



NEW JERSEY DEPARTMENT OF
BANKING AND INSURANCE
QUARTERLY REPORT

No Fault PIP Arbitration
2nd Quarter 2017



FORTHRIGHT

2ND QUARTER 2017 REPORT

TO THE

NEW JERSEY DEPARTMENT OF BANKING AND INSURANCE

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EXECUTIVE SUMMARY

In the second quarter of 2017, 12,294 cases were initiated in the PIP dispute resolution program. Of these cases, 6,694 (54%) were initiated in the Northern region, 1,385 (11%) in the Central region, 2,020 (16%) in the Southern region, and 2,195 (18%) as OTP.

The DRP panel consisted of 62 members. The DRPs were regionally deployed as follows: 41 in the North, 10 in the Central, and 11 in the South. One DRP is currently on a leave of absence. 11,614 cases were assigned to DRPs.

Of the pending cases in the PIP arbitration program, 13,533 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 908 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 \$5,758, comprised of \$4,920 for personal injury protection benefits and \$838 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.

Twenty-six appeals to panels of three DRPs were concluded during the reporting period. Nineteen involved awards or dismissal orders rendered in the North Region, two in the Central Region, and four in the South Region. One OTP award was appealed. Forty-two percent of awards were vacated, modified or remanded.

During the reporting period, parties requested MRO reviews applicable to seven cases. DRPs did not request any reviews. The requests were apportioned among the four certified MROs on a rotating basis.

This quarterly report contains a new report for Aging of Cases by Type of Proceeding, In-Person or On-The-Papers, and by DRP, described at page 6 and attached as Appendix B.

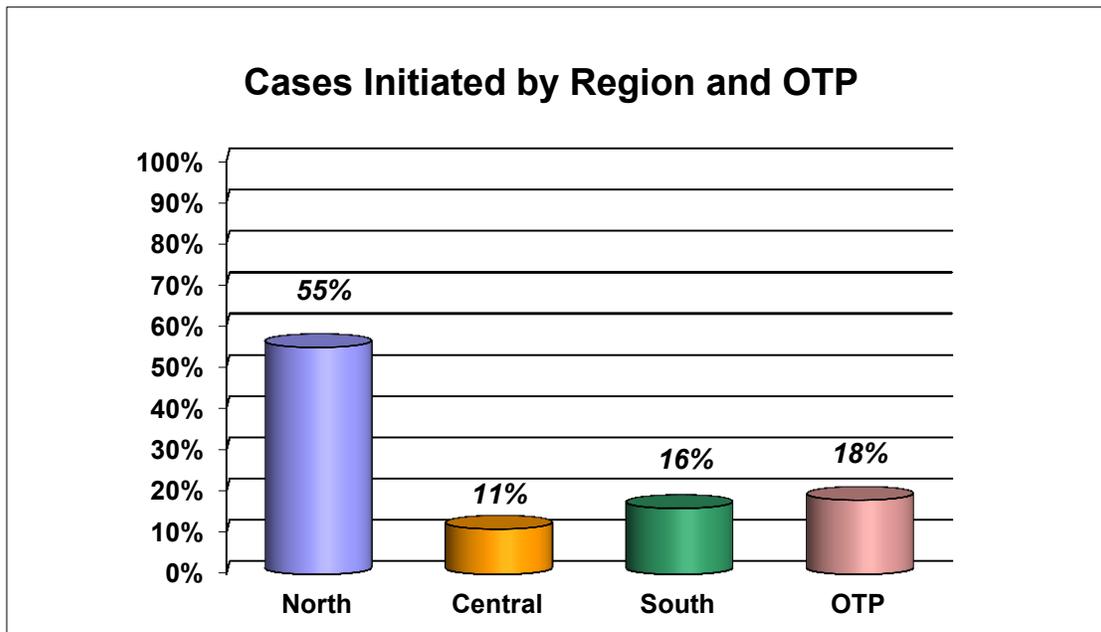
CASES INITIATED

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 2017, 12,294 cases were initiated in the PIP dispute resolution program. Of these cases, 6,694 (54%) were initiated in the Northern region, 1,385 (11%) in the Central region, 2,020 (16%) in the Southern region, and 2,195 (18%) as OTP. See the table below for the monthly distribution.

