

Nebraska Workers' Compensation Court



Annual Report

Fiscal Year 2025

July 1, 2024 through June 30, 2025

Presiding Judge Dirk V. Block

Judge John R. Hoffert

Judge Thomas E. Stine

Judge Daniel R. Fridrich

Judge Julie A. Martin

Judge Brynne H. Puhl

Clerk of the Court Kimberly Krzycki

Court Administrator Jill Gradwohl Schroeder



[Click this link to see report contents](#)

Report Transmittal

The Nebraska Workers' Compensation Court has the privilege of submitting its 83rd Annual Report, prepared in accordance with [NEB. REV. STAT. § 48-166](#).

Julie A. Martin, Presiding Judge

Nebraska Workers' Compensation Court

Presiding Term: July 1, 2025 through June 30, 2027

Report Contents

This Annual Report represents the fiscal year accomplishments of the Nebraska Workers' Compensation Court in conforming with its mission as a court of specialized jurisdiction within the Nebraska Judicial Branch.

The report describes the efforts of the court's dedicated personnel in collaborating to carry out and enhance projects and ongoing programs implemented in accordance with the Nebraska Workers' Compensation Act.

Workers' Compensation Court Celebrates 90th Anniversary	Page 1
History, Mission, and Organization	Page 2
Judges	Page 4
Rules and Statutes	Page 5
Weekly Income Benefits and Maximum Rates	Page 6
Operational Funding	Page 7
Methods of Dispute Resolution	Page 10
Workers' Compensation Data	Page 18
Education: Access to Justice	Page 19
Education: Requests for Assistance and Information	Page 21
Modernization Project	Page 23
Business Continuity Program	Page 25
Compliance Program	Page 26
Medical Services Program	Page 27
Self-Insurance Program	Page 29
Vocational Rehabilitation Program	Page 30
Federal Grant Program	Page 34



Click the links on this page to navigate the report



*Presiding Judge Dirk Block,
Nebraska Workers'
Compensation Court*



*Chief Justice Jeffrey Funke,
Nebraska Supreme Court*

Honoring our past; focusing on the present; building our future

Workers' Compensation Court Celebrates 90th Anniversary

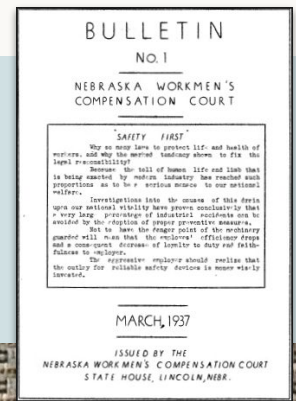
The court observed its 90th anniversary in the Nebraska Judicial Branch by reflecting on those who have nurtured the court from its earliest days, celebrating the dedicated service of court personnel today, and imaging the possibilities of the court's future. A May 22, 2025 commemorative event gathered current and past Nebraska Workers' Compensation Court judges and staff, members of the Nebraska Supreme Court and Court of Appeals, and others who have been a part of the court's journey.

- Presiding Judge Dirk Block discussed the importance of envisioning the future rather than focusing on the past, pointing out that “the windshield looking ahead is larger than the rearview mirror for a reason.”
- Legal Assistant Jacob Fountain provided court historical highlights from a feature article he co-wrote with Staff Attorney Laura Plicanic, published in the May / June 2025 issue of *The Nebraska Lawyer* magazine.
- Representing the court's Adjudication and Administration divisions:
 - Clerk of the Court Kim Krzycki paid tribute to the four clerks who preceded her; and
 - Court Administrator Jill Gradwohl Schroeder discussed the evolution of the court's administrative functions.
- Project Manager (and former Clerk of the Court) Liz Gianunzio summarized the court's ongoing efforts to adapt to technological challenges and innovate home-grown solutions to ensure maximum efficiency and access to justice both now and into the future.
- Nebraska Supreme Court Chief Justice Jeffrey Funke provided the keynote address, reflecting on the Nebraska Workers' Compensation Court's unique role within the Nebraska Judicial Branch as well as its lasting impact on the resolution of workers' compensation disputes in this state.

The second part of the event involved current court judges and staff discussing the court's core values and mission. This group collaborated to consider the principles that define the court, contemplate the professional conduct required by personnel to carry out the court's statutory responsibilities, and reinforce the court's commitment to justice and service to the public.

90th Anniversary; 83rd Annual Report

As the court marks its 90th year of service, this publication represents only its 83rd Annual Report. From 1937 through 1945, rather than publishing annual reports, the court issued a series of Bulletins that, in part, fulfilled a similar function. In fact, the first two “official” Annual Reports from 1944 and 1945 were actually issued as *Bulletins #19* and *#20*.



[Click this link to see report contents](#)

History, Mission, and Organization



History

The Nebraska Legislature enacted a state-wide system for resolving claims of work-related injuries and illnesses in 1913. Administration of what eventually became known as the Nebraska Workers' Compensation Act was transferred to the Nebraska Judicial Branch in 1935 with a newly established three-judge court of specialized jurisdiction. The Nebraska Workers' Compensation Court is currently composed of six judges who hear disputed cases throughout the state. The court's authority and responsibilities are described in Chapter 48, Article 1, of the Revised Statutes of Nebraska (cited as **NEB. REV. STAT. § 48-152**).

Mission

The mission of the Nebraska Workers' Compensation Court is to administer and enforce all provisions of the Nebraska Workers' Compensation Act. Court personnel rely upon core values to accomplish this mission. Common goals include ensuring respectful, fair, and equal access to justice as well as maintaining integrity built on a foundation of service, trust, impartiality, excellence, and compassion.

Organization

Court personnel are organized into two operating divisions and eight operating sections as shown in the **organizational chart** on the next page. The Adjudication division, under the direction of the presiding judge, includes the judges and the Office of the Court Clerk. The Administration division, under the direction of the court administrator, includes the remaining sections.

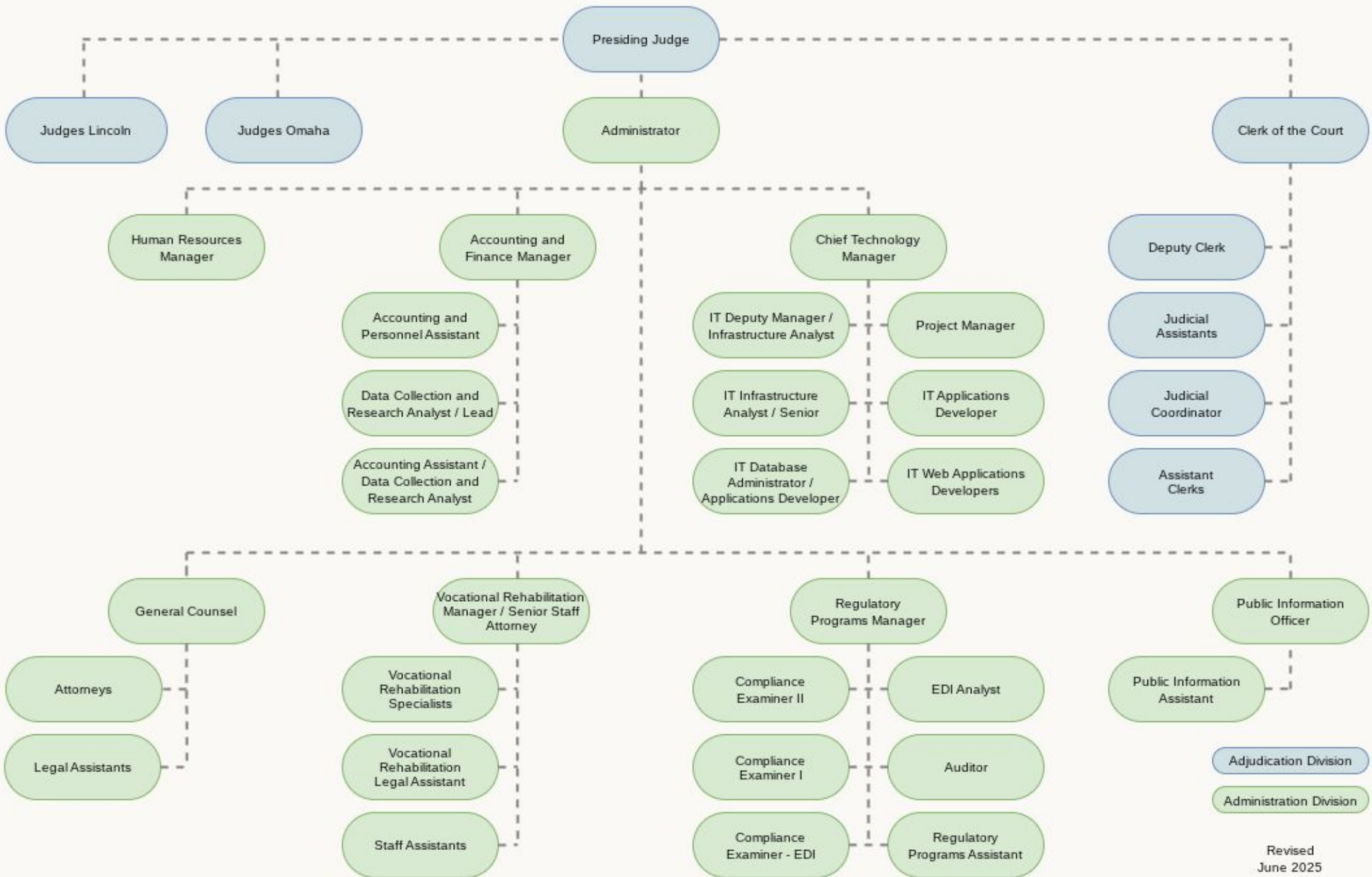
- Accounting and Finance
- Vocational Rehabilitation
- Human Resources
- Public Information
- Legal
- Information Technology
- Regulatory Programs

The presiding judge is charged with overall responsibility for the functioning of the court, and the court administrator serves as its chief administrative officer.



[Click this link to see report contents](#)

Nebraska Workers' Compensation Court



Revised
June 2025

Judges of the Nebraska Workers' Compensation Court

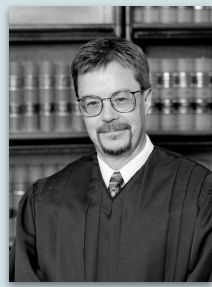
Six judges serve on the Nebraska Workers' Compensation Court. The judges resolve disputes about injuries that are claimed to have been caused by workplace accidents or diseases. Judges of the court determine whether injuries or occupational diseases were caused by accidents or exposures at work, and if so, the types and amounts of benefits injured workers should receive.

After nomination by a committee of attorneys and laypeople, the judges are initially appointed by the governor. Judges are then subject to a retention vote by the electorate three years after appointment and every six years thereafter. Every two years, one of the judges is elected by the judges of the court to serve as presiding judge, subject to approval of the Nebraska Supreme Court.

Judge Block continued his term as Presiding Judge during FY 2025. Judge Martin began her two-year term as Presiding Judge on July 1, 2025.



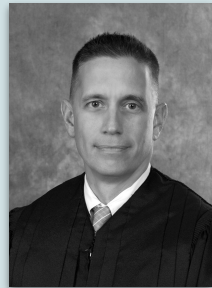
Dirk V. Block
Presiding Judge
Office: Lincoln, Neb.
Appointed: December 8, 2016.



John R. Hoffert
Judge
Office: Lincoln, Neb.
Appointed: October 4, 2001.



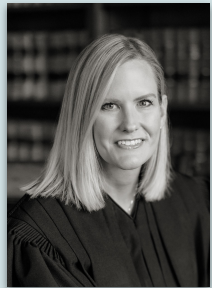
Thomas E. Stine
Judge
Office: Lincoln, Neb.
Appointed: September 13, 2011.



Daniel R. Fridrich
Judge
Office: Omaha, Neb.
Appointed: September 18, 2012.



Julie A. Martin
Judge
Office: Omaha, Neb.
Appointed: December 23, 2014.



