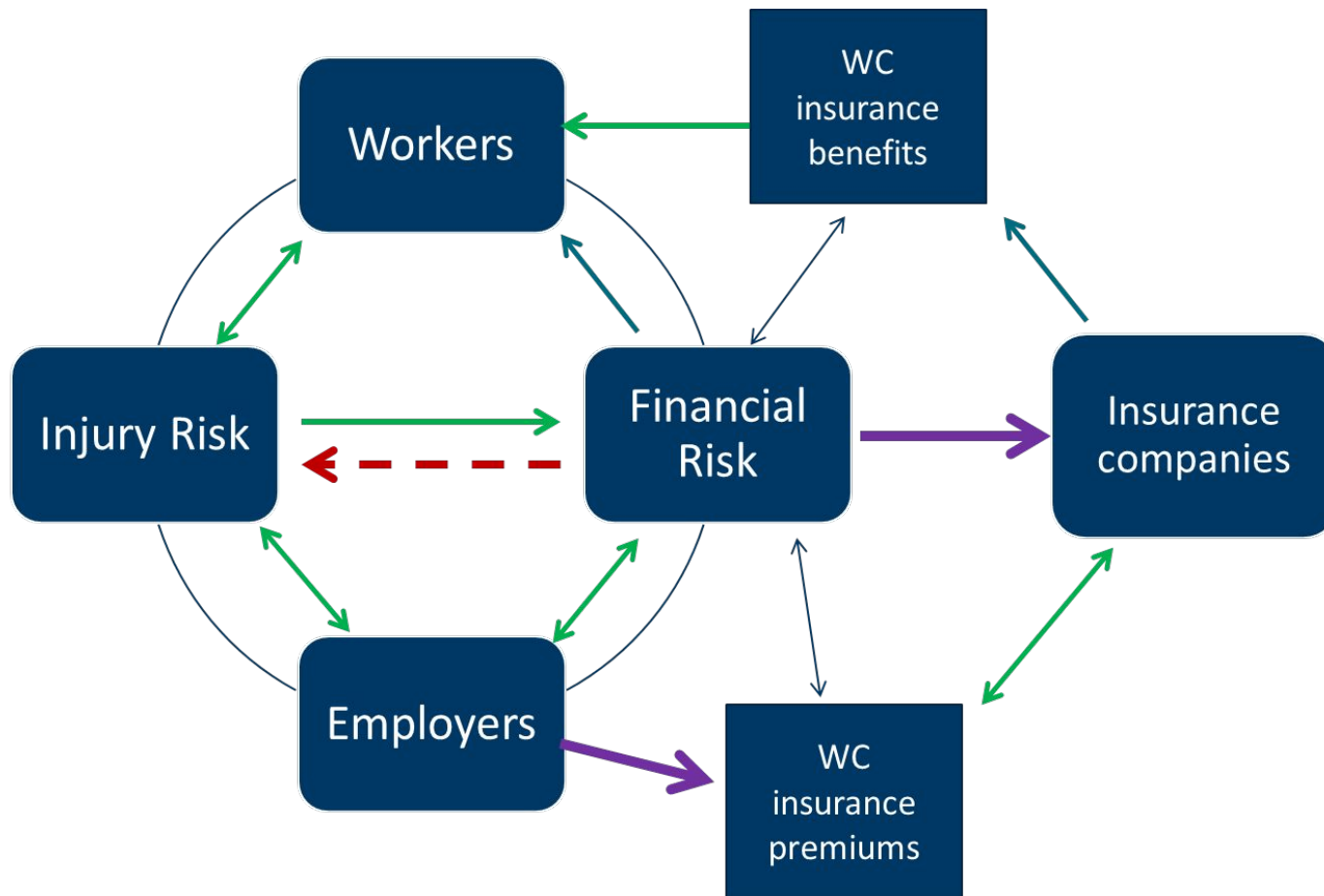


PTSD trends in Minnesota's Workers' Compensation System

Central States Occupational and Environmental Medicine Association
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Brian Zaidman | Senior research analyst

Why is PTSD in workers' compensation such a big issue?



- Exclusive remedy, workers can no longer sue employers
- Certainty of timely but limited payments
- First-dollar coverage of medical care
- \$1.6 billion flows through Minnesota's system each year

Work comp is an industry that reaches into aspects of

- Law
- Medicine, medical care, pharmaceuticals, alternative medicine
- Health care systems
- Fraud investigations and criminal conduct
- Vocational rehabilitation
- Economics, finance, risk management
- Workplace safety management
- Workplace wellness
- Labor relations

Coverage of post-traumatic stress disorder in Minnesota's workers' compensation system

- Post-traumatic stress disorder (PTSD) is the **only** mental disorder allowed to be paid without any accompanying physical injury. Coverage started for injuries on or after Oct. 1, 2013.
- PTSD is characterized by:
 - intrusive, involuntary recurring thoughts or images of the traumatic event
 - persistent avoidance of stimuli associated with the event
 - negative changes in cognitions and mood
 - marked change in state of arousal and reactivity
- Excluded conditions are all other work-related mental disorders and syndromes that are not accompanied by or caused by a work-related physical injury.
 - Excludes subthreshold PTSD, anxiety disorders, adjustment disorders

Some workers have a rebuttable presumption of work-relatedness

- Starting Jan. 1, 2019, selected workers have a rebuttable presumption of work-relatedness for PTSD claims.
 - Presumption covers police officers, firefighters, paramedics, EMTs and LPNs providing emergency medical services outside of a medical facility; public safety dispatchers; correctional officers and security counselors; sheriffs and full-time deputy sheriffs; members of the Minnesota State Patrol
 - About 28,000 workers included in 2019; 1% of Minnesota's 2.8 million workers
- This rebuttable presumption means medically-diagnosed PTSD is considered work-related for these workers.
 - To deny the claims, the insurer or employer has to provide evidence that the condition is not work-related
 - All other workers need to provide evidence from a licensed psychiatrist or psychologist that their PTSD is work-related

Some background on Minnesota's work comp system

- Employers may purchase work comp insurance or self-insure (if qualified)
- Most public entities are self-insured either individually or through a group
 - Many local governments insure through the MN Association of Counties or the League of Cities
 - Some of the largest cities and health care companies are individually self-insured
 - Most PTSD claims are filed by public entity employees
- The Workers' Compensation Advisory Council (WCAC) must approve proposals before they are passed over to the Legislature
 - The WCAC has equal representation from business and labor representatives, and both sides must approve law change proposals
 - Legislators do not propose amendments to WCAC-approved work comp bills

Timeline of PTSD-related events in Minnesota's work comp system



- PTSD coverage was debated at the WCAC for many years before approval by the Legislature in 2013
- COVID-19 presumption in April 2020 covered healthcare workers, first responders and corrections workers. COVID presumption ended Jan. 13, 2023.

Minnesota's workers' comp claims database

- Only claims for indemnity benefits (more than 3 days of disability) are required to be reported to the Department of Labor and Industry (DLI)
 - Receive about 32,000 claims annually (pre-COVID) and have 22,000 accepted indemnity claims
 - Total system has about 90,000 paid claims annually, most are medical-only and not in the database
 - Database holds about 1.5 million claims
- Data is collected and used primarily for administrative purposes, to monitor that the correct indemnity benefits are being paid and to help resolve disputes
- Medical services and costs are not included in the claims database

What the claims database holds

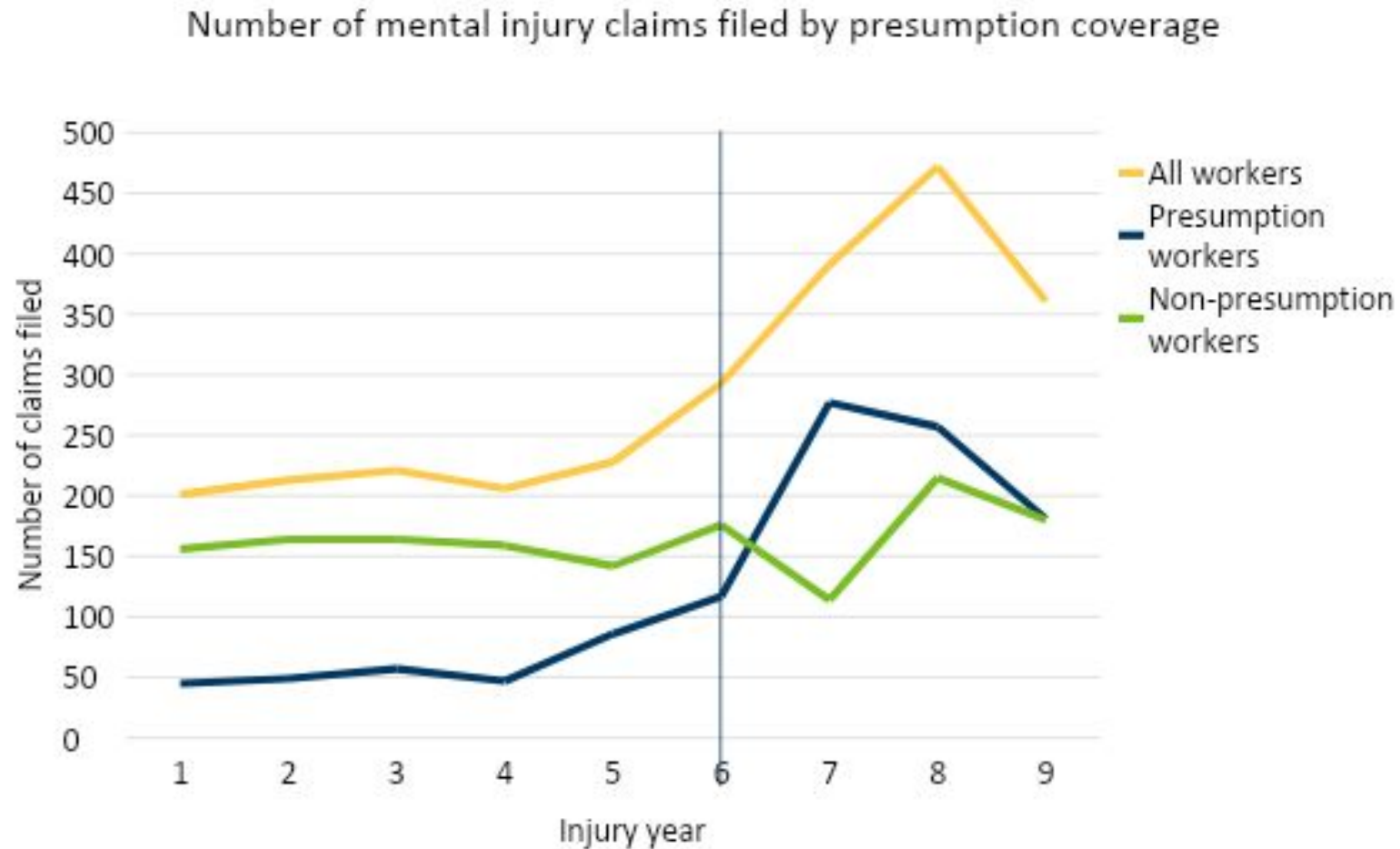
- Worker, employer and insurer identification
- Worker gender, age, job tenure, wage
- Occupation and industry codes
- Injury narrative
- Codes for part of body, nature of injury, event or exposure and source of injury
- Indemnity benefit types, dates, amounts
- Denial and reason for denial
- Dispute filings and dispute resolution activities and outcomes
- Vocational rehabilitation services, dates, cost and outcome

