



**Fiscal Year 2013**  
*(July 1, 2012-June 30, 2013)*

# **North Carolina Industrial Commission**

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## **The North Carolina Industrial Commission**

### **Mission Statement**

The North Carolina Industrial Commission is an agency of the State of North Carolina, created by the General Assembly in 1929 to administer the North Carolina Workers' Compensation Act. In 1949, the Industrial Commission was also given authority by the General Assembly to administer the Tort Claims Act.

The Industrial Commission administers and adjudicates not only the Workers' Compensation Act, but also the Tort Claims Act, the Childhood Vaccine-Related Injury Act, the Law Enforcement Officers', Firemen's, Rescue Squad Workers', and Civil Air Patrol Members' Death Benefit Act, and the Act to Compensate Individuals Erroneously Convicted of Felonies.<sup>1</sup>

The Industrial Commission strives to effectively and fairly administer its statutory authority for the State of North Carolina and its citizens in the following manner:

- Providing reliable, accurate and efficient claims servicing;
- Providing quick resolutions to disputed issues in an administrative forum;
- Reviewing status of insurance coverage for employers subject to the Workers' Compensation Act;
- Promoting active resolution to disputes through mediation;
- Resolving controversies by rendering impartial and well-reasoned decisions;
- Facilitating high quality, effective medical care and rehabilitation for injured workers in complex medical/legal situations;
- Providing education and training to employers to reduce accident potential in the workplace;
- Providing prompt, efficient medical bill review in accordance with the Industrial Commission's Medical Fee Schedule;
- Investigating potential criminal violations of the Workers' Compensation Act, ensuring compliance and confidence in our state's workers' compensation system.

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<sup>1</sup> Senate Bill 402, now known as Ch. SL 2013-360, effective as of July 26, 2013, vested the Industrial Commission with the jurisdictional authority to determine whether a claimant is eligible for compensation as a qualified recipient under the Eugenics Asexualization and Sterilization Compensation Program. This expansion of jurisdictional authority is not reflected in the list provided above as it was outside the fiscal year of 2012-2013.

## **North Carolina Industrial Commission – At a Glance**

### **Report for FY 2013**

(July 1, 2012 – June 30, 2013)<sup>2</sup>

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Workers' Compensation Claims	73,295
Form 26A <i>Employer's Admission of Employee's Right to Permanent Partial Disability</i> agreements	7,375
Individuals trained at Industrial Commission's Safety Education Courses	103,465
Fraud Cases Reported	1,192
Penalties Collected	\$160,161.55
Medical Bills Reviewed	17,405
Cases Handled by the Medical Rehabilitation Nurses Section	446
Compromise Settlement Agreements Filed with the Executive Secretary's Office	10,389
Form 24 <i>Application to Terminate or Suspend Payment of Compensation</i> motions filed	1,623
Form 23 <i>Application to Reinstate Payment of Disability Compensation</i> motions filed	299
Medical Motions Filed with the Executive Secretary's Office	1,569
Other Administrative Motions filed with the Executive Secretary's Office	6,294
Contested Claims Referred to Mediation	7,686
Mediation Settlement Rate	75.10%
Deputy Commissioner Hearings Scheduled	5,592
Deputy Commissioner Cases Settled After Hearing Date Set	2,628
Deputy Commissioner Hearings Held	1,358
Cases Appealed to the Full Commission	619

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<sup>2</sup> The report is provided in accordance with N.C. Gen. Stat. § 97-78(e). The information sets forth the number of filings for the various documents for the fiscal year of 2012-2013.

## **Claims Administration Section**

### **Mission Statement**

The Claims Administration Section seeks to provide reliable, accurate and efficient claims servicing to employee, employers, insurance companies and the citizens of North Carolina.

### **What We Do**

The Claims Administration Section processes documents related to events occurring during the pendency of Workers' Compensation claims. Employees, employers, and insurers submit forms to open claims, report injuries, accept or deny claims and provide notification of changes in compensation payments, return to work status, and the amount of money paid on a claim. Claims Administration processes form agreements for payment of death benefits and permanent partial disability. In addition, Claims Administration facilitates certain aspects of occupational disease claims, monitors forms compliance and generates reports regarding different aspects of a claim. It handles interim attorney fee requests and third party requests for documents. Finally, Claims Administration is responsible for the assignment of Industrial Commission file numbers, verifying Workers' Compensation insurance on new or pending claims and answering citizen questions about claim activity.

### **Claims Administration Section Summary for FY 2012-2013**

Claims (Form 18)	20,243
Injury Reports (Form 19)	53,052
<b>Total Claims &amp; Injury Reports<sup>3</sup></b>	<b>73,295</b>

Forms 60, 61, 63 Filed	55,076
Death Claims Filed	68

Form Agreements (Form 26A) Received	7,375
Form Agreements (Form 26A) Approved	6,964

Telephone Calls Answered	53,329
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<sup>3</sup> Some, but not all claims have both a Form 18 and a Form 19 filed.

## Forms Compliance

### Forms Compliance Summary

Injuries Reported FY 2012-2013	60,040
Forms 18 and 19 Filed	73,295
Claims Opened Via Form 18	20,243
Claims Opened Via Form 19	53,052
Form 18 Followed by Form 6x <sup>4</sup> within 30 days	11,999
Form 18 Not Followed by Form 6x within 30 days	2,797
Form 18 Followed by Form 6x within 60 days	620
Form 18 Followed by Form 6x within 90 days	1,070
Form 18 Followed by Form 6x (as of date of report)	16,486
Form 18 with no Form 6x	3,060

Claims might be reported as not being in compliance for the following reasons:

- **Duplicate files:** Two or more files were created for the same injury. These files will be combined without deleting the file number from our database.
- **Combined files:** The parties requested the combination of two or more files because of similar issues. Although combined, both file numbers would remain in our database.
- **Settled claims:** The claim settled prior to the expiration of the 30-day time period.
- **Voluntary dismissal:** The claimant filed a motion for voluntary dismissal without prejudice. These claims include claims filed in the wrong jurisdiction.
- **Incorrect notification:** The incorrect employer or insurance carrier received notification of the claim.
- **Returned mail:** The carrier address on file is incorrect.
- **No Response Received:** These sanctions will be sent to the Collections Docket
- **Asbestosis claims** – Sanctions were not assessed in claims for asbestosis due to database system limitations however, the latest upgrade to the computer system went into effect in September 2012 which will improve the ability to monitor and report form 18B compliance.

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<sup>4</sup> **6x** - Either a Form 60, 61, 63

## **Safety Education Section**

### **Mission Statement**

The Workers' Compensation Act of 1929 created the Safety Education Section of the North Carolina Industrial Commission. Our mission includes education, training, and public outreach to promote safety and accident prevention in the industrial workplace. We strive to help employers reduce injuries, pain and suffering, and overall costs resulting from accidents.

