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MEETING NOTICE:

The Advisory Council on Workers' Compensation and Occupational Disease Disablement will conduct a meeting at 2 p.m., Thursday, November 4, 2021, at 2410 Centre SE, Alb., NM. Visit <https://workerscomp.nm.gov/Advisory-Council> for information.

NMWCA Expands Outreach Materials

By Aileen O'Catherine

The New Mexico Workers' Compensation Administration (WCA) remains dedicated to providing the public with helpful information about the state workers' compensation system. Recently created videos posted to its YouTube channel provide insights into some of the most frequently asked questions fielded by the agency's ombudsmen. Ombudsmen answer questions and help clarify workers' compensation for workers, employers, insurers, and health care providers. The videos are captioned for the hearing impaired. They also feature audio voiceovers.

"The format allows more accessibility, enabling us to reach as much of the public as possible with information about the workers' compensation system," said Public Information Officer Diana Sandoval-Tapia. "Our first videos deal with two of the most frequently asked questions our ombudsman get." The first, How to Fill Out a Notice of Accident Form, helps users fill out the form that begins the claims process. The second, A Guide to Health Care Provider Selection, examines how a provider is selected after a workplace injury or illness.

The agency plans to create a series of videos that feature the basics of workers'

compensation, such as how to file a claim and which employers are required to carry coverage.

The agency also recently published outreach brochures that overview the topics of mediation, lump-sum settlements, and the ombudsman program. The informational brochures are downloadable from the agency's website, free of charge. "We created the videos and brochures for those new to the system, who may want to learn more," said Sandoval-Tapia.

The WCA's library of brochures and outreach materials are found on its website. They provide reports on topics such as workplace injuries, insurer compliance, and bulletins featuring up-to-date workers' compensation news. The 2021 Annual Report reviews the impact of COVID-19 on New Mexico's workforce.

Reports and other publications are available in print versions as well as being available for download. Many of the publications are also available in Spanish.

The WCA is both an administrative and regulatory agency, with its own administrative court to adjudicate the few workers' compensation cases that reach litigation.

How to Fill Out a Notice of Accident Form

What to do after you've been injured at work



Guide to Health Care Provider Selection



WCA Safety Consultant Extinguishes Field Fire

By Aileen O’Catherine

A normal day in the worklife of WCA safety consultants can take them to businesses and employers who need their help setting up safety programs, or who requested a safety inspection in order to put out, in a sense, fires before they occur. After a day of conducting safety outreach at several businesses and performing a safety inspection in Hobbs, WCA Roswell-based Safety Consultant Norma Nored was driving back to Roswell when she noticed a fire on the side of the road. She was westbound about 30 miles past Tatum on Highway 380 and saw a fire on the eastbound side of the road. It looked as though the fire had just started, and it was about 4 ft. wide and 6 ft. long, Nored reported, but the wind was gusting in the direction of the

adjacent empty field, where it had the potential to spread. A truck driver who had stopped on the other side of the road was calling the fire department when Nored saw the fire.

Nored pulled off the the road and stopped the state vehicle she was driving. Grabbing the fire extinguisher found in all state vehicles, she worked to put the fire out. Once the flames were out, Nored, stayed until the Tatum Fire Department arrived to make sure there were no more flare ups, as the grass and weeds were knee-high and higher.

“I’m proud of all my workers, but am so proud of Norma for taking the time to put out a fire that had the potential to spread,” said Roswell Field Office Manager Sarah Castro. “My staff always go above and beyond what’s



Norma Nored

expected and needed.”

Nored was glad to be of help. “I pretty much did what anyone else would have done,” she said.

WCA Field Program Manager Peggy Tafoya noted “Norma has been a great addition not only to the Roswell field office but to the entire field programs team.”

2021 NMWCA Annual Report Available

By Aileen O’Catherine

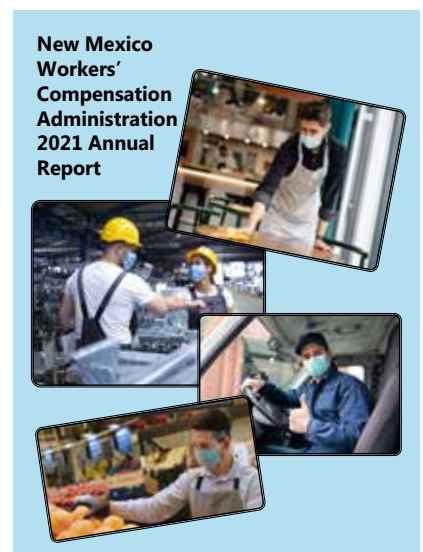
The WCA’s 2021 Annual Report was published in September, with a print version as well as a downloadable version online at the agency website. The report highlights the agency’s successes and places where improvements can be made. The impact

of COVID-19 on workers’ compensation in New Mexico can also be seen.

