

- Policy & Procedure
- Take Note
- Milestones

State of California

DWCNewsline

Division of Workers' Compensation
Carrie Nevans, Acting Administrative Director

1515 Clay Street, 17th floor, Oakland, CA 94612 (510) 286-7100

Internet Web Page: <http://www.dir.ca.gov>

Newsline No. 07-10

February 23, 2010

Division of Workers' Compensation posts proposed amendments to benefit notice regulations on DWC forum for pre-rulemaking public comment

The Division of Workers' Compensation has posted an online forum for members of the public to use to review and comment on a draft of proposed revisions to the benefit notice regulations contained in Title 8, California Code of Regulations, section 9812.

The proposed amendments are:

- Amending section 9812(g)(3) to clarify that the requirement to send a notice that no permanent disability exists only applies where the employee has sustained compensable lost time from their injury or illness.
- Amending section 9812, subdivisions (i) and (j) to require a claims administrator to provide a copy of the "QME Panel Request Form" as an enclosure to the "Notice of Denial of all Workers' Compensation Benefits" (section 9812(i)), the "Notice of Delay in Determining Liability" (section 9812(j))".
- Amending section 9812(i) to conform to the other benefit notice regulations by limiting the requirement to send the QME/AME fact sheet and QME panel request form to cases where the denial is related to a medical issue.
- Amending section 9812(g)(3) to correct an erroneous reference to the administrative director as the source of the QME Panel Request Form. The reference should identify the DWC Medical Unit as the source of the QME Panel Request Form.

All changes to the existing regulations and sample benefit notices are shown in an underline/strikeout format. In addition, due to the length of section 9812, the paragraphs to which amendments are being proposed are highlighted in yellow.

The forum can be found at: <http://www.dir.ca.gov/Wcjudicial.htm>. Click on "current forums" at the top of the page.

Comments will be accepted at the forum until 5:00 p.m., March 9, 2010. Please feel free to participate in this important process.

###