### **What We Do**

Our workshops and training sessions provide competent, practical instruction in the area of workplace accident prevention. Our team of instructors includes experienced safety consultants who are employed full-time by the Industrial Commission and travel across the state conducting safety training and instruction. Workshops and training sessions are specifically designed to meet the production needs of client companies, ranging from single session targeted workshops and training sessions to a comprehensive thirty-hour Accident Prevention Certificate Awareness Program. This approach to reducing Workers' Compensation claims and costs is, at its core, proactive.

### **Safety Education Section Summary for FY 2012-2013**

Individuals Trained	103,465
Contact Hours	6,881
Classes	6,462

The Industrial Commission's Safety Education Section operates as an optional training organization, as opposed to a compulsory one. We are successful at opening doors with employers, and in turn, employers welcome our staff and the training services they deliver. This service meets and exceeds business, government and private sector needs as we dedicate ourselves to being responsive to the individual needs of employers and employees. We continue to develop new programs to better serve the citizens of North Carolina and increase management awareness of the importance of safety education and training. A Legislative Mandated Fee Schedule recently came into effect. (*See Fee Schedule herein below*).



### **Fee Schedule**

Accident Prevention Awareness APCAP Workshop (30 Hrs.)	\$125 Per Person
ADVANCED APCAP Workshop (16 Hrs.)	\$75 Per Person
Four or Six Hour Workshop	\$30 Per Person
First Aid/CPR/AED (plus book cost of \$15)	\$20 Per Person
First Aid Only or CPR/AED Only (plus book cost of \$12)	\$15 Per Person
Defensive Driving Course (plus book cost of \$4)	\$20 Per Person
HAZWOPER Ops or 8 hr. Refresher	\$50 Per Person
HAZWOPER Awareness (4 Hrs.)	\$30 Per Person
Work Zone/Flagger (plus book cost of \$5)	\$25 Per Person
Trenching Competent Person (4 Hrs.)	\$30 Per Person
Competent Person Scaffolding (3 Hrs.)	\$35 Per Person
NFPA 70 E Arc Flash - Mark Elliott, Instructor	\$45 Per Person
Safety for Supervisors (4 Hrs.)	\$50 Per Person
Safety Leadership Workshop (12 Hrs.)	\$150 Per Person

### **As Needed Workplace Training**

5 - 8 Hours	\$200
3 - 4 Hours	\$150
1 - 2 Hours	\$100



## **Compliance and Fraud Investigation Section**

### **Mission Statement**

The Compliance and Fraud Investigation Section is composed of two units, the Compliance Unit and the Criminal Investigation Unit. The Compliance and Fraud Investigation Section serves the citizens of North Carolina by investigating potential criminal violations of the Workers' Compensation Act and ensures compliance with the rules and regulations. The goal of the Compliance and Fraud Investigation Section is to foster confidence in the Workers' Compensation system and compliance with the law.

### **What We Do**

The Compliance Unit handles civil cases involving employers who are operating as non-insured employers in violation of N.C. Gen. Stat. § 97-93 and 97-94. An employer is considered non-insured if the employer does not carry Workers' Compensation insurance, is not self-insured, or cannot cover the medical costs and compensation due to the injured worker. The Compliance Unit compiles documentary evidence to ensure compliance, or for presentation during Industrial Commission non-insured penalty hearings. Once an investigation is complete and evidence is gathered, it is presented by the Office of the Attorney General during Industrial Commission's non-insured penalty hearings. Civil penalties can be assessed covering the entire time-frame that the employer is not insured. The Compliance Unit also assists the Office of the Attorney General with the enforcement and collection of penalty actions.

### **Compliance & Fraud Investigation Section Summary for FY 2012-2013**

Non-Insured Hearings Docketed before the Industrial Commission.	316
Non-Insured Cases Investigated Pursuant to a Form 33 (Request that Claim Be Assigned for Hearing)	166
Non-Insured Cases Investigated Pursuant to a Form 18 (Notice of Accident to Employer and Claim of Employee, Representative, or Dependent)	203
Non-Insured Cases with No Injury, Received and Investigated by the Compliance Unit.	530
Non-Insured Cases with No Injury, Received and Investigated by the Criminal Investigations Unit.	183 <sup>5</sup>

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<sup>5</sup> The 183 cases addressed allegations of fraud such as insurance status of employer, unlawful deductions made by employers, and similar fraudulent activities.

The Criminal Investigation Unit operates as a law enforcement agency and is responsible for conducting criminal investigations into cases of suspected workers' compensation fraud and violations related to workers' compensation claims involving employees, employers, insurers, health care providers, attorneys, and vocational rehabilitation providers. Fraud Investigators investigate all criminal complaints filed with the Industrial Commission regarding failure of employers to maintain workers' compensation insurance (N.C. Gen. Stat. §97-94(d)); fraud on the part of employees with regard to the collection or obtaining of workers' compensation benefits (N.C. Gen. Stat. §97-88.2); fraud on the part of employers with regard to payment or collection of workers' compensation premiums from employees' salaries (N.C. Gen. Stat. §97-21); medical payment fraud, and any other claims arising out of violations of Chapter 97 by employees or employers. The Criminal Investigation Unit works with Judicial Officials and other law enforcement agencies throughout the state to resolve the above investigations in criminal court.

### **Persons Investigated for Fraud under The Workers Compensation Act for the Fiscal Year 2012-2013<sup>6</sup>**

	Cases Reported	Cases Pending	Cases Closed
Employees	107	22	85
Employers	1,082 <sup>7</sup>	228	329
Insurers	3	0	3
Health Care Providers	0	0	0
Attorneys	0	0	0
Rehabilitation Providers	0	0	0
<b>Totals</b>	<b>1,192</b>	<b>250</b>	<b>417</b>

<sup>6</sup> The summary is provided in accordance with N.C. Gen. Stat. § 97-88.2(e).

<sup>7</sup> The number of fraud cases reported for employers includes cases investigated by the Compliance Unit pursuant to Form 33s and Form 18s, plus 530 cases filed directly with the Compliance Unit's Compliance Officer, and 183 cases addressed by the Criminal Investigation Unit.

