

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