

U.S. Department of Labor

Office of Inspector General—Office of Audit

EMPLOYMENT STANDARDS ADMINISTRATION



DISTRICT OF COLUMBIA WORKMEN'S COMPENSATION ACT SPECIAL FUND FINANCIAL STATEMENTS AND INDEPENDENT AUDITORS' REPORT

September 30, 2007 and 2006

This report was prepared by KPMG, LLP, under contract to the U.S. Department of Labor, Office of Inspector General, and by acceptance, it becomes a report of the Office of Inspector General.

A handwritten signature in blue ink that reads "Eeliot P. Lewis".

Assistant Inspector General for Audit

Date Issued: March 31, 2008
Report Number: 22-08-005-04-432

**DISTRICT OF COLUMBIA WORKMEN'S
COMPENSATION ACT SPECIAL FUND**

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**DISTRICT OF COLUMBIA WORKMEN'S
COMPENSATION ACT SPECIAL FUND**

Acronyms

DCCA	District of Columbia Workmen's Compensation Act Special Fund
DLHWC	Division of Longshore and Harbor Workers' Compensation
DOL	Department of Labor
ESA	Employment Standards Administration
FY	Fiscal Year
LHWCA	Longshore Harbor Workers' Compensation Act
OMB	Office of Management and Budget
OWCP	Office of Workers' Compensation Programs
U.S.C.	United States Code

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**DISTRICT OF COLUMBIA WORKMEN'S
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Management's Discussion and Analysis

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Mission and Organizational Structure

Two Special Funds are administered by the Office of Workers' Compensation Program (OWCP) under section 44 of the Longshore Harbor Workers' Compensation Act (LHWCA); the Longshore Act Special Fund created under the original Act in 1927 and the Special Fund under the District of Columbia Workmen's Compensation Act of 1928 (DCCA). These Funds were established for the primary purpose of equitably distributing among all employers the liabilities associated with second injury claims (a "second injury" is an injury to a worker which, in combination with an existing permanent partial impairment, results in the worker's increased permanent disability or death).

Organizationally the DCCA Fund is administered by the Employment Standards Administration (ESA) Division of Longshore and Harbor Workers' Compensation program (DLHWC) whose mission is to effectively administer a program of compensation and medical benefits to cover workers who are injured on the job or suffer from occupational disease. The DLHWC has direct responsibility for all aspects of the administration of the Fund.

The Fund supports the program mission by providing compensation, and in certain cases, medical care payments to District of Columbia employees for work related injuries or death. Effective July 26, 1982, the District of Columbia became responsible for administration and operation of a separate special fund to cover post July 26, 1982, injury cases.

The DCCA provides medical benefits, compensation for lost-wages and rehabilitation services for job-related injuries, diseases or death of certain private-sector workers in the District of Columbia. Generally, benefits are paid directly from private funds by an authorized self-insured employer or through an authorized insurance carrier. Cases meeting the requirements of the Longshore and Harbor Workers' Compensation statute as extended to the District of Columbia Act of 1928 are paid from the Fund comprised primarily of employer contributions (assessments) and administered by the DLHWC. In fiscal year 2007 and 2006, 603 and 621 injured workers and their dependants received compensation benefits from the Fund.

Additionally, the District of Columbia Workmen's Compensation Act incorporates Section 10(h) of the LHWCA, which provides annual wage increase compensation (cost of living adjustments). Fifty percent of this annual wage increase for pre-1972 compensation cases is paid by Federal appropriated funds, and fifty percent is paid by the Fund through the annual assessment. Appropriated funding for 10(h) is not reflected in the

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accompanying financial statements. Appropriated funding is reflected in the Federal Employees Compensation Act's Special Benefits Fund.

Although the Fund is administered by the Secretary of Labor, the U.S. Treasury is the Custodian, holding the funds in trust. The Fund is not property of the United States, but can only be disbursed as specified in Section 44(i) of the Longshore Act. Administrative services for operating the Fund are provided by the ESA through direct Federal Appropriations. Appropriated funding for administrative services is not reflected in the accompanying financial statements.

Financial Highlights

The majority of the revenue of the Fund is generated through annual recurring assessments paid by self-insured employers and insurance carriers and totaled \$11,264,567 in fiscal year 2007. This compares with assessment revenue of \$10,788,519 for fiscal year 2006. During fiscal year 2007 a substantial recovery was made for the Fund due to activities involving the application of Agreed Upon Procedures (AUP) on Forms LS-513, *Report of Payments* (used in the calculation of the annual assessment), and negotiation/collection of past due assessments. Equally important, the AUP activities have uncovered common industry reporting errors and other industry record-keeping mistakes which, when discovered, have been eliminated. The on-going AUP program recovered \$1,093,355 in fiscal year 2007; however, no recoveries were made in fiscal year 2006 for the Fund. These recoveries have and will continue to reduce carrier assessments and are reflected in the Assessments line on the Statement of Changes in Net Position.