## **Information Technology Section**

### **Our Mission**

The mission of the Information Technology Section is to facilitate and support the use of technology as an enabling agent for the work of the Commission. To accomplish this mission, the Information Technology Section has the following objectives:

- Providing excellent customer service to our internal and external customers
- Designing, developing, deploying and supporting high-quality software solutions
- Safeguarding the information and infrastructure of the Commission
- Developing and managing the information management strategy for the Commission

In support of these objectives, the Information Technology Section has the following responsibilities:

- Developing plans and procedures for technical and operational processes
- Developing software programs and upgrades
- Maintaining agency software applications
- Managing software licenses
- Maintaining and upgrading onsite hardware
- Administering databases
- Managing data security and access
- Providing technology training
- Providing end-user support for hardware, software and network issues
- Scanning, indexing, verification, storage and retrieval agency documents

### **Accomplishments**

- Designed and implemented enhancements to the claims processing software components for Comprehensive Case Management System (CCMS).
- Implemented a comprehensive Electronic Data Interchange system to permit outside stakeholders to submit claims information to the Commission electronically; the system will be phased into production over the next 18 months.
- Upgraded image processing hardware and software systems, and implemented significant process improvements in image processing to facilitate real-time electronic capture of incoming paper documents.
- Implemented automated testing processes and procedures to speed delivery of applications to end users and improve application quality.

## **Information Technology Strategy**

- Complete multi-year program of development for Comprehensive Case Management System.
- Migrate all data from mainframe to CCMS database and replace the mainframe applications.
- Develop comprehensive internal staff IT training plan, and facilitate assessment of training needs, development of curriculum, and delivery of necessary and beneficial technology training to internal staff.
- Planned IT initiatives:
  - Implement an adjudication case management solution for day-to-day management of claims in adjudication before the Commission.
  - Implement a compliance case management solution for day-to-day management of leads in workers' compensation compliance cases.

## **Medical Fees Section**

### **Mission Statement**

The Medical Fees Section is committed to providing prompt and efficient service to all Workers' Compensation clients, ensuring timely and accurate bill processing. We serve all customers by answering inquiries regarding the Industrial Commission's Medical Fee Schedule and resolving medical fee disputes.

### **What We Do**

The Medical Fees Section is responsible for processing bills for medical services provided as a result of a Workers' Compensation claim. Medical bills are reviewed and where necessary adjusted in accordance with the Industrial Commission's Medical Fee Schedule and then mailed to the insurance carrier, third-party administrators, or self-insurer handling the claim. It responds to medical inquiries, resolves medical fee disputes and assists in the review and updates of the Medical Fee Schedule. In accordance with N.C. Gen. Stat. § 97-26 (i), the Industrial Commission adopted a Medical Provider Fee Dispute Resolution Procedure. A copy of the procedure to address medical provider fee disputes may be obtained at <http://www.ic.nc.gov/ncic/pages/MedProvDRP.pdf>.

### **Medical Fees Section Summary for FY 2012-2013**

<b>Medical Bills Processed</b>	
Inpatient Hospital	4,823
Physician	12,413
Miscellaneous, Dental & Chiropractic	169
Bills Sent to Advisory Committee	0
Bills Awaiting a Response	0
<b>Total Bills Keyed</b>	<b>17,405</b>

<b>Overview of Bills Processed</b>	
Monthly Average	1,450
Weekly Average	363
Daily Average	73

### **Summary of Medical Provider Fee Dispute Cases Reviewed**

Paid	59
Substantially Resolved	3
Referred	5
Unfounded	9
Closed	24
Pending	28
<b>Total Cases Received</b>	<b>128</b>
<b>Amount Paid to Providers<sup>8</sup></b>	<b>\$399,494.66</b>

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<sup>8</sup> This amount reflects payments from cases received in prior fiscal years.

## **Medical Rehabilitation Nurses Section**

### **Mission Statement**

The Medical Rehabilitation Nurses Section employs five registered nurses who are responsible for different geographic segments of the state. These nurses provide medical rehabilitation consultative services to a variety of NC Workers' Compensation audiences, including injured workers, insurance carriers, attorneys, rehabilitation professionals, and health care providers when ordered. They assist with case management and medical rehabilitation needs in the event difficulties arise in areas of communication, trust, confusion, misunderstanding, or any other problem that interferes with the ongoing progress of returning injured workers to their maximum functional capabilities. The Medical Rehabilitation Nurses seek to collaboratively facilitate and coordinate high quality and effective medical care and rehabilitation such that an injured worker's maximum level of functionality is optimized, both physically and mentally.

### **What We Do**

Ongoing rehabilitation case management of injured workers covered by the Workers' Compensation Act is usually provided by Medical and Vocational Rehabilitation Professionals employed in private industry. The Industrial Commission's Workers' Compensation Medical Rehabilitation Nurses are available to assist with difficult cases temporarily, promoting ongoing case management within the private industry. The Medical Rehabilitation Nurses also perform specific rehabilitation activities as ordered by the Commission. The Industrial Commission's Medical Rehabilitation Nurses Section services are available to anyone who wishes to express concern regarding an injured worker's care or rehabilitation.

### **Summary of Cases Handled**

	Existing (7/1/12)	Referrals	Closures	Current (6/30/13)	%
Back Injuries	74	32	33	73	23%
Burn Injuries	1	0	0	1	<1%
Extremity Injuries					
A. One Upper Extremity	98	21	18	101	32%
B. One Lower Extremity	54	23	19	58	18%
C. Two or More Extremities	2	3	3	2	<1%
<b>TOTAL EXTREMITIES</b>	<b>154</b>	<b>47</b>	<b>40</b>	<b>161</b>	<b>50%</b>
Head Injuries	15	8	7	16	5%
Other Injuries/Occupational Diseases	8	3	6	5	<2%
Paraplegia	1	0	0	1	<1%
Quadriplegia	4	1	0	5	<2%
Multi Defects	51	47	41	57	18%
<b>Totals</b>	<b>308</b>	<b>138</b>	<b>127</b>	<b>319</b>	<b>100%</b>
<b>Total Cases Handled During Year</b>					<b>446</b>



### Source of Referrals

Interdepartmental	32
Hospitals & Doctors	0
Carriers	8
Attorneys	87
Rehabilitation Professionals	2
Injured Workers	9
Vocational, Rehab, Other State Agencies, etc.	0
<b>Total</b>	<b>138</b>

### Communications and Contacts Made<sup>9</sup>

Written/Verbal Contacts	25,125
Acknowledged Form 25N's (Notice of Assignment of Rehab Professional)	21,019
<b>Total Contacts Made</b>	<b>46,144</b>

During the 2012-2013 fiscal year, new referrals decreased (19%) as well as the total number of cases worked over the year (4%). With the absence of the Asheville territory Medical Rehabilitation Nurses, all Medical Rehabilitation Nurses have increased territory coverage. Current/existing case load per nurse remained stable for this fiscal year.

Form 25N filing increased, (22%), and ongoing education continues to facilitate appropriate filing.

