



NEW JERSEY DEPARTMENT OF
BANKING AND INSURANCE
QUARTERLY REPORT

No Fault PIP Arbitration
2nd Quarter 2024



FORTHRIGHT

2ND QUARTER 2024 REPORT
TO THE
NEW JERSEY DEPARTMENT OF BANKING AND INSURANCE

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EXECUTIVE SUMMARY

In the second quarter of 2024, 12,013 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, 9,337 (78%) were initiated as In-Person and 2,676 (22%) as OTP.

The DRP panel consisted of 43 members. In this quarter 10,086 cases were assigned to DRPs.

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. The report for the fourth quarter of 2022 was the last report to the Department with regional breakdowns.

The amended rules prioritized videoconference "in-person" hearings, with a procedure to request a non-video hearing. During each quarter since the amended rules became effective, Forthright did not receive any requests for a non-video hearing.

Of the pending cases in the PIP arbitration program, 12,735 were concluded during the second quarter by means of an award or denial of award (including appeals), pre-hearing dismissal of the case, settlement, or withdrawal.

There were 639 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 \$7,482 comprised of \$6,670 for personal injury protection benefits and \$812 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.

Five appeals to panels of three DRPs were concluded during the reporting period. All involved awards or dismissal orders rendered in In-Person matters. No OTP awards were appealed. Twenty percent of awards appealed were vacated or modified.

During the reporting period, no MRO reviews were provided at the request of a party. DRPs did not request any reviews. Requests are 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.

In the second quarter of 2024, 12,013 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, 9,337 (78%) were initiated as In-Person and 2,676 (22%) as OTP. See the table below for the monthly distribution.

	In-Person (IP)	On The Papers (OTP)	Total
April	3,267	883	4,150
May	3,283	932	4,215
June	2,787	861	3,648
Totals	9,337	2,676	12,013

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.

Also, the amended rules prioritized videoconference “in-person” hearings, with a procedure to request a non-video hearing. During the second quarter of 2024, Forthright did not receive any requests for a non-video hearing.

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 second quarter and the reason.

Consolidation	Policy Issues	Change of Claim	Total
292	17	82	391

DISPOSITION OF CASES IN THE PIP ARBITRATION PROGRAM

Of the pending cases in the PIP arbitration program, 12,735 were concluded during the second 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 IP as well as the OTP category.

Disposition Type	In-Person (IP)	On The Papers (OTP)	Total
Awarded/Denied	2,893	394	3,287
Dismissed Pre-Hearing	5	0*	5
Settled	6,230	2,066	8,296
Withdrawn	903	244	1,147
Total	10,031	2,704	12,735

** 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 IP cases as percentages of case dispositions during the reporting period. **Percentages may not add to 100% due to rounding.**

Disposition Type	In-Person (IP)	On The Papers (OTP)
Awarded/Denied	29%	15%
Dismissed	<1%	0%
Settled	62%	76%
Withdrawn	9%	9%

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.

In-Person (IP)	On The Papers (OTP)	Total
582	57	639

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.

	In-Person (IP)	On The Papers (OTP)	Total
Settlements*	3,566	1,413	4,979

** 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 43 members. In this quarter 10,086 cases were assigned to DRPs.

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 9,318 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 second quarter of 2024 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	In-Person (IP)	On The Papers (OTP)
Awarded/Denied	3,152	396
Dismissed by DRP	5	0*
Settled	2,765	2,063
Withdrawn	693	244
Total	6,615	2,703

** 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 second quarter of 2024 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

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.

An online database of these awards is located at 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 second quarter of 2024, 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 amended amounts are captured within a total amount claimed and then compared to the total amount awarded.

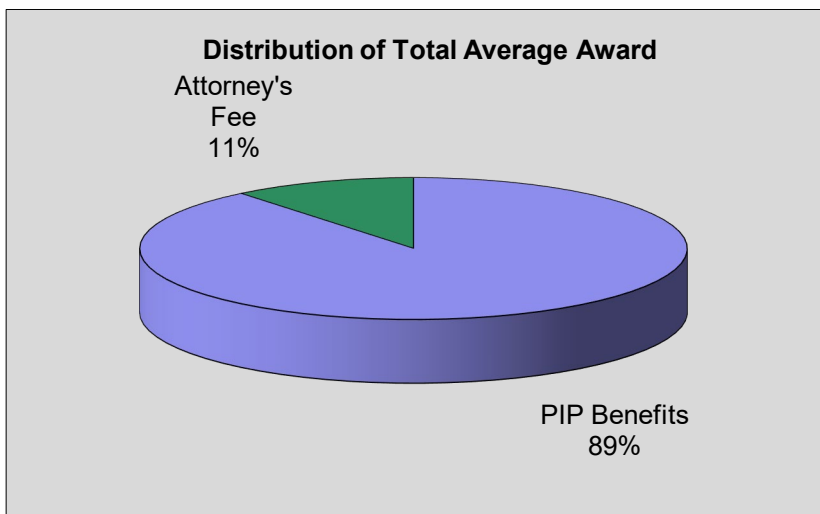
	Dismissed	Denied	1-33%	34-66%	67-100%	Total
IP	5	721	422	554	1,454	3,156
OTP	0*	193	3	21	178	395
Total	5	914	425	575	1,632	3,551

