

**U.S. Department of Labor**  
**Office of Inspector General—Office of Audit**

**OFFICE OF WORKERS’  
COMPENSATION PROGRAMS**



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

**September 30, 2009 and 2008**

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.

*Elisot P. Lewis*

Assistant Inspector General for Audit

**Date: March 09, 2010**  
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**DISTRICT OF COLUMBIA WORKMEN'S  
COMPENSATION ACT SPECIAL FUND**

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**DISTRICT OF COLUMBIA WORKMEN'S  
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**Acronyms**

DCCA	District of Columbia Workmen's Compensation Act
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

September 30, 2009 and 2008

**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 and Harbor Workers' Compensation 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).

The reporting entity is the Fund. Organizationally the Fund is administered by the DOL, Employment Standards Administration (ESA), Office of Workers' Compensation Programs (OWCP), Division of Longshore and Harbor Workers' Compensation program (DLHWC). The DLHWC has direct responsibility for administration of the Fund. On November 8, 2009, the ESA was abolished and OWCP now reports directly to the Office of the Secretary of Labor. The mission of the Fund 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 LHWCA as extended to DCCA are paid from the Fund comprised primarily of employer contributions (assessments) and administered by the DLHWC. In fiscal year, (FY) 2009 and 2008, 550 and 582 injured workers and their dependants received compensation benefits from the Fund.

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Additionally, the DCCA 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 Section 10(h) is not reflected in the 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 LHWCA. 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 \$10,730,052 in FY 2009. This compares with assessment revenue of \$8,920,136 for fiscal year 2008. During FY 2009 and FY 2008, no recoveries were made for the Fund by independent contractors due to reconciliation activities on Forms LS-513, *Report of Payments* (used in the calculation of the annual assessment), and negotiation/collection of past due assessments. The reconciliation activities have uncovered common industry reporting errors and other industry record-keeping mistakes which, when discovered, have been eliminated. Recoveries, if any, 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 \$3,572 for FY 2009 compared to \$127,179 for FY 2008. The average interest rate earned during FY 2009 was 0.13% compared to 2.68% for FY 2008.

The Fund's costs remained relatively stable compared to FY 2008; \$9,777,283 for FY 2009 compared to \$10,157,970 for FY 2008. 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

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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.

**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 DLHWC'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,



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and frequent individual communications regarding changes, problems and issues.

**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 LHWCA, obligations are paid as they are incurred. Assessments are based on compensation and medical benefits paid in the prior calendar year. The DCCA 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 ten 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.

**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, United States Code 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 the Office of Management and Budget, (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.



**KPMG LLP**  
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Washington, DC 20036

## **Independent Auditors' Report**

Mr. Shelby Hallmark, Director  
Office of Workers' Compensation Programs, 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, 2009 and 2008, 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 2009 audit, we also considered the Fund's internal control over financial reporting 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, 2009 and 2008, are presented fairly, in all material respects, in conformity with U.S. generally accepted accounting principles.

Our consideration of internal control over financial reporting was not designed to identify all deficiencies in the internal control over financial reporting that might be deficiencies, significant deficiencies, or material weaknesses. However, we did not identify any deficiencies in internal control over financial reporting that we consider to be material weaknesses as defined in the Internal Control Over Financial Reporting section of this report.

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 Office of Management and Budget (OMB) Bulletin No. 07-04, *Audit Requirements for Federal Financial Statements*, as amended.

The following sections discuss our opinion on the Fund's financial statements; our consideration of the Fund's internal control over financial reporting; 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, 2009 and 2008, 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, 2009 and 2008, 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.

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. 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 was not designed to identify all deficiencies in the internal control over financial reporting that might be deficiencies, significant deficiencies or material weaknesses.

A deficiency in internal control 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 and correct misstatements on a timely basis. A significant deficiency is a deficiency, or a combination of deficiencies, in internal control that is less severe than a material weakness, yet important enough to merit attention by those charged with governance. A material weakness is a deficiency, or combination of deficiencies, in internal control, such that there is a reasonable possibility that a material misstatement of the entity's financial statements will not be prevented, or detected and corrected on a timely basis.

