



NEW JERSEY DEPARTMENT OF
BANKING AND INSURANCE
QUARTERLY REPORT

No Fault PIP Arbitration
3rd Quarter 2021



FORTHRIGHT

3RD QUARTER 2021 REPORT
TO THE
NEW JERSEY DEPARTMENT OF BANKING AND INSURANCE

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EXECUTIVE SUMMARY

In the third quarter of 2021, 11,525 cases were initiated in the PIP dispute resolution program. Of these cases, 5,725 (50%) were initiated in the Northern region, 1,251 (11%) in the Central region, 2,130 (18%) in the Southern region, and 2,419 (21%) 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 10,146 cases were assigned to DRPs

Of the pending cases in the PIP arbitration program, 9,878 were concluded during the third quarter by means of an award or denial of award (including appeals), pre-hearing dismissal of the case, settlement, or withdrawal. There were 471 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 \$5,328 comprised of \$4,515 for personal injury protection benefits and \$813 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.

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

During the reporting period, 8 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.

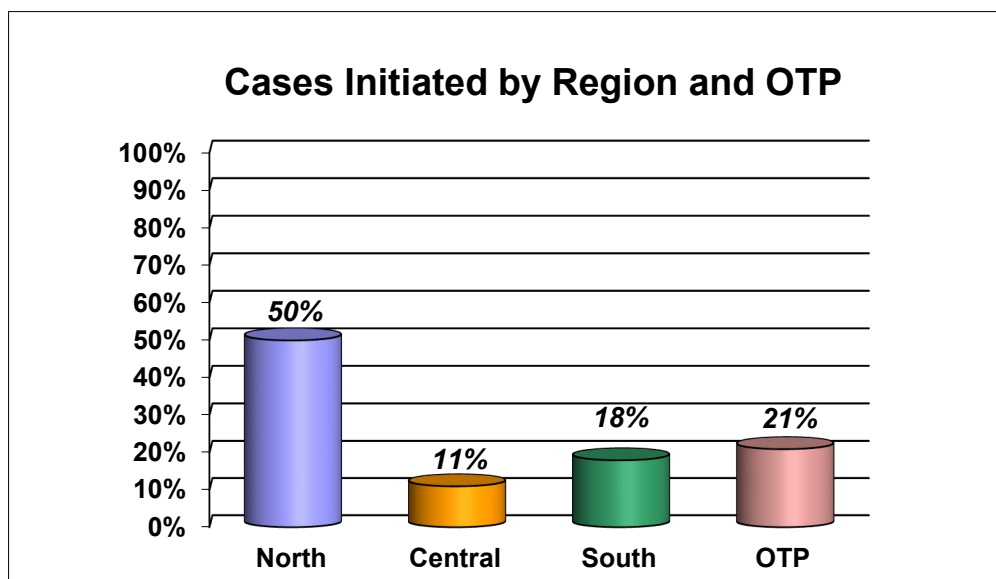
CASES INITIATED

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 third quarter of 2021, 11,525 cases were initiated in the PIP dispute resolution program. Of these cases, 5,725 (50%) were initiated in the Northern region, 1,251 (11%) in the Central region, 2,130 (18%) in the Southern region, and 2,419 (21%) as OTP. See the table below for the monthly distribution.

	IP - North	IP - Central	IP - South	OTP	Total
July	1,818	371	775	779	3,743
August	1,994	493	662	846	3,995
September	1,913	387	693	794	3,787
Totals	5,725	1,251	2,130	2,419	11,525



The following table summarizes the initiations for the first three 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
Q3 2021	5,725	1,251	2,130	2,419	11,525

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 third quarter and the reason.