* 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 \$7,482 comprised of \$6,670 for personal injury protection benefits and \$812 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 \$6,670* per case. Awarded amounts ranged from \$0 to \$585,860. The median award during the reporting period was \$879. 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 \$812 per case. Awarded attorney’s fees ranged from \$0 to \$5,200. 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.

	Average	Dollar Range	Median
PIP Benefits’ Award	\$6,670	\$0 to \$585,860	\$879
Attorney’s Fee Award	\$812	\$0 to \$5,200	\$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

Five appeals to panels of three DRPs were concluded during the reporting period. All involved awards or dismissal orders rendered in In-Person matters. No OTP awards were appealed. Twenty percent of awards appealed were vacated or modified. The following table reports the results.

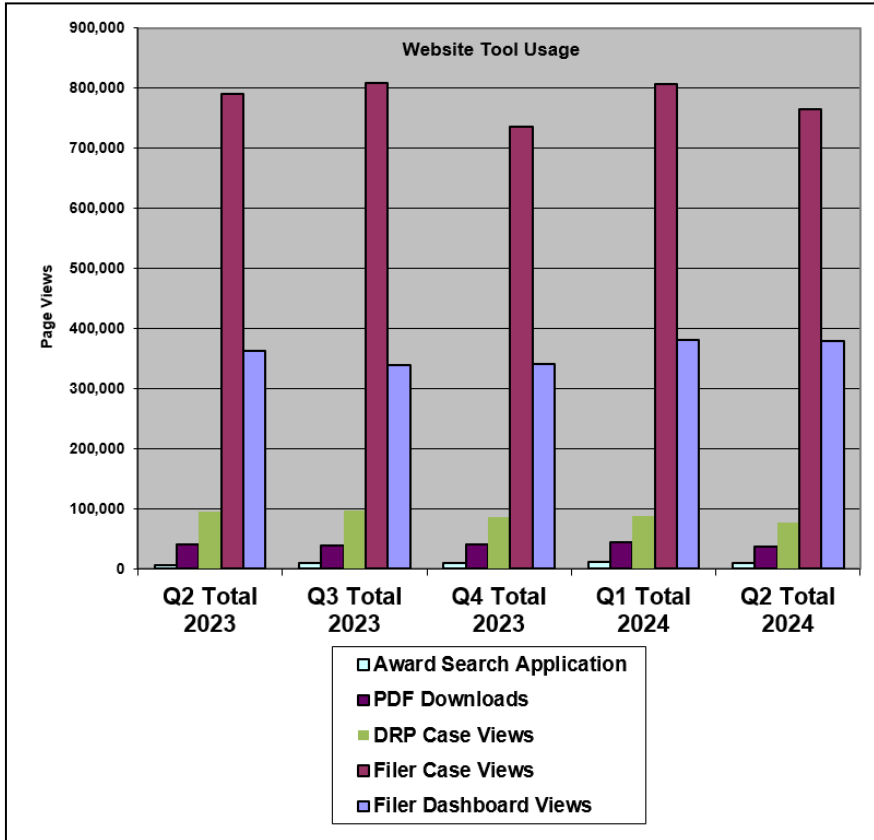
	IP	OTP	Total
Affirmed	4	0	4
Vacated & Corrected	1	0	1
Total	5	0	5

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”). There were no reports issued in the second quarter.

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. 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

