

STATE OF NORTH CAROLINA

BEFORE THE NORTH CAROLINA INDUSTRIAL COMMISSION

JUNE 25, 2020

PUBLIC HEARING BEFORE THE FULL COMMISSION

REGARDING

PROPOSED TEMPORARY RULEMAKING IN

SUBCHAPTER 11 NCAC 23G .0104

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A P P E A R A N C E S

COMMISSIONERS:

- Philip A. Baddour, III, Chair
- Myra L. Griffin, Vice-Chair
- Charlton L. Allen, Commissioner
- James C. Gillen, Commissioner
- Christopher C. Loutit, Commissioner
- Kenneth L. Goodman, Commissioner

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Virginia Adams	7

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	<u>IDENTIFIED</u>	<u>ADMITTED</u>
(Cammarano) Exhibit Number 1	3	3

P R O C E E D I N G S

1
2 CHAIR BADDOUR: Good afternoon. We are on the
3 record. Today is June 25th, 2020, and it is 2:03 PM.
4 I'm Philip Baddour, Chair of the North Carolina
5 Industrial Commission. In compliance with the
6 requirements of Chapter 138A-15(e) of the State
7 Government Ethics Act, I remind all members of the
8 Commission of their duty to avoid conflicts of
9 interest under Chapter 138A. I also inquire - I also
10 inquire as to whether there's any known conflict of
11 interest in the matter coming before the Commission at
12 this time. Hearing none, we will proceed. This is an
13 Industrial Commission public - this is an Industrial
14 Commission public hearing on proposed temporary
15 rulemaking. Today's public hearing is being held via
16 teleconference only, due to the COVID-19 pandemic and
17 in light of public health and safety concerns. The
18 purpose of this hearing is to receive comments from
19 the public regarding the proposed temporary amendment
20 of one rule as published on the Office of
21 Administrative Hearings' website on June 8, 2020. Our
22 written comment period began June 15th, 2020, and
23 continues to be open through the close of business on
24 July 8th, 2020. I would ask each of the other
25 Commissioners to please identify himself or herself by

1 name beginning with Vice-Chair Griffin, and then
2 proceeding to Commissioner Allen, Commissioner Loutit,
3 Commissioner Goodman and Commissioner Gillen.

4 VICE-CHAIR GRIFFIN: Good afternoon, Vice-Chair
5 Myra Griffin.

6 COMMISSIONER ALLEN: Good afternoon. This is
7 Commissioner Charlton Allen appearing by telephone.

8 COMMISSIONER LOUITIT: Good afternoon, it's
9 Commissioner Christopher Loutit.

10 COMMISSIONER GOODMAN: Good afternoon, it's
11 Commissioner Kenneth Goodman.

12 COMMISSIONER GILLEN: Commissioner Jim Gillen is
13 present.

14 CHAIR BADDOUR: Thank you. The first speaker at
15 today's public hearing will be Gina Cammarano,
16 followed by any other members of the public who wish
17 to speak.

18 GINA CAMMARANO

19 CHAIR BADDOUR: Will you please state your name,
20 position and for whom you work?

21 MS. CAMMARANO: Yes. My name is Gina Cammarano.
22 I'm the rulemaking coordinator for the North Carolina
23 Industrial Commission.

24 CHAIR BADDOUR: Do you have any prepared exhibits
25 that you would like to place into the record?

1 MS. CAMMARANO: Yes. I have Exhibit 1, which is a
2 copy of the notice of proposed temporary rulemaking
3 and the proposed text of the rule that's the subject
4 of this proposed rulemaking as published on the Office
5 of Administrative Hearings' website on June 12th, 2020,
6 and this is the only exhibit that I'd ask be attached
7 to the transcript today. I do want to mention, on our
8 agenda it also mentions the written comments, and in
9 the past, we have attached written comments received
10 before the public hearing to the public hearing
11 transcript. However, there's no requirement to do so
12 under the Administrative Procedure Act and because
13 some of the written comments contain personal medical
14 information, we will not be attaching an exhibit of
15 the written comments to this hearing transcript, nor
16 will we be publishing any written comments at a later
17 date on the website.

18 (Exhibit Number 1 is identified
19 for the record and admitted.)

20 CHAIR BADDOUR: Thank you. Would you please state
21 the rule that would be affected by the proposed
22 temporary rulemaking, give us some - give us a brief
23 background of the rule, state the purpose of the
24 proposed temporary rule amendment, and state any
25 timeline that would be relevant.

