

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2013

FILED SENATE
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S.B. 174
PRINCIPAL CLERK

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SENATE DRS35068-RO-6 (02/04)

Short Title: Disapprove Industrial Commission Rules. (Public)

Sponsors: Senator Brown (Primary Sponsor).

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO DISAPPROVE CERTAIN RULES ADOPTED BY THE NORTH CAROLINA
3 INDUSTRIAL COMMISSION.
4 The General Assembly of North Carolina enacts:
5 **SECTION 1.** Pursuant to G.S. 150B-21.3(b1), 04 NCAC 10A .0102 (Official
6 Forms), 04 NCAC 10A .0105 (Electronic Payment of Costs), 04 NCAC 10A .0405
7 (Reinstatement of Compensation), 04 NCAC 10A .0406 (Discount Rate to be Used in
8 Determining Commuted Values), 04 NCAC 10A .0408 (Application for or Stipulation to
9 Additional Medical Comp.), 04 NCAC 10A .0601 (Employer's Obligations Upon Notice;
10 Denial of Liability...), 04 NCAC 10A .0603 (Responding to a Party's Request for Hearing), 04
11 NCAC 10A .0604 (Appointment of Guardian Ad Litem), 04 NCAC 10A .0605 (Discovery), 04
12 NCAC 10A .0607 (Discovery of Records and Reports), 04 NCAC 10A .0608 (Statement of
13 Incident Leading to Claim), 04 NCAC 10A .0609 (Motions Practice in Contested Cases), 04
14 NCAC 10A .0609A (Medical Motions and Emergency Medical Motions), 04 NCAC 10A .0612
15 (Depositions and Additional Hearings), 04 NCAC 10A .0613 (Expert Witnesses and Fees), 04
16 NCAC 10A .0616 (Dismissals), 04 NCAC 10A .0701 (Review by Full Commission), 04
17 NCAC 10A .0702 (Review of Administrative Decisions), 04 NCAC 10A .0704 (Remand from
18 the Appellate Courts), 04 NCAC 10C .0101 (Applicability of the Rules), 04 NCAC 10C .0103
19 (Definitions), 04 NCAC 10C .0107 (Communication), 04 NCAC 10C .0109 (Vocational
20 Rehabilitation Services Return to Work), 04 NCAC 01E .0201 (Document and Record Fees),
21 04 NCAC 10E .0202 (Hearing Costs or Fees), 04 NCAC 10E .0203 (Fees Set by the
22 Commission), 04 NCAC 10G .0101 (Order for Mediated Settlement Conference), 04 NCAC
23 10G .0103 (The Mediated Settlement Conference), 04 NCAC 10G .0104A (Foreign Language
24 Interpreters), as adopted by the Industrial Commission on September 20, 2012, and approved
25 by the Rules Review Commission on October 18, 2012, are disapproved.
26 **SECTION 2.** Pursuant to G.S. 150B-21.3(b1), 04 NCAC 10A .0404 (Termination
27 and Suspension of Compensation), 04 NCAC 10A .0801 (Suspension of Rules), 04 NCAC 10B
28 .0203 (Infants and Incompetents), 04 NCAC 10B .0501 (Suspension of Rules), 04 NCAC 10C
29 .0108 (Interaction with Physicians), 04 NCAC 10C .0201 (Suspension of Rules), 04 NCAC
30 10D .0110 (Suspension of Rules), 04 NCAC 10E .0301 (Suspension of Rules), 04 NCAC 10G
31 .0105 (Sanctions), 04 NCAC 10G .0107 (Compensation of the Mediator), 04 NCAC 10G .0110
32 (Waiver of Rules), 04 NCAC 10H .0206 (Waiver of Rules), 04 NCAC 10I .0204 (Suspension
33 of Rules), as adopted by the Industrial Commission on September 20, 2012, and approved by
34 the Rules Review Commission on November 15, 2012, are disapproved.
35 **SECTION 3.** This act is effective when it becomes law.

