



OUR MISSION **TO SERVE**
INJURED WORKERS,
VICTIMS OF CRIMES,
EMPLOYERS, AND RELATED
INDUSTRIES
BY PROVIDING EXCEPTIONAL
SERVICES, RESOLVING DISPUTES,
AND FAITHFULLY EXECUTING THE
THE DUTIES ENTRUSTED TO
US BY THE COMMONWEALTH
OF VIRGINIA.

2015

About VWC

The Virginia Workers' Compensation Commission (VWC) strives to be a nationwide leader while building upon the rich history of public service and effective government.

The Virginia Workmens' Compensation Act was enacted on March 21, 1918 over a veto by Governor Westmoreland Davis. The Act created the Industrial Commission of Virginia and agency operations commenced on January 1, 1919. The Act was designed to protect injured workers and their families by providing compensation and medical care for occupational accidents and diseases. The Commission was renamed the Virginia Workers' Compensation Commission in 1991, as part of the recodification of Title 65.1 of the Code of Virginia.

The Virginia Workers' Compensation Commission is an independent state agency operating under the authority of the General Assembly of Virginia. The Commission's primary role is to oversee and adjudicate claims brought pursuant to the Virginia Workers' Compensation Act through mediation, hearings, and appeals. The policies and procedures of the Commission are largely determined by the provisions of the Act. The Act defines the composition of the Commission and specifies the judicial powers and responsibilities of the Commissioners.

The Commission also administers other programs including the Criminal Injuries Compensation Fund, the Uninsured Employer's Fund, the Medical Costs Peer Review Program, the Second Injury Fund, and the Virginia Birth-Related Neurological Injury Compensation Program. The Commission is headquartered in Richmond and has six regional offices in Fairfax, Harrisonburg, Lebanon, Manassas, Roanoke, and Virginia Beach.

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A message from the **Chairman**

On behalf of the Virginia Workers' Compensation Commission, I am pleased to present the 2015 Annual Report. This report summarizes key initiatives, trends, and outcomes for Virginia's workers' compensation system.

The Commission has interpreted and administered the Workers' Compensation Act for nearly 100 years, while remaining on the forefront of innovation to better serve our customers. Our Mission, Vision, and Core Values drive our commitment to lead the nation as the most effective and innovative state agency. With 292 dedicated employees and offices across the Commonwealth, we strive to serve the needs of employers, injured workers, claims administrators, insurers, and other trading partners. In the last year, these interactions helped us to deliver strong programs and high quality services.

In 2015, we showed growth and improvement with technology-driven projects. The Commission is recognized as a national leader in electronic filing and automated systems. Last year, we processed more than 52,000 electronic claims and our Judicial Division issued 4,170 hearing-level opinions and 827 appellate decisions. Our Judicial WebFile system has been so successful that in June 2015 we gave attorneys the option for fully-electronic notifications, saving public resources and creating a more environmentally responsible system.

In August 2015 we received a 100% compliance report from the Virginia Auditor of Public Accounts for financial operations, information security, and mobile technology. We also received 100%

compliance for the 2015 Commonwealth Security Annual Report. Full compliance with audit requirements places the Commission at the forefront statewide, ensuring the highest quality of financial, security, and technical operations.

Our Alternative Dispute Resolution (ADR) program continued to assist customers with effective claim resolution. Since its inception in 2012, the ADR program has seen a significant increase in referred cases, with 213 cases in 2012 to over 1,400 cases in 2015. We continue to demonstrate high resolution rates which, in turn, promote efficient judicial docket control.

Additionally, we held conferences and webinars throughout the state to provide training and guidance on key workers' compensation topics, including Electronic Data Interchange (EDI), insurance compliance, and claims services. Our Criminal Injuries Compensation Fund (CICF) staff provided training across the Commonwealth and participated in several public awareness campaigns.

The Commission's staff embraces excellence and demonstrates exemplary customer service to our trading partners. In 2016 we will continue to enhance our service delivery as we focus on our vision to lead the nation as the most effective and innovative state agency. We remain committed to serving injured workers, victims of crimes, employers, and related industries by providing exceptional services, resolving disputes, and faithfully executing the duties entrusted to us by the Commonwealth of Virginia.

A handwritten signature in black ink, appearing to read "Wesley G. Marshall". The signature is fluid and cursive, written over a light blue horizontal line.

Hon. Wesley G. Marshall
Chairman

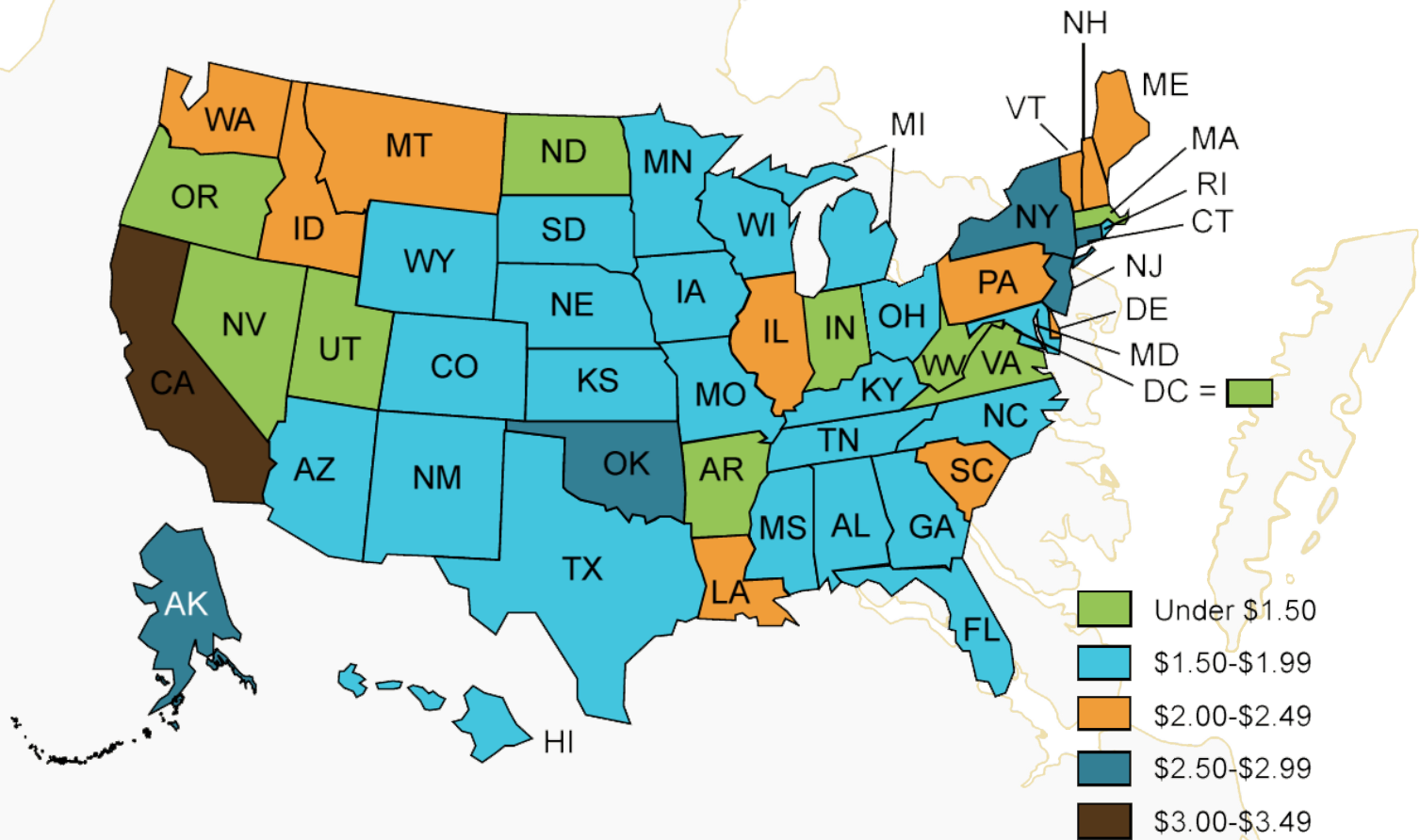
Virginia enjoys considerable respect as a leader in the realm of state workers' compensation law. An important long-standing characteristic of Virginia's workers' compensation system is its low cost. Policymakers and regulators believe that a low-cost workers' compensation creates economic advantages in promoting business and job growth.

