

## Contents

### Law changes, department updates

Notable retirements: Karen Kask-Meinke, Brian Zaidman.....	page 2
ADR welcomes workers' compensation mediator Jim Nethercut .....	page 3
RDA welcomes Kristin Osiecki as senior research analyst .....	page 3
New requirements for zero estimated exposure and wrap-up policies effective Jan. 1.....	page 3
We need you: Workers' compensation board, panel seek new members .....	page 4

### Tips, reminders

Ask the ADR and Work Comp Campus pro.....	page 5
Who is who? Reviewing some key Work Comp Campus terms.....	page 6
DLI's Business Technology Office presents at IAABC convention.....	page 7
Updated minimum wage, Paid Leave posters available .....	page 8
Translated webpages, materials, Language Line available via DLI website .....	page 8
Workers' compensation, Campus assistance available by phone, email.....	page 8

### Data, reports

CompFact: Environmental heat-related claims increase in Minnesota workers' compensation .....	page 9
Updated PTSD claims statistics.....	page 11
Subscribe to DLI's email newsletters .....	page 14
WCRI report compares Minnesota medical payments, utilization with 17 other states .....	page 15

### Events, training

Registration is open for QRC intern, vendor, supervisor orientation.....	page 16
Register today: Minnesota CLE Workers' Comp Institute, April 28 and 29 .....	page 16
Workers' compensation events calendar .....	page 17
Training: OSHA recordkeeping basics offered online in January.....	page 17

### Court decisions

Workers' Compensation Court of Appeals decisions.....	page D-1
Minnesota Supreme Court decisions .....	page D-4

## Notable retirements: Karen Kask-Meinke, Brian Zaidman

### Karen Kask-Meinke, Special Compensation Fund

After more than four decades of dedicated state service, Karen Kask-Meinke, long-standing director of the Special Compensation Fund (SCF), will be retiring effective Dec. 31. She began state service in 1982 at the Minnesota Department of Public Safety and began her career with the Minnesota Department of Labor and Industry's (DLI's) SCF in 1989 as a claims manager.

Over the years, Kask-Meinke had a variety of roles with increasing responsibility, culminating in her appointment as director in February 2013. Throughout her tenure, she demonstrated exceptional leadership, guiding her team through numerous legislative and organizational changes. These included major statute revisions, the implementation of new business processes following the Ekdahl and Hartwig decisions, insurer bankruptcies, division restructuring, multiple technology upgrades and the challenges of the COVID-19 pandemic.

Kask-Meinke's steady leadership, deep institutional knowledge and unwavering commitment to the mission of SCF have left a lasting impact on the organization and the broader workers' compensation community.



Karen Kask-Meinke

In retirement, she looks forward to a well-earned rest and recovery following a total knee replacement in December, spending time with her one-year-old grandson, exploring the vast world of streaming entertainment, boisterously cheering on her beloved Green Bay Packers and diving into genealogy research.

### Brian Zaidman, Research and Data Analytics

Brian Zaidman, DLI's senior research analyst, will be retiring Jan. 13, completing 41 years of state service, with nearly 39 years in the DLI research unit.

He embarked on his workers' compensation research career in 1987, participating in many changes to Minnesota's workers' compensation system. He has studied a wide variety of workers' compensation and workplace safety issues, including trends in worker injury characteristics, vocational rehabilitation, medical cost containment, insurance fraud, claims settlements, safe patient-handling, post-traumatic stress disorder claims, COVID-19 claims and the undercount of occupational injuries and illnesses.

Zaidman has represented DLI on advisory committees for workplace safety organizations. He has been a regular contributor of articles to DLI's *COMPACT* and *Safety Lines* newsletters, sharing the insights gained from workplace injury statistics with Minnesota's workers' compensation and workplace safety and health communities.



Brian Zaidman

## ADR welcomes workers' compensation mediator Jim Nethercut

Jim Nethercut recently joined the Alternative Dispute Resolution (ADR) unit as a mediator and arbitrator in the Department of Labor and Industry's main office in St. Paul, Minnesota. He has more than 37 years of private practice experience in workers' compensation and personal injury. He earned a bachelor's degree from the University of Minnesota and a juris doctor degree from Hamline University School of Law.



Jim Nethercut

The ADR unit seeks early intervention in workers' compensation disputes through administrative conferences and mediations. It responds to questions from stakeholders, including injured workers, employers, health care providers, attorneys and qualified rehabilitation consultants.

In addition to Nethercut, the ADR unit mediators and arbitrators include: Christie Ahern, Walter Bowser, Rena Cummings, Aaron Frederickson, Steven Gilmore, Debra Heisick, Frances Li, Steve Moe, Patti Provencher, Chris Raymond and Steve Sullivan. Unit supervisors are Donna Olson ([donna.p.olson@state.mn.us](mailto:donna.p.olson@state.mn.us), 651-284-5343) and Melissa Parish ([melissa.parish@state.mn.us](mailto:melissa.parish@state.mn.us), 651-284-5431). The ADR unit director is Brian Mak ([brian.mak@state.mn.us](mailto:brian.mak@state.mn.us), 651-284-5344).

## RDA welcomes Kristin Osiecki as senior research analyst

Kristin Osiecki recently joined the Research and Data Analytics (RDA) unit as a senior research analyst in the Department of Labor and Industry's main office in St. Paul, Minnesota. She has worked with private industry, nonprofit organizations and the government sector on occupational and environmental health and safety programs. Osiecki has spent the past 14 years in academia, conducting research investigations examining environmental justice and social determinants of health in at-risk communities.



Kristin Osiecki

Osiecki obtained her master of science and doctor of philosophy degrees from the University of Illinois at Chicago in public health – environmental and occupational health science.

## New requirements for zero estimated exposure and wrap-up policies effective Jan. 1



The Minnesota Legislature recently adopted requirements related to zero estimated exposure and wrap-up policies for workers' compensation coverage for any employer providing building construction or improvement services. The changes include new requirements that become effective Jan 1, 2026, related to use of these policies.

In connection with the legislation, the workers' compensation insurance Lookup tool will be updated to have an indicator visible as of Jan. 1 for those employers with zero estimated exposure workers' compensation policies and reported construction class codes. The Department of Labor and Industry has created [a webpage with more information about the changes](#).



## We need you: Workers' compensation board, panel seek new members

### Medical Services Review Board

The Medical Services Review Board (MSRB) currently has openings for new chiropractic, hospital and labor/employee members and alternates. For more information or to apply for a position, visit the [Secretary of State's website](#).

MSRB is composed of chiropractic, hospital, registered nurse, physical therapist, occupational therapist, physician, employee and employer/insurer representatives, and:

- advises the Department of Labor and Industry (DLI) about workers' compensation medical issues;
- is the liaison between DLI and the medical-provider community;
- supports and engages in the education of the provider community about workers' compensation; and
- has the authority to sanction a medical provider after a hearing at the Court of Administrative Hearings if there has been a violation of the workers' compensation statutes or rules.

By [statute](#), MSRB is a separate entity from DLI; however, DLI supplies all required administrative support to the board.



MSRB meets quarterly, from 4 to 6 p.m. Learn more on the [MSRB webpage](#). To be added to the email list for meeting notices, email Katrina Namad at [katrina.namad@state.mn.us](mailto:katrina.namad@state.mn.us). People on the email list for meeting notices may also receive periodic updates from the department about [workers' compensation](#) activities.

### Rehabilitation Review Panel

The Rehabilitation Review Panel (RRP) currently has openings for two new labor members, a labor alternate and an employer/insurer alternate. To apply for this position, visit the [Secretary of State's website](#).

