



NEW JERSEY DEPARTMENT OF
BANKING AND INSURANCE
QUARTERLY REPORT

No Fault PIP Arbitration
2nd Quarter 2022



FORTHRIGHT

2ND QUARTER 2022 REPORT
TO THE
NEW JERSEY DEPARTMENT OF BANKING AND INSURANCE

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EXECUTIVE SUMMARY

In the second quarter of 2022, 11,000 cases were initiated in the PIP dispute resolution program. Of these cases, 5,909 (54%) were initiated in the Northern region, 1,259 (11%) in the Central region, 1,464 (13%) in the Southern region, and 2,368 (22%) as OTP.

The DRP panel consisted of 41 members. The DRPs were regionally deployed as follows: 30 in the North, 5 in the Central, and 7 in the South. In this quarter 9,659 cases were assigned to DRPs.

Of the pending cases in the PIP arbitration program, 10,366 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 426 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 \$5,699 comprised of \$4,876 for personal injury protection benefits and \$823 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.

Nineteen appeals to panels of three DRPs were concluded during the reporting period. Thirteen involved awards or dismissal orders rendered in the North Region, four in the Central Region, and one in the South Region. One OTP award was appealed. Sixteen 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.

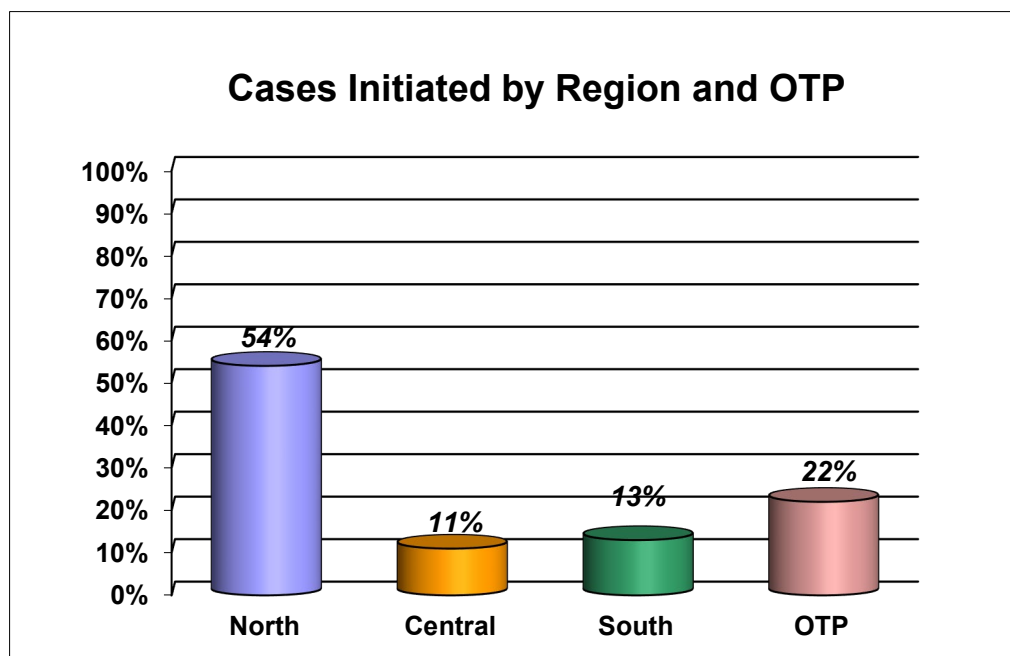
CASES INITIATED

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 – 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 second quarter of 2022, 11,000 cases were initiated in the PIP dispute resolution program. Of these cases, 5,909 (54%) were initiated in the Northern region, 1,259 (11%) in the Central region, 1,464 (13%) in the Southern region, and 2,368 (22%) as OTP. See the table below for the monthly distribution.

	IP - North	IP - Central	IP - South	OTP	Total
April	1,987	339	504	717	3,547
May	1,929	440	509	818	3,696
June	1,993	480	451	833	3,757
Totals	5,909	1,259	1,464	2,368	11,000



The following table summarizes the initiations for the quarters of 2022.