Brynne H. Puhl
Judge
Office: Omaha, Neb.
Appointed: April 25, 2024.



[Click this link to see report contents](#)

Rules and Statutes

Changes to Statutes

No bills directly modifying provisions of the Nebraska Workers' Compensation Act were enacted during the first session of the 109th Legislature. The Nebraska Workers' Compensation Act may be accessed on the Nebraska Legislature's website.



Changes to Rules of Procedure

During its **December 2024** Public Hearing and Meeting, the Nebraska Workers' Compensation Court adopted the following amendments to its Rules of Procedure (Rules):

- **Rule 2, Filings.** Amended to add employer tax identification numbers and driver's licenses to the list of confidential information that should not be included in publicly available court records. Clarified certain initial pleadings for which the court clerk will provide a service of summons. All other initial pleadings not listed must be served consistent with Rule 3,B and E-Filing procedures. Lastly, photographed pages do not meet signature requirements of the rule and will not be accepted by the court clerk.
- **Rule 3, Pleadings.** Amended to provide that all pleadings, including briefs filed with the court must be numerically paginated. Clarified that photographed pages will not be accepted by the court clerk and pleadings listed in Rule 3,B must be served on all the parties by the initiating party. Attorneys are required to include their email address as part of their signature block for purposes of E-Notice.
- **Rule 5, Interpreters.** Amended to comply with the Supreme Court rules including statutory reference regarding deaf interpreters and certified language interpreters. The number of interpreters needed in a court proceeding was also updated.
- **Rule 14, Exhibits.** Amended to provide that paper exhibits must be single-sided to aid in readability. Added that court staff will not print exhibits, including PDF files saved to a portable drive. Such exhibits must be printed by the offeror and the portable flash drive will not be accepted as a single exhibit. Included language regarding media exhibits to align with the Supreme Court rule and added that a portable drive is not a media exhibit.
- **Rule 26, Schedules of Fees for Medical, Surgical, and Hospital Services.** Amended to adopt a new Schedule of Fees for Medical Services and established the Diagnostic Related Group Codes that became effective on January 1, 2025. The court is empowered by **NEB. REV. STAT. §§ 48-120** and **48-120.04** to publish medical fee schedules and the methodology for creating the schedules. The fee schedules set forth the reimbursement rates for various medical services provided to injured workers.
- **Rule 35, Blank Forms.** Amended to clarify the general availability of court forms on the court's website. Deleted outdated language referring to a historical paper-based reporting system.
- **Rule 47, Lump Sum Settlements.** Amended to provide that a revised **Addendum 2, U.S. Life Table: 2021** must be used for calculating lump sum settlements involving life expectancies.

Rules and Statutes, continued to next page.



Click this link to see report contents

Rules and Statutes, continued from previous page.

- **Rule 48, Informal Dispute Resolution** (IDR). Amended to improve readability and provided that the court may refer a docketed case in which a litigant is not represented by an attorney for IDR.
- **Addendum 3, Personal and Financial Account Information**. Amended to remove the requirement to provide a Social Security Number for a widow(er) or dependent(s).

The court's current Rules of Procedure may be accessed on its website: (<https://www.newcc.gov/resources/court-forms-and-publications/rules-of-procedure>).

Weekly Income Benefits and Maximum Rates

Under the Nebraska Workers' Compensation Act, the basic rule regarding weekly income benefits for total disability is that the employee is entitled to two-thirds of his or her average weekly wage, subject to maximum and minimum levels. Changes in the maximum or minimum rates apply to injuries occurring on or after the effective date, but not to injuries occurring before that date.

The maximum benefit level is set at 100 percent of the state average weekly wage, as determined by the administrator of the Nebraska Workers' Compensation Court. The calculation excludes federal employees and is made in accordance with [NEB. REV. STAT. §§ 48-121.01](#) and [48-121.02](#).

Based on the state average weekly wage determined by the administrator, the maximum weekly income benefit for injuries occurring in calendar year 2025 is \$1,130.00. The minimum rate remains at \$49.00 as provided in [NEB. REV. STAT § 48-121.01\(2\)](#).

Calendar Year 2025
Maximum Benefit Rate:
\$1,130.00

A table of maximum and minimum compensation benefits for previous years is available on our website (<https://www.newcc.gov/service-providers/attorneys/benefit-rates>)



[Click this link to see report contents](#)

Operational Funding

Compensation Court Cash Fund

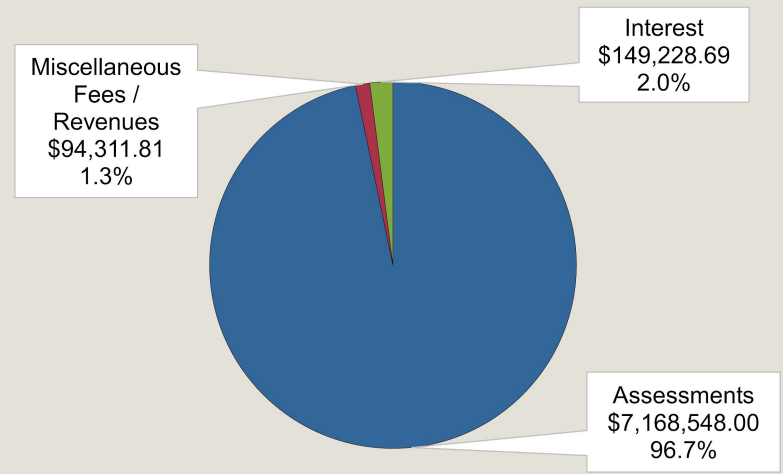
Fiscal Year 2025 (July 1, 2024 through June 30, 2025)

The Compensation Court Cash Fund (Cash Fund) provides for the expense of administering the Nebraska Workers' Compensation Act and for the payment of the salaries and expenses of the personnel of the Nebraska Workers' Compensation Court (see [NEB. REV. STAT. § 48-1,116](#)). The fund is financed by assessments against workers' compensation insurers, risk management pools, and self-insured employers (see [NEB. REV. STAT. §§ 48-1,113](#) and [48-1,114](#)). Miscellaneous fees referenced in the chart **Cash Fund Revenue** include filing fees for lump sum settlements and releases, fees for self-insurance and managed care applications, and copies of public records.

Contributions to the Cash Fund abate for one year whenever its balance equals or exceeds three times the amount expended and encumbered in the fiscal year just ending. The Nebraska Legislature appropriates a specific sum each year for operations of the Nebraska Workers' Compensation Court, to be funded from the Cash Fund. The appropriation for FY 2025 was \$7,168,933.

Cash Fund Revenue

Total: \$7,412,088.50

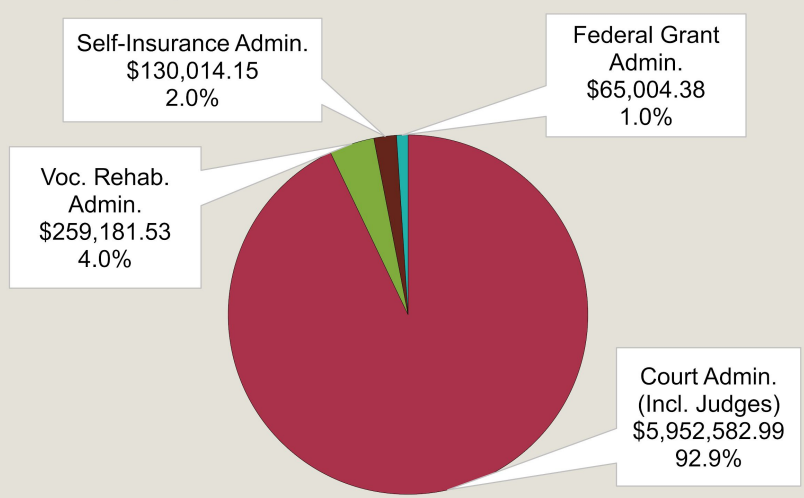


Fund Balance
July 1, 2024:
\$5,750,132.28

Fund Balance
June 30, 2025:
\$6,755,437.73

Cash Fund Expenditures

Total: \$6,406,783.05



[Click this link to see report contents](#)

Workers' Compensation Trust Fund

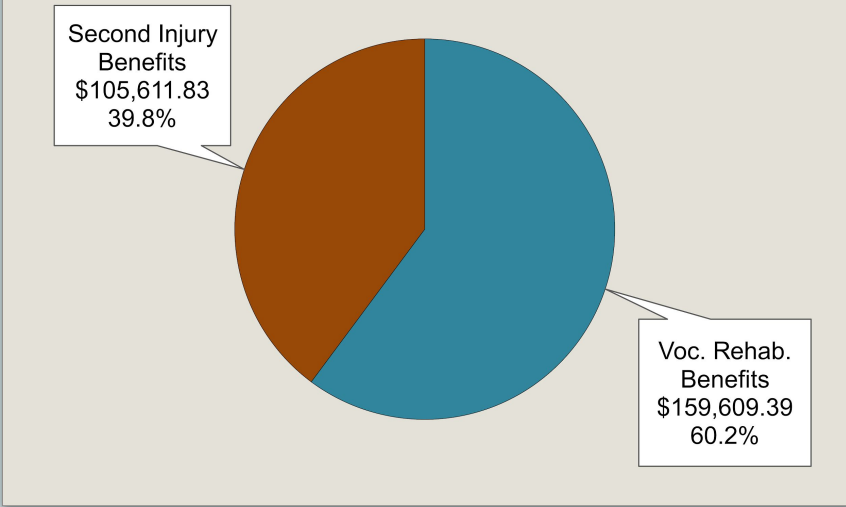
Fiscal Year 2025 (July 1, 2024 through June 30, 2025)

The purpose of the Workers' Compensation Trust Fund (Trust Fund) is to make second injury benefit payments in accordance with NEB. REV. STAT. § 48-128 and vocational rehabilitation benefit payments in accordance with NEB. REV. STAT. §§ 48-162.01 and 48-162.02. The Trust Fund is financed by assessments against workers' compensation insurers, risk management pools, and self-insured employers. When the Trust Fund equals or exceeds \$2.3 million, no further contributions from employers, insurers, or risk management pools are required. Contributions resume when the administrator determines payments from the Trust Fund during the next year will reduce its balance below \$1.2 million.

Trust Fund revenue in FY 2025 consisted entirely of interest in the amount of \$194,964. The court made no Trust Fund assessments and received no miscellaneous revenue for that fund during the fiscal year.

