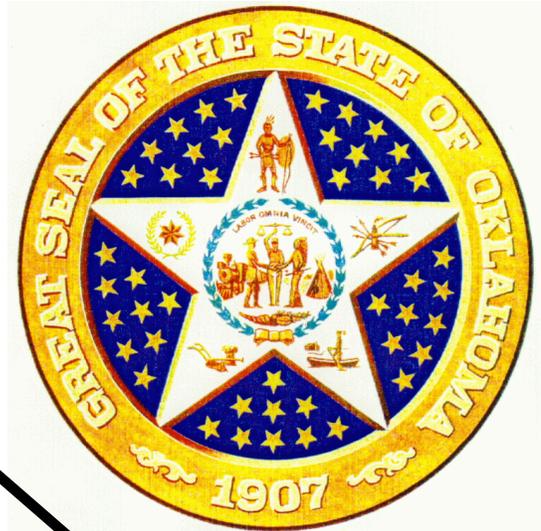


State of Oklahoma



ANNUAL REPORT

2008

**Workers'
Compensation
Court**

July 2009 (Revised April 14, 2010)

This publication, printed in-house is issued by the Oklahoma Workers' Compensation Court as authorized by 85 O.S., Section 85. Thirty (30) copies have been prepared at a cost of \$316. Copies have been deposited with the Publications Clearinghouse of the Oklahoma Department of Libraries.

C. Kent Eldridge
Presiding Judge

Michael J. Harkey
Vice Presiding Judge

Gene Prigmore
Judge

Cherri Farrar
Judge

Mary A. Black
Judge

Tom Leonard
Judge



John M. McCormick
Judge

Bob Lake Grove
Judge

William R. Foster, Jr.
Judge

*Eric W. Quandt
Judge

Marcia Davis
Administrator

STATE OF OKLAHOMA

WORKERS' COMPENSATION COURT

1915 NORTH STILES AVENUE
OKLAHOMA CITY, OK 73105-4918
(405) 522-8600

July 1, 2009

Honorable Brad Henry
Governor of Oklahoma

Honorable James E. Edmondson
Chief Justice of the Oklahoma Supreme Court

Honorable Glenn Coffee
President Pro Tempore of the Oklahoma State Senate

Honorable Chris Bengé
Speaker of the Oklahoma House of Representatives

Members of the 52nd Oklahoma Legislature

Dear Governor Henry, Chief Justice Edmondson, President Pro Tempore Coffee, Speaker Bengé and Legislators:

I have the privilege of submitting to you the 2008 Annual Report of the Oklahoma Workers' Compensation Court, prepared in accordance with the provisions and requirements of Title 85 O.S., Section 85. The Court is relying on its Internet website and e-mail capabilities to disseminate this report in a cost-effective manner. Print copies of the Annual Report have been deposited with the Oklahoma Publications Clearinghouse.

Respectfully,

A handwritten signature in black ink that reads "Marcia Davis".

Marcia Davis
Court Administrator

STATE OF OKLAHOMA
Workers' Compensation Court

ANNUAL REPORT
2008

Judges Serving in 2008

Mary A. Black
PRESIDING JUDGE

Tom Leonard
VICE PRESIDING JUDGE

Richard L. Blanchard
JUDGE
Term ended July 31, 2008

Ellen C. Edwards
JUDGE
Term ended July 8, 2008

Kenton W. Fulton
JUDGE
Term ended May 11, 2008

Gene Prigmore
JUDGE

Cherri Farrar
JUDGE

Michael J. Harkey
JUDGE

John Michael McCormick
JUDGE

Kent Eldridge
JUDGE

William R. Foster, Jr.
JUDGE
Term began August 1, 2008

Bob Lake Grove
JUDGE
Term began July 9, 2008

Eric W. Quandt
JUDGE
Term began August 13, 2008

Marcia Davis
ADMINISTRATOR



The Workers' Compensation Court of Oklahoma

2008

(back row)

**The Honorable
Bob Lake Grove**

**The Honorable
John Michael
McCormick**

**The Honorable
Cherri Farrar**

**The Honorable
Gene Prigmore**

**The Honorable
Michael J. Harkey**

(front row)

**The Honorable
Eric W. Quandt**

**The Honorable
Kent Eldridge**

**The Honorable
Mary A. Black
Presiding Judge**

**The Honorable
Tom Leonard
Vice Presiding Judge**

**The Honorable
William R. Foster, Jr.**

(not pictured - Judges whose term ended in 2008)

**The Honorable
Richard L.
Blanchard**

**The Honorable
Ellen C. Edwards**

**The Honorable
Kenton W. Fulton**

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Introduction

This report is prepared annually by the Oklahoma Workers' Compensation Court in accordance with the provisions and requirements of Title 85 O.S., Section 85. It provides injury statistics and benefit payment, workload and expenditure data.

The information in this report on injuries, illnesses and deaths is derived from documents filed in 2008 by the employer, worker or the dependents of a deceased worker. Injury characteristics are from the first report of injury filed by the employer or claimant, and are not necessarily based on a medical diagnosis. The employer's first report of injury is used when the matter before the Court is a compromise settlement (Form 1X) or provider's claim for compensation (2/19 claim), and there is no first report of injury filed by the worker or the dependents of a deceased worker.

Information about the development and use of the North American Classification System (NAICS) can be found at the web site of the US Census Bureau, <http://www.census.gov/epcd/www/naics.html>.

General Information

History

The Oklahoma Legislature enacted the state's first law governing workers' compensation more than nine decades ago in 1915. The law provides a substitute remedy to an employee for accidental injuries received during covered employment without the burden of proving negligence. The law is intended to provide injured workers with compensation for disability and health and rehabilitation benefits as a result of a work-related injury, regardless of who was at fault. In exchange for liability without fault, employers are provided with exclusive remedy protection. Exclusive remedy protects employers from liability to injured workers under laws other than the Workers' Compensation Act, Title 85, Oklahoma Statutes. The law applies to almost all types of employment and to both accidental injury and occupational illness.

Until 1959, the responsibility for administering the workers' compensation law resided with the State Industrial Commission. In 1959, the Oklahoma Legislature created and transferred jurisdiction over workers' compensation to the State Industrial Court. In 1978, the five-judge State Industrial Court was replaced by a seven-judge Workers' Compensation Court. The composition of the Court was expanded to eight judges in 1981, to nine in 1985 and to ten in 1994. Like its 1959 predecessor, the Court is a court of record responsible for determining claims for compensation, the liability of employers and insurers, and any rights asserted under the workers' compensation laws.

Mission

The mission of the Workers' Compensation Court is to provide fair and timely procedures for the informal and formal resolution of disputes and identification of issues involving work-related injuries. To this end the Court dedicates itself to carry out this responsibility and to serve the public promptly, courteously and impartially.

Organization

The Court is composed of ten judges who are appointed by the Governor from a list of nominees submitted by a constitutionally created Judicial Nominating Commission. The list includes the names of three persons, in addition to that of the incumbent judge, if any. Judges serve staggered six-year terms and may be reappointed for successive six-year terms. Every two years one of the judges is selected by the Governor as the presiding judge. The presiding judge is charged with overall responsibility for the functioning of the Court. All judges rotate between the Oklahoma City and Tulsa Court locations for dockets and may hear cases in other locations as provided by law. Awards of the Court are final and conclusive unless appealed to a panel of three Workers' Compensation Court judges unrelated to the case, or directly to the Supreme Court. An order of the three-judge panel may be appealed to the Supreme Court.

The chief administrative officer for the Court is an Administrator who, until 2005, was appointed by the presiding judge from a list submitted by a five-member selection committee.

Thereafter, a vacancy in the position is filled by appointment of the Governor for a six-year term. The Administrator supervises all offices and departments of the Court and staff, including administrative staff and support personnel. Specific functions of offices and departments of the Court are identified below.

The ***Counselor Department*** is the Court's primary public information unit. It supports a toll-free information line, prepares court publications, develops educational workshops, helps maintain the Court's web site, and processes applications to serve as a mediator for the Court's mediation system.

The ***Insurance Department*** maintains a workers' compensation proof of insurance database for the state, and with the Administrator's supervision, regulates employers which self-insure either as an individual self-insurer or as part of an approved group association. This department also regulates third party administrators. Self-insurance activities include reviewing applications for self-insurance and monitoring the financial status and claims records of self-insured employers.

The ***Medical Services Division*** administers the independent medical examiner and case manager programs, produces orders appointing providers as directed by the Court, revises and maintains the schedule of medical and hospital fees as directed by the Court Administrator, and responds to inquiries related to medical issues.

The ***Office of the Court Clerk*** receives court filings, certifies documents, prepares and transmits records on appeal, accepts appeal bonds, serves as the Court's records custodian, and manages the Court's records retention schedule.

The ***Form 3 Processing Department*** processes claims for compensation and orders entered into by mutual agreement of the parties. Work includes creating court files, data entry, and mailing information to the parties.

The ***Docket Office*** docket cases, schedules hearings and motions, notifies parties of hearing dates, and manages specialized dockets designed to resolve certain disputes without the need for trial.

The ***Order Processing Department*** prepares orders at the direction of the judges and processes them for mailing to the parties.

The ***Records Department*** maintains court files, processes the mail, and responds to requests for records and information.

The ***Data Processing/Management Information Services Department*** develops and maintains the Court's client/server system, develops computer programs and applications, coordinates information technology activities with vendors and other state agencies, and assists other court departments in meeting their goals through the use of technology.

In addition to departmental employees, the Court employs staff attorneys, court reporters, administrative personnel and support staff. Staff attorneys assist the judges, monitor legislation

for potential impact on the workers' compensation system, provide support services to various workers' compensation advisory bodies, and handle claims of employees of bankrupt self-insured employers. Court reporters record and transcribe proceedings as necessary. Administrative staff are responsible for the business, financial and personnel functions of the Court. Support staff include receptionists and judicial secretaries who provide clerical assistance to the judges and other court employees.

Activities in 2008

Court Rules

Clarifying revisions to the Court's rules of practice and procedure, as adopted by the Workers' Compensation Court in conference on July 20, 2007, were approved by the Oklahoma Supreme Court on February 7, 2008, and became effective as of that date. Rule changes relate to computation of time limits, prohibited communications, termination of temporary compensation, scheduling conflicts, objections to medical evidence, requests for deposition testimony, appointment of independent medical examiners, mediation, settlements, and required disclosures of certified workplace medical plans.

Workers' Compensation Court Administrator Rule 4 on mediation, as amended by the Administrator, was approved by the Presiding Judge on February 22, 2008, and became effective as of that date. The rule changes clarify the mediation process.

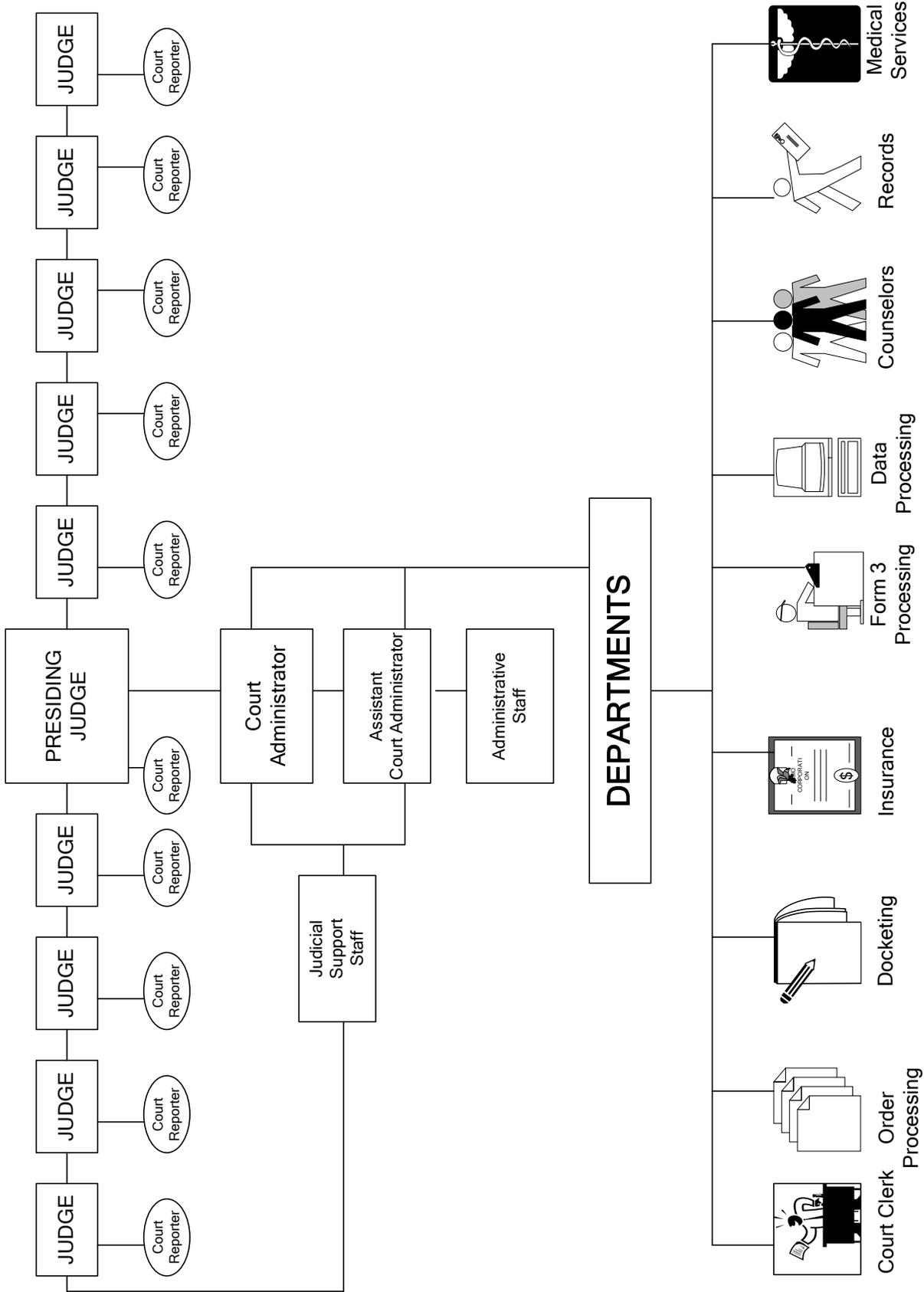
Multiple Injury Trust Fund Assessment

Workers' compensation payors were notified by the Court Administrator of the new Multiple Injury Trust Fund assessment rate effective July 1, 2008. The 2.5% rate was calculated using a statutory formula. The previous rate was 2.14%. Notice of the rate increase was mailed to payors before the May 1 deadline and posted online on the "What's New" page of the Court's web site. Assessment collections are used for expenses of the MITF and for various state programs related to worker safety and workers' compensation fraud prosecution. The Fund is liable for certain combined disabilities claims. It was created by law to encourage employers to hire workers who suffered previous impairments.

In addition to the specific activities listed above for calendar year 2008, the Court continues to perform other duties on a regular basis as noted above in the "Organization" section. The activities of the Court in CY 2008 are described in greater detail in the following pages of this Annual Report, together with basic statistics regarding filings made in CY 2008.

WORKERS' COMPENSATION COURT (2008)

Organizational Chart



Profiles of the Judges

Judges serving on the Court in 2008 were: The Honorable Mary A. Black, The Honorable Tom Leonard, The Honorable Gene Prigmore, The Honorable Cherri Farrar, The Honorable Michael J. Harkey, The Honorable John Michael McCormick, The Honorable Kent Eldridge, The Honorable Bob Lake Grove, The Honorable William R. Foster, Jr., The Honorable Eric W. Quandt, and The Honorable Richard L. Blanchard, The Honorable Ellen C. Edwards, and The Honorable Kenton W. Fulton, whose terms ended in 2008.

Each Judge hears matters involving workers' compensation disputes, records case dispositions and issues final orders based upon the evidence presented. Judges also approve settlements negotiated between the parties; conduct prehearing conferences and judicial settlement conferences; appoint Independent Medical Examiners (IMEs), medical case managers, vocational rehabilitation evaluators and mediators; oversee the IME, case manager, and court mediation systems; review medical progress reports; participate weekly on three-judge appeal panels; and participate in educational seminars, including periodic conferences sponsored by the Court.

During 2008, 24,275 cases were scheduled for trial, and 37,769 prehearing conferences were docketed. In addition, 4,265 cases involving medical treatment and/or temporary disability were set on temporary issue dockets to promote informal resolution before trial or determine the status of the case for scheduling purposes. During this period, 1,113 cases were set before the court en banc. Judges issued 23,781 orders and approved 9,277 settlements.

Judges

The Honorable Mary A. Black

Judge Black received a Bachelor of Science from the University of Oklahoma in 1977. She received her Juris Doctorate from Oklahoma City University in 1981. Judge Black has attended the National Judicial College, and attended Harvard University.

She is a member of the Oklahoma Bar Association, Oklahoma Indian Bar Association, Pottawatomie County Bar Association and Lawyer-Pilot Bar Association. She served two terms on the Board of Trustees for the Oklahoma Bar Association, and as a board member for Legal Aid of Western Oklahoma. Additionally, she has served as chair of the OBA Indian Law Section. In conjunction with Virginia Henson, Judge Black wrote the *Deprived Juvenile Law Benchbook*.

