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HIGHLIGHTS OF STUDIES ON THE  
EFFECTS OF THE 1983 WORKERS' COMPENSATION REFORMS

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**STUDIES OF THE EFFECTS OF THE 1983 LAW  
ON BEHAVIOR IN THE WORKERS' COMPENSATION SYSTEM**

The 1983 changes in the Minnesota Workers' Compensation Law have led to a great deal of interest in monitoring the system to determine how it is working. The Minnesota Department of Labor and Industry has completed three studies that provide a very encouraging picture of the system's performance. These "early returns" suggest the new law is accomplishing its goals of lower costs and rates of litigation and a faster return to work for injured workers.

One study focusing on the effects of the new law on businesses of different sizes was mandated by the legislature. The Department was asked to study how small businesses' workers' compensation insurance premiums were affected by the 1983 law amendments. Because 1984 loss experience and premium information will not be available until 1986 through normal insurance industry data-gathering organizations, the law's effect on workers' compensation premiums cannot be evaluated at this time. Instead, factors that affect premium costs, such as the litigation rate for workers' compensation claims and the duration of lost work time due to work-related injuries, were examined. If these factors have improved under the new law, it is reasonable to expect they will have a beneficial impact on workers' compensation premiums.

Each of the three studies seeks to examine certain aspects of the workers' compensation system and to compensate for the limitations of the other studies. The three studies are the Business-Size Open Claim Study that was legislatively mandated, a study of all Permanent Partial Disability Claims present in the open claim data base, and a Closed Claim Study.

Copies of the studies, which contain more detailed information about study methods and results, are available from the Department of Labor and Industry upon request.

## SUMMARY OF STUDY CONCLUSIONS

While it may be too early to draw definitive conclusions about the performance of the 1983 Minnesota Workers' Compensation Law, it is apparent from the results of the three studies that some of the most important factors ultimately affecting the performance and cost of a workers' compensation system have substantially improved. These improvements are even more striking because each of the three studies approached the collection and analysis of data differently, but came up with similar results suggesting that the encouraging changes and trends identified are valid and significant.

All three studies show a consistent 28 to 32 percent decrease in the average duration of disability (lost work time) due to a work-related injury. As a result of this, temporary total disability (TTD) benefits have decreased by almost the same amount in all three studies. In the past, an unusually long average duration of disability was a major reason for high costs in Minnesota.

The reduction in the average duration of disability for TTD cases, especially the reduction in the number of cases that last more than six or twelve months without a return to work, also means that the size of the pool of claims that could lead to long-term disability has gone down. This is a very promising sign that there may be a significant reduction in the frequency of long-term disability cases, a key contributor to unusually high costs in Minnesota in the past. These cases are very expensive to the system as a whole and especially to the Special Fund and the Workers' Compensation Reinsurance Association.

The frequency and size of permanent partial disability awards appear to have decreased as well. While it might be premature to accept this conclusion from the study numbers alone, the higher percentage of claims resulting in return to work suggest that the reductions in the average permanent partial disability award as well as the number of claims with permanent partial disability will hold since such awards are greater for claimants unable to return to work. In fact, it is likely that these numbers will continue to decrease as the significant percentage of old law claims still open work their way out of the system.

At the same time, the number of claims with temporary partial disability benefits should increase somewhat in response to a greater percentage of workers being returned to light duty jobs.

Another encouraging trend found consistently in the three studies is a substantial drop in litigation. Litigation is a major cost factor in all workers' compensation systems. A high litigation rate in a workers' compensation system is usually an indication of high costs. The litigation rate in Minnesota before the passage of the new law was greater than ten percent. The Closed Claims Study showed the litigation rate for claims closing in October, 1984 to be 6.6 percent.

The percentage of new law cases in this litigation figure is very low. Some of the reduction is certainly the result of administrative changes that accompanied the new law including alternative dispute resolution methods and better claims management by employers and insurers. But in the future as new law cases become the majority in the system, the objective schedules for rating permanent partial disabilities and the incentives found in the new two-tier benefit structure should contribute to an even greater reduction in litigation. It is not unreasonable to hope, based on the results so far, that as old law litigated cases work themselves through the system and are resolved, they will not be replaced by new law litigation.

