



NEW JERSEY DEPARTMENT OF
BANKING AND INSURANCE
QUARTERLY REPORT

No Fault PIP Arbitration
1st Quarter 2021



FORTHRIGHT

1ST QUARTER 2021 REPORT

TO THE

NEW JERSEY DEPARTMENT OF BANKING AND INSURANCE

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EXECUTIVE SUMMARY

In the first quarter of 2021, 9,881 cases were initiated in the PIP dispute resolution program. Of these cases, 4,766 (48%) were initiated in the Northern region, 1,081 (11%) in the Central region, 1,884 (19%) in the Southern region, and 2,150 (22%) as OTP.

The DRP panel consisted of 51 members. The DRPs were regionally deployed as follows: 32 in the North, 8 in the Central, and 11 in the South. In this quarter, 8,981 cases were assigned to DRPs.

Of the pending cases in the PIP arbitration program, 10,153 were concluded during the first quarter by means of an award or denial of award (including appeals), pre-hearing dismissal of the case, settlement, or withdrawal. There were 509 cases placed in abeyance by consent of the parties or by order of the court.

System-wide, the average amount awarded in arbitration (excluding filing fees) was \$5,235 comprised of \$4,413 for personal injury protection benefits and \$822 for attorney's fees per case. It is common practice for users to stipulate that amounts awarded by DRPs are subject to further reduction for deductibles, co-payments, prior payments, and/or medical fee schedule adjustments. In such cases, the final amount paid by the Respondent for PIP benefits may be less than the awarded amount.

Twelve appeals to panels of three DRPs were concluded during the reporting period. Six involved awards or dismissal orders rendered in the North Region, five in the Central Region, and one in the South Region. No OTP awards were appealed. Twenty-five percent of awards appealed were vacated or modified.

During the reporting period, 6 MRO reviews were provided at the request of a party. DRPs did not request any reviews. The requests were apportioned among the four certified MROs on a rotating basis.

CASES INITIATED

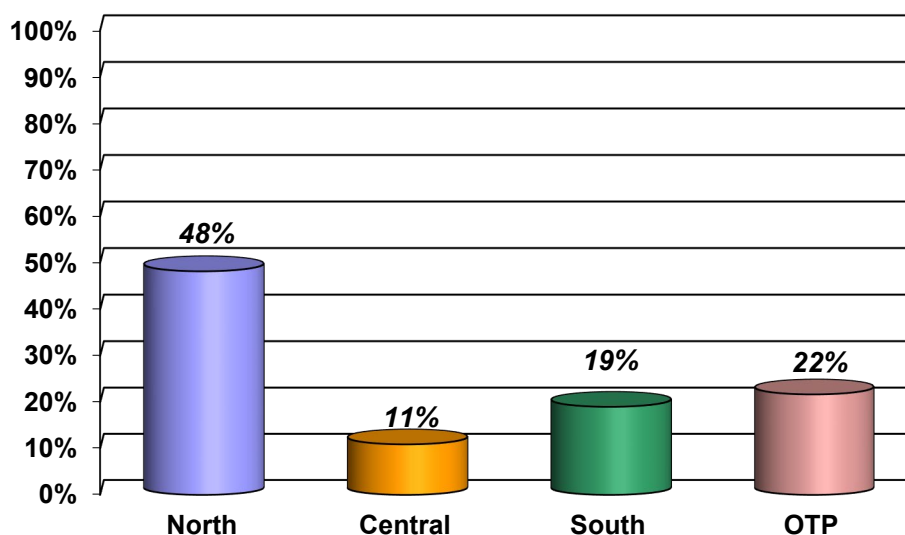
Cases are considered “filed” as of the date a Demand for Arbitration is received by Forthright. Case “initiation” occurs when an initiation letter is transmitted to the parties.

Cases which qualify for “in-person” (“IP”) proceedings may be filed in one of the three regions – Central, North, or South. They are assigned to a DRP with an office within the geographic location. Cases that proceed “on-the-papers” (“OTP”) are not region-specific and may be assigned to any DRP. Throughout this report, data are reported as OTP or IP. Regional breakdowns of data describe IP cases only and will bear the designation of “IP - [region].”

In the first quarter of 2021, 9,881 cases were initiated in the PIP dispute resolution program. Of these cases, 4,766 (48%) were initiated in the Northern region, 1,081 (11%) in the Central region, 1,884 (19%) in the Southern region, and 2,150 (22%) as OTP. See the table below for the monthly distribution.