Immediately prior to her appointment to the Workers' Compensation Court, Judge Black was the Special District Judge for the 23rd Judicial District sitting in Pottawatomie County. Prior to her position as a Special District Judge she served on the Workers' Compensation Court from 1994-1996, and was in private practice in Shawnee, Oklahoma during the intervening years between judicial appointments. She has served as a tribal judge for many tribes, including the Absentee Shawnee Tribe and Sac & Fox Nation.

In July 2004, Judge Black was appointed by Governor Brad Henry to serve a six-year term on the Workers' Compensation Court. In February 2007, Governor Brad Henry appointed Judge Black for a two-year term as Presiding Judge of the Workers' Compensation Court, effective February 5, 2007. She served as Presiding Judge through May 21, 2009.

The Honorable Tom Leonard

Judge Leonard received a Bachelor degree in mathematics and computer science from Oklahoma State University in 1970. He received his Juris Doctorate from the University of Oklahoma in 1972.

He served six years as mayor of Ponca City, Oklahoma. In 2001 he was selected as the Mayor of the Year by the Oklahoma Municipal League. Prior to his appointment by Governor Brad Henry to the Workers' Compensation Court, Judge Leonard was in private practice.

Judge Leonard is the site administrator of a collection of statutes, cases and materials entitled, *Oklahoma Workers' Compensation*, www.workerscompensationok.com. It is a useful resource for attorneys, adjusters and medical providers.

He also authors a weblog of current issues, cases and his observations on workers' compensation, *Judge Tom Talks*, www.judgetom.blogspot.com.

The Honorable Gene Prigmore

Judge Prigmore was born in Freedom, Oklahoma, attended public school in Alva, and in 1966, graduated with a Bachelor of Arts degree from Northwestern State College in Alva. Judge Prigmore then served two years in the U.S. Army, 24th Infantry Division, 1966-68. After completing his military service he spent the next ten years teaching, counseling and coaching in various Kansas and Oklahoma public school systems including Head Football and Track Coach at Capitol Hill High School. He earned a Masters Degree in Counseling from Central State University in 1973. In 1978 he began his legal education and received his Juris Doctorate from the University of Oklahoma College of Law in 1980.

Judge Prigmore served on the Oklahoma City Board of Education from 1986 to 1989. He served as an Adjunct Professor in the Paralegal Program at Rose State College in 1989 - 1990. Judge Prigmore has been a member of the Oklahoma Bar Association since 1980 and the Oklahoma County Bar Association since 2001.

Judge Prigmore was in private practice with an emphasis in sports and workers' compensation law until 1992, when he became General Counsel for the Oklahoma Special Indemnity Fund (now known as the Multiple Injury Trust Fund).

In November 1998, Judge Prigmore was appointed to the Oklahoma Workers' Compensation Court by Governor Frank Keating to complete an unexpired term. In July 2000, he was reappointed by Governor Frank Keating for a six-year term. In December 2004, Governor Brad

Henry appointed Judge Prigmore for a two-year term as Presiding Judge of the Workers' Compensation Court, effective January 1, 2005. In July 2006, Judge Prigmore was appointed by Governor Brad Henry for an additional six-year term.

The Honorable Cherri Farrar

Cherri Farrar was appointed as a judge of the Workers' Compensation Court for a six-year term in July 2000. In July 2006, Judge Farrar was reappointed for another six-year term, by the Honorable Governor Brad Henry. Prior to her appointment to the Court, Judge Farrar was in private practice.

Judge Farrar received her Juris Doctorate from the University of Oklahoma, College of Law in 1986. She is the recipient of certifications from the National Institute of Trial Advocacy and the National Association of Criminal Defense Lawyers for studies in advanced trial techniques. She received a Bachelor of Arts degree in Political Science from Central State University in 1982.

Judge Farrar is a Master of the Bench of the William J. Holloway, Jr., American Inn of Court, and is a member of the Oklahoma Bar Association and Oklahoma County Bar Association.

The Honorable Michael J. Harkey

Judge Harkey graduated from The University of Oklahoma in 1973 and received his Juris Doctorate from the Oklahoma City University School of Law in 1976.

He is a member of the Oklahoma State and County Bar Associations. Prior to his appointment by Governor Brad Henry to the Workers' Compensation Court, Judge Harkey was in the private practice of law.

The Honorable John Michael McCormick

John McCormick was born in Oklahoma City in 1947. He attended old Central High School in downtown Oklahoma City and graduated in 1966. Judge McCormick served 3 years active military duty in the U. S. Army from February 1967 to February 1970; he served one tour of duty in Vietnam from August 1967 to September 1968, and was later a member of the U.S. Army Judge Advocate General Corps. Judge McCormick received his Bachelor of Arts from the University of Oklahoma in 1974, and his Juris Doctorate from Oklahoma City University Law School in 1978.

Judge McCormick served the State of Oklahoma as an Assistant Attorney General under General W.A. Drew Edmondson from 1997 until his appointment to the bench in 2006. His prior law practice includes service as Deputy General Counsel of the Oklahoma City Public Schools, and Deputy General Counsel for the Department of Human Services.

Judge McCormick also has public service as an elected official. In 1985 he was elected to a four-year term to the Metro Tech School Board, Vocational District 22, Seat 2. Before joining the Workers' Compensation Court, Judge McCormick served as adjunct professor for 18 years at Rose State College and Oklahoma City Community College.

The Honorable Kent Eldridge

Judge Eldridge earned his B.A. in Political Science from the University of Oklahoma. Following graduation from the University of Oklahoma School of Law (1976) he served as a Public Defender. He then became a solo practitioner in 1981 and maintained a trial practice of criminal and civil litigation in state and Federal courts and administrative tribunals, including many jury and non-jury trials.

Professional affiliations include the Oklahoma Bar Association, Oklahoma County Bar Association, and Ruth Bader Ginsburg Inn of Court (Master). Judge Eldridge has spoken at many law seminars, and while in private practice served as an expert witness on numerous occasions.

Judge Eldridge is an active member of St. Paul's Episcopal Cathedral and is serving on the Vestry. He also serves on the Board of the Oakerhater Episcopal Center home to the Whirlwind Mission in Watonga, Oklahoma. Judge Eldridge served as an Assistant Scoutmaster, Westminster Presbyterian Church Troop 4, Oklahoma City, 1996-2005. His marriage to Lea Crawford Eldridge and his children Julie, Jim and Jackson are his greatest accomplishments.

Governor Brad Henry appointed Judge Eldridge to the Workers' Compensation Court in July 2006. In May 2009, Governor Brad Henry appointed Judge Eldridge as Presiding Judge of the Workers' Compensation Court, effective May 22, 2009.

The Honorable Bob Lake Grove

Born in Poteau, Oklahoma in the far eastern segment of our state, Bob Lake Grove was raised and educated 9 miles therefrom in Panama, Oklahoma. His father, Lake Grove, was a businessman and his mother, Helen, a classroom teacher for over 40 years.

After graduation from high school, he attended the University of Oklahoma, graduating with a BA, and the University of Oklahoma School of Law, graduating with a JD. He was active in student government and served both in the Student Senate and as Chairman of the University Judicial Board.

In his first position as an attorney, he handled almost exclusively workers' compensation litigation. Following, he served as Assistant District Attorney of Oklahoma County for nearly five years as a felony trial prosecutor. During this time he also instructed at the Oklahoma City Police Academy and acted as a spokesman for the District Attorney for the release of prosecution information.

Following his tenure as a prosecutor, he was engaged exclusively in litigation in the fields of criminal defense, matrimonial law, child custody, business litigation, probate contests and workers' compensation. His representation included appearances and trials in federal, state and municipal courts throughout the state as well as arguments before the Supreme Court and Court of Criminal Appeals in Oklahoma. In addition, he has spoken at many law seminars and for various civic groups, and while in private practice, made public appearances and participated in television productions and radio shows.

In 2007, he accepted a position of trial counsel for CompSource Oklahoma. Thereafter, Governor Brad Henry appointed him to a six-year term to the Worker's Compensation Court commencing in 2008.

The Honorable William R. Foster, Jr.

Judge Foster graduated from Arkansas State University in 1989 with a Bachelor of Arts in Political Science. In 1992 Judge Foster received his Juris Doctorate from the University of Arkansas. Upon graduation from law school Judge Foster entered private practice in Nashville, Tennessee with the law office of Lionel R. Barrett.

Judge Foster is currently admitted to practice law in Oklahoma, Tennessee and Pennsylvania. From 1993 to 1999 he worked as an attorney for the Oklahoma Indigent Defense System. Following this, and prior to his appointment as a judge to the Workers' Compensation Court, Judge Foster clerked for the Honorable Charles S. Chapel at the Court of Criminal Appeals.

The Honorable Judge Eric W. Quandt

Judge Quandt received his Bachelor of Arts degree from the University of Wisconsin, Madison in 1985. In 1988 he received his Juris Doctorate from the University of Tulsa College of Law.

He is a member of the Oklahoma Bar Association and the Tulsa County Bar Association. Prior to his appointment to the Court, he was in private practice for 20 years, 17 years as a sole practitioner.

In July 2008, Judge Quandt was appointed to the Workers' Compensation Court by Governor Brad Henry.

The Honorable Richard L. Blanchard

Judge Blanchard received his Bachelor of Arts degree from the University of Tulsa in 1972. In 1976, he received his Juris Doctorate from the University of Tulsa College of Law, and joined Farmer, Woolsey, Tips & Gibson law firm. In 1980, he became the City Attorney for Bixby, Oklahoma. After moving to Illinois, Judge Blanchard was elected to the Board of Trustees for the City of Frankfort, Illinois. Returning to Oklahoma in 1991, he was a solo practitioner until 1994, when he joined the law firm of Richards, Paul & Richards.

In July 1996, Judge Blanchard was first appointed to the Court by Governor Frank Keating. In July 2002, Judge Blanchard was appointed by Governor Frank Keating to a second six-year term and served as Presiding Judge of the Court from 2003 through 2004. His term with the Court ended in July 2008.

The Honorable Ellen C. Edwards

Judge Edwards received her Bachelor of Arts degree from Colorado College in 1981. She received her Juris Doctorate from the University of Oklahoma College of Law in 1985. Prior to her appointment to the Court, Judge Edwards was a trial lawyer with the U.S. Department of Justice, served as an Assistant General Counsel at the Oklahoma Insurance Department, and was associated with the firm of Feldman, Franden, Woodard, Farris & Taylor.

In July 1996, Judge Edwards was first appointed to the Court by Governor Frank Keating. In July 2002, Judge Edwards was appointed by Governor Frank Keating to a second six-year term. Her term with the Court ended in July 2008.

The Honorable Kenton W. Fulton

Judge Fulton received his Bachelor of Arts degree from the University of Maryland in 1982, and is a 1985 graduate of the University of South Carolina School of Law.

He was in private practice for five years with the Tulsa law firm of Boesche, McDermott & Eskridge. He has also served as a Trial Attorney with the General Litigation Section of the Environment and Natural Resources Division of the United States Department of Justice in Washington, D.C. Immediately prior to his appointment to the Court in July 1996, Judge Fulton was in-house counsel for Transok, Inc., a natural gas pipeline company. His term with the Court ended in May 2008.

Section I - Overview

Table 1
Rate of Claims Filed Per 100 Employed: 1989 - 2008

Year	Employer's First Notice of Injury (Form 2) Filings ¹	Claimant Filings ²	State Employment Levels ³	Rate of Claims Filed Per 100 Workers ⁴
1989	97,912	20,311	1,163,800	1.75
1990	122,988	23,530	1,195,922	1.97
1991	94,195	24,654	1,211,000	2.04
1992	84,259	24,748	1,221,700	2.03
1993	84,757	25,863	1,199,600	2.15
1994	92,594	27,959	1,234,400	2.26
1995	100,363	25,817	1,272,500	2.03
1996	92,937	24,167	1,309,700	1.84
1997	88,892	21,959	1,347,800	1.63
1998	84,756	20,832	1,396,300	1.49
1999	83,289	19,999	1,416,500	1.41
2000	82,920	19,086	1,437,000	1.33
2001	75,462	19,553	1,463,200	1.34
2002	67,190	18,474	1,434,905	1.28
2003	61,452	17,390	1,405,900	1.24
2004	58,065	16,933	1,424,300	1.19
2005	55,844	15,670	1,464,500	1.07
2006	54,237	14,853	1,507,100	0.99
2007	51,197	14,888	1,521,100	0.97
2008	52,477	15,364	1,550,300	0.99

¹ Reflects the number of Form 2 (Employer's First Notice of Injury) filings made by an employer when there is a work-related injury which results in the loss of time beyond the shift or which requires medical attention away from the work site, fatal or otherwise, received by the employer's employees. Form 2s filed with the Court are confidential and not subject to public disclosure except as authorized by law.

² Beginning in 2005, reflects claims for compensation filed by a worker (Form 3, 3A, 3B). Death filings are included in the count. Prior to 2005, claimant filings also included claims for compensation filed by a medical or rehabilitation provider (2/19 claims) when there is a notice of injury filed by the employer (Form 2) but no claim for compensation filed by the worker (Form 3, 3A, 3B). Separate counting of 2/19 claims began in 1990. 2/19 claims data for 1990 through 2007 follows: 1990=1; 1991=2; 1992=1; 1993=12; 1994=22; 1995=45; 1996=96; 1997=51; 1998=27; 1999=38; 2000=33; 2001=88; 2002=151; 2003=172; 2004=196; 2005=61; 2006=58, 2007=79 and 2008=56.

³ State Employment Data is provided by the Oklahoma Employment Security Commission, Labor Market Information Unit, reporting Statewide Non-farm Payroll. Federal Government employees have been excluded since 1993.

⁴ Represents the number of injuries and illnesses per 100 workers, calculated as $(C/EL \times 100)$ where C = number of injuries and illnesses reflected by claimant filings and EL = state employment level.

Table 2
Filings Compared to Employment by County of Injury
2008

County	Average Annual Employment ¹	Percent of Employment	All Filings		Percent of Employment Making Filing ³	Number of Death Filings ⁴
			Count ²	Percent		
Adair	10,376	0.62%	48	0.31%	0.46%	0
Alfalfa	2,423	0.14%	15	0.09%	0.62%	0
Atoka	5,777	0.34%	60	0.39%	1.04%	0
Beaver	3,139	0.19%	19	0.12%	0.61%	0
Beckham	12,183	0.72%	132	0.86%	1.08%	3
Blaine	4,849	0.29%	34	0.22%	0.70%	1
Bryan	19,998	1.19%	120	0.78%	0.60%	1
Caddo	11,987	0.71%	78	0.51%	0.65%	0
Canadian	49,715	2.96%	181	1.17%	0.36%	1
Carter	26,088	1.55%	341	2.21%	1.31%	2
Cherokee	22,118	1.32%	82	0.53%	0.37%	0
Choctaw	6,630	0.39%	37	0.24%	0.56%	0
Cimarron	1,208	0.07%	11	0.07%	0.91%	0
Cleveland	114,977	6.84%	530	3.44%	0.46%	3
Coal	2,373	0.14%	21	0.14%	0.88%	0
Comanche	44,193	2.63%	440	2.85%	1.00%	4
Cotton	3,966	0.24%	13	0.08%	0.33%	0
Craig	7,165	0.43%	72	0.47%	1.00%	0
Creek	29,594	1.76%	186	1.20%	0.63%	3
Custer	14,531	0.86%	104	0.67%	0.72%	0
Delaware	18,134	1.08%	74	0.48%	0.41%	1
Dewey	2,569	0.15%	29	0.19%	1.13%	1
Ellis	2,489	0.15%	19	0.12%	0.76%	1
Garfield	30,838	1.83%	291	1.89%	0.94%	0
Garvin	14,421	0.86%	141	0.91%	0.98%	0
Grady	22,055	1.31%	137	0.89%	0.62%	4
Grant	2,538	0.15%	12	0.08%	0.47%	0

Table 2 (continued)

County	Average Annual Employment ¹	Percent of Employment	All Filings		Percent of Employment Making Filing ³	Number of Death Filings ⁴
			Count ²	Percent		
Greer	19,58	0.12%	22	0.14%	1.12%	0
Harmon	1,294	0.08%	14	0.09%	1.08%	1
Harper	2,003	0.12%	16	0.10%	0.80%	0
Haskell	5,787	0.34%	36	0.23%	0.62%	0
Hughes	4,764	0.28%	59	0.38%	1.24%	2
Jackson	12,154	0.72%	76	0.49%	0.63%	1
Jefferson	2,296	0.14%	22	0.14%	0.96%	0
Johnston	5,003	0.30%	36	0.23%	0.72%	1
Kay	23,187	1.38%	305	1.98%	1.32%	3
Kingfisher	8,453	0.50%	54	0.35%	0.64%	1
Kiowa	3,900	0.23%	27	0.18%	0.54%	1
Latimer	4,533	0.27%	50	0.32%	1.10%	0
LeFlore	20,004	1.19%	96	0.62%	0.48%	5
Lincoln	13,500	0.80%	91	0.59%	0.67%	0
Logan	16,553	0.98%	73	0.47%	0.44%	2
Love	5,211	0.31%	31	0.20%	0.59%	1
McClain	4,185	0.25%	100	0.65%	2.39%	1
McCurtain	6,381	0.38%	125	0.81%	1.96%	3
McIntosh	17,781	1.06%	59	0.38%	0.33%	0
Major	14,360	0.85%	35	0.23%	0.24%	1
Marshall	13,268	0.79%	49	0.32%	0.37%	1
Mayes	8,251	0.49%	189	1.23%	2.29%	0
Murray	8,321	0.49%	47	0.30%	0.56%	0
Muskogee	28,643	1.70%	263	1.71%	0.92%	0
Noble	5,618	0.33%	52	0.34%	0.93%	0
Nowata	4,826	0.29%	17	0.11%	0.35%	0
Okfuskee	4,418	0.26%	24	0.16%	0.54%	1
Oklahoma	313,128	18.62%	3,603	23.37%	1.15%	13
Okmulgee	15,162	0.90%	113	0.73%	0.75%	2
Osage	19,290	1.15%	71	0.46%	0.37%	1
Ottawa	17,069	1.01%	111	0.72%	0.65%	0

Table 2 (continued)

County	Average Annual Employment ¹	Percent of Employment	All Filings		Percent of Employment Making Filing ³	Number of Death Filings ⁴
			Count ²	Percent		
Pawnee	7,036	0.42%	33	0.21%	0.47%	1
Payne	34,359	2.04%	231	1.45%	0.67%	2
Pittsburg	23,306	1.39%	193	1.25%	0.83%	2
Pontotoc	19,701	1.17%	149	0.97%	0.76%	0
Pottawatomie	31,916	1.90%	284	1.84%	0.89%	4
Pushmataha	5,069	0.30%	37	0.24%	0.73%	1
Roger Mills	1,908	0.11%	23	0.15%	1.21%	0
Rogers	38,314	2.28%	223	1.45%	0.58%	2
Seminole	10,558	0.63%	93	0.60%	0.88%	1
Sequoyah	16,873	1.00%	67	0.43%	0.40%	0
Stephens	21,576	1.28%	188	1.22%	0.87%	3
Texas	9,439	0.56%	112	0.73%	1.19%	1
Tillman	3,395	0.20%	21	0.14%	0.62%	0
Tulsa	280,097	16.65%	3,188	20.67%	1.14%	8
Wagoner	31,294	1.86%	73	0.47%	0.23%	2
Washington	26,768	1.59%	143	0.93%	0.53%	1
Washita	6,011	0.36%	34	0.22%	0.57%	2
Woods	4,218	0.25%	44	0.29%	1.04%	2
Woodward	12,421	0.74%	110	0.71%	0.89%	2
Out of State ⁵			483	3.13%		13
Other ⁶			598	3.88%		7
TOTALS	1,681,888	100.0%	15,420	100.0%	100.0%	120

¹ Source: Oklahoma Employment Security Commission Economic Research and Analysis Division, Labor Force Data. Includes agricultural and federal employment.