In addition, investment income for the Fund was \$249,589 for fiscal year 2007 compared to \$154,528 for fiscal year 2006. The average interest rate earned during fiscal year 2007 was 5.12% compared to 4.61% for fiscal year 2006.

The Fund's costs remained relatively stable compared to fiscal year 2007; \$9,817,496 for fiscal year 2007 compared to \$10,448,159 for fiscal year 2006. Proceeds of the Fund are used for payments under: section 8(f) for second injury claims; section 10(h) for initial and subsequent annual adjustments in compensation for permanent total disability or related death from injuries which occurred prior to the effective date of the 1972 LHWCA amendments; and section 18(b) for compensation to injured workers in cases of employer default.

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Performance Goals and Results

DCCA supports the Department of Labor's Strategic Goal 4 – *Strengthened Economic Protections*. This goal broadly promotes the economic security of workers and families. In particular, the DCCA program supports Performance Goal 4B – *Reduce the Consequences of Work-Related Injuries*. The Department of Labor plays a large role in ensuring that worker benefits are protected and that employers administer benefit programs in an appropriate way. The DCCA program assists in meeting this outcome goal by establishing the long term performance goal of ensuring sufficient funds are assessed to fund the annual payments, and by prompt payment to the beneficiaries. These targets were achieved. The assessments were sufficient to cover the costs, and no beneficiaries suffered a delayed payment.

Internal Controls and Systems

The Longshore and Harbor Workers' Compensation Division's Branch of Financial Management, Insurance and Assessments is a very small unit comprised of four employees and one supervisor, all working in very close proximity to each other. Much of the oversight, evaluation, monitoring, and control and almost all of the supervisory activity is informal, done on a face-to-face basis. Similarly, each of the district offices is in itself a small unit, operating in the same fashion as the Branch of Financial Management, Insurance and Assessments.

Cases paid by the Special Fund are paid as a result of a formal Compensation Order issued by a District Director or Administrative Law Judge, setting forth precisely what payment is due and to whom the payment is due. Each new case coming in for Special Fund payment is prepared and reviewed by a total of five different employees before payment is made, thus ensuring accuracy.

Monthly cash basis statements, monthly case management reports, quarterly review processes, biweekly payment summaries, the SF-224 report and statement of differences all provide current, reliable, and accurate information.

Management communicates all procedural, policy, and operating goals to staff by means of weekly staff meetings, a written procedure manual, frequent e-mail communication, and frequent individual communications regarding changes, problems and issues.

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Known Risks and Uncertainties

The DCCA Fund makes assessments on authorized insurers and self-insurers one year at a time for current expenses; there is no reserve for future Fund obligations. In keeping with the requirement of section 44 of the Longshore Act, obligations are paid as they are incurred. Assessments are based on compensation and medical benefits paid in the prior calendar year. The District of Columbia Workmen's Compensation Act of 1928 has been repealed and the DC Special Fund only assesses based on payments in cases that arose prior to July 26, 1982, the annual Special Fund assessment is assessed against a shrinking base of industry payments. These payments are concentrated among a relatively few insurance carriers and self insured employers. For example, the largest nine insurance carriers and self-insured employers alone fund over 63% of the District of Columbia assessments. If one or more of the largest payers became insolvent and was unable to pay their assessment obligations, temporary collection issues would result, necessitating special, unscheduled assessments or other actions to keep the Special Fund funded for current liabilities.

One insurance company group is currently in run-off and is being operated by the State of Illinois Insurance Department. The group is responsible for nearly 12.6% of the total District of Columbia assessments. If the three carriers in the group were no longer able to pay their assessments, the total District of Columbia assessment on solvent carriers would increase significantly.

Limitations of the Financial Statements

The following limitations are part of the financial statements:

- The financial statements have been prepared to report the financial position and results of operations of the entity, pursuant to the requirements of the Chief Financial Officers Act of 1990, U.S.C. 3515 (b).
- While the statements have been prepared from the books and records of the Fund in accordance with the formats prescribed by OMB, the statements are different from the financial reports used to monitor and control budgetary resources which are prepared from the same books and records.
- The statements should be read with the realization that they are for a component of the U.S. Government, a sovereign entity, that liabilities cannot be liquidated without the enactment of an appropriation, and that the payment of all liabilities other than for contracts can be abrogated by the sovereign entity.



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Independent Auditors' Report

Ms. Victoria Lipnic, Assistant Secretary
Employment Standards Administration
U.S. Department of Labor

We have audited the accompanying balance sheets of the U.S. Department of Labor's (DOL) District of Columbia Workmen's Compensation Act Special Fund (the Fund) as of September 30, 2007 and 2006, and the related statements of net cost, changes in net position and budgetary resources (hereinafter referred to as "financial statements") for the years then ended. The objective of our audits was to express an opinion on the fair presentation of these financial statements. In connection with our fiscal year 2007 audit, we also considered the Fund's internal controls over financial reporting and performance measures and tested the Fund's compliance with certain provisions of applicable laws and regulations that could have a direct and material effect on these financial statements.