RRP is a 14-member review panel composed of employer, insurer, labor, medical and rehabilitation representatives, and:

- advises DLI about workers' compensation vocational rehabilitation issues and rules;
- is a liaison between DLI and interested people about workers' compensation vocational rehabilitation; and
- makes final decisions about certification approval or disciplinary matters of qualified rehabilitation consultants and vendors in conjunction with contested hearings.

RRP meets quarterly, from 1 to 3 p.m. Learn more on the [RRP webpage](#). To be added to the email list for meeting notices, email Katrina Namad at [katrina.namad@state.mn.us](mailto:katrina.namad@state.mn.us). People on the email list for meeting notices may also receive periodic updates from the department about workers' compensation activities.



# Ask the ADR and Work Comp Campus pro

## DLI's Alternative Dispute Resolution unit answers frequently asked questions

By Frances Li, Brian Mak and Patti Provencher, Alternative Dispute Resolution

*Editor's note: The Alternative Dispute Resolution (ADR) unit at the Minnesota Department of Labor and Industry (DLI) seeks early intervention in workers' compensation disputes through conferences and mediations. It handles calls from the Workers' Compensation Help Desk and responds to questions from all stakeholders.*

**Q. How do I join an administrative conference at the Department of Labor and Industry (DLI)?**

**A.** Attorneys should not wait for a call from an Alternative Dispute Resolution (ADR) arbitrator, but call in to the conference from any location and from any phone. Notices of administrative conferences all include dial-in information.

**Q. How do I submit a signed authorization for access to any and all claims?**

**A.** An authorization just needs to be filed on one specific claim, even if the access is for "any and all." On review of the authorization, the Work Comp Campus team will grant user access to any and all of the claims, not just the one on which it was submitted, provided the authorization provides access to any and all claims. If the filer does not have any claim information, call the Workers' Compensation Help Desk for assistance at 651-284-5005 (press 3) or 800-342-5354 (press 3).

**Q. How do I get access to my claims and disputes in Campus for my new legal assistant?**

**A.** When your Campus group administrator has added the new person to your Campus law firm group, they would link them to you under the "Relationships" tab. The new user should then get access to your transactions. No specific permissions are needed for a legal staff member to have access to their attorney's transactions.

**Q. I filed a full Request for Assistance before first filing a Request for Certification. Do I need to go back and file the Request for Certification?**

**A.** No, the ADR unit will do a certification review, reaching out to the parties to determine if there is a genuine dispute and if the matter can be resolved, on all new disputes, including previously uncertified Requests for Assistance.

**Q. I have both medical and rehabilitation claims to be filed. Do I file just one Request for Assistance?**

**A.** No, as was the case prior to Campus, medical disputes and rehabilitation disputes are filed on separate Requests for Assistance. The disputes can then be heard at the same administrative conference, if needed.

**Q. One of our law clerks passed the bar and is now an attorney, and one of our legal assistants is now a paralegal. How do we make these change in Campus?**

**A.** To make these changes in Campus, reach out to the [Workers' Compensation Help Desk](#) to be directed to an ADR specialist who will coordinate the changes.

## Who is who? Reviewing some key Work Comp Campus terms

By Brian Mak, Alternative Dispute Resolution director

In society's growing electronic portals, new terms are used to designate the role of different individuals, such as the user, the member or the account holder. In workers' compensation, there are parties, intervenors, appellants, respondents and many more, each with precise roles and meanings. In Work Comp Campus, there are also designated roles with precise meanings. This article will review three important and related but distinct terms: parties to the dispute; users; and service recipients.

### Parties to the dispute

Parties are the individuals or organizations directly involved in and affected by a legal matter. Parties in a Campus dispute must be selected when a filer initiates a dispute. The dispute page will then list the "Parties" as those individuals and organizations who were selected as such. A recent improvement to Campus provides that after the filer selects who they are representing, the other parties to the dispute will be pre-selected from the associated claim.

Select Party \*  
ADR Tester7

☐ My party is not in this list

### Identify Other Parties in Dispute

Identify the other parties and intervenors on this dispute

	Name	Role	Address
<input checked="" type="checkbox"/>	ADR ER3	Employer	111 Path, Minneapolis MN 55421
<input checked="" type="checkbox"/>	ADR Insurer	Insurer	888 Blvd, Minneapolis MN 55421

+ Add Party

In the example above, the parties are the employee ("ADR Tester7"), the employer ("ADR ER3") and the insurer ("ADR Insurer"). If the filer wanted to add an additional party (such as a third-party administrator) they can do that using the "Add Party" button. The filer also has the ability to remove a party selection.

Typically, attorneys are almost never an actual party to a dispute at the Department of Labor and Industry (DLI), so they would virtually never be added here.

### Users

In Campus, users are individuals who are specifically designated to have access to view and interact with a specific transaction, such as a claim (CL-xx-xxxx-xxx) or a dispute (DS-xxx-xxxx-xxx). Users are displayed in connection with the specific party to which they are associated.

Parties			
Events			
Related Cases & Claims			
Documents			
Employee			
Requesting Party			
Insurer			
ADR Insurer			
ID		Address	
98-4123098		888 Blvd Minneapolis, MN 55421	
Name	Title	Law Firm	Location
Lawyer ADR	Attorney	ADR Law Firm	444 Lane , Minneapolis MN 55421
Paralegal ADR	Paralegal		
Legal Assistant ADR	Other Representative		

In the example above, the employer party is “ADR Employer” and the users connected with the employer are “Lawyer ADR4,” “Paralegal ADR2” and “Legal Assistant ADR2.”

The users are not the parties – an individual becomes a user most commonly when they file that they are representing a party, have initiated a dispute for a party or are designated by an organization to have access to a claim. Being a user is a Campus equivalent to having a right to get a copy of the DLI file prior to Campus. Now the claim can be viewed electronically and documents can be downloaded.

### *Service recipients*

A service recipient is an individual or organization that receives service of a document.

As with legal proceedings in any forum, workers’ compensation or not, service of a pleading or document on an individual or an organization does not make that person or organization a “party” to a dispute. It merely means they were served, usually to meet legal requirements.

An example: When paralegals, lawyers or an insurance company are served, that does not make them parties. It also does not make them “users” for a claim or dispute.

### *Recap and recommendations*

Campus terms often mirror the meaning of those terms outside of Campus. A solid understanding of these meanings helps ensure stakeholders’ intentions are carried out as they continue to use the system.

Some final recommendations:

- Serving an individual or organization (making them a service recipient) does not make them a party.
- Ensure necessary parties are selected when initiating a dispute. If an individual or organization is not selected as a party to the dispute, they will not be required to respond, even if they are served.
- A user on a dispute does not automatically have access to its related claim. Filing a Notice of Appearance/Representation on the claim will make the attorney and their legal team users, which gives them access its documents.
- Filing is not the same as service. When service is required, upon filing of the webform or document, the filer must serve necessary parties through the service function in Campus or, where applicable, serve them outside of Campus and attach an affidavit of service.

## **DLI's Business Technology Office presents at IAIABC convention**

The Department of Labor and Industry's (DLI's) Business Technology Office (BTO) presented "Connecting with stakeholders" at the 111th International Association of Industrial Accident Boards and Commissions (IAIABC) convention Oct. 7 in Milwaukee. Pictured left to right are BTO Director Michelle Doheny and Supervisors Yashica Calderon, Jon Brothen and Jeff Hendrix.

BTO shared how it identifies and connects with stakeholders to ensure appropriate response to their needs and address as many issues as possible.