Effective July 1, 2011, every Rehabilitation Professional providing rehabilitation services has been required by the Industrial Commission to complete a comprehensive educational course, in order to be "Qualified" per the Industrial Commission's rules for Rehabilitation Professionals.

Pursuant to the March 17, 2011 Full Commission Minutes, six mandatory educational presentations on the NCIC Rehabilitation Rules continued throughout the year, one live class each in Charlotte and Raleigh, and 4 via recorded webinar, for a total of 447 attendees. There were five additional educational programs presented by the Director of the Section to 120 attendees this year across the state at various professional conferences.

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<sup>9</sup> The Medical Rehabilitation Nurses Section works diligently to maintain open communication with all necessary parties, which necessitates numerous phone calls and emails. The Section is also responsible for acknowledging receipt of the Form 25N *Notice to the Commission of Assignment of Rehabilitation Professional*.

## **Executive Secretary's Office**

### **Mission Statement**

The mission of the Executive Secretary's Office is to efficiently and effectively handle and rule on administrative filings in as summary and simple a manner as feasible and as quickly as possible. The shared mission of the Executive Secretary, Special Deputy Commissioners, and support staff is to assist all parties in the field of Workers' Compensation in a professional manner through informed administrative rulings and responses, streamlined processes, consistent practices, and responsive and prompt communications with the parties and the public.

### **What We Do**

The Executive Secretary's Office handles administrative review of issues for the Industrial Commission. This office is responsible for the review and approval or disapproval of the vast majority of Compromise Settlement Agreements filed with the Industrial Commission. This section is responsible for reviewing and deciding Form 24 Applications to Terminate or Suspend Payment of Compensation and Form 23 Applications to Reinstate Payment of Disability Compensation. Telephone hearings are often held in regard to these applications. In addition, Orders are issued after review of Medical Motions, Administrative Motions, Third Party Settlements and a variety of other issues such as Requests for Attorney Withdrawal.

#### **Executive Secretary's Office Summary for FY 2012-2013**

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Orders on Compromise Settlement Agreements	10,389
Orders on Third Party Distributions	807
Orders/Dispositions on Form 24 Applications to Terminate or Suspend Payment of Compensation	1,623
Orders/Dispositions on Form 23 Applications to Reinstate Payment of Disability Compensation	299
Orders on Medical Motions	1,569
Orders/Dispositions on Administrative Motions by Executive Secretary	3,812
Total number of calls and voicemails answered by Executive Secretary's Assistant	3,153
Attorney Withdrawal Orders	1,675
Certified copies of files	29

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## **Expeditious resolution by the Executive Secretary's Office's for resolving requests for, or disputes involving, medical compensation:<sup>10 11</sup>**

The Executive Secretary's Office ruled upon 1,570 medical motions for the fiscal year of 2012-2013. 2 of the 1,570 medical motions exceeded a filing date of 45 days after the filing of the motion requesting relief. There are various reasons that a final disposition may be filed beyond 45 days, including, but not limited to, parties' joint request to submit additional medical evidence or problems with service on the parties.

Below is a summary of the of the 2 medical motions filed by the Executive Secretary's Office 45 days after the filing of the motion requesting relief for the fiscal year of 2012-2013:

<b>I.C. File No.</b>	<b>Date Motion Filed</b>	<b>Date Order Filed</b>
X95075	10/18/2012	12/12/2012
640095	4/26/2013	7/25/2013

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<sup>10</sup> In 2008, pursuant to the newly enacted N.C. Gen. Stat. § 97-78(f)(2), the North Carolina Industrial Commission promulgated a strategic plan for expeditious resolution of requests for medical compensation pursuant to N.C. Gen. Stat. § 97-25. Timeframes were shortened at various levels of litigation regarding medical issues and the emergency medical motion procedure was formalized. The changes reflected in this plan became effective on August 1, 2008.

<sup>11</sup> The report is provided in accordance with N.C. Gen. Stat. § 97-78(g)(2).

## **Workers' Compensation Information Specialists**

**(Subsection of the Executive Secretary's Office)**

### **What We Do**

The North Carolina Industrial Commission created the Workers' Compensation Information Specialists Program (formerly the Ombudsman Program) in accordance with N.C. Gen. Stat. §97-79 (f) to assist claimants who are not represented by an attorney, employers, or other parties in protecting their rights. In addition, the Workers' Compensation Information Specialists serve as the information source for the Industrial Commission, and answer questions pertaining to all aspects of the Workers' Compensation Act, Tort Claims against State Departments and Agencies and other statutes under the jurisdiction of the Industrial Commission and related rules. Telephone calls to the Information Specialists are monitored for quality assurance; however, the calls are confidential. The Information Specialists strive to provide callers and visitors with accurate and knowledgeable information in a prompt and courteous manner.

### **Workers' Compensation Information Specialists Summary for FY 2012-2013**

Number of Calls Answered and Returned (English)	19,945 <sup>12</sup>
Number of Calls Answered and Returned (Spanish)	979
<b>Total Calls Answered</b>	<b>20,924</b>
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Number of Walk-Ins Assisted	45
Correspondence (letters & e-mails) Answered	1,738
Mail Outs (Envelopes containing Form Packets/Annual Bulletin)	734

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<sup>12</sup> The number of English calls includes the calls to the Fraud hotline for the fiscal year 2012-2013.

## **Dockets Section**

### **Mission Statement**

The mission of the Docket Section is to ensure that cases to be heard by the Industrial Commission are placed on the docket timely and move through the system as efficiently and expeditiously as possible. These cases include claims filed under the Workers' Compensation Act, the Tort Claims Act, the Law Enforcement Officers', Firemen's, Rescue Squad Workers' and Civil Air Patrol Members' Death Benefits Act, the Childhood Vaccine-Related Injury Compensation Program and Compensation to Persons Erroneously Convicted of Felonies. The mission will be accomplished to the highest degree possible by adhering to Industrial Commission Rules, policies and procedures; by being accessible; and by providing all parties and Industrial Commission staff with respectful, responsive and reliable service.

### **What We Do**

The Docket Section's primary responsibility is to place cases to be heard by the Industrial Commission on the appropriate hearing docket. This responsibility includes processing requests for hearings, appeals and related documents filed in all types of cases administered by the Industrial Commission, including Workers' Compensation and State Tort Claims.

For cases appealed to the Full Commission, the Docket Section organizes the evidence, orders an official hearing transcript, and provides a copy to each party. The section assembles specific documents into working files for each member of the Full Commission panel assigned to review the case on appeal and prepares and distributes the Full Commission hearing calendars.

The section serves as custodian of recordings of Industrial Commission hearings and coordinates assignments of court reporters for hearings before the Deputy Commissioners. The section maintains the Industrial Commission's attorney database by adding new attorneys and updating contact information in the mainframe. The section assigns Industrial Commission file numbers for State Tort Claims, for claims filed under the Law Enforcement Death Benefits Act, and for Erroneous Conviction cases. The Docket Section also oversees File Room activities.