A leading national comparison of workers' compensation systems is the Oregon Workers' Compensation Rate Ranking Study. This study has been completed in even numbered years since 1986. In 2014, Virginia was ranked 48 out of 51 jurisdictions in terms of premium rate ranking. Virginia employers in the voluntary market pay, on average, \$1.17 per \$100 of employee payroll, or 32% below the median of all states.

Year	Indexed Ranking	Workers' Compensation Premium Per \$100 Payroll Indexed	% Below Median State	Effective Date
2010	47	\$1.39	68%	4/1/2009
2012	48	\$1.20	64%	4/1/2011
2014	48	\$1.17	68%	4/1/2013

Source: Research and Analysis Section, Oregon Department of Consumer and Business Services (Rev. 10/14)

Virginia is a Low Cost Leader in Workers' Compensation



**Figures based on Workers' Compensation Premium Per \$100 Payroll Indexed.*



Hon. Wesley G. Marshall Chairman

Chairman Marshall was appointed by the 2012 General Assembly and began his position with the Virginia Workers' Compensation Commission on June 18, 2012. Mr. Marshall earned a J.D. from the University of Virginia School of Law in 1988 and a B.A. with distinction from the University of Virginia in 1985. Prior to his appointment with the Commission Mr. Marshall was in private practice of law for more than 23 years, primarily representing plaintiffs in workers' compensation, employment, and other related civil litigation.



Hon. R. Ferrell Newman Commissioner

Commissioner Newman was appointed by the 2013 Virginia General Assembly and began his position with the Virginia Workers' Compensation Commission on March 11, 2013. Mr. Newman earned a J.D. from the College of William and Mary's Marshall Wythe School of Law in 1983 and a B.S. from the University of Richmond in 1979. Prior to his appointment with the Commission, Mr. Newman was in private practice of law for 30 years, with a heavy concentration in workers' compensation.



Hon. Roger L. Williams Commissioner

Commissioner Williams was appointed by the 2008 Virginia General Assembly and began his position with the Virginia Workers' Compensation Commission on May 1, 2008. Mr. Williams earned a J.D. from the University of Richmond's T.C. Williams School of Law in 1980 and a B.S. from Washington and Lee University in 1975. Prior to his appointment with the Commission, Mr. Williams was engaged in the private practice of law for 28 years, almost exclusively in the area of insurance defense litigation, with emphasis on the law of workers' compensation.



