

ACCEPTED

12/21/22

OFFICE OF ADMINISTRATIVE RULES

OKLAHOMA SECRETARY OF STATE

DOCKET# 22-980 OAR/cert CN

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

RULEMAKING ACTION:

Notice of proposed PERMANENT rulemaking

PROPOSED RULES:

Subchapter 1. General Provisions

810:10-1-3 [AMENDED]

810:10-1-12 [AMENDED]

Subchapter 5. Hearings Conducted by Administrative Law Judges and Commissioners

Part 7. Initial and Subsequent Proceedings

810:10-5-46 [AMENDED]

Part 15. Settlements

810:10-5-95 [AMENDED]

SUMMARY:

The proposed rules include clarifying a citation in the definitions section by striking reference to a federal act that has been repealed; updating rule language to conform with a statutory change to 85A O.S. § 56 made by SB 1375 (Reg. Sess. 2020), which expressly added chiropractic services to allowable medical treatment; amending language to more accurately follow 85A O.S. § 45 regarding which edition of the American Medical Association's Guides to the Evaluation of Permanent Impairment should be used; and adding language to allow Joint Petition Settlements to be made when approved by the Commission, replacing the option "in cases of extreme circumstances."

AUTHORITY:

Workers' Compensation Commission; 85A O.S. §§ 2, 19, 22, 45, 56, 115.

COMMENT PERIOD:

Persons may submit data, views, or arguments in writing before 5:00 p.m. on March 15, 2023, to the Oklahoma Workers' Compensation Commission, Attn: General Counsel at 1915 N. Stiles, Oklahoma City, OK 73105, or by email to rules@wcc.ok.gov.

PUBLIC HEARING:

A public hearing to afford a comment period for all interested persons to submit data, views, or arguments, orally will be held at 10:00 a.m. on Thursday, March 16, 2023, in the Commission En Banc Courtroom 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 Lauren Hammonds Johnson at the above address on or before 5:00 p.m. on March 15, 2023.

COPIES OF PROPOSED RULES:

Copies of the proposed rules may be obtained for review by the public from the Workers' Compensation Commission, 1915 N. Stiles, Oklahoma City, OK 73105. Copies of proposed rules may be obtained at a cost of 10 cents per page. The proposed rules will also be 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 24, 2023.

CONTACT PERSON:

Lauren Hammonds Johnson, Commission Executive Director and General Counsel, 405-522-3222, LaurenH.Johnson@wcc.ok.gov.