



NEW JERSEY DEPARTMENT OF
BANKING AND INSURANCE
QUARTERLY REPORT

No Fault PIP Arbitration
1st Quarter 2013



FORTHRIGHT

1ST QUARTER 2013 REPORT

TO THE

NEW JERSEY DEPARTMENT OF BANKING AND INSURANCE

TABLE OF CONTENTS

Executive Summary 2

Cases Initiated 3

Disposition of Cases in the PIP Arbitration Program..... 4

Disposition of Cases by Region Percentage 4

Cases in Abeyance 5

Cases Settled within 45 Days of Initiation..... 5

Dispute Resolution Professional Caseload..... 5

Disposition of Cases after DRP Assignment..... 6

Regional Awards' Percentage 6

Awards as a Percentage of Claim Amount 6

PIP Benefits and Attorney’s Fees Comparison 7

Award Average, Median and Dollar Range..... 8

Appeals..... 8

Medical Review Organization Report 9

Online Case Management and Award Searching 9

Appendix A..... 101

EXECUTIVE SUMMARY

The format of this report has been updated to capture data pertaining to cases with in-person proceedings as well as those with “on-the-papers” proceedings. Pursuant to changes in the applicable regulations, the PIP arbitration rules were amended and Forthright began accepting filings of on-the-papers cases on March 1, 2013. Therefore, this report includes data for the first month of on-the-papers cases. Throughout this report, in-person cases may be designated as “IP” and on-the-papers cases may be designated as “OTP.”

In the 1st quarter of 2013, 13,509 cases were initiated in the PIP ADR program. Of these cases, 8,566 (63%) were filed in the Northern region, 2,178 (16%) in the Central region, and 2,073 (15%) in the Southern region, and 692 (5%) as OTP.

During the quarter, the DRP panel consisted of 60 members. The DRPs were regionally deployed as follows: 41 in the North; 9 in the Central; 10 in the South. 12,149 cases were assigned to DRPs.

Of the pending cases in the PIP arbitration program, 16,135 were concluded during the 1st quarter by means of an award or denial of award (including appeals), pre-hearing dismissal of the case, settlement, or withdrawal. There were 901 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 \$4,156, comprised of \$3,359 for personal injury protection benefits and \$797 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-three (23) appeals to panels of 3 DRPs were concluded during the reporting period. Eighteen (18) involved awards or dismissal orders rendered in the North Region, three (3) in the Central Region and two (2) in the South Region. Forty-four percent (44%) of appeals resulted in some form of modification.

During the reporting period, parties requested 105 Medical Review Organization (MRO) reviews. DRPs did not request any reviews. The requests were apportioned among the three current MROs on a rotating basis.

CASES INITIATED

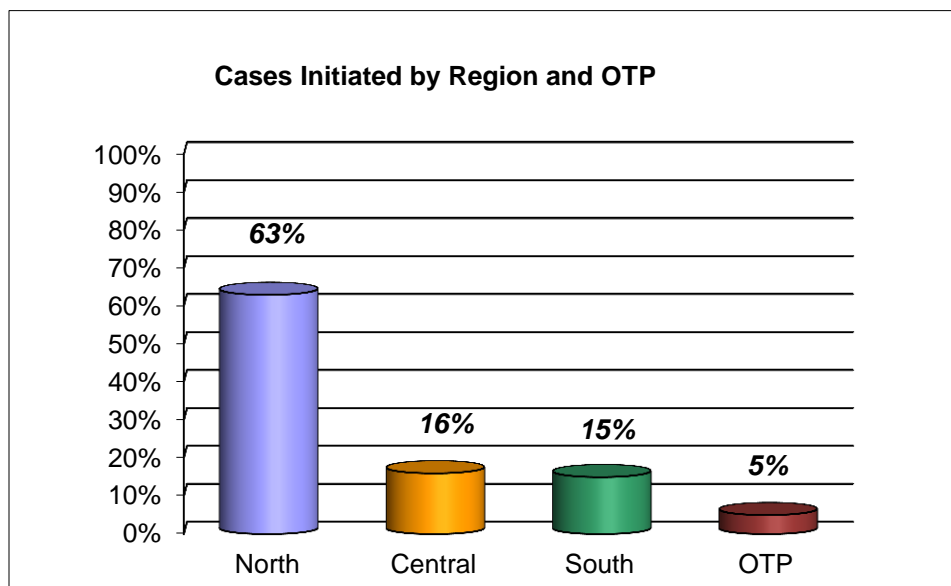
Cases are considered “filed” as of the date a Demand for Arbitration is received by Forthright. Case “initiation” occurs when an initiation letter is transmitted to the parties.