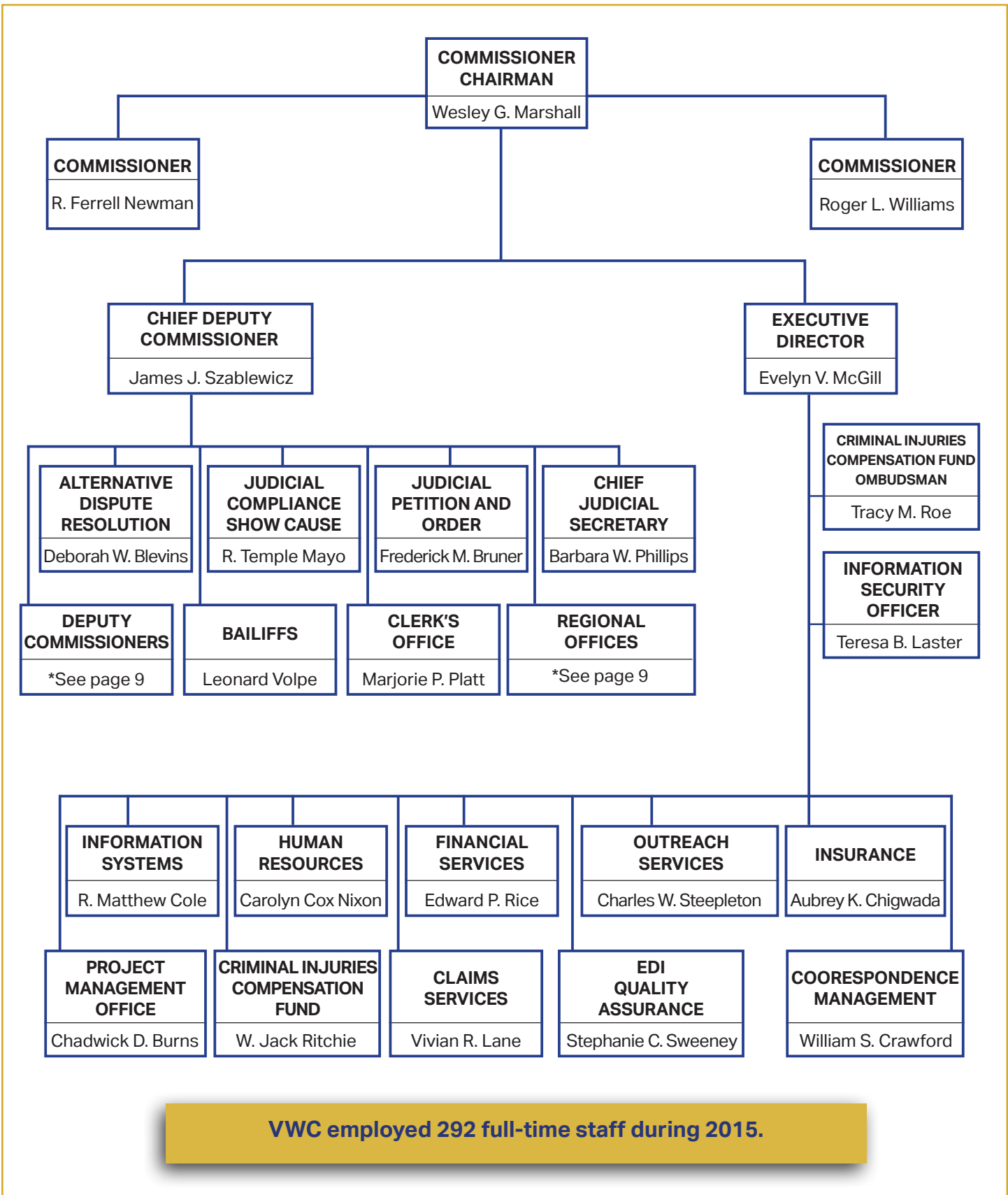
Evelyn V. McGill
Executive Director

Evelyn V. McGill joined the Virginia Workers' Compensation Commission as the Executive Director in 2013. Ms. McGill is responsible for the administrative, operational and financial functions, staff and systems of the Commission. Ms. McGill studied as a Pre-Graduate Fellow at the University of Virginia and earned a Master of Business Administration from Virginia Tech, a Master of Public Administration from the University of Pittsburgh, and a B.S. from Virginia Commonwealth University. Ms. McGill was previously employed with the City of Richmond's Police Department for 14 years, as the Deputy Chief of Administration/Executive Director.

Hon. James J. Szablewicz
Chief Deputy Commissioner

Hon. James J. Szablewicz was appointed as Chief Deputy Commissioner of the Virginia Workers' Compensation Commission in 2004. Mr. Szablewicz is responsible for the Judicial Department including the Clerk's Office, six Regional Offices as well as all of the Deputy Commissioners statewide. Mr. Szablewicz earned a J.D. from the University of Virginia School of Law and a B.A. in Political Science from Yale University. Prior to becoming the Chief Deputy Commissioner, Mr. Szablewicz served as a Deputy Commissioner with the Commission for two years. Before joining the Commission, he was engaged in the private practice of law on Virginia's Eastern Shore for 11 years, primarily representing injured workers.

organizational chart



VWC employed 292 full-time staff during 2015.

The Commission employs 23 Deputy Commissioners who serve as mediators and administrative law judges. They preside over evidentiary hearings throughout the state to determine rights and liabilities of parties under the Act.

FAIRFAX

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Hon. Susan E. Cummins
* Hon. John S. Nevin

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* Hon. William R. Culbreth

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Manassas, VA 20109

Hon. W. Geovanni Munoz
Hon. Dana L. Plunkett
* Hon. Jimese Pendergraft Sherrill

RICHMOND

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Richmond, VA 23220

Hon. Fredrick M. Bruner
Hon. Angela F. Gibbs
Hon. Brooke Anne Hunter
Hon. Andrea W. Lee
Hon. R. Temple Mayo
Hon. P. Randolph Roach, Jr.
Hon. Susan R. Stevick
Hon. Randolph P. Tabb, Jr.

ROANOKE

540-776-2700
3959 Electric Road SW, Suite 425
Roanoke, VA 24018

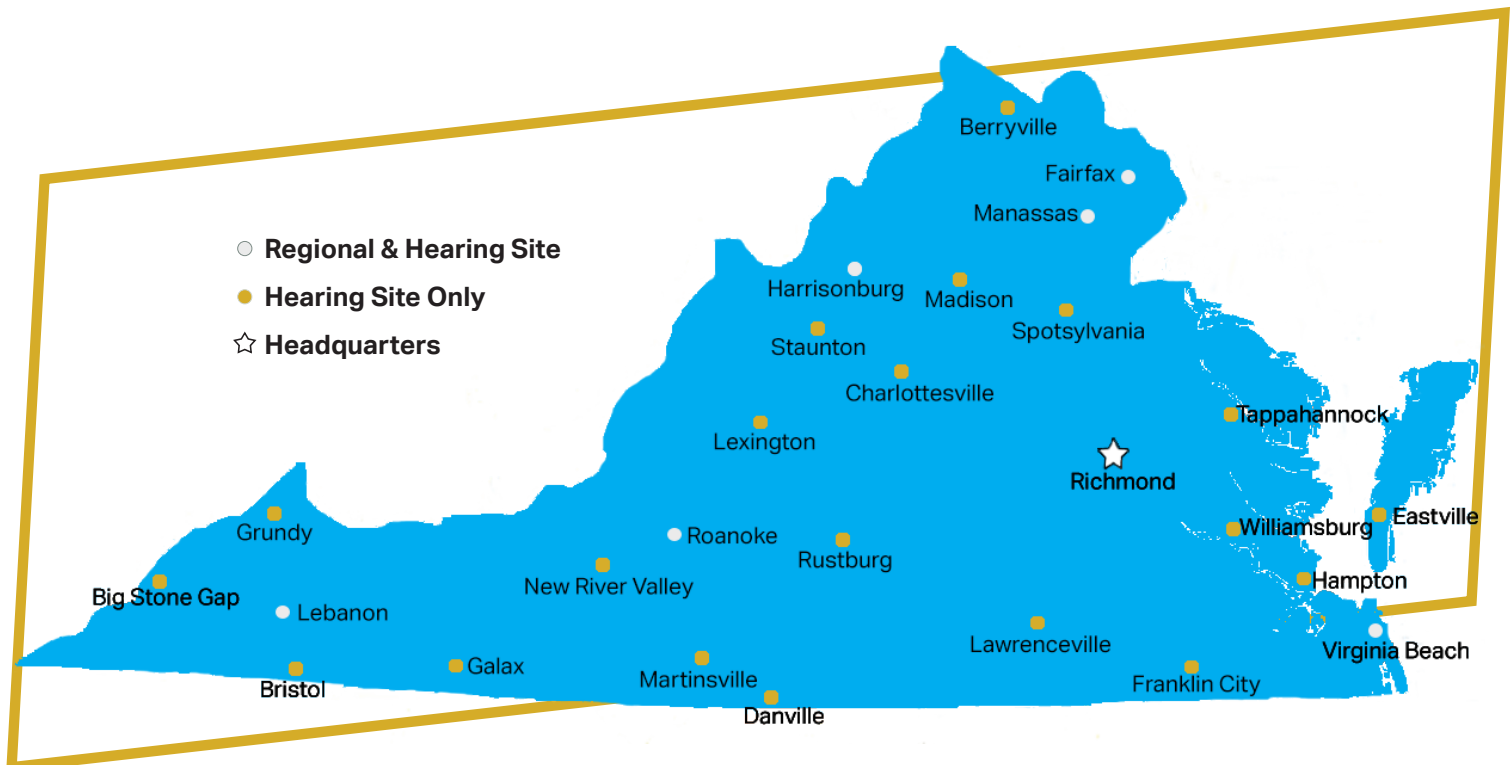
Hon. Deborah Wood Blevins
Hon. John Costa (*Retired*)
* Hon. Robert M. Himmel
Hon. Linda D. Slough

