

IAIABC Response to OSHA Proposed Rules to Improve the Tracking of Workplace Injuries and Illnesses

Docket Number: OSHA-2013-0023

The International Association of Industrial Accident Boards and Commissions (IAIABC) offers the following remarks in response to OSHA's proposed rules to improve the tracking of workplace injuries and illnesses.

The IAIABC is a 100-year-old association of jurisdictional workers' compensation agencies across the United States and the world. The IAIABC's mission is to advance the efficiency and effectiveness of workers' compensation systems throughout the world. As a part of its mission, the IAIABC develops, maintains, and promotes electronic data interchange standards for the reporting of data regarding workers' compensation claims. The IAIABC and OSHA share a common interest in promoting consistency in standards and best practices to ensure safety in workplaces and, in the event of work injuries, consistency in reporting and analysis of how those injuries occurred. Such analysis promotes understanding of how to prevent injuries in the future.

In its proposed rule to improve the tracking of workplace injuries and illnesses, OSHA has set forth the prospect of enhancing its current reporting system by requiring employers to electronically submit forms currently mandated under OSHA standards. Although it does not take a position on specific statutes and regulations, the IAIABC has developed and promotes the use of national electronic standards for claim administrators to report injury data to jurisdictional regulators.

In the event OSHA adopts an electronic reporting requirement, the IAIABC urges OSHA to consider the benefits of using the IAIABC's established First and Subsequent Reports of Injury Standard (IAIABC EDI Claims Standard). Implementation of an existing electronic standard would be much faster and easier than developing a brand new electronic reporting protocol. The IAIABC EDI Claims Standard fully supports differing types of transactions including new reports, updates/corrections to previous submissions, and even has the capacity to limit what data can be modified after it has been submitted. Furthermore, the IAIABC EDI Claims Standard includes an "upon request" type of report which OSHA has indicated a potential need to support.

All of the IAIABC's EDI standards have been developed by workers' compensation business and technical experts and are widely used and actively supported. To date, 40 jurisdictions have implemented at least one of the IAIABC's EDI standards, which include First and Subsequent Reports of Injury, Proof of Coverage, and Medical Bill Payment and Data Reporting. The IAIABC EDI Committees meet regularly to maintain the standards and address newly requested requirements. The IAIABC EDI community, with their solid understanding of

the standards and their business processes, can be a valuable resource and partner in OSHA's adoption of electronic reporting.

In addition, the IAIABC EDI standard maintenance process ensures the standards are flexible and responsive to changes and new needs. Also, if OSHA adopts the IAIABC EDI Claims Standard, employers may also ultimately be able to submit their first reports of injury electronically to workers' compensation claim administrators, thereby extending the efficiency of electronic reporting.

A cursory review of the OSHA reporting forms and the available IAIABC data elements indicates that most of the OSHA requirements already exist in the IAIABC EDI Claims Standard. To add the few remaining data elements that OSHA would need, the IAIABC's current procedures for modification of the standards would be followed.

In adopting any electronic reporting standards, OSHA should take into account several factors that are essential to the successful adoption of any electronic reporting system; including planning, communication, and timing of the implementation. Reporters must be aware of the upcoming implementation with ample time to prepare their systems, while not adversely impacting their existing practices and systems. In addition to the need for reporters to accommodate the new requirements, a gradual, phased implementation will allow OSHA to address any of the problems that may be discovered during roll-out. This will help prevent staff from being overwhelmed by a flood of problems that could have been dealt with more easily by a more methodical approach. Ongoing communication and training will support a smooth transition, especially as new procedures are introduced and as new employees come on board.

To conclude, the IAIABC strongly encourages OSHA to consider adopting the IAIABC EDI Claims Standard if it moves forward with electronic reporting to improve the tracking of workplace injuries and illnesses. Use of the IAIABC's existing standard offers significant advantages including the aggregate expertise of the IAIABC EDI Committees, an established maintenance process, and widespread use.

The IAIABC is pleased to serve as a resource and partner should OSHA move forward in this direction.

Respectfully submitted by:

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