	IP - North	IP - Central	IP - South	OTP	Total
January	1,422	359	591	717	3,089
February	1,503	333	587	658	3,081
March	1,841	389	706	775	3,711
Totals	4,766	1,081	1,884	2,150	9,881

Cases Initiated by Region and OTP



TRANSFER OF CASES FROM OTP PROCEEDINGS TO IP PROCEEDINGS

Under certain circumstances, cases that were initially filed as OTP may be transferred to IP proceedings. The circumstances include consolidations (automatic, by consent, or by request), insurance policy issues identified by Respondent, change of claim, and cases voluntarily filed as OTP but the Respondent does not consent. Please consult arbitration Rules 6, 9, and 51 for a complete explanation of the circumstances for transfer. The table below shows the number of cases transferred in the first quarter and the reason.

Consolidation	Policy Issues	Change of Claim	Total
280	30	65	375

DISPOSITION OF CASES IN THE PIP ARBITRATION PROGRAM

Of the pending cases in the PIP arbitration program, 10,153 were concluded during the first quarter by means of an award or denial of award (including appeals), pre-hearing dismissal of the case, settlement, or withdrawal. The table below illustrates the manner in which cases were administered and concluded in the three IP geographic regions as well as the OTP category.

Disposition Type	IP - North	IP - Central	IP - South	OTP	Total
Awarded/Denied	2,168	452	711	552	3,883
*Dismissed Pre-Hearing	3	2	2	0	7
Settled	2,276	521	1,027	1,325	5,149
Withdrawn	648	109	113	244	1,114
Total	5,095	1,084	1,853	2,121	10,153

* Pre-hearing dismissal is not an option for OTP cases.

DISPOSITION OF CASES BY PERCENTAGE

The table below presents the disposition of OTP cases and the regional disposition of IP cases as percentages of case dispositions during the reporting period. **Percentages may not add to 100% due to rounding.**

Disposition Type	IP - North	IP - Central	IP - South	OTP
Awarded/Denied	43%	42%	38%	26%
Dismissed Pre-Hearing	<1%	<1%	<1%	N/A
Settled	45%	48%	55%	62%
Withdrawn	13%	10%	6%	12%

CASES IN ABEYANCE

Administration of certain cases is suspended by way of Court Order or consent of the parties. These cases are designated as in abeyance. Abeyances for the reporting period are shown in the table below.

IP - North	IP - Central	IP - South	OTP	Total
345	44	72	48	509

CASES SETTLED WITHIN 45 DAYS OF INITIATION

The Respondents are granted a conciliation period of 45 days from case initiation in which to settle claims without incurring the Respondent administration fee.

The following table expresses the distribution of settlements within 45 days of initiation.

	IP - North	IP - Central	IP - South	OTP	Total
Settlements*	1,282	298	534	950	3,064

** Note: This data is based only upon user communications describing cases as settled or resolved. There are likely cases that the parties communicated as “withdrawn” or otherwise concluded which were actually settled and would qualify for this category.*

DISPUTE RESOLUTION PROFESSIONAL CASELOAD

The DRP panel consisted of 51 members. The DRPs were regionally deployed as follows: 32 in the North, 8 in the Central, and 11 in the South. In this quarter, 8,981 cases were assigned to DRPs.

Caseload activity of DRPs is represented in Appendix A. This table distinguishes IP cases from OTP cases. Note that the tally of awarded and settled cases displayed in the “Disposition of Cases after DRP Added” Section and Appendix A may vary slightly because of the method of collecting data for each. For example, an award rendered by a three DRP panel is reported for each DRP in Appendix A. A case that settles while in abeyance without an active DRP will not be counted in Appendix A.

DISPOSITION OF CASES AFTER DRP ASSIGNMENT

OTP cases are assigned to a DRP upon initiation. IP cases are assigned to DRPs following expiration of the 45-day conciliation period. After DRP appointment, a total of 8,067 cases were resolved during the quarter, resulting from a combination of DRP-issued awards (which includes denials and appeals), pre-hearing dismissals, settlements, and withdrawals.

The following table represents the distribution and outcomes of cases across the entire DRP panel during the first quarter of 2021 after the cases were assigned to DRPs. Note that the tally of awarded and settled cases displayed in the “Disposition of Cases after DRP Added” Section and Appendix A may vary slightly because of the method of collecting data for each. For example, an award rendered by a three DRP panel is reported for each DRP in Appendix A. A case that settles while in abeyance without an active DRP will not be counted in Appendix A.