Consolidation	Policy Issues	Change of Claim	Total
357	24	86	467

DISPOSITION OF CASES IN THE PIP ARBITRATION PROGRAM

Of the pending cases in the PIP arbitration program, 9,878 were concluded during the third 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	1,668	370	570	538	3,146
Dismissed Pre-Hearing	3	4	6	0	13
Settled	2,579	566	1,051	1,495	5,691
Withdrawn	470	95	214	249	1,028
Total	4,720	1,035	1,841	2,282	9,878

* 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	35%	36%	31%	24%
Dismissed	< 1%	<1%	<1%	N/A
Settled	55%	55%	57%	66%
Withdrawn	10%	9%	12%	11%

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
353	44	41	33	471

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*	1,514	323	580	1,099	3,516

** 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 10,146 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 7,396 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 third 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	1,811	383	587	2,781	546
Dismissed by DRP	3	4	6	13	0*
Settled	1,119	255	470	1,844	1,492
Withdrawn	306	69	96	471	249
Total	3,239	711	1,159	5,109	2,287

* 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 third 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 5,097 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 (2,787), 65% were in the North region, 14% 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

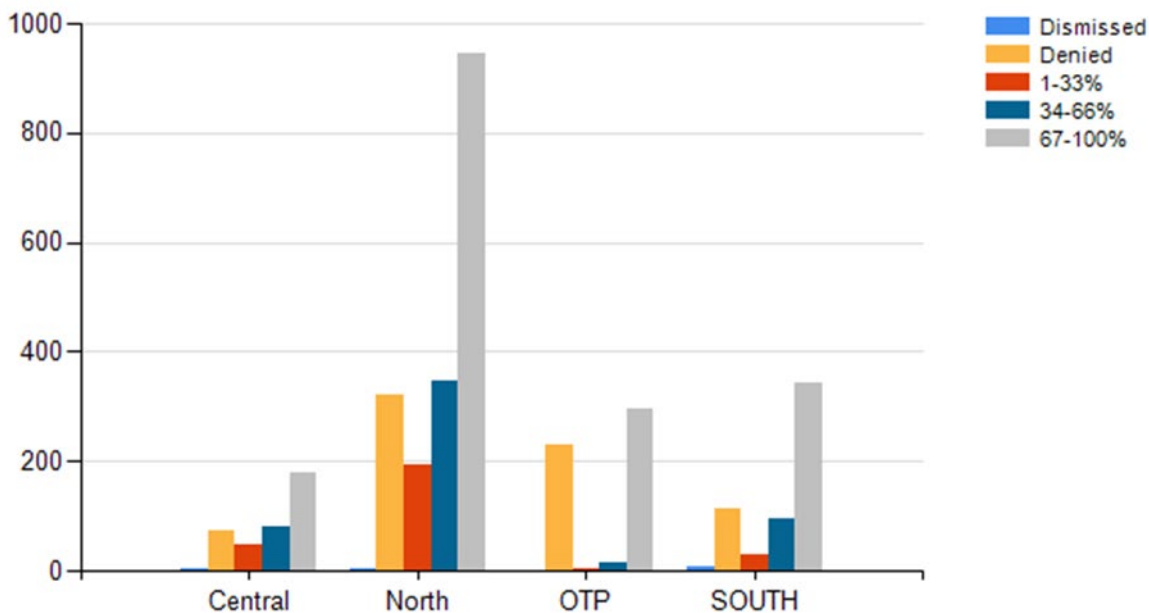
DRPs can deny a claim in its entirety or award all or part of an amount requested by a Claimant. For cases decided in the third quarter of 2021, the table and graph below indicate the distribution of DRP total awarded amounts, from 0% (denied/dismissed) to 100% of claimed amounts. Total awarded amounts 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	4	75	48	81	180	388
IP - North	3	321	194	347	946	1,811
IP - South	6	114	28	96	344	588
OTP	0*	231	5	14	295	545
Total	13	741	275	538	1,765	3,332