VIRGINIA BEACH

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281 Independence Blvd. Suite 600
Virginia Beach, VA 23462

* Hon. Lynne M. Ferris
Hon. Terry L. Jenkins
Hon. Lee E. Wilder

***2015 Managing Deputy**



Virginia Workers' Compensation Commission

key accomp



Implementation of Paperless Option

Implemented the environmentally friendly Paperless Option for attorneys, which saves time and eliminates the need to mail hard copies to those enrolled.



Timely Filing Supported by VWC Compliance Efforts

Obtained favorable results from the implementation of monthly EDI report cards and insurance late filing fines, supporting timely filing of necessary workers' compensation information.



Additional Compliance Enforcement

Successfully executed the implementation of an Investigative Unit for insurance compliance enforcement.



Efficiency Initiatives

Completed the Change in Condition pilot, with 34% of claims resolved prior to hearing. Also established a Records Retention Policy, which reduces the annual cost of physical and electronic document storage.

ishments



State Compliance Achievements

Achieved 100% compliance with the Virginia Auditor of Public Accounts (APA) for the audit of financial operations, information security, and mobile technology. Also received 100% compliance on the 2015 Commonwealth Security Annual Report.



Sold-Out Educational Conference

More than 500 workers' compensation professionals attended the two-day 2015 Virginia Workers' Compensation Educational Conference held at the Richmond Convention Center.



National Influence

Staff attained key leadership positions on national and international boards and committees of various workers' compensation organizations.



Leader in the United States

Presented at various national and international workers' compensation meetings on VWC's administrative structure and systems to assist with improving their infrastructure and organization.

Virginia Workers' Compensation Commission (VWC)

Fiscal Year 2015 (July 1, 2014-June 30, 2015)

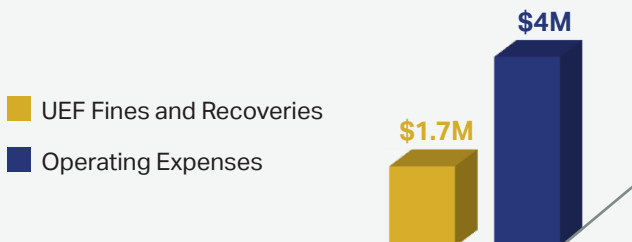
FINANCIAL RESULTS

\$40,539,291
Total Collection

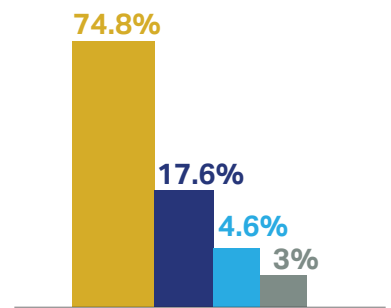
VWC collects an assessment from all workers' compensation insurers and self-insurers for the operating budget of the Commission, as well as the Uninsured Employer's Fund.

Uninsured Employer's Fund (UEF)

The Uninsured Employer's Fund can provide compensation and medical payments to injured employees or dependent(s) whose employer was not properly insured at the time of a work-related accident.



VWC Total Expenditures



Salary and Benefits
Full-time employees



Contractual Services
Communications, postage, travel and computer maintenance



Fixed Costs
Lease agreements, insurance and utilities

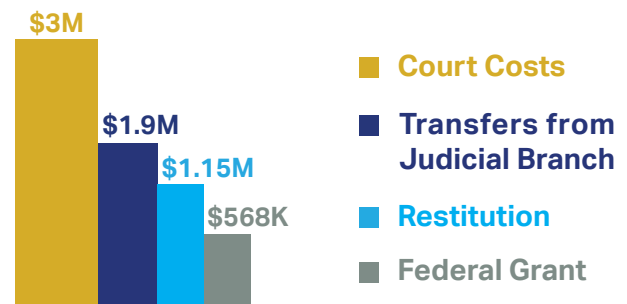


Miscellaneous
Supplies and equipment

Criminal Injuries Compensation Fund (CICF)

Fiscal Year 2015 (July 1, 2014-June 30, 2015)

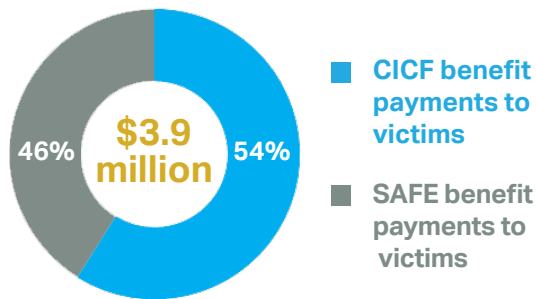
REVENUES



\$6.6 million
Total Revenues

2,594
CLAIMS AWARDED
VICTIMS HELPED

AWARDS MADE



Expenditures for administrative costs of 21 full-time employees, office rental, information systems, supplies, and equipment totaled \$2.6M.



