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DWCNewsline

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Division of Workers' Compensation posts revised benefit notices manual and sample benefit notices to Web site

The Division of Workers' Compensation (DWC) has posted a revised benefit notice manual and sample benefit notices to its Web site. The manual and samples reflect amendments to the workers' compensation benefit notice regulations found in Title 8, California Code of Regulations, sections 9810, 9811, 9812, 9813, 9813.1 and 9813.2. The amended benefit notice regulations take effect April 9, 2008.

California's regulations provide that benefit notices, except those notices whose language or format are set forth in statute or those specific notice forms adopted by regulation, may be produced in any format developed by the claims administrator. The regulations require that each benefit notice contain all relevant elements required by either statute or regulation. They also require the DWC administrative director to make sample notices that comply with these requirements available on the DWC Web site.

The sample notices posted provide examples for: 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; the termination of benefits; the rejection of any liability for compensation; and the requirement to provide an accounting of benefits paid.

The benefit notice manual offers guidance for claims administrators in providing injured workers with notices that comply with the benefit notice regulations.

The sample notices are not intended to be used verbatim in lieu of individual notices tailored to the specific facts of each claim. Every claims administrator is responsible for drafting notices in compliance with the regulations that become effective April 9.

The revised benefit notice manual and sample benefit notices can be found on the DWC Web site at <http://www.dir.ca.gov/dwc/audit.html>.

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