### **Dockets Section Summary for FY 2012-2013**

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Form 33s Received (Request that Claim be Assigned for Hearing)	7,686
Form 33s for Non-Insured Cases	174
Expedited Medical Motions	1,233
Administrative Appeals to Deputy Commissioners	486
Form 33Rs Received (Response to Hearing Requests)	6,273
Correspondence	5,374
Tort Claims Processed	647
Requests for Recordings of Hearings	833
Number of Audio (Tapes, CDs and Links) for Hearings	855
Appeals to Full Commission	619
Cases Sent for Transcription	482
Transcripts Distributed to Parties	493
Cases Prepared for Full Commission Review	497
Full Commission Calendars Generated	28
Medical Motion Appeals	70

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## **Mediation Section**

### **Mission Statement**

The Mediation Section is responsible for effectively, fairly and efficiently administering the Industrial Commission's mediation program, with the goal of empowering the parties in pending cases to take an active role in the resolution of their disputes, to minimize the need for hearings and appeals, to expedite the dispute resolution process, and to enable the Industrial Commission to devote its adjudicatory resources to those cases not conducive to settlement.

### **What We Do**

When a claim is contested, the parties are generally referred to mediation as a way of resolving the claim without a formal hearing. When an injured worker is not represented by an attorney, the case usually bypasses mediation. The Mediation Section oversees this process by educating the stakeholders concerning mediation theories and procedures, ruling on any motions related to mediation, and by insuring that the parties and mediators adhere to certain timelines, move the case forward, and submit the required forms and reports. While the mediators who serve in these cases are generally not state employees, the mediators on the Industrial Commission's appointed list must complete a formal mediation training program and be certified by the Dispute Resolution Commission.

### **Mediation Section Summary for FY 2012-2013**

Hearing Requests Filed <sup>13</sup>	7,686
Cases Referred to Mediation <sup>14</sup>	8,505

  

Settlement Rate at Mediation Conferences	70.2%
Overall Settlement Rate	75.1%

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<sup>13</sup> Due to the expedited medical motion process, an additional 1,056 Form 33 Requests for Hearings were filed during the fiscal year that previously would have been docketed for hearing.

<sup>14</sup> More than 8,500 cases were referred to mediation for the 12<sup>th</sup> straight fiscal year.



## **Deputy Commissioners Section**

### **Mission Statement**

The mission of the Deputy Commissioners Section is to provide the highest quality of legally sound, courteous, professional, ethical and expeditious service to the citizens of North Carolina by rendering impartial and well-reasoned decisions in their Workers' Compensation and State Tort Claim controversies.

### **What We Do**

Deputy Commissioners expeditiously resolve all controversies between injured workers, employers, carriers, providers, various citizens of the State of North Carolina and the State of North Carolina that arise under the Workers' Compensation Act and the State Tort Claims Act. The Deputy Commissioners provide citizens an opportunity to be heard in a professional, ethical and courteous manner and render legally sound and impartial decisions after thoroughly considering the positions of all parties and the law.

The Deputy Commissioners seek to promote the goals and maintain the integrity of the Workers' Compensation Act and the State Tort Claims Act and promote their administration. Deputy Commissioners conduct full evidentiary hearings throughout the State, hear administrative motions, conduct administrative appeal hearings, perform extensive review of complex form agreements, review settlement agreements and handle other matters.

Typically litigants do not have contact with the Deputy Commissioners' Section until a claim is assigned to an individual Deputy Commissioner. The Deputy Commissioners are judicial officers and the Deputy Commissioners' Section does not provide legal advice or advocate for any party.

Beginning in May of 2012, the Industrial Commission introduced the Penalty and Contempt Dockets. The Contempt Hearing procedures have been under development by the Industrial Commission since 2009. As a result of the planning process, the Industrial Commission conducted the additional following types of hearings that could be brought before a Deputy Commissioner for relief:

- Administrative Hearing on Administrative Assessment of N.C. Gen. Stat. §97-94(b) penalties;
- Administrative Hearing on Enforcement of N.C. Gen. Stat. §97-94 (b) & (d) penalties;
- Regularly docketed Non-insured Hearing on workers' compensation claims and penalties;
- Hearing of Right pursuant to N.C. Gen. Stat. § 97-94(b) after Administrative Assessment; and
- Contempt Hearing for failure to abide by Orders of the Industrial Commission

## Deputy Commissioner Section Summary for FY 2012-2013

Hearing Days Conducted by Deputy Commissioners	908 <sup>15</sup>
Total Number of Claims Docketed for Hearings	5,592 <sup>16</sup>

### Disposition of Claims Set for Hearings<sup>17</sup>

Pre-Trial Hearings Held by Deputy Commissioners	333
Cases Heard	1,358
Continued/Removed	1,856
Cases Dismissed With Prejudice	23
Cases Dismissed Without Prejudice	107
Cases Settled	1,915

### Summary of Decisions Rendered, Cases Settled & Pre-Trial Orders Issued

Opinion and Awards or Decision and Orders Filed	956
Compromise Settlement Agreements Approved	2,628
Pre-Trial Orders Issued	253
Form 26A Agreements Reviewed	2,885 <sup>18</sup>
Law Enforcement Officers Death Benefit Act Determinations	20
Total Cases	6,742

### Medical Motions

Expedited Medical Motions Filed	1,139
Emergency Medical Motions Filed	11
Total Medical Motions	1,150

### Penalty Hearings

Penalty Assessment	42
Penalty Enforcement	68
Contempt	120
Total Penalty Hearings	230

<sup>15</sup> The Industrial Commission has attempted to compress the number of hearing days to decrease travel expenses.

<sup>16</sup> This number does not reflect docketing and hearing statistics for Expedited and Emergency Medical Motions. There were 1,150 Expedited and Emergency Medical Motions disposed of by the Deputy Commissioner Section during Fiscal Year 2012- 2013.

<sup>17</sup> Claims disposed of are greater than claims docketed for hearings as a claim may be resolved by a Deputy Commissioner prior to being docketed on a calendar.

<sup>18</sup> Form 26A Agreements reviewed for approval by the Deputy Commissioner Section are a portion of the total Form 26A Agreements received and approved by the Claims Administration Section.

### Number of Deputy Commissioners' Hearing Hours Per Month

July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	April	May	June
245.25	293.25	304.75	305.50	305.00	284.50	292.00	254.75	273.00	356.75	357.45	228.25
Total Hours: 3,690.7 Hours											

### Expeditious resolution by the Deputy Commissioner Section for resolving requests for, or disputes involving, medical compensation:<sup>19 20</sup>

The Deputy Commissioner Section ruled upon 1,150 medical motions for the fiscal year of 2012-2013. No medical motion exceeded a filing date of 45 days after the filing of the motion requesting relief.

