

# Kentucky Department of Workers' Claims Litigation Management System Presentation Claims Association and Document Submission

1. Do the requests for access codes need to come from the Site Admin of the LMS group or should they come from each individual attorney handling the claim?

This is an internal business decision that will be unique to each business entity.

2. Are we going to be assigned the same case # as our attorney's and if our attorneys have registered the claims do we have to register them also?

Attorney support staff will not actually associate to claims because they are not parties. As a member of the attorney's/law firm's business group, you will be assigned to the cases your attorney is working by a site admin.

3. As a site administrator, how will I be able to differentiate group claims from those that are assigned to me?

Site admins can manage group claims as well as their own by toggling between "LMS Group Claims" and "My Claims."

4. What is the ETA on my access codes from the list of active claims that I submitted?

We are sending out responses to all previously received emails. In the future, a 3 to 4 day turnaround is anticipated.

5. Will I have one access code for all of my claims and will I need to enter it each time I want to view a case?

Each claim has its own distinct access code. Once you are associated to the case, you no longer need the access code to retrieve or file information.

6. As a site admin, will I have access to all the claims in my group? How will I view claims that are assigned to me?

The site admin can see and assign claims to other staff within the firm as well as themselves. After logging in to the system, you are able to toggle between LMS Group Claims and My Claims.

7. What does the DWC need from me to provide access codes?

We need the claim number as well as the style of the case included on the list of active claims. Again, please send these to us in Excel format. If you have already sent your list and it wasn't in Excel format, there is no need to resend this list.

8. Will I have to mail a copy of the pleading to the opposing parties? It seems to me that if I'm in the system and Plaintiff's counsel is in the system then there's no reason to incur the cost and delay of mailing paper.

If Plaintiff's counsel is registered in LMS they will be notified of the filing of your pleadings through the notifications function of LMS. Additionally you will be notified of pleadings filed by opposing parties on your claims in the same way. This is not a certification. You are still responsible for serving parties listed on your certificate of service. The DWC does not in any way accept responsibility for fulfilling your obligation of satisfying your certificate of service.

Once the system is fully operational, users will be able to accept service via LMS by electing to receive paperless notifications. Additionally, attorneys can select the method of service when filing documents electronically.

9. My screens do not have a button to file documents. Will that come later?

Yes. Currently we have disabled the function to allow you to submit documents due to the change of regulations required to be able to legally submit pleadings to the DWC. Once the regulations are approved, this functionality will be restored.

10. Associate to a claim as 'who you are' means the attorney's name, or their client's name?

"Who you are" would be the Plaintiff attorney, Defense attorney, etc. If you are the attorney submitting the information to the LMS system, you are the attorney so please use your name and information. For example: If you are attorney support staff, you would not associate to a claim using your attorney's name.

11. If someone other than the site administrator files the claim, will the claim still have to be assigned to that attorney?

Yes the site administrator will still need to assign the case to the attorney.

12. If another attorney other than the site administrator files an Application of Adjustment of Claim will the response to the filing come back to the site administrator or will it just go back to the attorney who filed the claim. Will the site administrator be able

to monitor the filings of attorneys not acting as site administrators? Will the site administrator then be required to assign the claim to an associate attorney?

If someone from the Attorney/Law Firm business group associates to a claim, they will gain the ability to see the claim on the LMS landing screen. However, it isn't assigned to anyone within the firm at that time. The Site Administrator of the group will simply need to assign it to staff and/or to themselves in order to file any documents within the Claim in LMS. The application would come back to the attorney who filed the claim once the site administrator assigned that attorney to the claim. A site administrator could monitor attorney filings on any claim they assigned themselves to. If they are not assigned to the claim, they can't review details, including documents.

13. Are the ALJ Orders being issued in the system now going to start showing up as a new document alert?

Yes, all documents filed within the Claim will show up as a new notification.

14. Will we be notified by email when new documents are filed?

Notifications aren't by email.

15. The information under the accident tab – is that pulled from the EDI submission filed on the claim? If so, some people file more information through EDI that may not require information. Is the EDI information going to be mandatory to make sure the most accurate info is there?

Yes – the information under the accident tab is EDI information. We follow the International Association of Industrial Accidents Boards and Commissions (IAIABC) standard and our edits are in accordance with Kentucky statutes and regulations.

16. Can you please define style of the case that is needed on the excel spreadsheet to obtain access codes?

An example style is John Doe versus XYZ Corporation. Please include this *plus* a claim number.

17. Do you have an estimated date of when we are going to be able to file electronically with the LMS system?

We estimate this will occur on August 1, 2016.