1 MS. CAMMARANO: Yes. So we have one rule for
2 amendment under temporary rulemaking, and this is Rule
3 11 NCAC 23G .0104, and temporary rulemaking was
4 initiated under the North Carolina Administrative
5 Procedure Act simultaneous with emergency rulemaking
6 that also was initiated under the APA. And just to
7 give some history on the emergency rule, it was
8 approved by the Codifier of Rules effective June 16th,
9 2020, and it will be published in the July 1st, 2020
10 Edition of the *North Carolina Register*. Since the
11 emergency rule will be published in the July 1st, 2020
12 *North Carolina Register*, July 1st, 2020, starts a
13 sixty-day count under the APA for the Industrial
14 Commission to submit an adopted temporary rule to
15 replace the emergency rule. So - and the reason for
16 this proposed temporary rulemaking is - is twofold.
17 So first, we have a recent court order of the North
18 Carolina Supreme Court, namely, the Order amending the
19 Rules for Mediated Settlement Conferences and other
20 settlement procedures and Superior Court civil
21 actions. That was ordered by the court in conference
22 on June 3rd, 2020, and this Order amended Rule 4(a)(2)
23 of the Superior Court mediation rule as effective
24 June 10th, 2020, and it made remote mediation the
25 default method of mediation in Superior Court cases.

1 And under the North Carolina Workers' Comp Act,
2 specifically G.S. 97-80(c), the Industrial
3 Commission's mediation rules must be substantially
4 similar to the rules approved by the Supreme Court for
5 use in the Superior Court division. So - and if we
6 had just approached this rulemaking under the normal,
7 permanent rulemaking procedures of the APA, we would
8 have had a very long period of time where the
9 Commission's mediation rule would not be in compliance
10 with the statute because it would not be substantially
11 similar to the Superior Court mediation rule in terms
12 of the default method by which mediations are
13 conducted. And then, second, we have a serious and
14 unforeseen threat to the public health, safety or
15 welfare, namely the COVID-19 pandemic and how that
16 affects the safety of the participants in workers'
17 comp mediations that are held in person. In-person
18 mediations are generally held inside offices where air
19 does not circulate freely, where there's not adequate
20 space to stay six feet apart. They also often require
21 the attendance of people who fall into high-risk
22 categories for complications from COVID-19, and some
23 mediations do have more than ten participants. For
24 example, mediations of cases with multiple defendants.
25 And mediators often do two mediations a day, five days

1 a week, and the nature of their job requires close and
2 prolonged contact with the other mediation
3 participants, which could end up, you know, turning
4 them into sort of super-spreaders, so to speak, if
5 they're exposed to and contract COVID-19. So those
6 were the two reasons for which we undertook temporary
7 rulemaking under the APA. And then finally, with
8 regard to relevant timelines and APA requirements, the
9 Commission has followed the temporary rulemaking
10 procedures of the APA in proposing this rulemaking.
11 The proposed temporary rule for amendment was filed
12 with the Office of Administrative Hearings on June 8th,
13 2020. This proposed temporary rule for amendment also
14 was published on the Industrial Commission's website
15 on June 8th, 2020, and it was emailed to the Industrial
16 Commission Rules Listserv on June 8th, 2020. And I
17 hope I - did I say 18th or 8th, Terry?

18 CHAIR BADDOUR: Well, he's just recording. I
19 don't know that he can replay---

20 MS. CAMMARANO: Okay. Well anyway, just in case I
21 said 18th in one of those dates, the proposed rule for
22 amendment was filed with the Office of Administrative
23 Hearings, published on the Industrial Commission's
24 website and emailed to the Rules Listserv all on
25 June 8th, 2020. And then the proposed temporary rule

1 for amendment was published on the OAH website on
2 June 12th, 2020. The public written comment period for
3 this rule began on June 15th, 2020, and ends July 8,
4 2020, and that - that's all I have, unless you have
5 any more questions for me.

6 CHAIR BADDOUR: All right. Thank you. I don't
7 have any. Let me see if any members of the Commission
8 have any questions for Ms. Cammarano. All right.
9 Hearing none, thank you very much.

