



NEW JERSEY DEPARTMENT OF  
BANKING AND INSURANCE  
**QUARTERLY REPORT**

No Fault PIP Arbitration  
**3rd Quarter 2022**



**FORTHRIGHT**

**3RD QUARTER 2022 REPORT**  
**TO THE**  
**NEW JERSEY DEPARTMENT OF BANKING AND INSURANCE**

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## EXECUTIVE SUMMARY

In the third quarter of 2022, 10,362 cases were initiated in the PIP dispute resolution program. As of August 1, 2022, regions were eliminated by rule amendment and, accordingly, initiations will no longer be reported by region. Of these cases initiated, 8,102 (78%) were initiated as In-Person and 2,260 (22%) as OTP.

The DRP panel consisted of 41 members. For disposition of case data, the DRPs were designated as follows: 29 in the North, 5 in the Central, and 7 in the South. In this quarter 9,564 cases were assigned to DRP.

**On August 1, 2022, the amended rules went into effect eliminating regions, allowing cases filed after that date to be assigned to DRPs throughout the state without regard to region.**

Of the pending cases in the PIP arbitration program, 9,193 were concluded during the third quarter by means of an award or denial of award (including appeals), pre-hearing dismissal of the case, settlement, or withdrawal. There were 421 cases placed in abeyance by consent of the parties or by order of the court.

System-wide, the average amount awarded in arbitration (excluding filing fees) was \$5,556 comprised of \$4,731 for personal injury protection benefits and \$825 for attorney's fees per case. It is common practice for users to stipulate that amounts awarded by DRPs are subject to further reduction for deductibles, co-payments, prior payments, and/or medical fee schedule adjustments. In such cases, the final amount paid by the Respondent for PIP benefits may be less than the awarded amount.

Fourteen appeals to panels of three DRPs were concluded during the reporting period. Eight involved awards or dismissal orders rendered in the North Region, two in the Central Region, and 4 in the South Region. No OTP awards were appealed. Seven percent of awards appealed were vacated or modified.

During the reporting period, 9 MRO reviews were provided at the request of a party. DRPs did not request any reviews. The requests were apportioned among the four certified MROs on a rotating basis.

## CASES INITIATED

Cases are considered “filed” as of the date a Demand for Arbitration is received by Forthright. Case “initiation” occurs when an initiation letter is transmitted to the parties.

As of August 1, 2022, cases which qualify for “in-person” (“IP”) proceedings are no longer region-specific and are assigned to any DRP throughout the state without regard to region. Cases that proceed “on-the-papers” (“OTP”) are also not region-specific and may be assigned to any DRP. Throughout this report, data are reported as OTP or IP. Regional breakdowns of disposition data prior to August 1, 2022, continues to describe IP cases only and will bear the designation of “IP - [region].”

In the third quarter of 2022, 10,362 cases were initiated in the PIP dispute resolution program. As of August 1, 2022, regions were eliminated by rule amendment and, accordingly, initiations will no longer be reported by region. Of these cases initiated, 8,102 (78%) were initiated as In-Person and 2,260 (22%) as OTP. See the table below for the monthly distribution.

	<b>IP</b>	<b>OTP</b>	<b>Total</b>
July	2,626	746	3,372
August	2,840	757	3,597
September	2,636	757	3,393
<b>Totals</b>	<b>8,102</b>	<b>2,260</b>	<b>10,362</b>

The following table summarizes the initiations for the quarters of 2022.

	<b>IP - North</b>	<b>IP - Central</b>	<b>IP - South</b>	<b>Total IP</b>	<b>OTP</b>	<b>Total</b>
Q1 2022	5,489	1,255	1,538	8,282	2,293	10,575
Q2 2022	5,909	1,259	1,464	8,632	2,368	11,000
Q3 2022	-	-	-	8,102	2,262	10,364

## TRANSFER OF CASES FROM OTP PROCEEDINGS TO IP PROCEEDINGS

Under certain circumstances, cases that were initially filed as OTP may be transferred to IP proceedings. The circumstances include consolidations (automatic, by consent, or by request), insurance policy issues identified by Respondent, change of claim, and cases voluntarily filed as OTP but the Respondent does not consent. Please consult arbitration Rules 6, 9, and 51 for a complete explanation of the circumstances for transfer. The table below shows the number of cases transferred in the third quarter and the reason.