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 1st quarter of 2013, 13,509 cases were initiated in the PIP ADR program. Of these cases, 8,566 (63%) were filed in the Northern region, 2,178 (16%) in the Central region, and 2,073 (15%) in the Southern region, and 692 (5%) as OTP. See the table below for the monthly distribution. Since OTP filing did not begin until March 1, there are no OTP filing data for January and February.

	IP - North	IP -Central	IP - South	OTP	Total
January	3271	754	682	N/A	4707
February	2981	793	936	N/A	4710
March	2314	631	455	692	4092
Region Total	8566	2178	2073	692	13,509
Percent	63%	16%	15%	5%	



DISPOSITION OF CASES IN THE PIP ARBITRATION PROGRAM

Of the pending cases in the PIP arbitration program, 16,135 were concluded during the 1st 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. The designation “N/A” appears in the table because pre-hearing dismissal is not an option for OTP cases and no OTP cases matured to the point of a DRP decision

Disposition Type	IP - North	IP - Central	IP - South	OTP	Total
Awarded/Denied	3722	720	779	N/A	5221
Dismissed Pre-Hearing	20	4	14	N/A	38
Settled	6390	1317	1695	102	9504
Withdrawn	1051	157	162	2	1372
Total	11183	2198	2650	104	16135

DISPOSITION OF CASES BY PERCENTAGE

The table below presents the disposition of on-the-papers cases and the regional disposition of in-person cases as percentages of all case dispositions during the reporting period.

Disposition Type	IP - North	IP - Central	IP - South	OTP
Awarded/Denied	33%	29%	33%	N/A
Dismissed Pre-Hearing	<1%	<1%	<1%	N/A
Settled	57%	64%	60%	98%
Withdrawn	9%	6%	7%	2%
Total	100%	100%	100%	100%

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
Q1 2013	582	163	156	0	901
Percent	65%	18%	17%	0%	100%

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	2058	478	475	100	3111

*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

During the quarter, the DRP panel consisted of 60 members. The DRPs were regionally deployed as follows: 41 in the North; 9 in the Central; 10 in the South. 12,149 cases were assigned to DRPs.

Caseload activity of DRPs is represented 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 12,912 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 1st quarter of 2013 after the cases were assigned to DRPs.

Disposition	IP - North	IP - Central	IP - South	Total	OTP	System-Wide Percent
Awarded/Denied	3722	720	779	5221	N/A	40%
Dismissed by DRP	19	4	14	37	N/A	<1%
Settled	4289	838	1209	6431	95	50%
Withdrawn	951	125	145	1223	2	10%
Total	8981	1687	2147	12912		

REGIONAL AWARDS' PERCENTAGE

As shown above, a total of 5,221 awards were issued by DRPs concerning requests for expedited relief, standard relief, fee disputes, and appeals. Of the awards issued, 71% were in the North region, 14% in the Central region, and 15% in the South.