## Updated minimum wage, Paid Leave posters available

Minnesota law requires employers to provide some notices to their employees and requires certain posters to be displayed in a location where employees can easily see them. The [notices and posters are available at no cost](#) and need to be updated only when Minnesota law changes.

### Law changes effective Jan. 1

New mandatory workplace poster are now available: the minimum-wage poster; and the Paid Leave poster.

- [Minnesota's minimum-wage](#) rate will increase to \$11.41 an hour for all employers as of Jan. 1. The 90-day training wage for workers younger than 20 will increase to \$9.31 an hour.
- Also effective Jan. 1, [Minnesota Paid Leave](#) will provide payments and job protections to people who need time away from work for their own health or to care for a family member.

Both posters are available in five languages and can be printed or ordered for free from the Department of Labor and Industry. Posters are available individually or as part of a poster pack.

## Translated webpages, materials, Language Line available via DLI website

The Department of Labor and Industry (DLI) posts its available translated materials online at [dli.mn.gov/translations](https://dli.mn.gov/translations). It has documents available in Chinese, Hmong, Karen, Somali and Spanish. A few other documents throughout the website are available in additional languages.

The DLI website now also provides Google Translate near the upper left corner of each page, allowing visitors to choose the language for the website text.

In addition, DLI has access to Language Line, a free language translation phone service for limited-English speakers. If DLI help is needed, view the contact information at [dli.mn.gov/about-department/about-dli/contact-us](https://dli.mn.gov/about-department/about-dli/contact-us), call and a DLI employee will get in touch with an interpreter in the needed language.



## Workers' compensation, Campus assistance available by phone, email

The Workers' Compensation Help Desk is available to answer basic questions related to workers' compensation or Work Comp Campus. It will also route more complex questions to subject matter experts within the Workers' Compensation Division.

Live support is available 8 a.m. to 4:30 p.m., Monday through Friday (except holidays). Voicemail messages left outside of office hours will be responded to within 24 hours of the next business day.

- 651-284-5005 (press 3)
- 800-342-5354 (press 3)
- [helpdesk.dli@state.mn.us](mailto:helpdesk.dli@state.mn.us)



## CompFact: Environmental heat-related claims increase in Minnesota workers' compensation

By Ender Kavas and Kristin Osiecki, Research and Data Analytics

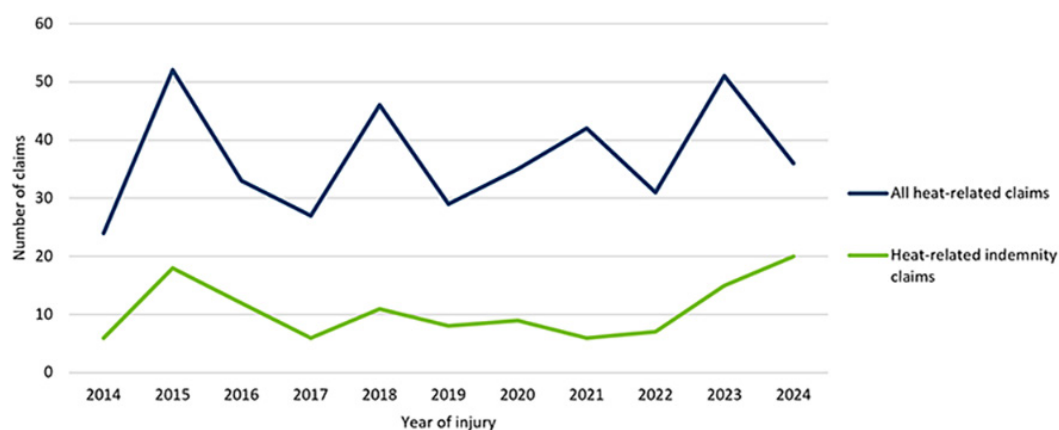
**Extreme heat** is based on above-average temperatures and humidity for a specific region or the number of days with temperatures exceeding 90° to 95°F. Exposure to high heat and humidity in the workplace can increase the risk of heat-related occupational injuries and illnesses for indoor and outdoor workers.<sup>1</sup>

Several states have implemented workplace heat standards to protect workers from excessive heat exposure, including California, Colorado, Maryland, Minnesota, Nevada, Oregon and Washington. While Minnesota has a heat standard for indoor workplaces, outlined in Minnesota Rules [5205.0110](#), it does not have an outdoor heat standard. The Occupational Safety and Health Administration (OSHA) has recently had public hearings for a proposed [federal heat standard](#) for indoor and outdoor workplaces.

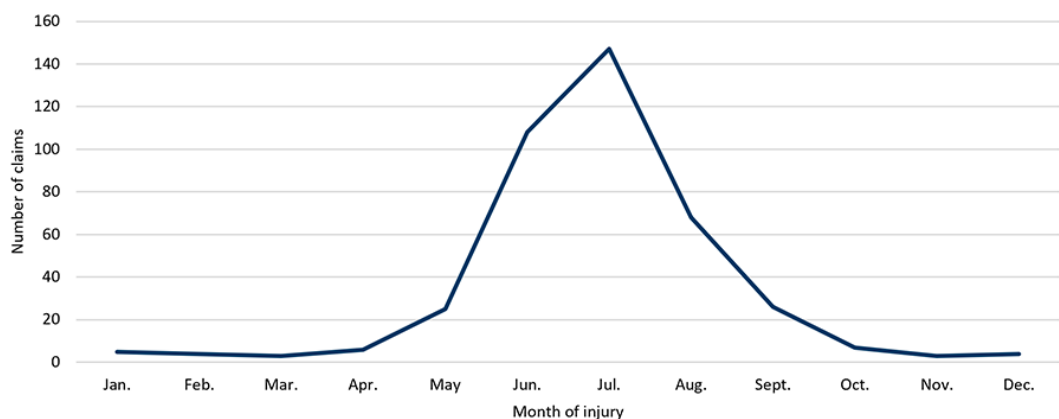
A [recent study](#) by the Workers' Compensation Research Institute analyzed the impact of California's outdoor heat standard on the frequency of work-related injuries on hot days before and after the adoption of the standard in 2005. The study found the heat standard reduced the number of work-related injuries in industries with major outdoor heat exposure by an estimated 14% to 17% in construction, 24% to 27% in agriculture, and 19% to 25% in transportation. The standard's effectiveness in reducing the likelihood of injury increased with higher outside temperatures, with the strongest effect for temperatures greater than 95°F. The study also found that the heat standard had a greater impact on workers younger than age 35, reducing the frequency of injuries in this age group by 18% in construction and 27% in agriculture.

This article looks at the frequency and characteristics of environmental heat-related workers' compensation claims in Minnesota from 2014 to 2024.<sup>2</sup> Figures 1 and 2 show the number of environmental heat-related claims by year of injury and month of injury. From 2014 to 2024, there were 406 environmental heat-related claims reported, with an average of 37 claims a year. Twenty-nine percent of the heat-related claims were accepted for indemnity benefits. While there are considerable annual fluctuations in the

**Figure 1. Environmental heat-related workers' compensation claims in Minnesota by year of injury, 2014-2024**



**Figure 2. Environmental heat-related workers' compensation claims in Minnesota by month of injury, 2014-2024**



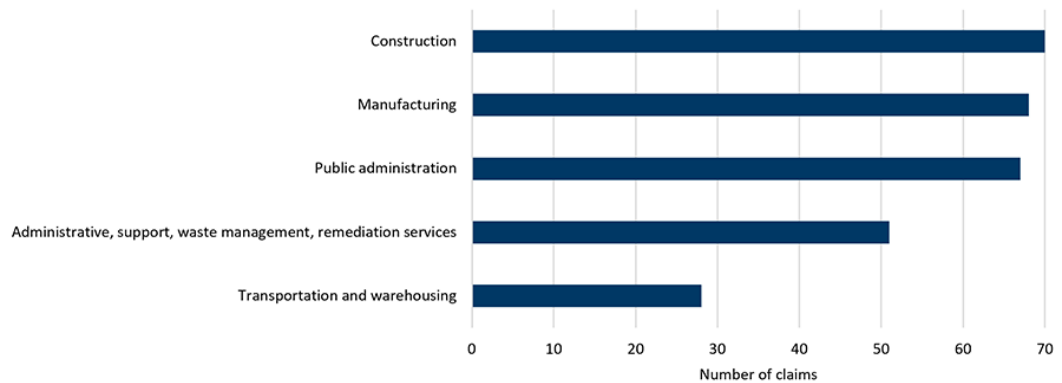
CompFact, continues ...