The reductions in duration of disability and litigation, along with the increase in return to work revealed by these studies, are strong indications that the reformed workers' compensation system is doing what the Minnesota Legislature intended in 1983. The new system is realizing savings for employers and better service for injured workers. With continued attention to the health of the system, maintaining and expanding this success ought to be possible.

## STUDY HIGHLIGHTS

### Business-Size Open Claim Study

This study evolved out of a legislative mandate requiring the Department of Labor and Industry to study the effects of the 1983 Minnesota Workers' Compensation Law on the workers' compensation premiums of small businesses. Legislators were concerned about how small businesses would fare under the new law. Critics of the bill had argued that small businesses would have a much more difficult task returning injured workers to modified and light duty jobs than would larger businesses and, therefore, would not be able to realize the savings the two-tier system could provide.

The two-tier system for compensating permanent partial disability enables employers to save money on permanent partial disability awards if they help injured workers to return promptly to suitable, gainful employment.

The critics also feared that small businesses would not see as great a decline in benefit payments as might larger ones because smaller businesses often pay very low wages. Under the old system, permanent partial disability awards were all based, in part, on the employee's wage rate at the time of injury. The permanent partial disability awards under the two-tier system where the employee receives a suitable job offer are based on flat dollar amounts for all employees so savings for high paying employers will be greater than for low paying employers. To the extent that small businesses tend to pay low wages, they may not enjoy savings as great as larger employers.

To determine how the new law was affecting employees of different sized businesses, claims originating in 1983 under the old law were compared with claims originating in 1984 under the new law. The data base for this study consisted of claims with March 1983 and March 1984 dates of injury. March was chosen because claims occurring early enough in 1984 have had more time to mature. January and February claims were not considered because of possible reporting problems inherent in a change to a new system.

## STUDY RESULTS

The claims in the study data base were first sorted according to the size of the business in which they originated. There is no standard definition for business size, so for the purpose of this study, a small business is defined as one with 0 to 50 employees, a medium size business as one with 51 to 249 employees, and a large business as one having 250 or more employees. Size definitions were chosen to assure an adequate sample of injuries in each size of business, especially small businesses, so reliable statistical conclusions could be drawn. Business size was determined in approximately 88 percent of the claims from both March 1983 and March 1984. Based on the ratio of small, medium and large businesses in each month's data base, a random sample of 1,000 claims from each month was

then selected. For example, 28 percent of the March 1983 claims originated in small businesses; therefore, the March 1983 sample includes 280 claims for small businesses.

<u>Claims with no lost time or return to work</u>	<u>D.O.I. March '83</u>		<u>D.O.I. March '84</u>	
	<u>Total</u>	<u>%</u>	<u>Total</u>	<u>%</u>
1. Small business	254	90.7	292	94.2
2. Medium business	227	94.5	214	93
3. Large business	467	97.3	436	94.7

When the total number of claims with no lost time is added to the total number of claims with return to work for each business size category and that total is compared to the total number of claims in the sample, it becomes apparent that an overwhelming majority of claims in all three size categories are closed by the injured worker returning to work. Although all three size categories have higher than a 90 percent return to work (RTW) rate in the March 1984 date, small business is the only category to have experienced an increase in this percentage. This suggests that even with a limited pool from which to offer injured workers jobs, small business can be very successful at returning injured workers to work.

<u>Claims still open</u>	<u>D.O.I. March '83</u>		<u>D.O.I. March '84</u>	
	<u>Total</u>	<u>%</u>	<u>Total</u>	<u>%</u>
1. Small business	14	5	11	3.5
2. Medium business	10	4.2	2	.8
3. Large business	7	1.5	5	1.6

This is some of the most promising data in the Business Size Study. There are only 18 claims remaining open from March 1984, while there are 31 claims still open from March 1983. One would expect to find there were fewer open cases left from March 1983 because those claims have had a full extra year to come to a close. However, just the opposite was found, which supports the hypothesis that the new law is fulfilling its objectives of improving administration of claims and returning injured workers to work in a timely and efficient manner.

<u>Truncated sample data:</u>	<u>D.O.I. March '83</u>		<u>D.O.I. March '84</u>	
	1. Average duration in days	39.7		27
2. Average TTD award	\$ 1,246.63		\$ 844.68	

A truncated version of the data base was developed to compensate for the immaturity of the data in the samples. From each sample, the first 96 percent of the claims to close were separated from the other data and this truncated sample was used as the source for these figures. Because

less than four percent of cases in either sample had not yet been closed, this created comparable samples of closed claims from which to draw meaningful comparisons. These show there has been a substantial drop in the amount of temporary disability being compensated. In the March 1984 claims from all business sizes, there was a 32 percent decrease in the duration of lost time and in the average temporary total disability (TTD) award paid.