	IP - North	IP - Central	IP - South	OTP	Total
April	2,366	450	711	810	4,337
May	2,266	484	684	756	4,190
June	2,062	451	625	629	3,767
Totals	6,694	1,385	2,020	2,195	12,294



The following table summarizes the initiations for the quarters of 2017.

	IP - North	IP -Central	IP - South	OTP	Total
Q1 2017	7,631	1,797	1,776	2,407	13,611
Q2 2017	6,694	1,385	2,020	2,195	12,294

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	Voluntary OTP Filings	Total
282	26	51	28	387

DISPOSITION OF CASES IN THE PIP ARBITRATION PROGRAM

Of the pending cases in the PIP arbitration program, 13,533 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	3,374	732	688	621	5,415
Dismissed Pre-Hearing	11	2	2	0	15
Settled	3,615	882	1,004	1,442	6,943
Withdrawn	548	130	212	270	1,160
Total	7,548	1,746	1,906	2,333	13,533

* 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.

Disposition Type	IP - North	IP - Central	IP - South	OTP
Awarded/Denied	45%	36%	42%	27%
Dismissed Pre-Hearing	(<1%)	(<1%)	(<1%)	N/A
Settled	48%	53%	51%	62%
Withdrawn	7%	11%	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
528	146	198	36	908

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*	1,808	414	424	944	3,590

** 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 62 members. The DRPs were regionally deployed as follows: 41 in the North, 10 in the Central, and 11 in the South. One DRP is currently on a leave of absence. 11,614 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 10,909 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 2017 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	3,510	761	717	4,988	630
Dismissed by DRP	11	2	2	15	0*
Settled	1,826	467	574	2,867	1,431
Withdrawn	404	110	197	711	267
Total	5,751	1,340	1,490	8,581	2,328

* 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 2017 by DRP is represented in Appendix B but excludes cases that were in abeyance or stayed by court action at the end of the quarter. Please note that consolidations, late MRO requests, abeyances, court stays and postponements are factors that lengthen disposition timelines.

REGIONAL AWARDS PERCENTAGE

A total of 5,190 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 (4,645), 71% were in the North region, 15% in the Central region, and 14% 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

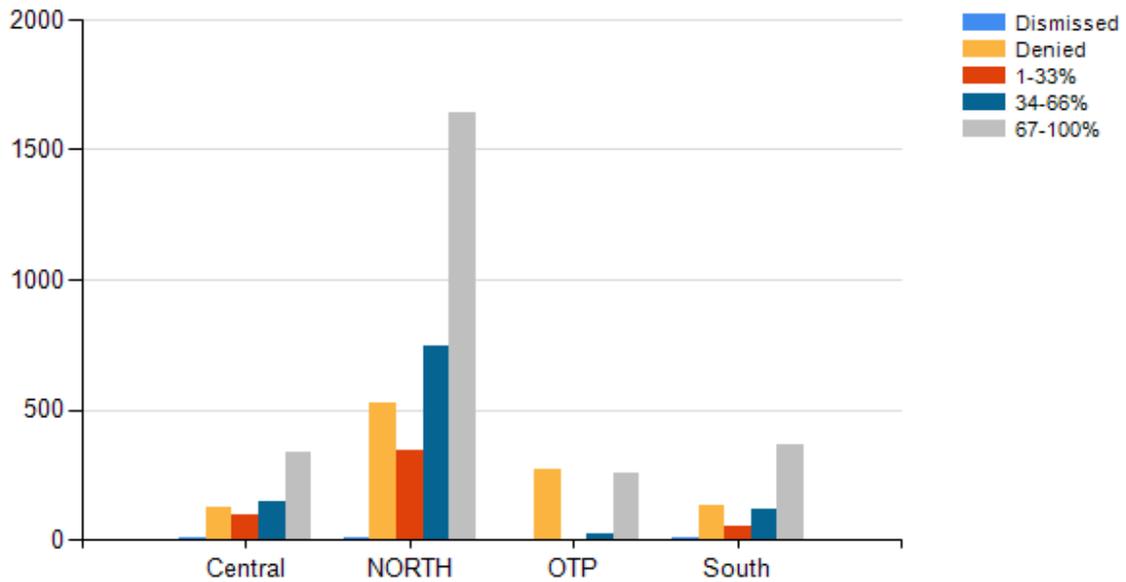
DRPs can deny a claim in its entirety or award all or part of an amount requested by a Claimant. For cases decided in the second quarter of 2017, the table and graph below indicate the distribution of DRP total awarded amounts, from 0% (denied/dismissed) to 100% of claimed amounts. Total awarded amounts 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	125	98	148	336	709
IP - North	11	529	347	745	1,644	3,276
IP - South	2	130	49	115	364	660
OTP	0*	267	0	25	253	545
Total	15	1,051	494	1,033	2,597	5,190

