



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

No Fault PIP Arbitration  
**1st Quarter 2022**



**FORTHRIGHT**

**1ST QUARTER 2022 REPORT**  
**TO THE**  
**NEW JERSEY DEPARTMENT OF BANKING AND INSURANCE**

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## EXECUTIVE SUMMARY

In the first quarter of 2022, 10,575 cases were initiated in the PIP dispute resolution program. Of these cases, 5,489 (52%) were initiated in the Northern region, 1,255 (12%) in the Central region, 1,538 (14%) in the Southern region, and 2,293 (22%) as OTP.

The DRP panel consisted of 43 members. The DRPs were regionally deployed as follows: 30 in the North, 5 in the Central, and 8 in the South. In this quarter 9,708 cases were assigned to DRPs.

Of the pending cases in the PIP arbitration program, 10,324 were concluded during the first quarter by means of an award or denial of award (including appeals), pre-hearing dismissal of the case, settlement, or withdrawal. There were 438 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 \$4,904 comprised of \$4,110 for personal injury protection benefits and \$794 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. Four involved awards or dismissal orders rendered in the North Region, one in the Central Region, and none in the South Region. No OTP awards were appealed. Twenty 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.

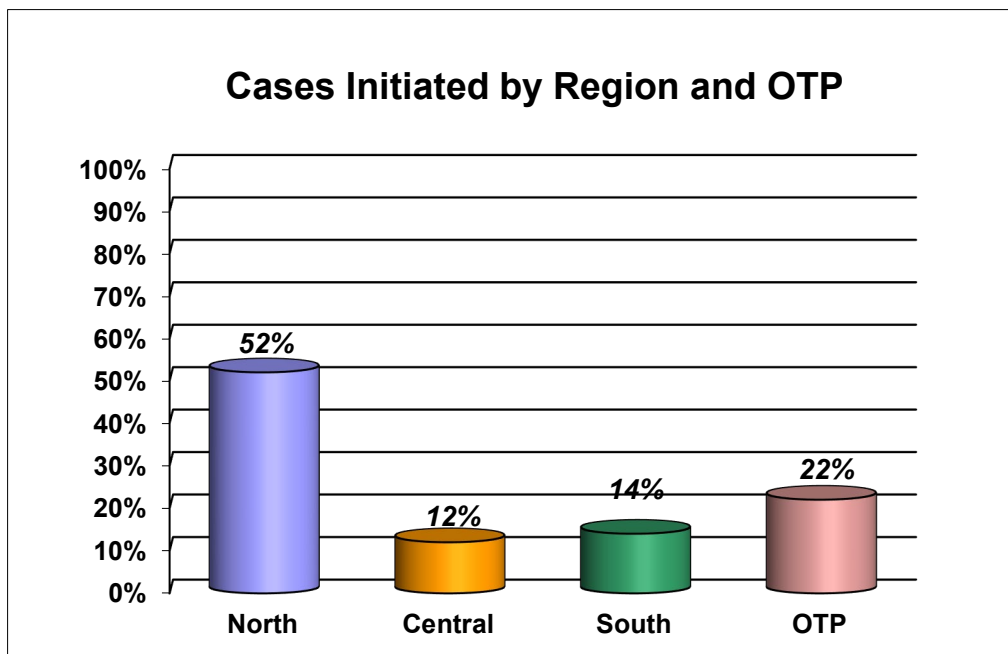
**CASES INITIATED**

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.

Cases which qualify for “in-person” (“IP”) proceedings may be filed in one of the three regions – North, Central or South. They are assigned to a DRP with an office within the geographic location. Cases that proceed “on-the-papers” (“OTP”) are not region-specific and may be assigned to any DRP. Throughout this report, data are reported as OTP or IP. Regional breakdowns of data describe IP cases only and will bear the designation of “IP - [region].”

In the first quarter of 2022, 10,575 cases were initiated in the PIP dispute resolution program. Of these cases, 5,489 (52%) were initiated in the Northern region, 1,255 (12%) in the Central region, 1,538 (14%) in the Southern region, and 2,293 (22%) as OTP. See the table below for the monthly distribution.

