

INDUSTRIAL COMMISSION

PUBLIC HEARING

ON PROPOSED RULEMAKING

JANUARY 30, 2020

2:00 P.M.

ROOM 240, SECOND FLOOR  
NCDOI, ALBEMARLE BUILDING  
325 N. SALISBURY STREET  
RALEIGH NC 27603

*NOTICE OF TEXT AND PROPOSED RULE TEXT CAN BE FOUND IN THE  
1/15/20 NC REGISTER (VOL. 34, ISSUE 14) ON PAGES 1289-1300 AND  
ON THE INDUSTRIAL COMMISSION WEBSITE AT:*

<https://www.ic.nc.gov/proposedGroup3TortSecureLeaveand26ARules.html>

# **PUBLIC HEARING FOR RULE MAKING AGENDA 2:00 P.M. – January 30, 2020**

## **1) Introduction**

By Chair Philip A. Baddour, III

## **2) Submission of the Rules**

- a) Gina Cammarano, Rulemaking Coordinator
  - i) Submission of Exhibit 1, a package of seven proposed rule amendments and one proposed rule for adoption, as published in the 1/15/20 NC Register (Volume 34, Issue 14) on pages 1289-1300.
  - ii) Submission of Exhibit 2, a package of all fiscal notes required, which have been approved by OSBM.

## **3) Proposed Rules**

- a) Proposed Effective Date: June 1, 2020
- b) Seven Proposed Rules for Amendment:
  - 11 NCAC 23A .0104      **EMPLOYER'S REQUIREMENT TO FILE A FORM 19**
  - 11 NCAC 23A .0408      **APPLICATION FOR OR STIPULATION TO ADDITIONAL MEDICAL  
COMPENSATION**
  - 11 NCAC 23A .0409      **CLAIMS FOR DEATH BENEFITS**
  - 11 NCAC 23A .0501      **AGREEMENTS FOR PROMPT PAYMENT OF COMPENSATION**
  - 11 NCAC 23A .0903      **EMPLOYEE'S OBLIGATION TO REPORT EARNINGS**
  - 11 NCAC 23E .0104      **SECURE LEAVE PERIODS FOR ATTORNEYS**
  - 11 NCAC 23L .0103      **FORM 26A- EMPLOYER'S ADMISSION OF EMPLOYEE'S RIGHT TO PERMANENT  
PARTIAL DISABILITY**
- c) One Proposed Rule for Adoption:
  - 11 NCAC 23B .0106      **NOTICE BY THE COMMISSION**

## **4) Permanent Rulemaking**

- a) The Commission has followed the permanent rulemaking procedures of the APA in proposing this rule.

## **5) Dates**

- a) Proposed Rules filed with a Notice of Text with Office of Administrative Hearings on December 13, 2019.
- b) Published on Industrial Commission's website on January 15, 2020.
- c) Emailed to Industrial Commission's Rules listserv on January 15, 2020.
- d) Published in the January 15, 2020 issue of the North Carolina Register.
- e) Copies of the four rules requiring a fiscal note and the four approved fiscal notes were provided to the NC League of Municipalities and the NC Association of County Commissioners as required by statute, as well as to the Fiscal Research Division of the General Assembly.

## **6) Open for Comments**

- a) The public comment period ends March 16, 2020. Comments may be submitted to Gina Cammarano, Rulemaking Coordinator by email at [gina.cammarano@ic.nc.gov](mailto:gina.cammarano@ic.nc.gov) or by U.S. mail at 1240 Mail Service Center, Raleigh NC 27699-1240.