

SOUTH CAROLINA Workers' Comp QUARTERLY

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Maximum Compensation Rate Continues To Rise, Even In Bad Times



Written by [Stan Lacy](#)

The South Carolina Workers' Compensation Commission has announced the maximum compensation rate for 2014 is \$752.16, up from \$725.47 in 2013. This means in spite of the poor economy, the average weekly wage in South Carolina continues to increase.

The maximum compensation rate is defined as "the average weekly wage in the State for the preceding fiscal year." S.C. Code §42-9-10. The [South Carolina Workers' Compensation Act](#) charges the Department of Employment and Workforce (DEW) with annually determining that number. If salaries go up, average weekly wage goes up, and compensation rates go up. The maximum compensation rate was \$645.94 in 2007. From that time to the present, the compensation rate has climbed an additional 16.4%. The cumulative inflation rate for the same period nationwide has been 12.4% according to www.usinflationcalculator.com. The compensation rate has beaten the rate of inflation by 4% for that period. Meanwhile, the unemployment rate for South Carolina went from 5.5% in June 2007 to 11.9% in June 2009 and stayed above 10% until October 2011. By December 2012, it dropped to 8.6% and is currently 7.9%.

With inflation being modest from 2007 to 2013, and unemployment being relatively high, it seems the state's average weekly wage should go down, not up. One could reason that with so many people being out of work, the average income per citizen should be less, not more. Perhaps the unemployed are not included in the calculation of average weekly wage, or the calculation includes only those who are actually wage earners and their wages are way up, or maybe, conditions are not as bad as we have been led to believe.

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In any case, we can say three things are certain instead of two: there will always be death, taxes...and ever increasing compensation rates.

New eCase Features - More On The Way



Written by [Kristian Bell](#)

The [South Carolina Workers' Compensation Commission](#) (SCWCC) has added new features to its electronic filing system known as eCase. The electronic system now features:

- Full case history detail
- New contact buttons to direct case-specific inquiries to the appropriate party at the SCWCC.
- "Appeal a Fine" button that provides information regarding the procedure to appeal a fine assessed by the SCWCC. It also gives an email address directing where to send a written appeal request.
- "Ask a Question" button that offers a variety of frequently asked questions which can be submitted through eCase and delivered to a SCWCC staff member.

The Commission says the eCase system upgrades are in an effort to provide better service for its users and stakeholders. Future changes include some electronic form filing ability, including the Form 18. For questions about the new features, contact claimsfines@wcc.sc.gov.

First Report of Injury Changes



Written by [Blakely Molitor](#)

The [South Carolina Workers' Compensation Commission](#) (SCWCC) has changed how it receives First Report of Injury claims. The SCWCC is no longer accepting claims reported in EDI Release 1 Standard format. The change went into effect January 1, 2014, and now all current Release 1 Trading Partners must use EDI Release 3. For purposes of effective transition, the Commission must approve vendors or claim administrators to submit claims via EDI Release 3 format. The following vendors

have been approved by the Commission to submit claims through EDI Release 3:

- CS Stars
- Ebix
- Health Tech
- ISO Work Comp Solutions
- Mitchell International

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If you have any questions or concerns, contact the SCWCC at edi@wcc.sc.gov.

In The News: Statewide Mediation Services Available

Collins & Lacy Provides Statewide Mediation Services with New Certification of Two Attorneys

The South Carolina Supreme Court's [Board of Arbitration and Mediator Certification](#) has certified two Collins & Lacy attorneys as Circuit Court Mediators, creating a statewide mediation footprint which extends to the firm's Charleston, Columbia and Greenville offices. Andrew Cole of the Columbia office and Mikell Wyman of the Charleston office have been certified as court mediators.

Andrew Cole's 12-year career at Collins & Lacy has focused in on construction law, as well as defense litigation and appellate advocacy. Mikell Wyman's practice focuses on workers' compensation. His recently- acquired certification comes on the heels of the 2013 regulation making [mediation mandatory](#) for workers' compensation claims.

"It is with great pride that both Andy and Mikell's recent certification enables our firm to offer mediation services statewide," said Mike Pitts, managing partner of Collins & Lacy. "I am confident these two attorneys will use their experience in their respective practices to help litigants resolve disputes and avoid what could be a costly litigation battle."

Collins & Lacy now has six mediators within the firm: Greenville's [Jack Griffeth](#), Columbia's [Stan Lacy](#), [Ellen Adams](#), [Henry McKellar](#) and [Andrew Cole](#), and Charleston's [Mikell Wyman](#).

Stan, Ellen and Mikell have dedicated their careers to focusing in workers' compensation law, experience that can translate well for those needing mediation services within this field. If you have questions on either discretionary or mandatory mediations, [give us a call at Collins & Lacy](#).