



NEW JERSEY DEPARTMENT OF
BANKING AND INSURANCE
QUARTERLY REPORT

No Fault PIP Arbitration
2nd Quarter 2021



FORTHRIGHT

2ND QUARTER 2021 REPORT
TO THE
NEW JERSEY DEPARTMENT OF BANKING AND INSURANCE

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EXECUTIVE SUMMARY

In the second quarter of 2021, 10,743 cases were initiated in the PIP dispute resolution program. Of these cases, 4,932 (46%) were initiated in the Northern region, 1,187 (11%) in the Central region, 2,207 (21%) in the Southern region, and 2,417 (22%) as OTP.

The DRP panel consisted of 44 members. The DRPs were regionally deployed as follows: 31 in the North, 5 in the Central, and 8 in the South. In this quarter 9,446 cases were assigned to DRPs.

Of the pending cases in the PIP arbitration program, 9,749 were concluded during the second quarter by means of an award or denial of award (including appeals), pre-hearing dismissal of the case, settlement, or withdrawal. There were 370 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 \$5,233 comprised of \$4,403 for personal injury protection benefits and \$830 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.

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

During the reporting period, 11 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.

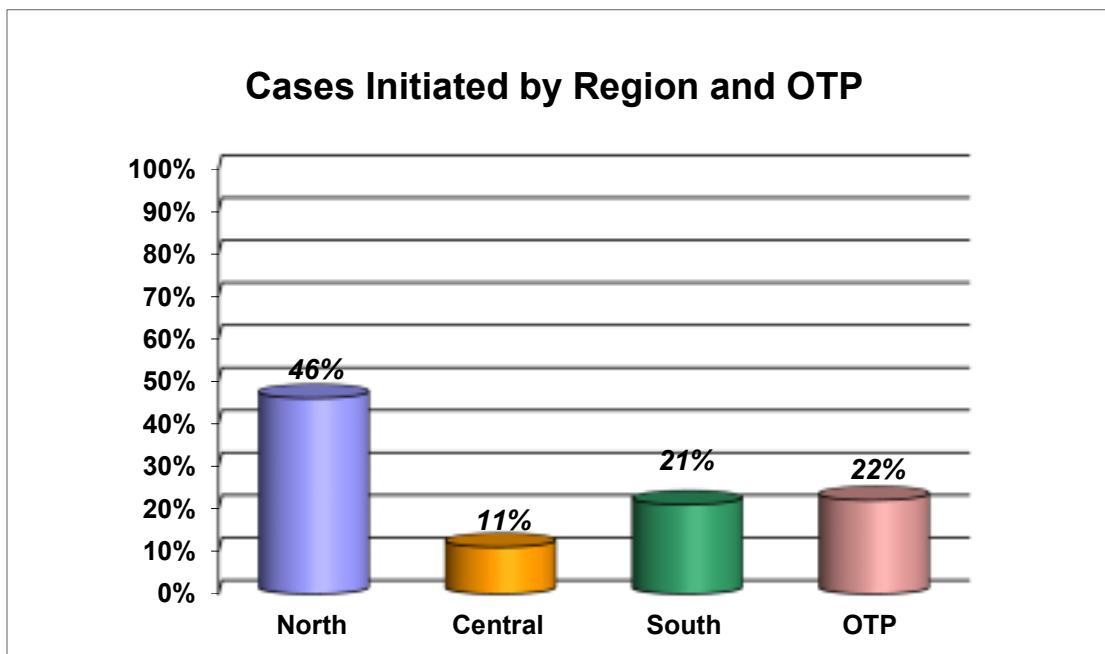
CASES INITIATED

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 second quarter of 2021, 10,743 cases were initiated in the PIP dispute resolution program. Of these cases, 4,932 (46%) were initiated in the Northern region, 1,187 (11%) in the Central region, 2,207 (21%) in the Southern region, and 2,417 (22%) as OTP. See the table below for the monthly distribution.

	IP - North	IP - Central	IP - South	OTP	Total
April	1,611	300	703	801	3,415
May	1,553	357	678	650	3,238
June	1,768	530	826	966	4,090
Totals	4,932	1,187	2,207	2,417	10,743



The following table summarizes the initiations for the first two quarters of 2021.

	IP - North	IP - Central	IP - South	OTP	Total
Q1 2021	4,766	1,081	1,884	2,150	9,881
Q2 2021	4,932	1,187	2,207	2,417	10,743

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 second quarter and the reason.