² Death filings are included in the count of all filings.

³ Represents the percentage of filings made per county of injury, calculated as C/EL where C = count of all filings for the county and EL = county employment level.

⁴ Subset of all filings.

⁵ "Out of state" includes injuries, illnesses and deaths occurring out of state or overseas.

⁶ "Other" includes place unknown and missing data.

Table 3
Filings by Month of Accident
2008

Month	All Filings¹	% of Filings	Death Filings
January	1,374	8.91%	8
February	1,161	7.53%	4
March	1,308	8.48%	6
April	1,290	8.37%	9
May	1,340	8.69%	14
June	1,252	8.12%	12
July	1,357	8.80%	9
August	1,408	9.13%	15
September	1,274	8.26%	14
October	1,338	8.68%	11
November	1,140	7.39%	10
December	1,178	7.64%	8
TOTALS	15,420	100.0%	120

¹ Death filings are included in the count of all filings.

Table 4
Filings by Day of Week of Accident
2008

Day of Week	All Filings¹	% of Filings	Death Filings
Monday	2,722	17.65%	22
Tuesday	2,649	17.18%	21
Wednesday	2,614	16.95%	19
Thursday	2,670	17.32%	23
Friday	2,558	16.59%	13
Saturday	1,222	7.92%	13
Sunday	985	6.39%	9
TOTALS	15,420	100.0%	120

¹ Death filings are included in the count of all filings.

Table 5
Filings by Average Weekly Wage of Injured Worker
2008

Amount of Weekly Wages	All Filings ¹	Percent	Death Filings
Under \$150	131	0.8%	0
\$150 - \$199	138	0.9%	0
\$200 - \$249	323	2.1%	1
\$250 - \$299	537	3.5%	3
\$300 - \$349	908	5.9%	2
\$350 - \$399	907	5.9%	4
\$400 - \$449	1,150	7.5%	3
\$450 - \$499	913	5.9%	4
\$500 - \$549	968	6.3%	5
\$550 - \$599	691	4.5%	1
\$600 - \$649	861	5.6%	3
\$650 - \$699	497	3.2%	3
\$700 - \$749	527	3.4%	4
\$750 - \$799	415	2.7%	5
\$800 - \$849	441	2.9%	4
\$850 - \$899	277	1.8%	2
\$900 - \$949	288	1.9%	4
\$950 - \$999	190	1.2%	2
\$1,000 - \$1,999	1,222	7.9%	20
\$2,000 - \$2,999	74	0.5%	1
\$3,000 - \$3,999	8	0.1%	0
\$4,000 - \$4,999	2	0.0%	0
\$5,000 or more	5	0.0%	0
Unknown	3,947	25.6%	49
TOTALS	15,420	100.0%	120

¹ Death filings are included in the count of all filings.

Section II - Filings by Part of Body Injured

Table 6
Distribution of Filings by Part of Body Injured
2008

Body Part	Count¹	Percent	Death Filings
Abdomen	119	0.77%	0
Ankle	312	2.02%	0
Arm(s)	667	4.33%	0
Back	3,118	20.22%	6
Body Systems	26	0.17%	6
Brain	17	0.11%	1
Chest	72	0.47%	1
Circulatory System	45	0.29%	17
Digestive System	6	0.04%	0
Ear, inner	174	1.13%	0
Ear, outer	13	0.08%	0
Ear, unspecified	2	0.01%	0
Elbow	214	1.39%	0
Excretory System	14	0.09%	1
Eye(s)	113	0.73%	0
Face	100	0.64%	1
Feet	605	3.92%	0
Finger(s)	782	5.07%	0
Forearm	24	0.16%	0
Hand	1,817	11.78%	0
Head	573	3.72%	27
Hips	266	1.72%	1
Jaw	15	0.10%	0
Knee	1,556	10.09%	1
Leg(s)	709	4.60%	3
Lower Body	8	0.05%	0
Mouth	35	0.22%	0
Multiple Parts	61	0.40%	30
Muscular/Skeletal System	4	0.03%	0
Neck	1,078	6.99%	3
Nervous System	31	0.20%	5
Nose	26	0.17%	0
Other Systems	1	0.01%	0
Respiratory System	226	1.47%	13
Scalp	1	0.01%	0
Shoulder(s)	2,071	13.43%	0
Side	22	0.14%	0
Skull	3	0.02%	0
Thigh	8	0.05%	0
Toe(s)	38	0.25%	0
Trunk	7	0.05%	1
Upper Extremities	14	0.09%	0
Wrist	420	2.72%	0
Nonclassifiable	2	0.01%	1
Body Parts Unspecified	5	0.03%	2
TOTALS	15,420	100.0%	120

¹ Death filings are included in the count of all filings.

Section III - Filings by Cause of Injury

Table 7
Rank-Order Distribution of Filings by Injury Cause and Gender
2008

Injury Cause	All Filings ¹		Gender ²		Female	
	Count	Percent ³	Count	Percent ⁴	Count	Percent ⁵
Fall, Slip Or Trip Injury	3,862	25.1%	2,269	22.78%	1,593	29.2%
Repetitive Motion	2,045	13.3%	946	9.50%	1,099	20.1%
Struck Or Injured By	1,791	12.0%	1,251	12.56%	540	9.9%
Strain Or Injury By	1,738	11.3%	1,156	11.61%	582	10.7%
Caught In, Under or Between	1,638	11.0%	1,261	12.66%	377	7.0%
Cut, Puncture, Scrape	1,519	10.0%	1,008	10.12%	511	9.4%
Motor Vehicle	750	5.0%	551	5.53%	198	4.0%
Burn or Scald - Heat Or Cold Exposures	371	2.4%	293	2.94%	78	1.4%
Striking Against Or Stepping On	203	1.3%	148	1.50%	55	1.0%
Miscellaneous Not Otherwise Classified	1,503	10.0%	1,076	10.80%	427	8.0%
TOTALS	15,420	100.0%	9,959	100.0%	5,460	100.0%

¹ Death filings are included in the count of all filings.

² One (1) filing did not indicate the gender of the injured worker.

³ Represents the percentage of total filings by injury cause.

⁴ Represents the percentage of male gender filings by injury cause.

⁵ Represents the percentage of female gender filings by injury cause.

Table 8
Filings by Injury Cause and Gender (Detail)
2008

Injury Cause	All Filings ¹		Gender ²			
	Count	Percent ³	Count	Percent ⁴	Male	Female
BURN OR SCALD—HEAT OR COLD EXPOSURES	371	2.4%	293	2.9%	78	1.4%
Chemicals	116	0.8%	90	0.9%	26	0.5%
Contact, Hot Object or Substances	97	0.6%	71	0.7%	26	0.5%
Cold Objects or Substances	0	0.0%	0	0.0%	0	0.0%
Temperature Extremes	17	0.1%	15	0.2%	2	0.0%
Fire or Flame	17	0.1%	16	0.2%	1	0.0%
Steam or Hot Fluids	1	0.0%	1	0.0%	0	0.0%
Dust, Gases, Fumes	53	0.3%	41	0.4%	12	0.2%
Welding Operations	20	0.1%	19	0.2%	1	0.0%
Radiation	3	0.0%	3	0.0%	0	0.0%
Abnormal Air Pressure	3	0.0%	3	0.0%	0	0.0%
Electrical Current	35	0.2%	32	0.3%	3	0.0%
Contact With NOC	9	0.0%	2	0.0%	7	0.1%
CAUGHT IN, UNDER OR BETWEEN Machinery	1,638	10.6%	1,261	12.7%	377	7.0%
Object Handled	126	0.8%	105	1.1%	21	0.4%
Collapsing Materials	698	4.5%	502	5.0%	196	4.0%
Caught In/Between NOC	2	0.0%	2	0.0%	0	0.0%
	812	5.3%	652	6.5%	160	1.6%
CUT, PUNCTURE, SCRAPE	1,519	9.6%	1,008	10.1%	511	9.4%
Cut/Scrape by Broken Glass	13	0.0%	6	0.0%	7	0.1%
Hand Tool, Not Powered	103	0.7%	95	1.0%	8	0.2%
Object Being Lifted or Handled	1,354	8.8%	868	9.0%	486	8.9%
Powered Hand Tool	13	0.0%	11	0.1%	2	0.0%
Cut/Puncture/Scrape NOC	36	0.2%	28	0.3%	8	0.2%
FALL, SLIP OR TRIP INJURY	3,862	25.0%	2,269	22.8%	1,593	16.0%
Fall/Slip—Different Level	744	4.8%	613	6.2%	131	1.3%
Fall/Slip—From Ladder, Scaffold	358	2.3%	311	3.1%	47	0.9%
Fall/Slip—From Liquid or Grease spills	391	2.5%	119	1.2%	272	5.0%
Fall/Slip—Into Opening	107	0.7%	79	0.8%	28	0.5%
Fall/Slip—On Same Level	2	0.0%	1	0.0%	1	0.0%
Slipped, Did Not Fall	4	0.0%	3	0.0%	1	0.0%
Fall/Slip—On Ice or Snow	288	1.9%	168	1.7%	120	2.2%
Fall/Slip—On Stairs	236	1.5%	110	1.1%	126	2.3%
Fall/Slip/Trip NOC	1,732	11.2%	865	8.7%	867	16.0%

Table 8 (continued)
Filings by Injury Cause and Gender (Detail)
2008

Injury Cause	All Filings ¹		Gender ²			
	Count	Percent ³	Count	Percent ⁴	Male	Female
MOTOR VEHICLE	750	4.9%	551	6.0%	198	3.6%
Crash of Water Vehicle	2	0.0%	2	0.0%	0	0.0%
Crash of Rail Vehicle	0	0.0%	0	0.0%	0	0.0%
Motor Vehicle/Collision	633	4.1%	445	5.0%	187	3.4%
Fixed Object/Collision	0	0.0%	0	0.0%	0	0.0%
Airplane Crash	3	0.0%	3	0.0%	0	0.0%
Vehicle Upset	110	0.7%	100	1.0%	10	0.2%
Motor Vehicle NOC	2	0.0%	1	0.0%	1	0.0%
STRAIN OR INJURY BY	1,738	11.3%	1,156	11.6%	582	11.0%
Continual Noise	168	1.1%	150	2.0%	18	0.3%
Twisting	350	22.7%	221	2.2%	129	2.4%
Jumping	49	0.3%	46	4.0%	3	0.0%
Holding or Carrying	0	0.0%	0	0.0%	0	0.0%
Lifting	564	3.7%	350	4.0%	214	4.0%
Pushing or Pulling	545	4.0%	358	4.0%	187	3.4%
Reaching	52	0.3%	25	0.3%	27	0.5%
Using Tool or Machine	6	0.0%	3	0.0%	3	0.0%
Welding/Throwing	3	0.0%	3	0.0%	0	0.0%
Repetitive Motion	1	0.0%	0	0.0%	1	0.0%
Strain/Injury NOC	0	0.0%	0	0.0%	0	0.0%
STRIKING AGAINST OR STEPPING ON	203	1.3%	148	1.5%	55	1.0%
Striking/Stepping on Moving Parts	7	0.0%	7	0.0%	0	0.0%
Lifted/Handled Object	16	0.1%	7	0.0%	9	0.2%
Sand, Scrape, Clean OPR	1	0.0%	1	0.0%	0	0.0%
Stationary Object	0	0.0%	0	0.0%	0	0.0%
Step on Sharp Object	4	0.0%	4	0.0%	0	0.0%
Strike Against/Step on NOC	175	1.1%	129	1.3%	46	0.8%
STRUCK OR INJURED BY	1,791	11.6%	1,251	13.0%	540	9.9%
Person (Not in Act of Crime)	227	1.5%	60	0.6%	167	3.1%
Struck/Injured by Falling Object	524	3.4%	398	4.0%	126	2.3%
Hand Tool/Machine In Use	138	0.9%	126	1.3%	12	0.2%
Motor Vehicle	130	0.8%	99	1.0%	31	0.6%
Machine Moving Parts	22	0.1%	18	0.2%	4	0.0%
Lifted or Handled Obj	132	0.9%	72	0.7%	60	1.1%
Object Handled by Others	16	0.1%	11	0.1%	5	0.0%
Animal or Insect	92	0.6%	55	0.6%	37	0.7%
Explosion/Flare Back	44	0.3%	41	0.4%	3	0.0%
Struck/Injured by NOC	466	3.0%	371	4.0%	95	1.7%

Table 8 (continued)
Filings by Injury Cause and Gender (Detail)
2008

Injury Cause	All Filings ¹		Gender ²			
	Count	Percent ³	Count	Percent ⁴	Count	Percent ⁵
REPETITIVE MOTION	2,044	13.3%	946	9.5%	1,098	20.1%
MISCELLANEOUS CAUSES	1,503	9.7%	1,076	10.8%	427	7.8%
Absorption/Ingestion/Inhalation NOC	45	0.3%	29	0.3%	16	0.3%
Foreign Body in Eye	58	0.4%	54	0.5%	4	0.0%
Person (Criminal Act)	134	0.9%	95	1.0%	39	0.7%
Other than Physical	0	0.0%	0	0.0%	0	0.0%
Cumulative (All Others)	0	0.0%	0	0.0%	0	0.0%
Other Misc. Causes	1,266	8.2%	898	9.0%	368	6.7%
TOTALS	15,420	100.0%	9,959	100.0%	5,460	100.0%

¹ Death filings are included in the count of all filings.

² One (1) filing did not indicate the gender of the injured worker.

³ Represents the percentage of total filings by major and minor injury cause.

⁴ Represents the percentage of male gender filings by major and minor injury cause.

⁵ Represents the percentage of female gender filings by major and minor injury cause.

**Section IV - North American Industry
Classification System (NAICS)**

Table 9
NAICS Sectors Compared to Non-Farm Employment: 2004 - 2008

Average Annual Employment: 2004-2008¹

NAICS Sectors²	2004	2005	2006	2007	2008
Mining	30,900	36,000	42,100	46,500	51,800
Utilities	10,600	9,500	9,900	10,400	10,800
Construction	62,200	65,500	70,400	71,300	75,600
Manufacturing	141,800	144,700	149,100	150,200	150,700
Wholesale Trade	54,200	56,500	58,700	59,700	59,900
Retail Trade	168,500	169,700	170,800	171,100	173,100
Transportation & Warehousing	42,400	43,200	44,900	47,700	45,800
Information	31,100	30,100	29,800	28,800	28,900
Finance & Insurance	61,200	60,100	59,700	59,700	59,500
Real Estate, Rental & Leasing	23,200	23,900	24,400	24,100	23,600
Professional, Scientific & Technical Services	57,200	59,300	60,800	62,900	64,600
Management of Companies & Enterprises	12,400	12,400	12,600	13,200	13,700
Administrative, Support, Waste Management & Remediation Services	91,700	98,600	101,700	104,800	106,500
Educational Services	17,900	17,800	18,800	18,900	19,500
Health Care & Social Assistance	161,000	164,700	168,800	173,700	178,700
Arts, Entertainment & Recreation	13,700	14,300	15,700	17,300	18,800
Accommodation & Food Services	115,100	118,500	121,000	122,600	125,200
Other Services (except Public Administration)	73,800	74,200	74,500	62,900	63,500
Public Administration	255,400	265,500	273,400	275,300	280,100
TOTALS	1,424,300	1,464,500	1,507,100	1,521,100	1,550,300

¹ Source: Oklahoma Employment Security Commission, Labor Market Unit, "CES Data." Excludes agricultural and federal employment. Figures are rounded.

