

## N E W S L I N E

**Newsline No.:** 2017-49

**Date:** June 26, 2017

### **Deadline for Lien Claimants to File Labor Code Section 4903.05(c) Declaration**

The Division of Workers' Compensation (DWC) is reminding lien claimants that they are required to file a declaration for any lien filed between January 1, 2013 and December 31, 2016 for which a filing fee was paid.

Labor Code section 4903.05(c) provides: lien claimants shall have until July 1, 2017. DWC recommends that lien claimants complete their submission by 5 p.m. on Friday, June 30 in order to ensure a timely filing.

Senate Bill 1160, which became effective January 1, requires all lien claimants who filed a lien between January 1, 2013 and December 31, 2016, and paid a filing fee, to file the "Supplemental Lien Form and 4903.05(c) Declaration" form. [Labor Code section 4903.05\(c\)](#) was amended as part of the bill's reform measures to combat fraud in the workers' compensation system. To comply with SB 1160's requirements, DWC made available an e-form declaration and the WCAB promulgated [regulations](#) requiring the use of this form by e-filers and JET filers. Liens claimants who fail to file the "Supplemental Lien Form and 4903.05(c) Declaration" will have their liens dismissed.

As with any court document, the declaration must be served on the parties in the case. Rule 10324 states: No document, including letters or other writings, shall be filed by a party or lien claimant with the Workers' Compensation Appeals Board unless service of a copy thereof is made on all parties together with the filing of a proof of service as provided for in Rule 10505.

DWC is currently reviewing and evaluating filed declarations for compliance with the legislation, and will be holding hearings to determine whether the declarations are accurate and comply with the requirements of section 4903.05(c).

Lien claimants should be aware that the filing of a false declaration is grounds for dismissal of the lien. The DWC has posted frequently asked questions on use of the new form, which can be found on the [DWC Website](#).

###



The [California Department of Industrial Relations](#), established in 1927, protects and improves the health, safety, and economic well-being of over 18 million wage earners, and helps their employers comply with state labor laws. DIR is housed within the [Labor & Workforce Development Agency](#). Non-media inquiries can contact DIR's Communications Call Center at 1-844-LABOR-DIR (1-844-522-6734) for help in locating the appropriate [division or program](#) in our department.