<b>Consolidation</b>	<b>Policy Issues</b>	<b>Change of Claim</b>	<b>Total</b>
277	44	100	421

**DISPOSITION OF CASES IN THE PIP ARBITRATION PROGRAM**

Of the pending cases in the PIP arbitration program, 9,193 were concluded during the third quarter by means of an award or denial of award (including appeals), pre-hearing dismissal of the case, settlement, or withdrawal. The table below illustrates the manner in which cases were administered and concluded in the three IP geographic regions as well as the OTP category.

<b>Disposition Type</b>	<b>IP - North</b>	<b>IP - Central</b>	<b>IP - South</b>	<b>OTP</b>	<b>Total</b>
Awarded/Denied	1,717	431	604	494	3,246
Dismissed Pre-Hearing	1	1	1	0	3
Settled	2,362	528	637	1,489	5,016
Withdrawn	487	98	71	272	928
<b>Total</b>	<b>4,567</b>	<b>1,058</b>	<b>1,313</b>	<b>2,255</b>	<b>9,193</b>

\* Pre-hearing dismissal is not an option for OTP cases.

**DISPOSITION OF CASES BY PERCENTAGE**

The table below presents the disposition of OTP cases and the regional disposition of IP cases as percentages of case dispositions during the reporting period. **Percentages may not add to 100% due to rounding.**

<b>Disposition Type</b>	<b>IP - North</b>	<b>IP - Central</b>	<b>IP - South</b>	<b>OTP</b>
Awarded/Denied	38%	41%	46%	22%
Dismissed	<1%	<1%	<1%	<1%
Settled	52%	50%	49%	66%
Withdrawn	11%	9%	5%	12%

**CASES IN ABEYANCE**

Administration of certain cases is suspended by way of Court Order or consent of the parties. These cases are designated as in abeyance. Abeyances for the reporting period are shown in the table below.

<b>IP - North</b>	<b>IP - Central</b>	<b>IP - South</b>	<b>OTP</b>	<b>Total</b>
261	46	77	37	421

## CASES SETTLED WITHIN 45 DAYS OF INITIATION

The Respondents are granted a conciliation period of 45 days from case initiation in which to settle claims without incurring the Respondent administration fee.

The following table expresses the distribution of settlements within 45 days of initiation.

	IP - North	IP - Central	IP - South	OTP	Total
Settlements*	1,025	225	271	1,062	2,583

*\* Note: This data is based only upon user communications describing cases as settled or resolved. There are likely cases that the parties communicated as “withdrawn” or otherwise concluded which were actually settled and would qualify for this category.*

## DISPUTE RESOLUTION PROFESSIONAL CASELOAD

The DRP panel consisted of 41 members. For disposition data, the DRPs were designated as follows: 29 in the North, 5 in the Central, and 7 in the South. In this quarter 9,564 cases were assigned to DRP.

**On August 1, 2022, the amended rules went into effect eliminating regions, allowing cases filed after that date to be assigned to DRPs throughout the state without regard to region.**

Caseload activity of DRPs is represented in Appendix A. This table distinguishes IP cases from OTP cases. Note that the tally of awarded and settled cases displayed in the “Disposition of Cases after DRP Added” Section and Appendix A may vary slightly because of the method of collecting data for each. For example, an award rendered by a three DRP panel is reported for each DRP in Appendix A. A case that settles while in abeyance without an active DRP will not be counted in Appendix A.