SUMMARY

As stated in our opinion on the financial statements, we concluded that the Fund's financial statements as of and for the years ended September 30, 2007 and 2006, are presented fairly, in all material respects, in conformity with U.S. generally accepted accounting principles.

In fiscal year 2007, the Fund changed its method of reporting the reconciliation of budgetary resources obligated to the net cost of operations, in accordance with Office of Management and Budget (OMB) Circular No. A-136, *Financial Reporting Requirements*.

Our consideration of internal control over financial reporting resulted in the identification of significant deficiencies related to weaknesses in controls over accounts receivable and financial reporting. However, we do not consider these significant deficiencies to be material weaknesses.

We noted no deficiencies involving the design of the internal control over the existence and completeness assertions related to key performance measures.

The results of our tests of compliance with certain provisions of laws and regulations disclosed no instances of noncompliance or other matters that are required to be reported under *Government Auditing Standards*, issued by the Comptroller General of the United States, and OMB Bulletin No. 07-04, *Audit*



Requirements for Federal Financial Statements.

The following sections discuss our opinion on the Fund's financial statements; our consideration of the Fund's internal controls over financial reporting and performance measures; our tests of the Fund's compliance with certain provisions of applicable laws and regulations; and management's and our responsibilities.

OPINION ON THE FINANCIAL STATEMENTS

We have audited the accompanying balance sheets of the U.S. Department of Labor's District of Columbia Workmen's Compensation Act Special Fund as of September 30, 2007 and 2006, and the related statements of net cost, changes in net position, and budgetary resources for the years then ended.

In our opinion, the financial statements referred to above present fairly, in all material respects, the financial position of the U.S. Department of Labor's District of Columbia Workmen's Compensation Act Special Fund as of September 30, 2007 and 2006, and its net costs, changes in net position, and budgetary resources for the years then ended, in conformity with U.S. generally accepted accounting principles.

As discussed in Note 1(b) to the financial statements, the Fund changed its method of reporting the reconciliation of budgetary resources obligated to the net cost of operations in fiscal year 2007, based on new reporting requirements under OMB Circular A-136.

The information in the Management's Discussion and Analysis is not a required part of the financial statements, but is supplementary information required by U.S. generally accepted accounting principles and OMB Circular No. A-136. We have applied certain limited procedures, which consisted principally of inquiries of management regarding the methods of measurement and presentation of this information. However, we did not audit this information and, accordingly, we express no opinion on it.

INTERNAL CONTROL OVER FINANCIAL REPORTING

Our consideration of the internal control over financial reporting was for the limited purpose described in the Responsibilities section of this report and would not necessarily identify all deficiencies in the internal control over financial reporting that might be significant deficiencies or material weaknesses.

A control deficiency exists when the design or operation of a control does not allow management or employees, in the normal course of performing their



assigned functions, to prevent or detect misstatements on a timely basis. A significant deficiency is a control deficiency, or combination of control deficiencies, that adversely affects the Fund's ability to initiate, authorize, record, process, or report financial data reliably in accordance with U.S. generally accepted accounting principles such that there is more than a remote likelihood that a misstatement of the Fund's financial statements that is more than inconsequential will not be prevented or detected by the Fund's internal control over financial reporting. A material weakness is a significant deficiency, or combination of significant deficiencies, that results in more than a remote likelihood that a material misstatement of the financial statements will not be prevented or detected by the Fund's internal control.

In our fiscal year 2007 audit, we consider the deficiencies described in Exhibit I to be significant deficiencies in internal control over financial reporting. However, we believe that none of the significant deficiencies described in Exhibit I are material weaknesses.

INTERNAL CONTROL OVER PERFORMANCE MEASURES

Our tests of internal control over performance measures, as described in the Responsibilities section of this report, disclosed no deficiencies involving the design of the internal control over the existence and completeness assertions related to key performance measures.

COMPLIANCE AND OTHER MATTERS

The results of our tests of compliance described in the Responsibilities section of this report disclosed no instances of noncompliance or other matters that are required to be reported herein under *Government Auditing Standards* and OMB Bulletin No. 07-04.

* * * * *

RESPONSIBILITIES

Management's Responsibilities.

Management is responsible for the financial statements, including:

- Preparing the financial statements in conformity with U.S. generally accepted accounting principles;
- Preparing the Management's Discussion and Analysis (including the performance measures);
- Establishing and maintaining effective internal control; and



- Complying with laws and regulations applicable to the Fund.

In fulfilling this responsibility, management is required to make estimates and judgments to assess the expected benefits and related costs of internal control policies.

Auditors' Responsibilities. Our responsibility is to express an opinion on the fiscal year 2007 and 2006 financial statements of the Fund based on our audits. We conducted our audits in accordance with auditing standards generally accepted in the United States of America; the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States; and OMB Bulletin No. 07-04. Those standards and OMB Bulletin No. 07-04 require that we plan and perform the audits to obtain reasonable assurance about whether the financial statements are free of material misstatement. An audit includes consideration of internal control over financial reporting as a basis for designing audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Fund's internal control over financial reporting. Accordingly, we express no such opinion.