Criminal Injuries Compensation Fund (CICF)

The Criminal Injuries Compensation Fund (CICF) is a department of the Virginia Workers' Compensation Commission, and administers the Compensating Victims of Crime Act. CICF assists every victim and survivor with dignity and respect, recognizing the tremendous impact that violent crime has upon our society, while easing the financial burden that crime often creates.

Year in Review

During fiscal year (FY) 2015, CICF provided more than \$2.1 million in compensation awards to crime victims and their families. The number of new claims submitted increased 8.5% from FY 2014 to FY 2015.

CICF saw a 56% increase in claims involving breaking and entering, and a 27% increase in felony hit and run claims from FY 2014 to FY 2015. A significant decrease in claims submitted included arson (down 70%), and stalking (down 50%) from FY 2014 to FY 2015.



Progress continued with CICF's branding initiative and working name of Virginia Victims Fund (VVF).

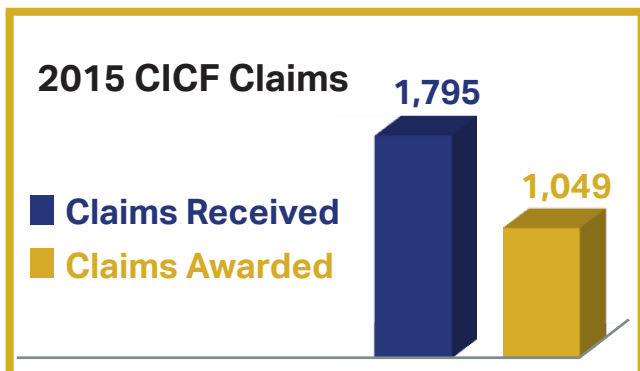
Victim or Witness Assistance Programs accounted for **68%** of **CICF** referrals. **Police and Commonwealth Attorney's Office** referred **11%**. Other referrals included funeral homes, medical providers, probation officers, among others.

Community Involvement and Outreach

In 2015, CICF funded Crisis Response Team trainings (provided by the National Organization of Victim Assistance), which maximizes the number of allied professionals trained to respond to mass casualty crimes and other emergencies.

Additionally, CICF conducted 19 trainings across the Commonwealth for allied professionals, and hosted the Trauma-Informed Care Conference for mental health professionals.

CICF also maintained a partnership with the Virginia Department of Criminal Justice Services and the University of Richmond to implement the Virginia Victim Assistance Academy, a training program for advocates and other allied professionals new to the field of victim services.



\$3,906,605

COMPENSATION AWARDS

provided to crime victims and their families through CICF and SAFE in 2015

Year in Review

During fiscal year (FY) 2015, SAFE provided nearly \$1.8 million in compensation awards for forensic evidence collection in sexual assault cases. SAFE payouts increased by 6%, and the amount of claims filed increased 21% compared to FY 2014.

SAFE Community Involvement and Outreach

In 2015, SAFE presented Payment Program information to more than 300 professionals in Virginia including law enforcement, forensic nurses, prosecutors, and medical management and billing specialists.

SAFE also continued building relationships with pharmacies to set-up direct billing between pharmacies and the SAFE program for HIV post-exposure prophylaxis.

Sexual Assault Forensic Exam Payment Program (SAFE)

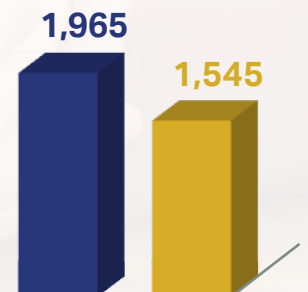
CICF administers the SAFE program, which funds payment of expenses associated with forensic evidence collection for victims of sexual assault in the Commonwealth.

Hospital expenses accounted for **72%** of **SAFE** claims expenses, totaling **\$1.29** million

Other SAFE Claims Expenses:
20%- Physician expenses
8%- Prescriptions

2015 SAFE Claims

■ **Claims Received**
■ **Claims Awarded**



Data based on Fiscal Year 2015 (July 1, 2014-June 30, 2015)

Alternative Dispute Resolution (ADR)

As part of the Judicial Department, the Alternative Dispute Resolution (ADR) program provides voluntary and confidential informal dispute resolution processes. A neutral third-party mediator facilitates communication, which can successfully assist the parties in coming to an agreeable solution. Any party to a claim may request mediation.

ADR PERFORMANCE

Results



Commission mediators have helped parties obtain an ongoing resolution rate in excess of 80%. Additionally, ADR staff consistently maintains an average of less than 40-days to achieve a resolution in cases.

Growth



With a 102% growth rate in cases from the year prior, ADR continued on course by adding five additional mediators from among VWC's Deputy Commissioners and Staff Attorneys across the Commonwealth, for a total of 19 mediators. Additionally, four staff members were hired to handle case needs.

EFFICIENCIES

Technology



In 2015, progress continued on the development of the major redesign effort to automate the process and to house confidential mediation documents within the Commission's electronic record keeping system.

Cost of travel decreased in 2015, due to the addition of resources enabling mediations to occur via teleconferencing.

Staffing



Pilot projects provided insight to processing change in condition claims and health care provider applications. These projects helped evaluate different ways to efficiently and expeditiously resolve disputes in targeted areas. They focused on early telephonic intervention by ADR and/or Claims Services staff to resolve disputes.

Number of Mediations in 2015

47

Orientation

789

Issue Mediation and Issue Facilitation

581

Full and Final Mediation

ADR provides informal sessions, open communication, and confidentiality.

LOOKING AHEAD

2016 & Beyond



In the future, ADR plans to offer additional teleconferencing and videoconferencing options, as well as additional mediation locations across Virginia.

The use of ADR early in a case can result in a more cost-effective and efficient resolution with greater satisfaction to the parties.