## DISPOSITION OF CASES AFTER DRP ASSIGNMENT

OTP cases are assigned to a DRP upon initiation. IP cases are assigned to DRPs following expiration of the 45-day conciliation period. After DRP appointment, a total of 7,839 cases were resolved during the quarter, resulting from a combination of DRP-issued awards (which includes denials and appeals), pre-hearing dismissals, settlements, and withdrawals.

The following table represents the distribution and outcomes of cases across the entire DRP panel during the third quarter of 2022 after the cases were assigned to DRPs. Note that the tally of awarded and settled cases displayed in the “Disposition of Cases after DRP Added” Section and Appendix A may vary slightly because of the method of collecting data for each. For example, an award rendered by a three DRP panel is reported for each DRP in Appendix A. A case that settles while in abeyance without an active DRP will not be counted in Appendix A.

Disposition	IP - North	IP - Central	IP - South	IP - Total	OTP
Awarded/Denied	1,857	443	618	2,918	500
Dismissed by DRP	1	1	1	3	0*
Settled	1,432	311	370	2,113	1,486
Withdrawn	400	85	62	547	272
Total	3,690	840	1,051	5,581	2,258

*\* Not applicable to OTP proceedings*

### AGING OF CASES BY TYPE OF PROCEEDING, IN-PERSON OR ON-THE-PAPERS, AND BY DRP

The average age (counted by calendar days) of active pending cases at the end of the third quarter of 2022 by DRP is represented in Appendix B but excludes cases that were put in abeyance by the parties or stayed by court action. Please note that consolidations, late MRO requests and postponements are factors that lengthen disposition timelines.

### REGIONAL AWARDS PERCENTAGE

A total of 3,416 awards were issued by DRPs concerning requests for emergent relief, standard relief, and fee disputes in both IP and OTP proceedings. Of the awards issued for IP cases (2,915), 63% were in the North region, 15% in the Central region, and 21% in the South region.

An online database of these awards is located at [www.nj-no-fault.com](http://www.nj-no-fault.com).

### AWARDS AS A PERCENTAGE OF CLAIM AMOUNT

DRPs can deny a claim in its entirety or award all or part of an amount requested by a Claimant. For cases decided in the third quarter of 2022, the table and graph below indicate the distribution of DRP total awarded amounts, from 0% (denied/dismissed) to 100% of claimed amounts. Total awarded amounts include PIP benefits, legal fees, and costs.

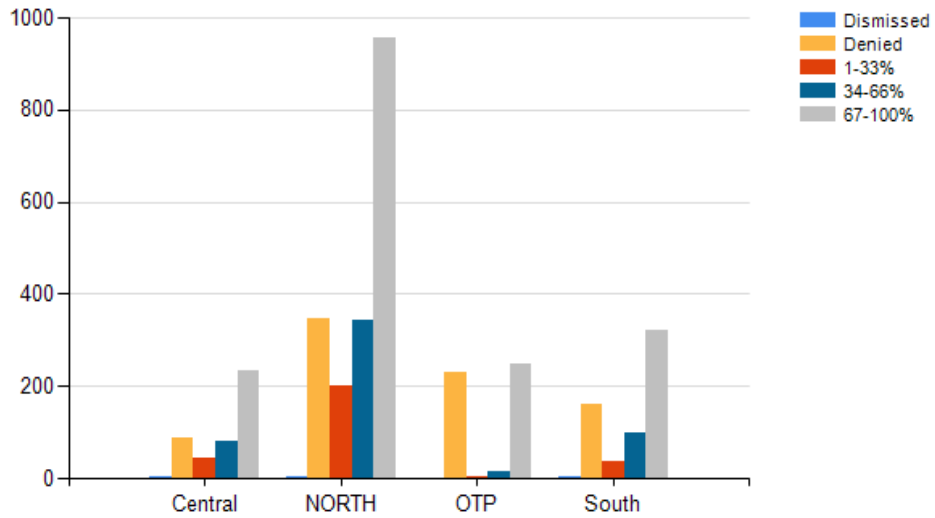
For purposes of the data table and chart below, amended amounts are captured within a total amount claimed and then compared to the total amount awarded.