An audit also includes:

- Examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements;
- Assessing the accounting principles used and significant estimates made by management; and
- Evaluating the overall financial statement presentation.

We believe that our audits provide a reasonable basis for our opinion.

In planning and performing our fiscal year 2007 audit, we considered the Fund's internal control over financial reporting by obtaining an understanding of the Fund's internal control, determining whether internal controls had been placed in operation, assessing control risk, and performing tests of controls as a basis for designing our auditing procedures for the purpose of expressing our opinion on the financial statements. We limited our internal control testing to those controls necessary to achieve the objectives described in *Government Auditing Standards* and OMB Bulletin No. 07-04. We did not test all internal controls relevant to operating objectives as broadly defined by the *Federal Managers' Financial Integrity Act of 1982*. The objective of our audit was not to express an opinion on the effectiveness of the Fund's internal control over financial reporting. Accordingly, we do not express an opinion on the effectiveness of the Fund's internal control over financial reporting.



As required by OMB Bulletin No. 07-04 in our fiscal year 2007 audit, with respect to internal control related to performance measures determined by management to be key and reported in the Management's Discussion and Analysis, we obtained an understanding of the design of internal controls relating to the existence and completeness assertions and determined whether these internal controls had been placed in operation. We limited our testing to those controls necessary to report deficiencies in the design of internal control over key performance measures in accordance with OMB Bulletin 07-04. However, our procedures were not designed to provide an opinion on internal control over reported performance measures and, accordingly, we do not provide an opinion thereon.

As part of obtaining reasonable assurance about whether the Fund's fiscal year 2007 financial statements are free of material misstatement, we performed tests of the Fund's compliance with certain provisions of laws and regulations, noncompliance with which could have a direct and material effect on the determination of the financial statement amounts. We limited our tests of compliance to the provisions described in the preceding sentence, and we did not test compliance with all laws and regulations applicable to the Fund. However, providing an opinion on compliance with laws and regulations was not an objective of our audit and, accordingly, we do not express such an opinion.

The Fund's response to the findings identified in our audit are presented in Exhibit I. We did not audit the Fund's response and, accordingly, we express no opinion on it.

RESTRICTED USE

This report is intended solely for the information and use of the United States Department of Labor's management, Office of Inspector General, OMB, the U.S. Government Accountability Office, and the U.S. Congress, and is not intended to be and should not be used by anyone other than these specified parties.

KPMG LLP

March 28, 2008

Exhibit I

**Controls Over Accounts Receivable and the Financial Reporting Process
Need Improvement**

During the FY 2007, we noted the following:

- DCCA calculates the allowance for doubtful accounts receivable as 25% of the outstanding accounts receivable balance. However, management could not provide support for the rate being used;
- Accounts receivable in the draft DCCA financial statements were overstated by \$121,341 as a result of three Longshore benefit overpayments being incorrectly reported as accounts receivable of DCCA program instead of the Longshore program. This error was subsequently corrected; and
- Management could not provide supporting documentation for a journal entry for an amount of \$122,784. The journal entry reduced the year-end unpaid obligations balance and increased the unobligated balance available. The posting of this journal entry resulted in a difference between the unpaid obligations balance and the balance of accrued benefits payable reported on the balance sheet that was not identified as part of management's review of the financial statements.

Per GAO's *Standards of Internal Control in the Federal Government*, "Internal control should generally be designed to assure that ongoing monitoring occurs in the course of normal operations. It is performed continually and is ingrained in the agency's operations. It includes regular management and supervisory activities, comparisons, reconciliations, and other actions people take in performing their duties."

OMB Circular No. A-123, *Management's Responsibility for Internal Control*, states that "The agency head must establish controls that reasonably ensure that obligations and costs are in compliance with applicable laws; funds, property, and other assets are safeguarded against waste, loss, unauthorized use, or misappropriation; and revenues and expenditures applicable to agency operations are properly recorded and accounted for to permit the preparation of accounts and reliable financial and statistical reports . . ."

These errors noted above were caused by a lack of a thorough management review of: journal entries; periodic accounts receivable analysis; the computation of the allowance for doubtful accounts; and the draft financial statements.

We recommend that the Fund:

1. Establish and enforce more formal management review over journal entries, accounts receivable, the allowance computation, and the draft financial statements;
2. Establish formal policies and procedures for periodically reviewing and

- analyzing outstanding accounts receivables and requiring more formal communication regarding credit and corrections between the program and accounting offices;
3. Develop a methodology for estimating the allowance for doubtful accounts that is based upon a documented analysis of historical collection and write-off trends. This analysis should be updated annually to take into consideration actual results and changes in the industry; and
 4. Analyze the relationship between the budgetary and proprietary accounts on a quarterly basis.

