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DWCNewsline

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Notice of rulemaking for workers' compensation benefit notice regulation amendments

Proposed adoption of a notice of employee rights upon termination of a medical provider network also included

The Division of Workers' Compensation (DWC) has proposed amendments to the workers' compensation benefit notice regulations found in Title 8, California Code of Regulations, sections 9810, 9811, 9812, 9813 and 9813.1.

Formal notice of this rulemaking proceeding will be published in the California Notice Register on Friday, Oct. 27, 2006. A public hearing on the proposed regulations has been scheduled for 10 a.m. on Dec. 12, 2006 in the auditorium of the Junipero Serra State Building at 320 West 4th Street, Los Angeles, California. Members of the public may submit written or oral comments on the proposed regulations until 5 p.m. on that day.

The majority of this rulemaking proposes to amend and update existing regulations requiring employers to serve notice on injured employees that they may be entitled to workers' compensation benefits. These notices deal with: the payment, nonpayment or delay in payment of temporary disability, permanent disability and death benefits; the provision of vocational rehabilitation services; any change in the amount or type of benefits being provided; termination of benefits; rejection of any liability for compensation and the requirement to provide an accounting of benefits paid.

This rulemaking also proposes to adopt a new a regulation, Title 8, California Code of Regulations, section 9767.16, "Notice of Employee Rights Upon Termination of Medical Provider Network," to require notice to employees that their employer's medical provider network is being terminated and advise them of their rights to medical treatment after that termination.

The language of the proposed regulations can be found on the DWC Web site at http://www.dir.ca.gov/dwc/DWCPropRegs/BenefitNoticeRegulations/BenefitNotice_regulations.htm.

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