² Source: Office of Management and Budget, *North American Industry Classification System, United States, 2007*.

Table 10
Filings by NAICS Sectors
2008

NAICS Sectors¹	All Filings²
<u>Agriculture, Forestry, Fishing & Hunting</u>	173
<u>Mining</u>	790
<u>Utilities</u>	124
<u>Construction</u>	1,239
<u>Manufacturing</u>	2,266
<u>Wholesale Trade</u>	467
<u>Retail Trade</u>	1,439
<u>Transportation & Warehousing</u>	841
<u>Information</u>	160
<u>Finance & Insurance</u>	119
<u>Real Estate, Rental & Leasing</u>	174
<u>Professional, Scientific & Technical Services</u>	218
<u>Management of Companies & Enterprises</u>	15
<u>Administrative, Support, Waste Management & Remediation Services</u>	1,023
<u>Educational Services</u>	122
<u>Health Care & Social Assistance</u>	1,328
<u>Arts, Entertainment & Recreation</u>	152
<u>Accommodation & Food Services</u>	644
<u>Other Services (except Public Administration)</u>	354
<u>Public Administration</u>	2,125
<u>Nonclassifiable and invalid codes</u>	1,647
TOTALS	15,420

¹ Source: Office of Management and Budget, *North American Industry Classification System, United States, 2007*.

² Death filings are included in the count of all filings.

Table 11
Percent Distribution of Filings by NAICS Subsectors
2008

NAICS Subsectors ¹	All Filings ²	Percent
AGRICULTURE, FORESTRY, FISHING HUNTING		
Crop Production	29	0.2
Animal Production	57	0.4
Forestry & logging	50	0.3
Fishing, Hunting & Trapping	27	0.2
Support Activities for Agriculture & Forestry	10	0.1
Subtotal	173	1.1
MINING		
Oil & Gas Extraction	146	0.9
Mining (except Oil & Gas)	35	0.2
Support Activities for Mining	609	3.9
Subtotal	790	5.1
UTILITIES		
Utilities	138	0.9
Subtotal	138	0.9
CONSTRUCTION		
Construction of Buildings	237	1.5
Heavy & Civil Engineering Construction	160	1.0
Specialty Trade Contractors	842	5.5
Subtotal	1,239	8.0
MANUFACTURING		
Food Manufacturing	284	1.8
Beverage & Tobacco Product	67	0.4
Textile Mills	3	0.0
Textile Product Mills	12	0.1
Apparel Manufacturing	17	0.1
Leather & Allied Product Manufacturing	7	0.0
Wood Product Manufacturing	59	0.4
Paper Manufacturing	46	0.3
Printing & Related Support Activities	22	0.1
Petroleum & Coal Products Manufacturing	36	0.2
Chemical Manufacturing	42	0.3

Table 11 (continued)

NAICS Subsectors¹	All Filings²	Percent
Plastics & Rubber Products Manufacturing	253	1.6
Nonmetallic Mineral Product Manufacturing	166	1.1
Primary Metal Manufacturing	96	0.6
Fabricated Metal Product Manufacturing	370	2.4
Machinery Manufacturing	363	2.4
Computer & Electronic Product Manufacturing	44	0.3
Electrical Equipment, Appliance & Component Manufacturing	46	0.3
Transportation Equipment Manufacturing	273	1.8
Furniture & Related Product Manufacturing	23	0.1
Miscellaneous Manufacturing	38	0.2
Subtotal	2,267	14.7
WHOLESALE TRADE		
Merchant Wholesalers, Durable Goods	206	1.3
Merchant Wholesalers, Nondurable Goods	251	1.6
Wholesale Electronic Markets, Agents & Brokers	10	0.1
Subtotal	467	3.0
RETAIL TRADE		
Motor Vehicle & Parts Dealers	182	1.2
Furniture & Home Furnishings Stores	46	0.3
Electronics & Appliance Stores	48	0.3
Building Material, Garden Equipment & Supplies Dealers	154	1.0
Food & Beverage Stores	233	1.5
Health & Personal Care Stores	34	0.2
Gasoline Stations	67	0.4
Clothing & Clothing Accessories Stores	26	0.2
Sporting Goods, Hobby, Book & Music Stores	58	0.4
General Merchandise Stores	498	3.2
Miscellaneous Store Retailers	55	0.4
Nonstore Retailers	38	0.2
Subtotal	1,439	9.3
TRANSPORTATION & WAREHOUSING		
Air Transportation	220	1.4
Rail Transportation	0	0.0
Water Transportation	0	0.0
Truck Transportation	411	2.7
Transit & Ground Passenger Transportation	32	0.2
Pipeline Transportation	8	0.1
Scenic & Sightseeing Transportation	3	0.0
Support Activities for Transportation	72	0.5
Postal Service	1	0.0
Couriers & Messengers	84	0.5
Warehousing & Storage	18	0.1
Subtotal	849	5.5

Table 11 (continued)

NAICS Subsectors ¹	All Filings ²	Percent
INFORMATION		
Publishing Industries (except Internet)	29	0.2
Motion Picture & Sound Recording Industries	5	0.0
Broadcasting (except Internet)	52	0.3
Internet Publishing & Broadcasting	0	0.0
Telecommunications	64	0.4
Internet Service Providers, Web Search Portals & Data Processing Services	10	0.1
Other Information Services	0	0.0
Subtotal	160	1.0
FINANCE & INSURANCE		
Monetary Authorities-Central Bank	4	0.0
Credit Intermediation & Related Activities	43	0.3
Securities, Commodity Contracts, Other Financial Investments & Related Activities	8	0.1
Insurance Carriers & Related Activities	74	0.5
Funds, Trusts & Other Financial Vehicles	0	0.0
Subtotal	129	0.8
REAL ESTATE, RENTAL & LEASING		
Real Estate	133	0.9
Rental & Leasing Services	44	0.3
Lessors of Nonfinancial Intangible Assets (except Copyrighted Works)	0	0.0
Subtotal	177	1.1
PROFESSIONAL, SCIENTIFIC & TECHNICAL SERVICES		
Professional, Scientific & Technical Services	219	1.4
Subtotal	219	1.4
MANAGEMENT OF COMPANIES & ENTERPRISES		
Management of Companies & Enterprises	15	0.1
Subtotal	15	0.1
ADMINISTRATIVE, SUPPORT, WASTE MANAGEMENT & REMEDIATION SERVICES		
Administrative & Support Services	970	6.3
Waste Management & Remediation Services	53	0.3
Subtotal	1,023	7.0
EDUCATIONAL SERVICES		
Educational Services	697	4.5
Subtotal	697	4.5
HEALTH CARE & SOCIAL ASSISTANCE		
Ambulatory Health Care Services	482	3.1
Hospitals	485	3.1
Nursing & Residential Care Facilities	398	2.6
Social Assistance	183	1.2
Subtotal	1,548	10.0

Table 11 (continued)

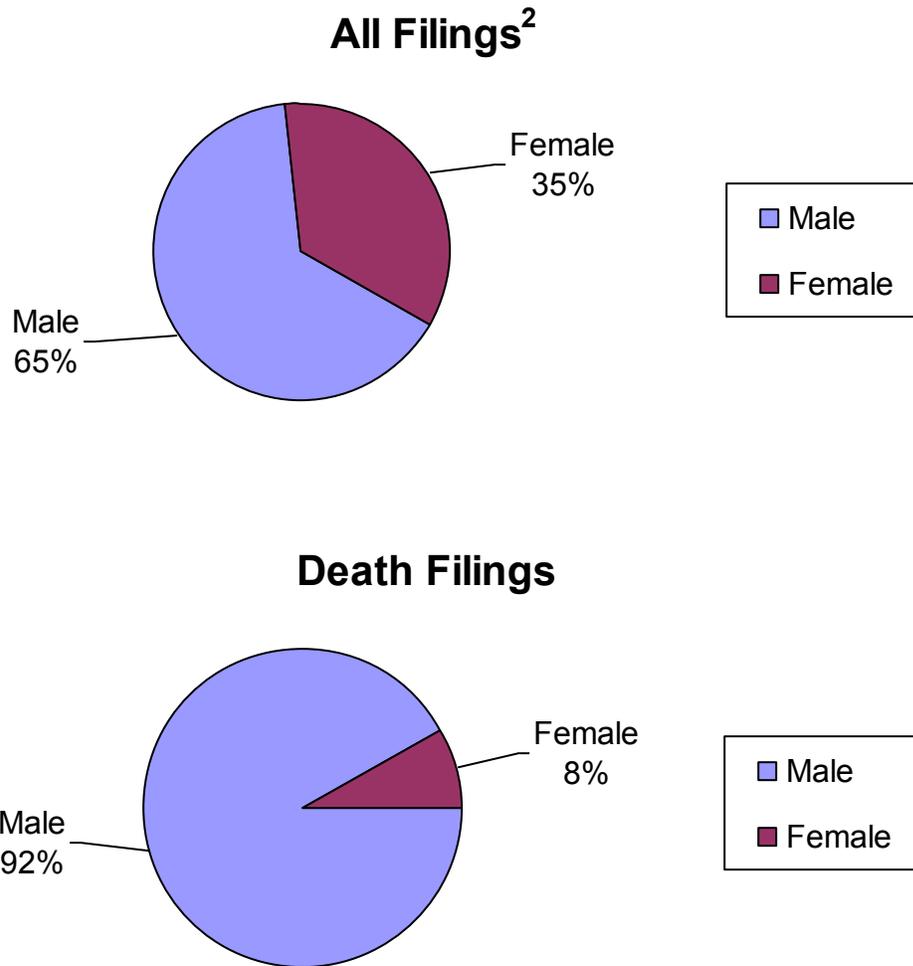
NAICS Subsectors ¹	All Filings ²	Percent
ARTS, ENTERTAINMENT & RECREATION		
Performing Arts, Spectator Sports & Related Industries	28	0.2
Museums, Historical Sites & Similar Institutions	6	0.0
Amusement, Gambling & Recreation Industries	122	0.8
Subtotal	156	1.0
ACCOMMODATION & FOOD SERVICES		
Accommodation	132	0.9
Food Services & Drinking Places	527	3.4
Subtotal	659	4.3
OTHER SERVICES (EXCEPT PUBLIC ADMINISTRATION)		
Repair & Maintenance	170	1.1
Personal & Laundry Services	96	0.6
Religious, Grantmaking, Civic, Professional & Similar Organizations	86	0.6
Private Households	3	0.0
Subtotal	355	2.3
PUBLIC ADMINISTRATION		
Executive, Legislative & Other General Government Support	907	5.9
Justice, Public Order & Safety Activities	261	1.7
Administration of Human Resource Programs	28	0.2
Administration of Environmental	3	0.0
Administration of Housing Programs, Urban Planning & Community Development	12	0.1
Administration of Economic Programs	11	0.1
Space Research & Technology	0	0.0
National Security & International Affairs	0	0.0
Subtotal	1,222	8.0
NONCLASSIFIABLE		
Nonclassifiable and invalid codes	1,698	11.0
Subtotal	1,698	11.0
TOTALS	15,420	100.0%

¹ Source: Office of Management and Budget, *North American Industry Classification System, United States, 2007*.

² Death filings are included in the count of all filings.

Section V - Filings by Gender

Figure 1
Percent Distribution of Filings by Gender¹
2008



¹ One (1) filing did not indicate the gender of the injured worker.

² Death filings are included in the count of all filings.

Table 12
Percent Distribution of Filings by Gender and
NAICS Sectors
2008

NAICS Sectors ²	Gender ¹			
	Male		Female	
	Count	Percent	Count	Percent
Agriculture, Forestry, Fishing & Hunting	143	82.7%	30	17.3%
Mining	759	96.1%	31	3.9%
Utilities	113	91.1%	11	8.9%
Construction	1,195	96.4%	43	3.5%
Manufacturing	1,748	77.1%	518	22.9%
Wholesale Trade	342	73.2%	125	26.8%
Retail Trade	685	47.6%	754	52.4%
Transportation & Warehousing	686	81.6%	155	18.4%
Information	92	57.5%	68	42.5%
Finance & Insurance	36	30.3%	83	69.7%
Real Estate, Rental & Leasing	111	63.8%	63	36.2%
Professional, Scientific & Technical Services	127	58.3%	91	41.7%
Management of Companies & Enterprises	7	46.7%	8	53.3%
Administrative, Support, Waste Management & Remediation Services	747	73.0%	276	27.0%
Educational Services	50	41.0%	72	59.0%
Health Care & Social Assistance	171	12.9%	1,157	87.1%
Arts, Entertainment & Recreation	69	45.4%	83	54.6%
Accommodation & Food Services	244	37.9%	400	62.1%
Other Services (except Public Administration)	238	67.2%	116	32.8%
Public Administration	1,268	60.0%	857	40.3%
Nonclassifiable and invalid codes	1,128	68.5%	519	31.5%
TOTALS	9,959	64.6%	5,460	35.4%

¹ One (1) filing did not indicate the gender of the injured worker.

² Source: Office of Management and Budget, *North American Industry Classification System, United States, 2007*.

Section VI - Filings by Age

Table 13
Percent Distribution of Filings by Age and Gender
2008

Age Group	Gender ¹					
	All Filings ²		Male		Female	
	Count	Percent ³	Count	Percent ⁴	Count	Percent ⁵
15 Years or Less	2	0.0%	2	0.1%	0	0.0%
16 - 17 Years	38	0.2%	20	0.2%	18	0.3%
18 - 19 Years	188	1.2%	136	1.4%	52	1.0%
20 - 24 Years	911	5.9%	661	6.6%	250	4.6%
25 - 34 Years	2,932	19.0%	2,076	20.8%	856	15.7%
35 - 44 Years	4,038	26.2%	2,597	26.1%	1,441	26.4%
45 - 54 Years	4,494	29.1%	2,741	27.5%	1,752	32.1%
55 - 64 Years	2,280	14.8%	1,383	13.9%	897	16.4%
65 Years or More	408	2.6%	253	2.5%	155	2.8%
Unknown	129	0.8%	90	0.9%	39	0.7%
TOTALS	15,420	100.0%	9,959	100.0%	5,460	100.0%

¹ One (1) filing did not indicate the gender of the injured worker.

² Death filings are included in the count of all filings.

³ Represents the percentage of total filings by age.

⁴ Represents the percentage of male gender filings by age.

⁵ Represents the percentage of female gender filings by age.

Table 14
Filings by Age of Worker and NAICS Sectors
2008

NAICS Sectors ¹	Age of Worker										
	15 or less	16-17	18-19	20-24	25-34	35-44	45-54	55-64	65 +	Unk	Total
Agriculture, Forestry, Fishing & Hunting	0	0	3	12	26	35	46	49	2	0	173
Mining	1	0	6	94	208	191	182	95	9	4	790
Utilities	0	0	0	5	13	30	49	26	0	1	124
Construction	0	2	19	102	320	355	302	119	11	9	1,239
Manufacturing	0	2	25	105	419	621	696	341	38	19	2,266
Wholesale Trade	0	0	8	25	106	129	127	56	10	6	467
Retail Trade	2	5	31	106	242	368	397	212	56	22	1,439
Transportation & Warehousing	1	0	3	26	103	245	308	130	23	3	841
Information	0	0	0	4	39	47	47	19	2	2	160
Finance & Insurance	0	0	0	2	27	30	40	17	3	0	119
Real Estate, Rental & Leasing	0	0	1	13	37	43	48	28	3	1	174
Professional, Scientific & Technical Services	0	2	0	12	48	54	47	45	10	0	218
Management of Companies & Enterprises	0	0	0	1	4	5	2	2	1	0	15
Administrative, Support, Waste Management & Remediation Services	0	2	25	84	249	260	277	89	28	9	1,023
Educational Services	0	0	1	3	12	24	36	41	4	1	122
Health Care & Social Assistance	0	1	13	72	216	343	394	233	51	5	1,328
Arts, Entertainment & Recreation	0	2	2	15	22	30	48	23	9	1	152
Accommodation & Food Services	0	18	26	51	145	179	166	37	15	7	644
Other Services (except Public Administration)	0	0	4	15	67	94	97	57	16	4	354
Public Administration	0	2	4	58	283	521	736	436	71	14	2,125
Nonclassifiable and invalid codes	1	2	17	106	346	434	449	225	46	21	1,647
TOTALS	7	38	188	911	2,932	4,038	4,494	2,280	408	129	15,420

¹ Source: Office of Management and Budget, *North American Industry Classification System, United States, 2007*.

