



HR0052

LRB097 10088 AEK 50267 r

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HOUSE RESOLUTION

2 WHEREAS, Recent media reports indicate that since 2008,
3 nearly \$10 million in State taxpayer funds has been awarded in
4 workers' compensation payments to more than 230 employees at
5 the Menard Correctional Center who contended they were injured
6 through repetitive trauma caused by operating manual cell
7 locking mechanisms; and

8 WHEREAS, Recent media reports also indicate that
9 approximately 25% of the arbitrators employed by the Illinois
10 Workers' Compensation Commission ("Commission") have received
11 workers' compensation awards, including nearly \$50,000 to the
12 arbitrator who approved many of the workers' compensation
13 settlements to the guards at the Menard Correctional Center;
14 and

15 WHEREAS, According to the Illinois Workers' Compensation
16 Commission, many of these payments were "uncontested
17 settlements" and information regarding the payments or process
18 of awarding the payments is not included in a database
19 maintained by the Commission, therefore, the public did not
20 have access to these awards; and

21 WHEREAS, The Department of Central Management Services,
22 Risk Management Division has statutory responsibility to

1 administer the Workers' Compensation Program for State of
2 Illinois agencies; and

3 WHEREAS, The Office of the Illinois Attorney General is
4 responsible for the defense of claims arising from work-related
5 injuries or diseases affecting State agency employees; and

6 WHEREAS, The Illinois Workers' Compensation Commission is
7 required to approve settlement agreements for uncontested
8 claims; therefore, be it

9 RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE
10 NINETY-SEVENTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that
11 the Auditor General is directed pursuant to Section 3-2 of the
12 Illinois State Auditing Act to conduct an audit of awards
13 approved by the Illinois Workers' Compensation Commission for
14 claims filed by employees of Menard Correctional Center and
15 arbitrators employed by the Commission from 2008 to the
16 present; and be it further

17 RESOLVED, That the audit include, but not be limited to,
18 the following areas:

19 (1) A review of the processing of awards paid to
20 employees of Menard Correctional Center and other
21 correctional facilities, including procedures for

1 determining compensability and proper negotiation and
2 approval of settlements, and procedures followed to
3 maintain records of such settlements;

4 (2) A review of the processing of awards for
5 arbitrators of the Illinois Workers' Compensation
6 Commission, including procedures for determining
7 compensability and proper negotiation and approval of
8 settlements, and procedures followed to maintain records
9 of such settlements;

10 (3) A review of "uncontested claims" procedures
11 utilized by the Illinois Workers' Compensation Commission,
12 including the roles of the Illinois Department of Central
13 Management Services and the Illinois Attorney General,
14 with respect to approval of awards paid to Menard
15 Correctional Workers and Illinois Workers' Compensation
16 Commission arbitrators;

17 (4) Whether procedures followed by the Commission,
18 CMS, and the Attorney General's Office in processing
19 workers' compensation claims of Menard Correctional
20 Workers and Illinois Workers' Compensation Commission
21 arbitrators comply with applicable State laws and
22 administrative regulations;

23 (5) Whether appropriate safeguards are in place to
24 mitigate against payment of taxpayer dollars for improper
25 or fraudulent workers' compensation claims; and

26 (6) Whether procedures necessary to ensure public

1 transparency and accountability were implemented with
2 respect to the processing of the workers' compensation
3 claims of Menard Correctional Workers and arbitrators
4 employed by the Commission; and be it further

5 RESOLVED, That the Illinois Workers' Compensation
6 Commission and any other State agency, entity, or person that
7 may have information relevant to this audit cooperate fully and
8 promptly with the process; and be it further

9 RESOLVED, That the Auditor General commence this audit as
10 soon as possible and report his findings and recommendations
11 upon completion in accordance with the provisions of Section
12 3-14 of the Illinois State Auditing Act.