	<b>IP - North</b>	<b>IP - Central</b>	<b>IP - South</b>	<b>OTP</b>	<b>Total</b>
January	1,812	459	434	740	3,445
February	1,677	340	535	701	3,253
March	2,000	456	569	852	3,877
Totals	5,489	1,255	1,538	2,293	10,575



## 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 first quarter and the reason.

<b>Consolidation</b>	<b>Policy Issues</b>	<b>Change of Claim</b>	<b>Total</b>
322	31	73	426

## DISPOSITION OF CASES IN THE PIP ARBITRATION PROGRAM

Of the pending cases in the PIP arbitration program, 10,324 were concluded during the first 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	1,737	348	571	605	3,261
Dismissed Pre-Hearing	4	1	2	0*	7
Settled	2,791	689	1,053	1,423	5,956
Withdrawn	539	139	162	260	1,100
<b>Total</b>	<b>5,071</b>	<b>1,177</b>	<b>1,788</b>	<b>2,288</b>	<b>10,324</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	34%	30%	32%	26%
Dismissed	<1%	<1%	<1%	0*
Settled	55%	59%	59%	62%
Withdrawn	11%	12%	9%	11%

## 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>
288	53	63	34	438

## 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.

	<b>IP - North</b>	<b>IP - Central</b>	<b>IP - South</b>	<b>OTP</b>	<b>Total</b>
Settlements*	1,555	396	496	1,008	3,455

*\* 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. The DRPs were regionally deployed as follows: 30 in the North, 5 in the Central, and 8 in the South. In this quarter 9,708 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 7,895 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 first 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.

<b>Disposition</b>	<b>IP - North</b>	<b>IP - Central</b>	<b>IP - South</b>	<b>IP - Total</b>	<b>OTP</b>
Awarded/Denied	1,870	360	599	2,829	619
Dismissed by DRP	4	1	2	7	0*
Settled	1,263	310	532	2,105	1,422
Withdrawn	401	107	145	653	260
<b>Total</b>	<b>3,538</b>	<b>778</b>	<b>1,278</b>	<b>5,594</b>	<b>2,301</b>

\* 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 first 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 3,463 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 (2,848), 66% were in the North region, 13% 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 first 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.

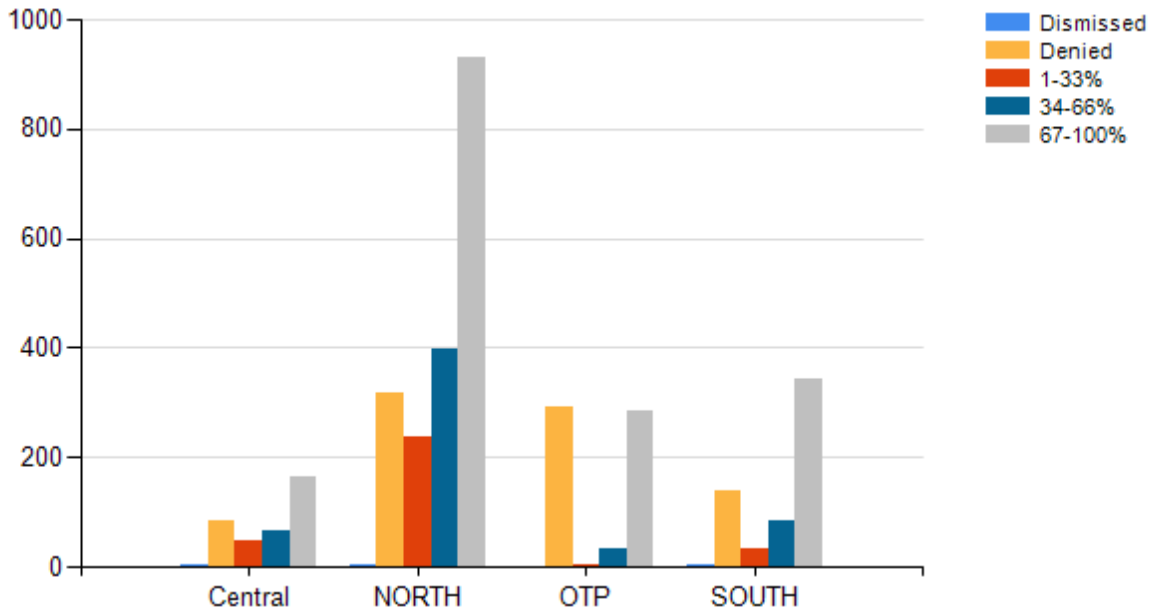
For purposes of the data table and chart below, amended amounts are captured within a total amount claimed and then compared to the total amount awarded.