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<sup>19</sup> In 2008, pursuant to the newly enacted N.C. Gen. Stat. § 97-78(f)(2), the North Carolina Industrial Commission promulgated a strategic plan for expeditious resolution of requests for medical compensation pursuant to N.C. Gen. Stat. § 97-25. Timeframes were shortened at various levels of litigation regarding medical issues and the emergency medical motion procedure was formalized. The changes reflected in this plan became effective on August 1, 2008.

<sup>20</sup> The report is provided in accordance with N.C. Gen. Stat. § 97-78(f)(2).

## **Full Commission Section**

For the fiscal year 2012-2013, and in accordance with N.C. Gen. Stat. § 97-77, Full Commission consisted of six Commissioners “who shall devote their entire time to the duties of the Commission.”<sup>21</sup> The Commissioners are appointed by the Governor for staggered 6-year terms. No more than three of the Commissioners can be representatives of employers and no more than three can be representatives of employees. The Industrial Commission administers and adjudicates not only the Workers’ Compensation Act, but also the Tort Claims Act, the Childhood Vaccine-Related Injury Act, the Law Enforcement Officers’, Firemen’s, Rescue Squad Workers’, and Civil Air Patrol Members’ Death Benefit Act, and the Act to Compensate Individuals Erroneously Convicted of Felonies.<sup>22</sup> The main focus of the Industrial Commission involves workers’ compensation cases. The stated public policy behind the Workers’ Compensation Act is to provide certain and speedy relief to injured employees. The Industrial Commission is a special or limited tribunal and is vested with certain judicial functions and possesses the powers and incidents of a court, within the provisions of the Workers’ Compensation Act, as are necessary to determine matters in dispute between employees and employers/insurance carriers.

### **Quasi-Judicial Function**

The Commissioners have many job duties. The most highly visible part of the job is the quasi-judicial function in which the Commissioners sit in panels of three to review appeals from decisions made by Deputy Commissioners who travel across the state hearing workers’ compensation and tort claims cases. By statute, Commissioners may reconsider the evidence, receive further evidence, rehear the parties or amend in any way the decision by the Deputy Commissioner. See N.C. Gen. Stat. § 97-85. The Full Commission is the ultimate fact-finding body of the Industrial Commission and, therefore, only the findings of the Commissioners and not those of the Deputy Commissioners are deemed conclusive on appeal to the higher courts if supported by the evidence.

### **Full Commission Section Summary for FY 2012-2013**

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Cases Prepared for Full Commission Review	497
<i>Pro Se</i> Inmate Torts Appeals Heard Administratively	104
Medical Motion Appeals	70

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<sup>21</sup> House Bill 709, now known as Ch. SL 2011-287, effective as of June 24, 2011, reduced the number of Commissioners from seven (7) to six (6). The reduction was accomplished by not reappointing a seventh Commissioner for the term that expired on June 30, 2012. Therefore, for the fiscal year of 2012-2013, the Industrial Commission functioned with six (6) Commissioners.

<sup>22</sup> Senate Bill 402, now known as Ch. SL 2013-360, effective as of July 26, 2013, vested the Industrial Commission with the jurisdictional authority to determine whether a claimant is eligible for compensation as a qualified recipient under the Eugenics Asexualization and Sterilization Compensation Program. This expansion of jurisdictional authority is not reflected in the list provided above as it was outside the fiscal year of 2012-2013.

## Management and Operations

The Chairman of the Full Commission is, by statute, the chief judicial officer and chief executive officer of the Industrial Commission. The Chairman has the authority to direct and oversee the Industrial Commission and may delegate duties as needed for proper management of the Commission. The Chairman sets the goals, and operating procedures for the entire agency, and addresses administrative issues, judicial/legal issues, computer system issues, case management by Deputy Commissioners and Commissioners, and oversight of all sections of the Industrial Commission.

## Other Duties for Commissioners

Each Commissioner is also assigned additional duties. One Commissioner oversees the case management for tort claims, serving as the clerk of court for tort claims as well as reviewing and approving settlements of tort cases such as school bus accidents and other negligence claims against the State. Another Commissioner oversees the management of the appeal process to the Court of Appeals. One Commissioner plans and organizes the program and multiple events surrounding the Commission's annual education conference, which provides continuing education for all parties involved in the workers' compensation system, including insurance adjusters, human resource and safety directors and other employer representatives, plaintiff and defense attorneys, vocational rehabilitation workers, nurses, and others. Commissioners also routinely review settlement agreements submitted by the parties which must be approved by the Commission.

## **Expeditious resolution by the Full Commission for resolving requests for, or disputes involving, medical compensation:<sup>23 24</sup>**

The Full Commission ruled upon 70 medical motions for the fiscal year of 2012-2013. 2 of the 70 medical motions exceeded a filing date of 45 days after the filing of the motion requesting relief. There are various reasons that a final disposition may be filed beyond 45 days, including, but not limited to, parties' joint request to submit additional medical evidence or problems with service on the parties.

Below is a summary of the 2 medical motions filed by the Full Commission 45 days after the filing of the motion requesting relief for the fiscal year of 2012-2013.

<b>I.C. File No.</b>	<b>Date Motion Filed</b>	<b>Date Order Filed</b>
W63603	10/10/2012	4/11/2013
W63959	5/14/2013	8/15/2013

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<sup>23</sup> In 2008, pursuant to the newly enacted N.C. Gen. Stat. § 97-78(f)(2), the North Carolina Industrial Commission promulgated a strategic plan for expeditious resolution of requests for medical compensation pursuant to N.C. Gen. Stat. § 97-25. Timeframes were shortened at various levels of litigation regarding medical issues and the emergency medical motion procedure was formalized. The changes reflected in this plan became effective on August 1, 2008.

<sup>24</sup> The report is provided in accordance with N.C. Gen. Stat. § 97-78(g)(2).

## **Rules Review Committee**

In 2011, two separate pieces of legislation impacted the rule-making process within the Industrial Commission. First, House Bill 709, now codified as Session Law 2011-287, effective June 24, 2011, mandated the Industrial Commission to adopt rules, in accordance with Article 2A of Chapter 150B of the General Statutes. Second, the Industrial Commission became subject to Senate Bill 781, now codified as Session Law 2011-398, effective July 25, 2011.