Disposition	IP - North	IP - Central	IP-South	IP - Total	OTP
Awarded/Denied	2,291	474	722	3,487	554
Dismissed by DRP	3	2	2	7	0*
Settled	1,034	238	492	1,764	1,318
Withdrawn	509	93	92	694	243
Total	3,837	807	1,308	5,952	2,115

* Not applicable to OTP proceedings

AGING OF CASES BY TYPE OF PROCEEDING, IN-PERSON OR ON-THE-PAPERS, AND BY DRP

The average age (counted by calendar days) of active pending cases at the end of the first quarter of 2021 by DRP is represented in Appendix B but excludes cases that were put in abeyance by the parties or stayed by court action. Please note that consolidations, late MRO requests and postponements are factors that lengthen disposition timelines.

REGIONAL AWARDS PERCENTAGE

A total of 3,634 awards were issued by DRPs concerning requests for emergent relief, standard relief, and fee disputes in both IP and OTP proceedings. Of the awards issued for IP cases (3,195), 66% were in the North region, 13% in the Central region, and 21% in the South region.

An online database of these awards is located at www.nj-no-fault.com.

AWARDS AS A PERCENTAGE OF CLAIM AMOUNT

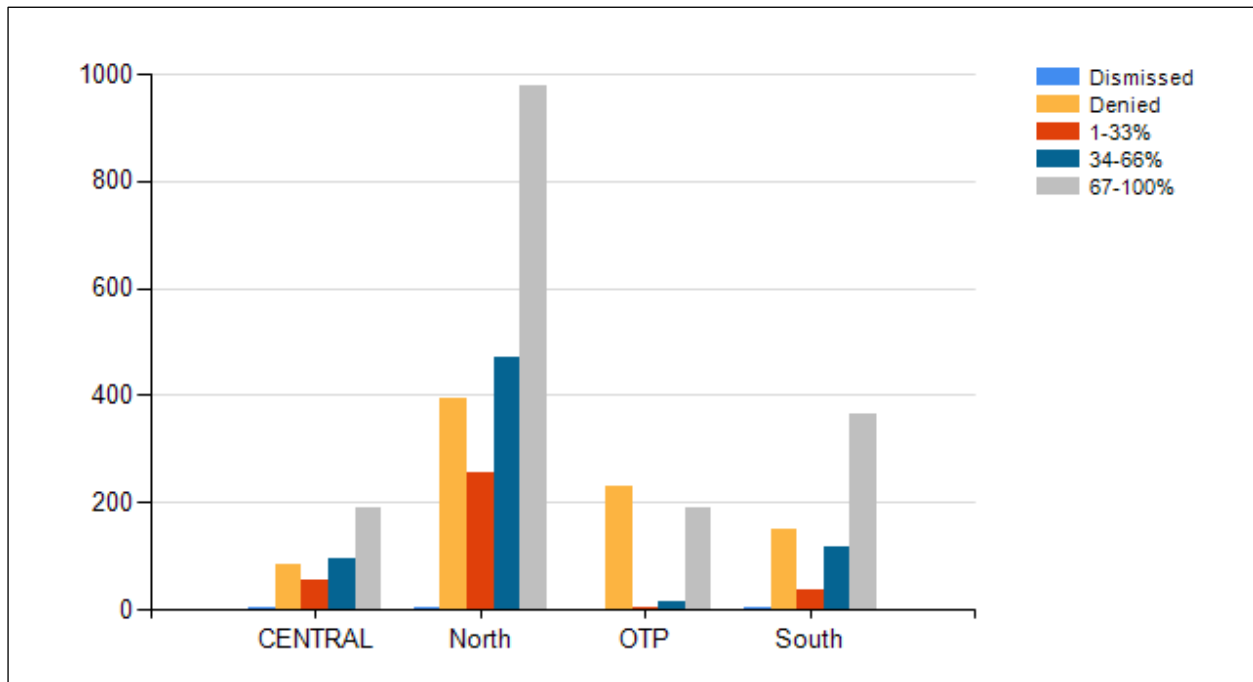
DRPs can deny a claim in its entirety or award all or part of an amount requested by a Claimant. For cases decided in the first quarter of 2021, the table and graph below indicate the distribution of DRP total awarded amounts, from 0% (denied/dismissed) to 100% of claimed amounts. Total awarded amounts include PIP benefits, legal fees, and costs.