Section VII - Death Filings

Table 15
Distribution of Death Filings by NAICS Sectors
2008

NAICS Sectors ¹	Count
Agriculture, Forestry, Fishing & Hunting	2
Mining	21
Utilities	1
Construction	14
Manufacturing	10
Wholesale Trade	3
Retail Trade	1
Transportation & Warehousing	9
Information	0
Finance & Insurance	0
Real Estate, Rental & Leasing	3
Professional, Scientific & Technical Services	4
Management of Companies & Enterprises	0
Administrative, Support, Waste Management & Remediation Services	8
Educational Services	0
Health Care & Social Assistance	1
Arts, Entertainment & Recreation	0
Accommodation & Food Services	3
Other Services (except Public Administration)	2
Public Administration	11
Nonclassifiable and invalid codes	27
TOTALS	120

¹ Source: Office of Management and Budget, *North American Industry Classification System, United States, 2007*.

Table 16
Percent Distribution of Death Filings by Part of Body Injured
2008

Body Part	Count	Percent
Back	6	5.0%
Body Parts, unspecified	2	1.7%
Body System	6	5.0%
Brain	1	0.8%
Chest	1	0.8%
Circulatory System	17	14.2%
Excretory System	1	0.8%
Face	1	0.8%
Head	27	22.5%
Hip	1	0.8%
Knee	1	0.8%
Legs	3	2.4%
Multiple Parts	30	25.0%
Neck	3	2.5%
Nervous System	5	4.2%
Non-Classifiable	1	0.8%
Respiratory System	13	10.8%
Trunk	1	0.8%
TOTALS	120	100.0%

Table 17
Percent Distribution of Death Filings by Gender and
NAICS Sectors
2008

NAICS Sectors ¹	Gender			
	Male		Female	
	Count	Percent	Count	Percent
Agriculture, Forestry, Fishing & Hunting	2	1.6%	0	0.0%
Mining	21	17.5%	0	0.0%
Utilities	1	0.8%	0	0.0%
Construction	14	11.6%	0	0.0%
Manufacturing	10	8.3%	0	0.0%
Wholesale Trade	3	2.5%	0	0.0%
Retail Trade	1	0.8%	0	0.0%
Transportation & Warehousing	9	7.5%	0	0.0%
Information	0	0.0%	0	0.0%
Finance & Insurance	0	0.0%	0	0.0%
Real Estate, Rental & Leasing	3	2.5%	0	0.0%
Professional, Scientific & Technical Services	2	1.6%	2	1.6%
Management of Companies & Enterprises	0	0.0%	0	0.0%
Administrative, Support, Waste Management & Remediation Services	7	5.8%	1	0.8%
Educational Services	0	0.0%	0	0.0%
Health Care & Social Assistance	0	0.0%	1	0.8%
Arts, Entertainment & Recreation	0	0.0%	0	0.0%
Accommodation & Food Services	1	0.8%	2	1.6%
Other Services (except Public Administration)	2	1.6%	0	0.0%
Public Administration	9	7.5%	2	1.6%
Nonclassifiable and invalid codes	25	20.8%	2	1.6%
TOTALS	110	91.7%	10	8.3%

¹ Source: Office of Management and Budget, *North American Industry Classification System, United States, 2008*.

Table 18
Percent Distribution of Death Filings by Age
2008

Gender

Age Group	Totals		Male		Female	
	Count	Percent ¹	Count	Percent ²	Count	Percent ³
15 Years or Less	0	0.0%	0	0.0%	0	0.0%
16 - 17 Years	0	0.0%	0	0.0%	0	0.0%
18 - 19 Years	0	0.0%	0	0.0%	0	0.0%
20 - 24 Years	5	4.2%	5	4.5%	0	0.0%
25 - 34 Years	37	30.8%	31	28.2%	6	60.0%
35 - 44 Years	18	15.0%	17	15.5%	1	10.0%
45 - 54 Years	32	26.6%	30	27.3%	2	20.0%
55 - 64 Years	19	15.8%	19	17.3%	0	0.0%
65 Years or More	8	6.6%	7	6.4%	1	10.0%
Unknown	1	0.8%	1	0.9%	0	0.0%
TOTALS	120	100.0%	110	100.0%	10	100.0%

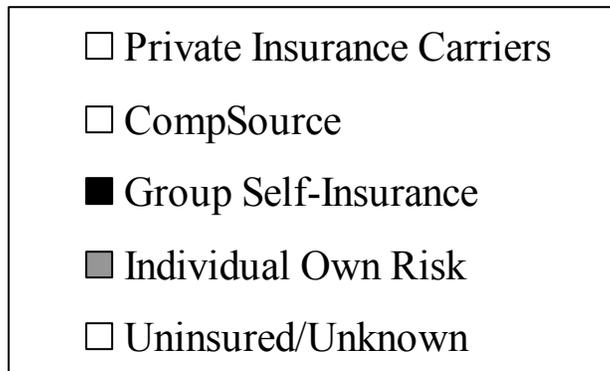
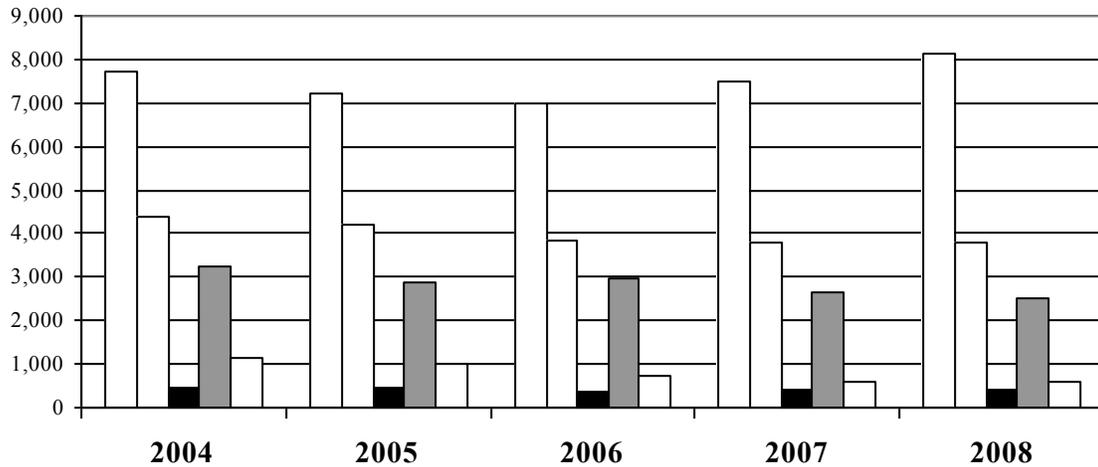
¹ Represents the percentage of total filings by age.

² Represents the percentage of male gender filings by age.

³ Represents the percentage of female gender filings by age.

Section VIII - Type of Coverage

Chart 1
Distribution of Filings by Type of Coverage
2004 - 2008

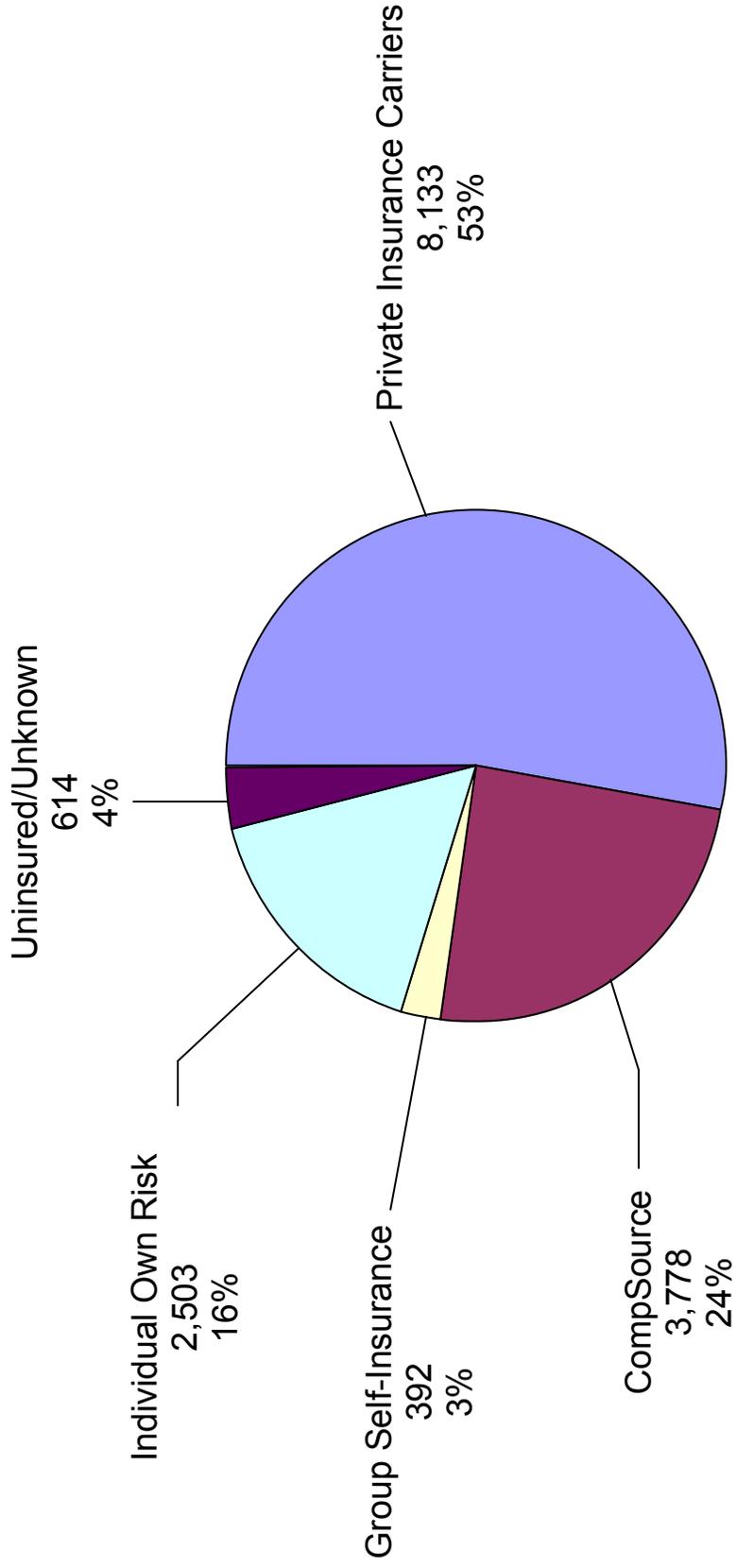


Filings By Year

	2004		2005		2006		2007		2008	
	Qty	%								
Private Insurance Carriers	7,720	45%	7,214	46%	7,010	47%	7,504	50%	8,133	53%
CompSource	4,364	26%	4,197	27%	3,839	26%	3,777	25%	3,778	24%
Group Self-Insurance	463	3%	435	2%	388	3%	421	3%	392	3%
Individual Own Risk	3,230	19%	2,872	18%	2,947	19%	2,652	18%	2,503	16%
Uninsured/Unknown	1,156	7%	1,022	7%	735	5%	616	4%	614	4%
TOTALS	16,933	100%	15,740	100%	14,919	100%	14,970	100%	15,420	100%

Figure 2

Percent Distribution of Filings by Type of Coverage 2008



**Section IX - Settlements, Dismissals
and Court Orders**

Table 19
Select Orders and Settlements: 2004 - 2008

Type of Order¹	2004	2005	2006	2007	2008
Form 14	1,232	1,055	490	99	17
Joint Petition.....	11,328	10,236	10,700	10,513	10,536
Claims Dismissed.....	616	585	486	427	340
Commute to a Lump Sum	74	76	82	133	147
Death Benefits.....	56	48	64	59	55
Denial of Claim	619	599	505	532	446
Denial - Miscellaneous.....	248	287	245	184	144
Disfigurement.....	61	72	68	63	68
Independent Medical Examination.....	4,244	4,245	2,329	606	425
Miscellaneous.....	2,444	2,369	2,404	1,996	2,278
Nunc Pro Tunc	843	838	839	793	777
Order to Vacate	110	138	119	137	144
Payment of Medical Expenses (Form 19).....	568	687	662	675	647
Permanent Partial Disability.....	3,469	3,291	3,413	3,431	3,480
Permanent Total Disability.....	44	62	79	62	40
Multiple Injury Trust Fund.....	162	105	34	21	31
Multiple Injury Trust Fund PTD	136	119	71	159	165
Supplemental Order.....	179	131	115	75	83
Temporary Total Disability	2,139	2,295	2,034	2,090	2,147
Vocational Rehabilitation.....	184	199	150	163	160
Vocational Rehabilitation Evaluation	836	718	570	545	479

¹ Not all order/settlement categories appear in this table.

Table 20

Orders and Settlements, Calendar Year 2008 (Detail)¹

Settlement/Order Type	Number of Awards or Settlements	Amount of Award or Settlement
--------------------------	------------------------------------	----------------------------------

Agreed Settlements

Form 14.....	17.....	\$193,019
Joint Petition.....	10,536.....	\$217,137,071
Compromise Settlement (Form 1X).....	0.....	\$0
Form 26.....	346.....	\$3,081,588

Order Type	Number of Orders	Amount of Orders
---------------	---------------------	---------------------

Workers' Compensation Court Orders

Change of Condition PPD.....	142.....	\$2,848,569
Change of Condition TTD.....	91	
Change of Condition PTD Reopen Worse.....	5	
Compensability.....	171	
Death Benefits.....	55	
Denial of Claim.....	446	
Denial, Miscellaneous.....	144	
Disfigurement.....	68.....	\$419,725
Payment of Medical Expenses.....	647	
Medical Treatment Ordered.....	1,912	
Medical Case Management Approved.....	84	
Permanent Partial Disability (PPD).....	3,480.....	\$97,454,011
Permanent Total Disability.....	40	
Multiple Injury Trust Fund.....	31.....	\$382,328
Multiple Injury Trust Fund PTD.....	165	
Employer Combined Disability.....	34	
Temporary Total Disability.....	2,148	
Independent Medical Examination.....	425	
Change of Physician.....	4,053	
Vocational Rehabilitation Evaluation.....	479	
Attorney Fees.....	48	
Attorney Withdrawal.....	1,774	
Certification to District Court.....	98	
Claim Dismissed.....	340	
Commute to a Lump Sum.....	147	
Consolidation of Claims.....	257	

Table 20 (continued)

Orders and Settlements, Calendar Year 2008 (Detail)¹

Order Type	Number of Orders	Amount of Orders
Employer/Insurance Carrier Dismissed	266	
Employer/Insurance Carrier Added	36	
Extension of Time	0	
Jurisdiction	6	
Miscellaneous	2,278	
Nunc Pro Tunc	777	(-\$13,252)
Order to Vacate	144	(-\$1,568,239)
Pauper Status Approved	7	
Pauper Status Denied	1	
Multiple Injury Trust Fund, Miscellaneous	16	
Supplemental Order	83	
Venue	254	
Vocational Rehabilitation	160	
Order for Mediation	695	

Court En Banc Orders of Appealed Workers' Compensation Court Cases

Appeal Affirming	502	
Appeal Modifying	208	(-\$67,878)
Appeal Dismissing	4	
Appeal Remanded/Vacated	136	(-\$627,783)

Supreme Court Orders of Appealed Workers' Compensation Court Cases

Mandate Affirming	2	
Mandate Dismissing	19	
Mandate JP of Settlement	10	
Mandate Sustaining	113	
Mandate Remanded/Vacated	18	

¹ Not all order categories appear in this table. All Orders of the Court Administrator, except settlements, are excluded.

Table 21
2008 Judicial Activity

	Judge	Trial Settings	PHC Settings	Orders Written & Approved ¹	En Banc Appeal Settings By Judge	En Banc Orders Signed By Judge
Workers' Compensation Court Judges	Black	2,734	4,064	3,037	365	272
	Blanchard	1,597	3,519	1,550	123	103
	Edwards	1,141	1,501	1,082	148	120
	Eldridge	2,336	3,764	1,849	248	182
	Farrar	2,845	3,702	2,302	324	248
	Foster	658	1,052	569	109	77
	Fulton	740	1,120	678	125	100
	Grove	560	747	511	205	144
	Harkey	2,645	3,558	2,560	357	260
	Leonard	3,262	4,197	2,829	404	300
	McCormick	2,397	3,805	2,743	409	305
	Prigmore	2,531	5,367	2,156	349	269
	Quandt	826	1,368	1,062	107	71
Active Retired Judges	Cashion	1	2	0	15	13
	Craig	2	3	3	35	21
	Strubhar	0	0	0	16	8
	Totals	24,275	37,769	22,931	3,339 ²	2,493 ³

¹ Excludes Settlements and Court En Banc orders.

² For total Court En Banc case settings see Table 23.

³ For total Court En Banc orders see Table 22.

Table 22
Appellate Activity: 2004 - 2008

Court En Banc Orders

Type of Order	2004	2005	2006	2007	2008
En Banc Appeal Affirming.....	757	647	659	687	502
En Banc Appeal Dismissing.....	8	9	12	8	4
En Banc Appeal Modifying.....	292	272	243	304	208
En Banc Appeal Remanded/Vacated.....	150	134	131	174	136
TOTALS	1,207	1,062	1,045	1,173	850

Supreme Court Orders

Type of Order	2004	2005	2006	2007	2008
Mandate Affirming.....	3	3	3	2	2
Mandate Dismissing.....	29	23	23	36	19
Mandate JP of Settlement.....	7	10	7	12	10
Mandate Remanded/Vacated ¹	23	20	28	19	18
Mandate Sustaining.....	140	110	129	135	113
TOTALS	202	166	190	204	162

¹ This category includes the subcategories: Mandate Affirmed, Mandate Affirmed Death Benefits, Mandate Affirmed Disfigurement, Mandate Affirmed PPD and Mandate Affirmed TTD.