Management's Response:

1. Management agrees with the recommendation. ESA has in place a formal process of review for all journal entries as well as the preparation of the Financial Statements. ESA will ensure that this process is strictly adhered to and that a thorough review takes place and includes all necessary signatures or initials. Additionally, ESA has established a procedure whereby the allowance amount for this fiscal year is split between the Assessment and Other Accounts Receivable balance. The total allowance amount is recorded in the "Allowance for Loss on Accounts Receivable," 1319 account, while the assessment portion is recorded in the "Contra Revenue for Appropriations Receipts Income," 5439 account, and Other Accounts Receivable portion is recorded in the "Operating Expense – Bad Debt," 6104 account. This accounting will allow for the proper classification in the year end Financial Statements.
2. Management agrees with the recommendation. Formal procedures establishing monthly review and analysis of outstanding receivables with formal communication of credit and corrections between the program and accounting offices will be implemented by June 30, 2008.
3. Management agrees with the recommendation. Methodology for estimating the allowance for doubtful debts, based on historical collection and write-off trends, with annual updates to take into consideration actual results and changes in the industry, will be developed during the fiscal year, and implemented by September 30, 2008.
4. Management agrees with the recommendation. ESA has developed a worksheet to provide a comparison of the SF 133 report to the proprietary and the budgetary calculation. Any differences are noted. This analysis was completed for the 12-31-07, reporting quarter, and applied retroactively for the 9-30-07, quarter.

Auditors' Response:

Based on management's response, we consider these recommendations **resolved and open.**

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**DISTRICT OF COLUMBIA WORKMEN'S
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Balance Sheets

September 30, 2007 and 2006

Assets	2007	2006
Intra-governmental assets:		
Funds with U.S. Treasury (Note 2)	\$ 75,274	75,967
Investments (Note 3)	6,585,000	5,611,000
Accounts receivable (Note 4)	1,460	784
Total intra-governmental assets	<u>6,661,734</u>	<u>5,687,751</u>
Accounts receivable, net of allowance (Note 4)	<u>327,411</u>	<u>411,594</u>
Total assets	<u><u>\$ 6,989,145</u></u>	<u><u>6,099,345</u></u>
Liabilities and Net Position		
Liabilities:		
Accrued benefits payable	\$ 297,923	282,571
Deferred revenue	2,500,000	2,633,150
Other liabilities (note 5)	57,024	746,086
Total liabilities	<u>2,854,947</u>	<u>3,661,807</u>
Net position:		
Cumulative results of operations	<u>4,134,198</u>	<u>2,437,538</u>
Total liabilities and net position	<u><u>\$ 6,989,145</u></u>	<u><u>6,099,345</u></u>

See accompanying notes to financial statements.

**DISTRICT OF COLUMBIA WORKMEN'S
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Statements of Net Cost

Years ended September 30, 2007 and 2006

	<u>2007</u>	<u>2006</u>
Special fund net cost of operations:		
Second injury compensation, Section 8(f)	\$ 8,990,515	9,620,081
Wage increase compensation, Section 10(h)	613,237	588,473
Compensation payment for self-insurer in default, Section 18(b)	<u>213,744</u>	<u>239,605</u>
Net cost of operations	<u>\$ 9,817,496</u>	<u>10,448,159</u>

See accompanying notes to financial statements.

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Statements of Changes in Net Position

Years ended September 30, 2007 and 2006

	<u>2007</u>	<u>2006</u>
Cumulative results of operations, beginning	\$ 2,437,538	1,942,650
Budgetary financing sources:		
Non-exchange revenues:		
Investment interest	249,589	154,528
Assessments	<u>11,264,567</u>	<u>10,788,519</u>
Total non-exchange revenues	11,514,156	10,943,047
Net cost of operations	<u>(9,817,496)</u>	<u>(10,448,159)</u>
Net position, end of period	<u>\$ 4,134,198</u>	<u>2,437,538</u>

See accompanying notes to financial statements.

**DISTRICT OF COLUMBIA WORKMEN'S
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Statements of Budgetary Resources
Years ended September 30, 2007 and 2006

	2007	2006
Budgetary resources:		
Unobligated balance, brought forward	\$ 5,529,106	4,815,948
Budget authority		
Appropriations received (assessments)	11,060,442	10,867,049
Total budgetary resources	\$ 16,589,548	15,682,997
Status of budgetary resources:		
Obligations incurred (Note 6)		
Direct	\$ 10,225,272	10,153,891
Unobligated balances - available:		
Other available - exempt from apportionment	6,364,276	5,529,106
Total status of budgetary resources	\$ 16,589,548	15,682,997
Change in obligated balance:		
Obligated balance, net		
Unpaid obligations, brought forward, October 1	\$ 159,787	251,997
Obligations incurred, net	10,225,272	10,153,891
Less: Gross Outlays	(10,087,136)	(10,246,101)
Obligated balance, net, end of period		
Unpaid obligations	\$ 297,923	159,787
Outlays:		
Gross Outlays	\$ 10,087,136	10,246,101
Net outlays	\$ 10,087,136	10,246,101

See accompanying notes to financial statements.