Current issues regarding PTSD claims in Minnesota

- Why are so many PTSD claims being denied, even for workers with the rebuttable presumption?
- Should the presumption be expanded to include more occupations?
- Are the deadlines used to facilitate claim movement through the system relevant for mental injuries?
- Can we offer treatments that bring more workers with PTSD back to work?
- Is the limitation of mental injuries to only PTSD too narrow?
- Is someone somewhere doing a better job with PTSD claims that we should emulate?

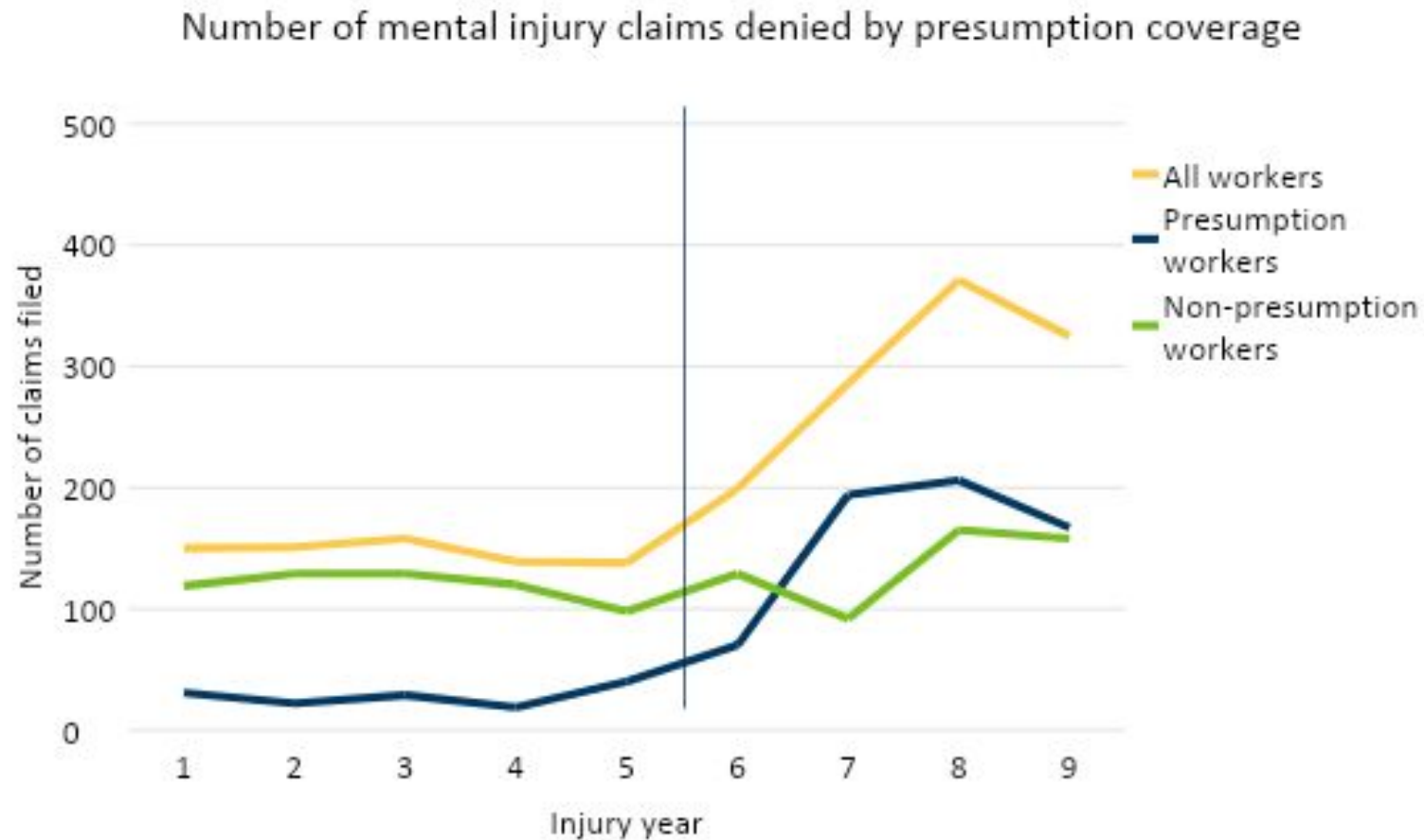
Presumption effects on denials and payments

PTSD presumption resulted in more claims filed by the workers included in the presumption



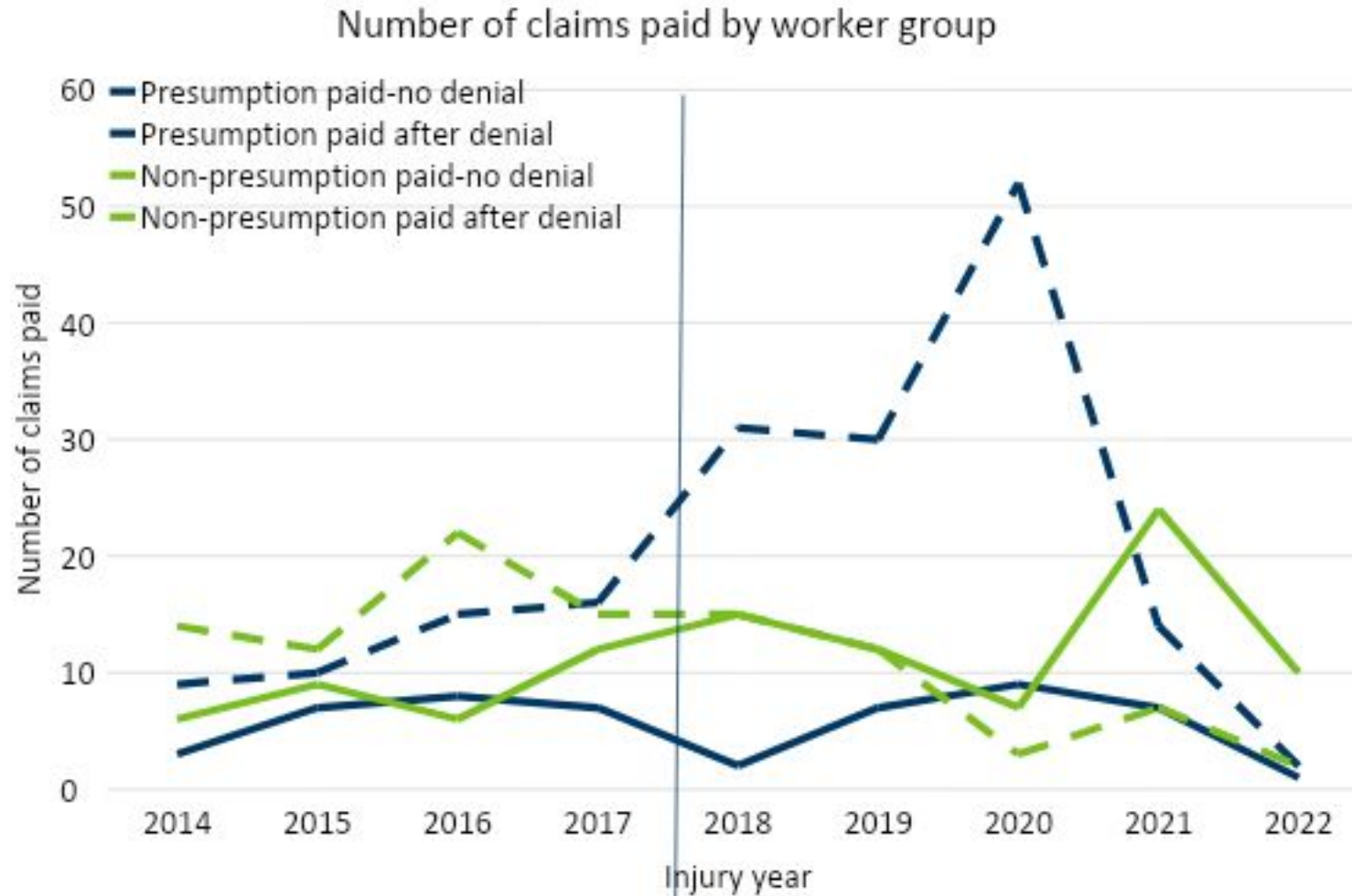
- 2,732 PTSD claims from Jan. 2014 through June 2023, reported by Sept. 1, 2023
- The presumption workers filed 27% of the claims from 2014 through 2018
- The presumption workers filed 53% of the claims from 2019 through June 2023

PTSD presumption resulted in more claims denied for the workers included in the presumption