### **House Bill 709:**

The Industrial Commission has complied with House Bill 709. On September 20, 2012, the Industrial Commission adopted over one hundred and fifty rules. The adopted set of rules was reviewed by the Rules Review Commission of the Office of Administrative Hearings on three separate hearing dates: (a) October 18, 2012; (b) November 15, 2012; and (c) December 20, 2012. The Rules Review Commission individually reviewed and approved all one hundred and fifty-two (152) rules adopted by the Industrial Commission.

Of the one hundred and fifty-two (152) approved rules, only two (2) rules became effective on January 1, 2013:

1. 04 NCAC 10A .0301 Proof of Insurance Coverage
2. 04 NCAC 10J .0101 Fees for Medical Compensation

Of the one hundred and fifty-two (152) approved rules, forty-two (42) rules were subjected to legislative review under N.C. Gen. Stat. § 150B-21.3(b2). Senate Bill 174, now codified as Session Law 2013-294, was filed on March 4, 2013. Senate Bill 174 was ratified on July 9, 2013, and signed by Governor Pat McCrory on July 18, 2013. The bill disapproved only the following twenty-eight (28) rules:

1. 04 NCAC 10A .0102 (Official Forms)
2. 04 NCAC 10A .0105 (Electronic Payment of Costs)
3. 04 NCAC 10A .0405 (Reinstatement of Compensation)
4. 04 NCAC 10A .0601 (Employer's Obligations Upon Notice; Denial of Liability...)
5. 04 NCAC 10A .0603 (Responding to a Party's Request for Hearing)
6. 04 NCAC 10A .0605 (Discovery)
7. 04 NCAC 10A .0608 (Statement of Incident Leading to Claim)
8. 04 NCAC 10A .0609A (Medical Motions and Emergency Medical Motions)
9. 04 NCAC 10A .0612 (Depositions and Additional Hearings)
10. 04 NCAC 10A .0613 (Expert Witnesses and Fees)
11. 04 NCAC 10A .0701 (Review by Full Commission)
12. 04 NCAC 10A .0704 (Remand from the Appellate Courts)
13. 04 NCAC 10A .0801 (Suspension of Rules)
14. 04 NCAC 10B .0501 (Suspension of Rules)

15. 04 NCAC 10C .0103 (Definitions)
16. 04 NCAC 10C .0108 (Interaction with Physicians)
17. 04 NCAC 10C .0109 (Vocational Rehabilitation Services Return to Work)
18. 04 NCAC 10C .0201 (Suspension of Rules)
19. 04 NCAC 10D .0110 (Suspension of Rules)
20. 04 NCAC 10E .0201 (Document and Record Fees)
21. 04 NCAC 10E .0202 (Hearing Costs or Fees)
22. 04 NCAC 10E .0203 (Fees Set by the Commission)
23. 04 NCAC 10E .0301 (Suspension of Rules)
24. 04 NCAC 10G .0104A (Foreign Language Interpreters)
25. 04 NCAC 10G .0107 (Compensation of the Mediator)
26. 04 NCAC 10G .0110 (Waiver of Rules)
27. 04 NCAC 10H .0206 (Waiver of Rules)
28. 04 NCAC 10I .0204 (Suspension of Rules)

Pursuant to Senate Bill 174, the Industrial Commission will be reviewing the disapproved rules and complying with Section 11 of the bill. In the interim, the Industrial Commission will continue to operate under the rules as set forth on our website:

<http://www.ic.nc.gov/ncic/pages/abtrules.htm>

### **Senate Bill 781:**

Senate Bill 781 requires the Industrial Commission to deliver to the Joint Select Regulatory Reform Committee of the General Assembly no later than October 1 of every year, a list of all permanent rules adopted by the body and to identify the following information:

1. Whether the rule is mandated by a federal law or regulation.
2. If the rule is not mandated by a federal law or regulation, whether there is a federal regulation that is analogous to the rule. For purposes of this subdivision, "analogous" means the federal regulation regulates the same conduct or activity as the State regulation.
3. If there is a federal statute or regulation analogous to the rule, whether the rule is more stringent than the federal law or regulation.

The Industrial Commission reports that, after a review of our rules and the applicable statutory authority, no rules promulgated by the Industrial Commission are mandated by federal law or regulation; are analogous to a federal law or regulation; or result in a rule more stringent than federal law or regulation.<sup>25</sup> See Appendix A.

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<sup>25</sup> The summary is provided in accordance with Section 57 of Senate Bill 781, now codified as Session Law 2011-398.



## **Recommendations**

The Industrial Commission is responsible for administering the Workers' Compensation Act, the Tort Claims Act, the Childhood Vaccine-Related Injury Act, the Law Enforcement Officers', Firemen's, Rescue Squad Workers', and Civil Air Patrol Members' Death Benefit Act, and the Act to Compensate Individuals Erroneously Convicted of Felonies<sup>26</sup>. In order to effectively administer these Acts, the Industrial Commission makes the following recommendations:<sup>27</sup>

- The General Assembly has historically allowed the Commission to retain unexpended and unencumbered revenue that the Commission collected from an increase in the filing fee for compromise settlement agreements. These fees are critical to the Industrial Commission's development and implementation of its database and case management system. The Commission recommends that the General Assembly continue to allow the Commission to retain unexpended and unencumbered revenue for the next fiscal year.
- As discussed in the annual report, the Commission is responsible for administering a wide variety of claims. The records produced from these claims are subject to differing record retention requirements and laws. An internal review has revealed that the Commission has been without a records retention schedule, and may not be adequately maintaining Commission records. The Commission recommends that the Program Evaluation Division of the Legislative Service Commission of the General Assembly conduct a program evaluation to determine the extent of any problems that may exist and make recommendations on necessary corrective action. In order to have the funds necessary to implement any recommended corrective action, the Commission further recommends that the General Assembly allow the Commission to retain surplus receipts that would otherwise be reverted to the General Assembly. It is anticipated that the Commission will require, at a minimum, a Records Retention Specialist and two support staff.
- The Commission requests statutory authority to issue cease and desist orders to require any employer who is engaged in business and does not have workers' compensation insurance or has a workers' compensation policy which has lapsed, to cease operating the business until such time as a workers' compensation policy with proper limits and coverage is in full force and effect.

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<sup>26</sup> Senate Bill 402, now known as Ch. SL 2013-360, effective as of July 26, 2013, vested the Industrial Commission with the jurisdictional authority to determine whether a claimant is eligible for compensation as a qualified recipient under the Eugenics Asexualization and Sterilization Compensation Program. This expansion of jurisdictional authority is not reflected in the list provided above as it was outside the fiscal year of 2012-2013.

<sup>27</sup> The recommendations are provided in accordance with N.C. Gen. Stat. § 97-78(e).