## CompFact, continued ...

frequency of claims, the number of heat-related claims was 50% higher in 2024 than in 2014, and the number of heat-related indemnity claims has shown a steady rise since 2021. Eighty percent of the heat-related claims were concentrated in the summer months of June through August, with a peak in July.

Workers in certain industry sectors and occupations tended to be more susceptible to heat-related injuries and illnesses. Figure 3 shows the top five industry sectors with the largest number of environmental heat-related claims. These five industry sectors made up 70% of the heat-related claims reported from 2014 to 2024. The construction industry accounted for the largest number of claims, with 70 claims, followed by manufacturing (68) and public administration (67). The occupation groups with the largest number of claims included construction and extraction, production, transportation and material-moving, and protective support (firefighters and police).

**Figure 3. Top five Minnesota industry sectors with the largest number of environmental heat-related claims, 2014-2024**



**Figure 4. Environmental heat-related claims by selected worker characteristics, 2014-2024**

Worker characteristic	Number of claims	Percentage of claims
<b>Gender</b>		
Female	113	27.8
Male	291	71.7
<b>Age</b>		
14-24	62	15.3
25-34	104	25.6
35-44	92	22.7
45-54	71	17.5
55-64	62	15.3
65+	15	3.7
<b>Job tenure</b>		
Less than 1 year	165	40.6
1-5 years	144	35.5
5-10 years	45	11.1
More than 10 years	52	12.8

Figure 4 shows the distribution of environmental heat-related claims by selected worker characteristics, including gender, age and job tenure. Male workers accounted for 72% of the heat-related claims, while workers younger than age 35 accounted for 41%. Workers with fewer than five years of job tenure (the length of time the worker has been employed by the employer at the time of injury) accounted for 76% of the heat-related claims. This suggests newer workers with shorter job tenure might be less adapted or acclimatized to heat and more vulnerable to heat-related workplace injuries and illnesses.

<sup>1</sup>Occupational heat-related injuries and illnesses result from environmental heat in the workplace and can include heat exhaustion, heat stroke, hyperthermia, fatigue or other injuries from high temperatures in any work environment, including indoor and outdoor settings. Heat stress can occur due to a combination of environmental heat and metabolic heat from physical exertion or wearing heavy clothing or personal protective equipment. In Minnesota workers' compensation, exposure to "environmental heat" is used when classifying occupational heat-related injuries and illnesses, while in public health research, exposure to "extreme" or "excessive" heat is the more commonly used terminology.

<sup>2</sup>Statistics are based on data downloaded from the Minnesota workers' compensation claims database on Oct. 1, 2025. Injury event code 531\* (exposure to environmental heat) was used to identify these claims. It was not possible to distinguish between indoor and outdoor heat exposure in the data prior to injury year 2024.

## Updated PTSD claims statistics

Post-traumatic stress disorder (PTSD) claims continue to challenge the systems established to handle physical injuries. The Department of Labor and Industry's recently released PTSD report, [Evaluating PTSD claims in Minnesota's workers' compensation system: Findings and recommendations](#), presented counts of PTSD claims filed through June 2023 and analyzed payment data for closed claims with injuries through 2022. This article presents claim counts and denial rates for PTSD and other mental injury claims with injury dates through August 2025 filed before Oct. 1, 2025, and presents results for payments of closed claims through injury-year 2024.

Figure 1 shows the trends in the total number of claims reported to the Department of Labor and Industry (DLI) for workers claiming PTSD and for other mental injuries (primarily stress and anxiety). While only PTSD is compensable under Minnesota statutes, a significant number of mental injury claims do not include information indicating the worker is claiming a PTSD injury. The PTSD trend line in Figure 1 shows the estimated number of claims for 2025 (159 claims) is 58% lower than the peak number of claims in 2021 (372 claims). The number of PTSD claims has decreased every year since 2021. Also noticeable in Figure 1 is the estimated number of 2025 PTSD claims will be less than the number of claims with other mental injuries.

**Figure 1. Number of PTSD and other mental injury claims by year of injury**

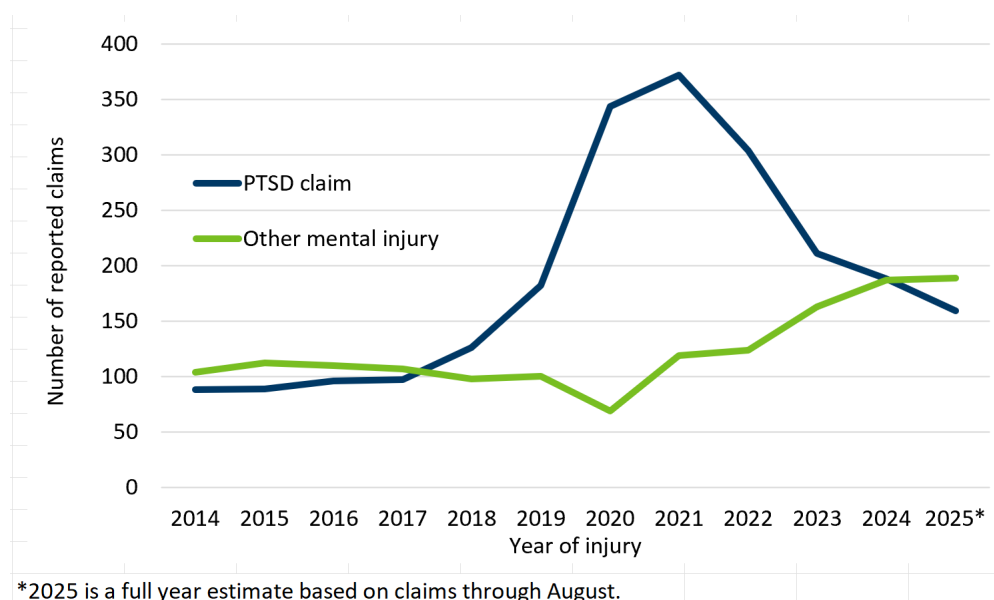
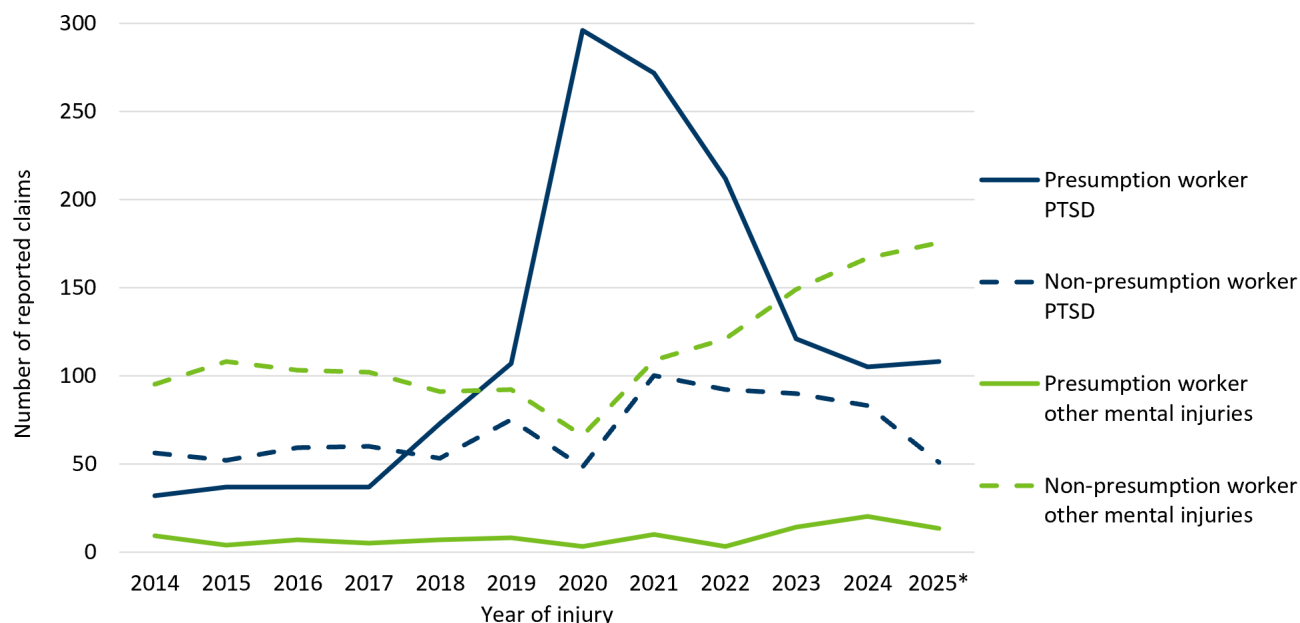


