



NEW JERSEY DEPARTMENT OF
BANKING AND INSURANCE
QUARTERLY REPORT

No Fault PIP Arbitration
4th Quarter 2021



FORTHRIGHT

4TH QUARTER 2021 REPORT
TO THE
NEW JERSEY DEPARTMENT OF BANKING AND INSURANCE

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EXECUTIVE SUMMARY

In the fourth quarter of 2021, 10,745 cases were initiated in the PIP dispute resolution program. Of these cases, 5,355 (50%) were initiated in the Northern region, 1,351 (13%) in the Central region, 1,741 (16%) in the Southern region, and 2,298 (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 10,012 cases were assigned to DRPs.

Of the pending cases in the PIP arbitration program, 10,206 were concluded during the fourth quarter by means of an award or denial of award (including appeals), pre-hearing dismissal of the case, settlement, or withdrawal. There were 456 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 \$5,848 comprised of \$5,019 for personal injury protection benefits and \$829 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. Eight involved awards or dismissal orders rendered in the North Region, none in the Central Region, and three in the South Region. One OTP award was appealed. Thirty-three percent of awards appealed were vacated or modified.

During the reporting period, 3 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.

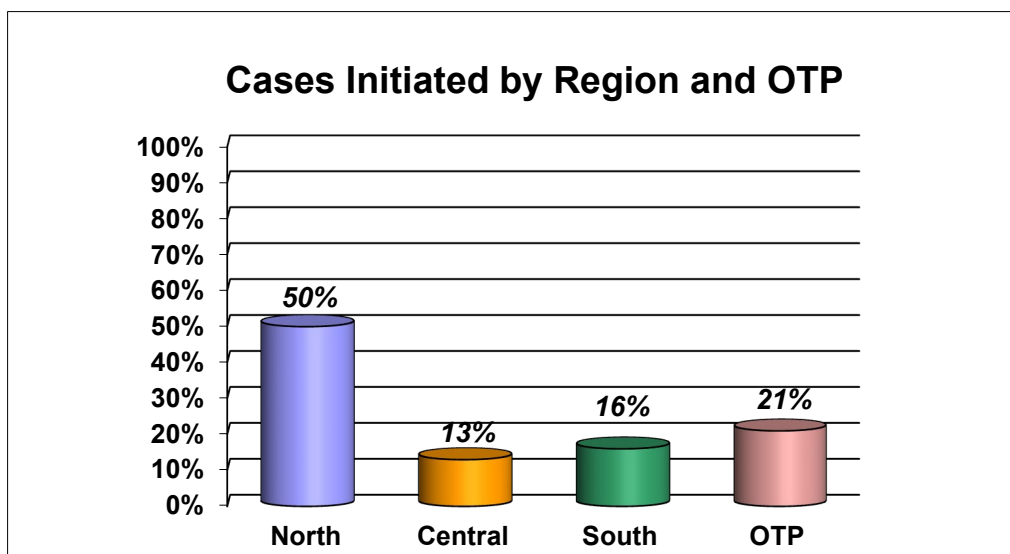
CASES INITIATED

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 –North, Central 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 fourth quarter of 2021, 10,745 cases were initiated in the PIP dispute resolution program. Of these cases, 5,355 (50%) were initiated in the Northern region, 1,351 (13%) in the Central region, 1,741 (16%) in the Southern region, and 2,298 (21%) as OTP. See the table below for the monthly distribution.

	IP - North	IP - Central	IP - South	OTP	Total
October	1,829	427	666	809	3,731
November	1,819	425	606	772	3,622
December	1,707	499	469	717	3,392
Totals	5,355	1,351	1,741	2,298	10,745



The following table summarizes the initiations for the four 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
Q4 2021	5,355	1,351	1,741	2,298	10,745

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 fourth quarter and the reason.