In our fiscal year 2009 audit, we did not identify any deficiencies in internal control over financial reporting that we consider to be material weaknesses as defined above.



## COMPLIANCE AND OTHER MATTERS

The results of certain 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* or OMB Bulletin No. 07-04, as amended.

\* \* \* \* \*

## RESPONSIBILITIES

**Management's Responsibilities.** Management is responsible for the financial statements; establishing and maintaining effective internal control; and complying with laws and regulations applicable to the Fund.

**Auditors' Responsibilities.** Our responsibility is to express an opinion on the fiscal year 2009 and 2008 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, as amended. Those standards and OMB Bulletin No. 07-04, as amended, 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 2009 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 did not test all 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 part of obtaining reasonable assurance about whether the Fund's fiscal year 2009 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, and certain provisions of other laws and regulations specified in OMB Bulletin No. 07-04, as amended. 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.

This report is intended solely for the information and use of DOL's management, DOL's 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**

February 19, 2010

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Balance Sheets

September 30, 2009 and 2008

<b>Assets</b>	<b>2009</b>	<b>2008</b>
Intra-governmental assets:		
Funds with U.S. Treasury (Note 2)	\$ 994,978	438,900
Investments (Note 3)	<u>5,228,000</u>	<u>5,160,000</u>
Total intra-governmental assets	6,222,978	5,598,900
Accounts receivable, net of allowance (Note 4)	<u>674,339</u>	<u>190,578</u>
Total assets	<u>\$ 6,897,317</u>	<u>5,789,478</u>
<b>Liabilities and Net Position</b>		
Liabilities:		
Accrued benefits payable	\$ —	344,739
Deferred revenue	2,858,019	2,125,000
Other liabilities (Note 5)	<u>59,414</u>	<u>296,196</u>
Total liabilities	<u>2,917,433</u>	<u>2,765,935</u>
Net position:		
Cumulative results of operations	<u>3,979,884</u>	<u>3,023,543</u>
Total liabilities and net position	<u>\$ 6,897,317</u>	<u>5,789,478</u>

See accompanying notes to financial statements.

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

Years ended September 30, 2009 and 2008

	<u>2009</u>	<u>2008</u>
Special fund cost of operations:		
Second injury compensation, Section 8(f)	\$ 8,881,018	9,301,723
Wage increase compensation, Section 10(h)	590,135	630,060
Compensation payment for self-insurer in default, Section 18(b)	<u>306,130</u>	<u>226,187</u>
Net cost of operations	<u>\$ 9,777,283</u>	<u>10,157,970</u>

See accompanying notes to financial statements.

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Statements of Changes in Net Position

Years ended September 30, 2009 and 2008

	<u>2009</u>	<u>2008</u>
Cumulative results of operations, beginning	\$ 3,023,543	4,134,198
Budgetary financing sources:		
Non-exchange revenues:		
Investment interest	3,572	127,179
Assessments	<u>10,730,052</u>	<u>8,920,136</u>
Total non-exchange revenues	10,733,624	9,047,315
Net cost of operations	<u>(9,777,283)</u>	<u>(10,157,970)</u>
Net position, end of period	<u>\$ 3,979,884</u>	<u>3,023,543</u>

See accompanying notes to financial statements.



**DISTRICT OF COLUMBIA WORKMEN'S  
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Statements of Budgetary Resources  
Years ended September 30, 2009 and 2008

	<u>2009</u>	<u>2008</u>
Budgetary resources:		
Unobligated balance, brought forward	\$ 5,256,086	6,364,276
Budget authority		
Appropriations received (assessments)	<u>10,717,796</u>	<u>8,898,933</u>
Total budgetary resources	<u>\$ 15,973,882</u>	<u>15,263,209</u>
Status of budgetary resources:		
Obligations incurred (Note 6)		
Direct	\$ 9,748,978	10,007,123
Unobligated balances - available:		
Other available - exempt from apportionment	<u>6,224,904</u>	<u>5,256,086</u>
Total status of budgetary resources	<u>\$ 15,973,882</u>	<u>15,263,209</u>
Change in obligated balance:		
Obligated balance , net		
Unpaid obligations, brought forward, October 1	\$ 344,739	297,923
Oblations incurred, net	9,748,978	10,007,123
Less: Gross Outlays	<u>(10,093,717)</u>	<u>(9,960,307)</u>
Obligated balance, net, end of period		
Unpaid obligations	<u>\$ —</u>	<u>344,739</u>
Outlays:		
Gross Outlays	<u>\$ 10,093,717</u>	<u>9,960,307</u>
Net outlays	<u>\$ 10,093,717</u>	<u>9,960,307</u>

See accompanying notes to financial statements.