	IP - North	IP - Central	IP - South	OTP	Total
Q1 2022	5,489	1,255	1,538	2,293	10,575
Q2 2022	5,909	1,259	1,464	2,368	11,000

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
271	31	85	387

DISPOSITION OF CASES IN THE PIP ARBITRATION PROGRAM

Of the pending cases in the PIP arbitration program, 10,366 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	1,890	389	716	527	3,522
Dismissed Pre-Hearing	3	0	0	0*	3
Settled	2,867	624	968	1,410	5,869
Withdrawn	527	95	115	235	972
Total	5,287	1,108	1,799	2,172	10,366

* 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	36%	35%	40%	24%
Dismissed	0%	0%	0%	0%
Settled	54%	56%	54%	65%
Withdrawn	10%	9%	6%	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
294	47	56	29	426

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*	1,691	344	497	1,014	3,546

** 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 41 members. The DRPs were regionally deployed as follows: 30 in the North, 5 in the Central, and 7 in the South. In this quarter 9,659 cases were assigned to DRPs.

On August 1, 2022, amended Rules will go into effect eliminating regions, allowing cases filed after that date to be assigned to DRPs throughout the State without regard to region.

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 7,857 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 2022 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	2,021	425	740	3,186	526
Dismissed by DRP	3	0	0	3	0*
Settled	1,217	282	464	1,963	1,405
Withdrawn	377	58	105	540	234
Total	3,618	765	1309	5,692	2,165

* 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 2022 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 3,725 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 (3,193), 64% were in the North region, 13% in the Central region, and 23% 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

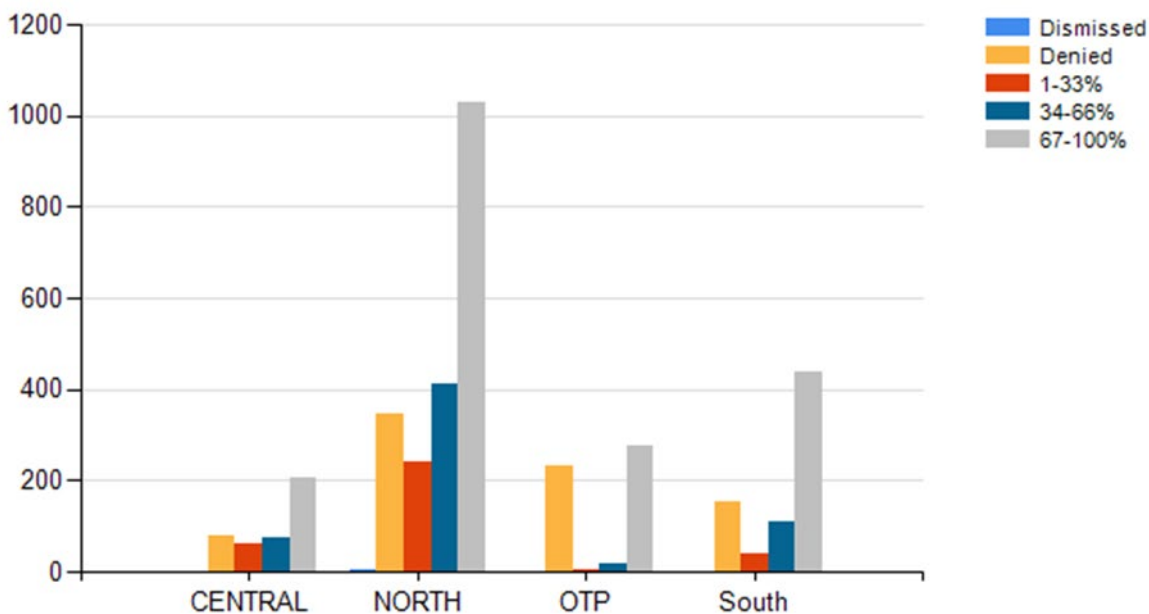
DRPs can deny a claim in its entirety or award all or part of an amount requested by a Claimant. For cases decided in the second quarter of 2022, the table and graph below indicate the distribution of DRP total awarded amounts, from 0% (denied/dismissed) to 100% of claimed amounts. Total awarded amounts 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	344	242	412	1,028	2,029
IP - Central	0	77	63	74	207	421
IP - South	0	155	40	108	440	743
OTP	0*	234	3	17	278	532
Total	3	810	348	611	1,953	3,725