10 (SPEAKER DISMISSED)

11 CHAIR BADDOUR: We'll now hear from members of the
12 public who wish to address the Commission. It's my
13 understanding that we have at least one member of the
14 public, Virginia Adams, who's a mediator from Raleigh
15 and who has asked to speak. I'll let Ms. Adams be
16 first today because she's informed us that she has a
17 mediation that was scheduled to start at 2:00 PM, but
18 she's arranged with the parties to start a little
19 later to give her time to speak at today's public
20 hearing. So, Ms. Adams, thank you for - for making
21 time to be with us today.

22 VIRGINIA ADAMS

23 CHAIR BADDOUR: If you could, just state your
24 name, tell us your profession and your employer. We
25 have received your written comments, so you don't need

1 to submit that today, but if there's anything else you
2 want to submit today, such as a summary of your
3 remarks to be included in the transcript, just let us
4 know. Otherwise, the Commission is happy to hear from
5 you at this time, Ms. Adams.

6 MS. ADAMS: Thank you. Thank you, Chairman.
7 Yeah. I'm Virginia Adams, some of y'all may know me
8 as Ginger. Sorry for any confusion that may raise. I
9 am a mediator, like - like it was said, here in
10 Raleigh, and I've been doing mediation since 1999.
11 Before that, I was a defense attorney but I'm
12 self-employed at this point. One of the reasons that
13 I have been asked to be involved in this is to kind of
14 share what has happened in some of my mediations since
15 we've had to go under COVID, and it particularly
16 happened in June. I had the unfortunate situation
17 where I had to encounter two plaintiffs who were to be
18 in my mediation, suffer from COVID-19. One was a
19 twenty-year-old male who was told his sister had
20 brought it home to the house and infected the entire
21 family. The day before the mediation, his attorney
22 had told me that he felt fine enough to participate in
23 the mediation but then the next day when it was
24 actually time to do so, he was too sick to
25 participate. Obviously, we did not go forward. My

1 concern is with individuals like this, had he shown
2 up, who knows how much exposure all of us could have
3 had, particularly with him being young and twenty and
4 that age group can often, as we all know, not exhibit
5 symptoms. Then we had another one with a
6 forty-two-year-old CNA who worked in an Alzheimer's
7 unit, she contracted COVID-19 and died. They tried to
8 actually settle the case prior to our scheduled
9 mediation, not because of the COVID-19 infection, but
10 to you know - that happens in - in the world that I
11 live in, people try to be as judicious as possible
12 with everyone's time. Before the agreement could be
13 signed, she passed away, and that was just a shock to
14 everyone as to how fast and furious this came on.
15 Which, again, had we been in public and we were
16 (unintelligible) during times where we could have gone
17 public, we could have all been exposed unknowingly.
18 Furthermore, as we're going into where we're supposed
19 to all be wearing masks more, I am Zooming quite
20 frequently. I - I've done over seventy, eighty Zoom
21 mediations, I have found them to be - be surprisingly
22 effective. Only one I can say probably did not settle
23 because we were on Zoom. I am noticing people are
24 trying to wear masks but they're not wearing them
25 correctly. I have seen plaintiffs' attorneys in the

1 room with their clients. Their clients don't wear
2 them, refuse to wear them, and the plaintiff's
3 attorney has been forced to be in the same room
4 with--- So I do think we have a situation with
5 politicizing the whole situation. As a neutral, I
6 don't - I - I am concerned with seeing plaintiffs in
7 the situation where I have to navigate and - and
8 enforce public health measures to an extent where I
9 think it could actually affect the neutrality and our
10 effectiveness. I don't believe - I will say - I have
11 found attorneys share with me how much they need a
12 rule in place. One attorney shared with me a
13 situation where someone who is not involved in
14 workers' comp or was a liability attorney refused to
15 allow it to be remote, and they didn't have a rule to
16 fall back on, and so they were forced to participate
17 in person despite their best judgment. And they are
18 really - they wanted me to share with you with the
19 hope that they could have a rule they could fall back
20 on. I know of a defense attorney who has
21 unfortunately tested positive for COVID-19, and I know
22 of a - of another law firm who's had staff test
23 positive and have to shut down. So with those
24 comments, I would say and respectfully request that
25 the Commission adopt the temporary rule. I am

1 grateful that it only will be temporary, placing
2 remote as the default and allowing for in-person,
3 should everybody agree. So that's about all I have to
4 add, unless anyone has any questions for me.