**DISTRICT OF COLUMBIA WORKMEN'S  
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Notes to the Financial Statements

Years ended September 30, 2009 and 2008

**(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 (the Fund). The Fund is administered by the United States Department of Labor (DOL), Employment Standards Administration (ESA), Office of Workers' Compensation Programs (OWCP), Division of Longshore and Harbor Workers' Compensation program (DLHWC). The DLHWC has direct responsibility for administration of the Fund. On November 8, 2009, the ESA was abolished and OWCP now reports directly to the Office of the Secretary of Labor. 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

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Notes to the Financial Statements

Years ended September 30, 2009 and 2008

not present, the full cost of the District of Columbia Workmen's Compensation Act (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 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 DOL Consolidated Financial Statements and related notes. The Fund is considered a fiduciary activity of DOL, and is properly disclosed and reported in the consolidated statements of DOL as a fiduciary fund.

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.

**(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 Fund balance with U.S. Treasury is 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 they are held to maturity.

**DISTRICT OF COLUMBIA WORKMEN'S  
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Notes to the Financial Statements

Years ended September 30, 2009 and 2008

**(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. Accounts receivable are comprised of assessments receivable and Fund benefit overpayments to individuals primarily from awarded compensation orders and corrections of payment computations.

**(f) *Accrued Benefits Payable***

The 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. All disability benefits due and payable as of September 30, 2009 were paid as of September 30, 2009.

**(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 revenue 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. Deferred revenues reported on the balance sheets are considered "Other Liabilities" under OMB Circular A-136.

**(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.

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Notes to the Financial Statements

Years ended September 30, 2009 and 2008

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. 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, 2009 and 2008 consisted of cash deposits of \$994,978 and \$438,900 respectively. These cash deposits at September 30, 2009 and 2008 included \$5 and \$31, respectively, which are being held as security by authority of Section 32 of the Longshore and Harbor Workers' Compensation Act. The funds held as security by authority of Section 32 of the LHWCA 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, 2009 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			
<b>Special Fund</b>	\$ —	—	994,978	994,978	—	994,978

Funds with U.S. Treasury at September 30, 2008 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			
<b>Special Fund</b>	\$ —	—	438,900	438,900	—	438,900

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Notes to the Financial Statements  
Years ended September 30, 2009 and 2008

**(3) Investments**

Investments at September 30, 2009 and 2008 consisted of the following:

		<b>September 30, 2009</b>			
<u>(In Dollars)</u>		<b>Face Value</b>	<b>Premium (Discount)</b>	<b>Net Value</b>	<b>Market Value</b>
Intragovernmental securities:					
Marketable	\$	5,228,000	—	5,228,000	5,228,000
		<b>September 30, 2008</b>			
<u>(In Dollars)</u>		<b>Face Value</b>	<b>Premium (Discount)</b>	<b>Net Value</b>	<b>Market Value</b>
Intragovernmental securities:					
Marketable	\$	5,160,000	—	5,160,000	5,160,000

Investments of \$58,700 and \$58,600 at September 30, 2009 and 2008, respectively, are being held as security by authority of Section 32 of the Longshore and Harbor Workers' Compensation Act. 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, 2009 and 2008 consist of overnight securities. Investments at September 30, 2009, bear an interest rate of 0.07 % compared to an interest rate of 0.33% for September 30, 2008. Interest rates on securities bought and sold during fiscal year 2009 ranged from 0.01% to 1.03% compared to 0.25% to 4.95% for fiscal year 2008.

