

STATE OF CALIFORNIA  
DEPARTMENT OF INDUSTRIAL RELATIONS  
Division of Workers' Compensation

**NOTICE OF ADDITION OF DOCUMENTS TO RULEMAKING FILE**  
**(GOVERNMENT CODE SECTION 11347.1)**

**AND**

**NOTICE OF MODIFICATION TO TEXT OF PROPOSED REGULATIONS**

**Subject Matter of Regulations: Copy Service Fee Schedule**

**TITLE 8, CALIFORNIA CODE OF REGULATIONS,**  
**SECTIONS 9980-9984, 9990, 9992, 9994, and 10208.7**

**NOTICE IS HEREBY GIVEN** that the Acting Administrative Director of the Division of Workers' Compensation Pursuant to the requirements of Government Code Sections 11346.8, 11346.9(a)(1) and 11347.1, and section 45 of Title 1 of the California Code of Regulations, has added to the rulemaking file documents and information which the agency has relied upon in adopting the proposed regulations. The document and information is available for public inspection and comment.

The documents and information added to the rulemaking file are as follows:

- Table of Fiscal Year 2013 - 2014 Transcript Orders.
- Table of Fiscal Year 2007 – 2008 Transcript Orders.

**NOTICE IS HEREBY GIVEN** that the Acting Administrative Director of the Division of Workers' Compensation pursuant to the authority vested in her by Labor Code Sections 59, 133, 4616, 5307.3, and 5307.9 proposes to modify the text of the following proposed regulations:

Section 9981	Bills for Copy Services
Section 9982	Allowable Services
Section 9983	Fees for Copy and Related Services
Section 9990	Division Fees for Transcripts; Copies of Documents; Certification; Case File Inspection; Electronic Transactions

**PRESENTATION OF WRITTEN COMMENTS AND DEADLINE FOR SUBMISSION OF WRITTEN COMMENTS**

Members of the public are invited to present written comments regarding these proposed modifications. **Only comments directly concerning the proposed modifications to the text of the regulations will be considered and responded to in the Final Statement of Reasons.**

Written comments should be addressed to:

Maureen Gray  
Regulations Coordinator  
Department of Industrial Relations  
P.O. Box 420603  
San Francisco, CA 94612

The Division's contact person must receive all written comments concerning the proposed modifications to the regulations no later than 5:00 p.m. on **February 13, 2015**. Written comments may be submitted via facsimile transmission (FAX), addressed to the above-named contact person at (510) 286-0687. Written comments may also be sent electronically (via e-mail) using the following e-mail address: [dwcrules@dir.ca.gov](mailto:dwcrules@dir.ca.gov).

### **AVAILABILITY OF TEXT OF REGULATIONS AND RULEMAKING FILE**

Copies of the original text and modified text with modifications clearly indicated, and the entire rulemaking file, are currently available for inspection at the Department of Industrial Relations, Division of Workers' Compensation, 1515 Clay Street, 17<sup>th</sup> Floor, Oakland, California 94612, between 9:00 A.M. and 4:30 P.M., Monday through Friday.

### **DOCUMENTS SUPPORTING THE RULEMAKING FILE**

Printouts of emails and correspondence to and from various interested parties concerning the Division's proposed changes have been added to the rulemaking file.

### **FORMAT OF PROPOSED MODIFICATIONS**

#### **Proposed Text Noticed for 45-Day Comment Period:**

The proposed text was indicated by underlining, thus: added language. Deletions are indicated by strikeout, thus: ~~deleted language~~.

#### **Proposed Text Noticed for 15-Day Comment Period on Modified Text:**

The proposed text was indicated by double underlining, thus: added language. Deletions are indicated by double strikeout, thus: ~~~~deleted language~~~~.

#### **Proposed Text Noticed for 2<sup>nd</sup> 15-Day Comment Period on Modified Text:**

The proposed text was indicated by italicized underlining, thus: *added language*. Deletions are indicated by italicized strikeout, thus: ~~*deleted language*~~.

#### **Proposed Text Noticed for 3<sup>rd</sup> 15-Day Comment Period on Modified Text:**

The proposed text was indicated by bold underlining, thus: **added language**. Deletions are indicated by bold strikeout, thus: ~~**deleted language**~~.

## **SUMMARY OF PROPOSED CHANGES**

### **1. Section 9981 Bills for Copy Services**

The words “county of registration” were added to subdivision (b) to alleviate the burden placed on claims administrators to verify professional photocopier registration numbers which are obtained by county. As there are 58 counties within the state, it would be difficult to verify a given professional photocopier registration number.

The words “an Additional Electronic Set of \$30, WC 028 is for” has been added and some related code number changes are made to subdivision (b)(1) to conform billing codes with changes made to the fee schedule.

### **2. Section 9982 Allowable Services**

The word “written” was added to subdivision (d)(1) to reduce disputes regarding when notice was provided.

### **3. Section 9983 Fees for Copy and Related Services**

The proposed regulation was renumbered; “(a)” deleted as there is no subdivision (b) and subsequent subdivisions were changed to conform with the deletion of the original (a).

The words “witness costs” was replaced by “the production of records” to reflect the broader scope of Labor Code section 132 and the WCAB’s jurisdiction.

### **4. Section 9990 Division Fees for Transcripts; Copies of Documents; Certifications; Case File Inspection; Electronic Transactions**

CD charges have been eliminated. Processing minimal fees costs the Division more than the \$1.00 fee. The words, “and one dollar (\$1.00) for scanning to CD and for the CD” have been deleted from subdivision (a) and the words “one dollar (\$1.00) for CD” have been deleted from Subdivision (e)(4) to eliminate charges for CDs.

Subdivision (c) was renumbered after subsection (1) was added.

The fee to order transcripts was changed from \$150 to \$100 in light of an updated DWC study which showed that for fiscal year 2013-2014, the average total number of pages ordered was 54, which is less than the average total number of pages from fiscal year 2007 – 2008 which the \$150 fee was based upon. The number of pages was also changed to conform with the \$50 change. Transcripts over 33 pages are \$3 per page for every page over 33.