	<b>Dismissed</b>	<b>Denied</b>	<b>1-33%</b>	<b>34-66%</b>	<b>67-100%</b>	<b>Total</b>
IP - North	4	316	237	397	932	1,886
IP - Central	1	84	46	66	165	362
IP - South	2	138	33	85	342	600
OTP	0*	293	5	33	284	615
<b>Total</b>	<b>7</b>	<b>831</b>	<b>321</b>	<b>581</b>	<b>1,723</b>	<b>3,463</b>

\* Not applicable to OTP proceedings.

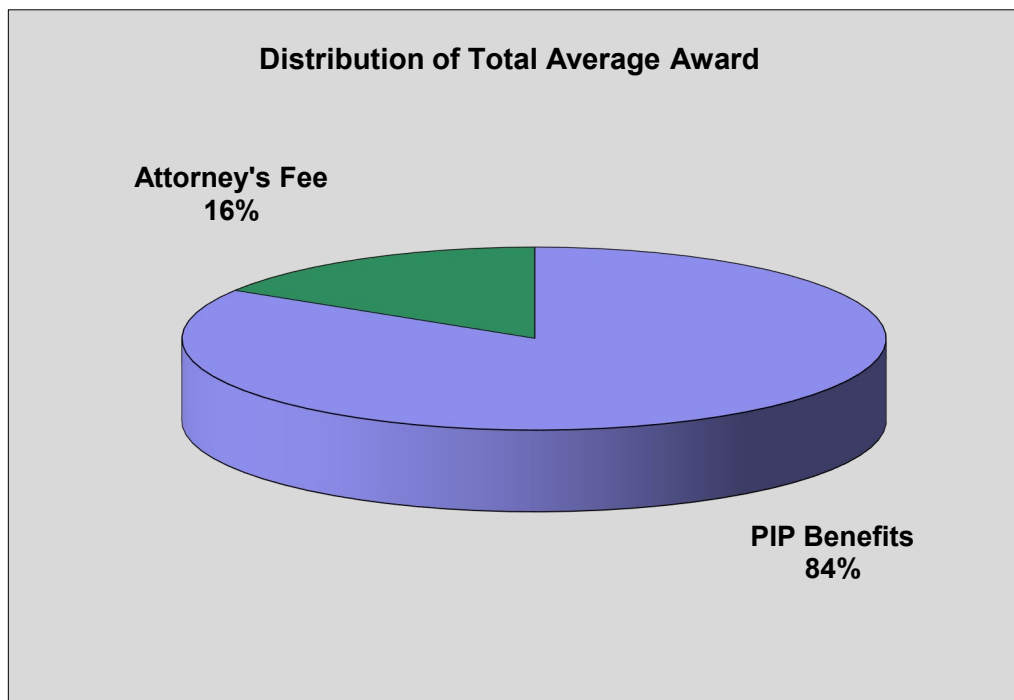
Note: The award data in this section excludes appellate awards.





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

System-wide, the average amount awarded in arbitration (excluding filing fees) was \$4,904 comprised of \$4,110 for personal injury protection benefits and \$794 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 \$4,110\* per case. Awarded amounts ranged from \$0 to \$403,189. 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 \$794 per case. Awarded attorney's fees ranged from \$0 to \$10,173. The median attorney's fee award during the reporting period was \$975. 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	\$4,110	\$0 to \$403,189	\$879
Attorney's Fee Award	\$794	\$0 to \$10,173	\$975

*\* 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. Four involved awards or dismissal orders rendered in the North Region, one in the Central Region, and none in the South Region. No OTP awards were appealed. Twenty 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	3	1	0	0	4
Vacated & Corrected	0	0	0	0	0
Modified	1	0	0	0	1
Total	4	1	0	0	5