For purposes of the data table and chart below, amended amounts are captured within a total amount claimed and then compared to the total amount awarded.

	Dismissed	Denied	1-33%	34-66%	67-100%	Total
IP - Central	2	83	54	94	190	423
IP - North	3	395	255	470	976	2,099
IP - South	2	149	38	119	364	672
OTP	0*	231	3	16	189	439
Total	7	858	350	699	1,719	3,633

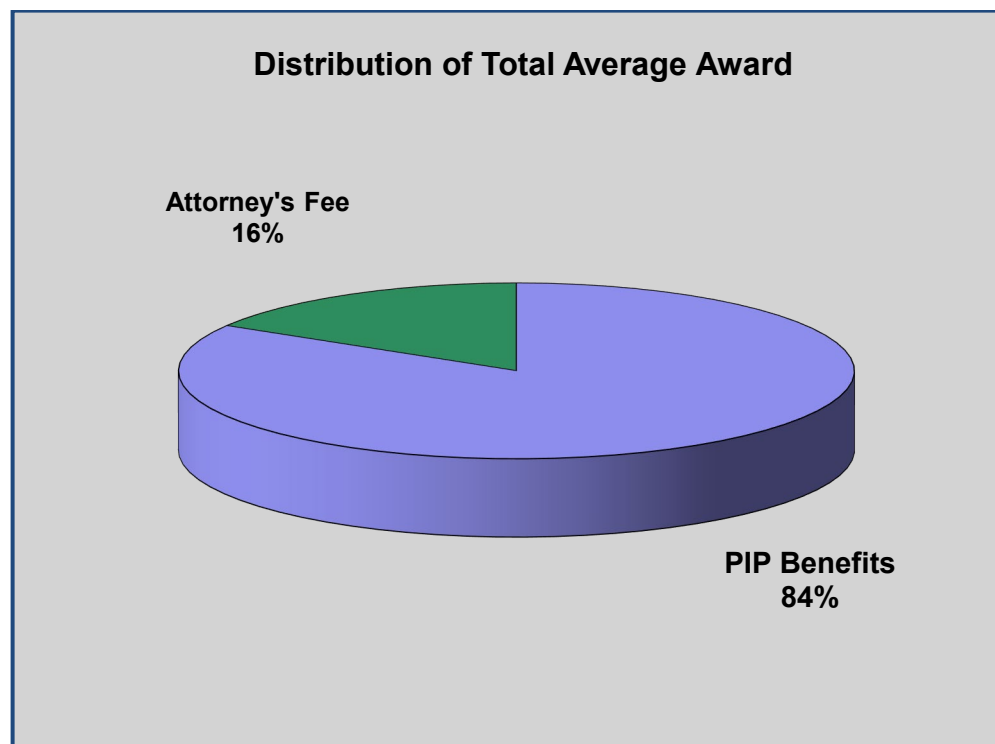
* Not applicable to OTP proceedings.

Note: The award data in this section excludes appellate awards.



PIP BENEFITS AND ATTORNEY'S FEES COMPARISON

System-wide, the average amount awarded in arbitration (excluding filing fees) was \$5,235 comprised of \$4,413 for personal injury protection benefits and \$822 for attorney's fees per case. The graphical representation compares the data as percentages.



AWARD AVERAGE, MEDIAN AND DOLLAR RANGE

The average amount awarded for claims other than attorney's fees and costs was \$4,413* per case. Awarded amounts ranged from \$0 to \$216,334. The median award during the reporting period was \$1,015. Note that the calculation of the average and median includes cases in which the amount awarded was \$0.

The average amount awarded for attorney's fees was \$822 per case. Awarded attorney's fees ranged from \$0 to \$5,500. The median attorney's fee award during the reporting period was \$1,000. Note that the calculation of the average and median attorney's fee includes cases in which the amount awarded was \$0.

	Average	Dollar Range	Median
PIP Benefits' Award	\$4,413*	\$0 to \$216,334	\$1,015
Attorney's Fee Award	\$822	\$0 to \$5,500	\$1,000

** Note: It is common practice for users to stipulate that amounts awarded by DRPs are subject to further reduction for policy deductibles, co-payments, prior payments, and/or medical fee schedule adjustments. In such cases, the final amount paid by the Respondent for PIP benefits may be less than the awarded amount.*

APPEALS

Twelve appeals to panels of three DRPs were concluded during the reporting period. Six involved awards or dismissal orders rendered in the North Region, five in the Central Region, and one in the South Region. No OTP awards were appealed. Twenty-five percent of awards appealed were vacated or modified. The following table reports the results.

