BiMonthly Reports – Frequently Asked Questions

1) When is a bimonthly filing necessary? Per KRS 342.038(5)....if the disability extends beyond a period of sixty (60) days, then also at the expiration of that period, the employer shall make a supplementary report to the executive director.

2) What are the penalty exposure amounts for the SROI Bimonthly MTC? According to KRS 342.990(7)(a) any employer, insurer, or payment obligor subject to this chapter who fails to make a report required by KRS 342.038 within fifteen (15) days from the date it was due, shall be fined not less than one hundred ($100) nor more than one thousand dollars ($1000) for each offense.

3) If indemnity has never been paid on a claim, would we be required to file a BM MTC report on claims that are open for Medical Only? No

4) If ongoing payments are being made that end during the Bimonthly period, will this be reported as a S(xx)? Yes. If benefits are exhausted, no further bimonthly reports are due.

5) The notice we received states the penalty phase will begin on 7/1/12. Will you be going back to assess fines for past due reports that were late filed or will this simply be going forward from the July 1 date? Any claim that was established under EDI Claims Release 3.0 in which benefits are being paid beyond a 60 day period, a Bimonthly report should be submitted.

6) Who determines the amount of the fine? The penalties that will be assessed are determined by the Commissioner of the DWC.

One last note: The information that was placed on the web site originally is being altered after discussions with several of the carriers. It was determined that we would utilize the Benefit Period Start Date on the BM and the date the BM is received by the DWC to determine timeliness. This has been updated on the web site. See below:

Timely Filing of Bimonthly Reports shall use the following criteria:

<=70 days between benefit period start date (on the BM) and date BM received by DWC - Timely
71-85 days between benefit period start date (on the BM) and date BM received by DWC –Untimely without penalty
>=86 days between benefit period start date (on BM) and date BM received by DWC – Penalty