<u>Lost time in days</u>	<u>D.O.I. March '83</u>		<u>D.O.I. March '84</u>	
	<u>Total</u>	<u>%</u>	<u>Total</u>	<u>%</u>
Average for all claims	50		34	
1. Small business	67		41	
2. Medium business	51		29	
3. Large business	37		32	

The average duration of lost work time due to a work-related injury has dropped to 34 days for March 1984 injuries from 50 days for March 1983 injuries. This same 32 percent decrease in the amount of disability in the system was seen in the truncated sample data.

Because a greater percentage of the 1984 cases are closed and include in this average, it is likely that fewer of the more serious injuries are included in the 1983 average. As time passes and these more serious cases close, both averages will undoubtedly rise, but it is likely the 1983 average will rise more, since there are more such cases still open from the 1983 sample.

All three business size categories experienced a reduction in lost work time. However, small and medium size businesses experienced a much larger reduction than did large size businesses. Although large businesses enjoy a faster return to work time than small businesses in both samples, their results were already much better even before the law reform. Since the law change, small businesses have improved more, if from a poorer base. Therefore, the fear that small businesses would not benefit from the new law because of difficulties they would have returning their injured workers to work seems unfounded. If anything, small businesses may enjoy greater percentage savings than larger businesses.

<u>Return to Work Data</u> <u>(Closed, Lost Time Claims):</u>	<u>D.O.I. March '83</u>		<u>D.O.I. March '84</u>	
	<u>Total</u>	<u>%</u>	<u>Total</u>	<u>%</u>
	638	96	665	97

A. Less than 30 days

1. Small business	130	63	137	62
2. Medium business	122	68	122	73
3. Large business	195	70	199	68

B. Less than 60 days

1. Small business	159	77	172	78
2. Medium business	143	79	148	88
3. Large business	237	85	254	86

C. Less than 90 days

1. Small business	168	82	194	88
2. Medium business	154	86	155	92
3. Large business	255	91	268	91

D. Less than 6 months

1. Small business	180	87	210	95
2. Medium business	164	91	162	96
3. Large business	263	94	284	97

E. Less than 9 months

1. Small business	182	88	212	96
2. Medium business	168	93	164	98
3. Large business	270	96	289	98

F. Less than 12 months

1. Small business	182	88	212	96
2. Medium business	168	93	164	98
3. Large business	270	96	289	98

G. More than 12 months

1. Small business	4	2	0	0
2. Medium business	3	2	0	0
3. Large business	2	1	0	0

This section of the study attempted to determine whether injured workers are returning to work more quickly under the new Workers' Compensation Law than they were under the old law. Closed lost time cases with a return to work were separated into categories of lengths of time elapsed between date of injury and return to work. The total length of lost time is determined by taking the total amount of the temporary total disability benefits paid, dividing that by the compensation rate divided by seven (for a seven day week).

Very little change was found between the 1983 and 1984 samples in the number of claimants returning to work within 30 days from the date of injury. These claims involve minor injuries, such as an ankle sprain



or a hurt finger, resulting in only a small loss of work time. The benefit structure has very little effect on how fast these workers recover and return to work.

A striking difference is apparent between the two years in the number of claims that have resulted in return to work as the time from the date of injury increases. More claimants in the 1984 sample had returned to work within six months from the date of injury than had in 12 months from the date of injury in the 1983 sample. This suggests that return to work is happening much faster for cases under the new law than it did for those cases under the old law. This is probably due, in part, to the new law incentives for returning injured employees to work, as well as to more aggressive efforts by insurance companies and employers to return employees to work as soon as possible after an injury.

In this data again, although all three size categories show gains, small businesses are showing greater percentage gains (from a poorer base) and are apparently closing the loss control gap between themselves and larger businesses.

	D.O.I. March '83		D.O.I. March '84	
	<u>Total</u>	<u>%</u>	<u>Total</u>	<u>%</u>
<u>Average time between injury and referral to rehabilitation for all cases</u>	153		125	
1. Small business	157		118	
2. Medium business	162		127	
3. Large business	138		130	

Although cases in all three business size categories were referred to rehabilitation faster in 1984 than they were in 1983, small businesses seemed to be doing the best job of all.