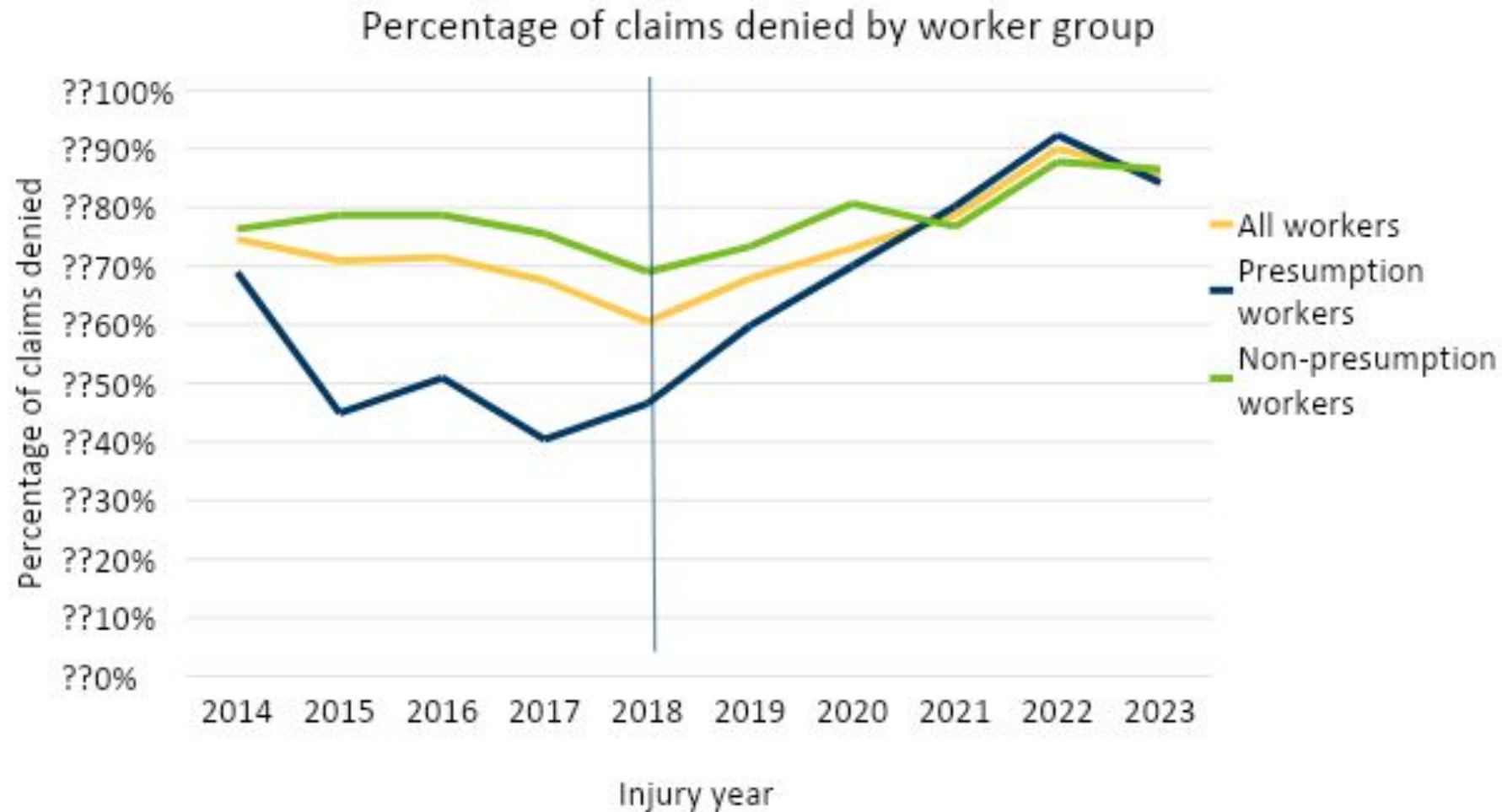
- Denials count only claims not paid benefits or receiving a settlement
- Presumption workers accounted for 19% of the denials from 2014 through 2018
- Presumption workers accounted for 52% of the denials from 2019 through June 2023

Presumption group claims with payment increased only for claims initially denied



- 2022 numbers are preliminary; many claims still in litigation
- Presumption claims most likely to be paid after an initial denial
- Since 2020, non-presumption claims more likely to be paid without a denial

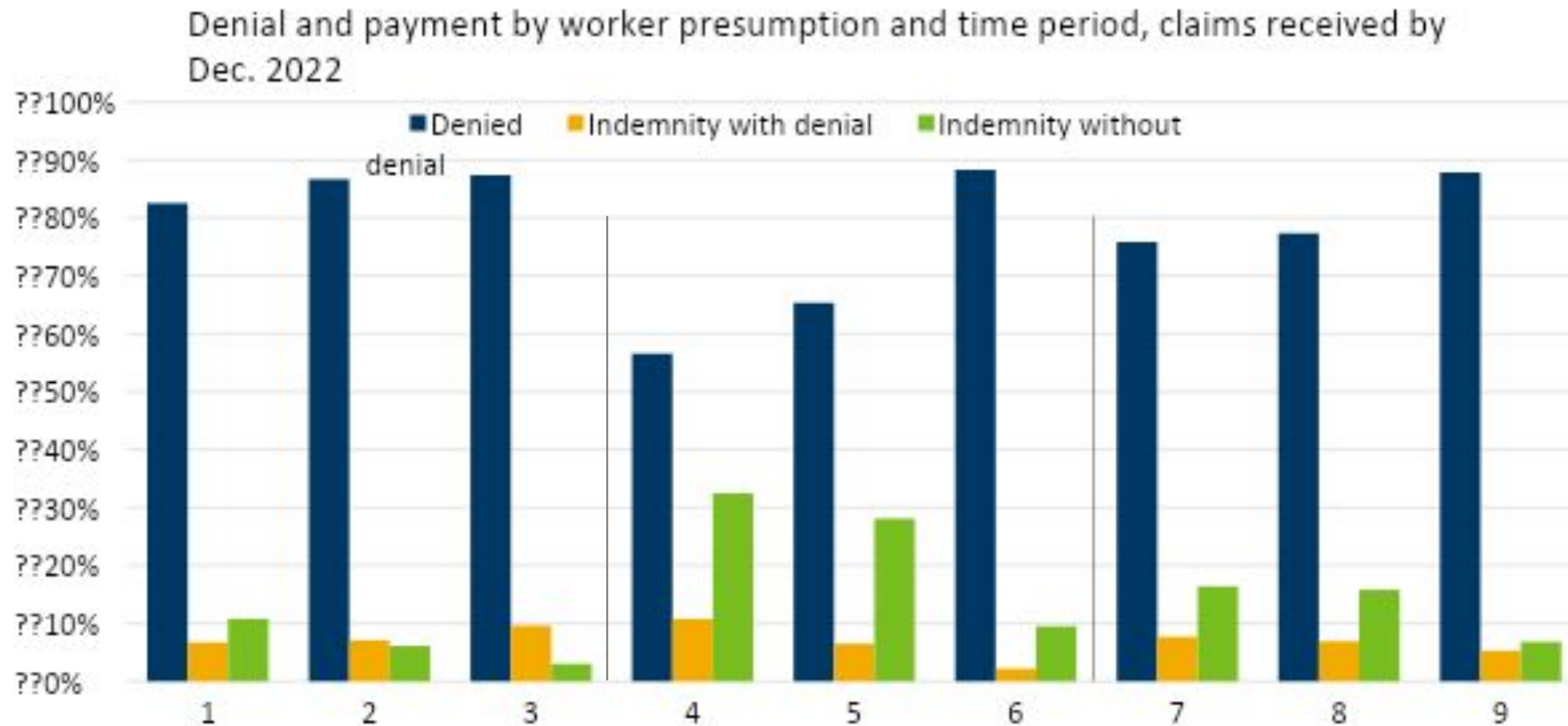
Did increased claim filing lead to more claim denials?



- Convergence of denial rates by 2021
- Denial rates are higher than ever, but 2022 and 2023 numbers are preliminary

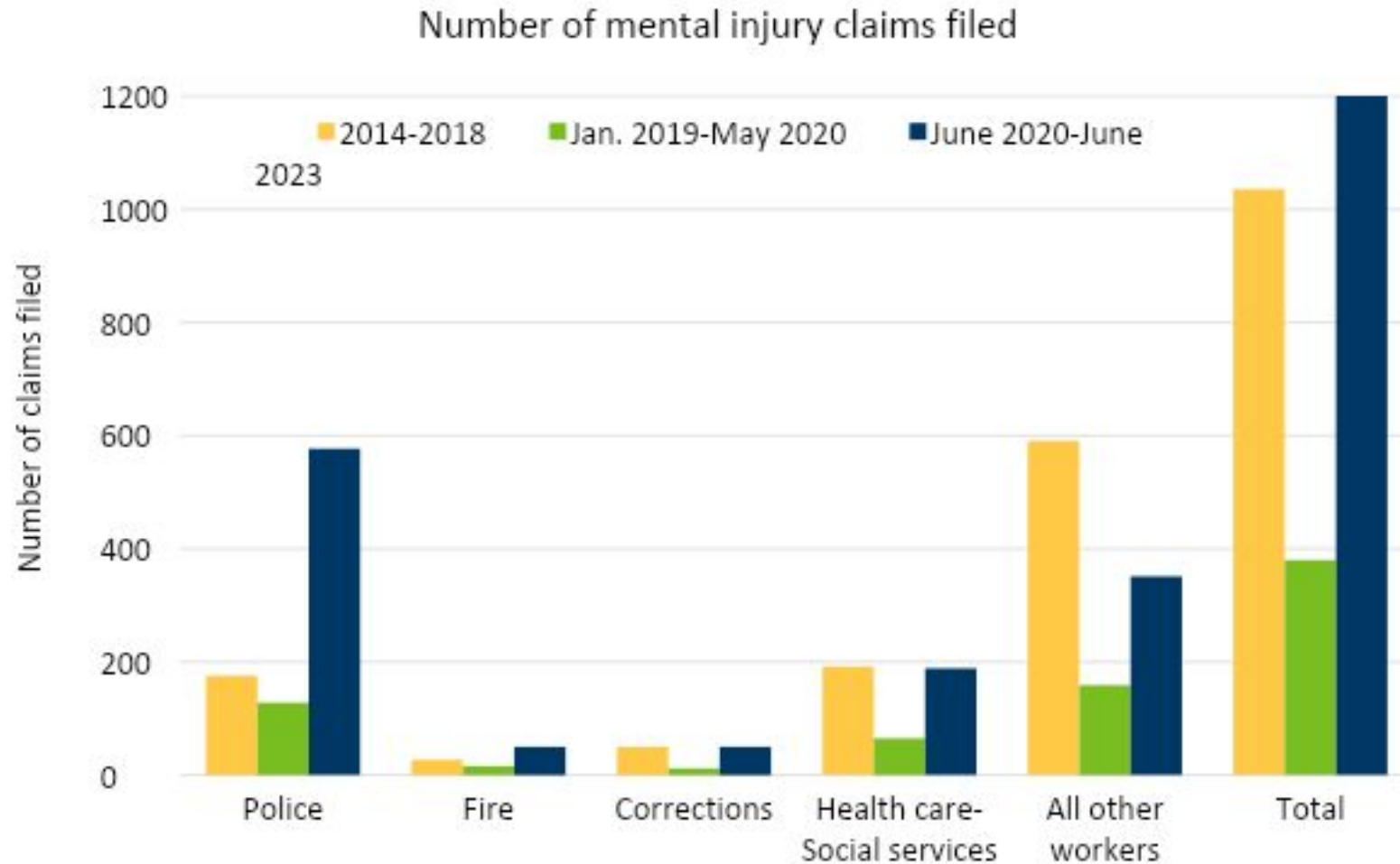
Worker groups and claims filing rates by time period