Consolidation	Policy Issues	Change of Claim	Total
328	21	87	436

DISPOSITION OF CASES IN THE PIP ARBITRATION PROGRAM

Of the pending cases in the PIP arbitration program, 10,206 were concluded during the fourth 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	1,873	411	674	517	3,475
Dismissed Pre-Hearing	3	1	3	0	7
Settled	2,611	669	1,033	1,402	5,715
Withdrawn	525	84	136	264	1,009
Total	5,012	1,165	1,846	2,183	10,206

* 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	37%	35%	37%	24%
Dismissed	< 1%	<1%	<1%	N/A
Settled	52%	57%	56%	64%
Withdrawn	10%	7%	7%	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
331	35	53	37	456

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*	1,492	392	578	1,027	3,489

** 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 10,093 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 7,747 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 fourth 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	2,024	429	686	3,139	523
Dismissed by DRP	3	1	3	7	0*
Settled	1,147	285	451	1,883	1,397
Withdrawn	366	64	103	533	265
Total	3,540	779	1,243	5,562	2,185

* 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 fourth 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 3,690 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 (3,165), 64% were in the North region, 14% 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

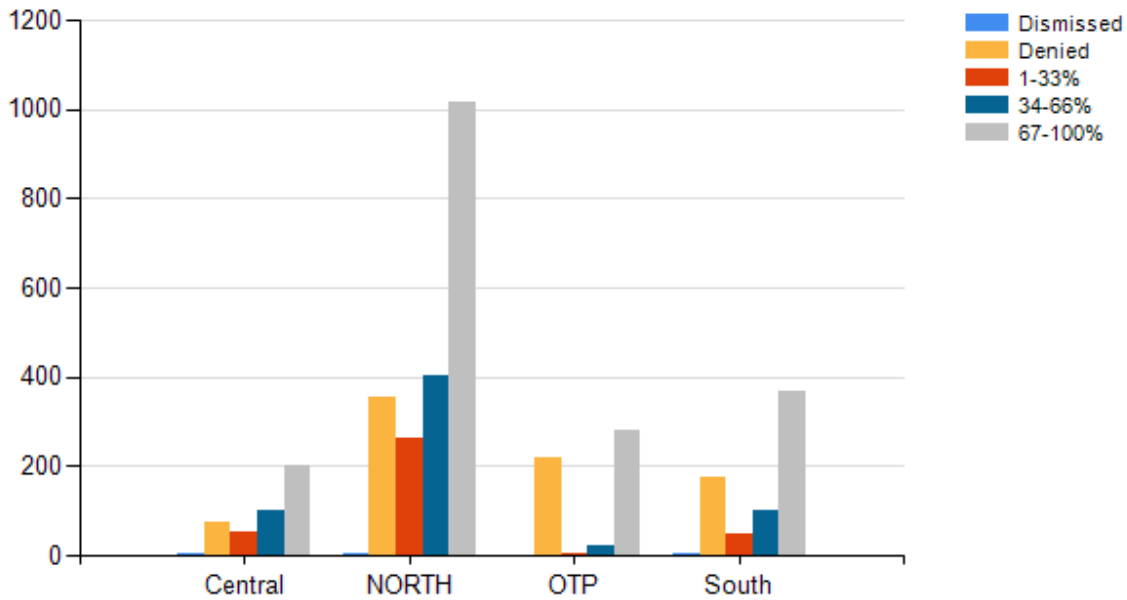
DRPs can deny a claim in its entirety or award all or part of an amount requested by a Claimant. For cases decided in the fourth quarter of 2021, the table and graph below indicate the distribution of DRP total awarded amounts, from 0% (denied/dismissed) to 100% of claimed amounts. Total awarded amounts 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 - North	3	357	261	403	1,014	2,038
IP - Central	1	76	54	101	200	432
IP - South	3	175	47	102	368	695
OTP	0*	219	5	22	279	525
Total	7	827	367	628	1,861	3,690