ADR Mediations Growth Rate



2012



2013



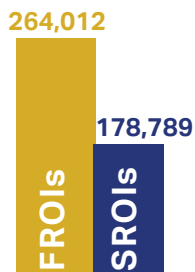
2014



2015

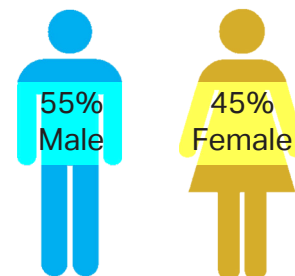
= 100 Cases

Claims: Facts and Figures

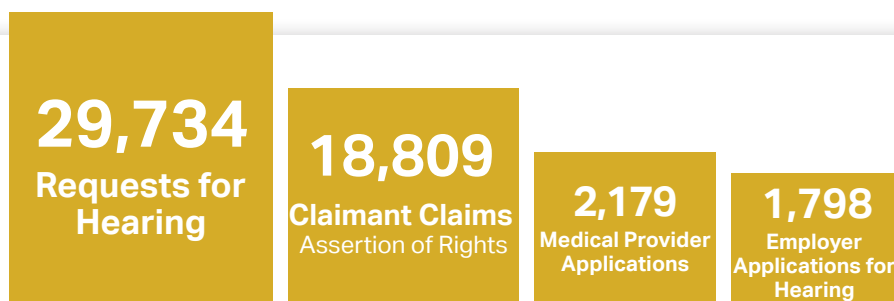


- First Report of Injury (FROIs)
- Subsequent Report of Injury (SROIs)

75,474
major workplace injuries
were reported in 2015



Claims by Gender



52,520
Claims
received

Awards Entered by Agreement	Award Terminations
26,328	10,881

Cost of Living Rate
effective 10-1-15
.55%

Compensation Rates effective 7-1-15	
\$975 Maximum	\$243.75 Minimum



Customer Calls

CICF: **14,429**

Insurance: **12,477**

VWC Call Center: **91,896**



Incoming Mail:
105,000 pieces

Outgoing Mail:
1.8 million pieces

E-Faxes Processed:
43,028

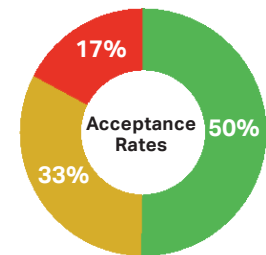
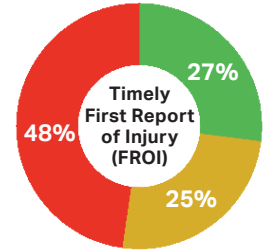


Report Cards

In 2015 the Commission created Report Cards, an innovative approach using data and technology to inform our partners on quarterly performance with respect to their EDI submissions. This tool gives a better understanding of which area needs improvement or training. Throughout 2015, the EDI Department offered one-on-one training to companies, providing a better understanding of the EDI process and ways to submit reports successfully and in a timely manner.

Report Cards

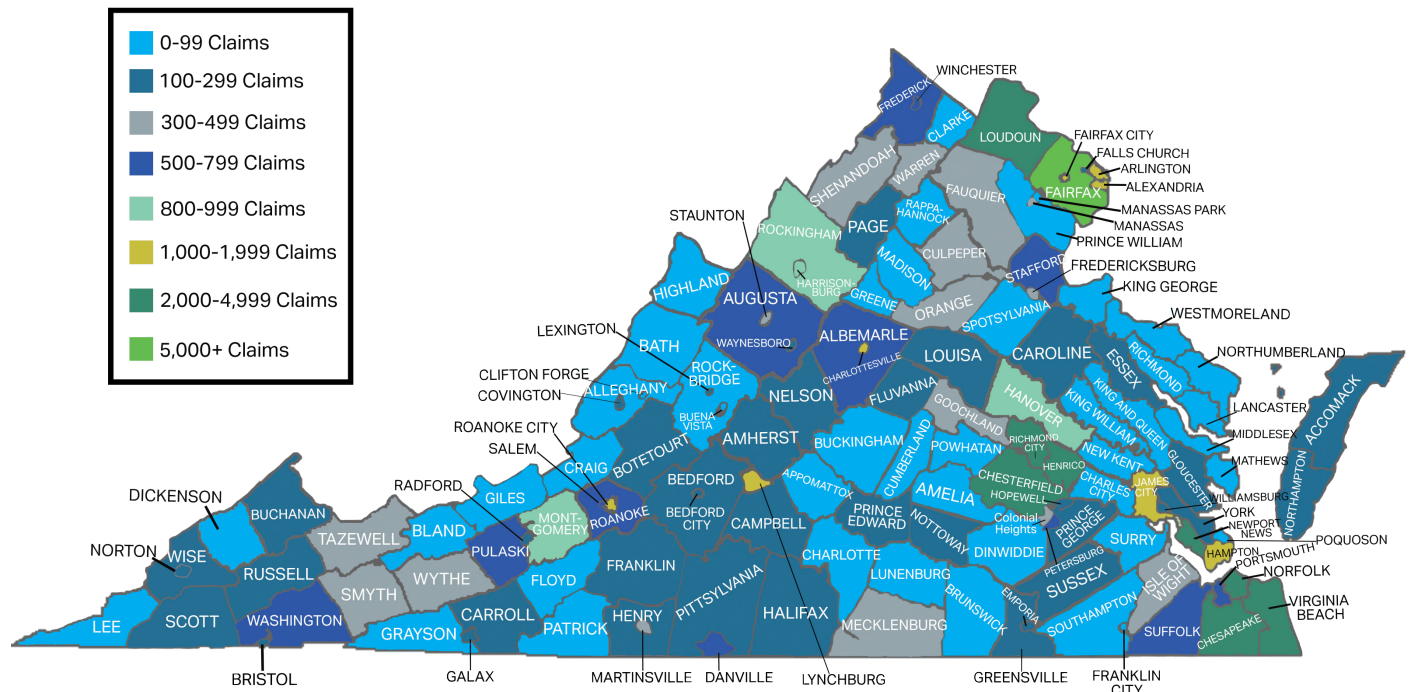
577 Report Cards distributed



■ Acceptable Grade
■ Needs Improvement
■ Unacceptable Grade

<p>THE AVERAGE COST PER CLAIM IN VIRGINIA DURING 2015:</p> <p>\$2,588</p>	<p>THE AVERAGE DISABILITY DAYS PER CLAIM IN VIRGINIA DURING 2015:</p> <p>5.5</p>
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CLAIM COUNTS BY COUNTY

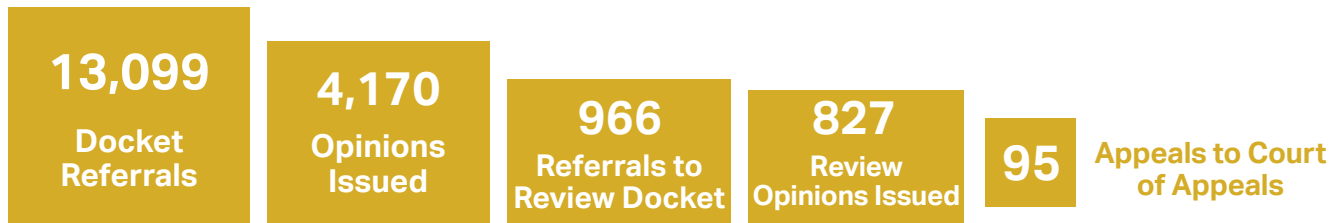


* Figures based on First Report of Injury (FROI) data for major workplace accidents.