Denials dominate the mental injury claims filed; most claims with a denial are never paid



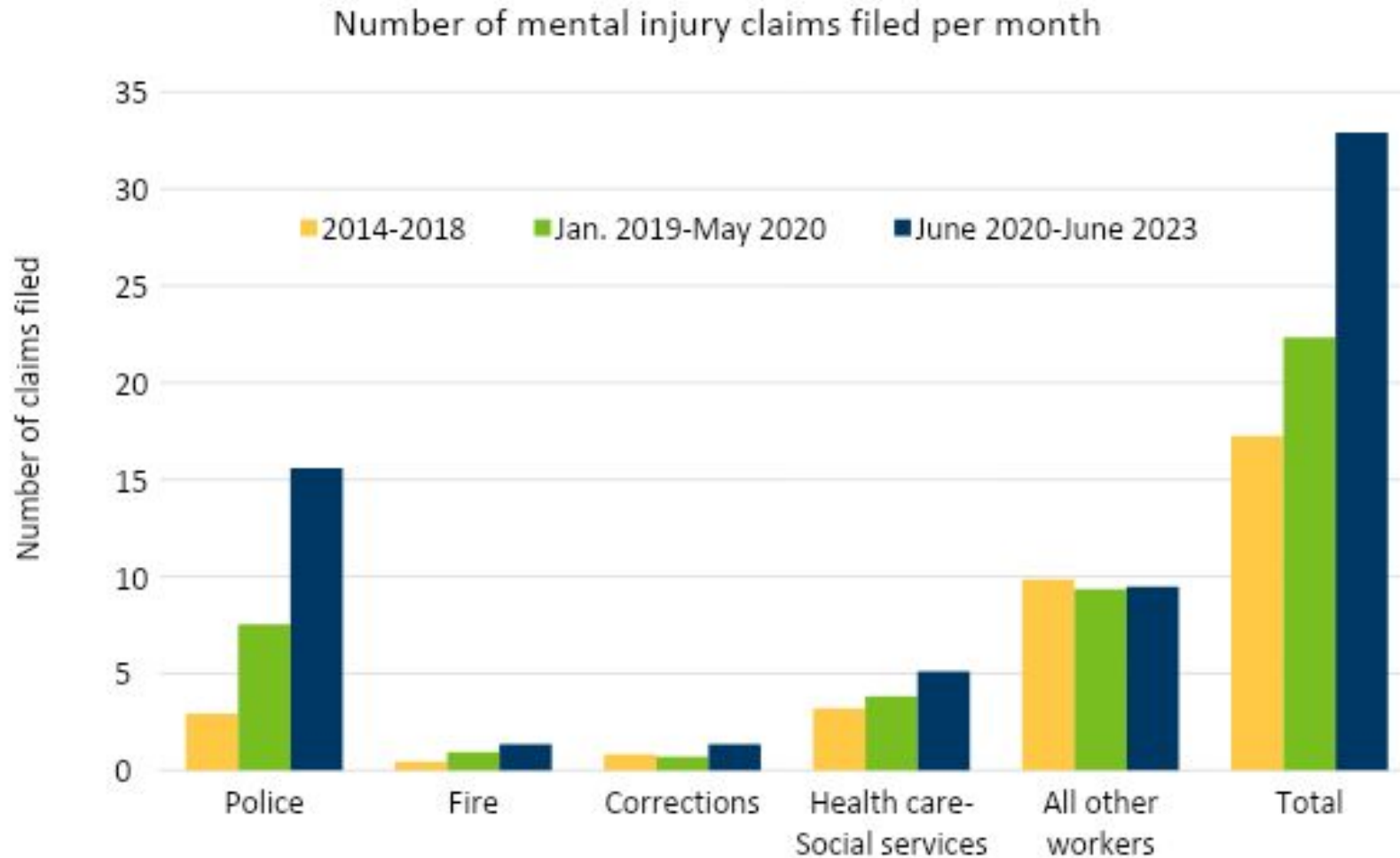
- Time periods are
 - Before the presumption, 2014-2018
 - Early presumption, before George Floyd murder, 2019- May 2020
 - After George Floyd murder, June 2020 and later

Police dominate claims filed since June 2020



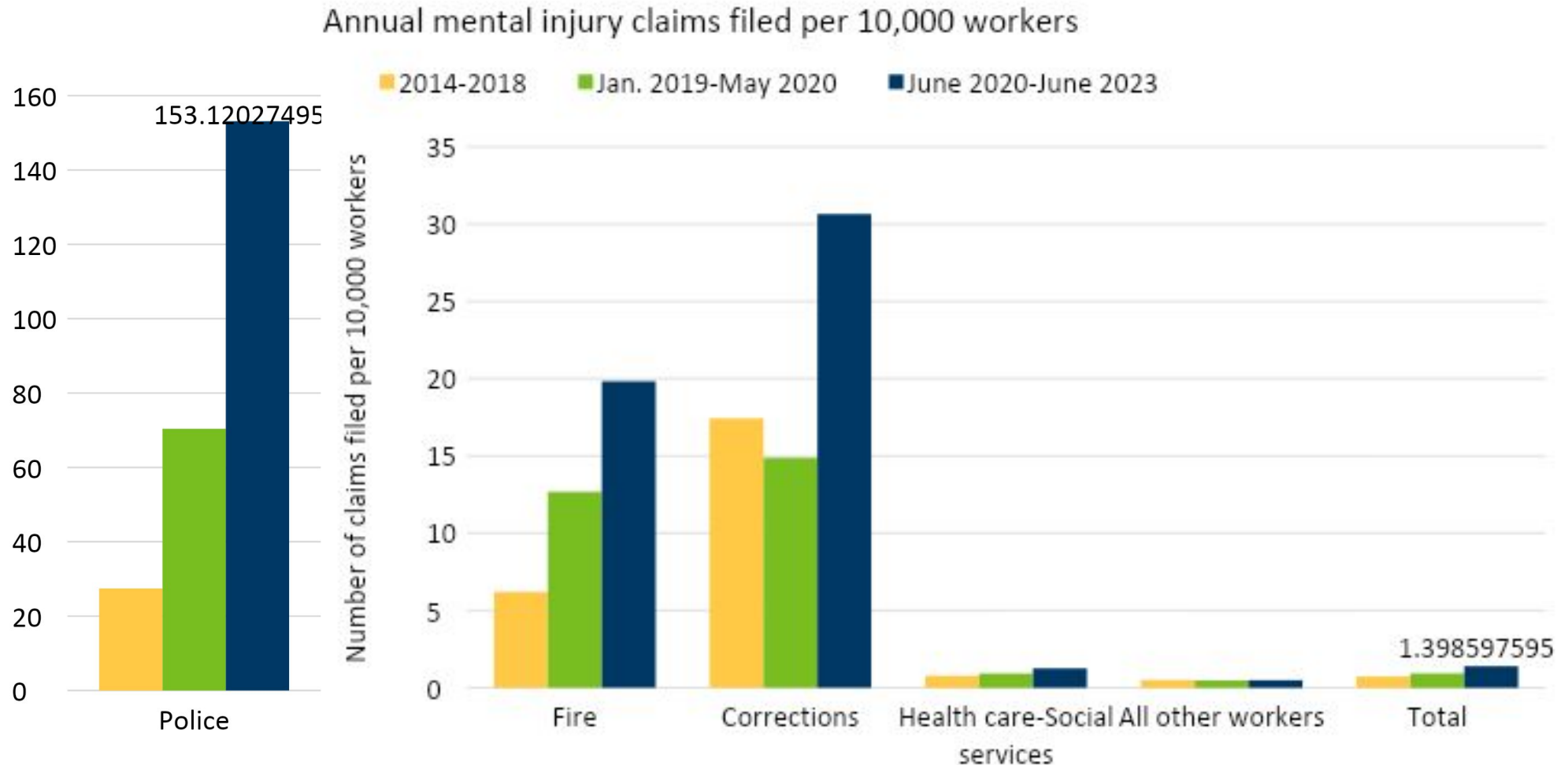
- Police includes sheriffs, sheriff deputies and State Patrol officers
- Majority of corrections workers employed by state government
- Police and many firefighters are also covered by the Public Employee Retirement Association (PERA), and can received disability benefits from PERA

