



NEW JERSEY DEPARTMENT OF
BANKING AND INSURANCE
QUARTERLY REPORT

No Fault PIP Arbitration
3rd Quarter 2024



FORTHRIGHT

3RD QUARTER 2024 REPORT
TO THE
NEW JERSEY DEPARTMENT OF BANKING AND INSURANCE

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EXECUTIVE SUMMARY

In the third quarter of 2024, 12,444 cases were initiated in the PIP dispute resolution program. As of August 1, 2022, regions were eliminated by rule amendment and, accordingly, initiations are no longer reported by region. Of these cases initiated, 9,724 (78%) were initiated as In-Person and 2,720 (22%) as OTP.

The DRP panel consisted of 43 members. In this quarter 9,727 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, 12,223 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 596 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 \$6,757 comprised of \$5,960 for personal injury protection benefits and \$797 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.

Three 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. Thirty-three percent of awards appealed were vacated or modified.

During the reporting period, one MRO review was 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 third quarter of 2024, 12,444 cases were initiated in the PIP dispute resolution program. As of August 1, 2022, regions were eliminated by rule amendment and, accordingly, initiations are no longer reported by region. Of these cases initiated, 9,724 (78%) were initiated as In-Person and 2,720 (22%) as OTP. See the table below for the monthly distribution.

	In-Person (IP)	On The Papers (OTP)	Total
July	3,262	896	4,158
August	3,137	887	4,024
September	3,325	937	4,262
Totals	9,724	2,720	12,444

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 third 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 third quarter and the reason.

Consolidation	Policy Issues	Change of Claim	Total
392	33	94	519

DISPOSITION OF CASES IN THE PIP ARBITRATION PROGRAM

Of the pending cases in the PIP arbitration program, 12,223 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 IP as well as the OTP category.

Disposition Type	In-Person (IP)	On The Papers (OTP)	Total
Awarded/Denied	2,533	401	2,934
Dismissed Pre-Hearing	3	0*	3
Settled	6,173	1,948	8,121
Withdrawn	908	257	1,165
Total	9,617	2,606	12,223

* 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	26%	15%
Dismissed	0%	0%
Settled	64%	75%
Withdrawn	9%	10%

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
535	61	596

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*	3,748	1,479	5,227

** 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 9,727 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 8,569 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 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	2,760	407
Dismissed by DRP	3	0*
Settled	2,539	1,946
Withdrawn	659	255
Total	5,961	2,608

** 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 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 third 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.

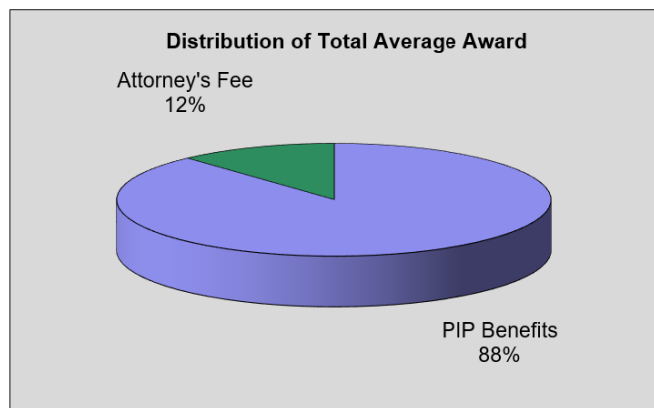
	Dismissed	Denied	1-33%	34-66%	67-100%	Total
In-Person	3	672	357	520	1,221	2,773
On-The-Papers	0*	214	3	11	180	408
Total	3	886	360	531	1,401	3,181

* 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 \$6,757 comprised of \$5,960 for personal injury protection benefits and \$797 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 \$5,960* per case. Awarded amounts ranged from \$0 to \$289,675. The median award during the reporting period was \$845. 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 \$797 per case. Awarded attorney’s fees ranged from \$0 to \$5,150. 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	\$5,960	\$0 to \$289,675	\$845
Attorney’s Fee Award	\$797	\$0 to \$5,150	\$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

Three 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. Thirty-three percent of awards appealed were vacated or modified. The following table reports the results.

