

WORKERS' COMPENSATION RULE CHANGES

EFFECTIVE JANUARY 1, 2019

NEW RULES

- Rule 11 NCAC 23A .0109 requires attorneys and unrepresented parties to inform the Commission in writing of any change in contact information.
- Written communications with the Commission, previously governed by 11 NCAC 23A .0609(i), will be governed by a new rule, Rule 11 NCAC 23A .0620. The rule applies to case-related communications not governed by statute or another rule.

HIGHLIGHTS: RULE AMENDMENTS

- .0502: Compromise Settlement Agreements (“CSAs”) must contain the parties’ agreement, if any, as to the payment of costs to the Commission and mediation costs. The amendments also update requirements related to known medical expenses and attorney’s fee agreements.
- .0609(f): Motions shall state the opposing party’s position, if known, and any effort made by the movant to resolve the issue in dispute before filing the motion.
- .0609(i): Parties may submit a written stipulation to a single extension of time, not to exceed 30 days, for responding to any motion other than a medical motion.
- .0619: Spanish language interpreters must be “Level A” certified by the Administrative Office of the Courts. Rule amendments specifically allow sign language interpreters.
- .0701: This rule was significantly reorganized and should be reviewed carefully, including new provisions governing reply briefs and oral arguments.
- .0702(e): Administrative decisions may be referred directly to a panel of the Full Commission upon a request for review if the decision is a final judgment as to one or more issues and parties and the authoring Commissioner or Deputy Commissioner certifies there is no just reason for delay.
- .0801: Oral rule waiver requests may be made at hearing. By order of the Commission, oral requests shall be submitted in writing within five days.

RULES WITH CHANGES

This document does not describe every rule change. Please review all rules adopted or amended in their entirety.

11 NCAC 23A .0109
11 NCAC 23A .0502
11 NCAC 23A .0604
11 NCAC 23A .0609
11 NCAC 23A .0617
11 NCAC 23A .0619
11 NCAC 23A .0620
11 NCAC 23A .0701
11 NCAC 23A .0702
11 NCAC 23A .0801

FOR MORE INFORMATION:

[Click here for an annotated version of the rule changes.](#)

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BRIEF REQUIREMENTS:.0701(f) & (h)

- Attachments shall not be used to circumvent the 35-page limit or to submit documents into evidence.
- 12-point proportional font and serif typeface (Century Schoolbook, for example).
- “T” to cite transcript and “Ex” to cite exhibits – (T 12)
- Indicate whether an opinion is unpublished.