Trust Fund Expenditures

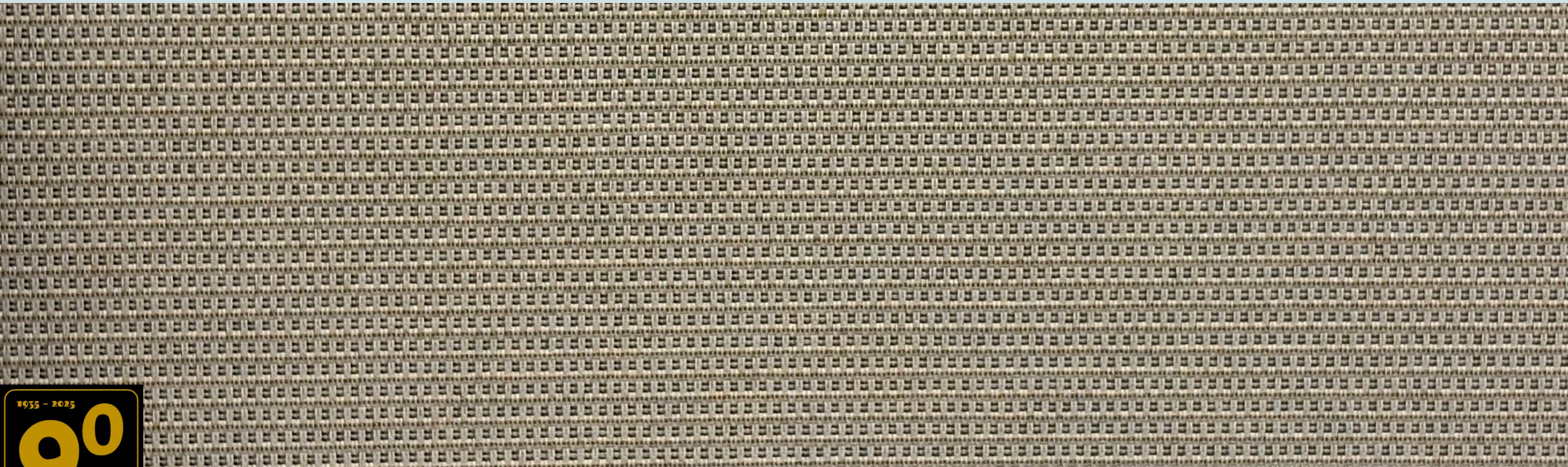
Total: \$265,221.22



Fund Balance
July 1, 2024:
\$6,025,191.44

Fund Balance
June 30, 2025:
\$5,954,934.22

Trust Fund Revenue:
\$194,964.00



[Click this link to see report contents](#)

Federal Fund

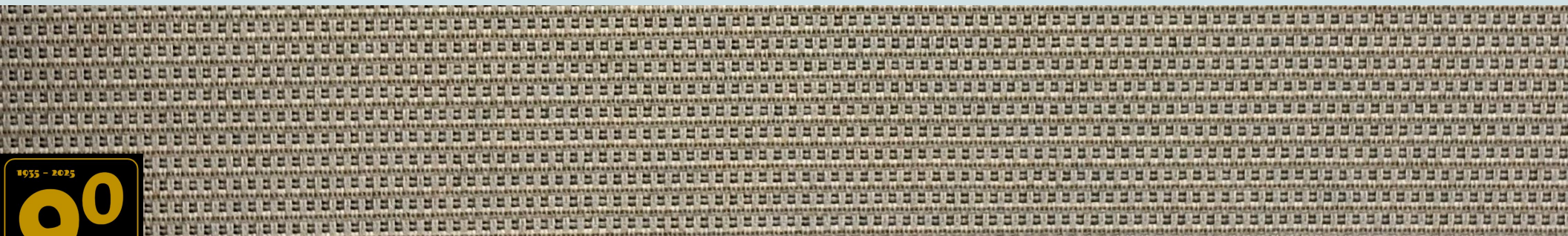
Federal Fiscal Year 2025 (October 1, 2024 through September 30, 2025)

The court is designated as the agency in Nebraska to conduct a survey of work-related injuries / illnesses and collect data as to fatal injuries pursuant to grants from the U.S. Department of Labor, Bureau of Labor Statistics (BLS). Additional information about these grants is available in the [Federal Grant Program](#) section of this report.

Expenses for administering these two federal grants are split between the State of Nebraska and BLS. The state share of expenditures is charged against the Compensation Court Cash Fund, and the federal share is charged against the Federal Fund. Federal monies are requested on a monthly basis and deposited into

the Federal Fund. The Nebraska Legislature appropriates a specific sum each year for expenditures from the Federal Fund to the court. This appropriation is based upon an estimated budgeted amount submitted by the court each biennium. The federal grant appropriation is increased or decreased administratively when the federal grant is actually awarded at the beginning of each federal fiscal year. In June of each year, federal funds may be deobligated and the amount to be deobligated is calculated and sent to the BLS as an adjustment to the original grant award. An administrative adjustment to the Nebraska legislative appropriation may also be made at that time.

Fund Balance on October 1, 2024:					\$0
Revenue:					
Intergovernmental Revenue				48,030	
Deobligation June 30, 2025				0	
Total Revenue				<u>48,030</u>	
Expenditures:					
	Legislative	Administrative	Not	Actual	
	Appropriation	Adjustments	Expended	Expended	
Federal Grant Admin.	<u>64,358</u>	<u>(16,328)</u>	0	48,030	
Total Expenditures				<u>48,030</u>	
Fund Balance on September 30, 2025:					<u><u>\$0</u></u>



[Click this link to see report contents](#)

Methods of Dispute Resolution

72

Informal Dispute
Resolution cases opened
and closed in FY 2024

It is not uncommon for disputes to arise in workers' compensation cases, and the purpose of this court is to resolve disputes. There are three basic options to resolve disputes, and all options are available with or without an attorney.

1. The parties may negotiate with each other to try to resolve the dispute.
2. The parties may request voluntary mediation (also called Informal Dispute Resolution (IDR)). The court mediator acts as a neutral third party to assist the parties in trying to resolve the dispute. However, the mediator does not issue an order at the end of the mediation.
3. Any party to a dispute may file a petition (lawsuit), motion, or other pleading with the court. Filing a petition starts a formal litigation process and after the discovery process, the case will be heard by one of the court's judges, who will render a decision and issue an order at the conclusion of the trial.

If the parties cannot resolve a dispute on their own, the court's website (<https://www.newcc.gov/resources/court-forms-and-publications>) provides access to both the informal and formal methods of dispute resolution offered.

Informal Dispute Resolution

Informal Dispute Resolution (IDR) is available to the following individuals or entities with an interest in a workers' compensation dispute:

- any party to a workers' compensation dispute or controversy;
- a medical provider who provided medical, surgical, or hospital expenses to an employee involved in the dispute or controversy; or
- any certified vocational counselor providing services to such an employee.

The guidelines for the IDR process are found in [NEB. REV. STAT. § 48-168](#) and the court's [Rule 48](#). Attorneys may participate, but parties to the dispute do not have to be represented. Informal dispute resolution is attempted in all litigated cases in which the worker who claims injury is not represented by an attorney. In addition, a judge may order the parties to participate in IDR. IDR also provides a dispute resolution mechanism for health care providers, vocational rehabilitation counselors, and others who would otherwise have no standing before the court.

Mediation conferences are conducted by the section's staff attorneys, who address a variety of issues. Trained in the essential skills of mediation, these attorney-mediators do not advocate or make decisions on behalf of either party; rather, they facilitate discussions to assist litigants in identifying ways to resolve their disputes without the need for a trial.

Informal Dispute Resolution, continued to next page.



Improved Access to the Court's IDR Program

In its efforts to modernize access to the court's IDR program, the Legal section developed request and response forms that can be completed and submitted directly from the court's website.

- [General IDR Request Form](#)
- [VR Counselor / Medical Services Provider / IME Physician IDR Request Form](#)
- [Employer / Insurer IDR Response Form](#)

Upon successful form submission, the requester is automatically emailed a copy of the form to keep for their records.

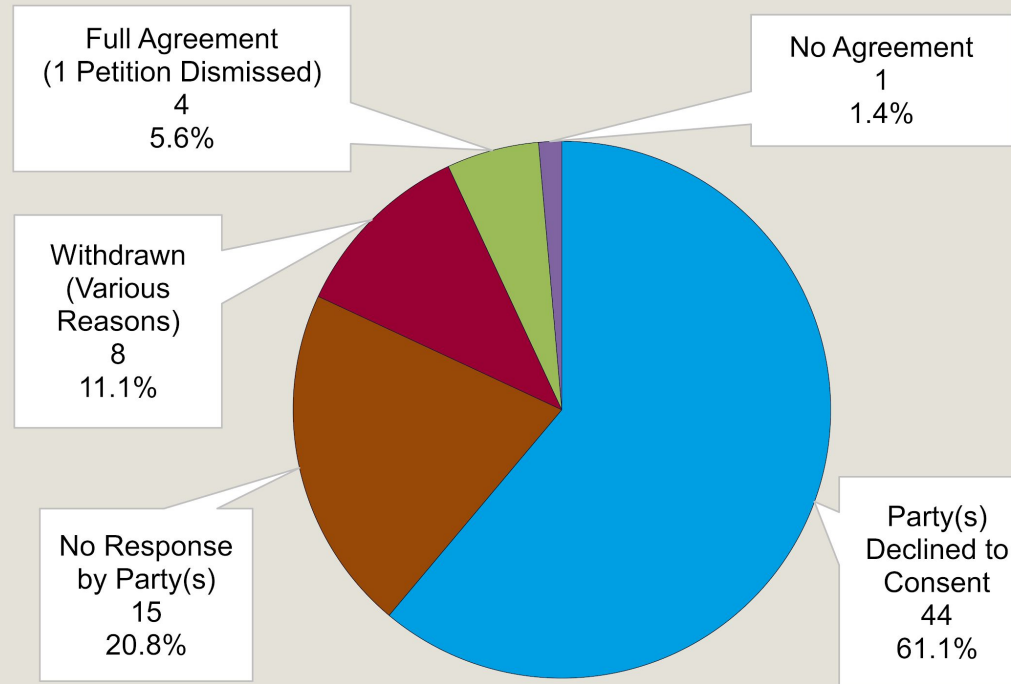
Informal Dispute Resolution, continued from previous page.

The Legal section received, processed, and closed 72 IDR requests in FY 2025. The court's attorney-mediators addressed issues involving compensability of a claim, settlement, payment and disputes regarding indemnity benefits, medical treatment, medical provider, vocational rehabilitation benefits, loss of earning, mileage reimbursement, average weekly wage, and medical expenses.

Unless ordered by a judge of the court, mediation is voluntary. Voluntary mediation must be agreed to by both parties. In 59 cases, or 81.9 percent of all closed cases, at least one party declined to participate or did not respond to the request.

Cases may be closed for a variety of other reasons as shown in the chart below, **IDR Cases Closed in Fiscal Year**.

IDR Cases Closed in Fiscal Year



Formal Dispute Resolution

Any party to a dispute may file a petition (lawsuit), motion, or other pleading with the Nebraska Workers' Compensation Court. Filing a petition starts a formal litigation process and after the discovery process, the case will be heard by one of the court's judges.

Cases are heard throughout Nebraska in the county where the injury is reported to have occurred. After each hearing, the judge enters a written decision stating their factual and legal conclusions. Decisions may be appealed to the Nebraska Court of

Appeals. A limited number of appeals may be heard by the Nebraska Supreme Court, either directly or upon further review of a decision by the Nebraska Court of Appeals.

Petition forms can be found on the court's website (<https://www.newcc.gov/resources/court-forms-and-publications/petition>) or obtained from the Clerk of the Court. Employees representing themselves in court are held to the same standards, laws, and rules as attorneys.

Excerpt of the first petition filed with the compensation court:

Form C-3-4M - 3-30

BEFORE THE COMPENSATION COMMISSIONER OF THE STATE OF NEBRASKA

Sam J. Hreci
Plaintif,

vs.

Sample-Hart Motor Company
Defendant.

