



## **Customer Service Initiative**

# **Rules, bulletins, and forms process survey**

## **A summary**

### **Workers' Compensation Division**

John L. Shilts, Administrator

Jerry Managhan, Deputy Administrator

#### **Committee**

Jan Miller, Sponsor

Fred Bruyns

Shelly Cochran

Wendy Stone

Jim VanNess

Kathy Thomas

Amy Wadsworth

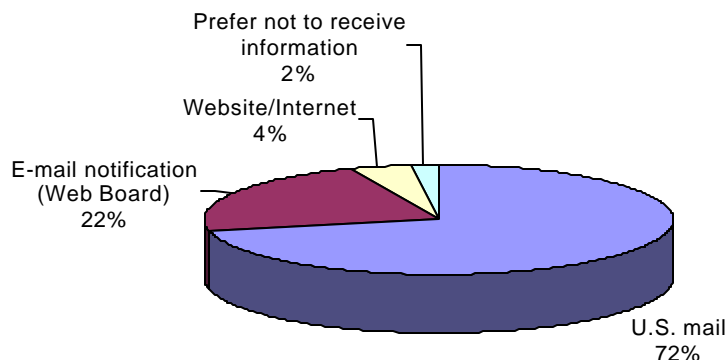
## Rules, bulletins, and forms process survey

At the request of the Workers' Compensation Division's executive team, a project team was formed. The project team was directed to develop a customer satisfaction survey related to the division's rulemaking and bulletin publication processes. The general survey objective was to identify the importance external customers and stakeholders place on both notification and involvement regarding changes to the division's rules, bulletins, and forms, and to assess their levels of satisfaction with the status quo. The survey results will be used to determine whether our processes should be improved and, based on specific recommendations, what form that improvement should take.

Sixty-six percent of the respondents indicated that they did not have the opportunity to participate in the rule or bulletin revision process. Of those who had the opportunity, 42% indicated they participated, while 58% did not. When asked why they chose not to participate, respondents cited that they were not aware of opportunities to participate, were too busy and did not have enough time to participate, or they were not interested. Some other reasons were distance to travel was too far, their participation would not influence the outcome, or others who do participate represent their interests.

Figure 1 shows that seventy-two percent responded that the U.S. mail was the most preferred way to receive information. The E-mail notification service (Web Board) was preferred by 22%, Web site/Internet by 4%, and 2% preferred not to receive information regarding rules.

**Figure 1. Preference for receiving information regarding rules, Rules, Bulletins, and Forms Process Survey, 2004**



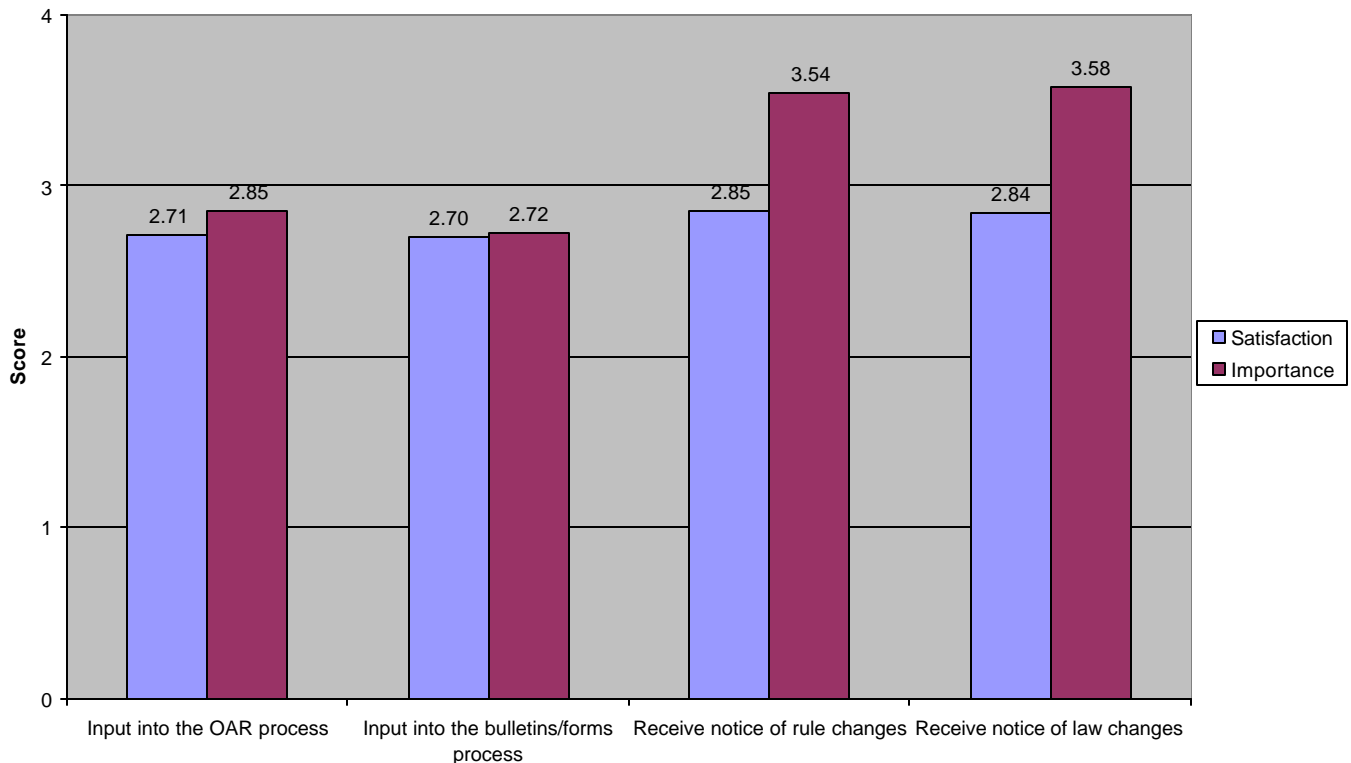
Respondents rated having input into the OAR process as low in importance and in satisfaction. Suggestions to increase opportunities to provide input into the rules process included providing notice of proposed changes that includes information on how to participate, using e-mail to

notify stakeholders of proposed changes, writing proposed changes in plain language, and ensuring that the proposed changes are sent to the people who can best provide input.