Now average one mental injury claim per day

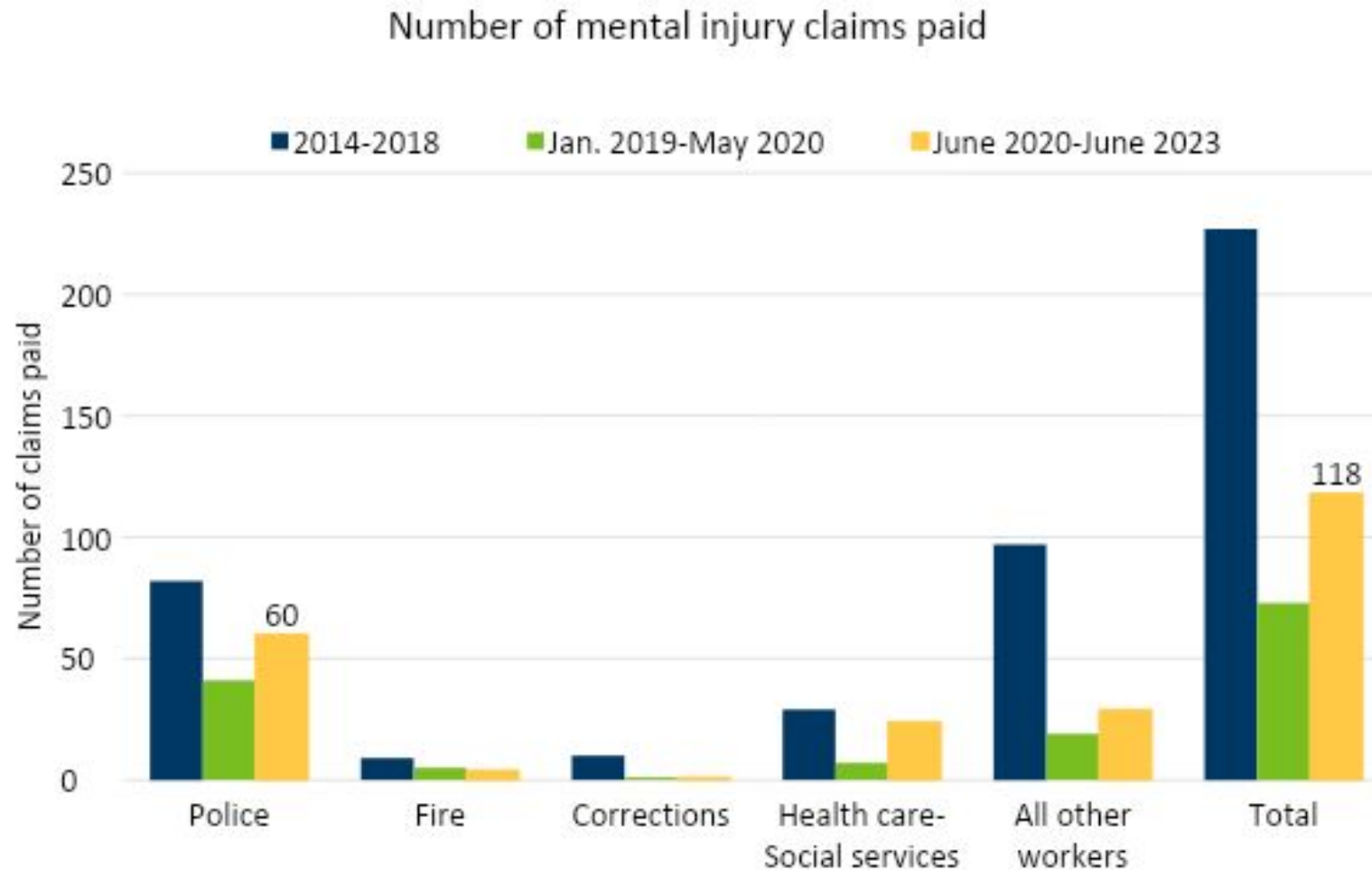


- Now have one police claim filed every 2 days
- Presumption had no effect on claim filing by workers not covered by the presumption

Mental injury claim rates amplify exceptional status of police



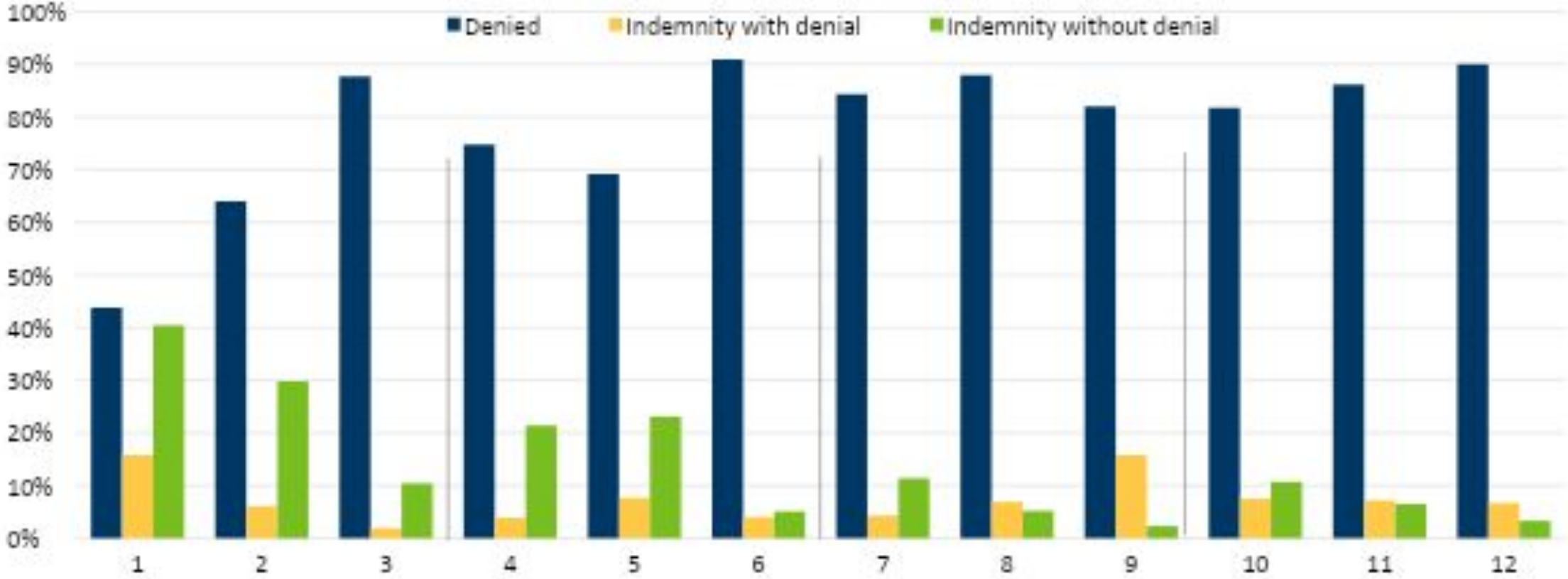
Presently, more police receive PTSD claim benefits than all other workers combined



- Only 4 fire fighters and one corrections workers were paid benefits for a mental injury since June 2020.
- Presumption had no effect on claim filing by workers not covered by the presumption

Steadily increasing denial rate for police

Denial and payment by worker presumption and time period, claims received by Dec. 2022



Filed description of mental injury

Mental injuries include a broad set of disorders and syndromes, but only PTSD is compensable

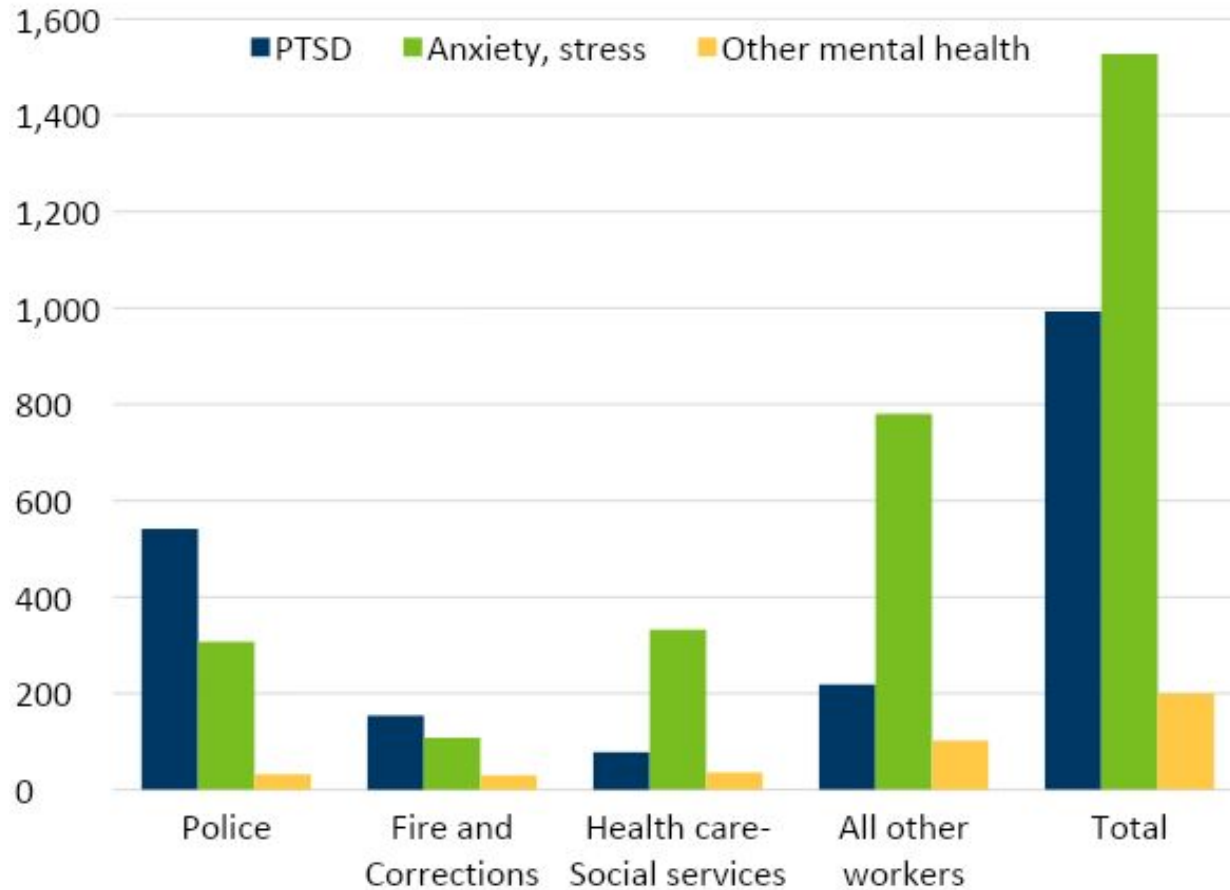
- DLI work comp coders read the injury narrative and assign nature of injury codes using the Occupational Injury and illness Classification System developed by the Bureau of Labor Statistics.