Docket 1 Number 1

RECEIVED
JUN 29 1935
PETITION WORKMEN'S
COMPENSATION COURT

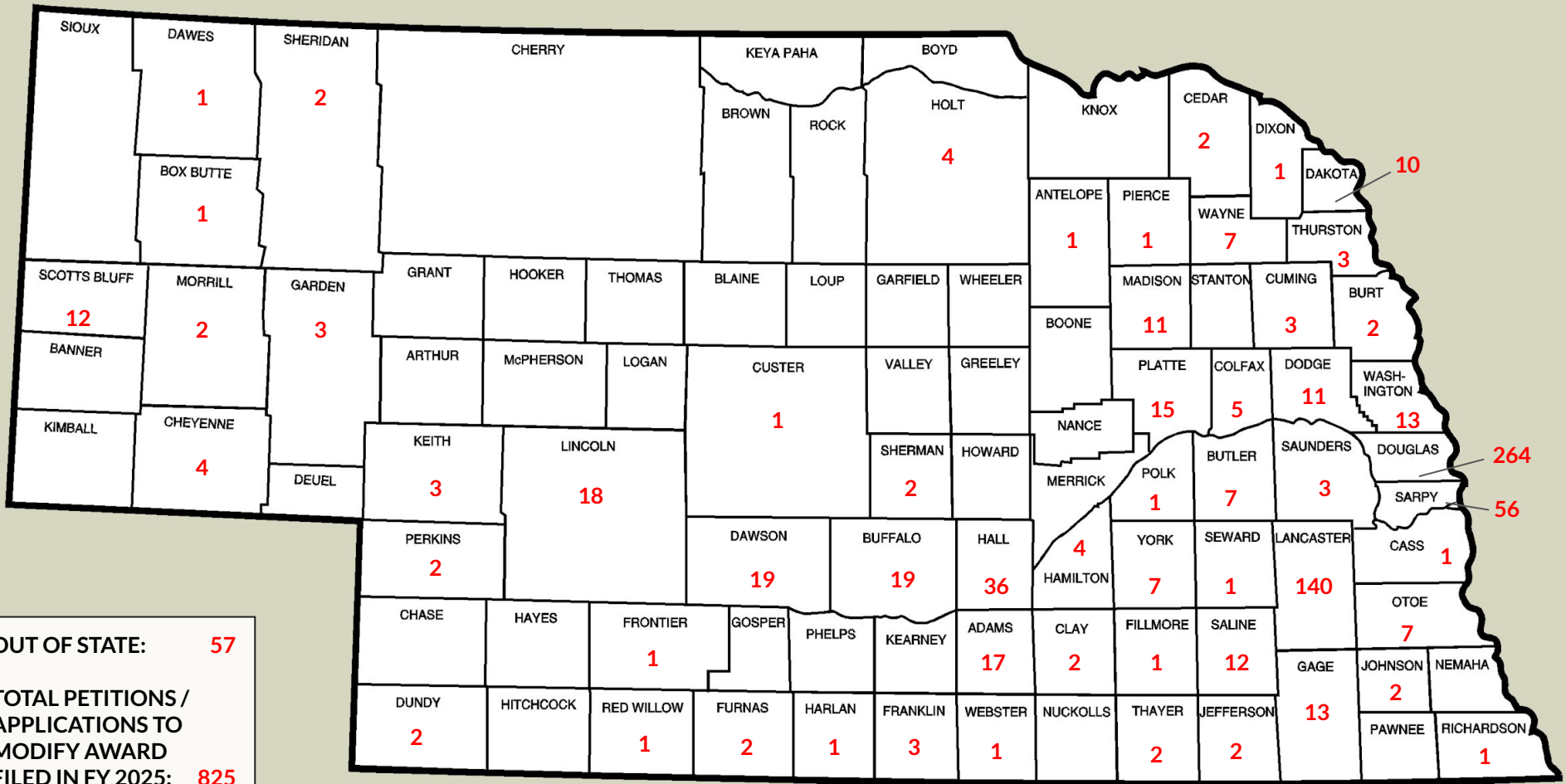
FILED

Formal Dispute Resolution Caseload and Settlement Summary

Petitions and Applications to Modify Award by County

Below is a map showing the total number of Petitions and Applications to Modify Award filed with the court and allocating them to the counties where those Petitions allege the accidents occurred.

In addition to the cases shown below, allegations in an initial Petition may be litigated separately upon entry of an order allowing such. This happened in three cases during FY 2025.

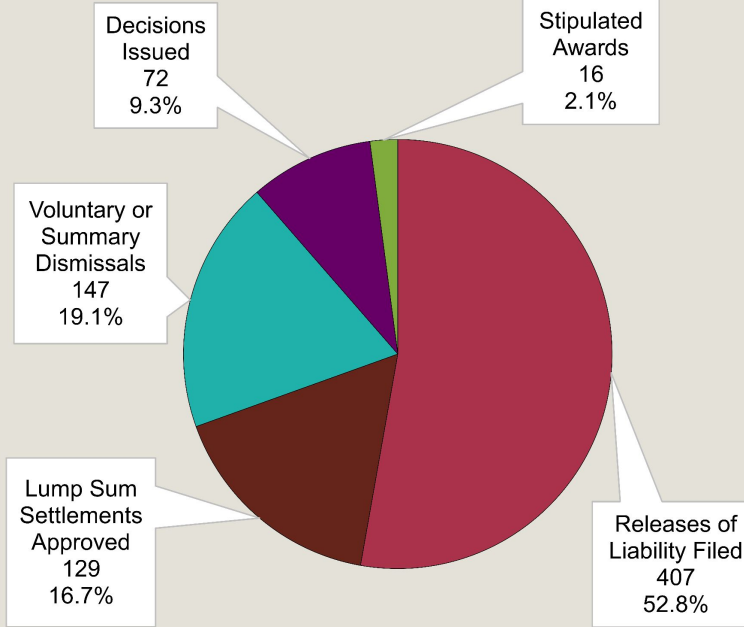


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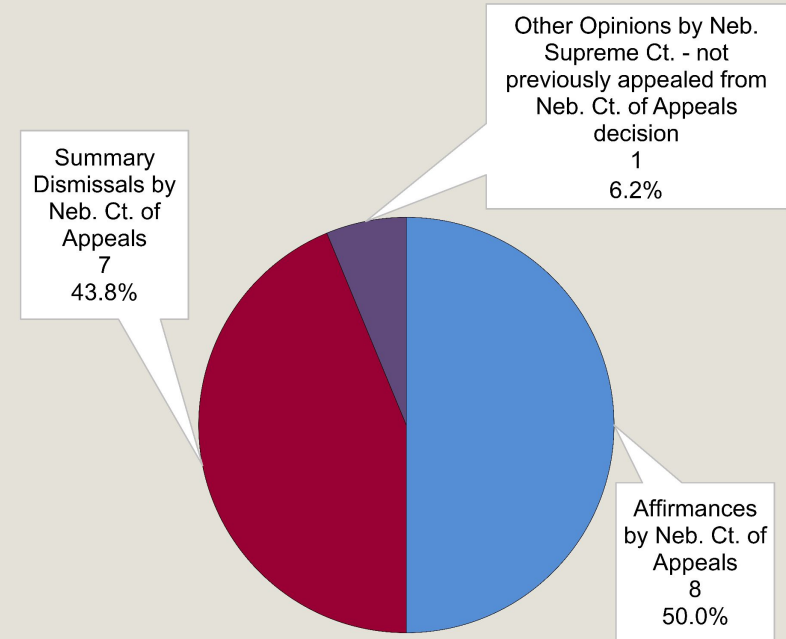
Litigation Summary – Dispositions

The charts on this page summarize Nebraska Workers' Compensation Court and appellate court dispositions of workers' compensation cases during FY 2025. Dispositions were made in 16 appeals filed from decisions of the Nebraska Workers' Compensation Court in the current or previous fiscal year.

Pending Case Dispositions Total Fiscal Year Dispositions: 771



Appellate Case Dispositions^{1, 2} Total Fiscal Year Dispositions: 16



Motions in FY 2025

2,488
Filed

323
Hearings

1,876
Dispositions

1 The procedures for appeals align with those in actions at law from the district courts, except as otherwise provided in [NEB. REV. STAT. §§ 48-182](#) and [48-185](#).

2 "Other opinions" are opinions from the Nebraska Supreme Court or Court of Appeals such as: reversed and remanded; reversed; affirmed in part, reversed in part, and in part remanded; affirmed in part, and in part reversed, and other variations.



Lump Sum Settlements

Two forms of settlements are provided for in the Nebraska Workers' Compensation Act (Act): lump sum settlements and releases of liability. Pursuant to [NEB. REV. STAT. § 48-139](#), lump sum settlement agreements require court approval. In 2009, the Nebraska Legislature amended this statute to eliminate mandatory court approval of certain settlement agreements and to require the filing of a release of liability for those settlements no longer requiring court approval.

Lump sum settlements are reviewed by the court's Legal section and presiding judge to ensure they are in each employee's best interest and the settlement is in conformity with the compensation schedule established by the Act.

Lump Sum Settlement Application Payment Adjustments Identified

In FY 2025, the Legal section identified adjustments needed in 15 lump sum settlement applications totaling **\$197,777.38**. Of this total, **\$141,212.15** represented underpayments of indemnity (wage loss) benefits. The section also identified increases totalling **\$56,565.23** in medical payments to be made by the employer to medical providers for treatment of workplace injuries. In at least one instance, the section identified a necessary reimbursement to the U.S. Department of Veterans Affairs, Veterans Benefits Administration. In cases of underpayment, the court requires these settlements to be revised to provide additional compensation to or on behalf of the injured employee to ensure compliance with the Nebraska Workers' Compensation Act and that the settlement is in the best interest of the employee or the employee's dependents.

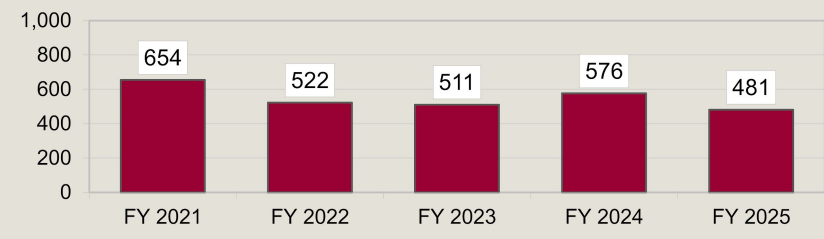
Lump Sum Settlement Applications and Dispositions

The charts on this page summarize lump sum settlement applications filed and dispositions made during FY 2025. When comparing the charts on this page, please note that not all settlement applications filed in a fiscal year are disposed of in the same fiscal year.

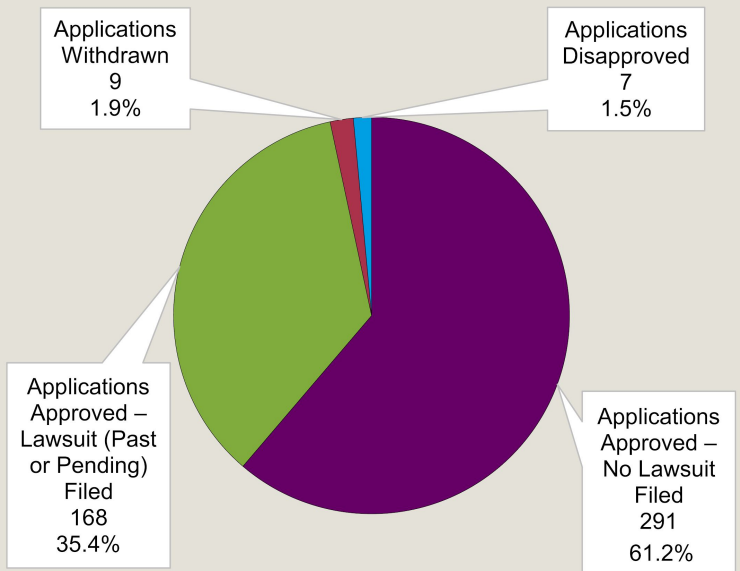
\$141,212.15
Lump Sum Settlement Indemnity Underpayments Identified in FY 2025

