



NORTH CAROLINA INDUSTRIAL COMMISSION

January 2023 Quarterly Update

Deputy Commissioner Section

- Kevin V. Howell was reappointed to serve a second term as a Deputy Commissioner beginning December 30, 2022. Prior to joining the Commission in 2016 as a Deputy Commissioner, Howell was General Counsel at the North Carolina Department of Natural and Cultural Resources. Howell entered State government in 2013 with the North Carolina Department of Health and Human Services. Before his State government service, Howell practiced law in the private sector, primarily in the areas of criminal defense and general civil litigation. Howell earned his undergraduate degree from North Carolina State University and his J.D. from Campbell University School of Law. Howell will continue his service in the Commission's Raleigh office.
- Carolyn J. Thompson was appointed to serve as a Deputy Commissioner beginning January 2, 2023. Thompson brings a long history of judicial service to the Commission, having served as a District Court judge and then a Resident Superior Court judge in the 9th Judicial District of North Carolina for a total of nine years. In addition to her prior judicial service, Thompson has over 16 years of litigation experience in both civil and criminal matters. While practicing law, Thompson also served as a certified mediator in Superior Court cases and Family Financial Settlement disputes. Thompson earned her undergraduate degree from Hampton University and her J.D. from North Carolina Central University School of Law. Thompson has been assigned to the Commission's Raleigh office.

Corrected Medical Fee Schedule Tables for 2022

- Rule 11 NCAC 23J .0102 requires the Industrial Commission to publish annually on its website three tables (a Professional Fee Schedule Table, a Durable Medical Equipment (DME) Fee Schedule Table, and a Clinical Laboratory Fee Schedule Table). The Commission discovered inaccuracies in these fee schedule tables, and it has corrected these inaccuracies to align the information in the 2022 fee schedule tables with the requirements of N.C. Gen. Stat. § 97-26 and Subchapter J of the Industrial Commission's rules.

- To view the corrected 2022 fee schedule tables, which apply to dates of service on or after January 1, 2022, click [here](#). For fee schedule information for dates of service prior to January 1, 2022, please email medicalfees@ic.nc.gov for assistance.

Mediation Rule Update (Rule 11 NCAC 23G .0104)

- The Industrial Commission’s November 2022 Quarterly Update discussed the Commission’s proposed amendments to Rule 104 of its mediation rules. The proposed amendments were prompted by anticipated changes to Rule 4 of the Superior Court mediation rules, which governs attendance at mediation in Superior Court cases. Because the Industrial Commission’s mediation rules must be “substantially similar” to the Superior Court mediation rules pursuant to G.S. §97-80(c), the Commission deemed it necessary to amend its mediation attendance rule.
- Following submission of the proposed rule amendments to the Rules Review Commission, the Industrial Commission received several requests for changes from Rules Review Commission staff counsel. The requested changes were addressed by the Industrial Commission, and a revised amended rule incorporating the requested changes was submitted to the Rules Review Commission for consideration at its January 19, 2023 meeting.
- The revised amended rule was approved at the Rules Review Commission January 19, 2023 meeting. Click here: <https://www.oah.nc.gov/media/14157/open> to see the approved rule (with the requested changes highlighted). The rule, as amended, will go into effect February 1, 2023.