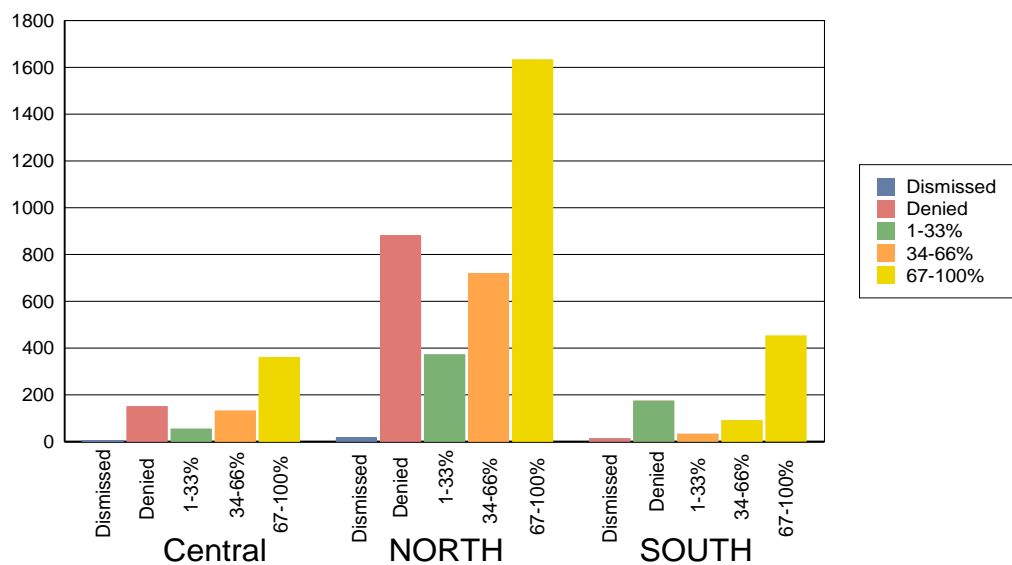
An online database of these awards is located at www.nj-no-fault.com.

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 1st quarter of 2013, the graph below indicates 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.

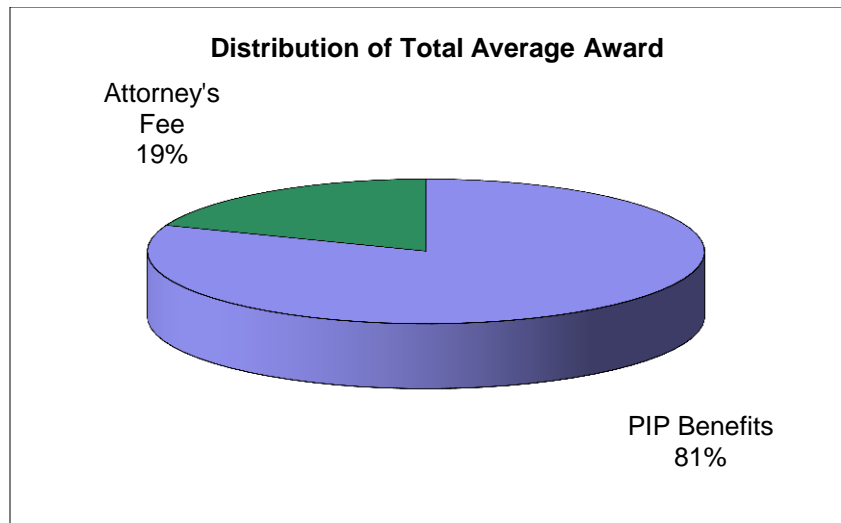
	Dismissed	Denied	1-33%	34-66%	67-100%	Total
IP - Central	4	151	56	133	362	706
IP - North	20	882	373	721	1634	3630
IP - South	14	175	34	91	454	768
OTP	N/A	N/A	N/A	N/A	N/A	N/A
Total	38	1208	463	945	2450	5104



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

PIP BENEFITS AND ATTORNEY’S FEES COMPARISON

System-wide, the average amount awarded in arbitration (excluding filing fees) was \$4,156, comprised of \$3,359 for personal injury protection benefits and \$797 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 \$3,359* per case. Awarded amounts ranged from \$0 to \$201,191. The median award during the reporting period was \$983.

The average amount awarded for attorney’s fees was \$797 per case. Awarded attorney’s fees ranged from \$0 to \$6,250. The median attorney’s fee award during the reporting period was \$975.

	Average	Dollar Range	Median
PIP Benefits’ Award	\$3359*	\$0 to \$201,191	\$983
Attorney’s Fee Award	\$797	\$0 to \$6,250	\$975

*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-three (23) appeals to panels of 3 DRPs were concluded during the reporting period. Eighteen (18) involved awards or dismissal orders rendered in the North Region, three (3) in the Central Region and two (2) in the South Region. Forty-four percent (44%) of appeals resulted in some form of modification. The following table reports the results.