	IP	OTP	Total
Affirmed	2	0	2
Vacated & Corrected	1	0	1
Total	3	0	3

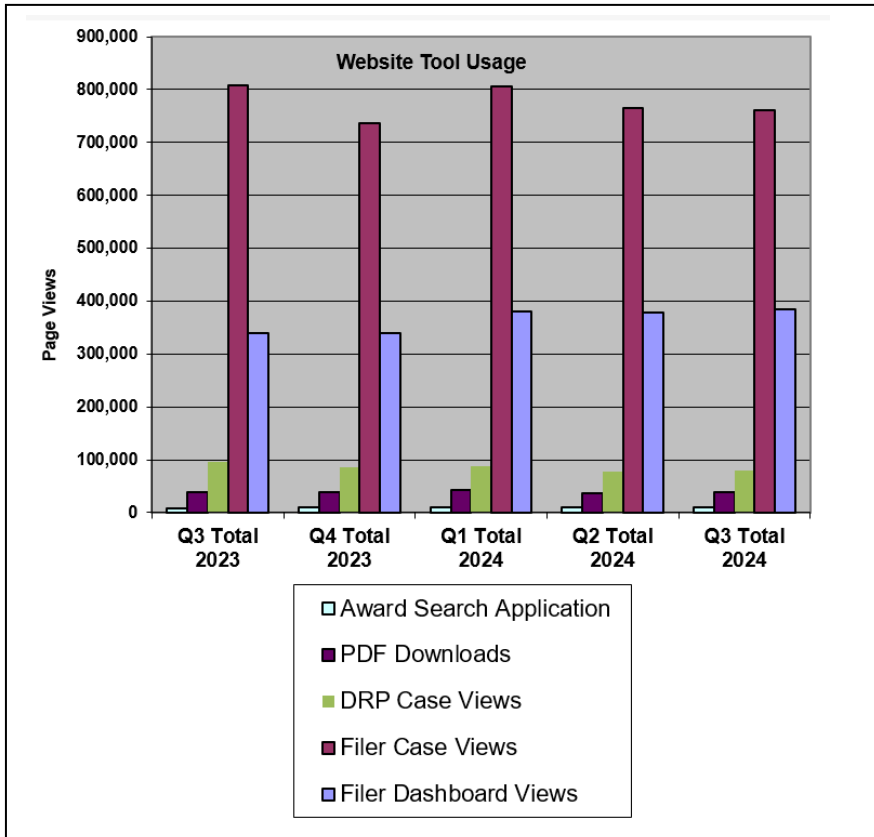
MEDICAL REVIEW ORGANIZATION REPORT

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 was one report issued in the third quarter.