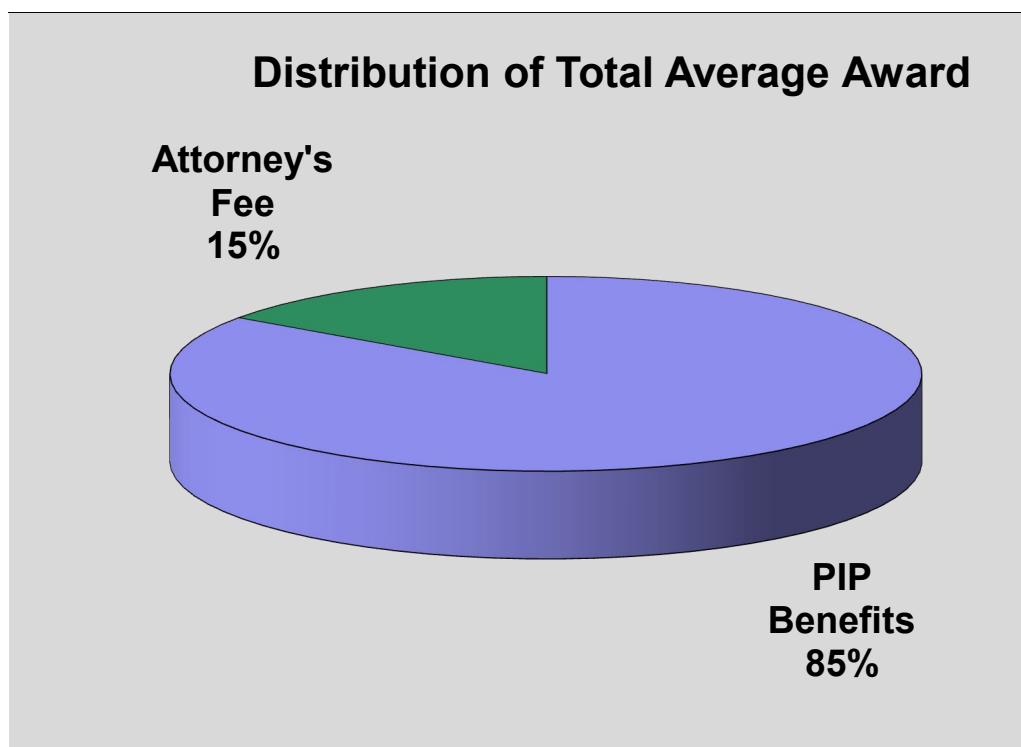
* Not applicable to OTP proceedings.

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 \$5,328 comprised of \$4,515 for personal injury protection benefits and \$813 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 \$4,515* per case. Awarded amounts ranged from \$0 to \$328,939. The median award during the reporting period was \$986. 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 \$813 per case. Awarded attorney's fees ranged from \$0 to \$4,900. 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	\$4,515*	\$0 to \$328,939	\$986
Attorney's Fee Award	\$813	\$0 to \$4,900	\$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

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

	IP - North	IP - Central	IP- South	OTP	Total
Affirmed	3	0	2	0	5
Vacated & Corrected	1	1	1	0	3
Modified	0	0	0	0	0
Total	4	1	3	0	8