	IP - North	IP - Central	IP- South	OTP	Total
Affirmed	13	2	1	N/A	16
Vacated	2	1	0	N/A	3
Modified	3	0	1	N/A	4
TOTALS	18	3	2	N/A	23

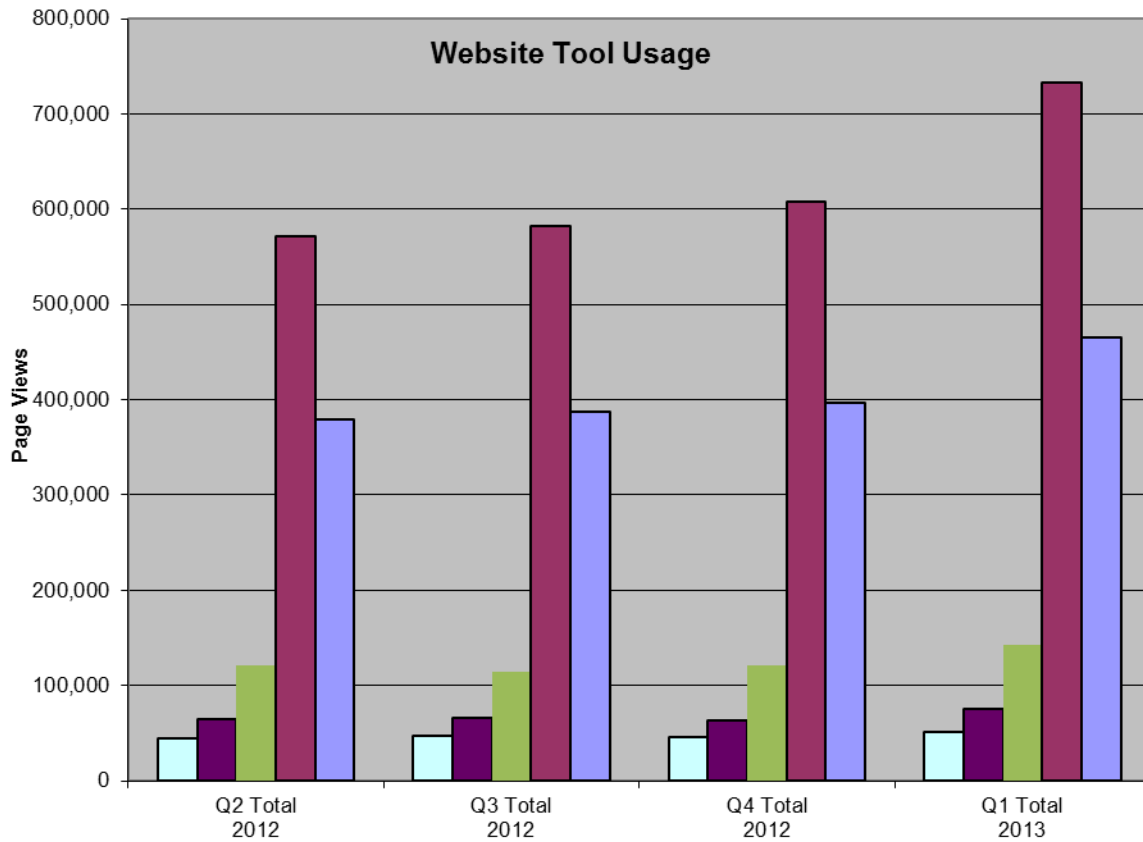
MEDICAL REVIEW ORGANIZATION REPORT

There are currently three Medical Review Organizations certified by the Department of Banking and Insurance. They are ExamWorks, formerly known as CFO Medical Services, First Managed Care Option (“FMCO”), 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	34	0	34	0	19	15
FMCO	38	0	38	0	19	19
SCS	33	0	33	1	11	22
TOTALS	105	0	105	1	49	56

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 re-designed 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 four calendar quarters.



2013 Q1 Highlights

- There was increased usage of the online case management tools in all categories for Q1 2013
- Award searches surpassed 50,000.
- Filer Case Views exceeded 725,000.
- Filer Dashboard Views reached 465,000.

