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DWCNewsline

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Division of Workers' Compensation issues a 15-day notice of revisions to proposed administrative penalties for unreasonable denial of compensation pursuant to Labor Code section 5814.6

The Division of Workers' Compensation (DWC) has modified its regulations for administrative penalties pursuant to Labor Code section 5814.6. A 15-day notice of modification was distributed to interested parties and the revised regulations are posted to the DWC Web site. Members of the public may comment on the revisions until 5 p.m. Wednesday, Sep. 27, 2006.

The revisions include: an addition to the definition of "general business practice"; a clarification that the administrative penalties shall be imposed based on violations of Labor Code section 5814.6 after more than one penalty award has been issued by a workers' compensation administrative law judge on or after Jun. 1, 2004 for unreasonable delay or refusal to pay compensation; a clarification that the DWC shall regularly submit copies of Workers' Compensation Appeals Board awards issued pursuant to Labor Code section 5814.6 to the DWC Audit Unit; a clarification that the Audit Unit may proceed with an investigation only if more than one penalty award has been issued against a claims administrator after Jun. 1, 2004; and increases in some of the listed penalties.

Further information and the modified proposals can be found at http://www.dir.ca.gov/DWC/DWCPropRegs/AdminPenalties_LC5814_6Regulations/LC5814_6Regulations.htm.

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