Adjudication

The Commission works as a court system where contested workers' compensation claims are referred to the Judicial Division for adjudication. Each contested claim is docketed for hearing, either for an evidentiary hearing or for a decision on the record. Appeals on judicial opinions are docketed for review and heard by VWC's three Commissioners.

Hearings Related Metrics



\$275,191,511
Total Aggregate Value of
Settlements

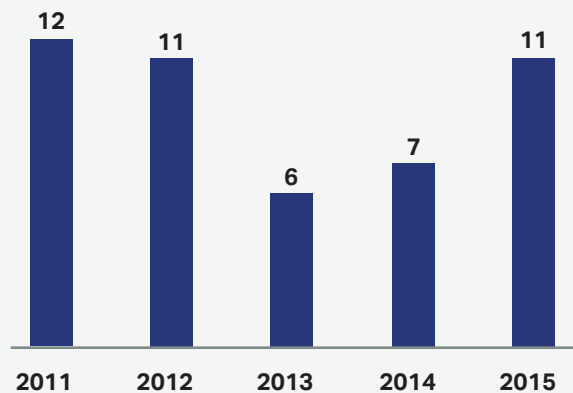
5,645
Approved
Settlements

Birth-Related Neurological Injury Compensation Act

The Virginia Workers' Compensation Commission adjudicates claims made under the Birth-Related Neurological Injury Compensation Act, Va. Code § 38.2-5000 et seq. which provides benefits to infants born with specific injuries associated with labor, delivery or resuscitation resulting in deprivation of oxygen or mechanical injury which renders the infant to be permanently motorically, cognitively, and developmentally disabled, such that he/she will require lifelong assistance in all activities of daily living.

The Birth-Injury Program helps lower malpractice insurance costs, assures access to obstetrical services as well as high quality care for the children it serves.

Birth-Related Neurological Injury Cases Filed with Virginia Workers' Compensation Commission



Virginia Workers' Compensation Insurance

The Commission provides guidance on coverage requirements, regulations, existing coverage, and enforces employer and carrier compliance.

CARRIER COMPLIANCE

EMPLOYER NOTIFICATION

197

Notices Issued

113

Orders Issued

38

Referred to Hearing

EMPLOYER NOTIFICATION

The Act requires a carrier to file policy data within 30 days of inception with the Commission's designated representative. Failure to provide proof of coverage results in enforcement including notices, investigations, and fines.

QUARTERLY REVIEW

The Commission's internal process of reviewing all canceled/expired policies for the prior quarter to ensure that appropriate notifications have been received in a timely manner from the Insurance Carriers.

QUARTERLY REVIEWS

2,747

Total Late Filings

PROFESSIONAL EMPLOYER ORGANIZATION (PEO MONITORING)

Organizations enter into a written agreement to provide professional employer services to one or more client companies. PEOs are required to register with the Commission prior to transacting business in Virginia. The Commission's Insurance Department oversees this process and provides an online tool, WebFile, for PEOs to register themselves, register clients, and to fulfill the annual filing requirements with the Commission. PEOs must register themselves and each client prior to servicing them in Virginia and are assessed an annual fee by the Commission based on their annual filings. Penalties are assessed against a PEO that does not follow the filing timeliness or procedures, as outlined in the Workers' Compensation Act under § 65.2-803.1.

PEO MONITORING

1,123

New PEO Client Registrations Processed

686

Terminated Clients Processed

184

Civil Penalties Assessed

Paperless



In 2015 the Commission offered a completely paperless filing option for attorneys using our WebFile system to further enhance customer service. By eliminating the need to send document hard copies to opposing parties, going Paperless is both cost-effective and environmentally friendly. The Paperless feature provides efficient and secure receipt of Commission notifications all while being available for use from a computer at any time.



Paperless Results

100,000+
pages not printed
Trees saved

169 Attorneys
from **103 firms**
have opted in to the
Paperless option

\$13,535
in postage **savings**

Videoconferencing



Videoconferencing has proven to be effective within the courtroom by saving time for attorneys and judges while cutting costs of the entire judicial process. The Commission began a pilot project in 2015 with the installation of videoconferencing equipment in its Richmond headquarters with plans for expansion to the Manassas and Lebanon offices.

Calculator Application

The Commission launched a new calculator application in 2015 to assist customers in calculating benefits under the Virginia Workers' Compensation Act. These calculators run entirely in the browser, eliminating the need for users to download updates.

Calculators Included

Basic Benefit

Multiple Period

Lump Sum

Interest

Cost of Living
Adjustment
(COLA)



The **Tool Tips** feature provides users with helpful tips while using the calculators.

Streamlined Automation

The Electronic Data Interchange (EDI) Compliance Department implemented a critical update in the claims processing system to accept a new maintenance type code (MTC), Change in Benefit type (CB). The new MTC code of "CB" is used to change the benefit type that is being paid to the claimant when there is no gap in time when switching from one benefit type to another. This update keeps the Commission in compliance with the International Association of Industrial Accident Boards and Commissions (IAIABC) EDI standard.

Claims System Upgrade

The technology platform of the Commission's claims processing system was upgraded in 2015, resulting in improved performance and search options, while allowing for future technology benefits.



Virginia Workers' Compensation Commission

the way



Medical Fee Schedule Proposed Legislation

The Commission will continue to monitor possible regulations establishing fee schedules for medical services provided to an injured person pursuant to the Virginia Workers' Compensation Act.



System Enhancements

The Commission's ADR program will introduce automation to its core business processes, which will produce efficiency gains and reduce operating costs. The Paperless Option will be extended to claimants and claim administrators in 2016.



Lead the Nation

The Commission will continue to participate on national and local boards and organizations, such as the Southern Association of Workers' Compensation Administrators (SAWCA), the International Association of Industrial Accident Boards and Commissions (IAIABC), the National Association of Workers' Compensation Judiciary (NAWCJ), and the Office of the Victims of Crime.