\$56,565.23
Lump Sum Settlement Medical Payment Increases Identified in FY 2025

Lump Sum Settlement Applications Total Fiscal Year Filings



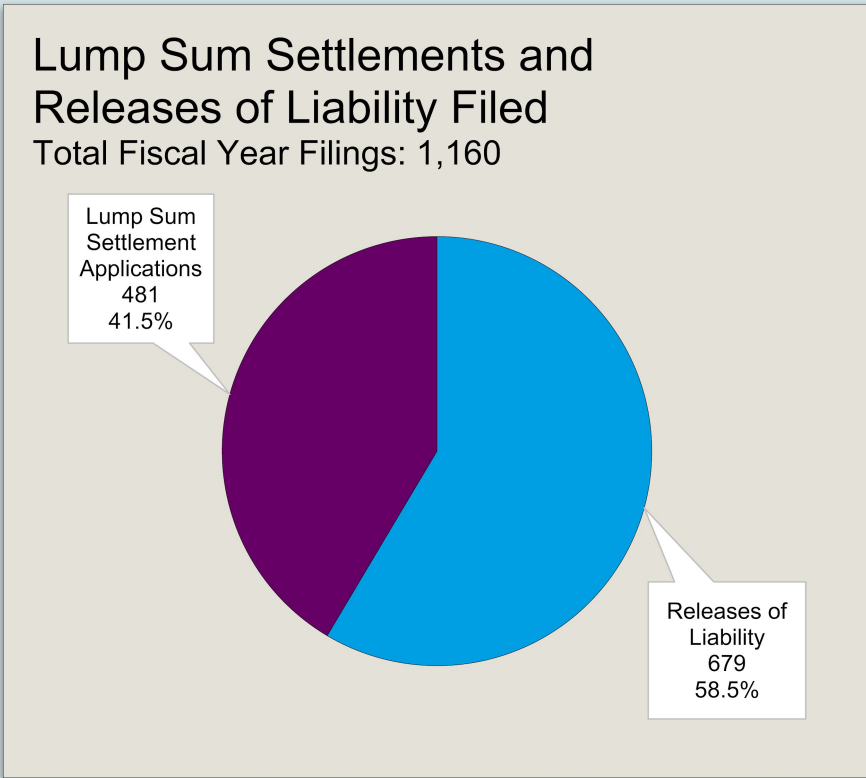
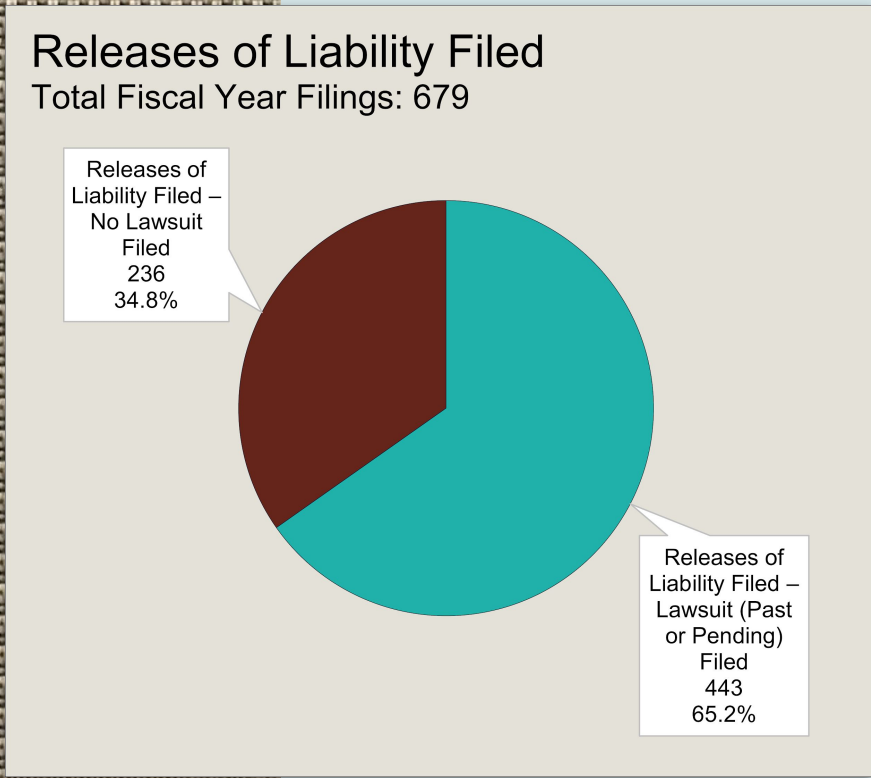
Lump Sum Settlement Dispositions Total Fiscal Year Dispositions: 459



[Click this link to see report contents](#)

Releases of Liability

The charts on this page summarize releases of liability filed during FY 2025 and compare the number of lump sum settlement applications with the number of releases of liability filed during FY 2025. Information about the requirements for lump sum settlements and releases can be found in [Neb. Rev. Stat. §§ 48-138 through 48-140](#), in the Nebraska Workers' Compensation Court's [Rule 47](#), and on the court's website (<https://www.newcc.gov/service-providers/attorneys/settlements>).



Workers' Compensation Data

EDI Claims Release 3.1

The Nebraska Workers' Compensation Court mandates use of the International Association of Industrial Accident Boards and Commissions' (IAIABC) Electronic Data Interchange (EDI) Claims Release 3.1 for reporting of work injuries and payments related to such injuries. More information can be found on our EDI website (<https://nwccedi.info>).

Collection of Data

Workers' compensation insurers, risk management pools, and self-insured employers are required to report injuries and payments relating to injuries in accordance with the Nebraska Workers' Compensation Act and the court's **Rules of Procedure**. These reports are transmitted electronically through the court's EDI system once the reporting entities are court-approved as EDI trading partners.

A work-related injury or occupational disease typically involves multiple reports that must be submitted during the normal course of each claim. These include the original injury and payment reports, transactions rejected due to incomplete data, as well as any applicable follow-up reports involving data changes or corrections, claim denials or cancellations, or any other reports that may be periodically submitted during the course of a claim.

Once such reports are processed, the court's EDI staff examine them to ensure data quality and work with the EDI trading partners to resolve any issues found. Section staff also enforce reporting requirements, request missing injury reports and monitor for their receipt, clarify discrepancies on existing reports, respond to questions about the EDI process, and obtain missing information from employers or insurers.

The court received reports of **33,934** new workplace injuries or occupational diseases during the fiscal year. The Regulatory Programs section, in conjunction with the court's EDI contractor, processed:

- **66,472** reports relating to work-related injuries or occupational illnesses for the *current* and *previous* years; and
- **90,598** reports involving payments of compensation and expenses relating to work-related injuries or occupational illnesses for the *current* and *previous* years.

Key components of the court's mission are the collection and security of Nebraska workers' compensation claims data. The court's database is the sole repository and archive of injury and payment data associated with such claims. Maintaining this database involves collaboration between the court's Regulatory Programs and Information Technology sections and the court's Electronic Data Interchange (EDI) contractor.

The data contained in this report is as reported to the court. Over time, there may be updates or changes due to late filings and corrections to data during the life of any workers' compensation claim. This means that some of the reports received may have had injury dates from prior fiscal years. Our Statistical Reports provide more mature and detailed information regarding injuries and benefit payments by calendar year (<https://www.newcc.gov/resources/court-forms-and-publications/statistical-reports>).



[Click this link to see report contents](#)

Education: Access to Justice

Access to justice is among the highest purposes of this court. In conforming to its mission, providing access to justice in the Nebraska Workers' Compensation Court takes many forms —not only in the resolution of disputes either in the courtroom or on a more informal basis — but also by providing education and the resources needed to enhance that education.

- Court personnel collaborate on development of educational content to help increase the knowledge of those who may be less familiar with the court system or workers' compensation in general, including parties to a dispute who are unrepresented by legal counsel. The forms for self-represented litigants are accompanied by instructions written in plain language that describe the purpose of each form and how to complete and submit the court's forms.
- Spanish-language translations are available for some court publications and forms.
- Language translation services are available on the court's phone system.
- Language interpreters can be requested for the courtroom and other court proceedings.
- All court websites and web applications are designed to maximize readability and accessibility.
- Monthly staff training sessions are designed to give context for the court's work and empower staff to provide the public with current, accurate information about court processes and services.

As part of its educational outreach, the court's overall web presence, products, and services are available to the public, as well as to businesses, government entities, and other stakeholders in the workers' compensation arena. Court personnel also make presentations to educate the public on how workers' compensation works in Nebraska and how to access the court's services.

Publications and Forms

The Public Information section produces and maintains an inventory of court publications. The section also produces and maintains a number of forms intended for use by self-represented litigants; employers, insurers, medical providers, and vocational rehabilitation counselors; and those requesting copies of public records from the court. When development of new or revised publications and forms is completed, the section publishes the final products on the court's primary website (<http://www.newcc.gov>).

Public Information staff work with other sections and divisions of the court to assist with publication and form design, content development, and editorial style. Most often this involves collaborating with the Legal section, which develops the content of the court's forms and authors most of its publications. The Legal section also prepares summaries of the Nebraska Supreme Court and Court of Appeals decisions relating to workers' compensation, which may be accessed in the Appellate Court Decisions section of our website (<https://www.newcc.gov/service-providers/attorneys/appellate-court-decisions>).

The Legal and Public Information sections coordinate public hearing and public meeting events for the purpose of amending the court's **Rules of Procedure**. The Legal section coordinates with other sections and divisions of the court for development of new and amended rules for consideration and adoption at these events. The last such event was conducted in December 2024.

Education: Access to Justice, continued to next page.



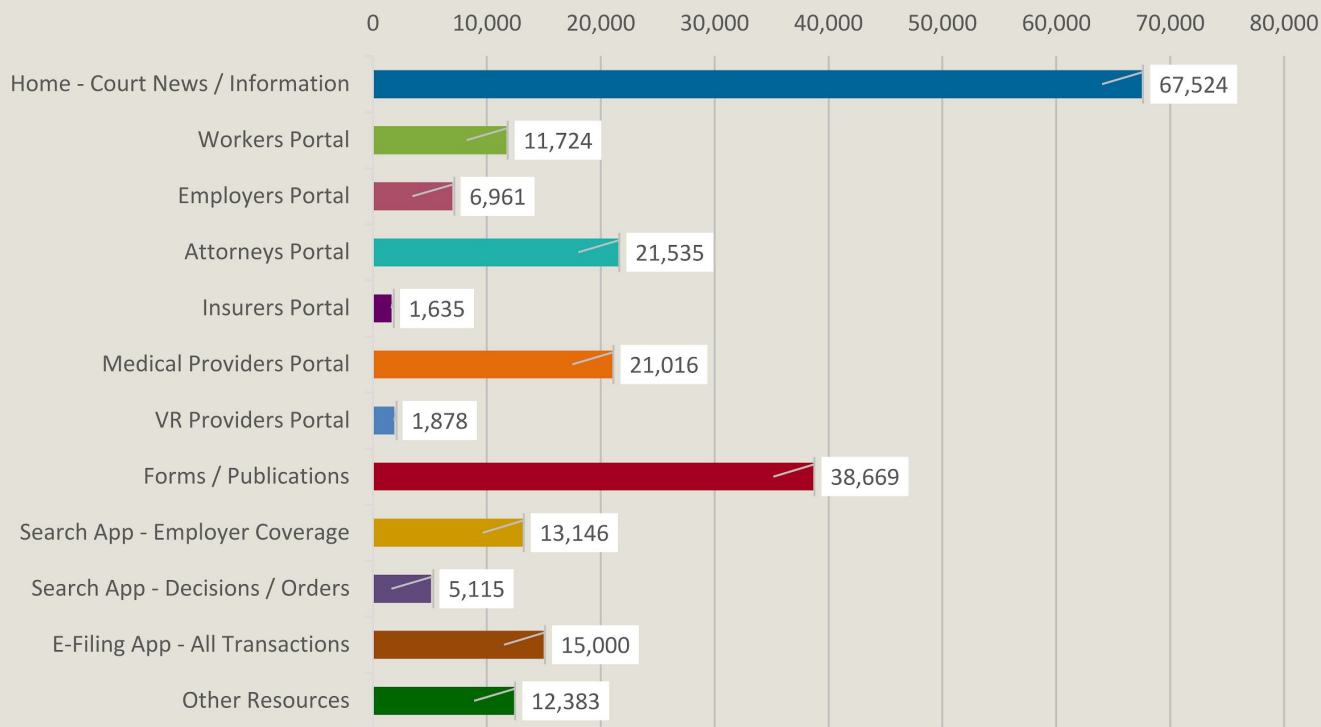
[Click this link to see report contents](#)

Websites and Web Applications

Outside the courtroom, one of the most-used means of access to justice is through the court's websites and web applications. The chart, **Website Use By Audience / Topic**, breaks out use of all web-based court information, products, and services during the fiscal year. Our primary educational website (<http://www.newcc.gov>) includes overall court news and information as well as informational portals geared to specific audiences. It also includes access to court forms, publications, benefit calculation tools, as well as access to related websites that maintain a variety of web applications for searching data and submitting E-Filing and other electronic transactions.