Figure 2 shows the trends in PTSD and other mental injury claims separately for presumption and non-presumption workers. Presumption workers, primarily first-responders and corrections workers, account for less than one percent of Minnesota's employment. The number of presumption worker PTSD claims will level off from 2024 to 2025 at about 110 claims, while the number of non-presumption worker PTSD claims will decrease from 83 claims in 2024 to an estimated 51 claims in 2025. However, there is a noticeable increase in the number of other mental injury claims being filed by non-presumption workers.

The decrease in PTSD claims among presumption workers was primarily due to police officer claim filings. Their annual average number of claims dropped from 156 claims for 2019 to 2023 to 57 claims for 2024 and 2025. Among the other presumption workers, the annual average number of claims increased from 45 claims for 2019 to 2023 to 49 claims for 2024 and 2025.

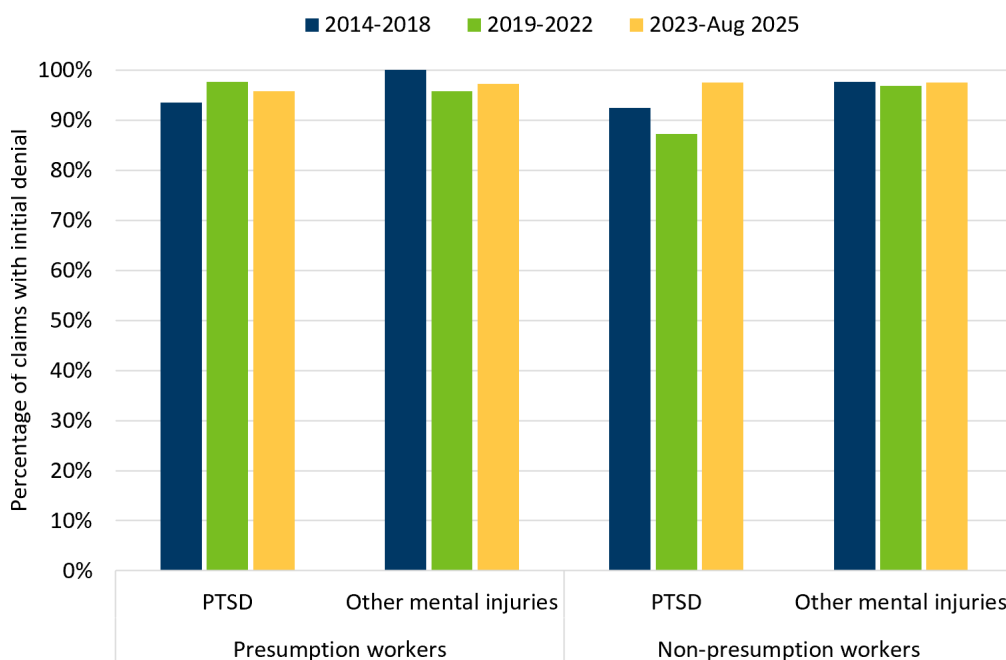
PTSD claims continue to receive initial denials of primary liability at the same rate as claims for other mental injuries and there is little difference based on presumption status (Figure 3).

Figure 2. Number of PTSD and other mental injury claims by worker presumption group



\*2025 is a full year estimate based on claims through August.

Figure 3. Initial denial rates among PTSD and other mental injury claims by presumption group and injury time period