* Not applicable to OTP proceedings

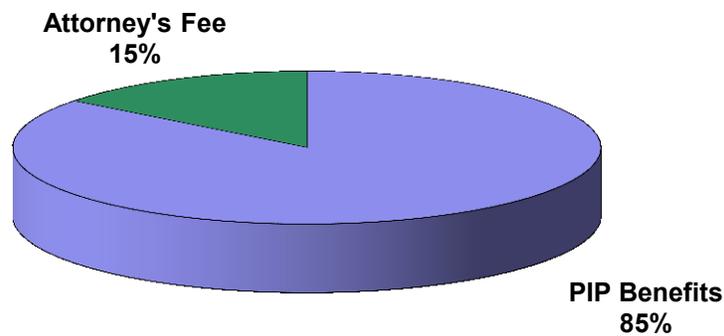
Note: The award data in this section excludes appellate awards.



PIP BENEFITS AND ATTORNEY’S FEES COMPARISON

System-wide, the average amount awarded in arbitration (excluding filing fees) was \$5,758, comprised of \$4,920 for personal injury protection benefits and \$838 for attorney’s fees per case. The graphical representation compares the data as percentages.

Distribution of Total Average Award



AWARD AVERAGE, MEDIAN AND DOLLAR RANGE

The average amount awarded for claims other than attorney's fees and costs was \$4,920* per case. Awarded amounts ranged from \$0 to \$379,511. The median award during the reporting period was \$1,202. 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 \$838 per case. Awarded attorney's fees ranged from \$0 to \$5,455. 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	\$4,920*	\$0 to \$379,511	\$1,202
Attorney's Fee Award	\$838	\$0 to \$5,455	\$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

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

	IP - North	IP - Central	IP- South	OTP	Total
Affirmed	10	2	3	0	15
Vacated & Corrected	6	0	0	1	7
Modified	2	0	0	0	2
Remanded	1	0	1	0	2
TOTALS	19	2	4	1	26