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

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.	187	68	66	46	54	5	59
Andolino, Michael D.	178	61	77	49	56	7	57
Buontempo, Colleen R.	263	66	115	54	37	0	46
Campbell, Jennifer M.	165	69	66	52	57	14	59
Carnelli, Christopher M.	162	71	81	52	55	8	82
Cassella, Deborah M.	141	75	75	57	69	11	71
Croft, Douglas M.	164	56	63	49	40	5	71
Daniskas, Maria I.	142	69	64	60	56	10	63
Della Badia, Joseph	173	55	74	48	65	10	62
DeMarco, Jodi L.	121	61	53	51	65	11	83
Eisele-Grabowski, Karen L.	213	69	93	55	56	8	63
Fabiano, Edward C.	141	77	68	55	64	14	61
Finiello, Susanne N.	143	53	82	42	55	8	57
Frankland, Suzanne J.	129	57	74	44	70	9	69
Ganzhorn, Lisa A.	154	75	56	60	95	8	111
Garrabrandt, James H.	167	52	73	39	79	8	73
Gordon, Howard I.	181	63	95	47	45	11	48
Grabowski, David A.	238	60	79	53	72	7	87
Hackett, Michael	167	60	82	57	59	15	68
Hebron, Sylvia A	156	54	97	50	72	7	73
Johnston, Maureen M.	179	56	69	57	60	7	85
Kaiser, Brian K.	155	63	81	47	73	12	82
Karbasian, Carolyn K.	154	64	65	57	81	16	53
Keller, Grant W.	172	67	76	53	63	10	63
LaPorta, David M.	153	65	69	51	74	11	86
Lardiere, Andrea L	164	64	69	53	76	12	79
LaSalle, Robert C.	149	55	70	45	87	9	77
Mundy, Lisa D.	177	67	75	65	64	10	56
Nardella, George	207	62	78	57	76	14	54
Noonan, Scott M.	119	62	55	42	67	8	88
O'Donnel, Jr., Kenneth L.	186	62	67	47	77	10	74
Patriaco, Andrew A.	148	64	64	53	73	13	77
Reis, Karen M.	169	65	80	53	68	10	82
Remington-Knodel, Jennifer	142	62	81	52	75	15	90
Riva, Joseph J.	114	49	49	39	32	1	28
Robinson, Charles L.	262	59	115	40	17	0	43
Sacco, Russ	180	63	90	58	79	8	98
Stampone, Vincenzo	153	71	84	61	84	10	93
Suralik-Horvath, Michelle L.	160	54	71	47	74	13	87
Tamburino, Joseph A.	83	63	35	42	27	7	30
Tarrant, Tara D.	146	62	78	53	63	6	64
Vanderhoef, Kimberly A.	149	56	56	48	89	21	81
Voorhees, Gregory X.	125	70	87	61	61	8	54
Total	7031	2696	3197	2201	2761	407	2,987

APPENDIX B

	IP Cases	Average IP Age	OTP Cases	Average OTP Age
Aloi, Anthony M.	386	208	43	42
Andolino, Michael D.	385	241	46	53
Buontempo, Colleen R.	342	103	36	42
Campbell, Jennifer M.	365	241	57	60
Carnelli, Christopher M.	365	185	54	60
Cassella, Deborah M.	373	228	52	56
Croft, Douglas M.	396	266	41	57
Daniskas, Maria I.	360	217	44	53
Della Badia, Joseph	375	213	32	61
DeMarco, Jodi L.	351	247	46	58
Eisele-Grabowski, Karen L.	382	204	50	62
Fabiano, Edward C.	371	243	49	46
Finiello, Susanne N.	346	206	45	47
Frankland, Suzanne J.	352	258	44	65
Ganzhorn, Lisa A.	395	232	54	62
Garrabrandt, James H.	398	236	48	62
Gordon, Howard I.	307	152	50	57
Grabowski, David A.	413	191	48	61
Hackett, Michael	410	224	44	72
Hebron, Sylvia A	380	196	41	55
Johnston, Maureen M.	458	241	42	55
Kaiser, Brian K.	410	226	49	58
Karbasian, Carolyn K.	326	211	39	49
Keller, Grant W.	406	235	58	73
LaPorta, David M.	357	193	45	61
Lardiere, Andrea L	393	250	52	66
LaSalle, Robert C.	357	233	48	72
Mundy, Lisa D.	410	219	39	51
Nardella, George	390	165	44	63
Noonan, Scott M.	421	260	51	49
O'Donnel, Jr., Kenneth L.	365	200	48	73
Patriaco, Andrew A.	409	228	39	45
Reis, Karen M.	346	216	46	59
Remington-Knodel, Jennifer	345	246	42	59
Riva, Joseph J.	242	227	34	38
Robinson, Charles L.	311	97	37	46
Sacco, Russ	427	218	44	63
Stampone, Vincenzo	356	192	45	53
Suralik-Horvath, Michelle L.	357	187	52	74
Tamburino, Joseph A.	208	235	42	46
Tarrant, Tara D.	383	203	46	76
Vanderhoef, Kimberly A.	378	189	54	65
Voorhees, Gregory X.	374	244	47	64

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