Website Use By Audience / Topic

Total Fiscal Year Visits (All Sites): 216,586



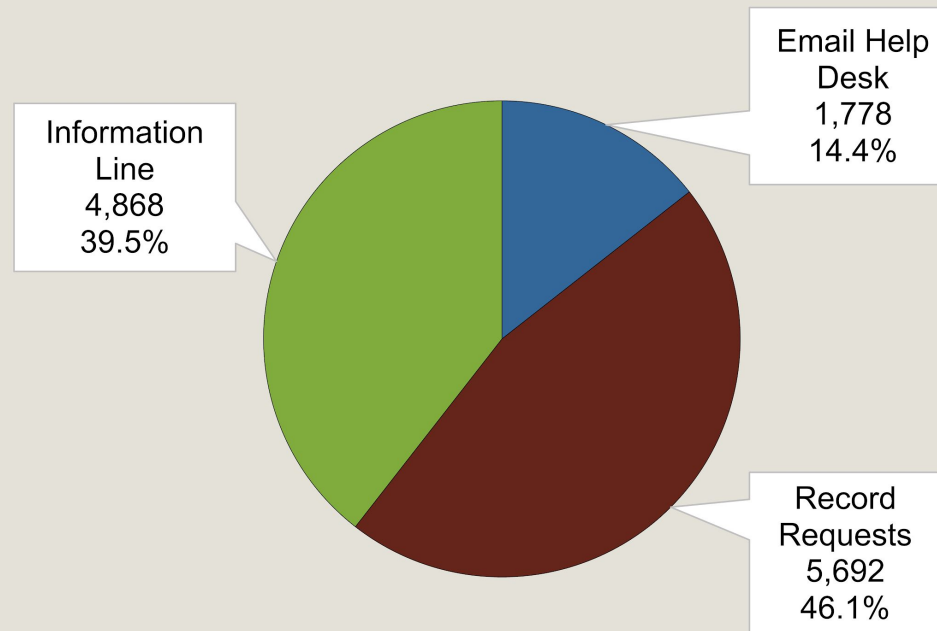
Education: Requests for Assistance and Information

Providing assistance and information to the public without including opinions or legal advice is essential to the court's educational outreach efforts and for conforming to the court's mission.

The chart **Requests for Records and Information** shows the number of written requests for copies of court public records fulfilled during the fiscal year as well as requests for other types of information received by phone or email. Requests for public records and information come from employees, employers, attorneys, insurers, medical providers, vocational rehabilitation providers, government and private sector researchers, and others in Nebraska and throughout the nation. All requests for court records are fulfilled in conformity with the Nebraska Public Records Act ([NEB. REV. STAT. §§ 84-712 through 84-712.09](#)).

Requests for Records and Information

Total Fiscal Year Requests: 12,338



Education: Requests for Assistance and Information, continued to next page.

Most Commonly Requested Topics

1. Employer workers' compensation coverage
2. Eligibility for benefits / status of benefits
3. How to file with the court / status of court filings
4. Status / outcomes of trials and hearings
5. Requests for records

Education: Requests for Assistance and Information, continued from previous page.

Implementation of a Voice over Internet Protocol (VoIP) telephone system continues to provide for more responsive service on the court's **toll-free information line** (800-599-5155 / 402-471-6468).

In responding to requests for information via the toll-free information line and email help desk as well as in fulfilling requests for copies of public records, the Public Information section coordinates and collaborates as needed with the appropriate court sections and divisions to ensure the accuracy of the information provided, data queried, and records assembled.

- The Public Information section coordinates with the Legal section, which manages the court's records and information, including the process for providing access to public records.
- The Clerk's office most often communicates with litigants to answer general questions about filings (including the E-Filing app and its requirements) and hearings as well as notifying them of court rulings.
- The Legal section informs injured workers, employers, and others about the finer details of the Nebraska Workers' Compensation Act; and communicates with (and facilitates communication amongst) those involved in the informal dispute resolution and lump sum settlement review processes.
- The Regulatory Programs section communicates with those involved with its Electronic Data Interchange (EDI), Compliance, Medical Services, and Self-Insurance programs.
- The Vocational Rehabilitation (VR) section communicates with (and facilitates communication amongst) those involved with the VR program.
- The Accounting and Finance section communicates with those involved with the court's budget, revenues, and operating expenses; payments involving VR plans and the second injury fund; as well as employers and others reporting as part of the **Federal Grant program**.

Information Line

800-599-5155
402-471-6468

E-Mail Help Desk

general@newcc.gov



[Click this link to see report contents](#)

Modernization Project

As an additional part of this project, the IT team continues development of a web-based portal for public access to the court's public data — the **Nebraska Legal Link Access Kiosk (NELLAK)**. In FY 2025, this portal was enhanced to host two of the court's most-used web applications.

- The **Decisions and Orders** app can be used to search Nebraska Workers' Compensation Court decisions and orders going back as far as 1992.
- The **Employer Coverage** app can be used to search for records of workers' compensation coverage for employers who have a workers' compensation policy through a commercial insurance company, are self-insured for purposes of workers' compensation coverage, or have coverage through an intergovernmental risk management pool.

A similar web-based portal was successfully launched for internal use by court personnel in FY 2025.

To conform with the court's mission, the Information Technology section remains dedicated to the development and completion of a large-scale court modernization project that began in FY 2023. Using its innovative internal IT team to keep project planning and development in-house, the court is preserving the court's vision and control over the project while avoiding contracting costs.

Planning and system development was the top priority to begin the modernization project. Significant time was spent discussing areas of improvement needed to our internal case management system before development efforts began.

The guiding principles leading this project's design are:

- security of court data;
- ease of use for the public and court personnel;
- reducing reliance on paper;
- improved processes for the public and court personnel; and
- continuity of operations (as described the following **Business Continuity Program** section of this report).

Through a collaborative process within the IT section, significant development of the new internal case management system has been completed. In cooperation with the section stakeholders for input and testing, the creation of new web applications and the conversion of existing ones to support the work of the Accounting and Finance section was completed between January and April of 2025. These applications improve the efficiency and communication between the Accounting and Finance team and court personnel.

The IT team also designed and developed a new case management system for the Regulatory Programs section to manage the enforcement of employers required to carry workers' compensation insurance in Nebraska. This online application is the first case management system the Regulatory Programs section will have for this specific function. The built-in automation is expected to save significant staff hours in the processing of data and enforcement letters. The IT team also built an automated electronic certified mail process into the application, which will reduce certified postage cost for the court and also staff hours processing the physical certified mail. This new application became available for use at the beginning of FY 2026.

Additional Modernization Efforts

Technological Solutions

Modernization efforts extend beyond the primary large-scale project described above. As part of its day-to-day technological operations, the IT section enhances the court's modernization by continually implementing robust

Modernization Project, continued to next page.



[Click this link to see report contents](#)

Modernization Project, continued from previous page.

security measures, streamlining workflows through custom applications, and fostering secure collaboration with the Supreme Court and state government agencies. This allows the court to more effectively conform with its mission and creates efficiencies through the use of technology.

The IT section works hand-in-hand with the court’s other divisions and sections, collaborating to improve processes, find cost-saving opportunities, and create efficiencies in day-to-day operations. In FY 2025, the IT section continued to evaluate, maintain, and improve aspects of the court’s Voice over Internet Protocol (VoIP) phone solution. This technology allows judges to be accessible when traveling the state for trials and hearings. It also improves efficiency for remote workers and provides cost savings for the court. Following the transition to this solution during the previous fiscal year, the court continued to evaluate the need for certain fax lines and eliminated them when possible as an additional cost-saving measure.

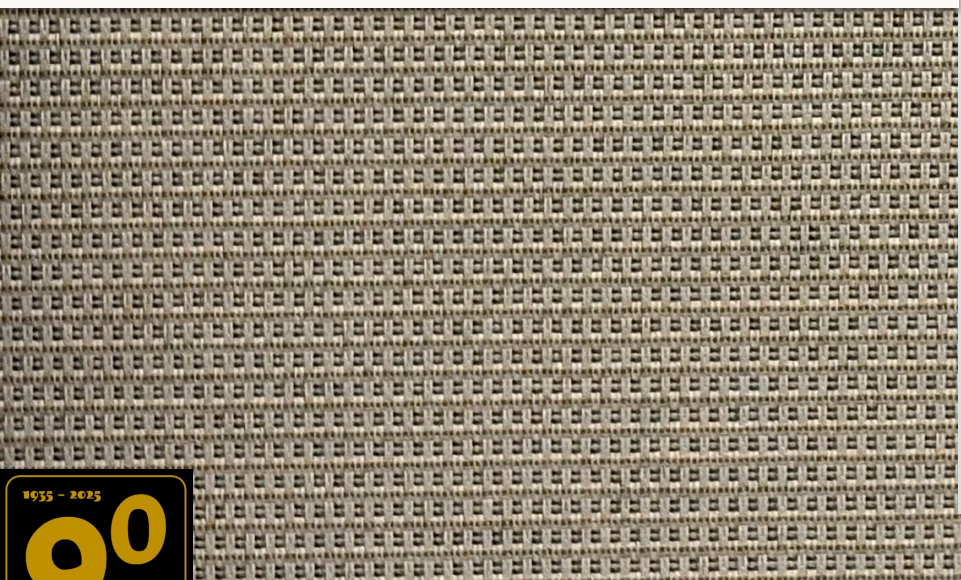
The IT team also completed a project to upgrade and consolidate the court’s printers and move to a secure print-release platform. This was spurred by an effort to reduce the reliance on paper, create efficiencies in the management of court records (regardless of format), ensure the security of confidential information, and reduce IT staff hours maintaining equipment.

Digitization and Management Records

In addition to the often web-based technological modernization solutions headed by the IT section, other collaborative efforts to modernize the court by various divisions and sections have been ongoing in the form of digitization of documents in paper and micrographic formats. Once converted to archival-quality portable document format (PDF), these files are then securely archived using the web-based technology made available by the IT section, such as cloud-based shared drives.

These aspects of modernization also help the court to better accomplish to its mission.

- Securely backed-up cloud-based shared drives are more readily searchable and available to court personnel. Once digitized, these files are no longer tied to a physical location and (in the case of microfilm and microfiche) no longer require special hardware to search, view, and download. This promotes work efficiency for court personnel.
- The scanning of paper and micrographics documents represent a major cost savings for the court in terms of storage, paper supplies, and printing resources. This promotes financial efficiency for the court budget.
- Digitization is especially useful for increasing responsiveness to requests for copies of records made in accordance with the Nebraska Public Records Act (**NEB. REV. STAT. §§ 84-712 through 84-712.09**). This promotes a higher level of service to the public.



[Click this link to see report contents](#)

Business Continuity Program

The purpose and objective of the Business Continuity Program (BCP) is to develop, exercise, and maintain plans that enable the court to effectively respond to disruptive events and better conform to its mission. Keeping the BCP program in a state of constant readiness is a collaborative effort involving every division and section of the court.

BCP Components and Tools

- **Components** of the BCP program include facility-specific Emergency Procedure Manuals, a court-wide Continuity of Operations Plan (COOP), and an Information Technology Disaster Recovery Plan (DRP).
- **Tools** implemented to put the BCP components into action include E-Filing and the court's overall web presence, videoconferencing, pre-approved remote work, secure laptop computers, access to the court's secure cloud drives, use of secure cloud-based data storage vendors with data redundancy to ensure continuous public service during disruptive events, a VoIP telephone system, email and chat messaging, and a variety of security features at each facility. Another tool for business continuity is the ongoing effort to digitize the court's records as described in the above [Modernization Project](#) section of this report.

BCP Fiscal Year Activities

- BCP testing exercises help bring potential risks into focus so they can be minimized. The BCP team successfully completed an exercise scenario during the fiscal year to test the viability of the COOP and emergency procedures. This event measured the court's response to commonly occurring regional weather events such as severe storms, straight-line winds (also known as 'Derechos'), and tornadoes. The exercise led to the resolution of a number of follow-up action items.
- The BCP team collaborated to update the COOP and emergency procedures following adjustments to operational sections within the Administrative division.
- The BCP team continued to collaborate on enhancements to the court's Information Technology Disaster Recovery Plan while refining its relationship to the COOP.
- Adjacent to the court's BCP are the IT section's efforts to prioritize security of court data and provide ongoing training to court personnel about cybersecurity threats.