MEDICAL REVIEW ORGANIZATION REPORT

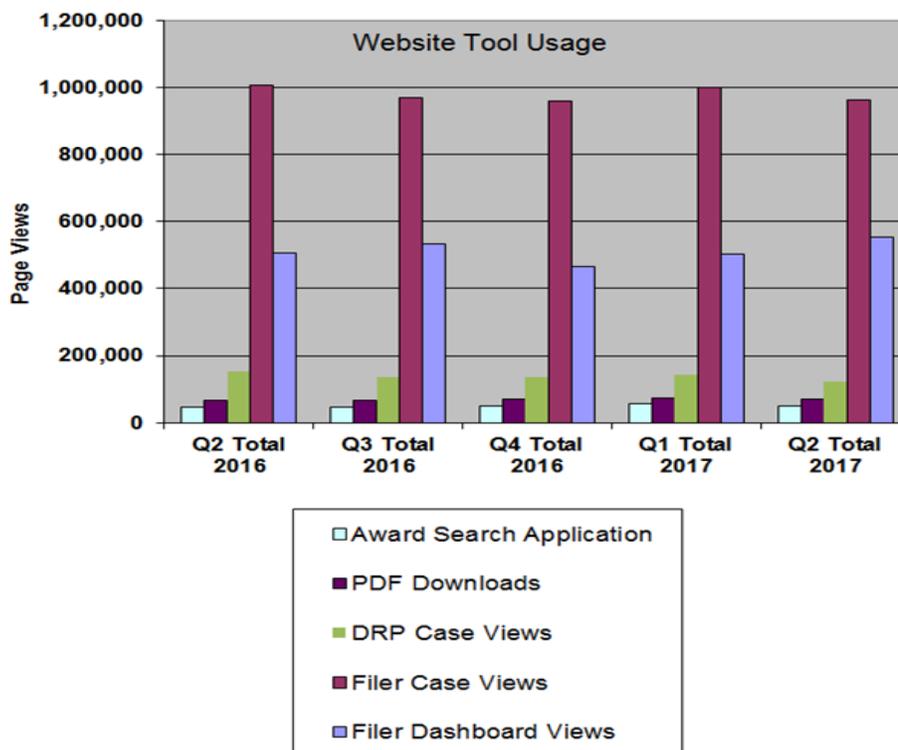
There are currently four Medical Review Organizations ("MRO") certified by the Department of Banking and Insurance. They are ExamWorks, formerly known as CFO Medical Services, First Managed Care Option ("FMCO"), Support Claim Services ("SCS"), and Rising Medical Solutions. Information relevant to MRO 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	2	0	2	0	2	0
SCS	2	0	2	0	2	0
TOTALS	7	0	7	0	7	0

Note that MRO requests are reported by case. If a request pertains to consolidated cases, it is counted for each case.

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

DRP	Region	IP Assigned	OTP Assigned	IP Settled/ Withdrawn	OTP Settled/ Withdrawn	IP Awarded/ Denied	OTP Awarded/ Denied	In-Person Proceedings
Aloi, Anthony M.	CENTRAL	145	26	69	21	85	14	103
Andolino, Michael D.	NORTH	144	27	54	27	94	7	87
Annunziata, Maria	CENTRAL	145	35	69	28	101	15	121
Barry, Martin M.	CENTRAL	171	35	86	34	85	9	79
Campbell, Jennifer M.	NORTH	205	44	78	23	99	15	94
Carnelli, Christopher M.	SOUTH	167	49	76	27	78	17	99
Caserta, Patrick J.	NORTH	169	33	58	24	77	14	97
Cassella, Deborah M.	NORTH	145	49	59	27	74	12	88
Celentano, Cynthia J.	NORTH	169	36	66	28	94	8	99
Croft, Douglas M.	NORTH	172	30	47	26	81	8	104
Damiano, Robert S.	NORTH	219	26	51	27	65	3	105
Daniskas, Maria I.	NORTH	131	47	54	38	78	12	95
Della Badia, Joseph	NORTH	186	21	67	23	78	3	78
DeMarco, Jodi L.	NORTH	222	32	57	31	72	10	101
DeMarco, Joseph	NORTH	161	43	52	30	77	15	78
Ducey, John G.	CENTRAL	157	31	54	32	83	13	93
Eisele-Grabowski, Karen	SOUTH	119	56	58	38	60	9	70
Fabiano, Edward	NORTH	116	53	50	31	99	14	123
Fannan, John J.	CENTRAL	52	3	21	3	42	4	63
Fazio, Cataldo F.	NORTH	205	60	76	34	67	12	84
Finiello, Susanne N.	SOUTH	190	56	64	44	58	10	74
Foley, Patrick W.	CENTRAL	201	21	70	23	86	8	99
Frankland, Suzanne J.	NORTH	165	50	38	35	67	7	102
Ganzhorn, Lisa A.	NORTH	134	54	63	38	88	15	98
Garrabrandt, James H.	NORTH	217	34	65	31	103	16	117
Grabowski, David A.	SOUTH	136	16	65	19	64	5	52
Granato, S. Caroline	SOUTH	151	35	69	22	93	9	95
Hackett, Michael	NORTH	164	26	59	19	103	8	104
Hebron, Sylvia A	NORTH	164	36	59	34	86	12	99
Johnston, Maureen M.	NORTH	131	16	66	14	111	5	101
Kaczka, Thomas M.	NORTH	135	42	48	31	107	5	96
Kaiser, Brian K.	NORTH	150	43	54	23	75	17	111
Karbasian, Carolyn K.	SOUTH	145	23	82	18	42	8	76
Keller, Grant W.	SOUTH	114	45	53	32	53	14	75
Kincade, Kathleen D.	CENTRAL	140	23	68	22	95	6	101
La Salle, Robert C.	NORTH	130	31	61	21	72	5	85
LaPorta Esq., David M.	NORTH	175	36	54	29	103	11	120