Having input into the workers' compensation bulletins/forms process was also rated as low in importance and satisfaction. When asked for suggestions that would increase opportunities to provide input into the bulletins/forms process respondents' answers were much the same as those provided for the rules process.

Receiving notices of rule changes rated as high in importance and high in satisfaction as did receiving notices of law changes. Respondents were invited to provide suggestions on how the division might better provide notice of rules and law changes. E-mail and U.S. mail notification, two methods currently employed by the division, were the primary suggestions. Another suggestion was that the notices be short, simple, and written in a less legal format. Other respondents indicated that the process currently used, e-mail and U.S. mail, worked very well. Other suggestions included sending notices that applied only to that type of business and providing a Web site section to e-mail ideas and suggestions. See Figure 2.

**Figure 2. Satisfaction and Importance with the rules/bulletins process, Rules, Bulletins Process Survey, 2004**



**Project recommendations**

The Team reviewed survey importance/satisfaction data, as well as customer comments. Based on that review, the Team recommends that the division undertake the following projects:

- 1) **General marketing:** WCD should notify all of the survey respondents of the information services it offers, including its Web site, e-mail notification service, free hard-copy notice of proposed rulemaking, the paid annual subscription service for all rules and bulletins, and phone numbers for obtaining publications. Many of the survey respondents asked WCD to provide services it already provides. Consider a tear-off return post-card to provide WCD with an e-mail or a postal mailing address. The Team believes this effort would be good customer service, in that WCD would be taking action in follow-up to respondents' comments.
- 2) **Target marketing:** WCD should study the feasibility of better matching the type of information published with customers who are affected by the regulation. Some surveyed customers asked to receive only information that affects them. The Mail Label System already provides some capacity for targeted mailings (e.g. to insurers, attorneys, vocational counselors, etc.), but the Web Board e-mail notification service, as used for rules and bulletins, provides the same notice to everyone regardless of the subject matter.
- 3) **Continuing education:** WCD should send each new Oregon subject employer information about WCD's information services (as described in recommendation no. 1). As alternatives, WCD could send information to each employer covered under a new guaranty contract (even if previously covered) or partner with other state agencies who routinely mail to employers. Employers, more than any other customers or stakeholders, appear to be unaware of WCD's services.
- 4) **Simplification of notices:** WCD should provide plainer, simpler notices of proposed rulemaking. A number of the respondents find our rulemaking notices unnecessarily complex and asked for simpler, plain-language notices. WCD's current practice is to publish the "Notice of Public Rulemaking Hearing" form it files with the Secretary of State. This filing form includes a summary of the proposed rule changes, but the summary is somewhat lost among other information on a very crowded form. Oregon OSHA, for example, sends a letter to the industry that summarizes the proposed changes, announces the hearing, and explains how to comment. A WCD template could be developed for this purpose.
- 5) **Solicitation of public input:** WCD should solicit customer comments on its rules, bulletins, and forms. We could use our Web Board lists to give advance notice of changes, provide links on our Web site to a customer-comment site, etc. These comments could go to a general GroupWise® mailbox or directly to the forms & bulletins coordinator and the rules coordinator. This concept could be incorporated in a PIC recommendation by the Rules Process Assessment Team regarding "The tracking of rulemaking issues from inception through disposition." The division now has no process for soliciting ideas and comments from a large number of customers other than the public hearing and comment process. However, formal rulemaking is not a good forum for new ideas, since the agency cannot act on what it has not proposed, though issues are preserved for the next rule revision.

### **Methods**

Those sampled included medical providers who report to DCBS via bulletin 220 (852). Providers who have been recently surveyed were excluded. Also included were: labor organizations from a list provided by the Oregon AFL-CIO (272); managed care organizations certified by DCBS (8); employer associations currently on the WCD mail label system (99); worker leasing companies currently on the WCD mail label system (29); employers who are active on the Employer data system (EDS), had two or more accepted disabling claims between January 1, 2002 and December 31, 2003, has a principal place of business in Oregon; these were then stratified by number of employees (827); vocational providers currently on the WCD mail label system (84); self-insured employers on the mail label system combined with data from the DCBS report catalog (89); workers' compensation insurers from the mail label system combined with data from the DCBS report catalog (42); authorized service companies from the mail label system combined with data from the DCBS report catalog (46); attorneys from a list provided by the Oregon State Bar (153); medical associations from a list provided by the Oregon Medical Association (28); the Small Business Ombudsman (1) and the Ombudsman for Injured Workers (1). The sample totaled to 2,532.

After completion of a test of the survey document, it was mailed on October 6, 2004. A second mailing was done on November 23, 2004, and data collection ended on December 15, 2004. The final response rate was 45% (1146 returned surveys).

**Attachment:** Sorted comments of survey respondents