	IP Assigned	OTP Assigned	IP Settled/ Withdrawn	OTP Settled/ Withdrawn	IP Awarded/ Denied	OTP Awarded/ Denied	In-Person proceedings
Aloi, Anthony M.	168	53	94	58	80	11	72
Andolino, Michael D.	176	69	73	65	71	8	60
Buontempo, Colleen R.	289	33	41	8	0	0	0
Campbell, Jennifer M.	132	64	81	44	90	10	67
Carnelli, Christopher M.	168	64	94	65	85	5	82
Cassella, Deborah M.	192	69	93	61	58	6	57
Croft, Douglas M.	127	63	85	51	69	11	71
Daniskas, Maria I.	136	66	75	59	88	9	72
Della Badia, Joseph	185	58	117	52	98	6	82
DeMarco, Jodi L.	164	65	76	56	93	9	66
Eisele-Grabowski, Karen L.	114	62	72	54	77	9	50
Fabiano, Edward C.	137	61	69	48	53	8	65
Finiello, Susanne N.	212	63	103	54	95	14	73
Frankland, Suzanne J.	205	60	100	57	70	10	61
Ganzhorn, Lisa A.	175	58	81	54	68	8	62
Garrabrandt, James H.	138	49	75	47	94	13	81
Gordon, Howard I.	163	76	102	71	90	8	74
Grabowski, David A.	184	78	60	70	77	15	56
Hackett, Michael	169	64	85	55	116	5	85
Hebron, Sylvia A	193	67	82	58	93	14	82
Johnston, Maureen M.	195	63	69	51	96	15	65
Kaiser, Brian K.	191	67	62	62	66	9	55
Karbasiyan, Carolyn K.	124	55	68	42	68	8	74
Keller, Grant W.	150	80	74	57	59	11	51
LaPorta, David M.	196	66	96	64	78	4	66
Lardiere, Andrea L	194	70	94	56	90	10	69
LaSalle, Robert C.	169	60	109	53	42	8	69
Mundy, Lisa D.	182	70	93	67	66	5	72
Nardella, George	172	69	95	50	67	11	72
Noonan, Scott M.	134	52	54	40	116	11	83
O'Donnel, Jr., Kenneth L.	146	67	76	66	90	17	73
Patriaco, Andrew A.	171	62	66	64	77	9	82
Reis, Karen M.	176	56	87	48	74	11	77
Remington-Knodel, Jennifer	191	65	85	59	89	9	79
Riva, Joseph J.	91	50	54	38	32	10	36
Robinson, Charles L.	274	32	41	6	0	0	0
Sacco, Russ	269	78	79	73	59	6	55
Stampone, Vincenzo	181	74	92	62	54	9	63
Suralik-Horvath, Michelle L.	160	69	109	61	86	8	79
Tamburino, Joseph A.	85	37	47	34	44	10	29
Tarrant, Tara D.	177	61	89	54	78	9	69
Vanderhoef, Kimberly A.	156	67	64	41	83	17	79
Voorhees, Gregory X.	188	75	98	72	73	10	76
Total	7399	2687	3459	2307	3152	396	2791

APPENDIX B

	IP Cases	Average IP Age	OTP Cases	Average OTP Age
Aloi, Anthony M.	349	185.46	29	63.17
Andolino, Michael D.	394	201.88	46	60.11
Buontempo, Colleen R.	317	55.50	24	11.75
Campbell, Jennifer M.	341	201.81	57	64.35
Carnelli, Christopher M.	371	168.20	42	58.67
Cassella, Deborah M.	413	203.48	46	52.96
Croft, Douglas M.	363	236.55	39	58.82
Daniskas, Maria I.	347	225.12	43	65.53
Della Badia, Joseph	368	185.51	41	59.32
DeMarco, Jodi L.	363	218.29	45	67.53
Eisele-Grabowski, Karen L.	389	204.71	46	53.35
Fabiano, Edward C.	353	243.37	46	50.48
Finiello, Susanne N.	392	172.01	43	52.40
Frankland, Suzanne J.	411	213.78	43	65.70
Ganzhorn, Lisa A.	409	230.32	51	63.73
Garrabrandt, James H.	423	246.16	42	70.79
Gordon, Howard I.	337	138.86	51	57.65
Grabowski, David A.	392	182.85	48	52.29
Hackett, Michael	404	216.59	56	68.46
Hebron, Sylvia A	434	198.90	45	47.78
Johnston, Maureen M.	443	217.40	55	53.16
Kaiser, Brian K.	434	200.85	47	62.32
Karbasian, Carolyn K.	343	219.17	44	61.75
Keller, Grant W.	400	218.98	54	59.48
LaPorta, David M.	367	196.93	48	58.94
Lardiere, Andrea L	394	228.88	53	66.57
LaSalle, Robert C.	406	226.05	47	55.02
Mundy, Lisa D.	391	200.90	43	56.26
Nardella, George	359	177.99	44	55.68
Noonan, Scott M.	397	273.30	41	66.54
O'Donnel, Jr., Kenneth L.	330	222.72	45	59.13
Patriaco, Andrew A.	383	228.40	42	70.02
Reis, Karen M.	364	207.47	46	54.30
Remington-Knodel, Jennifer	405	213.51	46	63.17
Riva, Joseph J.	222	214.91	24	31.04
Robinson, Charles L.	269	53.24	28	16.36
Sacco, Russ	468	175.61	47	50.26
Stampone, Vincenzo	390	176.45	54	65.15
Suralik-Horvath, Michelle L.	366	168.76	58	71.29
Tamburino, Joseph A.	224	233.58	27	55.74
Tarrant, Tara D.	390	205.85	42	58.50
Vanderhoef, Kimberly A.	383	206.16	73	73.21
Voorhees, Gregory X.	412	219.82	51	57.47

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