Nature code	Code name
620	Mental disorders and syndromes, unspecified
6210	Anxiety, stress, unspecified
6211	Post-traumatic stress disorder
6212	Adjustment disorder
6213	Anxiety or panic disorder
6219	Anxiety, stress, not elsewhere classified
622	Depression or depressive episode
629	Mental disorders and syndromes, not elsewhere classified

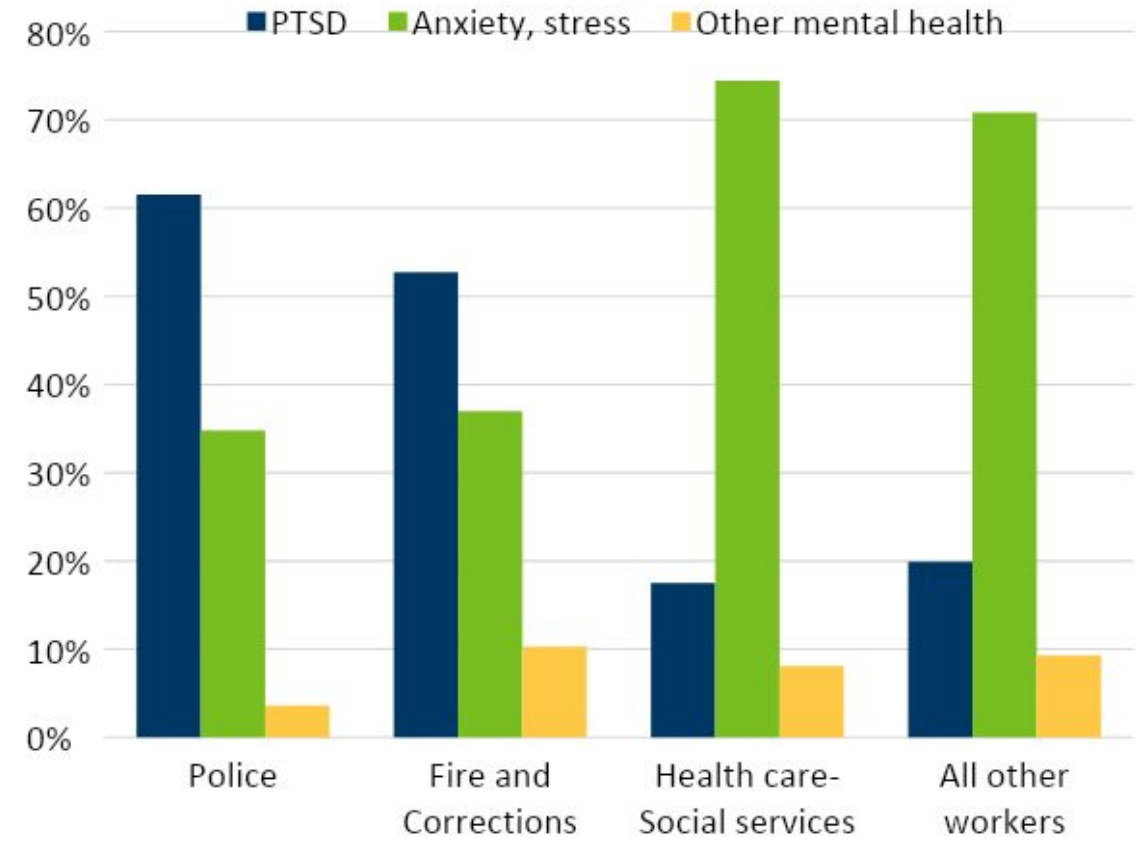
- These are not diagnoses.
- Claims are dynamic and later medical reports might indicate a more specific mental disorder or syndrome.

PTSD more commonly used for presumption worker claims, least common in health care

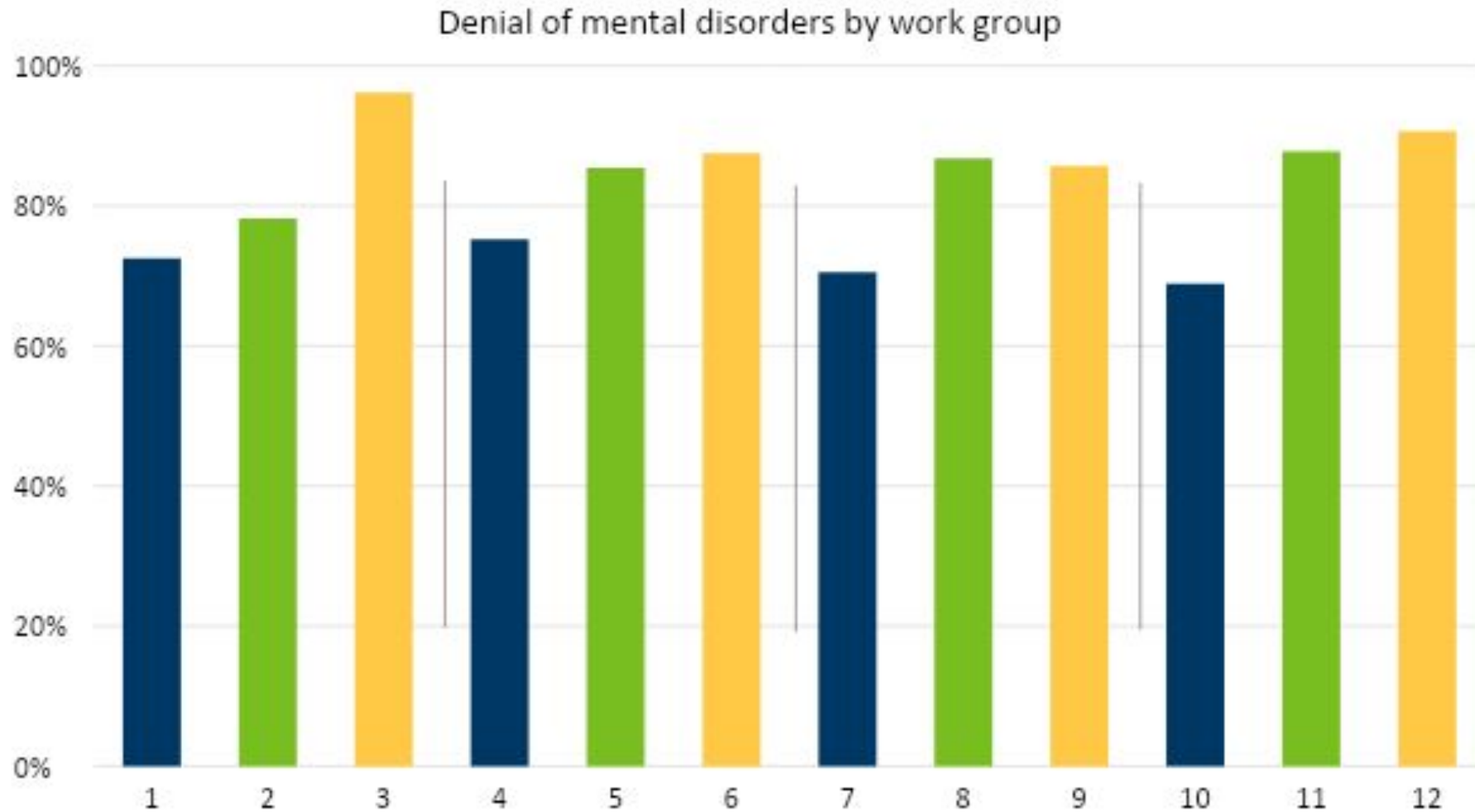
Mental injury code claim counts by work group



Mental injury code percentages within work groups

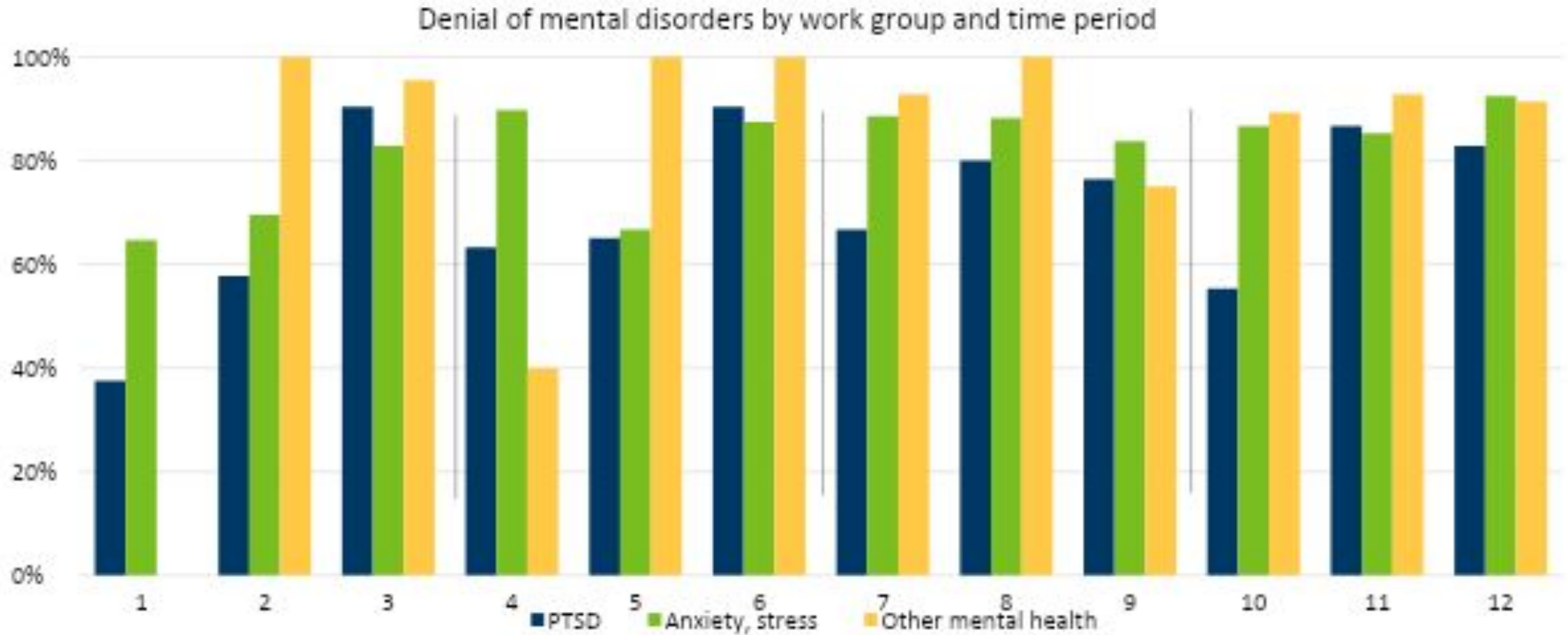


Injury narratives using PTSD have lower denial rates over entire 2014-2022 period