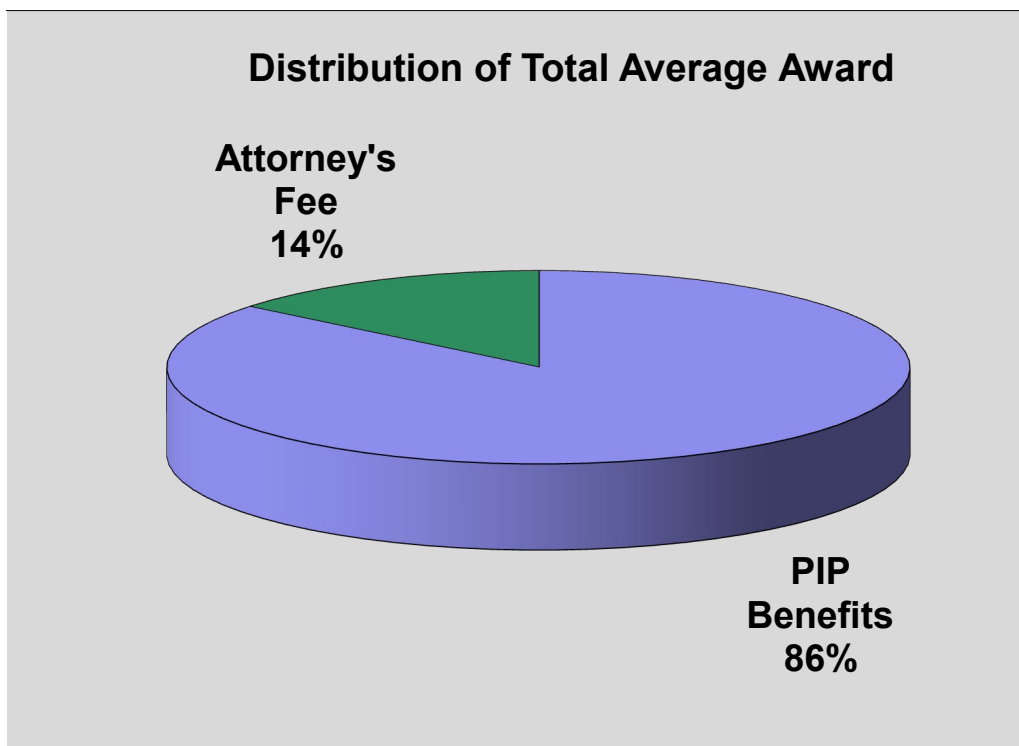
* Not applicable to OTP proceedings.

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 \$5,848 comprised of \$5,019 for personal injury protection benefits and \$829 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 \$5,019* per case. Awarded amounts ranged from \$0 to \$396,996. The median award during the reporting period was \$956. 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 \$829 per case. Awarded attorney's fees ranged from \$0 to \$4,500. 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	\$5,019	\$0 to \$396,996	\$956
Attorney's Fee Award	\$829	\$0 to \$4,500	\$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. Eight involved awards or dismissal orders rendered in the North Region, none in the Central Region, and three in the South Region. One OTP award was appealed. Thirty-three percent of awards appealed were vacated or modified. The following table reports the results.

	IP - North	IP - Central	IP- South	OTP	Total
Affirmed	4	0	3	1	8
Vacated & Corrected	1	0	0	0	1
Modified	3	0	0	0	3
Total	8	0	3	1	12

