

SUMMARY OF 2021 AMENDMENTS TO THE RULES OF THE STATE BOARD OF WORKERS' COMPENSATION

The 2021 Rules, effective July 1, 2021, contain organizational, editorial, and substantive changes. This summary of the 2021 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 15, 61 and 62—Administrative changes

Administrative changes were made to these rules for the purpose of claims processing improvement.

Rule 61(b)(48)—Consistency in rules providing time deadline for filing Rehabilitation Plan after appointment of a supplier

There had been a discrepancy between Rule 61(b)48 and Rule 200.1(II)(C)(1) regarding the time deadline for filing a WCR2A (rehabilitation plan). Rule 61(b)(48) provided that plan must be filed within 60 days of appointment of the supplier; Rule 200.1 (II)(C)(1) provided for 90 days. Rule 61(b)(48) was amended to be consistent with Rule 200.1(II)(C)(1) and allow the rehabilitation plan to be filed within 90 days.

Rule 100(h)(1)-Time deadline for postponing or canceling a mediation changed to 2:00 p.m.

Rule was amended to require parties to a mediation to provide notice to the ADR Division of a postponement or cancellation of a mediation no later than 2:00 p.m. on the business day immediately before the scheduled mediation conference. The change replaces 4:30 p.m. with 2:00 p.m. in Rule 100(h)(1). This change is consistent with Rule 102(C) regarding postponements of hearings.

Rule 103(b)(2)—Service of brief in case before Appellate Division

This rule regarding service of a brief in a claim before the Appellate Division was amended to be consistent with service requirements for all other Board forms or documents in Rule 61(b)61).