**Section X - Maximum Weekly
Compensation Rates**

Chart 2
Maximum Weekly Compensation Rates
For injuries or deaths occurring 11/1/82 - 10/31/11

Injury/Death Date	TTD¹	PPD²	PTD³	Death⁴
11/1/08 — 10/31/11	\$683	\$342	\$683	See footnote 4
11/1/05 — 10/31/08	\$577	\$289	\$577	See footnote 4
11/1/02 — 10/31/05	\$528	\$264	\$528	See footnote 4
10/23/01 — 10/31/02	\$473	\$237	\$473	See footnote 4
11/1/99 — 10/22/01	\$473	\$237	\$473	\$473
11/1/96 — 10/31/99	\$426	\$213	\$426	\$426
01/1/96 — 10/31/96	\$409	\$205	\$409	\$409
01/1/95 — 12/31/95	\$368	\$205	\$368	\$368
11/1/93 — 12/31/94	\$307	\$205	\$307	\$307
09/1/92 — 10/31/93	\$277	\$185	\$277	\$277
11/1/90 — 08/31/92	\$246	\$185	\$246	\$246
11/1/87 — 10/31/90	\$231	\$173	\$231	\$231
11/1/84 — 10/31/87	\$217	\$163	\$217	\$217
11/1/83 — 10/31/84	\$212	\$159	\$212	\$212
11/1/82 — 10/31/83	\$196	\$147	\$196	\$196

¹ TTD is 70% of the employee's average weekly wage, not to exceed **75%** of the state's average weekly wage (SAWW), for injuries occurring from 9/1/92 through 12/31/94. For injuries occurring from 1/1/95 through 12/31/95, TTD is 70% of the employee's average weekly wage, not to exceed **90%** of the SAWW. For injuries occurring on and after 1/1/96, TTD is 70% of the employee's average weekly wage, not to exceed **100%** of the SAWW.

² PPD is 70% of the employee's average weekly wage, not to exceed **50%** of the SAWW, for injuries on and after 9/1/92.

³ PTD is 70% of the employee's average weekly wage, not to exceed **75%** of the SAWW, for injuries occurring from 9/1/92 through 12/31/94. For injuries occurring from 1/1/95 through 12/31/95, PTD is 70% of the employee's average weekly wage, not to exceed **90%** of the SAWW. For injuries occurring on and after 1/1/96, PTD is 70% of the employee's average weekly wage, not to exceed **100%** of the SAWW.

⁴ For deaths occurring before 10/23/01, the maximum weekly income benefits payable to **all** beneficiaries was the weekly amount the deceased would have received for PTD. For deaths occurring on or after 10/23/01, the maximum weekly income benefits payable to **all** beneficiaries varies depending upon the deceased's average weekly wage. If the deceased's average weekly wage is less than the SAWW, the aggregate weekly income benefits payable to **all** beneficiaries shall not exceed 100% of the deceased's average weekly wage. If the deceased's average weekly wage equals or exceeds the SAWW, the aggregate weekly income benefits payable to **all** beneficiaries shall not exceed the SAWW.

Section XI - Dockets

Table 23
Hearings Set by Issue or Docket Type & City of Setting
2008

Type of Issues/Docket to be Set	Oklahoma City	Tulsa	TOTALS
<u>Trial Dockets</u>			
Trial Settings.....	12,784	6,234	19,018
Multiple Injury Trust Fund (PPD & Perm. Total)	231	64	295
Employer Combined Disability	193	56	249
Miscellaneous Issues.....	3,186	1,527	4,713
<u>Informal Dispute Resolution Dockets</u>			
Temporary Issue Docket.....	2,496	1,769	4,265
Prehearing Conference.....	25,126	12,643	37,769
Form 19 Disposition Docket.....	1,180	583	1,763
Judicial Settlement Conferences	6	29	35
<u>Appellate Dockets</u>			
Court En Banc Appeals.....	748	365	1,113
TOTALS	45,950	23,270	69,220

Trial Settings: This docket includes issues involving permanent partial disability, temporary total disability and death benefits.

Judicial Settlement Conference: Judicial Settlement Conferences permit an informal discussion between the parties, attorneys, and the settlement judge on every aspect of the case bearing on its settlement value in an effort to resolve the matter before trial. The conference is conducted by a judge other than the assigned trial judge. The judicial settlement conference docket process was developed effective 10/23/01 in response to changes to 85 O.S., § 3.4.

Temporary Issue Docket: Preliminary docket used for Requests for TTD, Objection to Terminate TTD, Motion to Terminate TTD, Motion to Reopen for TTD, Motion for Change of Physician, Request for Medical Treatment, Prosthesis, Rate of Compensation and Custodial Care.

Miscellaneous Issues: Include instances where a Form 19 claim cannot be resolved at the Administrative Docket level, and the parties request judicial determination. If this issue is scheduled on a judicial docket with no other issue it is counted as a "miscellaneous" setting. In addition, if a party "motions" the court to order production of documents, etc, and these issues are not accompanied by any other "weightier" issue, these "motions" are also counted in the miscellaneous category.

Prehearing Conference: A Prehearing Conference docket used for review of issues such as Redetermination of Death Benefits, Rehabilitation, Attorney Fees, Disfigurement, Jurisdiction, Penalty, Reimbursement of Expenses, Travel Expenses, Request for IME, Multiple Injury Trust Fund (Permanent Total & Permanent Partial), Motion to Grant a Judicial Settlement Conference and miscellaneous Motions (i.e. Motions to Compel, to Commute, to Revoke Insurance License, to Produce, to Consolidate Claims for Hearing, to Tax Costs, to Change Venue of Hearing).

Court En Banc Appeals: A docket consisting of cases appealed from orders of a Workers' Compensation Court trial judge to a three-judge review panel.

Form 19 Disposition Docket: A docket utilized for the Request for Payment of Health or Rehabilitation Services.

Section XII - Dispute Prevention

Dispute Prevention

Dispute prevention covers a broad range of efforts by the Workers' Compensation Court to distribute information, provide assistance, and educate and train stakeholders. These efforts help resolve differences between the parties without resort to trial. They include:

- Making telephone information lines, including a toll-free line, available to the public;
- Assisting stakeholders;
- Providing education and training;
- Producing written materials explaining rights and responsibilities under the law; and
- Providing information on the Internet.

Telephone Information Lines and Assisting Stakeholders

In addition to its regular business telephone lines, the Court maintains an in-state toll free information line. Most requests for information or assistance are processed by the Court's Counselor Department. The department was created in 1994 and previously was known as the Ombudsman Office. The Department provides information, training and outreach to injured workers and other stakeholders. Counselors regularly assist employers, workers, insurers, medical providers, attorneys, government agencies, and the Attorney General's Workers' Compensation Fraud Unit.

In calendar year 2008, counselors responded to 28,327 telephone calls about the law, made 1,576 follow-up contacts, assisted 406 visitors who came to the Court for help, and responded in writing to 6,282 requests for information (including requests for brochures and educational documents).

Table 24. Inquiries to Counselor Department by Inquirer

Inquirer	2004		2005		2006		2007		2008	
	Count	Share								
Worker	17,422	63.23%	18,331	59.53%	16,572	57.27%	15,004	54.92%	15,611	55.11%
Employer	3,717	13.49%	3,824	12.42%	3,632	12.55%	3,946	14.44%	2,411	8.51%
Medical Provider	2,592	9.41%	4,911	15.95%	4,723	16.32%	4,294	15.72%	4,657	16.44%
Attorney	526	1.91%	472	1.53%	233	0.81%	624	2.28%	961	3.39%
Insurance Carrier	427	1.55%	416	1.35%	521	1.80%	698	2.55%	771	2.72%
AG Workers' Compensation Fraud Unit	483	1.75%	510	1.66%	763	2.64%	758	2.77%	737	2.60%
Legislators	28	0.10%	47	0.15%	78	0.27%	31	0.11%	17	0.06%
Other OK Government Agencies	184	0.67%	172	0.56%	217	0.75%	326	1.19%	209	0.74%
Other States	121	0.44%	117	0.38%	54	0.19%	112	0.41%	56	0.20%
Other	20,054	7.45%	1,995	6.48%	2,146	7.42%	1,529	5.60%	2,897	10.23%
TOTAL	27,554	100.00%	30,995	100.00%	28,939	100.00%	27,322	100.00%	28,327	100.00%

About 55% of the inquiries were initiated by the worker, followed next by inquiries from medical providers. Questions regarding medical issues also are responded to by the Court's Medical Services Division. Most questions to the division concern the workers' compensation fee schedule and the Independent Medical Examiner and Medical Case Manager systems maintained by the Court.

Education and Training

The Court periodically sponsors, or jointly sponsors, educational seminars for workers' compensation system stakeholders. Its first program was in 1995. Additional programs have been held regularly thereafter. The programs are attended by insurance and business representatives, government agency personnel, physicians and their staff, attorneys and other legal professionals, certified workplace medical plan employees, vocational rehabilitation evaluators, case managers, and other health care professionals. The programs highlight legislative and case law developments, workers' compensation trends and best practices. They are designed to educate and train stakeholders about workers' compensation laws.

Onsite training and workshops for various business, insurance and civic groups also are provided by the Court's Counselor Department upon request. Additionally, Judges and other court staff are frequent presenters at programs sponsored by the Oklahoma Bar Association and other groups. In calendar year 2008, counselors participated in educational conferences around the state attended by approximately 4,708 persons.

Written Materials

The Counselor Department produces written information, including brochures and educational documents, that explain rights and responsibilities under the workers' compensation law. Upon request, it distributes materials designed for injured workers and materials aimed at employers. In addition, the Department produces materials that describe aspects of the workers' compensation system (such as information on mediation and about resolving medical disputes). Written materials also are prepared by the Judges and court staff for various seminars sponsored or participated in by court personnel.

The Court Administrator produces a workers' compensation fee schedule. The document sets the maximum allowable reimbursement for health care services rendered to an injured worker with a compensable injury. By stating maximum amounts, the schedule provides the parties guidance for resolving charge disputes without involving either the Court or the Court Administrator. The schedule was adopted last in December 2007 and became effective January 1, 2008. It is available on the Court's web site at <http://www.owcc.state.ok.us/publications1.htm>, under "Medical Services".

Information Via the Internet

The Court maintains an Internet web site at <http://www.owcc.state.ok.us> that is specific to workers' compensation in Oklahoma. The site became operational in February 2002 and is updated regularly. It has general information about the Court and includes materials such as a staff directory, brochures and other court publications, insurance information, updates on recent changes, court rules and forms, and links to Oklahoma's workers' compensation laws and to Internet sites of workers' compensation entities in other states. The Court's site also provides e-mail contact directly to the Counselor Department for individual assistance.

Section XIII - Informal Dispute Resolution

Informal Dispute Resolution

Various informal dispute resolution processes implemented by the Court are described below. Each is intended to help provide a fast, cost-effective means of resolving disputes by the parties without the need for a trial. To the extent litigation is avoided, claims related costs like attorney fees and medicolegal costs are minimized.

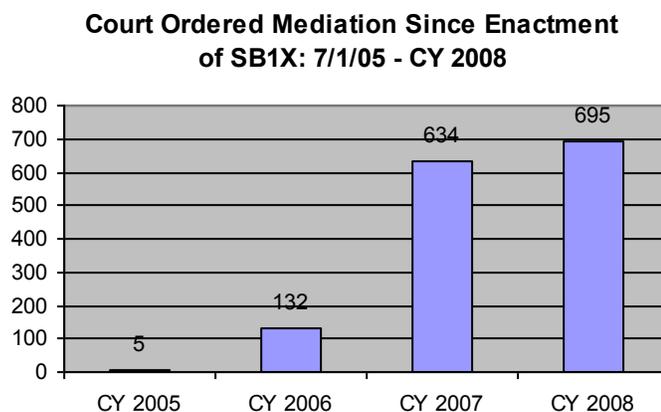
Mediation

Mediation is the process of resolving disputes with the assistance of a mediator, outside of a formal court proceeding. The purpose of mediation is to identify issues, clarify misunderstandings, explore solutions, and negotiate settlement. It is an alternative to litigation. All workers' compensation issues may be mediated except combined disabilities claims involving the Multiple Injury Trust Fund and claims subject to the dispute resolution procedure of a certified workplace medical plan (managed care organization). Law changes affecting mediation were made in SB1X (2005). Now, mediation may be by agreement of the parties or by court order upon request of a party or on the Court's own motion when determined helpful to resolve the claim. Before 2005, the law required both parties to consent to mediation and to agree upon the mediator before mediation could occur.

Fifty-four mediators are certified by the Court to provide services under the new Court Mediation System (CMS). Eleven applications for certification were processed by the Court's Counselor Department in 2008. Court certified mediators serve for five-year terms. Mediators are located in Ada, Ardmore, Edmond, Midwest City, Norman, Oklahoma City, Pauls Valley, Shawnee and Tulsa.

Since SB1X, mediation has occurred pursuant to court order and by agreement of the parties. According to mediation conference reports submitted by court certified mediators, on average, approximately 90% of all mediations conducted result in full or partial settlement of disputed issues.

The Court entered 5 orders for mediation in CY2005 after enactment of SB1X, 132 in CY 2006, 634 in CY2007 and 695 in CY2008. Comparatively, during the six-year period before SB1X, only 60 inquiries regarding mediation were processed by the Court's Counselor Department.



Judicial Settlement Conferences

The Legislature authorized informal dispute resolution through settlement conferences conducted by a judge other than the assigned trial judge beginning October 23, 2001. A judicial settlement conference may be requested by a party or may be set by the Court on its own motion. The purpose of the judicial settlement conference is to permit an informal discussion between the parties, attorneys, if any, and the settlement judge on every aspect of the case bearing on its settlement value in an effort to resolve the matter before trial. The conference can come before or after a request for trial. The settlement conference can result in voluntary agreement that fully resolves the claim or disputed issues.

The Court set 35 judicial settlement conferences in calendar year 2008, down from 72 in calendar year 2007.

Prehearing Conferences

Prehearing conferences are informal meetings between the parties and a judge to address a wide variety of issues ranging from determination of death benefits in an admitted claim to questions of jurisdiction. There is no sworn testimony or cross examination of witnesses, and, unless requested, no formal transcript of the meeting. The conference may be used to discuss settlement of the case or issues related to the case, or to determine issues in dispute. It gives the parties a chance to meet in the presence of the judge, to exchange information, to define issues, and to resolve disputes voluntarily or with judicial assistance. A prehearing conference also may be used in the formal hearing context to dispose of procedural matters, including discovery issues, in anticipation of trial.

Use of prehearing conferences increased from 8,663 in 1992 to 37,769 in 2008. To address the volume of these informal conferences, judges docket an average of 22 prehearing conferences daily four days per week. This is in addition to an average of 14 cases set on a daily trial docket Monday through Thursday, and three-judge appellate panel settings on Friday.

Temporary Issue Docket

The temporary issue docket (TID) provides the parties an opportunity to meet informally to resolve medical treatment and temporary disability issues or to schedule a hearing with a judge. Early resolution of these matters can reduce litigation by promoting maximum medical improvement and return to work. In calendar year 2008, the time from filing to TID was 3 weeks, with hearing dates immediately thereafter or at a later time as necessary for discovery.

Administrative Review of Disputed Medical Charges

Two administrative processes were created by the Court to help resolve charge disputes between medical/rehabilitation providers and insurers, without the need for trial.

The Form 18 process permits the Administrator to address conflicting interpretations of the workers' compensation fee schedule. The determinations are made based on written submissions by the parties. Outcomes include voluntary agreement or administrative order allowing or denying all, or a portion of, the disputed charges.

The Form 19 process pertains to all other medical/rehabilitation charge disputes. It may involve a trial before a judge if the parties are unable to voluntarily resolve the controversy. Docket office staff record the disposition of the Form 19 disputes. In calendar year 2008, 612 out of 1,719 cases set for Form 19 meeting were announced "resolved" or resulted in an agreed order. In other words, roughly 36% of all cases set for Form 19 meeting were disposed of by voluntary agreement. An additional 6% (105 of 1,719) were stricken from consideration because the providers elected not to pursue the matter. This election may reflect payment or other satisfactory disposition of the charge dispute outside the Court's processes.

Section XIV - Departmental Activity

Departmental Activity

Counselor Department

The Counselor Department was created in 1994 and previously was known as the Ombudsman Office. The department is the Court's primary information unit and focuses much of its efforts on dispute prevention. Its responsibilities include assisting employers, insurers, health care providers, injured workers and dependents of injured workers, providing educational materials and information on rights, benefits and obligations under the law, answering questions about the workers' compensation system, supporting a toll-free information line, and processing applications to serve as a mediator for the Court's mediation system. In addition, counselors work cooperatively with the Oklahoma Attorney General's Workers' Compensation Fraud Unit, and with the Worker Safety Policy Council, Oklahoma Department of Career and Technology Education, and Oklahoma Employment Security Commission to provide educational programs on workers' compensation for business and labor interests across the state.

Details about the department's activities are set out more fully in the "Dispute Prevention" section of this Annual Report.