In addition, no open cases were found in which there was not either a referral to rehabilitation or a return to work. This is a very positive sign suggesting that cases are being referred to rehabilitation appropriately and in a timely manner. This would not have been the case just a few years ago when cases open for years without rehabilitation referral were not unusual.

#### PERMANENT PARTIAL DISABILITY OPEN CLAIM STUDY

Permanent partial disability (PPD) benefits were a major cost factor in the Minnesota workers' compensation system before the 1983 Reform Act. In fact, a 1982 Minnesota Insurance Division Study found the average cost of permanent partial disability claims was 51 percent higher and the average duration of such cases 44.9 percent longer than they were in Wisconsin, a state with a similar benefit levels and industrial mix. Minnesota's

litigation rate was twice that of Wisconsin. These striking differences between the two states contributed to approximately a 70 percent higher average workers' compensation insurance rate in Minnesota than in Wisconsin in 1980.

Earlier studies concluded that contributing to the problems of prolonged disability, high litigation and high workers' compensation costs were the subjective determination of permanent partial disability ratings and the lack of incentives to encourage employers and workers to return injured workers to work after they had recovered.

The 1983 Minnesota Workers' Compensation Reform Act attempted to address these problems using a schedule of permanent partial disability to determine the percent of disability from a permanent injury. This highly specific objective schedule translates medical conditions into a percentage of disability of the whole body based on objective medical evidence and should give the same result for a given condition, regardless of any subjective considerations on the part of the medical provider doing the rating.

The goal of this schedule is to prevent litigation over the degree of disability which at one time accounted for about half of the workers' compensation litigation in Minnesota.

The 1983 two-tier benefit system applies only to cases where there is some permanent partial disability and is also designed to reduce litigation and duration of disability in those cases.

This study attempts to determine the effect of these major changes in the law on permanent partial disability awards.

### **STUDY RESULTS**

Samples for this study were drawn of all permanent partial disability awards reported so far by insurers for injuries that occurred in either March 1983 or March 1984. Business size was determined for these claims in the same way as for the Business Size Open Claim Study. This should be considered an open claim study because many of the cases are still considered open from either a rehabilitation or insurer perspective.

All of the permanent partial disability awards in the 1984 sample were impairment compensation awards. This means that 100 percent of the March 1984 claimants who were awarded PPD benefits as of January 1985 were offered suitable jobs upon recovery. This suggests the new law is accomplishing what it was designed to do.

In fact, of more than 1,000 permanent partial disability awards paid for new law injuries as of January 21, 1985, only two were the higher economic recovery awards associated with cases where no suitable job offer is made.

Benefit levels for permanent partial disability awards under the new law were set so that if 80 percent of the awards were impairment and 20 percent economic recovery, there would be no net change in the cost of permanent partial disability awards. To the extent that more than 80 percent are impairment awards, savings can be expected because impairment awards are less than economic recovery awards for the same injury.

	D.O.I. March '83		D.O.I. March '84	
	<u>Total</u>	<u>%</u>	<u>Total</u>	<u>%</u>
<u>Awards with return to work or no lost time</u>				
1. Small business	98	96.1	37	90.1
2. Medium business	71	97.2	12	92.3
3. Large business	95	99	33	97.1

This category includes all claims in which a notice of discontinuance or rehabilitation form has been filed indicating the employee has returned to work.

When the 1984 claims without any lost time are added to those of workers who have returned to work, the resulting percentage of the total 1984 permanent partial disability claims substantially exceed this 80 percent return to work projection; in fact, it exceeds 90 percent. Even the 1983 data, which is more mature than the 1984 date, but involves claims filed when the law had no economic incentives for return to work, shows return to work or no lost time in more than 96 percent of these cases. This suggests there will be significant savings in the new system as a result of better return to work rates than had been expected.

<u>Awards still open</u>	1	.3	4	4.5
1. Small business	1	1	4	9.8
2. Medium business	0	0	0	0
3. Large business	0	0	0	0

Very few cases from either sample are still open. An open claim in this study is considered to be one in which the employee has not returned to work.