	<b>Dismissed</b>	<b>Denied</b>	<b>1-33%</b>	<b>34-66%</b>	<b>67-100%</b>	<b>Total</b>
IP - North	1	347	202	343	957	1,850
IP - Central	1	88	45	80	233	447
IP - South	1	162	35	98	322	618
OTP*	0	231	5	15	250	501
<b>Total</b>	<b>3</b>	<b>828</b>	<b>287</b>	<b>536</b>	<b>1,762</b>	<b>3,416</b>

*\* Not applicable to OTP proceedings.*

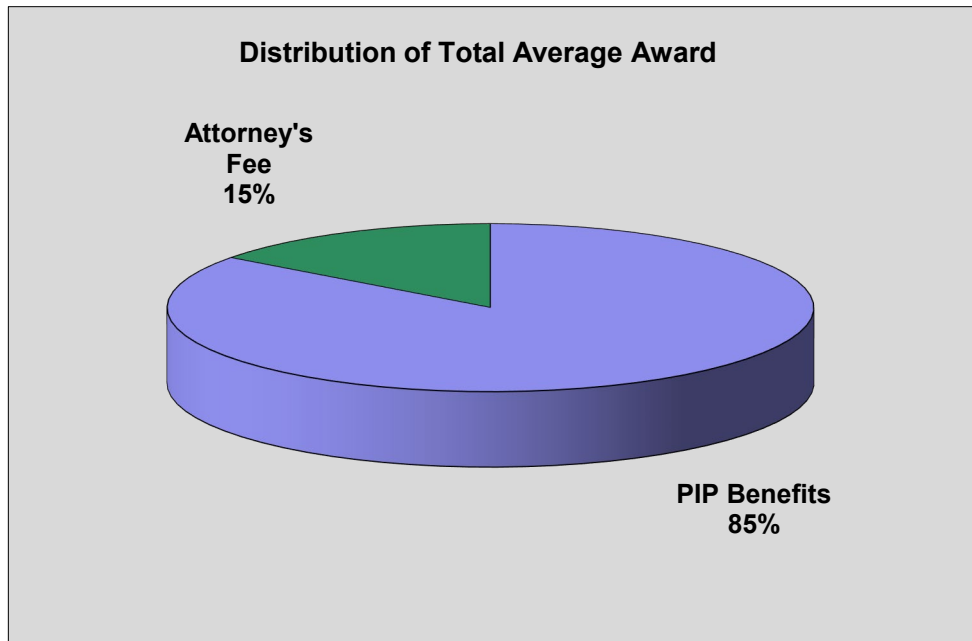
*Note: The award data in this section excludes appellate awards.*





**PIP BENEFITS AND ATTORNEY’S FEES COMPARISON**

System-wide, the average amount awarded in arbitration (excluding filing fees) was \$5,556 comprised of \$4,731 for personal injury protection benefits and \$825 for attorney’s fees per case. The graphical representation compares the data as percentages.



## AWARD AVERAGE, MEDIAN AND DOLLAR RANGE

The average amount awarded for claims other than attorney's fees and costs was \$4,731\* per case. Awarded amounts ranged from \$0 to \$418,019. The median award during the reporting period was \$936. Note that the calculation of the average and median includes cases in which the amount awarded was \$0.

The average amount awarded for attorney's fees was \$825 per case. Awarded attorney's fees ranged from \$0 to \$8,500. The median attorney's fee award during the reporting period was \$1,000. Note that the calculation of the average and median attorney's fee includes cases in which the amount awarded was \$0.

