

## **SUMMARY OF 2019 AMENDMENTS TO THE RULES OF THE STATE BOARD OF WORKERS' COMPENSATION**

**The 2019 Rules, effective September 1, 2019 and November 1, 2019, contain organizational, editorial, and substantive changes. This summary of the 2019 amendments to the Rules is intended as a convenient reference and should not be considered an exhaustive description of all rules changes. For detailed information regarding changes to a particular rule, please refer to the published version of the rule.**

Rules 12; 61(b)(1), 10, 42; 102.1(j)—Removal of Social Security Numbers from Board Forms. These rules were amended to be consistent with the Board's removal of social security numbers from all Board forms that was effective December 1, 2018.

Rule 63—Proration of Board's expenses. Raises the minimum assessment to insurers based upon administrative costs from \$100 to \$200.

Rule 84. Payment of loans or assignments to third party creditors—States that medical providers providing medical services pursuant to the fee schedule are not considered third party creditors pursuant to this rule.

Rule 102(b). Reporting requirements—Adds phone numbers to the information that should be provided when requesting a hearing.

Rule 102(f). Discovery—The parties to a workers' compensation claim are permitted to engage in discovery pursuant to the Civil Practice Act only while a hearing is pending, except by agreement of the parties or order of an administrative law judge.

Rule 105(e). Filing of Higher Court Correspondence with the Board- Permits copies of documents filed with and issued by the Superior Courts, Court of Appeals and Supreme Court to be filed with the Board electronically through ICMS.

Rule 108. Attorney Fee Contracts— Makes some modifications to information required to be in the attorney fee contract and specifies other information that should be in the contract pursuant to best practices.

Rule 200. Medical Treatment-Failure to attend examination—Rule was modified to state that the employer/insurer may suspend an employee’s weekly benefits for failure to submit to examinations, rather than treatment. Makes rule consistent with language in O.C.G.A. 34-9-200(c).

Rule 200.2. Case Managers—Requires case managers to register with the Board.

Rule 201 (a)(1). Panel of Physicians. Substitution of a physician-Provides that the employer/insurer may substitute another physician on the panel *when an associated* panel physician has refused to treat the employee. This rule is not intended to allow an employer/insurer to substitute a physician to make valid an otherwise invalid panel.

Rule 201 (a)(1). Posting of panel of physicians-Allows panel of physicians to be posted on line in addition to posting on the business premises. On-line posting does not eliminate the requirement of posting the panel of physicians on the business premises of the employer.

Rule 205(c). Expansion of PMT process for failure to attend medical appointments-Use of new form PMTb to allow an employer/insurer to petition the Board for a telephone conference with an Administrative Law Judge at which the employee or the employee’s attorney shall be directed to show cause why an order should not be issued directing the employee to attend an appointment with an authorized treating physician. (Section B of PMTb form) (September 1, 2019)

Use of new form PMTb by employee or employee’s attorney to agree to attend medical appointment (Section C of PMTb form) or use by employer/insurer to request a telephone conference with an Administrative Law Judge at which the employee or the employee’s attorney shall be directed to show cause why the employee’s benefits should not be suspended. (Section D of PMTb form) (November 1, 2019)