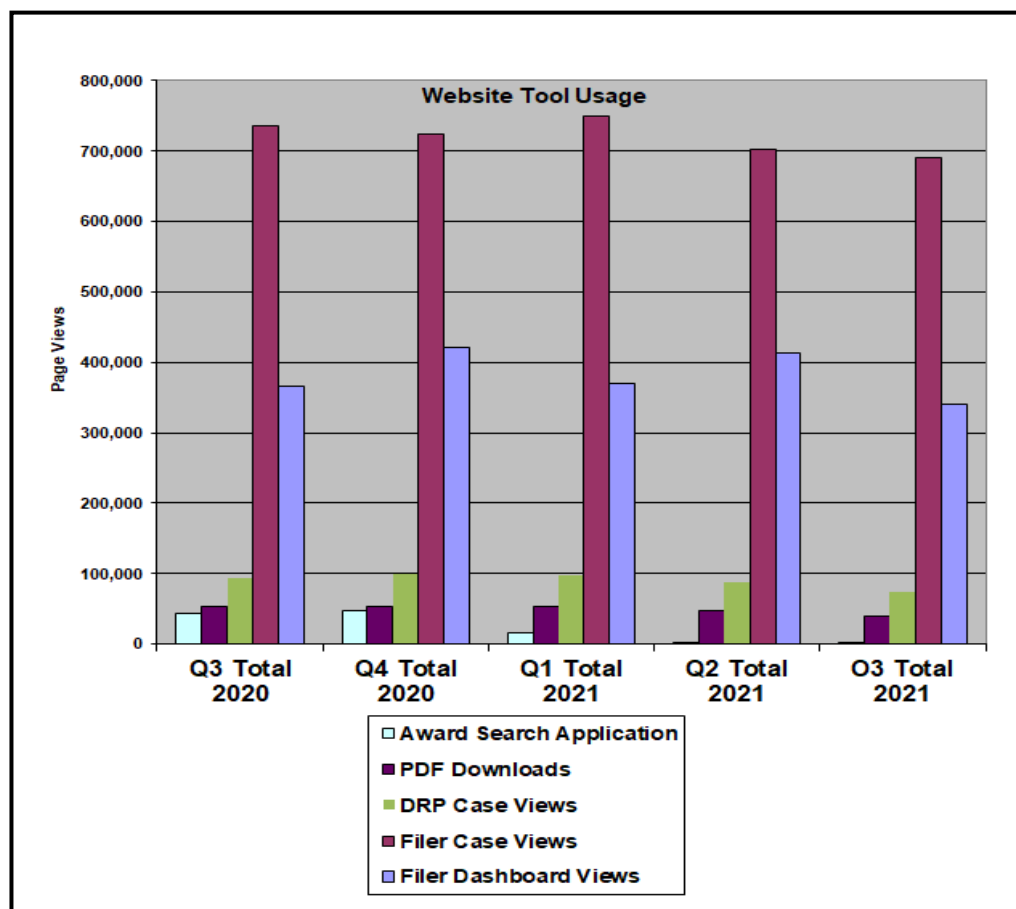
MEDICAL REVIEW ORGANIZATION REPORT

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	2	1
FMCO	1	0	1	0	1	0
Rising Medical	2	0	2	0	2	0
SCS	2	0	2	0	2	0
Total	8	0	8	0	7	1

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	280	63	71	37	92	16	70
Andolino, Michael D.	NORTH	228	65	79	48	61	17	57
Campbell, Jennifer M.	CENTRAL	246	57	45	45	76	18	67
Carnelli, Christopher M.	SOUTH	282	64	83	42	91	32	94
Cassella, Deborah M.	NORTH	230	71	61	47	72	12	67
Croft, Douglas M.	NORTH	214	53	60	37	68	23	78
Daniskas, Maria I.	NORTH	79	44	18	26	39	6	32
Della Badia, Joseph	NORTH	208	58	71	39	85	13	89
DeMarco, Jodi L.	NORTH	164	57	55	32	67	15	75
Ducey, John G.	CENTRAL	263	65	72	41	100	22	70
Eisele-Grabowski, Karen	SOUTH	121	60	40	46	40	9	53
Fabiano, Edward	NORTH	209	63	60	44	62	8	62
Fannan, John J.	CENTRAL	129	64	46	50	44	8	21
Finello, Susanne N.	SOUTH	229	65	104	54	87	19	75
Frankland, Suzanne J.	NORTH	202	56	68	38	94	19	85
Ganzhorn, Lisa A.	NORTH	214	53	62	45	103	12	113
Garrabrandt, James H.	NORTH	135	39	47	34	48	6	50
Grabowski, David A.	SOUTH	143	48	49	40	36	8	48
Hackett, Michael	NORTH	112	63	35	51	38	1	47
Hebron, Sylvia A	NORTH	124	51	37	38	53	7	48
Johnston, Maureen M.	NORTH	123	35	30	30	42	3	37
Kaiser, Brian K.	NORTH	112	52	37	40	60	3	47
Karbasian, Carolyn K.	SOUTH	284	59	70	40	68	20	72
Keller, Grant W.	SOUTH	273	71	79	54	88	17	80
La Salle, Robert C.	NORTH	77	19	29	31	19	0	35
LaPorta Esq., David M.	NORTH	186	62	53	37	81	20	105
LaPorta, Phillip A.	NORTH	116	51	39	41	34	6	32
Lardiere, Andrea L	CENTRAL	238	55	78	40	83	23	89
Mundy, Lisa D.	NORTH	87	65	24	48	58	17	39
Nardella, George C.	NORTH	157	64	54	42	47	12	68
Noonan, Scott M.	NORTH	126	47	39	28	34	6	51
O'Donnel, Kenneth L.	NORTH	137	41	30	32	65	5	52
Patriaco, Andrew A.	NORTH	91	64	30	41	40	7	45