LaPorta, Phillip A.	NORTH	120	30	50	31	91	8	77
Lardiere, Andrea L.	CENTRAL	164	58	63	43	90	17	96
McFadden, Michael K.	SOUTH	131	22	78	20	72	8	61
Miller, Matthew G.	NORTH	166	42	54	28	86	9	83
Mundy, Lisa D.	NORTH	152	37	51	25	81	10	99
Nardella, George C.	NORTH	146	36	53	24	93	18	108
Noonan, Scott M.	NORTH	116	34	51	20	99	12	96
O'Brien, Matthew J.	NORTH	201	51	56	45	76	13	89
O'Donnell, Kenneth L.	NORTH	149	18	63	17	84	4	93
Patriaco, Andrew A.	NORTH	141	36	45	35	76	15	111
Pettersen, Nina L.	SOUTH	187	32	78	31	65	9	79
Reis, Karen M.	NORTH	182	36	63	34	85	6	105
Remington-Knodel, Jennifer	NORTH	174	49	56	29	76	10	91
Reynolds, William E.	SOUTH	175	45	70	34	72	15	84
Riva, Joseph J.	NORTH	38	47	10	29	47	10	54
Rivera, Barbara Brosnan	NORTH	151	34	58	29	92	13	92
Sacco, Russ	NORTH	195	36	54	19	86	13	114
Sproviero, Scott G.	NORTH	121	29	57	22	103	10	85
Stampone, Vincenzo	NORTH	154	43	43	35	68	6	86
Stokes, Nanci G.	NORTH	136	50	52	33	87	11	92
Tamburino, Joseph A.	NORTH	106	46	48	33	107	8	98
Tarrant, Tara D.	NORTH	183	22	53	25	95	6	88
Voorhees, Gregory X.	CENTRAL	106	36	61	29	105	6	104
Wallen, Kate R.	SOUTH	167	19	64	19	51	18	65
Total		9403	2211	3572	1697	4988	630	5,616

