far as I am concerned. I call his office and he never returns my calls or does he consult with me. I have never got any copies of anything he has sent such as proposals or letters . This case has never been settled in any way, shape or form to my knowledge. Maybe you can get some answers from

workers comp or Brentwood for me. I'd really appreciate it very much so I can finally know whats going on and put this to rest so I don't have to wonder about it all the time. It is absoultey ridiculous the workers comp. System is not there for the injured worker anymore. I feel as if I have been swept under the carpet. I can not believe this case has taken this long.

thank you, Jerry Holmes
po box 6883
Helena, Mt. 59604