

State of South Carolina



Workers' Compensation Commission

TO: Roland Franklin
FROM: Gary M Cannon
DATE: February 2, 2024
RE: Supplemental Information – Draft Report

The following supplemental information is provided in response to our meeting on January 30, 2024, to discuss the draft report.

1. Chart comparing the SC Workers' Compensation Commission's budget, population, number of claims and population to neighboring states.

	Neighboring States WC Systems			
	Population	12A Claims	Budget	Staff
South Carolina	5.3 million	26,000	\$ 8,527,641	53
Georgia	11 million	30,054	\$ 20,117,470	145
North Carolina	10.7 million	44,945	\$ 22,847,114	140
Virginia	8.7 million	37,842	\$ 44,000,000	299

2. SC Department of Revenue – Pilot GEAR (Governmental Enterprise Accounts Receivable) Program

During discussions with HLOC staff, the Commission learned of the new Pilot Program GEAR initiated by the SC Department of Revenue. Participation in the program will give the Commission another avenue to collect outstanding fines for non-compliance of coverage requirements from employers. The agency notified them of our interest in the program on October 25, 2023. SC DOR accepted the Commission into the program on November 13, 2023. We were informed by DOR they have finished testing and are ready for us to submit employers to the GEAR program. Since our acceptance into the Pilot Program, the Commission has not held a Hearing where an employer was found to be noncompliant. The next Order and Rule to Show Cause Hearings against delinquent employers are set for February 22nd, 2024.

3. Updated information on Commissions' employees eligible for retirement.

In FY 2023, the Commission had 53 full time equivalent funded positions of which 53 were filled.¹ There has been very little turnover in the Commission during the last 15 years.² However, of the 53 current employees, 6 are working retirees, 12 are currently eligible to retire, and 7 will be eligible to retire in the next 5 years.³ Thus, 26% (i.e. 12 employees) are eligible to retire at any time, and 41% (i.e., 19 employees) are eligible to retire in five years.⁴

4. Information for a claimant of a denied claim.

An employee whose claim is denied will be sent a letter from the employer/carrier informing them the claim has been denied. The employer/carrier will submit a Form 19 and a copy of the letter to the employee to the Commission. Upon receipt of the Form 19 and a copy of the letter of denial to the employee, the Director of Claims sends a letter to the employee with the following information:

Dear :

The South Carolina Workers' Compensation Commission has received notice from the following carrier / employer that denies you sustained an injury that qualifies you for Workers' Compensation benefits:

Employer:

Carrier:

Carrier file number:

This does not prevent you from making a claim for these benefits. If you wish to pursue a claim, please contact me at sspann@wcc.sc.gov to obtain forms to request a hearing before a Commissioner to determine if you are entitled to benefits.

Sincerely,

*Sonji Spann
Director of Claims
sspann@wcc.sc.gov*

¹~~See June 6, 2023 presentation. The June 6, 2023 presentation accurately reflected the Commission's staffing at the time. However, since the presentation the Commission has hired two additional FTEs.~~

²~~June 6, 2023 video presentation at 00:14:00 – 00:14:33.~~

³~~These totals exclude the 7 Commissioners. The report reflects the status of the Commission's 46 staff members.~~

⁴~~See July 19, 2023 video presentation at 01:06:09 – 01:06:41 for statistics as of that date. Updated statistics are provided in the report.~~