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Notes to the Financial Statements

September 30, 2007 and 2006

(1) Summary of Significant Accounting Policies

The principal accounting policies which have been followed by the Fund in preparing the accompanying financial statements are set forth below.

(a) Reporting Entity

These financial statements present the financial position, net cost of operations, changes in net position, and budgetary resources of the District of Columbia Workmen's Compensation Act Special Fund (Fund). The Fund is administered by the Employment Standards Administration (ESA) which is an agency within the United States Department of Labor. Within ESA, the Division of Longshore and Harbor Workers' Compensation has direct responsibility for administration of the Fund. The Fund offers compensation, and in certain cases, medical care payments to District of Columbia employees for work related injuries or death incurred on or before July 26, 1982. Effective July 26, 1982, the District of Columbia Workmen's Compensation Act was amended whereby the Mayor of the District of Columbia became responsible for administration and operation of a separate special fund to cover post July 26, 1982, injury cases.

Additionally, the District of Columbia Workmen's Compensation Act Section 10(h) provides annual wage increase compensation (cost of living adjustments). Fifty percent of this annual wage increase for pre-1972 compensation cases is paid by Federal appropriated funds and fifty percent is paid by the Fund through the annual assessment. Appropriated funding for 10(h) is not reflected in the accompanying financial statements. Appropriated funding is reflected in the Federal Employees Compensation Act's Special Benefit Fund. Also, these financial statements do not include the Special Fund administered by the Mayor of the District of Columbia for injury cases occurring after July 26, 1982.

(b) Basis of Accounting and Presentation

These financial statements present the financial position, net cost of operations, changes in net position and budgetary resources, in accordance with U.S. generally accepted accounting principles and the form and content requirements of OMB Circular A-136. These financial statements have been prepared from the books and records of the Fund. These financial statements are not intended to present, and do not present, the full cost of the District of Columbia Workmen's Compensation (DCCA) program administered under the Longshore and Harbor Workers' Compensation Act Program (Longshore Program). In addition to the Fund costs presented in these statements, the full cost of the DCCA portion of

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the Longshore Program would include certain direct costs of ESA in the form of salaries and expenses for administration of the Longshore Program and allocated costs of ESA and other DOL agencies incurred in support of the Longshore Program. The full cost of the DCCA portion of the Longshore Program is included in the Consolidated Financial Statements of the U.S. Department of Labor.

U.S. generally accepted accounting principles encompass both accrual and budgetary transactions. Under accrual accounting, revenues are recognized when earned, and expenses are recognized when a liability is incurred. Budgetary accounting facilitates compliance with legal constraints on, and controls over, the use of federal funds. These financial statements are different from the financial reports, also prepared for the Fund pursuant to OMB directives, used to monitor the Fund's use of budgetary resources.

Effective for FY 2007, OMB Circular A-136 has removed the Statement of Financing as a Principal Financial Statement. The purpose of this Statement was to explain how budgetary resources obligated during the period relate to the net cost of operations for the reporting entity. OMB decided that this reconciliation would be better understood as a note rather than a principle statement. This reconciliation is disclosed in Note 7, Reconciliation of Budgetary Resources Obligated to Net Cost of Operations.

(c) Funds with U.S. Treasury

The Fund does not maintain cash in commercial bank accounts. Cash receipts and disbursements are processed by the U.S. Treasury. The Funds with U.S. Treasury are trust funds that are available to pay current liabilities and finance authorized purchase commitments.

(d) Investments

Investments in U.S. Government securities are reported at cost, net of unamortized premiums or discounts, which approximate market value. Premiums or discounts are amortized on a straight-line basis, which approximates the effective interest method. The Fund's intent is to hold investments to maturity, unless they are needed to finance claims or otherwise sustain the operations of the Fund. No provision is made for unrealized gains or losses on these securities because, in the majority of cases, they are held to maturity.

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Notes to the Financial Statements

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(e) *Accounts Receivable, Net of Allowance*

The amounts due as receivables are stated net of an allowance for uncollectible accounts. The allowance is estimated based on past experience in the collection of the receivables and an analysis of the outstanding balances. Also included as benefit overpayments receivable are Fund overpayments to beneficiaries made to individuals primarily from awarded compensation orders and corrections of payment computations.

(f) *Accrued Benefits Payable*

The District of Columbia Workmen's Compensation Special Fund provides compensation and medical benefits for work related injuries to employees of the District of Columbia that were incurred on or before July 26, 1982. The Fund recognizes a liability for disability benefits payable to the extent of unpaid benefits applicable to the current period. It does not include a liability for those estimated claims to be presented and paid by the fund related to covered workers in future years. Ultimate responsibility for the payment of such claims rests with the employer organizations.

(g) *Assessment Overpayment by Carriers*

Assessment overpayments are current liabilities and are to be refunded upon insurance carrier or self-insured employer's request or applied to reduce future assessments.

(h) *Deferred Revenue*

Deferred revenues represent the unearned assessment revenues as of September 30, the Fund's accounting year end. The annual assessments cover a calendar year and, accordingly, the portion extending beyond September 30 has been deferred.

