

## 2010 Performance Evaluation Suggested Elements with Clarifying Information

- Study the adequacy of North Dakota's Post Retirement Benefits (Additional Benefit Payable (ABP) benefit) - HB 1525
  - Evaluate the additional benefits payable benefit structure (as contemplated by 2009 House Bill 1525) that comprises the post-retirement benefit structure available to an individual whose disability benefits end at the time of social security retirement eligibility, focusing on identifying the advantages and disadvantages of the current system as compared to other state workers' compensations systems; how current additional benefit payable recipients' total benefits received are impacted when social security retirement benefits are considered in conjunction with additional benefits payable; and recommendations as to whether any changes are necessary, indicating the corresponding fiscal impact to the premium rate structure as a result of any proposed changes.
  
- Provide comparison of other state's workers' compensation laws with respect to prior injuries, preexisting conditions and degenerative conditions - HCR 3008
  - Evaluate North Dakota workers' compensation laws regarding prior injuries, preexisting conditions, and degenerative conditions and compare and contrast North Dakota's laws to other state workers' compensation laws in the 50 states regarding prior injuries, preexisting conditions, and degenerative conditions, as contemplated by 2009 HCR No. 3008.
  
- Evaluate North Dakota usage rates, trends and costs of narcotic utilization of injured employees
  - Evaluate North Dakota's prescription narcotic utilization trends, both as a state as compared to the other states, as well as comparing utilization trends within different North Dakota localities. The comparison will provide insights regarding whether North Dakota's profiles are outside the national trends when adjusted for our labor force. The evaluation will make recommendations of methods to control and address any variations in narcotic prescription rates and treatment methodologies.
  
- Evaluate the impact of moving to the 6<sup>th</sup> Edition of the AMA Guides to the Evaluation of Impairment
  - Evaluate and make recommendations regarding the possible adoption of the AMA Guides to the Evaluation of Permanent Impairment, 6<sup>th</sup> edition to rate permanent partial impairment in North Dakota. As part of the recommendations, identify complications and methods for addressing

them within any implementation as well as projecting what financial impacts this may have.

- Study the economic impacts of wellness on workers' compensation claims
  - Evaluate the financial impacts and make specific recommendations on the costs deconditioned workers have within the North Dakota workers compensation system, how they might be mitigated, and the extent to which a cost credit system may impact any burdens which may exist.