

NEWSLINE

Newsline No.: 2017-01

Date: January 3, 2017

DWC and WCAB Amend, Add Forms for Lien Filings to Comply with Recent Legislation

The Division of Workers Compensation ([DWC](#)) and the Workers' Compensation Appeals Board ([WCAB](#)) have made changes to lien and attorney fee disclosure statement requirements which went into effect on January 1, 2017. The changes were made to implement provisions of Senate Bill 1160 and Assembly Bill 1244. The changes are as follows:

- In compliance with [SB 1160](#), DWC has made available an amended lien form which includes the required declaration affirming eligibility under penalty of perjury per newly enacted Labor Code Section 4903.05(c) effective January 1, 2017.

All liens filed after January 1, 2017 must use this new form. The new lien form and the required declaration are now available for all e-filers and JET Filers. All filers that must pay the filing fee are required to fill out the declaration. Liens filed without the declaration will be dismissed.

- Also available for e-filers and JET Filers is a declaration for all liens filed prior to January 1, 2017 that require a filing fee under Labor Code Section 4903.05, as mandated by SB 1160. The declaration, which must include information on the type of services provided by the lien claimant, must be filed by July 1, 2017. The Workers' Compensation Appeals Board (WCAB) has posted new rules on this requirement, and has scheduled a [public hearing](#) January 4 on the proposed regulations.
- SB 1160 also requires that all lien claimants file an original bill with their lien. This is a new requirement that is mandatory for all lien filings as of January 1, 2017.
- To comply with the new requirements for the attorney fee disclosure statement introduced by [AB 1244](#), DWC has made available a revised attorney fee disclosure statement form in compliance with recently amended Labor Code Section 4906. An [amended form](#) with the required information is now posted on DWC's website.

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