Arbitrator Hearing System – User Guide
Log on:

1. **Review status of my company dockets**: check the status of arbitration applications and responses filed by or against your company. This section provides status information and is accessible to all member companies who get password authorization. Arbitrators/Alternates should log in as noted below to assign dockets or conduct hearings.

2. **Log on as an Arbitrator or KIAA Staff**: This section is limited to Arbitrators/Alternates and KIAA staff. A Username and Password is required. See the following for password information.

3. **Userid’s and Passwords for first time Users of the Website**:
   a. The initial setup of User ID’s and Passwords for Arbitrators and Alternates will be done automatically and notification will be sent.
   b. The initial UserID’s and passwords will be valid for thirty (30) days from date of assignment and the new user must access the website within 30 days and will be required to change their password. Users must also verify/update their user profile and establish two (2) security questions to be used if Userid or Password recovery becomes necessary.
   c. When new Arbitrators or Alternates are appointed, a Userid and password will to be requested by KIAA staff. Upon receipt of a valid request for access, a user identification code and temporary password will be assigned and notification sent.
Welcome Page:

- This page confirms that you are signed on as an Arbitrator/Alternate which is required for the hearing system.
- Steps to assign a docket to an Arbitrator or Alternate are included.
- Links on this page:
  - Docket Inquiry if you have the docket number and wish to complete a hearing or view status of a hearing assigned to you.
  - Open Dockets: to view all dockets in hearing status assigned to your company to arbitrate. This page is also used to assign a docket to an Arbitrator or Alternate.
  - Rendered Dockets: to view dockets rendered by KIAA.
- KIAA links:
  - KIAA website for:
    - Plan of operations
    - Arbitration Rules and FAQ
  - Kentucky Department of Insurance: Permits access to Statutes and Regulations to view the Motor Vehicle Reparations Act as needed. Users may copy and paste portions of the Statute to the Docket Entry page.
### Open Dockets Page

#### Open Dockets

Signed in as an Arbitrator

<table>
<thead>
<tr>
<th>Status Code</th>
<th>Dock No.</th>
<th>Assigned To</th>
<th>Date Application Received</th>
<th>Date Response Received</th>
<th>Hearing Date</th>
<th>Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>NEW</td>
<td>1703</td>
<td></td>
<td>11/09/2009</td>
<td>12/19/2009</td>
<td>5/16/2010</td>
<td>H-</td>
</tr>
<tr>
<td>NEW</td>
<td>17241</td>
<td></td>
<td>3/1/2010</td>
<td>3/20/2010</td>
<td>5/19/2010</td>
<td>H-</td>
</tr>
<tr>
<td>NEW</td>
<td>1723</td>
<td></td>
<td>6/20/2010</td>
<td>7/25/2010</td>
<td>8/7/2010</td>
<td>H-</td>
</tr>
</tbody>
</table>

Click to assign docket to Arbitrator or Alternate

#### Open Dockets:

All dockets that are currently assigned to your company for hearing are included on this page:

- Status of assigned dockets
- Who the docket is assigned to for hearing.
- Other information regarding the docket

To assign a new docket to an Arbitrator or Alternate:

- Click on the "head icon" in the Assign(ed) To column.
- Users will be taken to the next page.

**Note:**
This section was removed as it contained company and claim information. The information in the columns shown above is included here for each docket.
To assign a new docket to an Arbitrator or Alternate:

- Click on the arrow and a drop down of approved Arbitrators and Alternates for your company will appear.
- Click on a name
- Click on Save and the docket is now assigned to the person selected.

Click Back to Docket Entry to navigate to the Docket Entry page.
Docket Inquiry provides information regarding the status of a hearing and the user may go to Docket Entry from this page.
This is the top section of the Docket Entry page. All information in this section is pre-filled. Links on the left side include Supporting Documentation (see next page).
Supporting Documentation

Click to bring up supporting documentation in PDF format. Supporting documentation is broken down as follows:

Applicant Section:
- Application
- Contentions
- Any KIAA correspondence
- Police report
- Other documentation

Respondent Section: (If they choose to respond)
- Application
- Contentions
- Any KIAA correspondence
- Police report
- Other documentation
When the cursor is moved over a box, suggestions will “hover” to provide advice on what should generally be placed within the box. In addition, HELP text may be accessed by clicking on the Help link. (See the next page).
Help text may be accessed from several locations within the Docket Entry screen and may be copied and pasted into the appropriate section of the form. The Arbitrator should add additional text to as necessary depending on the docket being reviewed. Use of help text is optional and at the discretion of the Arbitrator depending on the case being heard.