Consolidation	Policy Issues	Change of Claim	Total
304	25	94	423

DISPOSITION OF CASES IN THE PIP ARBITRATION PROGRAM

Of the pending cases in the PIP arbitration program, 9,749 were concluded during the second 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	2,032	363	706	504	3,605
*Dismissed Pre-Hearing	4	2	2	0	8
Settled	2,330	502	1,041	1,317	5,190
Withdrawn	432	75	195	244	946
Total	4,798	942	1,944	2,065	9,749

* 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	42%	39%	36%	24%
Dismissed	< 1%	<1%	<1%	N/A
Settled	49%	53%	54%	64%
Withdrawn	9%	8%	10%	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
263	29	46	32	370

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*	1,393	300	598	953	3,244

** 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 44 members. The DRPs were regionally deployed as follows: 31 in the North, 5 in the Central, and 8 in the South. In this quarter 9,446 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 7,493 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 second 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	2,156	394	730	3,280	513
Dismissed by DRP	4	2	2	8	0*
Settled	969	211	436	1,616	1,312
Withdrawn	309	48	165	522	242
Total	3,438	655	1,333	5,426	2,067

* 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 second 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 3,809 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 (3,298), 66% were in the North region, 12% in the Central region, and 22% 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

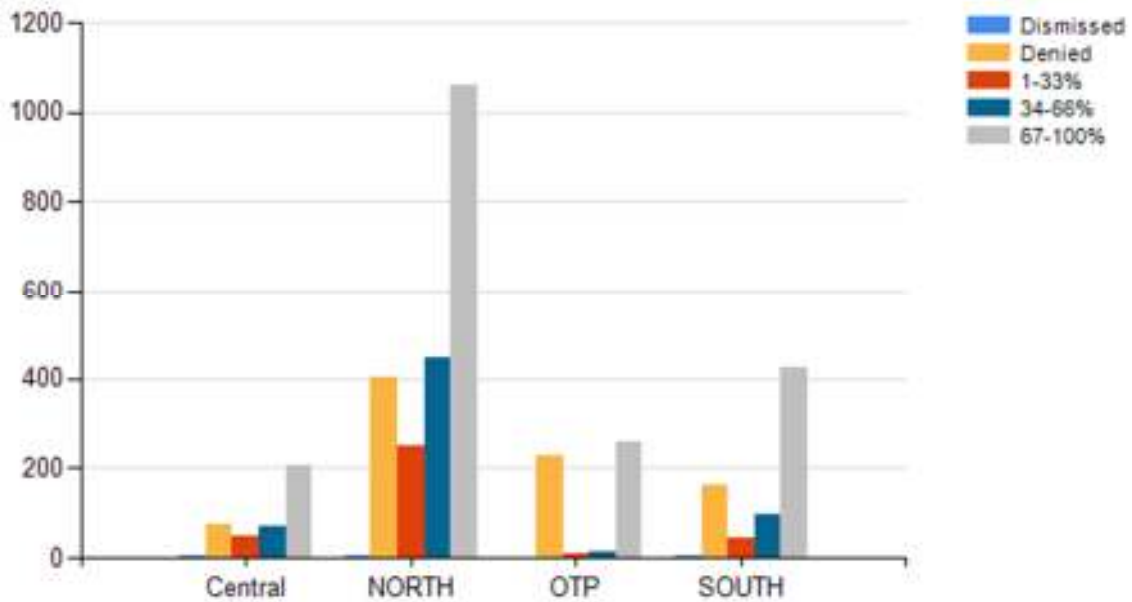
DRPs can deny a claim in its entirety or award all or part of an amount requested by a Claimant. For cases decided in the second quarter of 2021, the table and graph below indicate the distribution of DRP total awarded amounts, from 0% (denied/dismissed) to 100% of claimed amounts. Total awarded amounts 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	75	48	71	204	400
IP - North	4	403	252	446	1,060	2,165
IP - South	2	164	43	97	427	733
OTP	0*	229	7	15	260	511
Total	8	871	350	629	1,951	3,809