	<b>Average</b>	<b>Dollar Range</b>	<b>Median</b>
PIP Benefits' Award	\$4,731	\$0 to \$418,019	\$936
Attorney's Fee Award	\$825	\$0 to \$8,500	\$1,000

*\* Note: It is common practice for users to stipulate that amounts awarded by DRPs are subject to further reduction for policy deductibles, co-payments, prior payments, and/or medical fee schedule adjustments. In such cases, the final amount paid by the Respondent for PIP benefits may be less than the awarded amount.*

## APPEALS

Fourteen appeals to panels of three DRPs were concluded during the reporting period. Eight involved awards or dismissal orders rendered in the North Region, two in the Central Region, and 4 in the South Region. No OTP awards were appealed. Seven percent of awards appealed were vacated or modified. The following table reports the results.

	<b>IP - North</b>	<b>IP - Central</b>	<b>IP- South</b>	<b>OTP</b>	<b>Total</b>
Affirmed	7	2	4	0	13
Vacated & Corrected	0	0	0	0	0
Modified	1	0	0	0	1
Total	8	2	4	0	14

## MEDICAL REVIEW ORGANIZATION REPORT

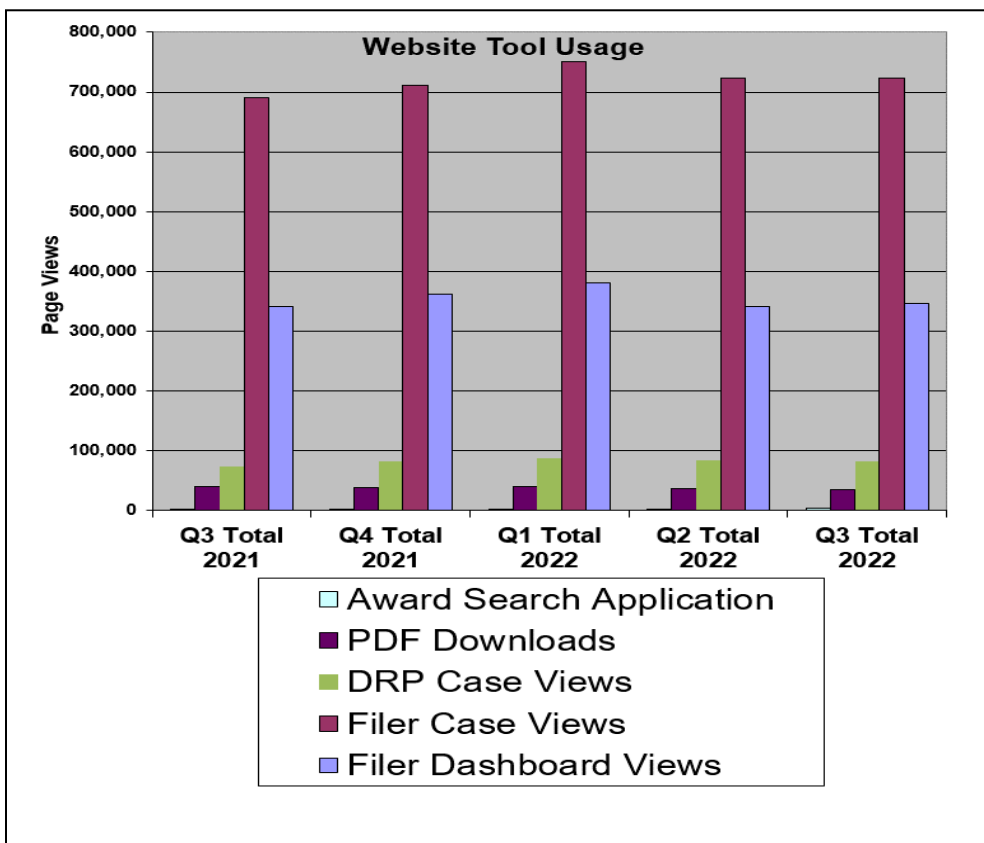
There are currently four Medical Review Organizations ("MRO") certified by the Department of Banking and Insurance. They are ExamWorks (formerly known as CFO Medical Services), First Managed Care Option ("FMCO"), Rising Medical Solutions and Support Claim Services ("SCS"). Information relevant to MRO usage is outlined in the table below.