(i) *Financing Sources Other Than Exchange Revenue*

Non-exchange revenues arise from the Federal government's power to demand payments from and receive donations from the public. Non-exchange revenues are recognized by the Fund for assessments levied against the public and interest income from investments.

**DISTRICT OF COLUMBIA WORKMEN'S
COMPENSATION ACT SPECIAL FUND**

Notes to the Financial Statements

September 30, 2007 and 2006

The Fund's primary source of revenue is annual assessments levied on insurance carriers and self-insured employers. Assessments are recognized as non-exchange revenue when due. Included in assessment revenues in the accompanying Statement of Changes in Net Position are recoveries of amounts reassessed to carriers related to prior years. These reassessments primarily result from the application of Agreed Upon Procedures (AUP) on reported carrier data. Recoveries amounted to \$1,093,355 for the fiscal year ended September 30, 2007; however, no recoveries were made during fiscal year ended September 30, 2006 as the AUP process was just introduced in FY 2007. The Fund also receives interest on Fund investments and on Federal funds in the possession of non-Federal entities.

(2) Funds with U.S. Treasury

Funds with U.S. Treasury at September 30, 2007 and 2006 consisted of cash deposits of \$75,274 and \$75,967 respectively. There was \$24 in cash deposits at September 30, 2007 and \$47 in cash deposits at September 30, 2006 being held as security by authority of Section 32 of the Longshore and Harbor Workers' Compensation Act in the Funds with U.S. Treasury balance. Section 32 funds relate to the default of self-insured employers and are available for payment of compensation and medical benefits to covered employees of the defaulted companies.

Funds with U.S. Treasury at September 30, 2007 consisted of the following:

(In Dollars)	Entity Assets			Total Entity Assets	Non-entity Assets	Total
	Unobligated Balance Available	Unobligated Balance Unavailable	Obligated Balance Not Yet Disbursed			
Special Fund	\$ —	—	75,274	75,274	—	75,274

Funds with U.S. Treasury at September 30, 2006 consisted of the following:

(In Dollars)	Entity Assets			Total Entity Assets	Non-entity Assets	Total
	Unobligated Balance Available	Unobligated Balance Unavailable	Obligated Balance Not Yet Disbursed			
Special Fund	\$ —	—	75,967	75,967	—	75,967

**DISTRICT OF COLUMBIA WORKMEN'S
COMPENSATION ACT SPECIAL FUND**

Notes to the Financial Statements

September 30, 2007 and 2006

(3) Investments

Investments at September 30, 2007 and 2006 consisted of the following:

		September 30, 2007			
<u>(In Dollars)</u>	<u>Face</u>	<u>Net</u>	<u>Market</u>	<u>Value</u>	
	<u>Value</u>	<u>Discount</u>	<u>Value</u>	<u>Value</u>	
Intragovernmental securities:					
Marketable	\$ 6,585,000	—	6,585,000	6,585,000	
	<u>6,585,000</u>	<u>—</u>	<u>6,585,000</u>	<u>6,585,000</u>	
		September 30, 2006			
<u>(In Dollars)</u>	<u>Face</u>	<u>Net</u>	<u>Market</u>	<u>Value</u>	
	<u>Value</u>	<u>Discount</u>	<u>Value</u>	<u>Value</u>	
Intragovernmental securities:					
Marketable	\$ 5,611,000	—	5,611,000	5,611,000	
	<u>5,611,000</u>	<u>—</u>	<u>5,611,000</u>	<u>5,611,000</u>	

Investments of \$57,000 and \$54,100 at September 30, 2007 and 2006, respectively are being held as security by authority of Section 32 of the Longshore and Harbor Workers' Compensation. Section 32 investments relate to the default of self-insured employers and are restricted. These investments are available for payment of compensation and medical benefits to covered employees of the defaulted companies. Investments at September 30, 2007 and 2006 consist of overnight securities. Investments at September 30, 2007, bear an interest rate of 3.99 % compared to an interest rate of 5.03% for September 30, 2006. Interest rates on securities bought and sold during fiscal year 2007 ranged from 2.16% to 5.35% compared to 3.46% to 5.30% for fiscal year 2006.

**DISTRICT OF COLUMBIA WORKMEN'S
COMPENSATION ACT SPECIAL FUND**

Notes to the Financial Statements

September 30, 2007 and 2006

(4) Accounts Receivable, Net

Accounts receivable at September 30, 2007 and 2006 consisted of the following:

<u>(In Dollars)</u>	2007	2006
Entity assets:		
Intragovernmental:		
Interest Receivable	\$ 1,460	\$ 784
Total Intragovernmental accounts receivable	\$ 1,460	\$ 784
Benefit overpayments	\$ 341,425	\$ 56,433
Assessments receivable	95,123	492,358
Less: allowance for doubtful accounts	(109,137)	(137,197)
Total accounts receivable from the public, net	\$ 327,411	\$ 411,594

Assessments receivable represent the unpaid annual assessments from the current and prior years. Accounts receivable from overpayments to claimants arise primarily from amended compensation orders and corrections of payment computations. These receivables are being primarily recovered by partial and total withholding of benefit payments.