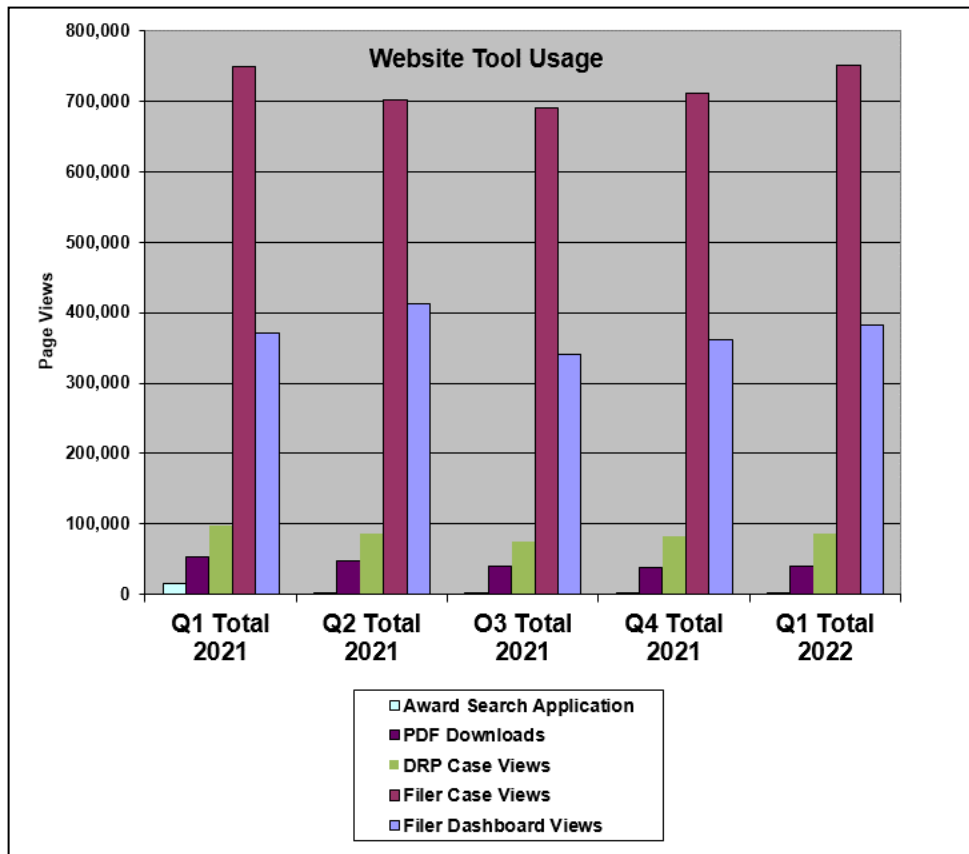
## MEDICAL REVIEW ORGANIZATION REPORT

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"). 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	3	0	3	0	3	0
FMCO	1	0	1	0	1	0
Rising Medical	3	0	3	0	2	1
SCS	2	0	2	0	2	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	222	78	103	54	80	23	83
Andolino, Michael D.	NORTH	188	60	91	46	80	12	94
Campbell, Jennifer M.	CENTRAL	227	64	90	60	86	10	103
Carnelli, Christopher M.	SOUTH	143	84	80	50	83	18	87
Cassella, Deborah M.	NORTH	125	68	53	48	69	11	72
Croft, Douglas M.	NORTH	178	65	87	40	70	19	73
Daniskas, Maria I.	NORTH	97	12	39	19	53	12	46
Della Badia, Joseph	NORTH	189	65	83	42	67	15	75
DeMarco, Jodi L.	NORTH	166	74	71	48	95	18	88
Ducey, John G.	CENTRAL	283	63	76	51	73	14	100
Eisele-Grabowski, Karen	SOUTH	250	92	102	49	47	20	67
Fabiano, Edward	NORTH	196	52	71	51	93	14	92
Fannan, John J.	CENTRAL	108	29	39	23	40	12	39
Finiello, Susanne N.	SOUTH	136	71	92	55	93	8	98
Frankland, Suzanne J.	NORTH	203	79	61	49	73	11	86
Ganzhorn, Lisa A.	NORTH	152	73	61	46	91	15	99
Garrabrandt, James H.	NORTH	117	17	43	19	40	18	44
Grabowski, David A.	SOUTH	225	92	93	48	47	16	72
Hackett, Michael	NORTH	84	16	49	25	31	11	40
Hebron, Sylvia A	NORTH	282	91	72	55	36	11	54
Johnston, Maureen M.	NORTH	355	30	42	11	51	14	64
Kaiser, Brian K.	NORTH	91	6	23	18	52	18	48
Karbasian, Carolyn K.	SOUTH	153	79	97	60	105	20	102
Keller, Grant W.	SOUTH	96	62	103	29	92	16	89
La Salle, Robert C.	NORTH	115	16	55	23	57	8	38
LaPorta Esq., David M.	NORTH	173	82	73	56	95	13	101
LaPorta, Phillip A.	NORTH	81	15	28	35	49	14	51
Lardiere, Andrea L	CENTRAL	271	75	78	60	59	11	92
Mundy, Lisa D.	NORTH	248	74	106	71	75	24	60
Nardella, George C.	NORTH	182	63	66	39	54	18	78
Noonan, Scott M.	NORTH	342	41	61	33	46	12	71
O'Donnel, Kenneth L.	NORTH	105	13	39	14	53	15	38
Patriaco, Andrew A.	NORTH	91	11	34	13	35	16	41
Reis, Karen M.	NORTH	203	77	42	54	78	15	67
Remington-Knodel, Jennifer	NORTH	148	61	57	46	80	12	90
Reynolds, William E.	SOUTH	99	47	27	18	41	8	53
Riva, Joseph J.	NORTH	133	14	31	17	47	18	54
Rivera, Barbara Brosnan	NORTH	82	4	22	9	68	9	58