MRO	Request By Party	Request By DRP	Total Requests	Request for Information	Report in 20 Business Days	Report After 20 Business Days
ExamWorks	2	0	2	0	1	1
FMCO	1	0	1	0	1	0

Rising Medical	3	0	3	0	3	0
SCS	3	0	3	0	3	0
Total	9	0	9	0	8	1

**ONLINE CASE MANAGEMENT AND AWARD SEARCHING**

This section of the report provides usage data for Forthright’s free web-based case management tools for PIP practitioners located online at [www.nj-no-fault.com](http://www.nj-no-fault.com). Forthright completely redesigned and enhanced the functionality of the user web portals as a free customer service. PIP practitioners now access a “dashboard” from which they can navigate through their case information. They can retrieve and view both parties’ document submissions as well as access rules and forms, file and manage cases online, upload case documents, and search prior decisions. The chart below compares usage for the past five calendar quarters.



## APPENDIX A

	Region	IP Assigned	OTP Assigned	IP Settled/ Withdrawn	OTP Settled/ Withdrawn	IP Awarded/ Denied	OTP Awarded/ Denied	In-Person Proceedings
Aloi, Anthony M.	CENTRAL	259	50	90	42	80	18	73
Andolino, Michael D.	NORTH	208	62	82	48	58	17	62
Campbell, Jennifer M.	CENTRAL	222	47	93	42	73	14	89
Carnelli, Christopher M.	SOUTH	135	59	59	47	91	19	107
Cassella, Deborah M.	NORTH	147	67	65	41	79	25	79
Croft, Douglas M.	NORTH	155	55	55	42	57	12	75
Daniskas, Maria I.	NORTH	230	69	51	48	58	3	57
Della Badia, Joseph	NORTH	170	47	65	45	69	16	88
DeMarco, Jodi L.	NORTH	245	56	68	43	81	17	104
Ducey, John G.	CENTRAL	207	44	59	32	95	9	84
Eisele-Grabowski, Karen	SOUTH	190	56	70	50	80	15	90
Fabiano, Edward	NORTH	192	65	58	42	61	14	59
Fannan, John J.	CENTRAL	45	6	40	7	41	13	46
Finiello, Susanne N.	SOUTH	172	59	82	56	93	15	106
Frankland, Suzanne J.	NORTH	182	60	71	41	78	21	76
Ganzhorn, Lisa A.	NORTH	211	50	78	42	84	14	70
Garrabrandt, James H.	NORTH	159	67	70	48	57	2	70
Grabowski, David A.	SOUTH	174	71	70	47	77	14	79
Hackett, Michael	NORTH	205	55	100	42	63	2	65
Hebron, Sylvia A	NORTH	191	62	62	56	84	11	88
Johnston, Maureen M.	NORTH	144	57	63	47	83	3	76
Kaiser, Brian K.	NORTH	216	55	73	52	69	2	80
Karbasian, Carolyn K.	SOUTH	111	76	47	53	94	19	84
Keller, Grant W.	SOUTH	163	71	66	45	65	11	83
La Salle, Robert C.	NORTH	226	58	58	37	34	4	56
LaPorta, David M.	NORTH	185	58	70	47	94	11	86
LaPorta, Phillip A.	NORTH	221	68	71	58	47	1	70
Lardiere, Andrea L	CENTRAL	250	38	74	28	92	19	80
Mundy, Lisa D.	NORTH	240	63	77	50	70	16	70
Nardella, George C.	NORTH	191	56	57	42	67	20	65
Noonan, Scott M.	NORTH	175	57	67	40	52	12	83
O'Donnel, Kenneth L.	NORTH	182	58	67	43	54	1	59
Patriaco, Andrew A.	NORTH	177	73	46	42	79	4	92
Reis, Karen M.	NORTH	156	60	57	47	72	12	83
Remington-Knodel, Jennifer	NORTH	165	61	57	54	94	12	88
Riva, Joseph J.	NORTH	52	7	16	11	31	5	25
Sacco, Russ	NORTH	182	58	91	41	73	23	86
Stampone, Vincenzo	NORTH	154	60	59	50	73	19	80
Tamburino, Joseph A.	NORTH	55	8	31	9	35	2	36

