



California Workers' Compensation Institute
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October 17, 2025

VIA E-MAIL – dwcrules@dir.ca.gov

Maureen Gray, Regulations Coordinator
Department of Industrial Relations
Division of Workers' Compensation
P.O. Box 420603
San Francisco, CA 94142

**Re: Proposed Amendments to the Utilization Review Regulations – Third
15-Day Comment Period**

Dear Ms. Gray:

These comments on proposed modifications to the text of rules related to the Utilization Review Regulations are presented on behalf of members of the California Workers' Compensation Institute (the Institute). Institute members include insurers writing 76% of California's workers' compensation premium, and self-insured employers with \$97B of annual payroll (29.9% of the state's total annual self-insured payroll).

Insurer members of the Institute include AF Group/CompWest, AIG, AmTrust North America, Berkshire Hathaway Homestate Companies, CHUBB, CNA, CopperPoint Insurance Companies, Crum & Forster, EMPLOYERS, Everest Insurance, GUARD Insurance Companies, The Hanover Insurance Group, The Hartford, ICW Group Insurance Companies, Liberty Mutual Insurance, North American Casualty Company/Applied Underwriters, Pie Insurance, Preferred Employers Insurance, Republic Indemnity, Sentry Insurance, State Compensation Insurance Fund, Travelers, WCF Insurance, Zenith Insurance Company, and Zürich North America.

Self-insured employer members include Albertsons Companies, Alliance of Schools for Cooperative Insurance Programs, BETA Healthcare Group Risk Management Authority, California Fair Services Authority, California Joint Powers Insurance Authority, California State University Risk Management Authority, City and County of San Francisco, City of Los Angeles, City of Pasadena, Costco Wholesale, County of Los Angeles, County of Santa Clara Risk Management, Dignity Health, Disneyland Resort, East Bay Municipal Utility District, Grimmway Farms, Kaiser Permanente, Loma Linda University Health Risk Management, North Bay Schools Insurance Authority, Pacific Gas & Electric Company, San Diego Gas & Electric Company, Schools Insurance Authority, Shasta County Risk Management, Shasta-Trinity Schools Insurance Group, Southern California Edison, Southern California Gas Company, Special District Risk Management Authority, Sutter Health, United Airlines, and the University of California.

Recommended revisions to the proposed regulations are indicated by **bolded *italic* single underscore** and ~~strikeout~~. Comments and discussion by the Institute are identified by italicized text.

The Institute offers the following comments:

§9792.6.1. Utilization Review Standards—Definitions.

Comment:

The Institute supports the amendment in (u)(2) from “may” to “shall” to provide clarity. The Institute also supports the deletion of “secure” in (u)(3) and (bb)in the definitions and the addition of “encrypted” throughout the regulations.

§9792.9.1. Utilization Review—Receipt of Request for Authorization; Acceptance of Incomplete Request.

(a)(1)... A request for authorization transmitted by facsimile, electronic mail, or electronic data interchange after 5:30 PM Pacific Time shall be deemed to have been received by the claims administrator on the following business day, except in the case of an expedited or concurrent review.

Recommendation:

The Institute recommends correction of this typographical error.

§9792.9.7. Utilization Review – Medical Treatment – First 30 Days of the Date of Injury.

Comment:

The Institute supports the amendment to the surgery definition in (b)(2) to avoid ambiguity in covered procedures.

§9792.10.2. Application for Independent Medical Review, DWC Form IMR.

Recommendation:

Mail or fax a copy of the signed application within the deadline for filing to your Claims Administrator. THE DEADLINE FOR FILING IS **FOUND** ~~ON PAGE 2~~ AT THE END OF THIS FORM.

The Institute recommends retaining “FOUND” for clarity and syntax.

IF YOU DECIDE NOT TO PARTICIPATE IN THE IMR PROCESS YOU MAY LOSE YOUR RIGHT TO CHALLENGE THE DENIAL OR MODIFICATION OF MEDICAL TREATMENT ~~REFERRED~~**REFERRED** TO IN THE APPLICATION FOR INDEPENDENT MEDICAL REVIEW.

The Institute recommends correcting this typographical error.

Thank you for the opportunity to comment. Please contact us if additional information would be helpful.

Sincerely,

Sara Widener-Brightwell

Sara Widener-Brightwell, EVP and General Counsel
California Workers' Compensation Institute

SWB/pm

cc: Jennifer Osborn, DIR Executive Director
George Parisotto, DWC Administrative Director
CWCI Claims Committee
CWCI Medical Care Committee
CWCI Legal Committee
CWCI Regular Members
CWCI Associate Members