Highlights from the report include:

- Attorney mediators wrote 1,400 recommended resolutions
- Clerk of the Court processed and filed 38,751 legal pleadings
- Medical Cost Containment received 301 new billing disputes and resolved 300 billing disputes, including 17 carried over from 2019
- There were eight COVID-19-workplace-related fatalities reported to the WCA in 2020

To request a printed report, email WCA-PIO@state.nm.us, or find it online at <https://workerscomp.nm.gov/NMWCA-Publications>.



The 2021 Annual Report

NM Workers’ Comp. Adm. Quarterly Bulletin

Leigh Martinez, Acting Director
Diana Sandoval-Tapia, Public Information Officer
Aileen O’Catherine, Public Relations Specialist

The Bulletin is electronically published in January, April, July and October by the Public Information Office of the New Mexico Workers’ Compensation Administration. The Bulletin is available free of charge. Send changes of e-mail address and requests to receive the Bulletin to Diana Sandoval-Tapia in the Public Information Office, New Workers’ Compensation Administration, WCA-PIO@state.nm.us.

Suggestions for articles are welcome. Call Diana Sandoval-Tapia at (505) 841-6052.

Recent issues of the Quarterly Bulletin can be viewed on the Internet at <https://workerscomp.nm.gov/NMWCA-Publications>.

What is the Advisory Council?

The Advisory Council on Workers’ Compensation and Occupational Disease Disablement is a task force created by statute, comprised of six members, three representing workers and three representing employers. The primary role of the Council is to advise the governor and legislature on the status of the workers’ compensation system in New Mexico. The Advisory Council is required to meet at least twice annually. Scheduled meetings of the Council are announced on the WCA website, <https://www.workerscomp.nm.gov/Advisory-Council>.

Clerk of the Court Integral to Workers' Compensation System

By Aileen O’Catherine

A small percentage of workers’ compensation claims filed in New Mexico result in a dispute. Depending on the type of dispute, a party is required to file a specific form with the New Mexico Workers’ Administration’s (WCA) Clerk of the Court (CC). Disputes can be initiated for a myriad of reasons. Whether the form filed with the CC is an application to a judge to hear a case, an application to the WCA Director, a complaint, a petition for lump-sum settlement or a petition for something else, the CC accepts the form and processes the information to ensure it moves through the necessary conduit and arrives at its legal destination.

Clerk of the Court Bureau Chief Heather Jordan and her staff strive to ensure the forms with their various processes not only

reach their destination within the requisite time frame, but also with all information accounted for and correct. It is no small task.

The CC is rather like a central train terminal, with conduit lines traveling to judges, finance, the Director, parties for either side and more. CC manages information so it gets to the correct party, and so processes can move within the statutory timeframes. Jordan cross trains her staff with an eye to quality assurance (QA) that not only ensures information accuracy but takes rules and statutes into account.

Staff rotate tasks on a weekly basis. The front-of line docket clerk is responsible for everything that comes through e-filing and enters data into the electronic docketing system. A second clerk provides quality assurance and reviews the