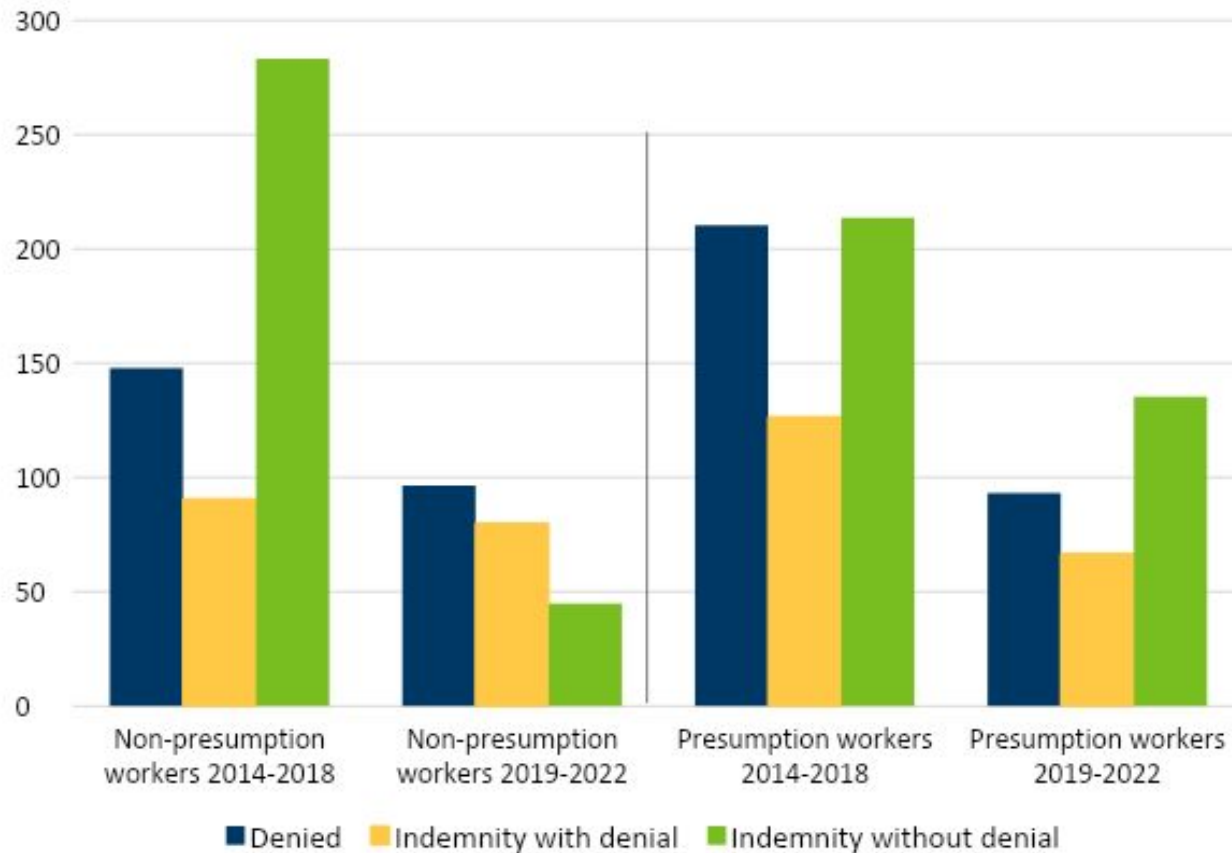
- Similar denial rates among worker groups

PTSD claim payment advantage decreased for police after May 2020

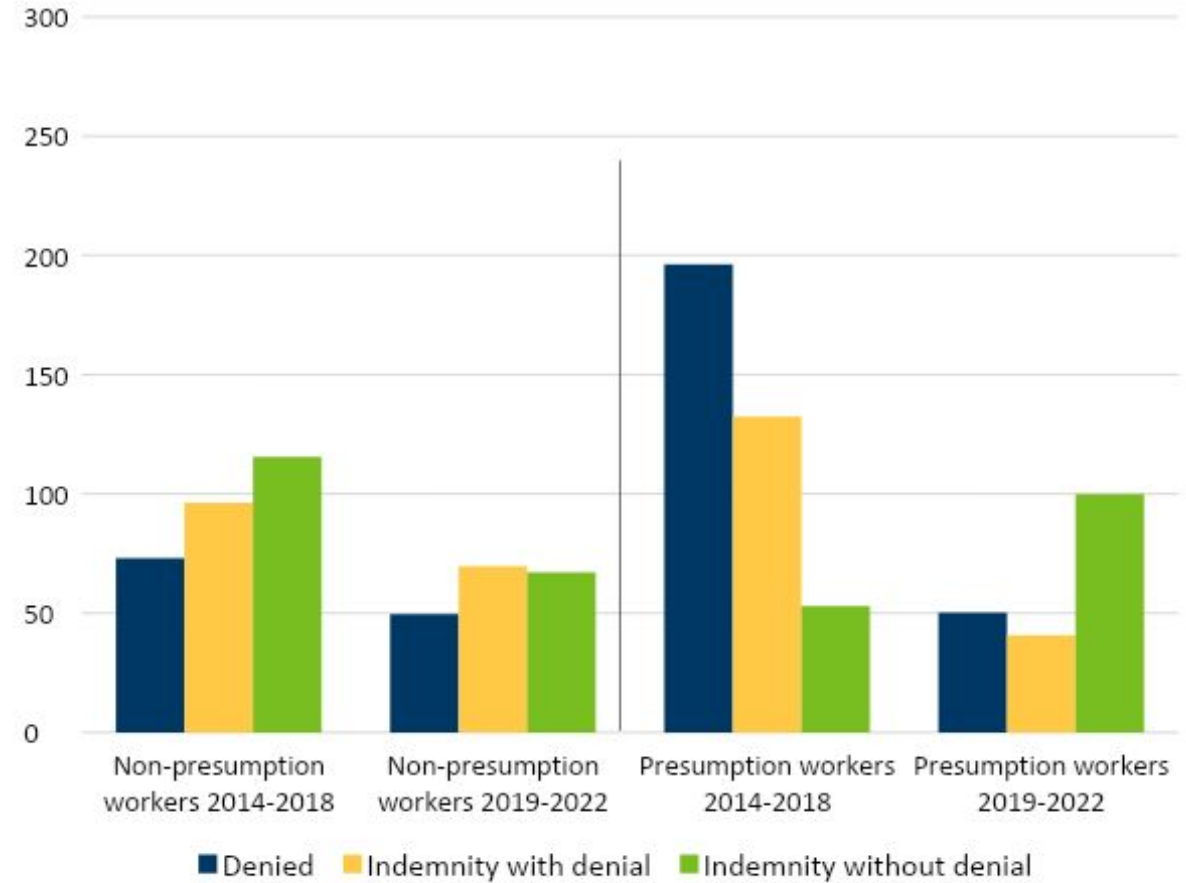


PTSD claims take longer to file; all claims filed quicker after 2018

Average days from injury date to claim filing for PTSD coded claims



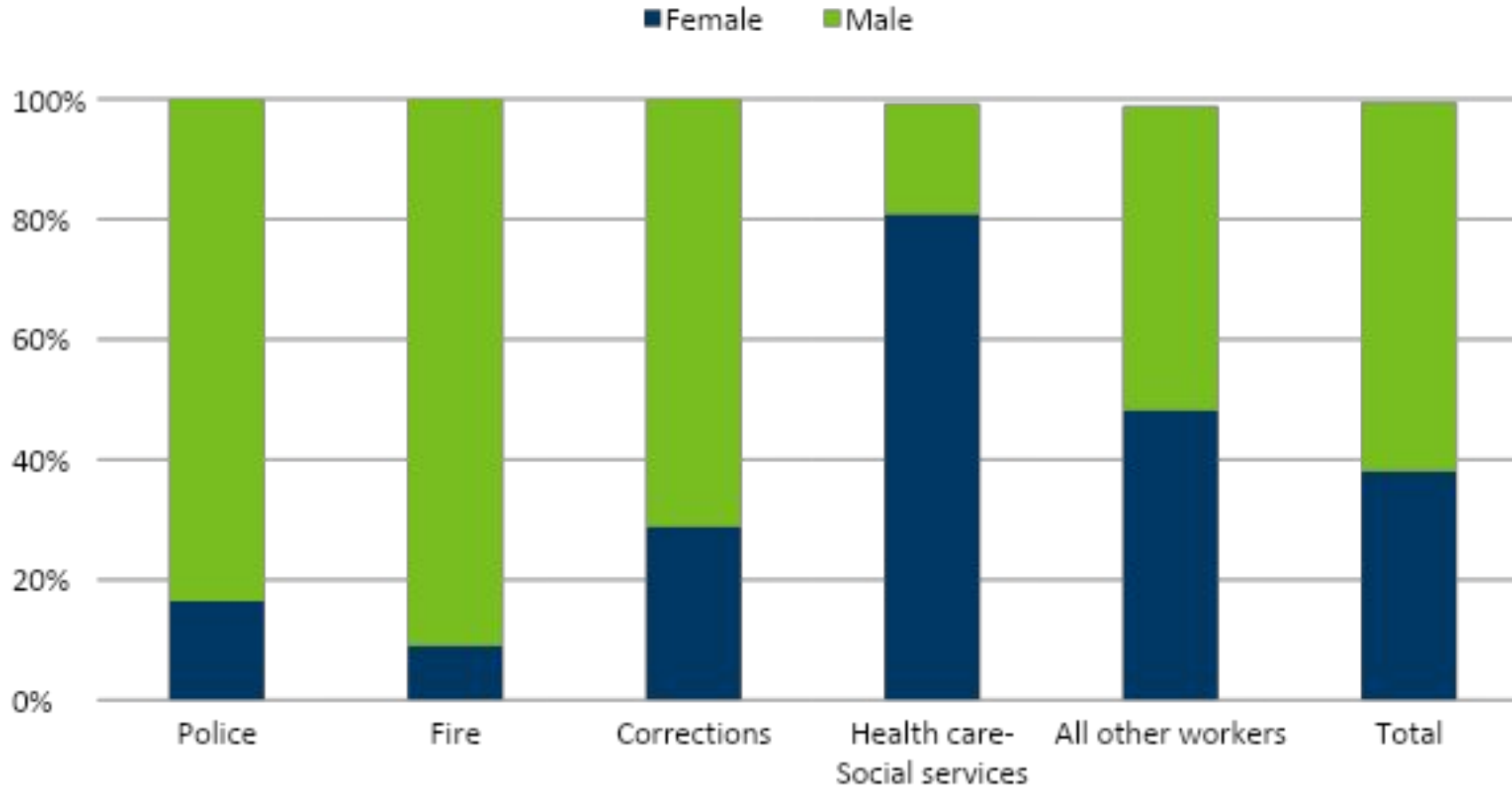
Average days from injury date to claim filing for anxiety/stress coded claims