Reis, Karen M.	NORTH	168	58	48	24	86	15	78
Remington-Knodel, Jennifer	NORTH	190	62	55	49	73	17	62
Reynolds, William E.	SOUTH	135	33	35	32	58	14	51
Riva, Joseph J.	NORTH	125	62	33	46	39	4	31
Rivera, Barbara Brosnan	NORTH	152	43	40	32	43	5	63
Sacco, Russ	NORTH	216	60	69	51	96	20	83
Sproviero, Scott G.	NORTH	156	55	24	30	44	0	43
Stampone, Vincenzo	NORTH	184	63	55	47	57	15	90
Tamburino, Joseph A.	NORTH	116	50	25	24	49	3	36
Tarrant, Tara D.	NORTH	218	50	81	31	78	15	77
Voorhees, Gregory X.	SOUTH	219	68	92	37	83	28	94
Total		7698	2448	2312	1741	2781	546	2,761

APPENDIX B

DRP	Region	IP Cases	IP Age (in days)	OTP Cases	OTP Age (in days)
Aloi, Anthony M.	CENTRAL	389	148	60	57
Andolino, Michael D.	NORTH	388	173	50	54
Campbell, Jennifer M.	CENTRAL	426	168	54	60
Carnelli, Christopher M.	SOUTH	480	150	62	75
Cassella, Deborah M.	NORTH	451	185	50	55
Croft, Douglas M.	NORTH	467	200	56	74
Daniskas, Maria I.	NORTH	234	244	46	67
Della Badia, Joseph	NORTH	432	176	47	68
DeMarco, Jodi L.	NORTH	393	202	61	61
Ducey, John G.	CENTRAL	379	134	68	67
Eisele-Grabowski, Karen	SOUTH	254	174	55	56
Fabiano, Edward	NORTH	400	188	56	54
Fannan, John J.	CENTRAL	224	166	52	74
Finello, Susanne N.	SOUTH	415	136	52	66
Frankland, Suzanne J.	NORTH	360	159	42	54
Ganzhorn, Lisa A.	NORTH	440	201	53	63
Garrabrandt, James H.	NORTH	246	186	44	63
Grabowski, David A.	SOUTH	235	157	55	73
Hackett, Michael	NORTH	237	154	42	49
Hebron, Sylvia A	NORTH	244	197	41	68
Johnston, Maureen M.	NORTH	245	220	35	65
Kaiser, Brian K.	NORTH	239	192	41	65
Karbasian, Carolyn K.	SOUTH	470	140	57	66
Keller, Grant W.	SOUTH	495	158	60	66
La Salle, Robert C.	NORTH	192	256	28	115
LaPorta Esq., David M.	NORTH	218	176	47	64
LaPorta, Phillip A.	NORTH	431	202	50	67
Lardiere, Andrea L	CENTRAL	399	154	54	70
Mundy, Lisa D.	NORTH	189	182	52	54
Nardella, George C.	NORTH	399	211	58	66
Noonan, Scott M.	NORTH	247	170	50	62
O'Donnel, Kenneth L.	NORTH	244	183	38	77
Patriaco, Andrew A.	NORTH	232	202	49	47
Reis, Karen M.	NORTH	386	206	60	60
Remington-Knodel, Jennifer	NORTH	409	181	48	63

Reynolds, William E.	SOUTH	252	180	43	97
Riva, Joseph J.	NORTH	199	157	43	55
Rivera, Barbara Brosnan	NORTH	282	203	47	75
Sacco, Russ	NORTH	450	201	38	70
Sproviero, Scott G.	NORTH	267	229	51	55
Stampone, Vincenzo	NORTH	432	203	45	63
Tamburino, Joseph A.	NORTH	227	196	43	52
Tarrant, Tara D.	NORTH	458	192	45	50
Voorhees, Gregory X.	SOUTH	431	159	66	64

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