Compliance Program

5,534

Letters Sent to Verify Coverage Status

522

Employers Brought Into Compliance

126

Non-Compliance Cases Referred for Legal Action

\$151,823.16

Collected in Penalties by the Attorney General

338

Case Investigations Opened

One of the most important enforcement activities of the Regulatory Programs section is to identify employers who don't have insurance coverage as required by the Act. Any employer of one or more people needs to ensure workers' compensation coverage is available to pay benefits in case a workplace injury occurs. The court's website includes a Proof of Coverage system through which the public can look up employer workers' compensation coverage. Upon request, section staff are also available to check on employer coverage.

If the court is informed that coverage is not in place, its compliance staff take steps to educate those employers or hold them accountable and bring them into compliance with the Act. Section staff monitor the court's electronic proof of coverage information for employers whose coverage has been canceled or not renewed to identify employers who may not have coverage in place. If coverage is canceled or not renewed because a business ceased operation or obtained a replacement workers' compensation policy, no action is needed. If coverage is still required, compliance examiners notify and educate employers to ensure they secure workers' compensation insurance. If the efforts of the Regulatory Programs section staff do not result in compliance, the case is then referred to the Attorney General for further action.

During FY 2025, 5,534 letters were sent to employers whose coverage had been canceled or not renewed. New or alternative coverage had voluntarily been secured by most of them and was confirmed by the court. In response to follow-up efforts by the section, 522 employers were brought into compliance with their statutory obligation to obtain workers' compensation coverage. Additionally, 126 cases were referred to the Attorney General, who collected a total of \$151,823.16 in penalties from employers who failed to obtain required workers' compensation coverage. The Nebraska State Constitution provides that the money collected for these fines is for the use and support of schools in Nebraska.

Compliance examiners additionally respond to a large volume of phone inquiries from a wide range of sources and on a variety of topics. Topics frequently addressed include: medical issues, insurer identification and contact information, information needed for benefit calculation, payment explanation, delay in receiving benefits, and general rights and obligations. Often, callers identify situations in which employers are uninsured; injury reports are not being filed; or insurers, employers, or risk management pools are not complying with other obligations under the Act. Section staff investigate those matters, encourage voluntary compliance, and request appropriate legal action when necessary. A total of 338 case investigations were opened last fiscal year as a result of the above activities.



[Click this link to see report contents](#)

Medical Services Program

Regulatory Programs staff are available to respond to medical services inquiries from a variety of sources concerning the choice of physician rule, the application and use of the various medical and hospital fee schedules, the Independent Medical Examiner program, managed care plans, or other questions relating to medical, surgical, and hospital services under the Nebraska Workers' Compensation Act.

Fee Schedules

Medical fee schedules establish the maximum fee a provider of medical services for a workers' compensation claim may collect from an employee or employer. Different fee schedules apply depending on the type and location of the medical service provided.

Section staff are charged with collecting data from payors and certain hospitals in order to develop and maintain the DRG Inpatient Hospital Fee Schedule and the Trauma Services Inpatient Hospital Fee Schedule, both of which follow the methodology set forth in **NEB. REV. STAT. § 48-120.04** and the court's **Rule 26**. The data is collected through the use of a web-based data entry system that allows those reporting to directly enter the information through the court's website.

In accordance with **NEB. REV. STAT. § 48-120(1)(b)** and **Rule 26**, Regulatory Programs staff also collect data and make recommendations regarding the other fee schedules published by the court: the Medical Services Fee Schedule; the Hospital and Ambulatory Surgical Centers Fee Schedule; and the Implantable Medical Devices Fee Schedule. That work includes updates to the Schedule of Fees for Medical Services that apply to services by physicians and other licensed health care providers performing medical services within the scope of their respective practices. **Rule 26** establishes the methodology for creating and updating this fee schedule.

Independent Medical Examiner System

Once a dispute arises regarding the medical condition of the employee or related issues, either the employee or employer may request opinions from an Independent Medical Examiner (IME). The parties may agree on a physician to evaluate the medical disputes or may request assignment of a court-approved IME. The IME system was designed to give the employer and employee an additional means of resolving disputes outside the judicial process.

Medical Services Program, continued to next page.

Types of Fee Schedules

The Regulatory Programs section develops and maintains the following fee schedules:

1. Medical Services
2. Hospital and Ambulatory Surgical Centers
3. Implantable Medical Devices
4. Diagnostic Related Group (DRG) Inpatient Hospital
5. Trauma Services Inpatient Hospital

Information about the Fee Schedules can be found in the Fee Schedules section of our website: <https://www.newcc.gov/service-providers/medical-providers/fee-schedules>.



Click this link to see report contents

104

IME Physicians

4

IME Cases Opened

393

Employers Covered by
Managed Care Plans

33,008

Employees Covered by
Managed Care Plans

Medical Services Program, continued from previous page.

To serve as a qualified IME, physicians must complete an application and be approved by the judges of the court. Currently there are 104 court-approved IME physicians who specialize in varying disciplines. During FY 2025, four IME cases were opened. Three requests for assignment of a court-approved IME were submitted by an attorney representing an injured employee and the fourth request was submitted by an attorney representing the employer and its insurer.

Managed Care Plans for Workers' Compensation

On June 30, 2025, there were 393 employers and 33,008 employees covered by certified managed care plans in Nebraska. A table showing current information about managed care plans certified by the court for workers' compensation purposes may be accessed in the Managed Care Plans section of our website: <https://www.newcc.gov/service-providers/medical-providers/Managed-care-plans>.



Self-Insurance Program

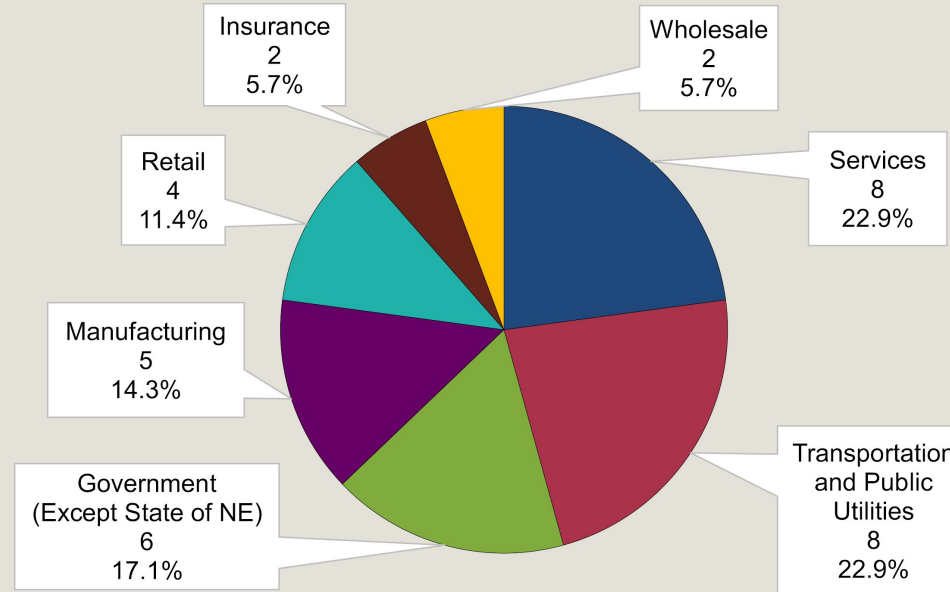
The Regulatory Programs section is responsible for reviewing applications from individual employers to self-insure their workers' compensation liability, determining and collecting fees and assessments, and monitoring the employers' continued ability to meet their financial obligations under the Nebraska Workers' Compensation Act. Self-insurance privileges are subject to periodic review and renewal. The Regulatory Programs section conducts periodic on-site audits of payroll records.

As of June 30, 2025, there were 35 employers approved for self-insurance. In addition, the State of Nebraska is self-insured by statute and is not included in any of these statistics.

Assessments for Self-Insurers

At the beginning of each calendar year, the court calculates and collects the necessary assessments for the Compensation Court Cash Fund, and the Workers' Compensation Trust Fund (if any), from employers self-insured for the prior calendar year. The assessments are based on the number and classification of employees, payroll, and benefits paid during the previous calendar year. Additional assessments are made in support of the Nebraska Department of Insurance for carrying out the Insurance Fraud Act. As reflected in the data at the right, for calendar year 2025 assessment purposes, there were 35 self-insurers (employers who were self-insured for all or part of calendar year 2024).

Self-Insurers by Major Industrial Division Total Self-Insurers at Fiscal Year End: 35



Self-Insurance

Calendar Year	Number of Self-Insurers	Number of Employees	Gross Payroll
2024	35	122,904	\$5,985,960,226



[Click this link to see report contents](#)

Vocational Rehabilitation Program

If an injury prevents an employee from returning to work, that employee may qualify for help getting back to work through vocational rehabilitation (VR). If the employee is unable to return to work for which he or she has previous training and experience, a vocational counselor may develop a return to work plan. This plan may help an employee find a new job, train to do a new type of work, or go to a school that would lead to a new job.

The Nebraska Legislature introduced the concept for VR-related benefits to the Nebraska Workers' Compensation Act in 1969. LB 203's *Introducer's Statement of Purpose* from that year states, in part, "The ultimate aim of the workmen's compensation process is the return of an injured worker to a job as quickly as possible with a minimum of permanent disability." One of the primary purposes of the Nebraska Workers' Compensation Act since that time has been the restoration of the injured employee to gainful employment, as provided in [NEB. REV. STAT. § 48-162.01\(1\)](#). To this end, the duties for maintaining the court's VR Program include:

- monitoring the activity and progress of all open cases to ensure that services continue to move forward and are provided in a timely manner;
- reviewing proposed VR plans and monitoring approved vocational plans;
- appointing vocational counselors to cases when the parties cannot agree on a counselor;
- reviewing and approving reimbursement requests from employees in approved vocational plans and monitoring expenditures from the Workers' Compensation Trust Fund;
- maintaining vocational data;
- recruiting, certifying, and maintaining a directory of vocational counselors;
- answering questions from the public; and
- continuously studying problems associated with the VR Program and exploring ways to improve efficiencies and the delivery of vocational services.

Vocational Rehabilitation Program, continued to next page.

VR Counselor and Job Placement Specialist Certification

VR services under the Nebraska Workers' Compensation Act can only be provided by counselors who have been certified by the court. The certification process is designed to ensure counselors working in this specialized area of rehabilitation have attained an acceptable level of education, knowledge, and experience necessary to provide VR services to employees and return the employee to suitable employment. The court's [Rules 39 to 41](#) contain the requirements for certification. At the end of FY 2025, there were 30 court-certified VR counselors.

See [NEB. REV. STAT. § 48-162.01](#) for a full description of the Nebraska Workers' Compensation VR Program.



[Click this link to see report contents](#)

Getting Back To Work: VR Plan Development

An employee who claims entitlement to VR services is evaluated by an agreed to or appointed counselor in order to determine whether it is necessary to develop a VR plan to restore the employee to suitable employment following a work-related injury. The level of services to be provided is based on the priorities outlined in

NEB. REV. STAT. § 48-162.01:

- (a) return to the previous job with the same employer;
- (b) modification of the previous job with the same employer;
- (c) a new job with the same employer;
- (c) a job with a new employer; or
- (d) a period of formal training which is designed to lead to employment in another career field.

Starting with (a), each level of service must be eliminated as unlikely to result in suitable employment for the injured employee before considering the next level of service. For example, if (b) is likely to result in suitable employment, then (c), (d), or (e) would not be considered in deciding whether it is necessary to develop a VR plan. Prior to implementation, all VR plans must also be evaluated and approved by a court VR specialist or judge.