Tarrant, Tara D.	NORTH	182	52	64	41	86	14	82
Voorhees, Gregory X.	SOUTH	162	75	59	60	95	19	92
<b>Total</b>		<b>7288</b>	<b>2276</b>	<b>2658</b>	<b>1758</b>	<b>2918</b>	<b>500</b>	<b>3123</b>

## APPENDIX B

DRP	Region	IP Cases	IP Age (in Days)	OTP Cases	OTP Age (in Days)
Aloi, Anthony M.	CENTRAL	473	198.37	36	73.78
Andolino, Michael D.	NORTH	417	193.46	49	60.55
Campbell, Jennifer M.	CENTRAL	535	220.24	43	93.98
Carnelli, Christopher M.	SOUTH	386	229.27	55	70.13
Cassella, Deborah M.	NORTH	350	217.43	62	63.37
Croft, Douglas M.	NORTH	438	262.53	54	80.43
Daniskas, Maria I.	NORTH	409	176.74	60	66.45
Della Badia, Joseph	NORTH	378	237.23	37	68.43
DeMarco, Jodi L.	NORTH	479	215.16	46	61.76
Ducey, John G.	CENTRAL	504	212.91	47	82.70
Eisele-Grabowski, Karen	SOUTH	410	185.61	60	79.17
Fabiano, Edward	NORTH	383	226.98	57	57.04
Fannan, John J.	CENTRAL	199	308.30	7	83.43
Finiello, Susanne N.	SOUTH	370	204.18	48	69.04
Frankland, Suzanne J.	NORTH	378	209.21	56	69.70
Ganzhorn, Lisa A.	NORTH	456	232.68	55	80.00
Garrabrandt, James H.	NORTH	402	209.27	60	74.68
Grabowski, David A.	SOUTH	411	184.39	72	77.69
Hackett, Michael	NORTH	409	161.88	49	71.47
Hebron, Sylvia A	NORTH	448	210.75	47	63.66
Johnston, Maureen M.	NORTH	436	272.87	47	64.11
Kaiser, Brian K.	NORTH	419	183.89	53	82.47
Karbasian, Carolyn K.	SOUTH	336	229.24	55	57.47
Keller, Grant W.	SOUTH	386	219.48	74	74.54
La Salle, Robert C.	NORTH	419	194.11	63	74.81
LaPorta, David M.	NORTH	394	144.85	50	53.50
LaPorta, Phillip A.	NORTH	416	216.59	52	80.71
Lardiere, Andrea L	CENTRAL	500	205.28	39	78.05
Mundy, Lisa D.	NORTH	411	161.31	50	52.94
Nardella, George C.	NORTH	404	226.69	52	64.56
Noonan, Scott M.	NORTH	449	265.65	53	82.98
O'Donnel, Kenneth L.	NORTH	412	213.67	52	70.92
Patriaco, Andrew A.	NORTH	387	177.62	69	68.09
Reis, Karen M.	NORTH	391	221.19	49	59.49
Remington-Knodel, Jennifer	NORTH	424	204.45	45	57.56
Riva, Joseph J.	NORTH	189	269.78	2	71.50
Sacco, Russ	NORTH	447	242.54	51	70.37
Stampone, Vincenzo	NORTH	382	208.48	59	70.19
Tamburino, Joseph A.	NORTH	205	270.11	6	16.50
Tarrant, Tara D.	NORTH	432	230.03	48	80.10

Voorhees, Gregory X.	SOUTH	391	189.12	49	48.90
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