<table>
<thead>
<tr>
<th>Help Section</th>
<th>Title</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>FindingsOfFact</td>
<td>Filing Deadline</td>
<td>Article 4.0 Operations: A claim may be submitted to arbitration not later than two (2) years after the last basic repair payment made by any repair obligor or two (2) years after the settlement of the last bodily injury claim arising out of the same accident or, if there is no settlement, two (2) years after the expiration of the statute of limitations of the last bodily injury claim arising out of the same accident whichever later occurs.</td>
</tr>
<tr>
<td>FindingsOfFact</td>
<td>Documentation</td>
<td>Arbitration Rules, Hearing and Evidence, 3. The controverting parties shall be notified by the Association’s Arbitration Panel Secretary of the time and place of a scheduled hearing at least 15 days in advance of the hearing date. Notice of hearing shall be sent by certified mail, return receipt requested or by priority mail with proof of delivery, to any respondent which has not filed a written answer. If a written response is not received by the Panel 7 days prior to the hearing it will not be considered.</td>
</tr>
<tr>
<td>FindingsOfFact</td>
<td>Reasonableness of Medical Bills</td>
<td>KRS 304.39-020(5)(a): There shall be a presumption that any medical bill submitted is reasonable.</td>
</tr>
<tr>
<td>FindingsOfFact</td>
<td>Rights to Recovery</td>
<td>KRS 304.39-070(3). A repair obligor shall have the right to recover basic repair obligations paid or for the benefit of a person suffering the injury from the repair obligor of a secured person as provided in this subsection. The repair obligor shall assert its claim (i) by joining as a party in an action that may be commenced by the person suffering the injury, or (ii) to reimbursement, pursuant to KRS 304.39-030, sixty (60) days after said claim has been presented to it.</td>
</tr>
<tr>
<td>FindingsOfFact</td>
<td>Limits</td>
<td>KRS 304.39-070(4). Any entitlement to recovery for basic or added repair benefits paid or to be paid by the subrogee shall in no event exceed the limits of automobile bodily injury liability coverage available to the secured party...</td>
</tr>
</tbody>
</table>
The Kentucky Department of Insurance website may be accessed for Statutes and Regulations. Information from Statutes and Regulations, i.e. the MVRA, may be copied and pasted into the Docket Entry page as needed depending on the merits of the case. The use of this information is optional and at the discretion of the Arbitrator.

Please note, this is a separate website which is located at http://insurance.ky.gov. This page is shown for illustrative purposes only. The link is located on the left side of the Docket Entry Page.
If a Counter-Claim has been filed, the box is marked Yes and the Counter-Claim boxes are addressable and must be completed.

"Hover" help information will appear when the cursor is moved over certain boxes and includes:

- **Amount Claimed**: Enter total amount of PIP/Med Pay/Collision.
  - The arbitrator should not award the collision deductible as the vehicle owner is not a part to the arbitration. The arbitrator can recommend in comments that the parties should consider handling it in accordance with the liability decision.
  - A PIP deductible should not be awarded to either party or insured
- **Amount Allowed**: Enter amount of damages that party proved.
- **Less Inter-Company Offset**: $1,000 Offset is applied per occurrence, not per injured party. The offset is taken before comparative negligence is considered.
- **Less Comparative Negligence**: Enter the percentage of the Applicant’s comparative negligence. Example: If the Applicant was 25% negligent in the accident, enter “25” in this box.
- **Respondent Shall Pay**: Click Calculate Amount(s) will automatically fill with the correct result.
- **If there is a counter-claim**: (Less Comparative Negligence) Enter the percentage of the Respondent/Counter-Applicant’s comparative negligence. Example: If the Respondent/Counter-Applicant was 75% negligent in the accident, enter “75” in this box.
- **Applicant/Counter Respondent Shall Pay**: Net Amount of award after deductions for amounts not proven, inter-company offset and Respondent/Counter applicant’s comparative negligence. The “Applicant/Counter-Respondent Shall Pay” box will automatically fill with the correct result.

**Award or Comments Box**: Explain any difference between amount claimed and amount allowed. Use this area to explain any award not included in the boxes.
Arbitrators Comments box:
Use only for training, education, and/or recognition. Do NOT get personal. Examples of possible entries: “Submission of scene photos would have helped”, or “Applicant presented well-prepared case, but was not successful due to (reason).”

Save Button: Click to save the information that has been entered. The form may be saved and returned to later as necessary. This option also permits the Arbitrator to review the decisions of Alternates before submitted to KIAA.

Submit Button: Click only when the hearing has been completed and is ready to be submitted to KIAA. This is an electronic submission and a paper copy should not be sent to KIAA.

Print Docket: Click to print a copy on your local printer.

Review and Rendering of the Docket by KIAA Staff.

Review:
KIAA Claims Supervisors review dockets submitted electronically by the Arbitrator for administrative and technical issues only. The KIAA staff does not have access to Docket Entry to edit a hearing. If such issues are found, an email will be sent to the Arbitrator/Alternate and they will be asked to correct the technical or administrative issue(s) noted during the review. The Open Docket screen will reflect a Review status. The Arbitrator/Alternate must go back into Docket Entry and make the necessary correction(s) and Submit the docket again.

Render:
If the decision has no administrative or technical issues, the KIAA Supervisor will click the Render button and the decision is considered final and locked.

Contact: KYAUTO@KAIP.ORG or call: 502-327-0372.