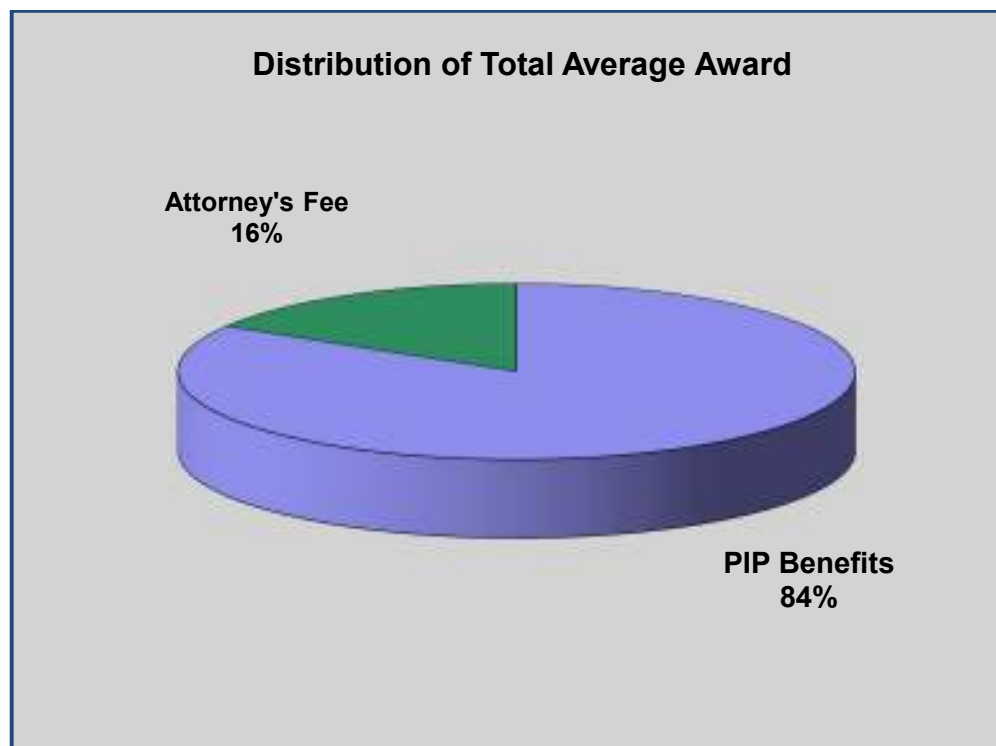
* Not applicable to OTP proceedings.

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 \$5,233 comprised of \$4,403 for personal injury protection benefits and \$830 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 \$4,403* per case. Awarded amounts ranged from \$0 to \$297,935. The median award during the reporting period was \$1,002. 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 \$830 per case. Awarded attorney's fees ranged from \$0 to \$4,000. 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	\$4,403*	\$0 to \$297,935	\$1,002
Attorney's Fee Award	\$830	\$0 to \$4,000	\$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

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

	IP - North	IP - Central	IP- South	OTP	Total
Affirmed	9	0	2	0	11
Vacated & Corrected	4	1	0	0	5
Modified	0	1	0	0	1
Total	13	2	2	0	17