5 CHAIR BADDOUR: All right. Let me see if any of
6 the Commissioners - for you. All right. If not,
7 Ms. Adams, thank you for your input, and we'll - we'll
8 consider your comments. We appreciate you---

9 MS. ADAMS: Thank you very much.

10 CHAIR BADDOUR: All right. Thank you.

11 (SPEAKER DISMISSED)

12 CHAIR BADDOUR: Are there any other members of the
13 public who wish to address the Commission? All right.
14 Seeing none, I want to thank everyone for
15 participating in this public hearing. The period for
16 written comments will be held open through the close
17 of business on July 8, 2020. So if you have further
18 comments, please send them to Gina Cammarano as
19 directed in the hearing notice published on the OAH
20 website and on the Commission website. Email is the
21 preferred method of communication. The hearing is now
22 adjourned. The time is 2:17 PM. Thank you very much
23 for - for coming today. Let's go off the record.

24 (WHEREUPON, THE HEARING WAS ADJOURNED.)

25 RECORDED BY MACHINE

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TRANSCRIBED BY: Lisa D. Dollar, Graham Erlacher and
Associates

1 STATE OF NORTH CAROLINA

2 COUNTY OF GUILFORD

3 C E R T I F I C A T E

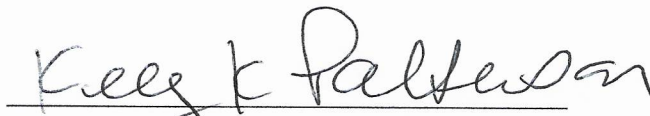
4 I, Kelly K. Patterson, Notary Public, in and for the
5 State of North Carolina, County of Guilford, do hereby
6 certify that the foregoing twelve (12) pages prepared under
7 my supervision are a true and accurate transcription of the
8 testimony of this trial which was recorded by Graham
9 Erlacher & Associates.

10 I further certify that I have no financial interest in
11 the outcome of this action. Nor am I a relative, employee,
12 attorney or counsel for any of the parties.

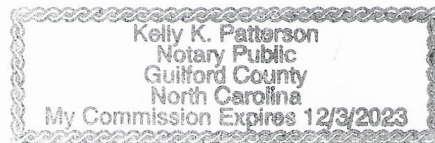
13 WITNESS my Hand and Seal on this 1st day of July 2020.

14 My commission expires on December 3, 2023.

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NOTARY PUBLIC



Note from the Codifier: The OAH website includes notices and the text of proposed temporary rules as required by G.S. 150B-21.1(a1). Prior to the agency adopting the temporary rule, the agency must hold a public hearing no less than five days after the rule and notice have been published and must accept comments for at least 15 business days. For questions, you may contact the Office of Administrative Hearings at 984-236-1850 or email oah.postmaster@oah.nc.gov.

TITLE 11 – DEPARTMENT OF INSURANCE

Notice is hereby given in accordance with G.S. 150B-21.1 that the Industrial Commission intends to amend the rule cited as 11 NCAC 23G .0104.

Codifier of Rules approved this rule as an emergency rule effective June 16, 2020 and received for publication the following notice and proposed temporary rule on June 8, 2020.

Public Hearing:

Date: Thursday, June 25, 2020

Time: 2:00 p.m.

Location: By Teleconference Only. Teleconference Line #: 1-888-363-4735; Access Code#: 4465746

Reason for Proposed Temporary Action: A serious and unforeseen threat to the public health, safety, or welfare; a recent court order: North Carolina Supreme Court Order Amending the Rules for Mediated Settlement Conferences and other Settlement Procedures in Superior Court Civil Actions ordered by the Court in Conference on June 3, 2020. Adhering to the notice and hearing requirements in G.S. 150B-21.2 would result in a very long period of time where stakeholders in the workers' compensation system will be at risk for having to participate in-person at a mediation under circumstances that put them at risk for contracting and spreading COVID-19. Mediators could become "super spreaders" because many do two mediations a day, five days a week and the nature of their job requires close and prolonged contact with the other mediation participants inside offices where air does not circulate freely and where there is not adequate space to stay 6 feet apart. Mediations also often require the attendance of people who fall into a high-risk category for complications from COVID-19, and some mediations have more than 10 participants. For these reasons, amendment of the rule under temporary action is required by a serious and unforeseen threat to the public health, safety, or welfare. Adhering to the notice and hearing requirements in G.S. 150B-21.2 also would result in a significant period of time where the Commission's mediation rule is not in compliance with the statute (G.S. 97-80(c)) because it will not be "substantially similar" to Rule 4(a)(2) of the Rules for Mediated Settlement Conferences and other Settlement Procedures in Superior Court Civil Actions, which was amended by Order dated June 3, 2020.

