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- Milestones

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DWCNewsline

Division of Workers' Compensation
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Notice of rulemaking and public hearing for amendments to medical provider network, employee information and workers' compensation claim form and notice of potential eligibility regulations

The Division of Workers' Compensation (DWC) has proposed amendments to its medical provider network (MPN) [regulations](#). The proposed amendments will streamline the existing MPN notification process primarily by shortening required notices, allowing flexibility in distribution of notices, and by reducing filings with the division.

The regulations also propose amending the employee information form, and workers' compensation claim form (DWC 1) and notice of potential eligibility (NOPE) regulations. The proposed amendments also clarify other filing requirements and update the DWC workers' compensation poster, the initial employee notice, and the NOPE form to reflect changes to benefits and to include MPN information.

The proposals are posted on the DWC Web site at <http://www.dir.ca.gov/dwc/dwcRulemaking.html>

and have been forwarded to the Office of Administrative Law for publication in the California Notice Registry. A public hearing on the regulations has been scheduled for:

Date: Oct. 8, 2009

Time: 10:00 a.m. to 5:00 p.m. or until conclusion of business

Place: Elihu Harris State Office Building – Auditorium

1515 Clay Street

Oakland, California 94612

Members of the public may comment on the proposed regulations until 5 p.m. on Oct. 8, 2009.

The proposed amendments include:

- Shorter MPN notices required for implementation, change of MPN and termination or cessation of use of an MPN with sample notice language.

- Distribution of written notices may be provided electronically, on a pay stub, or with a paycheck.
- Distribution of the complete MPN employee notification is limited to time of injury or transfer into the MPN and employers are required to post a copy of the complete MPN employee notification next to the workers' compensation poster.
- Reduction of the notice period for MPN implementation and change of MPN to 14 days and the elimination of the filing of change of MPN notices with DWC.
- Clarification of other MPN filing requirements, including the responsibilities of the MPN contact and the MPN authorized individual, and the plan modifications triggering a filing requirement.
- The new employee information, the workers' compensation poster and the claim form will be revised to reflect limits on current medical services, temporary disability, and the sunset of vocational rehabilitation benefits. The notices will also be revised to clarify and update predesignation requirements and include language regarding the use of MPNs.

The proposed MPN, Employee Information and Workers' Compensation Claim Form (DWC 1) and Notice of Potential Eligibility regulations are authorized by Labor Code sections 59, 124, 133, 138.3, 138.4, 139.6, 3550, 3551, 4603.5, 4616, and 5307.3. The proposed amendments are found in the California Code of Regulations, Title 8, sections 9767.3, 9767.6, 9767.8, 9767.12, 9767.16, 9880, 9881, 9881.1, and 10139.

These regulations were previously posted to the DWC's online forum for public comment in Jan. 2009.

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