

Claims Resolution Settlement Agreements (CRSA's)

The following information is intended to provide general answers to questions involving structured settlements, through which qualified injured workers can enter into final claim settlement agreements with the Department of Labor and Industries or self-insured employer representatives under unique, claim-specific circumstances.

Who is qualified to request a structured settlement?

To qualify for a CRSA, an injured worker must have an accepted claim that is at least 180 days old and be 50 years old or older at the time the settlement application is filed.

How is a structured settlement requested?

An application can be filed online, by fax or through the mail. An application packet can be found on [the Department's website](#) or can be requested by calling the Department at (360)902-6101. If you are represented by our firm, we will enter into negotiations on your behalf.

Who is involved in a CRSA?

The Department's Settlement Unit conducts the negotiations, which include the employer. A self-insured employer may negotiate directly with the claimant or their attorney. All CRSA's must be reviewed and approved by the Board of Industrial Insurance Appeals, a separate state agency. If the Board approves the agreement, there is a 30 day revocation period in which any party to the agreement is allowed to revoke their consent to the agreement. During this period of time, the regular benefits continue to be paid. The settlement funds are not disbursed until the end of the revocation period and they are then paid following a payment schedule.

What factors does the Department review in determining whether to enter into negotiations?

The program was set up to reduce claim costs to the Department. The Department will review the nature and extent of your injuries, claim related and otherwise, past industrial injury claims, your present and future income sources (such as Social Security Disability, employer pensions, spousal income, and general wage earning capacity), your present and future living expenses, your employment and education history, your labor market, and the effect a CRSA may have on other benefits you receive. A CRSA can resolve all issues in your claim *except medical treatment issues*. It cannot eliminate your legal right to apply to reopen a claim should your accepted conditions objectively worsen and require additional medical treatment.

Why would a structured settlement be beneficial to me?

It may very well not be, and in fact we have advised a majority of our clients that meet the minimum qualifications that it is not in their best interest to pursue a CRSA. The Department considers this option to be appropriate for injured workers who feel “stuck” in the system and who have adequate options for financial security or employment of some nature outside of their claim. However, in specific circumstances, a CRSA can provide closure with substantial financial benefit in a streamlined fashion. A CRSA recognizes that not all workers or their claims follow the expected path and, for some, a settlement to resolve their claim is the most appealing option.

How can hiring an attorney help me if I am considering requesting a CRSA?

The Department encourages injured workers to consult with experienced legal counsel and/or a financial advisor prior to requesting a CRSA. There are potential pitfalls to a CRSA that should be thoroughly considered and researched, to include Social Security Disability offsets, Medicare liens, and privacy issues.

Having an attorney represent you can increase the value of the settlement, as the Department or self-insured employer have little incentive to maximize the settlement amount.

[Contact our office](#) to discuss your case in more detail and see if a CRSA is right for your circumstances.