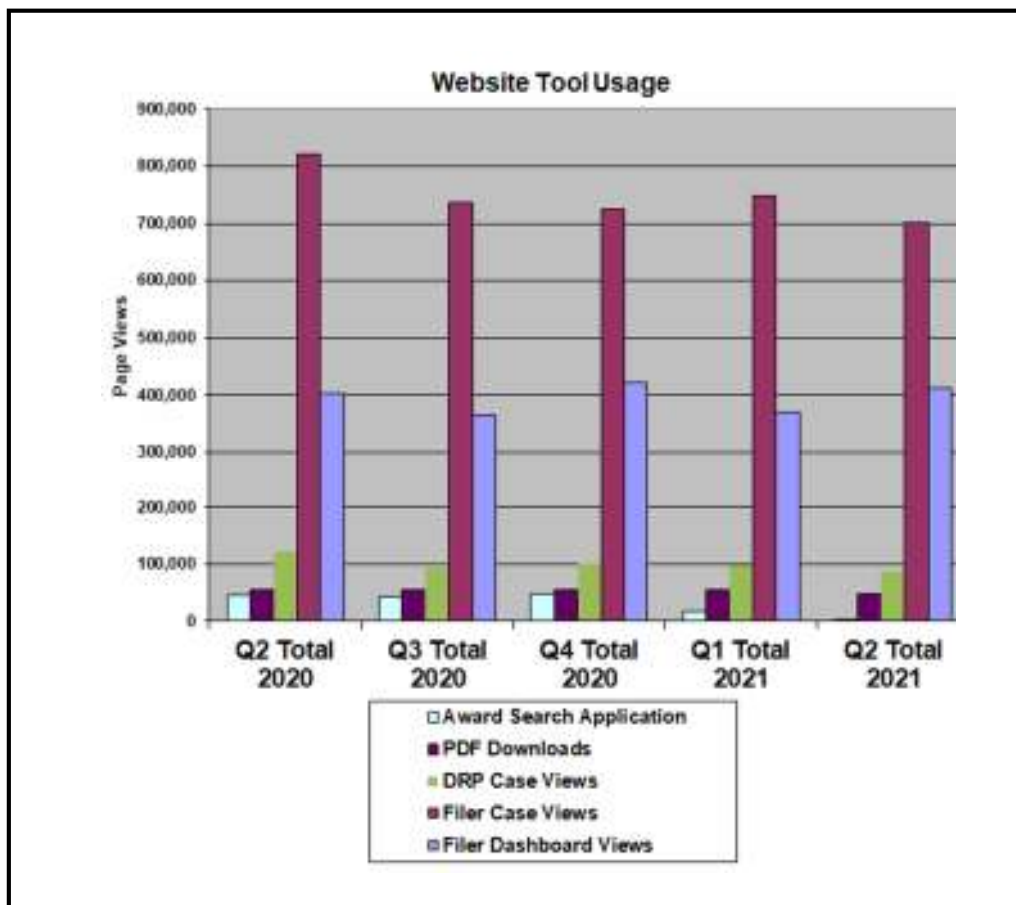
MEDICAL REVIEW ORGANIZATION REPORT

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	0	3	0
FMCO	1	0	1	0	1	0
Rising Medical	3	0	3	0	3	0
SCS	4	0	4	0	4	0
Total	11	0	11	0	11	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	62	35	70	16	83
Andolino, Michael D.	NORTH	146	56	66	34	105	14	95
Annunziata, Maria	CENTRAL	0	0	0	0	18	0	0
Barry, Martin M.	CENTRAL	1	0	1	0	28	1	0
Campbell, Jennifer M.	CENTRAL	196	63	50	37	81	18	84
Carnelli, Christopher M.	SOUTH	216	65	88	36	95	13	87
Cassella, Deborah M.	NORTH	171	62	61	45	92	14	94
Croft, Douglas M.	NORTH	148	55	57	32	80	10	96
Damiano, Robert S.	NORTH	1	0	0	0	11	1	0
Daniskas, Maria I.	NORTH	89	42	26	21	52	8	52
Della Badia, Joseph	NORTH	182	49	58	43	76	7	88
DeMarco, Jodi L.	NORTH	167	56	65	42	105	11	88
Ducey, John G.	CENTRAL	176	60	53	42	74	16	104
Eisele-Grabowski, Karen	SOUTH	137	65	43	38	49	10	47
Fabiano, Edward	NORTH	156	55	50	32	92	19	95
Fannan, John J.	CENTRAL	146	55	21	34	37	15	50
Finiello, Susanne N.	SOUTH	265	65	103	46	73	9	86
Frankland, Suzanne J.	NORTH	176	53	58	47	57	13	70
Ganzhorn, Lisa A.	NORTH	321	68	36	39	52	16	72
Garrabrandt, James H.	NORTH	123	61	41	32	49	7	46
Grabowski, David A.	SOUTH	132	64	55	34	39	5	38
Granato, S. Caroline	SOUTH	0	0	0	1	37	8	0
Hackett, Michael	NORTH	143	60	33	43	65	6	56
Hebron, Sylvia A	NORTH	88	39	45	26	50	8	53
Johnston, Maureen M.	NORTH	135	46	34	24	66	9	55
Kaiser, Brian K.	NORTH	109	48	34	26	47	6	49
Karbasian, Carolyn K.	SOUTH	218	59	97	25	99	8	102
Keller, Grant W.	SOUTH	221	72	74	52	130	18	104
Kincade, Kathleen D.	CENTRAL	0	0	0	0	16	6	0
La Salle, Robert C.	NORTH	93	53	21	16	42	6	47
LaPorta Esq., David M.	NORTH	187	51	52	41	98	11	89
LaPorta, Phillip A.	NORTH	99	58	25	35	51	14	44
Lardiere, Andrea L	CENTRAL	222	60	61	43	80	17	82
McFadden, Michael K.	SOUTH	0	0	1	0	21	8	0
Mundy, Lisa D.	NORTH	91	60	32	24	48	3	59
Nardella, George C.	NORTH	151	55	41	35	96	20	81
Noonan, Scott M.	NORTH	138	53	29	26	77	3	54
O'Donnel, Kenneth L.	NORTH	162	46	27	28	54	7	58
Patriaco, Andrew A.	NORTH	115	47	34	34	56	8	47
Pettersen, Nina L.	SOUTH	0	0	0	0	29	2	0

