

CLAIMS ADMINISTRATOR

COURT REPORT NO. 19

June 24, 2009

EXTRAORDINARY INJURY CLAIMS (As of 6/23/09)

EI CLAIM FORM AND REQUIRED DOCUMENTATION DEADLINE: 9/1/09

	Status	Total	Represented	Pro Se
1.	EI Claim Form Started On-Line But Not Yet Submitted	24	24	0
2.	Pro Se EI Claim Form Requested But Not Yet Submitted	128		128
3.	EI Claim Form Submitted:	51	23	28
4.	Fails Basic Eligibility	5	1	4
5.	Passes Basic Eligibility	46	22	24

EI CLAIM PROCESSING



UPDATES TO EI CRITERIA

(announced 6/11/09)

- 1) Unpaid but due Medical Expenses can be claimed.**
- 2) Commissions can be claimed.**
- 3) Lost Disability Income can be claimed.**
- 4) Economic Losses from a SMI are claimed as Additional Extraordinary Damages.**
- 5) Section VII Appeal process added.**
- 6) Government Lien Resolution may apply to SMI awards.**
- 7) Enhanced EI Claim Form.**

CLAIMS OVERVIEW
(As of 6/23/09)

	Claims Form Injury Assertion	#	%
1.	MI Claims	30,483	63%
2.	IS Claims	17,942	37%
3.	TOTAL	48,425	100%

MI GATES REVIEW STATUS

(As of 6/23/09)

	Status	Current	Since 5/28/09
1.	In Queue for Initial Gates Review	0	0
2.	Initial CA Review Complete/QC Pending	48	-204
3.	Gate Passes Eligible for Points Review	19,400	+1,703
4.	a. Current Notices of Ineligibility Issued	9,935	-1,365
	b. With Gate Committee-No Vote Yet	69	-587

MI POINTS REVIEW STATUS

(As of 6/23/09)

1.	Paid August, 2008 – June, 2009	12,961
2.	Claimants with Points Awards Outstanding	2,843
	a. Accepted (To be Paid in July)	1,231
	b. Potentially Eligible for July Payment	1,257
	c. Appealed or Special Review	355
3.	QC Completed but Notice Cannot Issue	565
4.	Pending QC	859
5.	Claims Incomplete for Points Review	1,287
6.	Initial Points Review Underway	445
7.	Initial Points Review Pending	559

MI REVIEW PROJECTIONS

1.	Total MI Claims	30,483
2.	CA and Gate Committee Estimated Combined Pass Rate	70%
3.	Resulting Total of Passing MI Claims	21,338
4.	Less Number Paid August – June	12,961
5.	Less Number Potentially Paid in July	2,488
6.	Remaining MI Claims to Review 7/09 – 8/09	5,889
7.	Monthly Average to Advance to Points Award	1,963
8.	Additional Claims with Points Awards Who Appeal (15%) and Elect Special Review (. 7%)	308
9.	Average Claims to Advance to Points Award Monthly	2,271

MI INJURY LEVEL SUMMARY**(As of 6/23/09)**

	INJURY LEVEL	AVERAGE POINTS
1.	Level 1	215.35
2.	Level 2	193.64
3.	Level 3	139.38
4.	Level 4	97.66
5.	Level 5	82.27
6.	Level 6	53.76
7.	Special Marker %	5.56%

SUMMARY OF MI PAYMENTS*			
	Payment Category	# Claimants	\$
1.	Paid through June	12,961	\$1,088,883,759
2.	Pending July Payments	1,231	\$90,191,923
3.	Potential July Payments	1,257	\$83,620,365
4.	Total Potential July Payments	2,488	\$173,812,288
5.	Possible Total Payments through July	15,449	\$1,262,696,047

* The Claims Administrator has received questions from claimants who have been issued Interim Payments but are unaware that such payment has been issued. We are directing all such inquiries to Primary Counsel for the claimants.

