



ADVISORY NO. 509

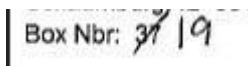
TOPIC: Notice of Significant Error by Division in Delivery of FOL Board Rep Mail

The Division of Workers' Compensation has made a significant error in the placement of Board Rep mail in the Flahive, Ogden & Latson Box (Box 19) for documents that should have been delivered to FOL between May 31, 2018 and June 7, 2018. Many documents that should have been delivered to the FOL Box for processing to FOL clients were, instead, placed in another Board Rep Box (Box 37) during this timeframe.

Flahive, Ogden & Latson Board Rep staff noticed a significant decrease in the volume of DWC mail beginning May 31, 2018. We began an investigation the following day to determine the cause of the problem. After multiple conversations with Division personnel extending over several days we confirmed that the Division mistakenly began placing FOL client documents in the wrong Board Rep Box between May 31, 2018 and June 7, 2018.

The Division began correcting their error on June 7, 2018 by retrieving copies of documents that had been mistakenly placed in Box 37, and placing them in the correct Board Rep Box (Box 19). Those affected documents are being delivered to FOL clients beginning today, June 8, 2018.

Any affected document will contain several indications to help you identify that delivery of the documents has been delayed because of the Division's mistake. First, the date of the document and the date of the FOL receipt stamp will contain a gap — such as a document dated June 1, 2018 but not received and dated stamped by FOL until June 7, 2018. Second those documents affected by the Division's error will have a typewritten Box 37 that has been marked out by Division staff, and a handwritten "Box 19" placed nearby. (See example below).



Any documents affected by the Division's error should be considered received on the earlier of two dates: 1) the first date that you actually received the document through some other means (for example by regular mail), or 2) the date that FOL received the document as your Board Representative (in many cases June 7, 2018).

We have complained about this mistake with the Division in writing, on behalf of our Board Rep clients. We have advised the Division that no deadline or penalty should be assessed against any FOL client that has been affected by this Division error. If you have any questions or concerns regarding this issue, please contact James Sheffield or Bobby Stokes directly to discuss.