Sacco, Russ	NORTH	237	77	69	48	75	15	79
Stampone, Vincenzo	NORTH	191	74	54	46	76	13	92
Tamburino, Joseph A.	NORTH	90	15	41	12	48	11	47
Tarrant, Tara D.	NORTH	224	55	66	37	67	12	75
Voorhees, Gregory X.	SOUTH	111	75	81	54	79	19	109
<b>Total</b>		<b>7397</b>	<b>2311</b>	<b>2752</b>	<b>1681</b>	<b>2830</b>	<b>619</b>	3,109

## APPENDIX B

	<b>Region</b>	<b>IP Cases</b>	<b>IP Age (in days)</b>	<b>OTP Cases</b>	<b>OTP Age (in days)</b>
Aloi, Anthony M.	CENTRAL	385	183	58	67
Andolino, Michael D.	NORTH	396	188	65	65
Campbell, Jennifer M.	CENTRAL	459	189	54	66
Carnelli, Christopher M.	SOUTH	436	198	69	59
Cassella, Deborah M.	NORTH	391	234	56	49
Croft, Douglas M.	NORTH	430	234	63	77
Daniskas, Maria I.	NORTH	244	249	21	106
Della Badia, Joseph	NORTH	438	208	64	57
DeMarco, Jodi L.	NORTH	442	217	66	66
Ducey, John G.	CENTRAL	475	169	55	77
Eisele-Grabowski, Karen	SOUTH	373	158	60	64
Fabiano, Edward	NORTH	402	195	46	56
Fannan, John J.	CENTRAL	241	229	32	95
Finiello, Susanne N.	SOUTH	406	175	63	70
Frankland, Suzanne J.	NORTH	389	191	77	60
Ganzhorn, Lisa A.	NORTH	448	232	66	64
Garrabrandt, James H.	NORTH	276	198	20	85
Grabowski, David A.	SOUTH	363	156	64	63
Hackett, Michael	NORTH	253	186	25	101
Hebron, Sylvia A	NORTH	425	175	55	49
Johnston, Maureen M.	NORTH	476	230	43	48
Kaiser, Brian K.	NORTH	268	208	10	118
Karbasian, Carolyn K.	SOUTH	421	189	56	56
Keller, Grant W.	SOUTH	406	209	58	57
La Salle, Robert C.	NORTH	230	174	19	87
LaPorta Esq., David M.	NORTH	231	192	20	103
LaPorta, Phillip A.	NORTH	424	226	57	60
Lardiere, Andrea L	CENTRAL	473	181	66	71
Mundy, Lisa D.	NORTH	351	136	44	49
Nardella, George C.	NORTH	401	225	61	62
Noonan, Scott M.	NORTH	430	263	41	87
O'Donnel, Kenneth L.	NORTH	272	214	15	88
Patriaco, Andrew A.	NORTH	268	195	21	105
Reis, Karen M.	NORTH	385	208	63	55
Remington-Knodel, Jennifer	NORTH	380	218	46	57
Reynolds, William E.	SOUTH	219	228	36	55
Riva, Joseph J.	NORTH	264	191	26	108
Rivera, Barbara Brosnan	NORTH	16	336	5	178

Sacco, Russ	NORTH	476	206	69	61
Stampone, Vincenzo	NORTH	414	218	69	63
Tamburino, Joseph A.	NORTH	231	220	18	77
Tarrant, Tara D.	NORTH	469	218	57	67
Voorhees, Gregory X.	SOUTH	411	207	61	68

## Contact us

### Forthright

285 Davidson Avenue, Suite 502

Somerset, NJ 08873

732.271.6100

[www.nj-no-fault.com](http://www.nj-no-fault.com)



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