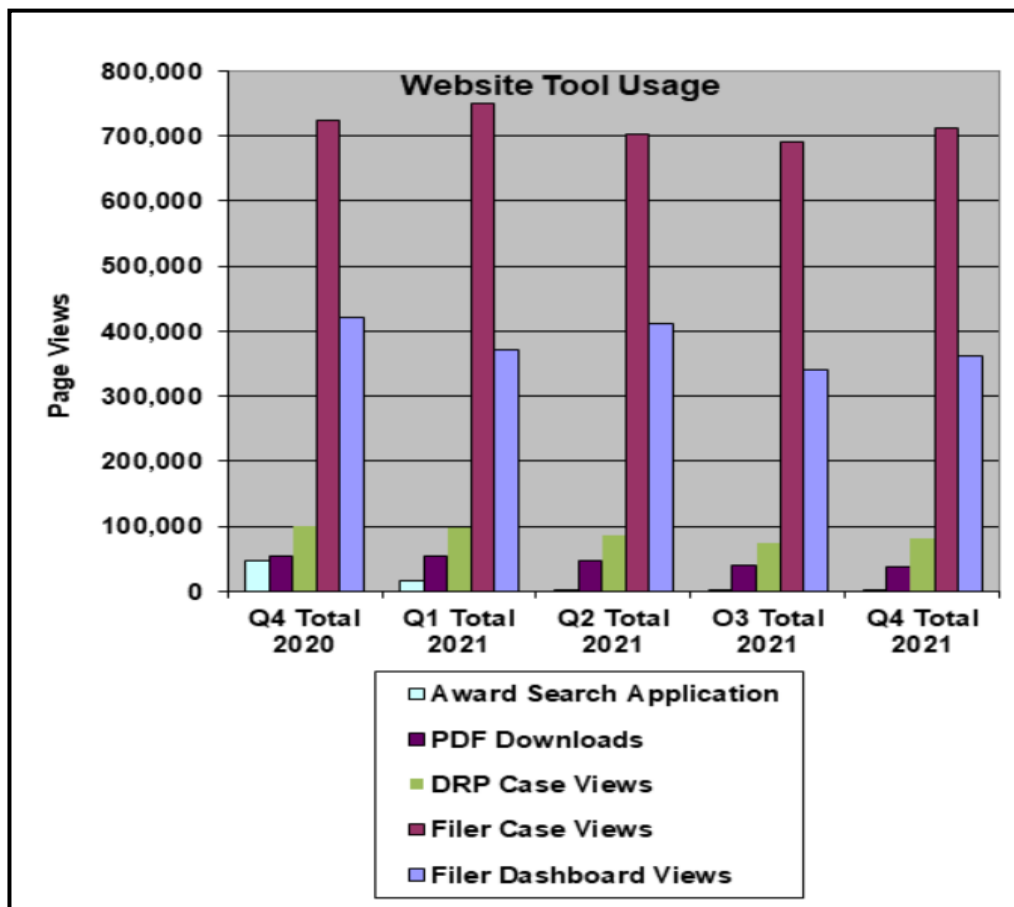
MEDICAL REVIEW ORGANIZATION REPORT

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	1	0	1	0	1	0
FMCO	2	0	2	0	2	0
Rising Medical	0	0	0	0	0	0
SCS	0	0	0	0	0	0
Total	3	0	3	0	3	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	205	55	90	44	78	13	81
Andolino, Michael D.	NORTH	222	73	52	43	82	8	85
Campbell, Jennifer M.	CENTRAL	215	70	65	46	109	12	111
Carnelli, Christopher M.	SOUTH	240	56	106	46	94	18	83
Cassella, Deborah M.	NORTH	201	62	77	47	55	13	57
Croft, Douglas M.	NORTH	217	63	60	43	109	14	90
Daniskas, Maria I.	NORTH	139	44	48	35	36	14	53
Della Badia, Joseph	NORTH	233	71	58	46	94	10	85
DeMarco, Jodi L.	NORTH	224	63	47	42	77	14	84
Ducey, John G.	CENTRAL	201	77	62	60	73	16	59
Eisele-Grabowski, Karen	SOUTH	147	41	52	40	62	10	44
Fabiano, Edward	NORTH	251	74	62	48	98	17	100
Fannan, John J.	CENTRAL	112	42	43	37	24	12	39
Finiello, Susanne N.	SOUTH	280	66	78	42	90	11	90
Frankland, Suzanne J.	NORTH	180	72	66	40	99	13	94
Ganzhorn, Lisa A.	NORTH	218	53	60	34	94	13	80
Garrabrandt, James H.	NORTH	113	30	35	23	48	7	37
Grabowski, David A.	SOUTH	146	38	38	30	60	15	54
Hackett, Michael	NORTH	139	54	34	41	59	4	38
Hebron, Sylvia A	NORTH	118	37	41	30	47	7	44
Johnston, Maureen M.	NORTH	105	36	30	23	56	5	56
Kaiser, Brian K.	NORTH	145	32	43	20	48	9	58
Karbasian, Carolyn K.	SOUTH	261	60	87	39	105	18	96
Keller, Grant W.	SOUTH	253	43	85	43	105	14	115
La Salle, Robert C.	NORTH	136	31	31	9	50	15	47
LaPorta Esq., David M.	NORTH	222	58	80	49	100	10	82
LaPorta, Phillip A.	NORTH	133	64	45	39	37	9	44
Lardiere, Andrea L	CENTRAL	204	69	69	42	113	15	82
Mundy, Lisa D.	NORTH	201	63	39	34	36	12	54
Nardella, George C.	NORTH	211	63	50	41	109	17	85
Noonan, Scott M.	NORTH	115	59	44	45	50	10	44
O'Donnel, Kenneth L.	NORTH	129	32	31	27	35	8	40
Patriaco, Andrew A.	NORTH	163	47	36	47	42	6	38
Reis, Karen M.	NORTH	153	71	48	51	89	15	84
Remington-Knodel, Jennifer	NORTH	222	49	65	36	75	14	72
Reynolds, William E.	SOUTH	57	13	37	20	41	21	43
Riva, Joseph J.	NORTH	116	52	27	28	45	16	41
Rivera, Barbara Brosnan	NORTH	60	20	18	24	56	14	44
Sacco, Russ	NORTH	195	68	84	39	90	4	100