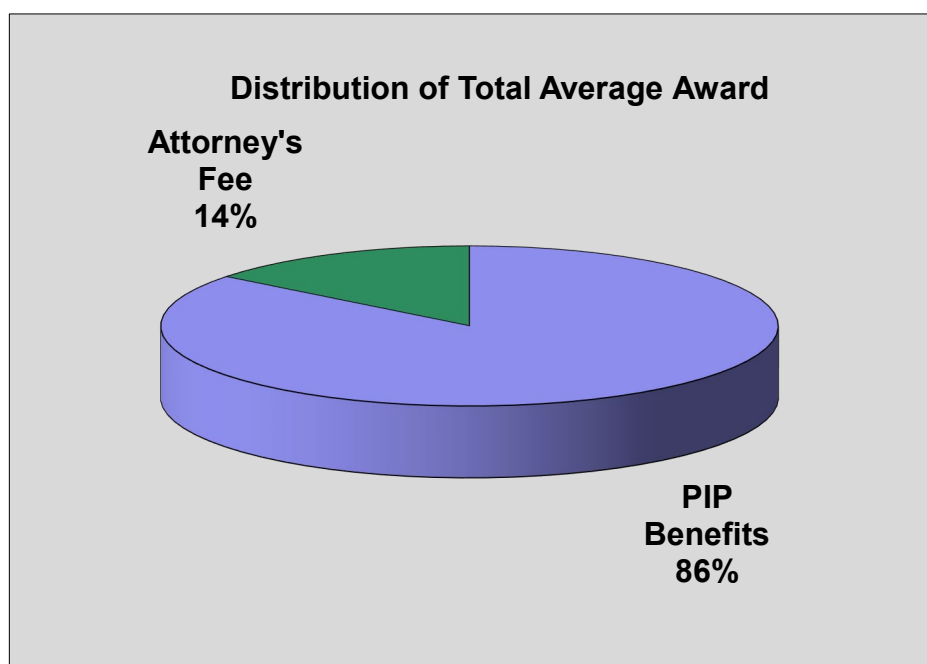
* Not applicable to OTP proceedings.

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 \$5,699 comprised of \$4,876 for personal injury protection benefits and \$823 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 \$4,876* per case. Awarded amounts ranged from \$0 to \$384,566. The median award during the reporting period was \$1,008. 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 \$823 per case. Awarded attorney's fees ranged from \$0 to \$3,600. 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	\$4,876	\$0 to \$384,566	\$1,008
Attorney's Fee Award	\$823	\$0 to \$3,600	\$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

Nineteen appeals to panels of three DRPs were concluded during the reporting period. Thirteen involved awards or dismissal orders rendered in the North Region, four in the Central Region, and one in the South Region. One OTP award was appealed. Sixteen percent of awards appealed were vacated or modified. The following table reports the results.

	IP - North	IP - Central	IP- South	OTP	Total
Affirmed	10	4	1	1	16
Vacated & Corrected	2	0	0	0	2
Modified	1	0	0	0	1
Total	13	4	1	1	19