APPENDIX B

DRP	Region	IP Cases	IP Age (in days)	OTP Cases	OTP Age (in days)
Aloi, Anthony	CENTRAL	283	243.0	36	107.0
Andolino, Michael	NORTH	208	189.0	22	75.0
Annunziata, Maria	CENTRAL	336	238.0	35	94.0
Barry, Martin	CENTRAL	328	206.0	40	94.0
Campbell, Jennifer	NORTH	272	224.0	44	68.0
Carnelli, Christopher	SOUTH	237	167.0	60	86.0
Caserta, Patrick	NORTH	277	192.0	38	76.0
Cassella, Deborah	NORTH	234	235.0	37	64.0
Celentano, Cynthia	NORTH	207	214.0	35	72.0
Croft, Douglas	NORTH	264	182.0	28	80.0
Damiano, Robert	NORTH	294	180.0	34	93.0
Daniskas, Maria	NORTH	242	255.0	43	68.0
Della Badia, Joseph	NORTH	251	190.0	18	65.0
DeMarco, Jodi	NORTH	268	203.0	31	75.0
DeMarco, Joseph	NORTH	288	185.0	35	79.0
Ducey, John	CENTRAL	317	229.0	41	111.0
Eisele-Grabowski, Karen	SOUTH	233	222.0	57	82.0
Fabiano, Edward	NORTH	193	197.0	38	59.0
Fannan, John	CENTRAL	159	401.0	6	155.0
Fazio, Cataldo	NORTH	252	186.0	42	51.0
Finiello, Susanne	SOUTH	219	131.0	55	95.0
Foley, Patrick	CENTRAL	350	219.0	33	111.0
Frankland, Suzanne	NORTH	270	233.0	46	68.0
Ganzhorn, Lisa	NORTH	240	212.0	43	71.0
Garrabrandt, James	NORTH	320	187.0	35	77.0
Grabowski, David	SOUTH	228	188.0	28	103.0
Granato, S. Caroline	SOUTH	237	272.0	46	104.0
Hackett, Michael	NORTH	237	183.0	30	82.0
Hebron, Sylvia	NORTH	252	204.0	40	85.0
Johnston, Maureen	NORTH	214	207.0	18	98.0
Kaczka, Thomas	NORTH	218	201.0	36	64.0
Kaiser, Brian	NORTH	248	185.0	41	74.0
Karbasian, Carolyn	SOUTH	184	139.0	28	92.0
Keller, Grant	SOUTH	220	194.0	55	97.0
Kincade, Kathleen	CENTRAL	318	255.0	37	111.0
La Salle, Robert	NORTH	200	185.0	29	64.0
LaPorta, Phillip	NORTH	220	194.0	26	73.0
LaPorta Esq., David	NORTH	244	203.0	35	57.0
Lardiere, Andrea	CENTRAL	303	231.0	55	72.0

McFadden, Michael	SOUTH	256	219.0	29	112.0
McFadden (LI), Michael	SOUTH	19	221.0	0	0.0
Miller, Matthew	NORTH	237	223.0	42	72.0
Mundy, Lisa	NORTH	222	210.0	37	74.0
Nardella, George	NORTH	207	203.0	35	67.0
Noonan, Scott	NORTH	215	196.0	33	87.0
O'Brien, Matthew	NORTH	276	202.0	44	79.0
O'Donnel, Kenneth	NORTH	234	202.0	19	103.0
Patriaco, Andrew	NORTH	249	221.0	29	87.0
Pettersen, Nina	SOUTH	262	170.0	35	100.0
Reis, Karen	NORTH	219	159.0	34	85.0
Remington-Knodel, Jennifer	NORTH	237	214.0	44	64.0
Reynolds, William	SOUTH	243	186.0	43	79.0
Riva, Joseph	NORTH	90	311.0	36	66.0
Rivera, Barbara	NORTH	210	174.0	27	86.0
Sacco, Russ	NORTH	268	234.0	42	68.0
Sproviero, Scott	NORTH	221	212.0	26	75.0
Stampone, Vincenzo	NORTH	237	184.0	39	74.0
Stokes, Nanci	NORTH	225	191.0	41	66.0
Tamburino, Joseph	NORTH	173	197.0	34	75.0
Tarrant, Tara	NORTH	289	225.0	22	98.0
Voorhees, Gregory	CENTRAL	285	222.0	45	81.0
Wallen, Kate	SOUTH	247	210.0	18	72.0
Wallen (NO), Kate	SOUTH	20	178.0	0	0.0

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