- N.C. Gen. Stat. § 97-90(c) allows an attorney to appeal attorney fee disputes from the Industrial Commission to the senior resident judge of the superior court in the county in which the underlying cause of action arose or in which the claimant resides. Recognizing the specialized nature of workers' compensation claims, the Commission recommends that appeal to the Superior Court be eliminated such that appeals over attorney fee disputes go directly from the Full Commission to the North Carolina Court of Appeals.
- The Commission currently has authority to hold parties in civil and criminal (both direct and indirect) contempt. The Commission requests clarification as to the relative specific authorities and responsibilities of the Commission, General Courts of Justice, magistrates and law enforcement to effect service, issue orders for arrest, take into custody, transport, set bail, set terms to purge, imprison and adjudicate contempt in each specific type of contempt.
- The Commission is required to enforce compliance with the statutory requirement that employers subject to the Workers' Compensation Act maintain adequate workers' compensation insurance. As part of the Commission's compliance efforts, the Commission partnered with the North Carolina Rate Bureau in an effort to reduce reporting requirements and burdens on North Carolina businesses. While this partnership is serving a short-term need, the sharing of information has brought to light some reporting difficulties, such as self-insured employers who do not report to the Rate Bureau. The Commission recommends the implementation of an Electronic Data Interchange (EDI) proof of coverage system as a long term solution to ensure accurate and complete coverage information, and that the General Assembly allow the Commission to retain surplus receipts that would otherwise be reverted to the General Assembly in order to implement such a reporting system.
- The Commission recently implemented a Compliance and Fraud Investigation Section, with the assistance of appropriated funds for 13 full time employees (FTE) for the fiscal year of 2013-2014. The Commission is appreciative of this financial support from the General Assembly and requests continued assistance to address the issue of non-insured employers and misclassified employees. Specifically, the Commission's expansion budget requested was for 23 FTEs, along with the necessary office supplies, such as telephones and desks, and the necessary field materials for our law enforcement officers, such as weapons and handcuffs. The Commission recommends an additional appropriation to fully staff an operational Compliance and Fraud Investigation Section.

## Appendix A

Rule Citation	S.L. 2011-398 (SB 781) Section 57 Compliance		
	Mandated by federal Law or reg? If so, cite.	If not, is there analogous federal law or reg? If so, cite.	If so, is the rule more stringent than the federal law or reg?
<b>Workers' Compensation Rules</b>			
101	No	No	-
102	No	No	-
103	No	No	-
104	No	No	-
105	No	No	-
201	No	No	-
04 NCAC 10A .0301	No	No	-
401	No	No	-
402	No	No	-
403	No	No	-
404	No	No	-
404A	No	No	-
405	No	No	-
406	No	No	-
04 NCAC 10J .0101	No	No	-
408	No	No	-
409	No	No	-
501	No	No	-
502	No	No	-
503	No	No	-
601	No	No	-
602	No	No	-
603	No	No	-
604	No	No	-
605	No	No	-
606	No	No	-
607	No	No	-
607	No	No	-
609	No	No	-
610	No	No	-
611	No	No	-
612	No	No	-
613	No	No	-
614	No	No	-
615	No	No	-
616	No	No	-
617	No	No	-
701	No	No	-

702	No	No	-
702A	No	No	-
703	No	No	-
801	No	No	-
802	No	No	-
803	No	No	-
901	No	No	-
902	No	No	-
903	No	No	-
Rule Citation	S.L. 2011-398 (SB 781) Section 57 Compliance		
	Mandated by federal Law or reg? If so, cite.	If not, is there analogous federal law or reg? If so, cite.	If so, is the rule more stringent than the federal law or reg?
<b>Tort Claims Rules</b>			
T101	No	No	-
T102	No	No	-
T103	No	No	-
T104	No	No	-
T201	No	No	-
T202	No	No	-
T203	No	No	-
T204	No	No	-
T205	No	No	-
T206	No	No	-
T207	No	No	-
T301	No	No	-
T302	No	No	-
T303	No	No	-
T304	No	No	-
T305	No	No	-
T306	No	No	-
T307	No	No	-
T308	No	No	-
T309	No	No	-
T310	No	No	-
T401	No	No	-
T402	No	No	-
T403	No	No	-
T404	No	No	-
T501	No	No	-
T502	No	No	-

Rule Citation	S.L. 2011-398 (SB 781) Section 57 Compliance		
	Mandated by federal Law or reg? If so, cite.	If not, is there analogous federal law or reg? If so, cite.	If so, is the rule more stringent than the federal law or reg?
<b>Rules for Utilization of Rehabilitation Professional in WC Claims</b>			
I.	No	No	-
II.	No	No	-
III.	No	No	-
IV.	No	No	-
V.	No	No	-
VI.	No	No	-
VII.	No	No	-
VIII.	No	No	-
IX.	No	No	-
Rule Citation	S.L. 2011-398 (SB 781) Section 57 Compliance		
	Mandated by federal Law or reg? If so, cite.	If not, is there analogous federal law or reg? If so, cite.	If so, is the rule more stringent than the federal law or reg?
<b>Rules for Mediated Settlement and Neutral Evaluation Conferences</b>			
1	No	No	-
2	No	No	-
3	No	No	-
4	No	No	-
5	No	No	-
6	No	No	-
7	No	No	-
8	No	No	-
9	No	No	-
10	No	No	-
11	No	No	-
12	No	No	-

Rule Citation	S.L. 2011-398 (SB 781) Section 57 Compliance		
	Mandated by federal Law or reg? If so, cite.	If not, is there analogous federal law or reg? If so, cite.	If so, is the rule more stringent than the federal law or reg?
<b>Rules for Managed Care Organizations</b>			
I.	No	No	-
II.	No	No	-
III.	No	No	-
IV.	No	No	-
V.	No	No	-
VI.	No	No	-
VII.	No	No	-
VIII.	No	No	-
IX.	No	No	-
X.	No	No	-
Rule Citation	S.L. 2011-398 (SB 781) Section 57 Compliance		
	Mandated by federal Law or reg? If so, cite.	If not, is there analogous federal law or reg? If so, cite.	If so, is the rule more stringent than the federal law or reg?
<b>Rules Relating to the Law-Enforcement Officers', Firemen's, Rescue Squad Workers, and Civil Air Patrol</b>			
I.	No	No	-
II.	No	No	-
III.	No	No	-
IV.	No	No	-
V.	No	No	-
Rule Citation	S.L. 2011-398 (SB 781) Section 57 Compliance		
	Mandated by federal Law or reg? If so, cite.	If not, is there analogous federal law or reg? If so, cite.	If so, is the rule more stringent than the federal law or reg?
<b>Childhood Vaccine-Related Injury Rules</b>			
101	No	No	-
102	No	No	-
103	No	No	-
201	No	No	-
202	No	No	-
203	No	No	-