	IP - North	IP - Central	IP- South	OTP	Total
Affirmed	5	3	1	0	9
Vacated & Corrected	0	0	0	0	0
Modified	1	2	0	0	3
Total	6	5	1	0	12

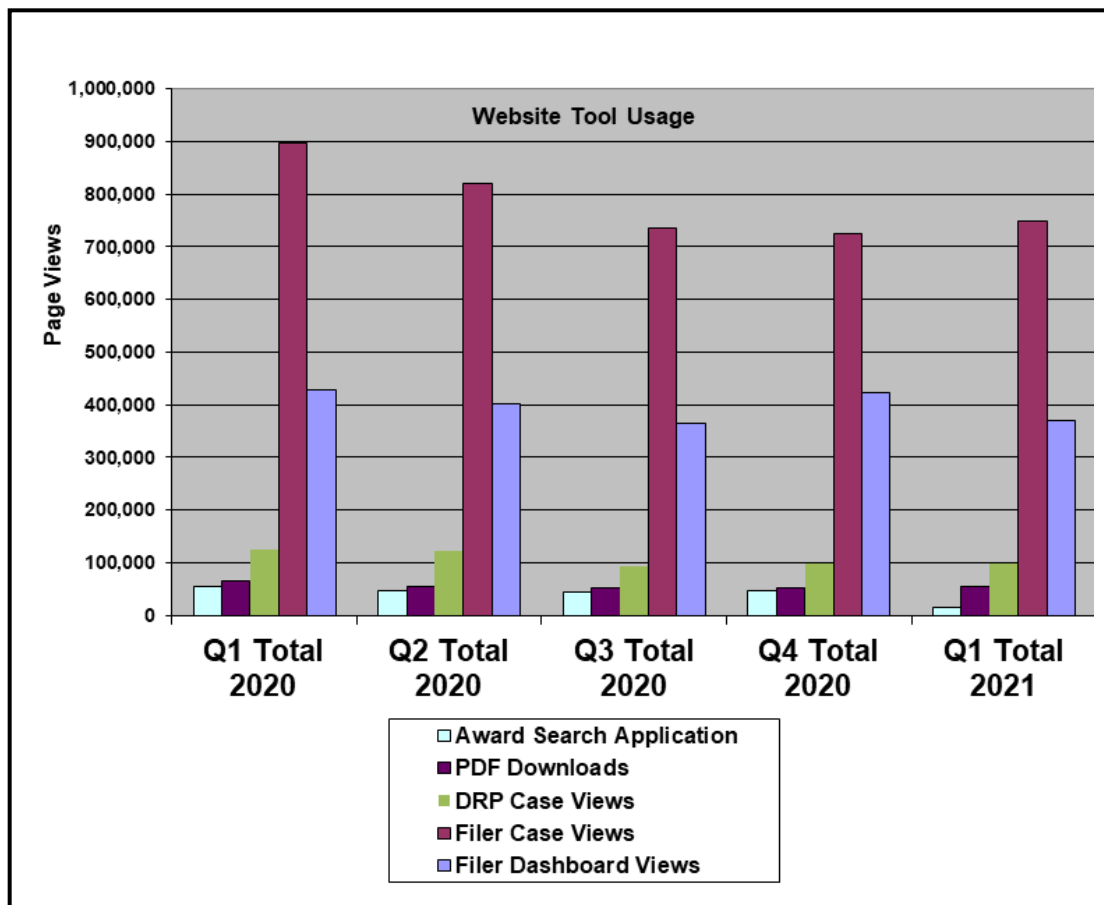
MEDICAL REVIEW ORGANIZATION REPORT

There are currently four Medical Review Organizations ("MRO") certified by the Department of Banking and Insurance. They are ExamWorks (formerly known as CFO Medical Services), First Managed Care Option ("FMCO"), Rising Medical Solutions and Support Claim Services ("SCS"). Information relevant to MRO usage is outlined in the table below.