	D.O.I. March '83		D.O.I. March '84	
	<u>Total</u>	<u>%</u>	<u>Total</u>	<u>%</u>
<u>Closed without return to work</u>				
	6	2.2	2	2.3
1. Small business	3	2.9	0	0
2. Medium business	2	2.7	1	7.7
3. Large business	1	1	1	2.9

This category includes 1983 claims in which a notice of discontinuance and 1984 claims in which a notice of intention to discontinue was filed indicating no return to work and discontinuance of benefits was permitted. Very few cases fall into this category, even in the 1983 sample. This is encouraging, because this is the kind of case most to be avoided. Because none of the 1984 awards were economic recovery compensation, these claimants must have declined job offers.

#### CLOSED CLAIM STUDY

The Closed Claim Study was conducted to gain a more complete perspective on the reformed Minnesota workers' compensation system and to verify the trends in the performance of the old and new workers' compensation systems. Although an open claim study is the most direct way to compare undiluted data from before and after the law was changed, it has serious limitations because of the immaturity of the data. Some of the most serious cases still remain open, even after some time, so averages underestimate the ultimate costs.

In a closed claim study, a sample is chosen of claims that close in a given period of time, instead of claims with similar dates of injury. Such a sample will include many minor cases with relatively recent dates of injury, but it will also include older, larger claims, including some very old and very serious injuries that would not appear in an open claim study of recent dates of injury.

A study of closed claims is the most accurate method to identify trends because the sampled claims have fully matured and represent a more typical distribution of injury severity. A closed claim study, however, cannot establish as clearly the causes of the trends. In this study, for example, new law claims cannot be separated from old law claims, so the extent to which the trends identified are the result of the reformed law or other factors (such as improved claims handling) cannot be determined conclusively.

The results of the Closed Claim Study correlate well with the results of the open claim studies, which reflect the law changes more directly. This strongly suggests that the trends found in the Closed Claim Study are, at least in part, actual effects of the law changes.

For the purposes of this study, all claims reported to the Department as closed during the months of April and October 1983 and April and October 1984 were included in the data base. A claim was considered to have been closed when one of seven documents had been received by the Department from the insurer. The filing of an additional document at a later date was considered evidence that the file had not been closed, and the file was eliminated from the study. The total number of cases closed in each of the study months was analyzed. Because of reporting inconsistencies by insurance companies, several thousand files in the samples were individually researched and reconstructed by compensation and rehabilitation specialists in the Department.

## STUDY RESULTS

Litigation is one of the major cost factors in a workers' compensation system. The data in this study shows a 32 percent reduction in litigation from April 1983 to October 1984. A similar reduction in litigation rates was also noted in the Business Size Open Claim Study. However, because the Closed Claim Study analyzes mature data, these results are much more significant and reliable. This is a very promising sign that the costs of workers' compensation in Minnesota are declining.

In the first three sample months, the percent of new law cases is very low. Therefore, the reduction in litigation may be assumed to be the result of administrative changes that accompanied the new law, including alternative dispute resolution methods which went into effect in July 1983, or of better claims management by employers and insurers. As time goes on, the objectivity of the schedule for rating permanent partial disabilities and the incentives found in the new two-tier benefit structure should contribute to an even greater reduction in litigation, particularly over disputes involving permanent partial disability awards. Even the October 1984 data, which includes many new law cases, shows virtually no new law litigation. Other Department studies indicate that less than five percent of pending litigation results from new law injuries and virtually all new law permanent partial disability ratings are being resolved without litigation. The drastic drop in the percentage of litigated cases involving permanent partial disability awards may reflect this effect.

The percentage of litigated cases with objections to discontinuances have already declined and should continue to fall, due to the success of alternative methods now available to resolve such disputes.

	<u>April '83</u>	<u>Oct. '83</u>	<u>April '83</u>	<u>Oct. '83</u>
	<u>Total %</u>	<u>Total %</u>	<u>Total %</u>	<u>Total %</u>
<u>Temporary Total Disability (TTD) Data:</u>				
<u>Cases with TTD</u>				
1. Avg. duration	165 days	137 days	126 days	118 days
2. Avg. rate	203.00	208.00	213.00	217.00
3. Avg. amount	3,845.00	2,992.00	3,296.00	3,096.00
<u>Total cases with TTD less than:</u>				
1. 30 days	676	57.3	979	60.3
2. 60 days	869	73.6	1250	77.2
3. 90 days	941	79.7	1330	82.1
4. 6 months	1006	85.3	1431	88.4
5. 12 months	1049	88.7	1493	92.3
6. Over 12 mos.	133	11.3	125	7.7

The average length of lost work time due to a work-related injury has dropped to 118 days in October 1984 from 165 days in April 1983. This reduction parallels the one found in the Business Size Open Claim Study, but by the nature of this study is much more significant and reliable.