Mental injury claims by gender

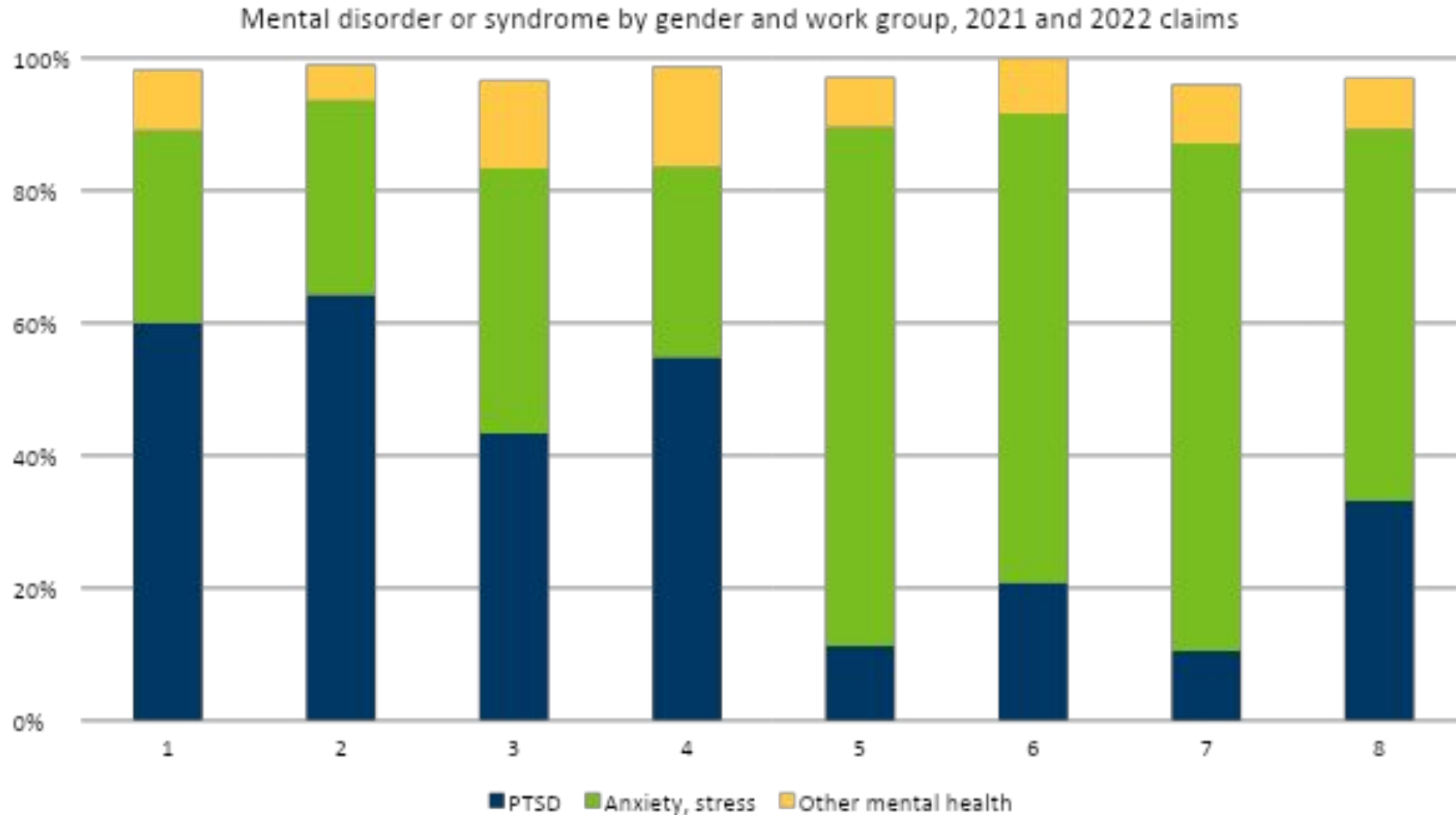
Recent claims show large differences in worker gender distributions

Gender distribution of mental disorder and syndrome claims, 2021 and 2022



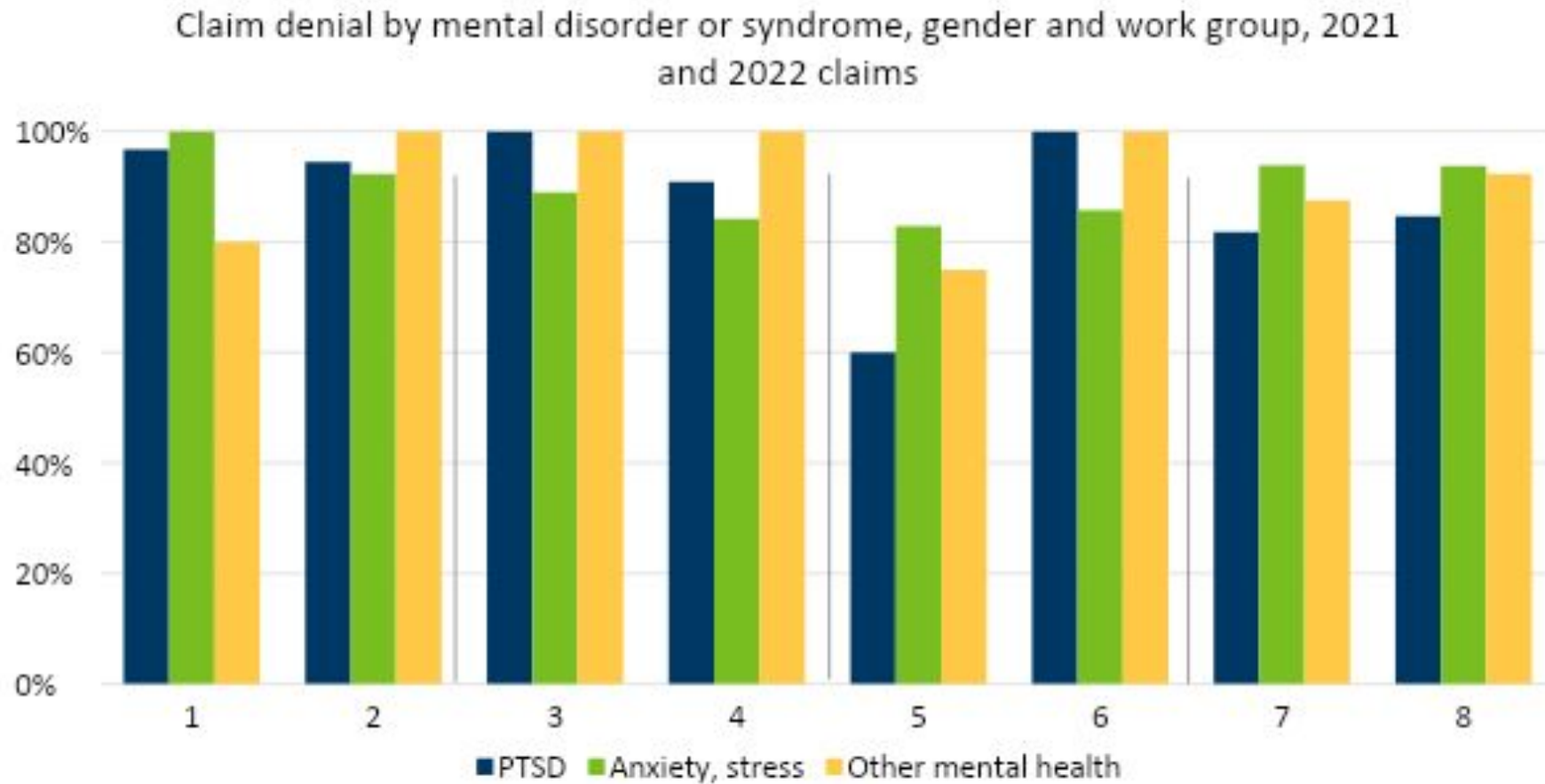
- Females are 60% of non-presumption claims, only 19% of presumption claims

In all worker groups, male workers are more likely to describe their condition as PTSD



- Anxiety and stress disorders are more common for both genders among the non-presumption workers
- Female workers might be more likely to report conditions involving anxiety and stress

No claim payment advantage to a PTSD description for presumption workers



- Female health care workers show lowest denial percentage for PTSD-coded claims
- Have low claim numbers for fire and corrections workers

The 2025 PTSD report to the Legislature

- The 2023 work comp bill included a provision that requires DLI to conduct a study and report related to PTSD in workers' compensation. The report is due to the Legislature on August 1, 2025.
- The goal of this study is to identify potential systemic or regulatory changes that may improve the experience and outcomes of employees with work-related PTSD.
- DLI is working with the Midwest Center for Occupational Health and Safety at the University of Minnesota to complete this study.
- The study will
 - review the status of PTSD claims and the most common treatments provided
 - identify evidence-based methods and best practices for early detection and treatment of PTSD
 - research options for delivering mental health wellness training, employee assistance programs and other benefits related to PTSD
 - research PTSD prevention programs and return-to-work programs
 - review the definition of PTSD and the list of occupations subject to the rebuttable presumption, compare this with other jurisdictions

Thank you

Brian Zaidman
DLI Research and Statistics
brian.zaidman@state.mn.us