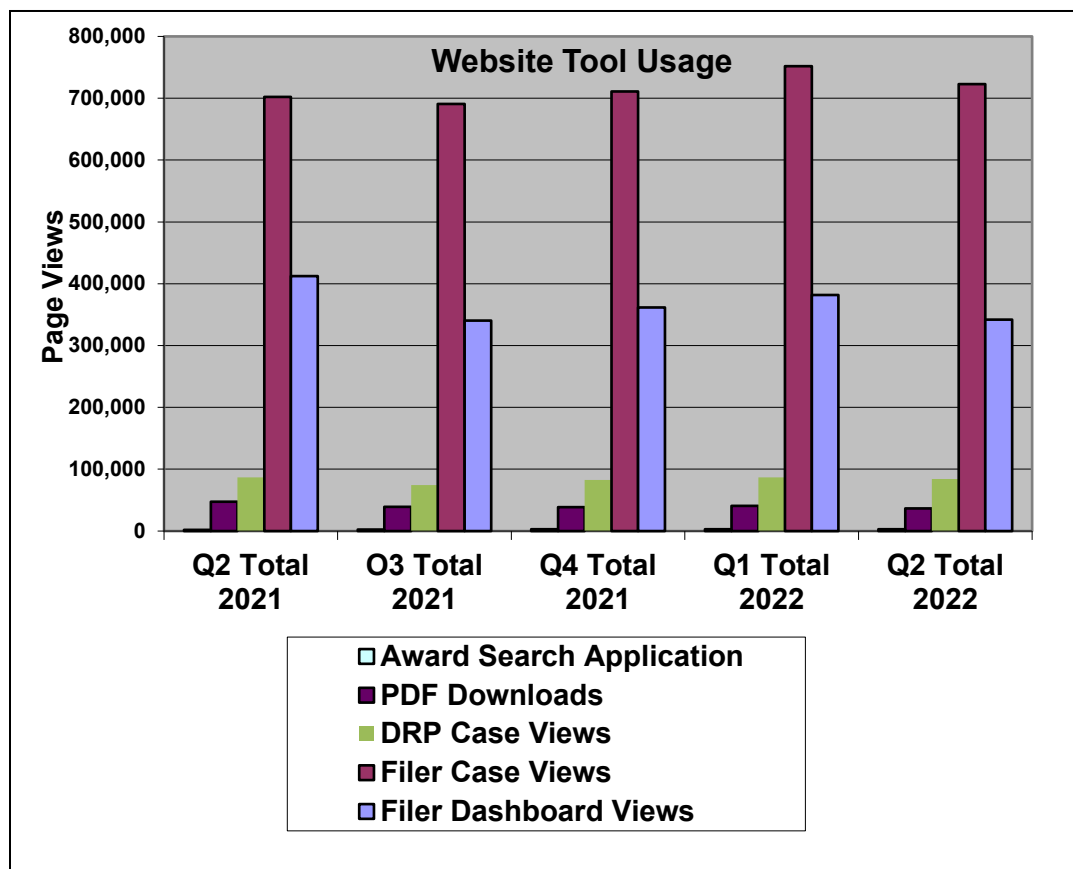
MEDICAL REVIEW ORGANIZATION REPORT

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	2	0	2	0	2	0
FMCO	1	0	1	0	1	0
Rising Medical	1	0	1	0	1	0
SCS	2	0	2	0	2	0
Total	6	0	6	0	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	228	58	70	48	69	15	72
Andolino, Michael D.	NORTH	169	65	64	48	97	22	80
Campbell, Jennifer M.	CENTRAL	251	58	75	38	98	13	81
Carnelli, Christopher M.	SOUTH	195	58	94	44	102	13	96
Cassella, Deborah M.	NORTH	157	63	57	38	86	14	80
Croft, Douglas M.	NORTH	157	66	56	50	76	20	74
Daniskas, Maria I.	NORTH	199	66	45	30	62	8	66
Della Badia, Joseph	NORTH	140	59	54	49	95	13	68
DeMarco, Jodi L.	NORTH	176	67	54	57	93	18	76
Ducey, John G.	CENTRAL	190	43	63	32	82	16	95
Eisele-Grabowski, Karen	SOUTH	196	67	78	41	81	11	93
Fabiano, Edward	NORTH	119	62	68	44	79	9	76
Fannan, John J.	CENTRAL	111	11	34	11	38	8	35
Finello, Susanne N.	SOUTH	179	63	77	47	92	17	95
Frankland, Suzanne J.	NORTH	144	62	50	45	89	27	83
Ganzhorn, Lisa A.	NORTH	195	63	36	49	87	13	86
Garrabrandt, James H.	NORTH	257	70	64	33	38	9	48
Grabowski, David A.	SOUTH	234	68	79	48	90	12	84
Hackett, Michael	NORTH	239	76	59	42	53	13	64
Hebron, Sylvia A	NORTH	177	61	71	53	58	6	68
Johnston, Maureen M.	NORTH	179	53	73	40	73	11	78
Kaiser, Brian K.	NORTH	195	71	46	25	46	4	52
Karbasian, Carolyn K.	SOUTH	157	52	76	45	95	9	113
Keller, Grant W.	SOUTH	184	71	76	53	85	11	78
La Salle, Robert C.	NORTH	187	79	54	41	30	7	44
LaPorta., David M.	NORTH	155	60	56	46	86	12	88
LaPorta, Phillip A.	NORTH	234	71	84	36	63	11	48
Lardiere, Andrea L	CENTRAL	198	37	84	37	98	18	101
Mundy, Lisa D.	NORTH	143	64	58	39	65	9	88
Nardella, George C.	NORTH	153	64	55	43	75	10	75
Noonan, Scott M.	NORTH	138	59	55	31	87	13	68
O'Donnel, Kenneth L.	NORTH	205	77	56	37	34	7	54
Patriaco, Andrew A.	NORTH	195	59	50	25	53	11	58
Reis, Karen M.	NORTH	170	59	58	47	80	17	82
Remington-Knodel, Jennifer	NORTH	152	67	37	41	67	14	77
Reynolds, William E.	SOUTH	26	2	16	8	69	6	39
Riva, Joseph J.	NORTH	68	10	33	8	63	12	64
Sacco, Russ	NORTH	198	58	78	52	95	14	85
Stampone, Vincenzo	NORTH	149	67	47	47	96	14	70
Tamburino, Joseph A.	NORTH	100	13	34	11	52	9	47