Sproviero, Scott G.	NORTH	93	28	40	29	35	7	13
Stampone, Vincenzo	NORTH	223	72	57	49	108	12	92
Tamburino, Joseph A.	NORTH	128	45	48	43	42	7	42
Tarrant, Tara D.	NORTH	178	51	70	28	90	10	84
Voorhees, Gregory X.	SOUTH	260	62	74	40	94	14	71
Total		7764	2329	2412	1662	3139	523	2935

APPENDIX B

	Region	IP Cases	IP Age (in days)	OTP Cases	OTP Age (in days)
Aloi, Anthony M.	CENTRAL	412	153.00	60	76.97
Andolino, Michael D.	NORTH	437	176.35	63	53.75
Campbell, Jennifer M.	CENTRAL	460	178.31	62	57.35
Carnelli, Christopher M.	SOUTH	479	167.71	54	77.72
Cassella, Deborah M.	NORTH	412	208.52	46	49.59
Croft, Douglas M.	NORTH	487	193.48	58	80.93
Daniskas, Maria I.	NORTH	270	222.73	38	80.97
Della Badia, Joseph	NORTH	445	186.57	60	61.55
DeMarco, Jodi L.	NORTH	457	200.44	57	61.23
Ducey, John G.	CENTRAL	401	160.01	62	61.18
Eisele-Grabowski, Karen	SOUTH	325	154.40	47	90.98
Fabiano, Edward	NORTH	420	181.05	58	53.19
Fannan, John J.	CENTRAL	254	205.62	39	80.67
Finiello, Susanne N.	SOUTH	472	143.20	57	63.88
Frankland, Suzanne J.	NORTH	377	170.38	64	52.86
Ganzhorn, Lisa A.	NORTH	447	224.22	51	72.35
Garrabrandt, James H.	NORTH	263	192.77	41	99.56
Grabowski, David A.	SOUTH	320	143.24	47	88.96
Hackett, Michael	NORTH	250	169.24	45	66.24
Hebron, Sylvia A	NORTH	365	153.03	33	83.58
Johnston, Maureen M.	NORTH	239	233.31	39	86.74
Kaiser, Brian K.	NORTH	267	191.92	41	93.05
Karbasian, Carolyn K.	SOUTH	494	157.61	58	66.60
Keller, Grant W.	SOUTH	498	176.12	45	86.24
La Salle, Robert C.	NORTH	237	206.32	37	56.19
LaPorta Esq., David M.	NORTH	239	185.01	54	74.57
LaPorta, Phillip A.	NORTH	440	185.49	46	84.02
Lardiere, Andrea L	CENTRAL	406	169.92	66	71.14
Mundy, Lisa D.	NORTH	279	149.92	73	70.73
Nardella, George C.	NORTH	426	204.69	60	68.25
Noonan, Scott M.	NORTH	467	219.54	49	72.16
O'Donnel, Kenneth L.	NORTH	281	196.48	31	105.23
Patriaco, Andrew A.	NORTH	279	186.23	40	91.35
Reis, Karen M.	NORTH	367	217.66	57	49.96
Remington-Knodel, Jennifer	NORTH	402	197.23	43	62.67
Reynolds, William E.	SOUTH	204	244.95	16	118.75
Riva, Joseph J.	NORTH	241	166.64	49	73.00
Rivera, Barbara Brosnan	NORTH	252	246.85	22	125.50
Sacco, Russ	NORTH	438	207.08	59	55.81

Stampone, Vincenzo	NORTH	427	198.68	54	55.78
Tamburino, Joseph A.	NORTH	251	192.86	27	80.93
Tarrant, Tara D.	NORTH	442	194.02	52	67.46
Voorhees, Gregory X.	SOUTH	459	165.90	69	82.14

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