

**TITLE 810. OKLAHOMA WORKERS' COMPENSATION COMMISSION
CHAPTER 10. PRACTICE AND PROCEDURE**

RULEMAKING ACTION:

Notice of proposed PERMANENT rulemaking

PROPOSED RULES:

Subchapter 1. General Provisions

810:10-1-5 [AMENDED]

Subchapter 5. Hearings Conducted By Administrative Law Judges and Commissioners

Part 1. Commencement of Claims and Review of Qualified Employer Benefit Determinations

810:10-5-5 [AMENDED]

810:10-5-7 [AMENDED]

Part 3. Subsequent Pleadings

810:10-5-15 [AMENDED]

810:10-5-16 [AMENDED]

Part 7. Initial and Subsequent Pleadings

810:10-5-45 [AMENDED]

Part 9. Post Order Relief

810:10-5-66. [AMENDED]

810:10-5-68 [AMENDED]

Part 10. Practice and procedure for the review of adverse benefit determinations under the Oklahoma Employee Injury Benefit Act [NEW]

810:10-5-72 [NEW]

810:10-5-73 [NEW]

SUMMARY:

The proposed rule amendments incorporate new forms and procedures for workers' compensation proceedings coming before the Commission for disposition pursuant to the Administrative Workers' Compensation Act and the Oklahoma Employee Injury Benefit Act. The proposed amendments include procedures related to responsive pleadings in retaliation and discrimination claims, establishes a reasonable fee for a claimant's failure to appear for a scheduled medical examination, requires a designation of record to be filed in an appeal to the Commission en banc, provides procedures for the certification of awards issued by the Commission, and modified procedures for the review of adverse benefit determinations under the Oklahoma Employee Injury Benefit Act.

AUTHORITY:

Workers' Compensation Commission; 85A O.S. §§ 1 et seq.

COMMENT PERIOD:

Persons may submit written comments through February 16, 2016, to Lindsey Christopher at 1915 N. Stiles, Oklahoma City, OK 73105, or by email to rules@wcc.ok.gov.

PUBLIC HEARING:

A public hearing will be held at 1:30 p.m. on Thursday, February 18, 2016 in Commission Chambers on the 2nd floor of the Denver N. Davison Building, 1915 N. Stiles Avenue, Oklahoma City, Oklahoma. Interested parties must sign in at the door.

REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:

Business entities affected by these proposed rules are requested to provide the agency with information, in dollar amounts if possible, about the increase in the level of direct costs, indirect costs, or other costs expected to be incurred by the business entity due to compliance with the proposed rules. Business entities may submit this information in writing to Lindsey Christopher at the above address on or before February 16, 2016.

COPIES OF PROPOSED RULES:

Copies of the proposed rules may be obtained from the Workers' Compensation Commission, 1915 N. Stiles, Suite 231, Oklahoma City, OK 73105. Copies of proposed rules may be obtained at a cost of 10 cents per page. The proposed rules are also available at <http://www.ok.gov/wcc>.

RULE IMPACT STATEMENT:

Pursuant to 75 O.S., §303(D), a rule impact statement will be prepared and may be obtained from the Workers' Compensation Commission at the above address beginning January 29, 2016.

CONTACT PERSON:

Lindsey Christopher, Commission Counsel, 405-522-0057, lindsey.christopher@wcc.ok.gov