Tarrant, Tara D.	NORTH	157	51	41	39	82	13	79
Voorhees, Gregory X.	SOUTH	202	50	85	41	113	12	108
Total		7259	2400	2500	1639	3187	526	3,116

APPENDIX B

DRP	Region	IP Cases	IP Age (in Days)	OTP Cases	OTP Age (in Days)
Aloi, Anthony M.	CENTRAL	472	175	50	75
Andolino, Michael D.	NORTH	391	192	52	56
Campbell, Jennifer M.	CENTRAL	530	188	54	74
Carnelli, Christopher M.	SOUTH	423	206	66	69
Cassella, Deborah M.	NORTH	367	227	63	68
Croft, Douglas M.	NORTH	440	239	56	61
Daniskas, Maria I.	NORTH	333	190	47	36
Della Badia, Joseph	NORTH	410	223	55	69
DeMarco, Jodi L.	NORTH	441	205	57	67
Ducey, John G.	CENTRAL	493	193	45	76
Eisele-Grabowski, Karen	SOUTH	417	166	71	67
Fabiano, Edward	NORTH	362	231	52	54
Fannan, John J.	CENTRAL	271	242	21	109
Finiello, Susanne N.	SOUTH	424	186	56	61
Frankland, Suzanne J.	NORTH	385	204	62	65
Ganzhorn, Lisa A.	NORTH	470	229	59	73
Garrabrandt, James H.	NORTH	426	176	47	50
Grabowski, David A.	SOUTH	418	163	67	73
Hackett, Michael	NORTH	376	154	43	39
Hebron, Sylvia A	NORTH	435	201	56	61
Johnston, Maureen M.	NORTH	468	250	43	53
Kaiser, Brian K.	NORTH	358	193	51	38
Karbasian, Carolyn K.	SOUTH	382	216	49	67
Keller, Grant W.	SOUTH	413	209	62	71
La Salle, Robert C.	NORTH	310	183	54	58
LaPorta, David M.	NORTH	317	148	45	34
LaPorta, Phillip A.	NORTH	420	225	62	66
Lardiere, Andrea L	CENTRAL	517	180	52	90
Mundy, Lisa D.	NORTH	364	152	55	64
Nardella, George C.	NORTH	393	222	65	71
Noonan, Scott M.	NORTH	400	281	51	74
O'Donnel, Kenneth L.	NORTH	386	202	43	36
Patriaco, Andrew A.	NORTH	348	181	44	49
Reis, Karen M.	NORTH	360	212	49	60
Remington-Knodel, Jennifer	NORTH	430	213	54	57
Riva, Joseph J.	NORTH	217	216	13	91

Sacco, Russ	NORTH	489	205	59	76
Stampone, Vincenzo	NORTH	391	215	72	84
Tamburino, Joseph A.	NORTH	237	214	11	56
Tarrant, Tara D.	NORTH	476	224	55	80
Voorhees, Gregory X.	SOUTH	397	199	57	66

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