Community and Employee Engagement

The Commission will continue to host seminars, meetings, outreach events, and webinars to educate our employees and customers on Commission policies, processes, operations, and legislation.

forward



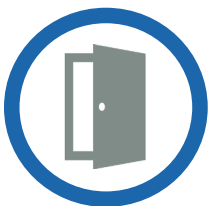
Agency Risk Management and Internal Control Standards (ARMICS) Internal Control Requirements

The Commission will meet ARMICS requirements by ensuring compliance with financial transactions and statements, laws and regulations, and safeguarding the Commission's assets.



Compliance Efforts

The Commission will ensure employers, carriers, and claim administrators comply with timely filing of workers' compensation information through compliance efforts such as monthly report cards and employer monitoring.



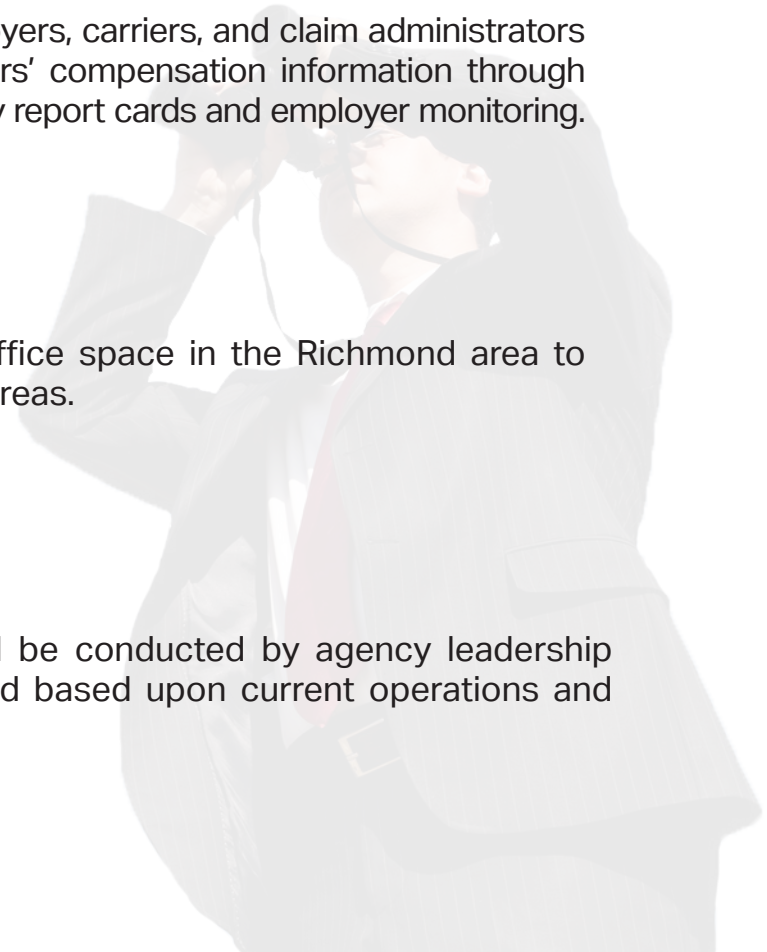
New Headquarters Search

The Commission is evaluating office space in the Richmond area to consolidate separated business areas.



Policy Changes

An internal review of policies will be conducted by agency leadership members. Policies will be modified based upon current operations and future outlook.



2015 Acts of the General Assembly

Chapter 442 (HB 1285) was signed by Governor Terry R. McAuliffe on March 23, 2015 (effective July 1, 2015). The bill amends the definition of employee within the Virginia Workers' Compensation Act to exclude non-compensated employees, directors, and executive officers of any entity that constitutes a property owners' association under the provisions of the Property Owners' Association Act.

Chapter 606 (HB 1486) was signed by Governor Terry R. McAuliffe on March 26, 2015 (effective July 1, 2015). The bill provides that if the Workers' Compensation Commission or a court on appeal from the Commission makes a finding in an unappealed order based on an evidentiary hearing or a factual stipulation of the parties that the claim relating to an accident, injury, disease, or death did not arise out of or in the course of the employee's employment, then that finding shall be res judicata between the parties and estop them from arguing before a court that the accident is barred by the exclusivity provisions of the Workers' Compensation Act. The bill further sets out the notice provisions required in order for the court finding to be res judicata. This bill is identical to SB 770.

Chapter 447 (HB 1806) was signed by Governor Terry R. McAuliffe on March 23, 2015 (effective July 1, 2015). The bill excludes any owner-operator of a motor vehicle that is leased with or to a common or contract carrier in the trucking industry from the definition of an employee for purposes of the Virginia Workers' Compensation Act, if certain conditions establish that the owner-operator is an independent contractor. This bill is identical to SB 745.

Chapter 456 (HB 1820) was signed by Governor Terry R. McAuliffe on March 23, 2015 (effective July 1, 2015). The bill requires the Virginia Workers' Compensation Commission to determine the number and geographic area of communities across the Commonwealth. The measure also requires the Commission to convene a work group of stakeholder representatives of employers, health care service providers, claimants, and insurers to advise and assist the Commission in (i) reviewing, analyzing, and comparing information contained within and reports on all possible databases containing workers' compensation or health care data for medical services rendered in Virginia; (ii) reviewing, analyzing, and comparing information contained within and reports on how similar databases are used for the establishment of the pecuniary liability of the employer in other states; and (iii) making findings or recommendations as to how the databases reviewed and the contents thereof may serve to enhance or replace Virginia's current mechanisms for establishing the pecuniary liability of the employer for medical services provided to an injured employee.

Chapter 449 (HB 1880) was signed by Governor Terry R. McAuliffe on April 6, 2015 (effective July 1, 2015). The bill extends until July 1, 2018, the existing 0.5 percent maximum tax rate that may be assessed on uninsured or self-insured employers. The maximum rate, which was increased from 0.25 percent to 0.5 percent in 2009, is scheduled to revert to 0.25 percent on July 1, 2015. The revenues from the tax fund workers' compensation benefits that are awarded against such employers from the Uninsured Employer's Fund.

Chapter 661 (HB 2384) was signed by Governor Terry R. McAuliffe on March 26, 2015 (effective July 1, 2015). The bill requires the Virginia Workers' Compensation Commission to establish, by January 1, 2016, a schedule for employers, employers' workers' compensation insurance carriers, and providers of workers' compensation medical services to electronically process claims for medical expenses incurred under the Virginia Workers' Compensation Act. The schedule would require electronic processing no earlier than July 1, 2016, and no later than December 31, 2018, based on a variety of factors to be considered by the Commission.

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