



North Carolina Industrial Commission

NEW INDUSTRIAL COMMISSION FORMS AND PROCEDURES

Effective August 1, 2008

The Industrial Commission Commissioners have recently approved the use of new procedures and new and revised forms. Please find below a brief summary of the changes. Please continue to check the Industrial Commission website, www.comp.state.nc.us, over the next few weeks as additional information will be added to the website explaining the new forms and procedures. A one-and-a-half hour workshop on the new forms and procedures will be held on Tuesday, October 14, 2008 during the North Carolina Industrial Commission's 13th Annual North Carolina Workers' Compensation Educational Conference. You may contact the Industrial Commission if you have any questions.

❖ The Industrial Commission has approved for use the following revised Industrial Commission Forms:

- Form 18, Notice of Accident to Employer and Claim of Employee, Representative, or Dependent
- Form 19, Employer's Report of Employee's Injury or Occupational Disease to the Industrial Commission
 - The carrier is required to provide the carrier code and employer code.
- Form 25R, Evaluation for Permanent Impairment
 - The doctor must indicate whether the employee has reached maximum medical improvement and address whether work restrictions have been assigned.
- Form 26, Supplemental Agreement as to Payment of Compensation
- Form 60, Employer's Admission of Employee's Right to Compensation

- The “medical only” option has been removed from the Form 60. Please use the revised Form 63 for “medical only” claims.
- The employer or carrier must describe with particularity the body part(s) or condition(s) for which liability is admitted.

Please note on each form the change in address for submission of the form. The above list only highlights some of the changes to the forms. Please review each form for the particular changes.

- ❖ The Industrial Commission has created or significantly revised the following forms:
 - Form 63, Notice to Employee of Payment of Compensation Without Prejudice or Payment of Medical Compensation Without Prejudice
 - The employer or carrier is required to select whether indemnity benefits or medical benefits are being paid while the claim is investigated without prejudice to defendants to later deny the compensability of the claim.
 - The employer or carrier is required to specify the body part(s) or condition(s) involved.
 - Form 26A, Employer’s Admission of Employee’s Right to Permanent Partial Disability (N.C. Gen. Stat. § 97-31)
 - The employer or carrier will use this form for payment of a permanent partial disability rating, disfigurement, loss of teeth, or hearing loss.
 - **This form should be used instead of the Form 21 or Form 26.**
 - The Form 26A review fee is \$125.00, the same as the Form 21 and Form 26 review fee.

Please review these new forms closely and call the Industrial Commission if you have any questions.

- ❖ The Industrial Commission will **no longer** accept the “Acord Workers Compensation-First Report of Injury or Illness” form for reporting an employee’s injury or occupational disease to the Industrial Commission in order to comply with N.C. Gen. Stat. §97-92(a). The carrier must use the Form 19, Employer’s Report of Employee’s Injury or Occupational Disease to the Industrial Commission, August 1, 2008 revision.

- ❖ In its efforts to comply with the requirements of N.C. Gen. Stat. § 97-78, the Industrial Commission will assess a **\$200.00 sanction** against the employer or carrier when the employer or carrier does not file a response to a Form 18, Notice of Accident to Employer and Claim of Employee, Representative, or Dependent.
 - Upon the mailing of a notification from the Industrial Commission of the filing of a Form 18, the employer or carrier has thirty (30) days to file a Form 21, Agreement for Compensation for Disability, Form 60, Employer's Admission of Employee's Right to Compensation, Form 61, Denial of Workers' Compensation Claim, or Form 63, Notice to Employee of Payment of Compensation Without Prejudice or Payment of Medical Compensation Without Prejudice.
 - If a Form 21, 60, 61 or 63 is not received after thirty days, the Industrial Commission will sanction the employer or carrier \$200.00.
 - The employer or carrier will have ten (10) days from the date of the Order to submit the appropriate form. The sanction will be lifted if the appropriate form is filed within ten (10) days.
 - This policy is applicable to all cases in which a Form 18 was **filed on or after April 1, 2008**.