

# **SUMMARY OF THE AMENDMENTS TO THE RULES OF THE STATE BOARD OF WORKERS' COMPENSATION**

**The 2007 Rules, effective July 1, 2007, contain organizational, editorial, and substantive changes. This summary is intended as a convenient reference and does not represent an exhaustive description of all rules changes. For detailed information regarding a change(s) to a particular rule, please refer to the published version of the rule.**

## **Rule 15:**

Amended section (a)(2) to clarify the requirements for a submitted settlement. Specifically, parties shall place ICMS Board Claim Number(s) on a settlement where the Board has an existing file. For dates of accident/injury covered by a settlement, but where no file exists, place the date of accident/injury in the body of the settlement. (p. 2).

Amended section (a)(4) to delete the requirement for the filing of a Form WC-4 with a liability settlement. (p. 2).

Amended section (d) to require the cost of an MSA in a settlement. (p. 3).

Amended section (e) to require attorneys to certify that the requested reimbursable expenses in a settlement are in compliance with Rule 1.8(e) of the Georgia Rules of Professional Responsibility/Board Rule 108. (p. 3).

Amended section (f) to delete the requirement for the filing of a Form WC-4 in a no-liability settlement. (p. 4).

## **Rule 60:**

Created section (h) to clarify the only permissible way to create a file at the Board is with the filing of a Form WC-1 or Form WC-14. (p. 7).

Created section (i) to clarify only one original of any document, except settlements, is sent to the Board. (p. 7).

### **Rule 61:**

Amended (b)(5) to require the filing of a Form WC-4 with 30 days of final payment under an approved settlement (either liability or no-liability settlements). (p. 9).

Created Form WC-Catastrophic Rehab Release. This will be (b)(50). Current (b) (50-55) is renumbered accordingly. (p. 15).

### **Rule 82:**

Amend section (b) to require only one Form WC-14 to be filed with the Board when filing a claim. (p. 15).

### **Rule 100:**

Section (h)(1-3) concerning postponement procedures for mediations is amended & rewritten. (pp. 16-17).

### **Board Rule 102:**

Section (C)(1)(a-c) was amended to clarify procedures regarding postponements of hearings. (p. 19).

Section (C)(3) was amended to clarify conflict letters are not to be filed with the Board unless otherwise requested. (p. 19).

Section (D)(4) was amended to clarify the resolution process when the issues in a pending motion resolve. (p. 20). Current (D)(4) & (D)(5) is renumbered.

Section (E)(3)(e) was created to place a time limit on the raising of a Daubert objection. (p. 21)

### **Board Rule 103:**

Section (b)(8) was created to clarify procedures regarding postponements/resolution of appeals. (p. 22-23).

### **Board Rule 105:**

Section (f) was created to permit the Board to charge for the copy and transmittal costs associated with Superior Court appeals. (p. 24).

### **Board Rule 121:**

Section (d) was amended to clarify that insurers, self-insurers, and group self-insurers are required to update the addresses of claims offices. (p. 27-28).

**Board Rule 131:**

Section rewritten. (p. 30).

**Board Rule 200:**

Section (b)(1) was amended to clarify procedures regarding postponements/resolution with regards to change of physician requests. (p. 31).

**Board Rule 200.1:**

Section (i)(13) was amended to clarify that alleged rehab violations are to be submitted to the Managed Care & Rehab Division. (p. 43).

**Board Rule 203:**

Section (b) was amended to limit the time for challenges to payments of medical expenses to 120 days. (p. 46-47).

**Board Rule 205:**

Section (a) was amended to permit the usage of the UB-04. (p. 49).

**Board Rule 221:**

Section (i)(2) was amended for clarification. (p. 59-60).

**FORM CHANGES:**

The Board has updated the Board's forms in light of our exciting upcoming ICMS paperless system. As such, when the new forms are available, please review each of them. They are available on our web site at [www.sbwc.georgia.gov](http://www.sbwc.georgia.gov). Until approved and published, please continue to use existing forms.