The average duration of disability was calculated by dividing the temporary total disability paid by the weekly compensation rate for each case divided by seven (for a seven day week).

The average weekly compensation has risen gradually over the 18 months spanned by this study. This increase suggests that reductions in the amount of benefits reflect a lower average duration of disability rather than some unrelated factor. This kind of reduction is seen in the average amount of temporary total disability benefits, which declined 20 percent from April 1983 to October 1984.

	<u>April '83</u>		<u>Oct. '83</u>		<u>April '83</u>		<u>Oct. '83</u>	
	<u>Total %</u>		<u>Total %</u>		<u>Total %</u>		<u>Total %</u>	
<u>Permanent Partial</u>								
<u>Disability (PPD) Data:</u>								
<u>Cases with PPD</u>	309	14.1	367	13.2	415	14.4	604	11.6
1. Avg. amt. PPD award	8,315.00		7,774.00		7,852.00		6,969.00	
2. Avg. amt. TTD	11,339.00		9,631.00		10,080.00		8,600.00	
3. Avg. duration TTD	515 days		480 days		408 days		365 days	
4. Avg. TTD rate	182.00		193.00		200.00		203.00	
5. Litigated	157	50.8	168	45.8	158	38.1	212	35.1

The relative frequency of cases with permanent partial disability benefits dropped for October 1984 data. This is the first sample with a significant number of new law cases, and the reduction is probably due to the more objective schedules for rating disability under the new law. The disability schedules do not permit ratings when there is no objective medical evidence of permanent injury. They are also expected to reduce the frequency of "nuisance" awards in cases where there is no real permanent partial disability but which are paid by insurers fearful of the uncertain outcome of litigation by making outcomes much more predictable.

The average amount of permanent partial disability benefits came down significantly to \$6,969 in October 1984 from \$8,315 in April 1983. Part of this reduction is probably due to the decrease in litigation and faster, more successful returns to work. The largest reduction in these costs came in October 1984, the month with the highest percentage of new law awards. This is probably the result of the frequency of impairment awards being greater than the predicted 80 percent due to the better than expected

experience of employers and insurers in returning injured workers to suitable, gainful employment (see the PPD Open Claim Study).

Although the reduction in benefits would seem to leave injured employees with less compensation, this condition is ameliorated in two ways. First, more employees are getting suitable, gainful employment and will become self-sufficient again. Benefits in no state are high enough to compensate an employee adequately for a lifetime disability. Second, permanent partial disability awards are being obtained without litigation in many more cases with a resultant savings to the employee in attorney's fees. The attorney's fees on the average permanent partial disability award (if litigated) is significantly higher than the drop in the average size of the award.

The average amounts of temporary total disability and lost time are down substantially for the permanent partial disability cases in October 1984, again by about one-third. This reduction is very encouraging and its consistent with the other data in the study, as well as with the open claim study results.

The litigation rate for cases with PPD awards has decreased 31 percent from April 1983 to October 1984. Cases with permanent partial disability awards usually involve more serious injuries, so the decline in litigation for these claims is a very promising sign. It may be too early to assign credit for this reduction to the new law benefit changes alone. Most probably, it is due also to the administrative procedures, which were instituted in July 1983, and to better claims handling by insurers. Regardless of the causes, this reduction should prove to be a major cost saving factor.

	<u>April'83</u>	<u>Oct.'83</u>	<u>April'83</u>	<u>Oct.'83</u>
	<u>Total %</u>	<u>Total %</u>	<u>Total %</u>	<u>Total %</u>
<u>Temporary Partial Disability (TPD) Data:</u>				
Cases with TPD	163 7	219 8	322 11.5	648 12.4
Average amount	1,577.00	748.00	1,303.00	703.00

The reporting of temporary partial disability benefits is thought to be inadequate and unreliable. While conclusive generalizations cannot be made, such reporting is more reliable on closed cases than on open cases and this data is probably better than that in the other two studies. An increase in frequency of TPD cases is to be expected as employers become more aggressive at returning workers to light duty jobs and will partially offset the savings in TTD.