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Notes to the Financial Statements  
Years ended September 30, 2009 and 2008

**(4) Accounts Receivable, Net of Allowance**

Accounts receivable at September 30, 2009 and 2008 consisted of the following:

<u>(In Dollars)</u>	<b>2009</b>	<b>2008</b>
Benefit overpayments	\$ 164,184	\$ 193,209
Assessments receivable	539,015	—
Less: allowance for doubtful accounts	(28,860)	(2,631)
Total accounts receivable from the public, net	\$ 674,339	\$ 190,578

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 FY 2009 and FY 2008 consisted of the following:

<u>(In Dollars)</u>	<b>2009</b>				<b>Allowance</b>
	<b>Allowance October 1, 2008</b>	<b>Write Offs</b>	<b>Revenue Adjustment</b>	<b>Bad Debt</b>	<b>September 30, 2009</b>
Entity assets:					
Benefit overpayments	\$ (2,631)	-	-	721	(1,910)
Assessment receivable	-	-	-	(26,950)	(26,950)
	\$ (2,631)	-	-	(26,229)	(28,860)
<u>(In Dollars)</u>	<b>2008</b>				<b>Allowance</b>
	<b>Allowance October 1, 2007</b>	<b>Write Offs</b>	<b>Revenue Adjustment</b>	<b>Bad Debt</b>	<b>September 30, 2008</b>
Entity assets:					
Benefit overpayments	\$ (85,357)	-	-	82,726	(2,631)
Assessment receivable	(23,780)	94,003	-	(70,223)	-
	\$ (109,137)	94,003	-	12,503	(2,631)

**DISTRICT OF COLUMBIA WORKMEN'S  
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**(5) Other Liabilities**

Other liabilities at September 30, 2009 and 2008 consisted of the following current liabilities:

<u>(In Dollars)</u>	<u>2009</u>	<u>2008</u>
Other liabilities:		
Assessment overpayments by carriers	\$ 709	237,565
Defaulted employer liability:		
Held in investments	58,700	58,600
Held in cash	5	31
	<u>58,705</u>	<u>58,631</u>
Total other liabilities	<u>\$ 59,414</u>	<u>296,196</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.



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**(6) Status of Budgetary Resources**

**(a) Apportionment Categories of Obligations Incurred**

Obligations incurred reported on the Statement of Budgetary Resources in FY 2009 and FY 2008 consisted of the following:

<u>(In Dollars)</u>	<u>2009</u>	<u>2008</u>
Direct Obligations:		
Exempt from apportionment	\$ <u>9,748,978</u>	<u>10,007,123</u>

**(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, 2008 is shown below:

	<u>2008</u>		
<u>(Dollars in Millions)</u>	<u>Budgetary Resources</u>	<u>Obligations Incurred</u>	<u>Outlays</u>
Statement of Budgetary Resources - LSHW	\$ 189	131	130
Statement of Budgetary Resources - DCCA	<u>15</u>	<u>10</u>	<u>10</u>
Total Statement of Budgetary Resources	\$ <u>204</u>	<u>141</u>	<u>140</u>
Budget of the United States Government	<u>\$ 204</u>	<u>141</u>	<u>140</u>

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

		<u>2009</u>		<u>2008</u>
Obligations incurred	\$	9,748,978		10,007,123
Total resources used to finance activities		<u>9,748,978</u>		<u>10,007,123</u>
Total Resources used to finance the net cost of operations		<u>9,748,978</u>		<u>10,007,123</u>
Components not requiring or generating resources:				
Revaluation of assets and liabilities		—		—
Other		<u>28,305</u>		<u>150,847</u>
Total components of net cost of operations that will not require or generate resources in the current period		<u>28,305</u>		<u>150,847</u>
Net cost of operations	\$	<u><u>9,777,283</u></u>		<u><u>10,157,970</u></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 and Harbor Workers' Compensation 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 ten insurance carriers and self insured employers alone fund over 63% of the Fund assessments.

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**(9) Subsequent Event**

The Employment Standards Administration (ESA) was dissolved on November 8, 2009. The Office of Workers' Compensation Programs (OWCP) now report directly to the Office of the Secretary.