A job placement plan must identify a specific employment objective based on the employee's vocational interests, abilities, and prior work history. The VR counselor may provide job leads, develop or improve job seeking skills, answer questions, and provide guidance in order to return the employee to suitable employment. Job placement plans are generally two or three months in length, but can be extended in some circumstances.

In a formal training plan, vocational goals are selected based on the employee's interests, experience, and restrictions. During a formal training plan, the VR counselor will monitor progress in classes, assist with registration and maintaining the program, and help the employee submit requests for reimbursable expenses. Plans can range from short-term (three-to-six-month) training periods to associate's or bachelor's degree programs.

Section staff monitored 34 court-approved VR plans involving 29 injured employees in FY 2025. This total represents 16 plans started during the fiscal year and 18 carryover plans. The court-approved plans included five job placement plans and 11 formal training plans.

When an injured employee is in a court-approved VR plan, the following costs are paid by the court-administered Workers' Compensation Trust Fund: tuition, books, tools, other appropriate fees and costs, and board, lodging, and / or travel in some circumstances. The employer or insurer is responsible for payment of temporary disability benefits while the employee is participating in a court-approved VR plan.

A VR counselor may also provide a Loss of Earning Power evaluation report. These reports evaluate an employee's ability to "procure employment generally, ability to hold a job obtained, and capacity to perform the tasks of the work, as well as the ability of the [worker] to earn wages in the employment..." see *Sidel v. Travelers Insurance Company*, 205 Neb. 541, 288 N.W.2d 482 (1980).

Fees for the services provided by VR counselors generally are paid by the employer or workers' compensation insurer. This includes costs of job placement specialists or interpreters, if necessary. The employer or insurer is also responsible for payment of temporary disability benefits while the employee is participating in a court-approved VR plan.

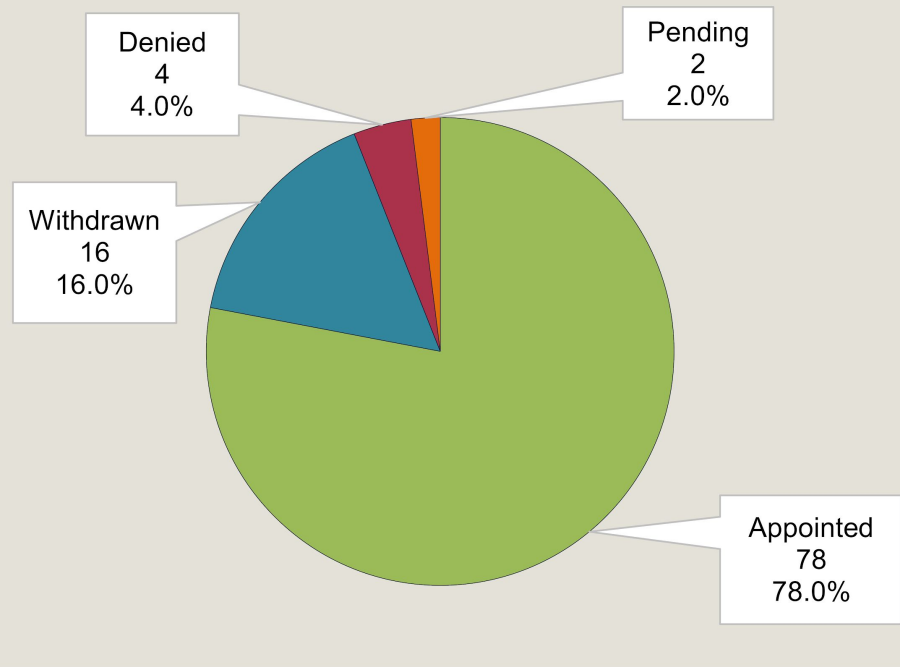
Vocational Rehabilitation Program, continued to next page.



VR Counselor Appointment

When an injured employee claims entitlement to VR services or seeks a Loss of Earning Power (LOEP) evaluation, the worker and the employer (or the employer's workers' compensation insurer) must try to agree upon a VR counselor to evaluate the worker and provide needed services. If the parties cannot agree, the VR section may then appoint a counselor to provide VR services and / or a LOEP evaluation to an injured worker.

Appointment Requests Submitted Total Fiscal Year Requests: 100



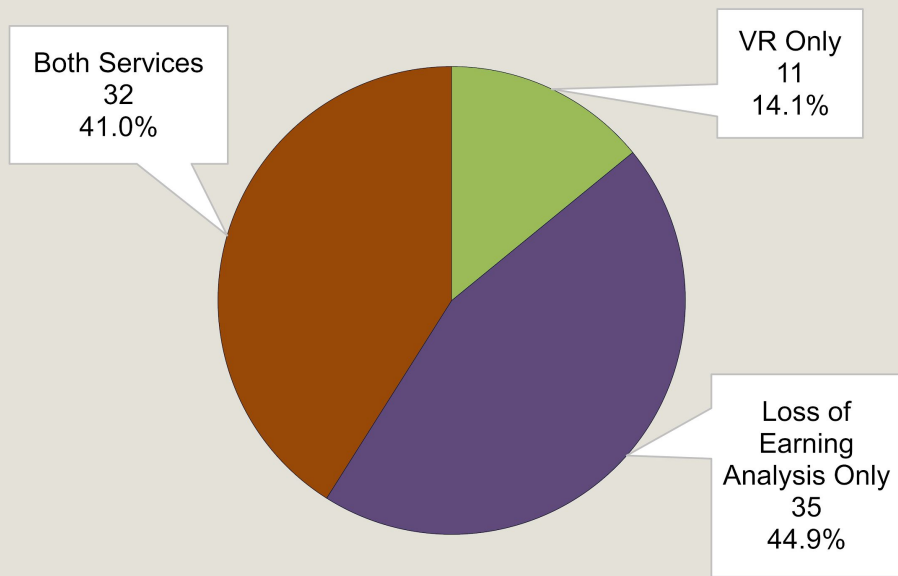
Vocational Rehabilitation Program, continued to next page.

VR Cases Opened

A VR case is opened by the VR section when notice of agreement to a VR counselor or a request for appointment of a VR counselor is filed with the court, or a judge of the court orders appointment of a counselor for VR services. Of the 310 cases opened in FY 2025, the court appointed 78 VR counselors and the parties were able to agree on a VR counselor in 230 cases. During FY 2025, 429 cases required action by the VR section. These actions involved reviewing and monitoring rehabilitation plans, monitoring loss of earning power cases, and reviewing and processing forms or requests for action received from parties or VR counselors.

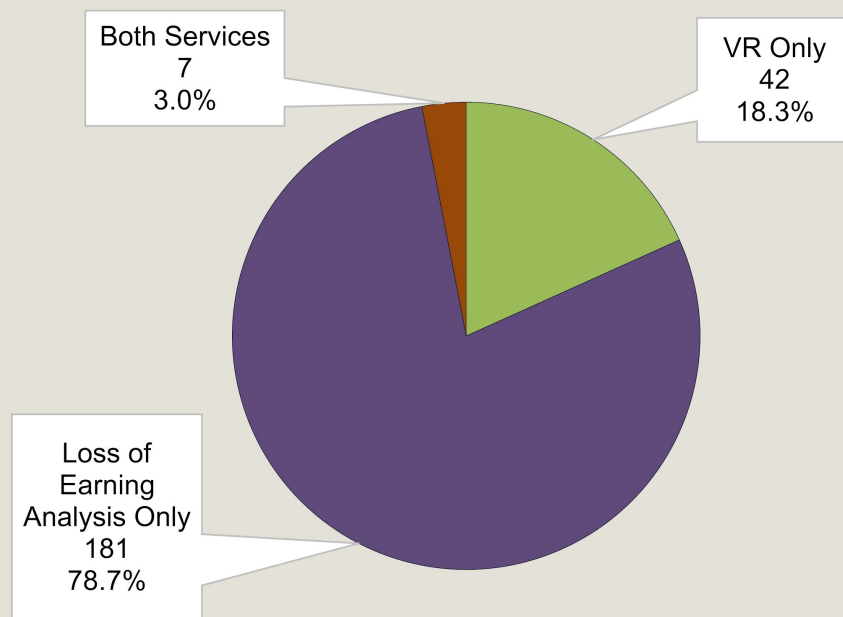
Cases Appointed by the VR Section

Total Fiscal Year Cases Appointed: 78



Cases Agreed to by the Parties

Total Fiscal Year Cases Appointed: 230



Federal Grant Program

Survey of Occupational Injuries and Illnesses

In order to measure and evaluate the efforts in reducing work-related injuries and illnesses, a standardized system to collect, compile and analyze the health and safety statistics was established and implemented. The Nebraska Workers' Compensation Court has cooperated with the U.S. Department of Labor, Bureau of Labor Statistics (BLS) since 1971 in conducting an annual survey of Nebraska employers, through which these essential work injury and illness statistics are gathered.

This standardized system enables data users to identify those industries that need improvement, furthers monitoring and education programs, and allows employers to compare their incidence rates with other employers in the same industry. Beginning with the 2008 survey, local and state government units in addition to the private sector have been surveyed.

Results of the most recent Survey of Occupational Injuries and Illnesses for Nebraska are available on the BLS website (<https://www.bls.gov/iif/oshstate.htm#NE>).

The federal Occupational Safety and Health Act of 1970 (OSHA) became an official part of the nation's labor laws in 1971. With its passage, Congress declared its intent "... to assure as far as possible every working man and woman in the Nation safe and healthful working conditions and to preserve our human resources."

Under this Act, employers are required to keep records of all work-related deaths; any diagnosed occupational illnesses; and any occupational injuries that involve loss of consciousness, restriction of work or motion, transfer to another job, or require medical treatment beyond first aid. Employers with more than 10 workers are required to maintain a log (OSHA No. 300), a summary of occupational injuries and illnesses (OSHA No. 300A), and a supplementary record (OSHA No. 301) of each occurrence within the calendar year. The data reported to the Nebraska Workers' Compensation Court pursuant to **NEB. REV. STAT. § 48-144.01** may be used in place of the OSHA No. 301 form to report Nebraska work-related injuries and illnesses.

These records are retained at the work site for five years and must be available for inspection by representatives of the U.S. Department of Labor and the U.S. Department of Health and Human Services. Employers with 10 or fewer employees and those employers who conduct business in one of the low hazard industries specified by OSHA are generally exempt from these recordkeeping requirements unless they are notified of the necessity to maintain these records for a given year for statistical purposes.

Information regarding federal grant program survey and census results by calendar year may be accessed in the **Bureau of Labor Statistics Reports** section of our website: <https://www.newcc.gov/resources/court-forms-and-publications/bureau-of-labor-statistics-reports>

Census of Fatal Occupational Injuries (CFOI)

The Census of Fatal Occupational Injuries (CFOI) Program was developed by the U.S. Department of Labor, Bureau of Labor Statistics (BLS) to provide a timely and accessible census of work-related fatalities. The CFOI program is a federal / state cooperative program. In Nebraska, CFOI is conducted by the Nebraska Workers' Compensation Court. The CFOI Program has been conducted in all 50 states and the District of Columbia since 1992.

CFOI uses multiple data sources including death certificates, workers' compensation reports, medical examiner reports, and other available federal and state administrative records, to compile a complete, verifiable count of Nebraska fatal workplace injuries.

The census covers all traumatic occupational fatalities, including those resulting from injuries to the self-employed, laborers on small farms, government workers, and others too difficult to identify from a single data source. Please note that the types of workers included in these statistics may vary from those covered by the Nebraska Workers' Compensation Act.

Results of the most recent Census of Fatal Occupational Injuries for Nebraska are available on the BLS website (<https://www.bls.gov/iif/oshstate.htm#NE>).



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Contact Us

Please **contact us** with questions or comments about this report, workers' compensation in Nebraska, or any of our programs and services.

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Historic fiscal year data is available in our previously published Annual Reports, which may be viewed or downloaded from our website:

<https://www.newcc.gov/resources/court-forms-and-publications/annual-reports>



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