STEPS NECESSARY TO ENSURE FINAL PAYMENT BY END OF THIRD QUARTER

1. Shorten Deadlines

- a. Response to Incomplete Claims Package Notice Now Due in 14 Days**
- b. CA May Shorten Time to Submit Documentation in Support of Appeal from 30 to 15 Days, Depending on Appeal Rate**

2. Provide Option for Claimants with Incomplete Claims Packages

- a. Elect to be Non-Submitting Program Claimant; or**
- b. Proceed with Points Assessment with Deduction Methodology**
 - a. Higher of Risk Factors Assessed or Standard Deduction; plus**
 - b. 30% Downward Adjustment, unless CA determines that all available records were submitted, and then 10% Downward Adjustment**
- c. Must Choose in 7 Days. If no choice made, CA will proceed with Points Review using Deduction methodology.**

MI Claims: Standard Deductions By Injury Level and Age

	Age	Level 1	Level 2	Level 3	Level 4	Level 5	Level 6
1.	< 30	40.6%	59.6%	78.5%	59.7%	62.4%	68.4%
2.	30 - 34	36.6%	51.4%	66.2%	50.4%	59.8%	47.8%
3.	35 - 39	45.7%	58.6%	64.7%	69.9%	64.1%	59.8%
4.	40 - 44	54.9%	69.6%	65.5%	65.2%	66.5%	60.3%
5.	45 - 49	59.7%	71.1%	67.2%	61.5%	65.3%	65.4%
6.	50 - 54	55.6%	59.8%	66.2%	65.9%	64.2%	65.6%
7.	55 - 59	54.2%	64.6%	63.3%	61.9%	62.0%	58.4%
8.	60 - 64	58.9%	63.3%	60.3%	60.7%	59.5%	59.0%
9.	65 - 69	54.6%	61.9%	57.1%	60.0%	56.9%	54.8%
10.	70 - 74	49.8%	58.9%	55.2%	58.0%	53.3%	55.1%
11.	75 - 79	49.0%	49.9%	51.6%	54.1%	50.3%	56.5%
12.	> 79	41.8%	51.3%	49.8%	45.7%	46.2%	43.4%

IMPORTANT REMINDERS

- 1. Check the Secure Web Portal Daily, using “Pending Deadlines” feature to see which claims need immediate action.**
- 2. Open each Notice and read it carefully.**
- 3. Contact clients promptly and know their whereabouts during vacation season.**
- 4. Take inventory now of all claims to see if any are missing required documents.**
- 5. Respond promptly to reconciliation reports CA will send this summer.**

IMPORTANT REMINDERS (cont.)

- 6. Claims with remaining Enrollment Deficiencies will not be paid until deficiencies are cleared.**
- 7. Special Marker Claimants Electing Special Review will not be paid at the end of the third quarter.**
- 8. Claims are subject to audit by CA, the NPC, and Merck, and Notice of Points Awards may increase or decrease after a Claim is selected for Audit or Quality Control under Article 10.**
- 9. Final MI Point Value is subject to change, depending on final percentage of passing MI claims and the total Points for all MI Claims.**

STROKE GATES REVIEW STATUS

(As of 6/23/09)

	Status	Current	Since 5/28/09
1.	In Queue for Gates Review	35	-874
2.	Initial Review Complete/QC Pending	8,453	-633
3.	Gate Passes Eligible for Points Review	5,320	+365
4.	a. Current Notices of Ineligibility Issued	3,723	+1,059
	b. With Gate Committee-No Vote Yet	318	+157

STROKE POINTS REVIEW STATUS

(As of 6/23/09)

1.	Paid February, 2009 –June, 2009	1,789
2.	Claimants with Points Awards Outstanding	416
	a. Accepted (To be Paid in July)	218
	b. Potentially Eligible for July Payment	76
	c. Appealed or Special Review	122
3.	QC Completed but Notice Cannot Issue	354
4.	Pending QC	1,239
5.	Claims Incomplete for Points Review	78
6.	Initial Points Review Underway	327
7.	Initial Points Review Pending	1,065

SUMMARY OF ISCHEMIC STROKE PAYMENTS

	Payment Category	# Claimants	\$
1.	Paid through June	1,789	\$55,019,421
2.	Pending July Payments	218	\$6,863,971
3.	Potential July Payments	76	\$1,752,419
4.	Total Potential July Payments	294	\$8,616,390
5.	Possible Total Payments through July	2,083	\$63,635,811

**ISCHEMIC STROKE INJURY LEVEL
SUMMARY
(As of 6/23/09)**

	INJURY LEVEL	AVERAGE POINTS
1.	Level 1	75.52
2.	Level 2	110.29
3.	Level 3	77.49
4.	Level 4	49.78
5.	Level 5	33.14
6.	Special Marker %	5.75%