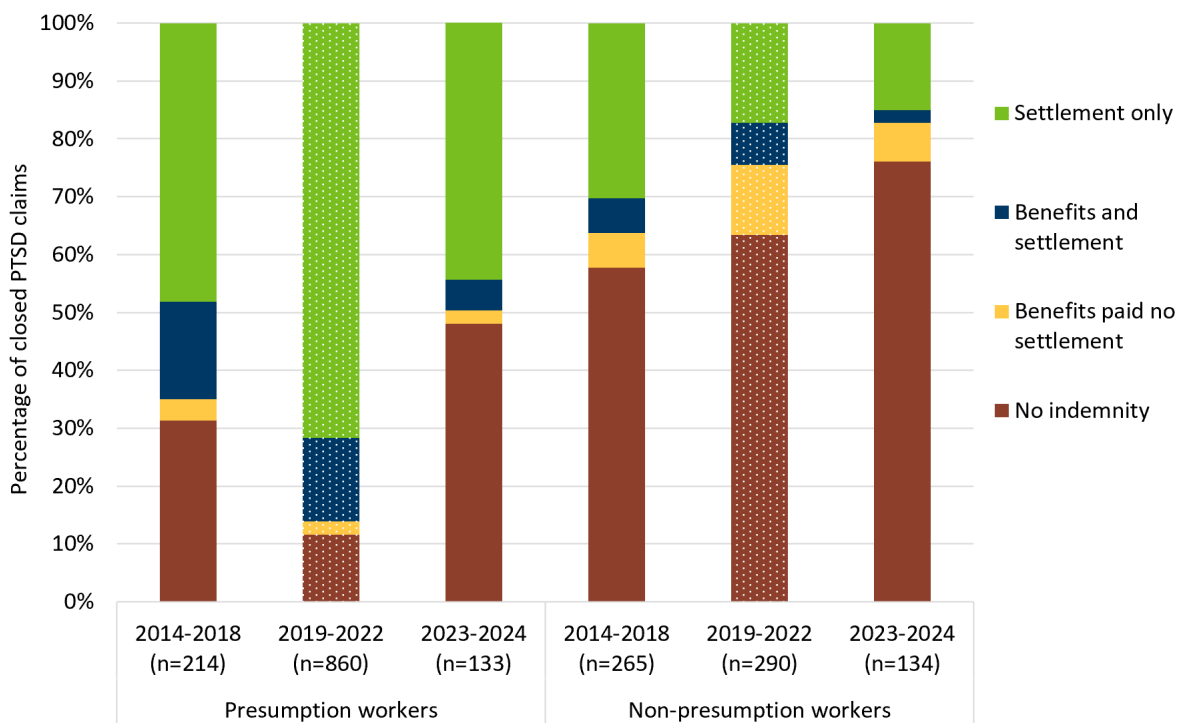


As a result of the high rate of denial filings, most PTSD claims that receive indemnity benefits are only paid through a settlement when a worker challenges their claim denial (Figure 4). The results for 2023 and 2024 should be considered preliminary, as many claims from these years are still active in the claim settlement process; only a handful of 2025 PTSD claims have received any benefit payments at this time. However, the effects of claim maturity do not appear as significant for the non-presumption workers as they seem for the presumption workers. The percentage of non-presumption workers with closed PTSD claims that were paid only by a stipulation for settlement was 15% for 2023 and 2024 injury years, only two percentage points lower than the percentage for the 2019 to 2022 period. In contrast, the percentage paid only by a stipulation for settlement among presumption workers was 28 percentage points lower, similar



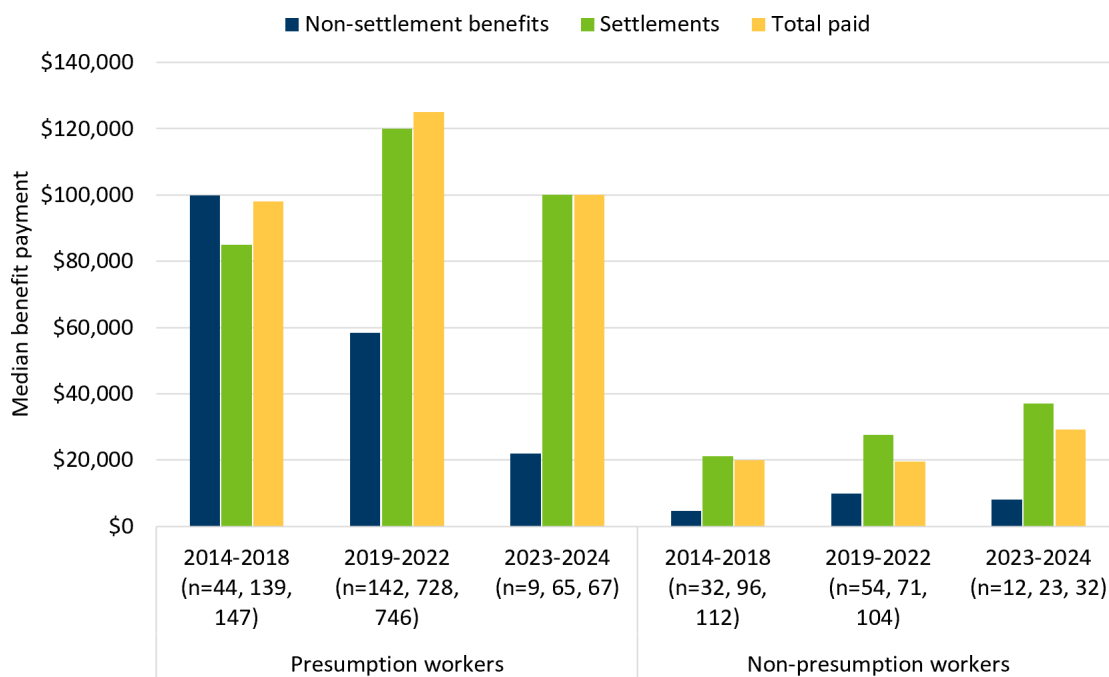
to the percentage before the presumption was enacted. This might indicate that the percentage of presumption workers receiving settlements might stay well below the rate experienced from 2019 to 2022.

**Figure 4. Type of indemnity benefits paid by presumption group and time period among closed PTSD claims**



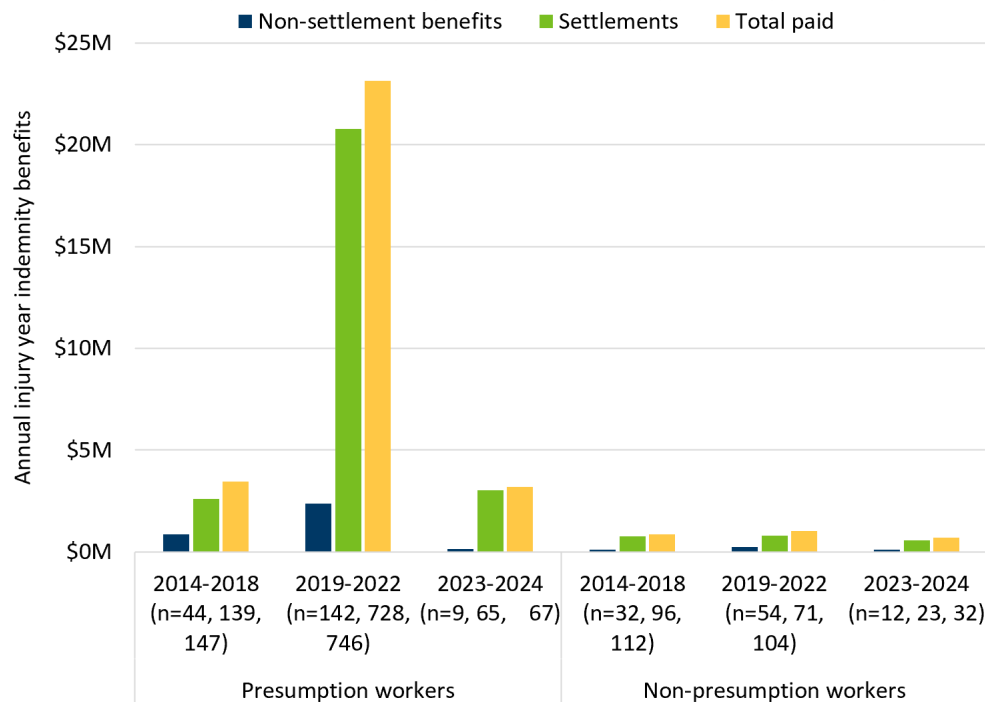
The median values of the indemnity payments by presumption group and time period are presented in Figure 5. Among the presumption workers with closed claims, the benefit medians were lower for 2023 and 2024 claims than during the previous period, while the median value of settlements increased 34% for no-presumption workers.

**Figure 5. Median settlement and benefit payments per claim by presumption group and injury time period among closed PTSD claims**



As expected from the high rate of settlements, settlements have accounted for \$110 million of the \$126 million (87%) of all indemnity benefit payments for workers with PTSD. Figure 6 shows the average annual sum of benefit payments for each of the three time periods for the presumption and non-presumption workers. The most noticeable change is the drop in the average annual benefits for presumption workers, which dropped from an average of \$23 million from 2019 to 2022 to only \$3.2 million for 2023 and 2024 claims. For non-presumption workers, the average annual payments decreased much less, from \$10 million to \$7 million.

**Figure 6. Average annual indemnity payments by presumption group and injury-year period**



## Subscribe to DLI's email newsletters

Did you know the Department of Labor and Industry offers more than two dozen email lists you can subscribe to to receive news targeted to specific groups? (If you are reading this, you are probably on the *COMPACT* email list.)