MRO	Request By Party	Request By DRP	Total Requests	Request for Information	Report in 20 Business Days	Report After 20 Business Days
ExamWorks	3	0	3	1	3	0
FMCO	1	0	1	0	1	0
Rising Medical	1	0	1	0	1	0
SCS	1	0	1	0	1	0
Total	6	0	6	1	6	0

ONLINE CASE MANAGEMENT AND AWARD SEARCHING

This section of the report provides usage data for Forthright's free web-based case management tools for PIP practitioners located online at www.nj-no-fault.com. Forthright completely redesigned and enhanced the functionality of the user web portals as a free customer service. PIP practitioners now access a "dashboard" from which they can navigate through their case information. They can retrieve and view both parties' document submissions as well as access rules and forms, file and manage cases online, upload case documents, and search prior decisions. The chart below compares usage for the past five calendar quarters.



APPENDIX A

	Region	IP Assigned	OTP Assigned	IP Settled/ Withdrawn	OTP Settled/ Withdrawn	IP Awarded/ Denied	OTP Awarded/ Denied	In Person Proceedings
Aloi, Anthony M.	CENTRAL	192	65	63	50	71	16	88
Andolino, Michael D.	NORTH	204	67	74	49	87	20	126
Annunziata, Maria	CENTRAL	52	8	17	14	54	12	58
Barry, Martin M.	CENTRAL	50	15	29	16	40	12	57
Campbell, Jennifer M.	CENTRAL	194	63	49	55	86	22	126
Carnelli, Christopher M.	SOUTH	235	95	76	70	76	21	121
Cassella, Deborah M.	NORTH	221	71	64	61	119	13	138
Croft, Douglas M.	NORTH	234	74	78	50	88	11	90
Damiano, Robert S.	NORTH	39	5	30	10	37	9	46
Daniskas, Maria I.	NORTH	88	23	47	21	53	8	56
Della Badia, Joseph	NORTH	188	80	88	46	79	14	80
DeMarco, Jodi L.	NORTH	207	67	63	48	75	18	117
Ducey, John G.	CENTRAL	182	73	69	59	79	13	103
Eisele-Grabowski, Karen	SOUTH	82	25	35	7	44	20	75
Fabiano, Edward	NORTH	181	47	82	40	117	8	132
Fannan, John J.	CENTRAL	67	34	30	19	33	13	46
Finello, Susanne N.	SOUTH	231	79	115	56	80	15	89
Frankland, Suzanne J.	NORTH	154	69	62	44	90	15	114
Ganzhorn, Lisa A.	NORTH	113	43	44	11	59	3	60
Garrabrandt, James H.	NORTH	74	28	20	17	49	8	66
Grabowski, David A.	SOUTH	84	27	28	12	53	10	69
Granato, S. Caroline	SOUTH	46	16	34	13	36	13	71
Hackett, Michael	NORTH	51	19	30	10	62	4	72
Hebron, Sylvia A	NORTH	117	23	22	14	50	7	55
Johnston, Maureen M.	NORTH	91	16	32	16	40	0	65
Kaiser, Brian K.	NORTH	90	19	31	8	60	3	62
Karbasian, Carolyn K.	SOUTH	220	54	71	39	120	13	132
Keller, Grant W.	SOUTH	224	59	59	46	90	13	139
Kincade, Kathleen D.	CENTRAL	20	13	25	18	42	6	53
La Salle, Robert C.	NORTH	71	10	26	15	65	12	58
LaPorta Esq., David M.	NORTH	180	72	64	49	90	8	110
LaPorta, Phillip A.	NORTH	54	19	25	16	71	9	63
Lardiere, Andrea L	CENTRAL	184	67	65	45	94	12	111
McFadden, Michael K.	SOUTH	23	10	29	14	58	7	67
Mundy, Lisa D.	NORTH	52	26	22	15	66	11	77
Nardella, George C.	NORTH	193	67	90	53	88	6	116
Noonan, Scott M.	NORTH	44	13	33	8	77	1	68
O'Donnel, Kenneth L.	NORTH	50	25	17	17	39	4	58
Patriaco, Andrew A.	NORTH	53	30	16	19	54	14	79