Comment Procedures: Comments from the public shall be directed to: Gina Cammarano, 1240 Mail Service Center, Raleigh, NC 27699-1240; phone 919-807-2524; email gina.cammarano@ic.nc.gov. The comment period begins June 15, 2020 and ends July 8, 2020. **NOTE: It is strongly encouraged to submit written comments via email to Gina Cammarano at gina.cammarano@ic.nc.gov.**

CHAPTER 23 - INDUSTRIAL COMMISSION

SUBCHAPTER 23G – NORTH CAROLINA INDUSTRIAL COMMISSION RULES FOR MEDIATED SETTLEMENT AND NEUTRAL EVALUATION CONFERENCES

SECTION .0100 – MEDIATION AND SETTLEMENT

11 NCAC 23G .0104 DUTIES OF PARTIES, REPRESENTATIVES, AND ATTORNEYS

- (a) Attendance. The following persons shall physically attend the mediated settlement conference:
- (1) all individual parties;
 - (2) in a workers' compensation case, a representative of the employer at the time of injury if:
 - (A) the employer, instead of or in addition to the insurance company or administrator, has decision-making authority with respect to settlement;
 - (B) the employer is offering the claimant employment and the suitability of that employment is in issue;
 - (C) the employer and the claimant have agreed to simultaneously mediate non-compensation issues arising from the injury; or
 - (D) the Commission orders the employer representative to attend the conference if the representative's physical attendance is necessary to resolve matters in dispute in the subject action;
 - (3) an officer, employee or agent of any party that is not a natural person or a governmental entity who is not such party's outside counsel and who has the authority to decide on behalf of such party whether and on what terms to settle the action;
 - (4) in a workers' compensation case, an employee or agent of any party that is a governmental entity who is not such party's outside counsel or Attorney General's counsel responsible for the case and who has the authority to decide on behalf of such party and on what terms to settle the action.
 - (5) when the governing law prescribes that the terms of a proposed settlement may be approved only by a Board, an employee or agent who is not such party's outside counsel or Attorney General's counsel responsible for the case and

who has the authority to negotiate on behalf of and to make a recommendation to the Board. Because G.S. 143-295 provides the Attorney General with settlement authority on behalf of governmental entities and agencies for state tort claims, an employee or agent of the named governmental entity or agency is not required to attend the mediated settlement conference; the Attorney General shall attempt to make an employee or agent of the named governmental entity or agency in a state tort claim available via telecommunication, and mediation shall not be delayed due to the absence or unavailability of the employee or agent of the named governmental entity or agency.

- (6) The counsels of record; provided, that appearance by counsel does not dispense with or waive the required attendance of the parties listed in Subparagraphs (1) through (4);
- (7) a representative of each defendant's primary workers' compensation or liability insurance carrier or self-insured that may be obligated to pay all or part of any claim presented in the action. Each carrier or self-insured shall be represented at the conference by an officer, employee or agent who is not such party's outside counsel and who has the authority to decide on behalf of the carrier or self-insured whether and on what terms to settle the action, or who has been authorized to negotiate on behalf of such carrier or self-insured and can communicate during the conference with persons who have such decision making authority; and
- (8) by order of the Commission, other representatives of parties, employers or carriers, who may be obligated to pay all or part of any claim presented in the action and who are not required to attend the conference pursuant to Subparagraphs (1) through (6) of this Rule, if the Commission determines that the representative's attendance is necessary for purposes of resolving the matters in dispute in the subject action. Any employer or carrier who may be obligated to pay all or part of any claim presented in the action and who is not required to ~~physically~~ attend the mediated settlement conference pursuant to Subparagraphs (1) through (6) of this Rule or by Commission orders, may attend the conference if the employer or carrier elects to attend. If, during the conference, the mediator determines that the ~~physical~~ attendance of one or more additional persons is necessary to resolve the matters in dispute in the subject action, the mediator may recess the conference and reconvene the conference at a later date and time to allow the additional person or persons to ~~physically~~ attend.