Lists related to workers' compensation news include:

- Adjusters updates
- *COMPACT*
- Employer updates
- Rehabilitation providers updates
- Attorney updates
- *Campus Connect*
- Medical providers updates
- Trading partner updates



Other email lists are available for:

- *Labor and Industry News*
- Construction codes, licensing and building trades
- Minnesota OSHA and workplace safety
- Apprenticeship, dual-training and Youth Skills Training
- Labor standards, worker rights, wage and hour
- Rulemaking

To learn more about the available email lists, visit [dli.mn.gov/about-department/news-and-media/sign-news-department-labor-and-industry](https://dli.mn.gov/about-department/news-and-media/sign-news-department-labor-and-industry).

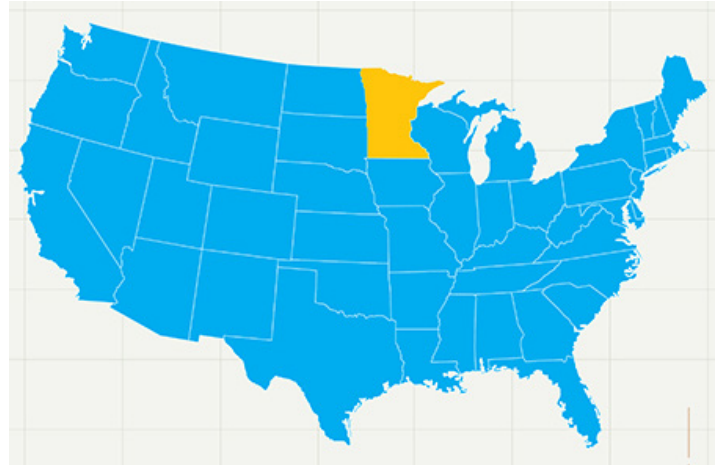
## WCRI report compares Minnesota medical payments, utilization with 17 other states

The Workers' Compensation Research Institute's (WCRI's) most recent report for Minnesota, CompScope™ Medical Benchmarks for Minnesota, 25th Edition, was released in October. This report uses insurer claim files to compare Minnesota's medical payments and service utilization with those of 17 other states, including Iowa and Wisconsin. The report is available from WCRI at [wcrinet.org](https://wcrinet.org).



The report focuses on non-COVID-19 claims from 2016 to 2023, with experience through March 2024. Most statistics relate to claims with more than seven days of lost time, measured at an average of one year following the injury.

- For claims with more than seven days of lost time, Minnesota's average adjusted medical payment for 2023 claims (with experience through March 2024) was \$13,570, about 22% lower than the 18-state median.
  - Average payments per claim for nonhospital providers were 32% lower than the median.
  - Average hospital outpatient and inpatient payments were typical of the median study state.
- Medical payments per claim with more than seven days of lost time increased 9% in 2022 (with experience through March 2023) and 6% in 2023 (with experience through March of 2024), reversing the prior trend of annual decreases from 2018 to 2021 (with 12 and 36 months of experience). Growth per claim payment was largely driven by increases in ambulatory surgical center (ASC) facility and inpatient hospital payments.
- For claims with more than seven days of lost time at one year maturity, ASC and hospital outpatient facility payments per claim increased 5% to 8% annually from 2021 to 2023, driven by increases in payment per service. Inpatient payments per episode grew 8% annually, mainly due to high-cost inpatient episodes.
- Minnesota's average adjusted hospital inpatient payments per inpatient episode for 2021 claims with three years of maturity was approximately \$44,830, which was close to the median state value (\$44,832).
- Minnesota's hospital outpatient payment index for common knee and shoulder surgeries remained among the highest of the study states, even after the 2018 fee schedule reform. This aligns with the fee schedule's goal of maintaining overall payment neutrality between the old and new payment systems.
- Minnesota had the lowest utilization index of nonhospital services among the 18 study states, primarily due to low utilization of physical medicine. Both the number of visits per claim and services per visit for physical medicine were among the lowest in the study.



## Registration is open for QRC intern, vendor, supervisor orientation

Registration is now open for orientation and refresher training for qualified rehabilitation consultant (QRC) interns, vendors and supervisors.

- **When:** Monday, Feb. 9, 8 a.m. to 4:15 p.m.
- **Where:** Minnesota Room, Department of Labor and Industry, 443 Lafayette Road N., St. Paul MN
- **What:** This in-person orientation and refresher training is for QRC interns, QRC intern supervisors, newly registered job-placement vendors, rehabilitation providers re-entering the field, registered rehabilitation providers interested in refreshing their skills and rehabilitation administrative staff members who would like to learn more about the rehabilitation process.
- **Topics to be covered:** Workers' compensation 101; working as a rehabilitation provider; medical aspects; rehabilitation consultation and ethics; registration, renewal and completion of internship; and more.



QRC interns must complete this training within one year of starting their intern cycle. CRC and CDMS continuing education unit credits will be available for individuals participating in the training.

### More information, registration

For more information or to register, visit the "[WC training for rehabilitation providers](#)" webpage or contact Jordan Trumbo at 651-284-5153 or [jordan.trumbo@state.mn.us](mailto:jordan.trumbo@state.mn.us). Registration for the event will only be open until Jan. 23, 2026.

## Register today: Minnesota CLE Workers' Comp Institute, April 28 and 29

On Tuesday and Wednesday, April 28 and 29, join colleagues at the 2026 Workers' Compensation Institute for:

- Real-world guidance about important topics – selected and developed by Institute co-chairs from both sides of the aisle.
- Practice-oriented updates – translating legal developments into how to implement what's new.
- Diverse perspectives from experienced lawyers and judges – including Minnesota Supreme Court Associate Justice Karl C. Procaccini.
- Doctor-taught sessions – expanding your understanding of injuries at the heart of your cases.



**MINNESOTA CLE**  
*Your Success Is Our Goal*

Build a tailored agenda with focused breakouts, enjoy time reconnecting with the workers' compensation community and leave with concrete takeaways you can use right away.

For more details and to register, visit [minncle.org/seminar/1051372601](https://minncle.org/seminar/1051372601).



## Workers' compensation events calendar

**Note:** Event dates may change. Always check the online calendar at [dli.mn.gov/about-department/about-dli/events-workers-compensation](https://dli.mn.gov/about-department/about-dli/events-workers-compensation).

### January 2026

Jan. 9	Training: OSHA recordkeeping basics
Jan. 14	Workers' Compensation Advisory Council
Jan. 15	Medical Services Review Board
Jan. 30	Training: OSHA recordkeeping basics

### February 2026

Feb. 9	QRC intern, vendor and supervisor orientation and refresher training
Feb. 11	Workers' Compensation Advisory Council

### March 2026

March 11	Workers' Compensation Advisory Council
March 18	Workers' Compensation Insurers' Task Force

### Training: OSHA recordkeeping basics offered online in January

The Department of Labor and Industry is offering two free, online introductory-level training seminars about OSHA recordkeeping requirements Jan. 9 and Jan. 30, from 8:30 to 11:30 a.m. Maintaining an accurate OSHA log of recordable work-related injuries and illnesses is an important skill that benefits employers, workers, safety professionals and government agencies.