Changes in the allowance for doubtful accounts during fiscal year 2007 and fiscal year 2006 consisted of the following:

<u>(In Dollars)</u>	2007	2006
	Allowance October 1, 2006	Allowance September 30, 2007
Entity assets:		
Benefit overpayments	\$ (14,108)	(85,357)
Assessment receivable	(123,089)	(23,780)
	\$ (137,197)	(109,137)

**DISTRICT OF COLUMBIA WORKMEN'S
COMPENSATION ACT SPECIAL FUND**

Notes to the Financial Statements

September 30, 2007 and 2006

(In Dollars)	2006				Allowance September 30, 2006
	Allowance October 1, 2005	Write Offs	Revenue Adjustment	Bad Debt	
Entity assets:					
Benefit overpayments	\$ (3,896)	—	—	(10,212)	(14,108)
Assessment receivable	(124,113)	—	—	1,024	(123,089)
	<u>\$ (128,009)</u>	<u>—</u>	<u>—</u>	<u>(9,188)</u>	<u>(137,197)</u>

(5) Other Liabilities

Other liabilities at September 30, 2007 and 2006 consisted of the following current liabilities:

(In Dollars)	2007	2006
Other liabilities:		
Assessment overpayments by carriers	\$ —	691,939
Defaulted employer liability:		
Held in investments	57,000	54,100
Held in cash	24	47
	<u>57,024</u>	<u>54,147</u>
Total other liabilities	<u>\$ 57,024</u>	<u>746,086</u>

Assessment overpayments are to be refunded upon request or applied to reduce future assessments.

Defaulted employer liability relates to the funds and investments held by the District of Columbia Special Fund which are being held as security by authority of Section 32 of the Act. These funds and investments are available for compensation and medical benefits to covered employees of the defaulted companies. Management estimates that these funds and investments held will be sufficient to cover the future benefits associated with the covered employees.

**DISTRICT OF COLUMBIA WORKMEN'S
COMPENSATION ACT SPECIAL FUND**

Notes to the Financial Statements

September 30, 2007 and 2006

(6) Status of Budgetary Resources

(a) Apportionment Categories of Obligations Incurred

Obligations incurred reported on the Statement of Budgetary Resources in FY 2007 and FY 2006 consisted of the following:

<u>(In Dollars)</u>	2007	2006
Direct Obligations:		
Exempt from apportionment	\$ 10,225,272	10,153,891

(b) Explanation of Differences Between the Statement of Budgetary Resources and the Budget of the United States Government

A reconciliation of budgetary resources, obligations incurred and outlays, as presented in the Statement of Budgetary Resources to amounts included in the Budget of the United States Government for the year ended September 30, 2006 is shown below:

<u>(Dollars in Millions)</u>	2006		
	Budgetary Resources	Obligations Incurred	Outlays
Statement of Budgetary Resources	\$ 16	10	10
Longshore and Harbor Workers Compensation	204	137	135
Budget of the United States Government	\$ 220	147	145

**DISTRICT OF COLUMBIA WORKMEN'S
COMPENSATION ACT SPECIAL FUND**

Notes to the Financial Statements

September 30, 2007 and 2006

(7) Reconciliation of Budgetary Resources Obligated to Net Cost of Operations

	<u>2007</u>	<u>2006</u>
Obligations incurred	\$ 10,225,272	10,153,891
Total resources used to finance activities	<u>10,225,272</u>	<u>10,153,891</u>
Resources used to finance items not part of the net cost of operations		
Resources that finance the acquisition of assets	—	(10,522)
Total resources used to finance items not part of the net cost of operations	<u>—</u>	<u>(10,522)</u>
Total Resources used to finance the net cost of operations	<u>10,225,272</u>	<u>10,143,369</u>
Components not requiring or generating resources:		
Revaluation of assets and liabilities	—	5,284
Other	<u>(407,776)</u>	<u>299,506</u>
Total components of net cost of operations that will not require or generate resources in the current period	<u>(407,776)</u>	<u>304,790</u>
Net cost of operations	<u>\$ 9,817,496</u>	<u>10,448,159</u>

(8) Concentration of Risk

The Fund makes assessments to authorized insurers and self-insurers one year at a time for current expenses; there is no reserve for future Fund obligations. In keeping with the requirement of section 44 of the Longshore Act, obligations are paid as they are incurred. Assessments are based on compensation and medical benefits paid in the prior calendar year. As previously discussed, the District of Columbia Workmen's Compensation Act of 1928 has been repealed and the Fund only assesses based on payments in cases that arose on or before July 26, 1982. Therefore, the annual Special Fund assessment is assessed for a shrinking population of claims. These assessments are concentrated among a relatively few insurance carriers and self insured employers. For example, the largest nine insurance carriers and self insured employers alone fund over 63% of the Fund assessments.