Pettersen, Nina L.	SOUTH	40	12	31	11	44	16	65
Reis, Karen M.	NORTH	190	72	57	47	88	6	95
Remington-Knodel, Jennifer	NORTH	184	66	61	52	108	14	124
Reynolds, William E.	SOUTH	82	36	34	16	35	17	65
Riva, Joseph J.	NORTH	50	17	35	12	50	11	65
Rivera, Barbara Brosnan	NORTH	74	24	29	13	55	3	62
Sacco, Russ	NORTH	259	87	75	56	65	10	75
Sproviero, Scott G.	NORTH	55	17	20	10	63	5	63
Stampone, Vincenzo	NORTH	175	79	70	62	90	17	103
Tamburino, Joseph A.	NORTH	92	14	37	9	50	5	59
Tarrant, Tara D.	NORTH	240	58	61	33	82	17	91
Voorhees, Gregory X.	SOUTH	255	77	86	70	86	9	115
Total		6531	2175	2450	1561	3487	554	4295

APPENDIX B

DRP	Region	IP Cases	IP Age (in days)	OTP Cases	OTP Age (in days)
Aloi, Anthony M.	CENTRAL	283	163.51	51	76.57
Andolino, Michael D.	NORTH	371	166.06	48	60.94
Annunziata, Maria	CENTRAL	18	263.56	0	0
Barry, Martin M.	CENTRAL	32	334.53	1	191.00
Campbell, Jennifer M.	CENTRAL	331	160.39	64	78.45
Carnelli, Christopher M.	SOUTH	369	148.13	70	62.71
Cassella, Deborah M.	NORTH	396	164.80	44	66.93
Croft, Douglas M.	NORTH	404	179.30	58	70.67
Damiano, Robert S.	NORTH	15	320.33	1	166.00
Daniskas, Maria I.	NORTH	218	219.62	23	69.65
Della Badia, Joseph	NORTH	371	161.00	55	60.38
DeMarco, Jodi L.	NORTH	416	181.85	49	57.76
Ducey, John G.	CENTRAL	279	135.68	65	71.54
Eisele-Grabowski, Karen	SOUTH	184	181.93	36	58.64
Fabiano, Edward	NORTH	359	191.90	46	71.33
Fannan, John J.	CENTRAL	141	176.67	46	68.02
Finiello, Susanne N.	SOUTH	330	129.18	58	62.98
Frankland, Suzanne J.	NORTH	315	154.52	55	61.44
Ganzhorn, Lisa A.	NORTH	342	203.23	58	62.21
Garrabrandt, James H.	NORTH	207	233.70	30	57.00
Grabowski, David A.	SOUTH	180	160.87	31	50.00
Granato, S. Caroline	SOUTH	30	264.90	9	164.56
Hackett, Michael	NORTH	167	210.84	24	59.83
Hebron, Sylvia A	NORTH	226	202.70	28	71.36
Johnston, Maureen M.	NORTH	221	192.25	24	58.96
Kaiser, Brian K.	NORTH	210	200.96	19	54.00
Karbasian, Carolyn K.	SOUTH	321	130.79	44	65.75
Keller, Grant W.	SOUTH	403	162.15	67	81.78
Kincade, Kathleen D.	CENTRAL	15	237.93	6	162.67
La Salle, Robert C.	NORTH	195	232.89	14	89.86
LaPorta Esq., David M.	NORTH	167	200.01	33	88.36
LaPorta, Phillip A.	NORTH	437	183.43	52	69.35
Lardiere, Andrea L	CENTRAL	301	163.79	71	74.24
McFadden, Michael K.	SOUTH	20	232.25	8	164.63
Mundy, Lisa D.	NORTH	180	221.83	25	53.16
Nardella, George C.	NORTH	395	179.04	52	84.23
Noonan, Scott M.	NORTH	202	251.50	20	37.70
O'Donnel, Kenneth L.	NORTH	212	197.28	27	66.41
Patriaco, Andrew A.	NORTH	188	224.04	31	57.77
Pettersen, Nina L.	SOUTH	26	220.35	2	194.00

Reis, Karen M.	NORTH	391	197.83	55	62.15
Remington-Knodel, Jennifer	NORTH	353	169.54	49	61.31
Reynolds, William E.	SOUTH	227	156.78	52	66.98
Riva, Joseph J.	NORTH	162	191.78	26	56.62
Rivera, Barbara Brosnan	NORTH	221	220.23	26	36.08
Sacco, Russ	NORTH	439	163.23	65	58.23
Sproviero, Scott G.	NORTH	223	237.53	21	65.38
Stampone, Vincenzo	NORTH	381	173.52	56	60.79
Tamburino, Joseph A.	NORTH	192	193.30	14	69.50
Tarrant, Tara D.	NORTH	420	182.84	43	69.40
Voorhees, Gregory X.	SOUTH	370	147.01	70	72.49

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