#### Topics

- Recordability of injuries and illnesses
- Counting time
- How many logs to keep
- Creating a log summary
- Recording COVID-19 cases
- Differences between OSHA cases and workers' compensation claims
- Classifying cases
- Privacy cases
- Maintaining logs
- Reporting log data to OSHA



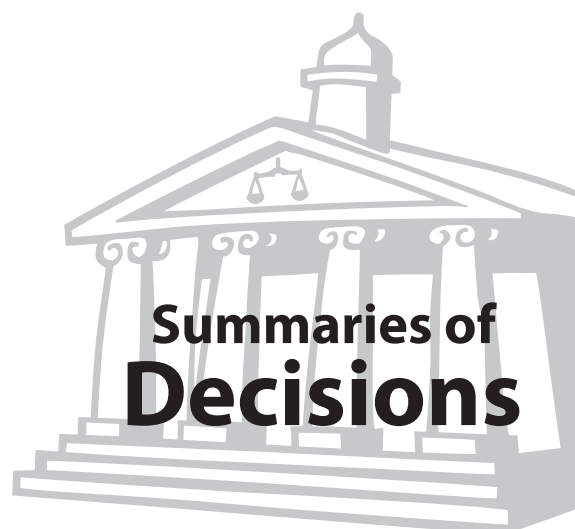
#### More information

Learn more about these sessions and register to attend (**required**) on the [MNOSHA Compliance: Recordkeeping standard webpage](#).

# Workers' Compensation Court of Appeals

August through October 2025

Case summaries published are  
those prepared by the WCCA



***Ryan Schadt v. Dent Wizard International, Aug. 1, 2025***

## **Evidence – Expert Medical Opinion**

An expert medical opinion disagreeing with the employee's theory of compensability does not affect the foundation of that opinion, nor does it preclude a compensation judge from relying upon it.

## **Causation – Substantial Evidence**

Substantial evidence, including adequately founded expert medical opinions, supports the compensation judge's findings that the employee's claimed injuries were not causally related to the employee's work injury.

Affirmed.

***Roger Wical v. Cleveland Cliffs f/k/a Inland Steel Mining, Aug. 28, 2025***

## **Causation – Consequential Injury**

Substantial evidence, including expert medical opinion, supports the compensation judge's finding that the employee did not sustain consequential injuries to his thoracic and lumbar spine requiring surgery in 2021 as a result of his 1985 low back injury.

## **Permanent Partial Disability – Thoracic Spine**

## **Permanent Partial Disability – Lumbar Spine**

## **Permanent Partial Disability – Combined Ratings**

Substantial evidence supports the compensation judge's determination of the appropriate permanent partial disability ratings for the employee's 1985 low back injury.

Affirmed.

*Jennifer Williams v. Delta Air Lines, Inc., Sept. 22, 2025***Occupational Disease – Skin Reaction  
Burden of Proof**

Where the employee exhibited an objective skin reaction to contact with her work uniform, observed by a treating professional, and the compensation judge finds that the event occurred, the employee has met her burden to show a work injury connected to exposure to an irritant in the workplace.

**Evidence – Expert Medical Opinion**

An expert medical opinion is improperly founded where the expert does not review a medical chart note that indicates an objective reaction occurred and relies on the absence of such a reaction in arriving at an opinion.

**Evidence – Expert Medical Opinion**

An expert medical opinion is improperly founded where the expert relies on facts in arriving at an opinion that are contrary to the facts found by the compensation judge.

**Evidence – Expert Medical Opinion**

Medical evidence providing opinions regarding negligence in the manufacture of a garment resulting in skin irritation is not properly founded where the evidence does not include any examination of the employee and does not render an opinion as to whether the employee's condition was related to wearing the garment, as the application of opinion to the employee would require speculation or conjecture.

**Causation – Substantial Evidence**

Where the expert medical opinion upon which the judge relied lacked proper foundation, where the judge did not apply an appropriate legal standard, and where there was overwhelming evidence that the employer-supplied uniform was the source of skin irritation that resulted in the employee being taken off of work and requiring medical care, the compensation judge's conclusion that the employee did not demonstrate a work injury was clearly erroneous and unsupported by substantial evidence.

**Causation – Substantial Evidence**

Where the expert medical opinion upon which the judge relied lacked proper foundation, but the medical evidence relied upon by the employee lacked clear and direct statements regarding causation, and some evidence in the record supports the employee's claim of a work injury through proximity to the employer-supplied work uniform resulting in respiratory problems, vacation of the judge's order and remand for assessment of the hearing record under the correct legal standard is appropriate.

**Evidence – Credibility**

A compensation judge's determination that a witness lacked credibility is not dispositive of the issues where the facts found by the compensation judge are consistent with the testimony of that witness and the facts found are inconsistent with the outcome arrived at by the compensation judge.

Reversed in part, vacated in part and remanded.

***Karen Nash v. Diocese of Duluth/St. Joseph's Church, Sept. 23, 2025*****Medical Treatment and Expense – Reasonable and Necessary**

A compensation judge's award of a DRG implant trial will be upheld when the requirements under Minnesota Rules 5221.6305 are met and when substantial evidence supports the choice of medical expert opinions.

**Rehabilitation – Rehabilitation Plan**

The compensation judge did not err in denying the request to terminate a rehabilitation plan when the injured employee continues to utilize medical management services and remains a qualified employee under Minn. R. 5220.0100, subpart 22.

Affirmed.

***Kyle Hemmerich v. City of Ramsey, Sept. 26, 2025*****Temporary Partial Disability – Calculation  
Penalties**

This court cannot affirm the compensation judge's award of temporary partial disability benefits and penalties where those awards are based upon miscalculations or a dearth of paystubs or other evidence.

**Penalties**

It was reversible error for the compensation judge to assess penalties on withheld attorney fees not yet due or owing, which were therefore not delayed, pursuant to Minnesota Statutes § 176.225, subdivisions 1(2) and 5.

Reversed in part, vacated in part and remanded.



# Minnesota Supreme Court

*August through October 2025*

Case summaries published are  
those prepared by the WCCA



## Workers' Compensation Decisions

*Paula Kay Brunner v. Post Consumer Brands, Aug. 6, 2025*

### **Statutes Construed – Minnesota Statutes § 176.361, Subdivision 2**

An employee may bring a direct claim under the Workers' Compensation Act, Minnesota Statutes Chapter 176 (2024), for medical expenses related to a compensable work injury that the employee's health insurer covered before a determination was made that the injury is compensable.

### **Statutes Construed – Minn. Stat. § 176.361, Subd. 2**

A potential intervenor that does not intervene as required under Minn. Stat. § 176.361, subdivision 2, loses the procedural right to intervene in the workers' compensation matter, but the failure does not preclude an order reimbursing that potential intervenor where the employee has made a direct claim on the potential intervenor's behalf, regardless of the extinguishment of the potential intervenor's interest by a compensation judge.

### **Statutes Construed – Minn. Stat. § 176.191, Subd. 3**

Where an employee prevails on a direct claim for reimbursement and submits evidence as to the amounts a non-intervening health insurer has paid to medical providers, the employer and insurer must reimburse that insurer under Minn. Stat. § 176.191, subd. 3, for all payments made including interest at a rate of 12% a year.

Affirmed in part and reversed in part.

*Erin Lindsay v. Minneapolis Public School District (Special School District 1), Oct. 22, 2025*

### **Arising Out Of And In The Course Of**

The employee's injury occurred "in the course of" employment for the purpose of Minnesota Statutes section 176.021, subdivision 1 (2024), because the undisputed facts show that the employee sustained the injury within an hour of the end of the workday, the injury occurred at the workplace and the employee was engaged in employment-related activity.

### **Arising Out Of And In The Course Of – Recreational Activities**

Minnesota Statutes 176.021, subdivision 9 (2024), which excludes from workers' compensation liability injuries that occur while an employee is participating in a voluntary employer-sponsored recreational program, applies only to employer programs that are for the benefit of employees.

Affirmed.