Office of the Court Clerk

The Office of the Court Clerk receives court filings, certifies documents, prepares and transmits records on appeal, accepts appeal bonds, serves as the Court's records custodian, and manages the Court's records retention schedule. In calendar year 2008, the office certified approximately 600 documents from court claims files, processed 58 appeal bonds for appeals to the Oklahoma Supreme Court, and prepared and transmitted 157 records on appeal to the Supreme Court.

Data Processing/Management Information Services Department

The Data Processing/Management Information Services Department is responsible for the computer network, programs, and databases of the Court, including databases related to claims filings since 1989 and workers' compensation insurance coverage information. The department assists other court departments in meeting their goals through the use of technology, maintains the Court's web site and supports the Workers' Compensation Court Information System (WCIS). WCIS is the backbone of the Court's case and system management applications. All aspects of the Court's operations, including the processing of injury, claims and insurance information, docketing, order processing, fee collection, and public access to data on case activity, are supported by WCIS. Additional enhancements to WCIS are planned, subject to budgetary limitations.

Docket Office

The Docket Office docket matters for hearings, notifies parties of hearing dates, and manages administrative dockets designed to resolve certain disputes without the need for trial. In 2008,

the office set 69,220 hearings, up from 68,665 in 2007. Hearings set were for both informal and formal dispute resolution proceedings involving a judge.

Statistics on the length between a request for hearing and the actual hearing date are used to gauge how effectively the Court is meeting its responsibility for timely resolution of cases. In 2008, the average time-to-hearing benchmarks were: **temporary issue scheduling dockets**, 4 weeks, with hearing dates immediately thereafter or at a later time as necessary for discovery; **prehearing conferences**, 6 weeks; **permanent partial disability**, 10 weeks; and **three-judge panel appeals**, 10 weeks.

The most dramatic development over time has been a reduction in the amount of time parties must wait for a hearing. The greatest drop in time-to-hearing was for hearings on permanent disability issues. Those issues constitute the largest single category of cases which are resolved by the Court. The time-to-hearing for permanent disability issues dropped from an average of 9 months (36 weeks) in 1992 to an average of 10 weeks in 2008.

Form 3 Processing Department

The Form 3 Processing Department processes initial and amended claims for compensation, and orders entered into by mutual agreement of the parties. The department creates court files, verifies the existence of any insurance coverage for the claim, enters data into the Court’s information system (WCIS), and mails information to the parties. In 2008, the department processed 20,111 claims for compensation, including amended claims for compensation.

Insurance

The Insurance Department, with the Court Administrator’s supervision, regulates employers which self-insure either as an individual self-insurer or as part of an approved group association. The department also regulates third party administrators, maintains a workers’

Individual Self-Insured Employers By Major Industrial Division: CY2008	
Manufacturing	72
Services	47
Public Sector	34
Transportation	21
Retail	18
Mining	9
Construction	8
Public Utilities	4
Wholesale	4
Financial, Insurance & Real Estate	3
Farming	3
Total	223

compensation insurance database for the state covering more than 204,536 employers, and maintains a database of service agents designated by each workers’ compensation payor. The department works cooperatively with the Oklahoma Department of Labor to enforce laws regarding workers’ compensation coverage. Employers which fail to secure their workers’ compensation obligations are subject to criminal sanctions, and civil penalties imposed by the Commissioner of Labor.

Effective February 1, 2007, insurers writing workers’ compensation insurance in Oklahoma were given the option of electing to use the National Council on Compensation Insurance

(NCCI) proof of coverage (POC) information system to satisfy certain statutory filing requirements with the Court. The department processed in excess of 374,000 certificates of insurance coverage, cancellations, reinstatements and notices of amended coverage in 2008.

In 2008, the department evaluated 462 applications to self-insure or serve as third party administrator.

The Court regulated 223 individual self-insured employers in 2008, approximately 32% of which are in the manufacturing sector. Combined, individual self-insured employers covered about 231,500 employees and had a combined gross payroll of over \$8 Billion Dollars.

Self-Insurance Status By Calendar Year: CY2004 - CY2008			
Year	# of Self-Insurers	# of Employees Covered	Gross Payroll
2008	223	231,563	\$8,027,403,708
2007	220	231,236	\$8,036,874,820
2006	217	220,482	\$8,549,191,380
2005	229	230,141	\$8,017,178,092
2004	228	230,216	\$7,562,103,292

In 2008, eight group self-insurance associations, covering 1,036 member employers, were regulated by the Court. The number of groups has remained constant for at least five years.

Group Self Insurance Association Status by Calendar Year: CY2004 - CY2008			
Year	# of Groups	# of Group Members	Total Standard Premium
2008	8	1,036	\$34,269,995
2007	8	1,031	\$33,876,183
2006	8	1,037	\$35,058,286
2005	8	1,046	\$34,640,328
2004	8	1,055	\$31,603,663

Medical Services Division

The Medical Services Division was created in 1994 to perform duties associated with medical matters over which the Court has responsibility. The duties of the division are divided into four broad categories: administering the independent medical examiner and case manager programs, producing orders appointing providers as directed by the Court, revising and maintaining the schedule of medical and hospital fees as directed by the Court Administrator, and providing support services to the Physician Advisory Committee in the performance of its duties as prescribed by law. The division also responds to inquiries related to medical issues and participates in educational programs specific to the health care community.

In 2008, the division processed 143 physician applications for participation in the independent medical examiner system, processed 39 applications for participation in the case manager system, and prepared a total of 1,578 orders appointing independent medical examiners, medical case managers, and vocational rehabilitation experts as directed by the Court. The orders were prepared by order clerks at the Oklahoma City and Tulsa court locations.

Order Processing Department

The Order Processing Department produces orders as directed by the judges and processes them for mailing to the parties. In 2008, the average time for the department to prepare and process orders requested by the judges was 2 days.

Records Department

The Records Department maintains court files, processes the mail and responds to requests for records and information. In calendar year 2008, the Records Department maintained 172,625 case files from 1999 to present on premises. Court files from 1988 through 1998 are archived at the Department of Libraries.

Section XV - Fiscal Year Expenditures

Fiscal Year Expenditures: 7/1/07 - 6/30/08

Personal Services (Salaries and Benefits, and Professional Services).....	\$5,821,000
Travel.....	\$96,000
Equipment.....	\$105,000
Other Operating Expenses	\$634,000
<hr/>	
TOTAL EXPENDITURES.....	\$6,656,000

Section XVI - Legislative Activity

Legislative Activity

IMPORTANT INFORMATION

Disclaimer: The purpose of this section is to provide a summary of legislative activity during the 2nd Regular Session of the 51st Oklahoma Legislature (2008) relevant to the workers' compensation system. It is for informational purposes only and does not represent the views of the Workers' Compensation Court, its judges or Court Administrator. It is not intended to replace any official source. Do not rely solely on this information if it might affect your legal rights. Please refer to the printed version of the appropriate official publication or contact legal counsel of your choice. To see the full text of the enacted legislation, go to the "Enrolled Legislation" link on the "Executive Legislative" page on the Secretary of State's web site at: <http://www.sos.state.ok.us>.

HB 1959

Authorizes CompSource to enter into contracts of insurance or reinsurance for the purpose of insuring employers operating in Oklahoma and their employees who may work outside the state. Provides that the purchase of reinsurance may be made through intermediaries, exclusive of provisions of the Oklahoma Central Purchasing Act. Signed by the Governor on April 21, 2008. Amends 85 O.S., §134.

SR 63

Resolves that the Oklahoma State Senate celebrate April 7, 2008 as "CompSource Oklahoma Day" in honor of CompSource Oklahoma's dedication and service to the employer and workers of Oklahoma.

**Section XVII - Boards, Committees
and Councils**

Boards, Committees and Councils

Individual Self-Insured Guaranty Fund Board 85 O.S., Section 66.1

The Individual Self-Insured Guaranty Fund Board is composed of from three to nine members appointed by the Court Administrator. Each member is from an employer approved by the Administrator as an own-risk employer. The Board manages the Individual Self-Insured Guaranty Fund (Fund). The Fund is used to pay the workers' compensation obligations of an approved own-risk employer that is unable to pay a workers' compensation award. Deposits to the Fund are from a tax assessed against each own-risk employer at the rate of one percent (1%) of the total compensation for permanent partial disability awards paid by the employer. The tax is assessed until the Fund contains One Million Dollars (\$1,000,000). The tax was suspended by the Court Administrator effective April 2, 2007 and will be reinstated as provided by law when the Fund balance reaches Seven Hundred Fifty Thousand Dollars (\$750,000).

Individual Self-Insured Guaranty Fund Board members serving in 2008:

Joseph L. McCormick, IV, Chairman
ONEOK
Oklahoma City, Oklahoma

Richard Tippit
O.G.E. Energy Corporation
Oklahoma City, Oklahoma

Charlotte Smith
St. Francis Hospital
Tulsa, Oklahoma

Tammy Steichen Minter
Advance Food Company
Enid, Oklahoma

Group Self-Insurance Association Guaranty Fund Board 85 O.S., Section 66.2

The Group Self-Insurance Association Guaranty Fund Board is composed of from three to nine members appointed by the Court Administrator. Each member is the administrator of a group self-insurance association approved by the Administrator to self-insure. The Board manages the Group Self-Insurance Association Guaranty Fund (Fund). The Fund is used to pay the workers' compensation obligations of an approved association that is unable to pay a workers' compensation award. Deposits to the Fund are from a tax assessed against each association at the rate of one percent (1%) of the total compensation for permanent partial disability awards paid by the association. The tax is assessed until the Fund contains One Million Dollars (\$1,000,000). The tax was suspended by the Court Administrator effective September 6, 1996 and will be reinstated as provided by law when the Fund balance reaches Seven Hundred Fifty Thousand Dollars (\$750,000).

Group Self-Insurance Association Guaranty Fund Board members serving in 2008:

Cindy Compton
Harrah, Oklahoma

Chris Sturm
Oklahoma City, Oklahoma

Jim Smelser
Oklahoma City, Oklahoma

Larry Watkins
Oklahoma City, Oklahoma

Physician Advisory Committee 85 O.S., Section 201.1

The Physician Advisory Committee was created by the Legislature in 1993 to assist the Court and Court Administrator by providing information on various medical related matters, including utilization review, abusive practices by health care providers, methods for evaluating permanent impairment, treatment guidelines and utilization controls. The committee is composed of nine members, with three members each being appointed by the Governor, President Pro-Tempore of the Senate, and Speaker of the House of Representatives. The appointments are from designated medical specialties and congressional districts. The committee is assisted by court staff. The committee met five times and held two public hearings during the calendar year. Annual reports of the committee are available from the Court.

Physician Advisory Committee members serving in 2008:

Leroy E. Young, D.O., Chairman
Oklahoma City

John L. Munneke, M.D.
Oklahoma City, Oklahoma

Robert L. Remondino, M.D., Vice Chair
Oklahoma City, Oklahoma

C. Keith Muse, D.C.
Oklahoma City, Oklahoma

William R. Gillock, D.O.
Tulsa, Oklahoma

G. Keith Smith, M.D.
Oklahoma City, Oklahoma

Duane G. Koehler, D.O.
Miami, Oklahoma

Reed Burk, D.P.M.
Ponca City, Oklahoma

Scott A. Mitchell, D.O.
Oklahoma City, Oklahoma

Advisory Council on Workers' Compensation 85 O.S., Section 112

The Advisory Council on Workers' Compensation was created by the Legislature in 1990 to analyze and review the workers' compensation system, reports of the Court Administrator, and

workers' compensation trends. The council may recommend improvements and proper responses to developing trends, and consult with the Court on oversight of independent medical examiners. The council is composed of nine members, with three members each being appointed by the Governor, President Pro-Tempore of the Senate, and Speaker of the House of Representatives. The Court's presiding judge and administrator serve as ex-officio nonvoting members. The Governor's appointees represent employers, one of whom must be from a list of nominees provided by the predominant statewide broad-based business organization. The President Pro Tempore's appointees are attorneys representing the legal profession in this state, one of whom practices primarily in the area of defense of workers' compensation claims. The Speaker's appointees represent employees, one of whom shall be from a list of nominees provided by the most representative labor organization in the state. The council is assisted by court staff and met four times during the calendar year. Annual reports of the council are available from the Court.

Advisory Council on Workers' Compensation members serving in 2008:

Rick Hensley, Chairman
Oklahoma City, Oklahoma

Philip Redwine
Norman, Oklahoma

Jim Curry
Oklahoma City, Oklahoma

Howard Klubeck
Oklahoma City, Oklahoma

Blake Virgin
Norman, Oklahoma

Dan Simmons
Oklahoma City, Oklahoma

Mark Bledsoe
Oklahoma City, Oklahoma

Michael Carter
Norman, Oklahoma

Bob Burke
Oklahoma City, Oklahoma

Marcia Davis, Court Administrator
Ex-officio Nonvoting Member

Mary A. Black, Presiding Judge
Ex-officio Nonvoting Member

Worker Safety Policy Council
40 O.S., Section 418.2

The Worker Safety Policy Council was created by the Legislature in 1993 to study and formulate reforms for worker safety that could result in lower work-related injuries and in lower workers' compensation costs for business. The council is composed of nineteen members. They are four legislators (two Senators appointed by the President Pro Tempore of the Senate and two Representatives appointed by the Speaker of the House of Representatives), ten representatives from various groups identified by statute who are appointed by the Commissioner of Labor to serve at the Commissioner's pleasure, and five state public officers or their designee. The state public officers are the Commissioner of Labor, Workers'

Compensation Court Administrator, CompSource Oklahoma President and Chief Executive Officer, Insurance Commissioner, and Director of the Department of Commerce. The Commissioner of Labor is the chair for the council. The list of council members serving in calendar year 2008, and annual reports of the council, may be obtained from the Oklahoma Department of Labor, 4001 N. Lincoln Boulevard, Oklahoma City, Oklahoma 73105, or by telephone at 405-528-1500.

Section XVIII - Miscellaneous

History of Judicial Appointments Oklahoma Workers' Compensation Court

Year	Judge's Name	Position	Duration of Term ¹	Governor Appointing
1955	Marx Childers	Chairman	See 85 O.S. Supp. 1955, §69.1	Murray
	D.H. Cotten	Judge		Murray
	Hubert Hargrave	Judge		Murray
	Mildred Brooks Fitch	Judge		Murray
	Jess B. Harper	Judge		Murray
1956	Same as 1955			
1957	Marx Childers	Chairman	See 85 O.S. Supp. 1955, §69.1 1957 - 1963	Gary
	D.H. Cotten	Judge		
	Hubert Hargrave	Judge		
	Mildred Brooks Fitch	Judge		
	Jean R. Reed	Judge		
1958	Same as 1957			
1959	Marx Childers	Chairman	See 85 O.S. Supp. 1955, §69.1	
	D.H. Cotten	Judge		
	Hubert Hargrave	Judge		
	Mildred Brooks Fitch	Judge		
	Jean R. Reed	Judge		
1960	Harley Venters	Presiding Judge	1960 - 1961	Edmondson
	Marx Childers	Judge		
	D.H. Cotten	Judge		
	Jean R. Reed	Judge		
	Hubert Hargrave	Judge		
1961	Clint G. Livingston	Presiding Judge	1961 - 1962	Edmondson
	Jean R. Reed	Judge		
	Toby Morris	Judge	1961 - 1963	Edmondson
	J. Clark Russell	Judge	1961 - 1967	Edmondson
	Silas C. Wolf	Judge	1961 - 1965	Edmondson
1962	Jim Ed Douglas	Presiding Judge	1962 - 1963	Edmondson
	Jean R. Reed	Judge		
	Toby Morris	Judge		
	J. Clark Russell	Judge		
	Silas C. Wolf	Judge		

History of Judicial Appointments Oklahoma Workers' Compensation Court

Year	Judge's Name	Position	Duration of Term ¹	Governor Appointing
1963	Harry V. Rouse	Presiding Judge	1963 - 1965	Bellmon
	J. Clark Russell	Judge		
	Silas C. Wolf	Judge		
	A.R. Swank, Jr.	Judge	1963 - 1969	
	Keith Cooper	Judge	1963 - 1967	
1964	Same as 1963			
1965	A.R. Swank, Jr.	Presiding Judge	1965 - 1971	Bellmon - reappointment
	J. Clark Russell	Judge		
	Silas C. Wolf	Judge		
	Keith Cooper	Judge		
	A.L. Voth	Judge		
1966	Same as 1965			
1967	A.R. Swank, Jr.	Presiding Judge	1967 - 1973	Bartlett - reappointment
	Silas C. Wolf	Judge		
	Keith Cooper	Judge		
	A.L. Voth	Judge		
	Bruce Evans	Judge		
1968	Same as 1967			
1969	A.R. Swank, Jr.	Presiding Judge	1969 - 1975	Bartlett - reappointment
	Silas C. Wolf	Judge		
	Keith Cooper	Judge		
	A.L. Voth	Judge		
	Bruce Evans	Judge		
1970	Same as 1967			
1971	Silas C. Wolf	Presiding Judge	1971 - 1977	Hall - reappointment
	A.R. Swank, Jr.	Judge		
	Keith Cooper	Judge		
	A.L. Voth	Judge		
	Bruce Evans	Judge		
1972	Same as 1971			