- Award Search Application
- PDF Downloads
- DRP Case Views
- Filer Case Views
- Filer Dashboard Views

APPENDIX A

DRP	Region	Assigned	Closed	Awarded/ Denied	IP Proceedings
Aloi, Anthony M.	CENTRAL	240	239	92	99
Amendola, Francesca	NORTH	189	203	78	89
Andolino, Michael D.	CENTRAL	160	179	85	86
Annunziata, Maria	CENTRAL	215	201	76	99
Campbell, Jennifer M.	NORTH	130	255	112	110
Carnelli, Christopher M.	SOUTH	185	193	67	103
Carro, Sergio G.	NORTH	145	213	76	103
Caserta, Patrick J.	NORTH	193	186	77	115
Cassella, Deborah M.	NORTH	175	240	113	101
Celentano, Cynthia J.	NORTH	208	220	101	106
Croft, Douglas M.	NORTH	205	218	88	123
Damiano, Robert S.	NORTH	245	213	87	89
Daniskas, Maria I.	NORTH	142	221	89	98
de Cordova, Donald W.	NORTH	208	228	98	114
Della Badia, Joseph	NORTH	192	203	65	78
DeMarco, Jodi L.	NORTH	517	247	12	55
DeMarco, Joseph	NORTH	149	230	107	126
Eisele-Grabowski, Karen	SOUTH	151	215	68	75
Fabiano, Edward	NORTH	225	288	122	130
Fannan, John J.	CENTRAL	227	166	64	80
Fazio, Cataldo F.	NORTH	194	224	93	113
Foley, Patrick W.	CENTRAL	196	196	78	101
Ganzhorn, Lisa A.	NORTH	197	238	105	121
Garrabrandt, James H.	NORTH	157	198	70	108
Grabowski, David A.	SOUTH	141	225	91	86
Granato, S. Caroline	SOUTH	160	236	80	96
Hackett, Michael	NORTH	207	253	92	121
Hebron, Sylvia A	NORTH	166	219	82	95
Johnston, Maureen M.	NORTH	185	246	104	126
Kaczka, Thomas M.	NORTH	155	236	89	115
Karbasian, Carolyn K.	SOUTH	148	198	87	110
Keller, Grant W.	SOUTH	196	242	83	92
Kincade, Kathleen D.	CENTRAL	183	212	85	84
Knuetter, Margaret	NORTH	172	227	103	124
La Salle, Robert C.	NORTH	180	225	103	124
LaPorta, David M.	NORTH	521	267	20	45
LaPorta, Phillip A.	NORTH	201	226	89	116
Lardiere, Andrea L	CENTRAL	220	162	69	80
Lesser, Gary T.	NORTH	198	213	76	96
McFadden (LI), Michael K.	SOUTH	32	16	6	6
McFadden, Michael K.	SOUTH	159	191	54	68
Miller, Matthew G.	NORTH	183	247	110	109
Mundy, Lisa D.	NORTH	245	238	67	72
Nardella, George C.	NORTH	217	230	50	72
Noonan, Scott M.	NORTH	156	228	92	116
O'Brien, Matthew J.	NORTH	201	238	96	115

Odell, Barry K.	CENTRAL	197	182	70	91
O'Donnel, Kenneth L.	NORTH	225	207	76	92
Patriaco, Andrew A.	NORTH	201	226	88	128
Pettersen, Nina L.	SOUTH	371	216	28	66
Reis, Karen M.	NORTH	193	217	97	105
Remington-Knodel, Jennifer	NORTH	179	200	78	98
Reynolds, William E.	SOUTH	272	237	71	72
Riva, Joseph J.	NORTH	131	206	85	102
Sacco, Russ	CENTRAL	179	180	91	107
Sproviero, Scott G.	NORTH	216	271	129	133
Stampone, Vincenzo	NORTH	174	217	84	105
Stokes, Nanci G.	NORTH	184	233	92	114
Tamburino, Joseph A.	NORTH	179	215	79	94
Wallen (NO), Kate R.	SOUTH	5	1	0	0
Wallen, Kate R.	SOUTH	172	220	89	84
Zimmerman, Richard T.	NORTH	200	202	72	86
Total		12149	13219	4980	5967

Contact us

Forthright

285 Davidson Avenue, Suite 502

Somerset, NJ 08873

732.271.6100

www.nj-no-fault.com



FORTHRIGHT