(b) Any party or person required to attend a mediated settlement conference shall ~~physically~~ attend the conference until an agreement is reduced to writing and signed as provided in Paragraph (f) of this Rule, or until an impasse has been declared. Attendance shall mean physical in-person attendance whenever the mediation rules approved by the North Carolina Supreme Court that are in effect, either temporarily or permanently, for use in the Superior Court division require physical in-person attendance. During any time that attendance means physical in-person attendance, any ~~Any such party or person~~ person, including the mediator, may have the physical in-person attendance requirement excused or modified by agreement of all parties and persons, including the mediator, required to attend the conference, conference and the mediator, or by order of the Commission in the interests of justice upon motion of a party and notice to all parties and persons, including the mediator, required to attend the conference. Attendance shall mean attendance using remote technology whenever the mediation rules approved by the North Carolina Supreme Court that are in effect, either temporarily or permanently, for use in the Superior Court division require attendance through the use of remote technology. During any time that attendance means attendance through the use of remote technology, any party or person, including the mediator, may have the remote technology attendance requirement excused or modified by agreement of all parties and persons, including the mediator, required to attend the conference, or by order of the Commission in the interests of justice upon motion of a party and notice to all parties and persons, including the mediator, required to attend the conference. All parties and persons, including the mediator, shall comply with all public health and safety requirements set forth in the mediation rules approved by the North Carolina Supreme Court that are in effect, either temporarily or permanently, for use in the Superior Court division.

(c) In appropriate cases the Commission or the mediator, with the consent of the parties, may allow a party or insurance carrier representative who is required to physically attend a mediated settlement conference under this Rule to attend the conference by telephone, conference call, speaker telephone or videoconferencing; provided that, the party or representative so attending shall bear all costs of such telephone calls or videoconferencing, the mediator may communicate directly with the insurance representative with regard to matters discussed in mediation, and the mediator may set a subsequent mediated settlement conference at which all parties and representatives shall physically attend. The failure to properly appear by telephone or videoconferencing in accordance with this Paragraph shall subject the responsible party(ies) or representative(s) to sanctions pursuant to Rule .0105 of this Subchapter.

(d) Notice of Mediation Order. Within seven days after the receipt of an order for a mediated settlement conference, the carrier or self-insured named in the order shall provide a copy of the order to the employer and all other carriers who may be obligated to pay all or part of any claim presented in the workers' compensation case or any related third-party tortfeasor claims, and shall provide the mediator and the other parties in the action with the name, address and telephone number of all such carriers.

(e) Finalizing Agreement. If an agreement is reached in the mediated settlement conference, the parties shall reduce the agreement to writing, specifying all terms of the agreement that bear on the resolution of the dispute before the Commission, and shall sign the agreement along with their counsel. The parties may use IC Form MSC8, Mediated Settlement Agreement, or MSC9, Mediated Settlement Agreement – Alternative Form, for this purpose. Execution by counsel of a mediated settlement agreement for an employer or carrier who does not physically attend the mediated settlement conference shall be deemed to be in compliance with this Rule and 11 NCAC 23A .0502. By stipulation of the parties and at the parties' expense, the agreement may be electronically or stenographically recorded. All agreements for payment of compensation shall be submitted for Commission approval in accordance with 11 NCAC 23A .0501 and .0502.

(f) Payment of Mediator's Fee. The mediator's fee shall be paid at the conclusion of the mediated settlement conference, unless otherwise provided by Rule .0107 of this Subchapter, or by agreement with the mediator.

(g) Related Cases. Upon application by any party or person and upon notice to all parties, the Commission may, in the interests of justice, order an attorney of record, party or representative of an insurance carrier who may be liable for all or any part of a claim pending in a Commission case to attend a mediated settlement conference that may be convened in another pending case, regardless of the forum in which the other case may be pending, provided that all parties in the other pending case consent to the attendance ordered pursuant

to this Paragraph. Any disputed issues concerning such an order shall be addressed to the Commission's Dispute Resolution Coordinator. Unless otherwise ordered, any attorney, party or carrier representative who attends a mediated settlement conference pursuant to this Paragraph shall not be required to pay any of the mediation fees or costs related to that conference. Requests that a party, attorney of record, or insurance carrier representative in a related case attend a mediated settlement conference in a Commission case shall be addressed to the court or agency in which the related case is pending, provided that all parties in the Commission case consent to the requested attendance.

Authority G.S. 97-80(a),(c); 143-295; 143-296; 143-300; Rule 4 of Rules Implementing Statewide Mediated Settlement Conference in Superior Court Civil Actions;