Reis, Karen M.	NORTH	180	51	45	44	96	17	104
Remington-Knodel, Jennifer	NORTH	177	58	55	41	71	11	79
Reynolds, William E.	SOUTH	172	69	45	40	50	13	50
Riva, Joseph J.	NORTH	92	63	31	39	48	7	52
Rivera, Barbara Brosnan	NORTH	138	54	35	32	56	4	40
Sacco, Russ	NORTH	204	54	71	46	76	13	97
Sproviero, Scott G.	NORTH	79	36	15	20	60	8	52
Stampone, Vincenzo	NORTH	174	68	50	53	101	16	78
Tamburino, Joseph A.	NORTH	81	34	21	27	35	4	48
Tarrant, Tara D.	NORTH	167	46	47	30	95	9	112
Voorhees, Gregory X.	SOUTH	219	51	83	32	102	20	91
Total		6996	2450	2132	1552	3287	513	3,158

APPENDIX B

DRP	Region	IP Cases	IP Age (in days)	OTP Cases	OTP Age (in days)
Aloi, Anthony M.	CENTRAL	305	166.69	58	69.34
Andolino, Michael D.	NORTH	323	184.88	56	66.05
Campbell, Jennifer M.	CENTRAL	334	171.69	61	76.05
Carnelli, Christopher M.	SOUTH	378	157.32	80	84.58
Cassella, Deborah M.	NORTH	396	188.78	48	47.31
Croft, Douglas M.	NORTH	421	194.46	65	74.51
Daniskas, Maria I.	NORTH	224	237.28	34	45.24
Della Badia, Joseph	NORTH	389	182.03	45	66.11
DeMarco, Jodi L.	NORTH	386	198.76	52	64.38
Ducey, John G.	CENTRAL	296	153.06	60	77.45
Eisele-Grabowski, Karen	SOUTH	220	161.46	45	47.76
Fabiano, Edward	NORTH	326	205.04	49	44.33
Fannan, John J.	CENTRAL	219	158.71	47	55.72
Finello, Susanne N.	SOUTH	396	129.71	57	72.02
Frankland, Suzanne J.	NORTH	347	170.15	45	59.36
Ganzhorn, Lisa A.	NORTH	419	208.45	58	60.66
Garrabrandt, James H.	NORTH	237	211.54	48	52.38
Grabowski, David A.	SOUTH	203	137.82	51	47.02
Hackett, Michael	NORTH	194	162.40	34	51.15
Hebron, Sylvia A	NORTH	213	211.00	34	56.94
Johnston, Maureen M.	NORTH	229	193.30	33	44.48
Kaiser, Brian K.	NORTH	229	207.22	38	41.92
Karbasian, Carolyn K.	SOUTH	333	134.77	63	67.84
Keller, Grant W.	SOUTH	412	150.29	65	69.09
La Salle, Robert C.	NORTH	199	225.36	46	36.78
LaPorta Esq., David M.	NORTH	197	174.00	42	48.67
LaPorta, Phillip A.	NORTH	402	198.02	48	73.06
Lardiere, Andrea L	CENTRAL	339	163.09	69	84.16
Mundy, Lisa D.	NORTH	189	212.96	56	52.86
Nardella, George C.	NORTH	363	209.21	55	63.33
Noonan, Scott M.	NORTH	215	180.66	39	40.10
O'Donnel, Kenneth L.	NORTH	233	191.33	38	43.37
Patriaco, Andrew A.	NORTH	210	210.27	34	52.44
Reis, Karen M.	NORTH	384	203.50	49	65.59
Remington-Knodel, Jennifer	NORTH	354	181.06	54	62.30
Reynolds, William E.	SOUTH	237	173.85	59	59.97
Riva, Joseph J.	NORTH	160	157.83	40	36.38
Rivera, Barbara Brosnan	NORTH	238	204.00	49	48.82
Sacco, Russ	NORTH	436	196.71	55	76.00
Sproviero, Scott G.	NORTH	220	245.70	31	30.00

Stampone, Vincenzo	NORTH	378	184.29	52	53.79
Tamburino, Joseph A.	NORTH	195	208.25	17	32.82
Tarrant, Tara D.	NORTH	432	195.00	45	69.36
Voorhees, Gregory X.	SOUTH	387	159.14	64	83.02

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