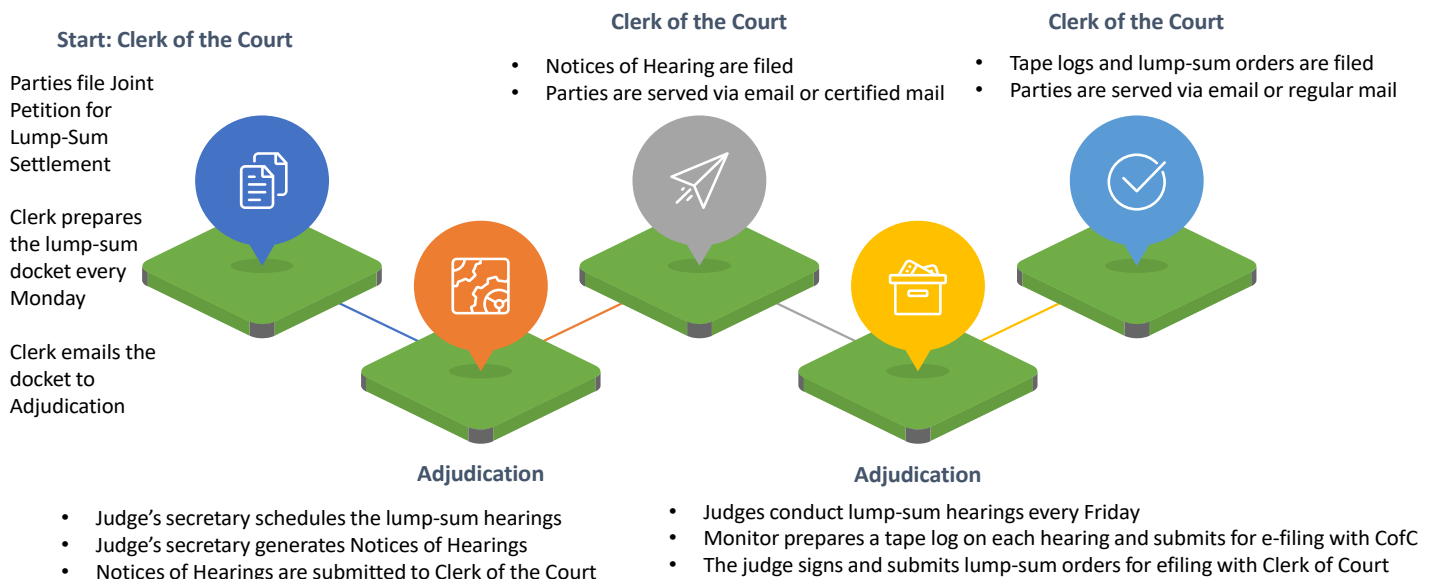
information entered by the front-line clerk as the data is entered. This clerk runs a report that entails reviewing every single pleading that has been filed, making sure all the rules and requirements for filing have been met, that the form has been appropriately served, that it went out by certified mail if that was required, that the mail went out with the tracking number accurately documented for future reference, and that the parties are accurately reflected in the case so that everyone who needs to be served in the case can have access to it in the system.

These processes take place simultaneously. As someone is e-filing, the quality assurance report shows that something has been efiled and the QA clerk knows there is something to be reviewed. The click of a button verifies the

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Lump-Sum Settlement Process

A WCA Clerk of the Court Duty: An illustrated Process



Clerk of the Court (cont'd.)

Continued from page 3

review has been done. A second quality assurance clerk reviews the data checked by the first QA clerk. The second review takes less time than the first. After the second review, this clerk assists with other reports in the department, such as reviewing the judge assignments. “Service of process is extremely important with e-filing,” said Jordan, “as is making sure that parties are documented correctly.” With the layers of review, even at busy times, the system ensures that nothing gets missed in docketing, and that if it is missed, then it would get caught in a layer of error review.

Another clerk does the other report functions and helps with records tasks. Both the third and fourth clerk help with records tasks such as filling records requests. During the pandemic, when most of the clerks worked remotely, records couldn't be reviewed to do records purging. Since returning to the office, at least one clerk goes through old files daily to make sure every pleading in the old files has been scanned. By old files, Jordan is referring to records that have not yet met the record retention period

of 10 years from date of closure, as stated in statute. (Currently, the CC must hold onto and not purge its records because the New Mexico Attorney General's office has an opioid lawsuit that requires records remain in place for review).

In the docketing system, clerks can file, add comments, add judge assignments, and enter party information. All CC business is done on the docketing system. At times, when fulfilling a records request for a hearing, they will use the For the Records system where hearings are recorded in the courtroom. For the most part, however, the CC uses the docketing system.

What does a day in the CC look like? As you walk up to the counter, one person sits behind the counter who will greet and assist with your request. Normally that request comes via email or by phone. Other clerks who may be at the counter are the clerks assisting with records review as part of the records purging project, as their workstations are set up near the counter. Clerks in their cubicles are working on the first and second QA reviews. They could be working

on reviewing reports such as judge assignments or responding to customer inquiries. CC gets emails and phone calls from the public, attorneys, and adjusters. The deputy clerk is usually filing, filling records requests, responding to subpoenas from General Counsel, working on requests for the court of appeals, and helping the docket clerks with questions.

Sometimes if a document or pleading looks unusual, the clerks will gather, talk through it and ask each other their opinions. They may have to call the person who filed it to gain further clarification.

“I encourage clerks to work together, help each other through problems and issues in the support system. I like them to work as a team,” Jordan said. Jordan believes she has had a good group of clerks for a long time. “We know what the mission and goals are,” she said, “and we work together to get things done. We really are a team.”

