

## **WORKERS' COMPENSATION:**

### **Where can I get a Certificate of Non-Coverage if I am an individual exempt from the definition of employee under Section 3 of Title 85?**

Senate Bill 1X repealed Title 40-415.1 which created the Certificate of Non-Coverage Form. This form was issued by the Oklahoma Department of Labor for those individuals who were not required to be covered under a workers' compensation insurance policy or other plan for the payment of workers' compensation. Pursuant to statute 85 O.S. 11 (B) (1) and (2), 36 O.S. 924.4, and 36 O.S. 925.5 a new Affidavit and Fact Sheet were developed.

### **Where can I find the Affidavit of Exempt Status Under The Workers' Compensation Act and Exempt Status Fact Sheet if I am an individual exempt from the definition of employee under Section 3 of Title 85?**

Statute 85 O.S. 11 (B) (1 ) and (2) affirms the use of the affidavit and fact sheet process. The Affidavit of Exempt Status under the Workers' Compensation Act and Exempt Status Fact Sheet may be downloaded in a user-friendly format for your convenience.

<http://www.oid.state.ok.us/www2.oid.state.ok.us/Other/IndependantContractor.asp>.

Should you wish to view Bulletin PC 2006-07, the following hyperlink will take you directly to the bulletin.

<http://www.oid.state.ok.us/www2.oid.state.ok.us/Notices/Bulletins/PC/Bulletin%20PC%202006-07.pdf>

### **Who would make the determination that I have exempt status under the Workers' Compensation Act?**

The person/company that you will be performing services for, and their workers' compensation insurance carrier.

### **Can I use one completed and notarized affidavit and fact sheet for every entity that I perform services for?**

No, you will need to complete a separate affidavit and fact sheet for each person/company that you will be performing services for because their name will be stated on the affidavit document.

### **What goes in the blank spaces in question three of the affidavit document: "I understand that based upon the representations in this Affidavit of Exempt Status, I am requesting \_\_\_\_\_(insert contractor's name) to consider my business to be that of an independent contractor; that I am not an employee under the Workers' Compensation Act and the policy issued by \_\_\_\_\_(Insurance Carrier); and that no premium be charged for the services performed by my business during the policy year"?**

You will provide the name of the person/company that you will be performing services for, and their workers' compensation insurance carrier.

### **Who do I provide copies of the completed affidavit and fact sheet to?**

You will provide a copy to the person/company that you will be performing services for, and you should keep a copy for your records. **You do not send a copy to the Oklahoma Insurance Department.**

### **Is there a charge for using the affidavit and fact sheet?**

No, there is no charge connected with the use of the affidavit and fact sheet documents. The only expense involved will be the cost to have the documents notarized.

### **Where can I order forms such as Employer's First Notice of Injury, Notice and Instruction to Employers and Employees (required to be posted in conspicuous places)? Who can answer questions regarding rights and benefits such as when payment is due after being injured on the job, disability and death benefits?**

**If I have a question about fee schedules, utilization review or self-insured groups who do I contact?**

For any of the above contact the Workers' Compensation Court, 1815 N. Stiles, Oklahoma City, OK 73105. The phone number is 405-522-8600 or Oklahoma WATS 800-522-8210 and the website is <http://www.owcc.state.ok.us/>.

**Where can I get a quote for workers' compensation insurance?**

Contact an independent insurance agent or the State Insurance Fund, now called CompSource Oklahoma at 405-232-7663 or Oklahoma WATS 800-347-3863 or <http://www.compsourceok.com>. You may also consult the Annual Report and Directory for companies licensed to do business in Oklahoma and the top ten writers by line of business on our website <http://www.oid.state.ok.us/www2.oid.state.ok.us/PDF/AnnualReport2005/ANNUALREPORT2005.pdf>.

**Who do I contact regarding approval of Certified Workplace Medical Plans to provide managed care medical treatment?**

Oklahoma Department of Health, 1000 N.E. 10th, Oklahoma City, OK 73104. Phone 405-271-6868 or <http://www.health.state.ok.us>.

**Who do I contact regarding information on workers' compensation fraud?**

Office of Attorney General, State Capitol Building. Phone 405-522-3403 or Oklahoma WATS 877-800-8764 or <http://www.oag.state.ok.us>.

**If I am an Executive Officer, Partner, or Sole Proprietor and wish to carry workers' compensation insurance, what would be the payroll determination used in the computation of my workers' compensation premium?**

You can obtain this information from your workers' compensation carrier or by calling the Oklahoma Insurance Department (Property and Casualty Division) at 405-521-3681.