History of Judicial Appointments Oklahoma Workers' Compensation Court

Year	Judge's Name	Position	Duration of Term ¹	Governor Appointing
1973	Silas C. Wolf	Presiding Judge		
	A.R. Swank, Jr.	Judge		
	A.L. Voth	Judge		
	Yvonne Sparger	Judge	1973 - 1979	Hall
	Thomas Gudgel, Jr.	Judge	1973 - 1977	Hall
1974	Same as 1973			
1975	Silas C. Wolf	Presiding Judge		
	A.L. Voth	Judge		
	Yvonne Sparger	Judge		
	Thomas Gudgel, Jr.	Judge		
	James Fullerton	Judge	1975 - 1981	Boren
1976	Same as 1975			
1977	Marian P. Opala	Presiding Judge	1977 - 1983	Boren
	Yvonne Sparger	Judge		
	James Fullerton	Judge		
	Charles L. Cashion	Judge	1977 - 1978	Boren
	Chris Sturm	Judge	1977 - 1980	Boren
1978	Chris Sturm	Presiding Judge (6)		
	Marian P. Opala	Position 1		
	Charles L. Cashion	Position 2	1978 - 1984	Boren - reappointment
	Mary E. Cox	Position 3	1978 - 1984	Boren
	Patrick C. Ryan	Position 4	1978 - 1982	Boren
	James Fullerton	Position 5		
	Yvonne Sparger	Position 7		
1979	Patrick C. Ryan	Presiding Judge (4)		
	Marian P. Opala	Position 1		
	Bill V. Cross	Position 1	1979 - 1984	Nigh
	Charles L. Cashion	Position 2		
	Mary E. Cox	Position 3		
	James Fullerton	Position 4		
	Chris Sturm	Position 5	1979 - 1980	Nigh
	Dick Lynn	Position 7	1979 - 1980	Nigh

History of Judicial Appointments Oklahoma Workers' Compensation Court

Year	Judge's Name	Position	Duration of Term ¹	Governor Appointing
1980	Patrick C. Ryan	Presiding Judge (4)		
	Bill V. Cross	Position 1		
	Charles L. Cashion	Position 2		
	Mary E. Cox	Position 3		
	James Fullerton	Position 4		
	Chris Sturm	Position 5	1980 - 1986	Nigh - reappointment
	Dick Lynn	Position 7	1980 - 1986	Nigh - reappointment
1981	Patrick C. Ryan	Presiding Judge (4)		
	Bill V. Cross	Position 1		
	Charles L. Cashion	Position 2		
	Mary E. Cox	Position 3		
	Larry Brawner	Position 5	1981 - 1982	Nigh
	Victor R. Seagle	Position 6	1981 - 1986	Nigh
	Dick Lynn	Position 7		
1982	Patrick C. Ryan	Presiding Judge (4)	1982 - 1988	Nigh - reappointment
	Bill V. Cross	Position 1		
	Charles L. Cashion	Position 2		
	Mary E. Cox	Position 3		
	Larry Brawner	Position 5		
	G. Dan Rambo	Position 5	1982 - 1984	Nigh
	Victor R. Seagle	Position 6		
	Dick Lynn	Position 7		
	Clint G. Livingston	Position 8	1982 - 1988	Nigh
1983	Patrick C. Ryan	Presiding Judge (4)		
	Bill V. Cross	Position 1		
	Charles L. Cashion	Position 2		
	Mary E. Cox	Position 3		
	G. Dan Rambo	Position 5		
	Victor R. Seagle	Position 6		
	Dick Lynn	Position 7		
	Clint G. Livingston	Position 8		
	1984	Charles L. Cashion	Presiding Judge (2)	
Bill V. Cross		Position 1	1984 - 1990	Nigh - reappointment
Gary Sleeper		Position 3	1984 - 1988	Nigh
Patrick C. Ryan		Position 4		
Jacque J. Brawner		Position 5	1984 - 1988	Nigh
Victor R. Seagle		Position 6		
Dick Lynn		Position 7		
Clint G. Livingston		Position 8		

History of Judicial Appointments Oklahoma Workers' Compensation Court

Year	Judge's Name	Position	Duration of Term ¹	Governor Appointing
1985	Charles L. Cashion	Presiding Judge (2)		
	Bill V. Cross	Position 1		
	Gary Sleeper	Position 3		
	Patricia Demps	Position 4	1985 - 1986	Nigh
	Jacque J. Brawner	Position 5		
	Victor R. Seagle	Position 6		
	Dick Lynn	Position 7		
	Clint G. Livingston	Position 8		
	Kay K. Kennedy	Position 9	1985 - 1988	Nigh
1986	Charles L. Cashion	Presiding Judge (2)		
	Bill V. Cross	Position 1		
	Gary Sleeper	Position 3		
	Patricia Demps	Position 4		
	J. Michael Mancillas	Position 4	1986 - 1988	Nigh
	Jacque J. Brawner	Position 5		
	Victor R. Seagle	Position 6	1986 - 1992	Nigh - reappointment
	Dick Lynn	Position 7	1986 - 1992	Nigh - reappointment
	Clint G. Livingston	Position 8		
Kay K. Kennedy	Position 9			
1987	Charles L. Cashion	Presiding Judge (2)		
	Bill V. Cross	Position 1		
	Gary Sleeper	Position 3		
	J. Michael Mancillas	Position 4		
	Jacque J. Brawner	Position 5		
	Victor R. Seagle	Position 6		
	Dick Lynn	Position 7		
	Clint G. Livingston	Position 8		
	Kay K. Kennedy	Position 9		
1988	Charles L. Cashion	Presiding Judge (2)		
	Bill V. Cross	Position 1		
	Sam Townley	Position 3	1988 - 1990	Bellmon
	Ben P. Choate, Jr.	Position 4	1988 - 1994	Bellmon
	Jerry L. Salyer	Position 5	1988 - 1994	Bellmon
	Victor R. Seagle	Position 6		
	Dick Lynn	Position 7		
	Noma D. Gurich	Position 8	1988 - 1994	Bellmon
	Ozella M. Willis	Position 9	1988 - 1994	Bellmon

History of Judicial Appointments Oklahoma Workers' Compensation Court

Year	Judge's Name	Position	Duration of Term ¹	Governor Appointing
1989	Noma D. Gurich	Presiding Judge (8)	1989 - 1990	Bellmon
	Bill V. Cross	Position 1		
	Charles L. Cashion	Position 2		
	Louis G. Buchanan	Position 2		
	Sam Townley	Position 3		
	Ben P. Choate, Jr.	Position 4		
	Jerry L. Salyer	Position 5		
	Victor Seagle	Position 6		
	Dick Lynn	Position 7		
Ozella M. Willis	Position 9			
1990	Noma D. Gurich	Presiding Judge (8)	1990 - 1996	Bellmon Bellmon - reappointment Bellmon
	Kimberly E. West	Position 1		
	Louis G. Buchanan	Position 2		
	Terry A. Pendell	Position 3		
	Ben P. Choate, Jr.	Position 4		
	Jerry L. Salyer	Position 5		
	Victor Seagle	Position 6		
	Dick Lynn	Position 7		
Ozella M. Willis	Position 9			
1991	Noma D. Gurich	Presiding Judge (8)	1991 - 1992	Walters
	Kimberly E. West	Position 1		
	Louis G. Buchanan	Position 2		
	Terry A. Pendell	Position 3		
	Ben P. Choate, Jr.	Position 4		
	Jerry L. Salyer	Position 5		
	Victor Seagle	Position 6		
	James S. Porter	Position 6		
	Dick Lynn	Position 7		
Ozella M. Willis	Position 9			
1992	Noma D. Gurich	Presiding Judge (8)	1992 - 1998	Walters - reappointment Walters - reappointment
	Kimberly E. West	Position 1		
	Louis G. Buchanan	Position 2		
	Terry A. Pendell	Position 3		
	Ben P. Choate, Jr.	Position 4		
	Jerry L. Salyer	Position 5		
	James S. Porter	Position 6		
	Dick Lynn	Position 7		
Ozella M. Willis	Position 9			

History of Judicial Appointments Oklahoma Workers' Compensation Court

Year	Judge's Name	Position	Duration of Term ¹	Governor Appointing
1993	Jerry L. Salyer	Presiding Judge (5)		
	Kimberly E. West	Position 1		
	Louis G. Buchanan	Position 2		
	Terry A. Pendell	Position 3		
	Ben P. Choate, Jr.	Position 4		
	James S. Porter	Position 6		
	Dick Lynn	Position 7		
	Noma D. Gurich	Position 8		
	Ozella M. Willis	Position 9		
1994	Jerry L. Salyer	Presiding Judge (5)	1994 - 2000	Walters - reappointment
	Kimberly E. West	Position 1		
	Louis G. Buchanan	Position 2		
	Terry A. Pendell	Position 3		
	Ben P. Choate, Jr.	Position 4		
	Susan Witt Conyers	Position 4	1994 - 2000	Walters
	James S. Porter	Position 6		
	Dick Lynn	Position 7		
	Noma D. Gurich	Position 8	1994 - 2000	Walters - reappointment
	Ozella M. Willis	Position 9	1994 - 2000	Walters - reappointment
Mary A. Black	Position 10	1994 - 1996	Walters	
1995	Susan Witt Conyers	Presiding Judge (4)		
	Kimberly E. West	Position 1		
	Louis G. Buchanan	Position 2		
	Terry A. Pendell	Position 3		
	Jerry L. Salyer	Position 5		
	James S. Porter	Position 6		
	Dick Lynn	Position 7		
	Noma D. Gurich	Position 8		
	Ozella M. Willis	Position 9		
	Mary A. Black	Position 10		

History of Judicial Appointments Oklahoma Workers' Compensation Court

Year	Judge's Name	Position	Duration of Term ¹	Governor Appointing
1996	Susan Witt Conyers	Presiding Judge (4)		
	Kimberly E. West	Position 1		
	Louis G. Buchanan	Position 2		
	Terry A. Pendell	Position 3		
	Jerry L. Salyer	Position 5		
	James S. Porter	Position 6		
	Dick Lynn	Position 7		
	Noma D. Gurich	Position 8		
	Ozella M. Willis	Position 9		
	Mary A. Black	Position 10		
	Ellen C. Edwards	Position 1	1996 - 2002	Keating
	Richard L. Blanchard	Position 2	1996 - 2002	Keating
	Richard G. Mason	Position 3	1996 - 2002	Keating
	Jim D. Filosa	Position 7	1996 - 1998	Keating
Kenton W. Fulton	Position 10	1996 - 2002	Keating	
1997	Richard G. Mason	Presiding Judge (3)		
	Ellen C. Edwards	Position 1		
	Richard L. Blanchard	Position 2		
	Susan W. Conyers	Position 4		
	Jerry L. Salyer	Position 5		
	James S. Porter	Position 6		
	Jim D. Filosa	Position 7		
	Noma D. Gurich	Position 8		
	Ozella M. Willis	Position 9		
	Kenton W. Fulton	Position 10		
1998	Richard G. Mason	Presiding Judge (3)		
	Ellen C. Edwards	Position 1		
	Richard L. Blanchard	Position 2		
	Susan W. Conyers	Position 4		
	Jerry L. Salyer	Position 5		
	James S. Porter	Position 6		
	Jim D. Filosa	Position 7	1998 - 2004	Keating - reappointment
	Noma D. Gurich	Position 8		
	Ozella M. Willis	Position 9		
	Kenton W. Fulton	Position 10		
D. Craig Johnston	Position 6	1998 - 2004	Keating	
Gene Prigmore	Position 8	1998 - 2000	Keating	

History of Judicial Appointments Oklahoma Workers' Compensation Court

Year	Judge's Name	Position	Duration of Term ¹	Governor Appointing
1999	Kenton W. Fulton	Presiding Judge (10)		
	Ellen C. Edwards	Position 1		
	Richard L. Blanchard	Position 2		
	Richard G. Mason	Position 3		
	Susan W. Conyers	Position 4		
	Jerry L. Salyer	Position 5		
	D. Craig Johnston	Position 6		
	Jim D. Filosa	Position 7		
	Gene Prigmore	Position 8		
	Ozella M. Willis	Position 9		
2000	Kenton W. Fulton	Presiding Judge (10)		
	Ellen C. Edwards	Position 1		
	Richard L. Blanchard	Position 2		
	Richard G. Mason	Position 3		
	Susan W. Conyers	Position 4	2000 - 2006	Keating - reappointment
	Jerry L. Salyer	Position 5	2000 - 2006	Keating - reappointment
	D. Craig Johnston	Position 6		
	Jim D. Filosa	Position 7		
	Gene Prigmore	Position 8	2000 - 2006	Keating - reappointment
	Ozella M. Willis	Position 9		
Cherri Farrar	Position 9	2000 - 2006	Keating	
2001	Kenton W. Fulton	Presiding Judge (10)		
	Ellen C. Edwards	Position 1		
	Richard L. Blanchard	Position 2		
	Richard G. Mason	Position 3		
	Susan W. Conyers	Position 4		
	Jerry L. Salyer	Position 5		
	D. Craig Johnston	Position 6		
	Jim D. Filosa	Position 7		
	Gene Prigmore	Position 8		
	Cherri Farrar	Position 9		
2002	Kenton W. Fulton	Presiding Judge (10)	2002 - 2008	Keating - reappointment
	Ellen C. Edwards	Position 1	2002 - 2008	Keating - reappointment
	Richard L. Blanchard	Position 2	2002 - 2008	Keating - reappointment
	Richard G. Mason	Position 3	2002 - 2008	Keating - reappointment
	Susan W. Conyers	Position 4		
	Jerry L. Salyer	Position 5		
	D. Craig Johnston	Position 6		
	Jim D. Filosa	Position 7		
	Gene Prigmore	Position 8		
	Cherri Farrar	Position 9		

History of Judicial Appointments Oklahoma Workers' Compensation Court

Year	Judge's Name	Position	Duration of Term ¹	Governor Appointing
2003	Richard L. Blanchard	Presiding Judge (2)		
	Ellen C. Edwards	Position 1		
	Richard G. Mason	Position 3		
	Susan W. Conyers	Position 4		
	Jerry L. Salyer	Position 5		
	D. Craig Johnston	Position 6		
	Jim D. Filosa	Position 7		
	Gene Prigmore	Position 8		
	Cherri Farrar	Position 9		
	Kenton W. Fulton	Position 10		
2004	Richard L. Blanchard	Presiding Judge (2)		
	Ellen C. Edwards	Position 1		
	Richard G. Mason	Position 3		
	Susan W. Conyers	Position 4		
	Jerry L. Salyer	Position 5		
	Mary A. Black	Position 6	2004 - 2010	Henry
	Tom Leonard	Position 7	2004 - 2010	Henry
	Gene Prigmore	Position 8		
	Cherri Farrar	Position 9		
	Kenton W. Fulton	Position 10		
2005	D. Craig Johnston	Position 6	1998 - 2004	
	Jim D. Filosa	Position 7	1996 - 2004	
2005	Gene Prigmore	Presiding Judge (8)		
	Tom Leonard	Position 7		
	Ellen C. Edwards	Position 1		
	Richard L. Blanchard	Position 2		
	Richard G. Mason	Position 3		
	Susan W. Conyers	Position 4		
	Jerry L. Salyer	Position 5		
	Mary A. Black	Position 6		
	Cherri Farrar	Position 9		
	Kenton W. Fulton	Position 10		

History of Judicial Appointments Oklahoma Workers' Compensation Court

Year	Judge's Name	Position	Duration of Term ¹	Governor Appointing
2006	Gene Prigmore	Presiding Judge (8)	2006 - 2012	Henry - reappointment
	Tom Leonard	Position 7		
	Ellen C. Edwards	Position 1		
	Richard L. Blanchard	Position 2		
	Richard G. Mason	Position 3	1996 - 2006	
	Susan W. Conyers	Position 4	1994 - 2006	
	Jerry L. Salyer	Position 5	1988 - 2006	
	Mary A. Black	Position 6		
	Cherri Farrar	Position 9	2006 - 2012	Henry - reappointment
	Kenton W. Fulton	Position 10		
	Michael J. Harkey	Position 3	2006 - 2008	Henry
	John M. McCormick	Position 5	2006 - 2012	Henry
	Kent Eldridge	Position 4	2006 - 2012	Henry
2007	Mary A. Black	Presiding Judge (6)		
	Tom Leonard	Position 7		
	Gene Prigmore	Position 8		
	Ellen C. Edwards	Position 1		
	Richard L. Blanchard	Position 2		
	Cherri Farrar	Position 9		
	Kenton W. Fulton	Position 10		
	Michael J. Harkey	Position 3		
	John M. McCormick	Position 5		
	Kent Eldridge	Position 4		
2008	Mary A. Black	Presiding Judge (6)		
	Tom Leonard	Position 7		
	Gene Prigmore	Position 8		
	Ellen C. Edwards	Position 1	1996 - 2008	Keating
	Richard L. Blanchard	Position 2	1996 - 2008	Keating
	Cherri Farrar	Position 9		
	Kenton W. Fulton	Position 10	1996 - 2008	Keating
	Michael J. Harkey	Position 3	2008 - 2014	Henry - reappointment
	John M. McCormick	Position 5		
	Kent Eldridge	Position 4		
	Bob Lake Grove	Position 2	2008 - 2014	Henry
	William R. Foster, Jr.	Position 1	2008 - 2014	Henry
	Eric W. Quandt	Position 10	2008 - 2014	Henry

¹ Duration of term reflects the length of appointment and may not coincide with the actual term of employment with the Court.

Workers' Compensation Court

<http://www.owcc.state.ok.us>

Contact Information

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