NMWCA Job Openings

The NMWCA provides postings for job openings on its agency webpage. Current postings include:

- UEF Attorney
- Enforcement Bureau Chief/Attorney
- Accountant/Auditor
- State Investigator
- Ombudsman Bureau Chief
- Legal Secretary
- Return-to-Work Specialist
- IT Systems Administrator
- IT End User Support
- Safety Consultant
- Docket Clerk

To learn more about these jobs, visit <https://workerscomp.nm.gov/WCA-Jobs>. Applications must be made through the **New Mexico State Personnel Office** at <https://careers.share.state.nm.us/>.

Cathy Farrell Named Employee of the Quarter

Human Resources (HR) manager Cathy Farrell has been named the WCA Employee of the Quarter for the third quarter of 2021. The quarterly award recognizes agency employees who exemplify excellence in the workplace.

Farrell, has been with the WCA since December 2013, and was nominated on the basis of her hard and consistent work in a bureau that requires diplomacy, tact and a good deal of discretion.

“Cathy carries the HR burden every day which permits the rest of us to focus

on our jobs and not HR issues,” said her nominator. “Cathy makes herself available to handle HR questions and provides her best advice even though we may not want to hear it. It takes a special person to work in HR, and the WCA is lucky to have Cathy at the HR post for the WCA. She is ‘super human resources.’”

During the pandemic, Farrell would often come to the agency offices to ensure work continued. Farrell enjoys the work but most of all, the people she works with. Upon learning she



Catherine Farrell

was nominated, Farrell said “I am very touched by whomever nominated me,” and said she was “flattered,” upon the news that she had won.

HOLIDAY CLOSURE

The Workers' Compensation offices in Albuquerque and all its field offices will be closed on the following upcoming holidays:

Veteran's Day,

Thursday, November 11

Thanksgiving Holiday,

Thursday, November 25

Friday, November 26,

Christmas Day,

Friday, December 24

New Year's Day

Friday, January 1

Martin Luther King Day

Monday, January 17



Fee Schedule Changes Available for Review

The New Mexico Workers' Compensation Administration's Proposed "2022 Health Care Providers' Fee Schedule & Billing Instructions" is available for review on its website <https://workerscomp.nm.gov/Healthcare-Providers>. The NM WCA will take written comments through Friday, November 5, 2021. Send comments via email to gc.clerk@state.nm.us; by fax to 505-842-6813; or by U.S. mail to WCA Office of General Counsel, PO Box 27198, Albuquerque, NM 87125-7198.

New Mexico Workers' Compensation Administration Offices:

MAIN OFFICE

Location & Main Mail Address:

2410 Centre Ave. SE
Albuquerque, NM 87106-4190

Alternate Mailing Address:

PO Box 27198
Albuquerque, NM 87125-7198

Phone Numbers:

Phone: (505) 841-6000
In state toll-free phone:
1-800-255-7965
Fax Clerk of the Court:
(505) 841-6060
Director's Fax: (505) 841-6009

Regional Offices

Farmington:

2700 Farmington Ave., Bldg.
E, Ste.2
Farmington, NM 87401
Phone: (505) 599-9746
In state toll-free phone:
1-800-568-7310
Fax: (505) 599-9753

Hobbs:

James M. Murray Building
2120 North Alto, Unit 3
Hobbs, NM 88240
Phone: (575) 397-3425
In state toll-free phone:
1-800-934-2450

Las Cruces:

2407 W. Picacho, Ste. D
Las Cruces, NM 88007
Phone: (575) 524-6246
In state toll-free phone:
1-800-870-6826
Fax: (575) 524-6249

Las Vegas:

32 NM 65
Las Vegas, NM 87701
Phone: (505) 454-9251
In state toll-free phone:
1-800-281-7889
Fax: (505) 454-9248

Roswell:

Penn Plaza Building
400 N. Pennsylvania Ave., Ste. 425
Roswell, NM 88201
Phone: (575) 623-3781
In state toll-free phone:
1-866-311-8587
Fax: (575) 623-0078

Santa Fe:

Aspen Plaza
1596 Pacheco, St. #202
Santa Fe, NM 87505
Phone: (505) 476-7381
Fax: (505) 476-7390

WCA Helpline-Hotline: (toll free in New Mexico)

1-866-WORKOMP 1-866-967-5667

WCA Website:

<https://workerscomp.nm.gov>