

DEPARTMENT OF INDUSTRIAL RELATIONS
DIVISION OF WORKERS' COMPENSATION
LEGAL UNIT

1515 Clay Street, Suite 1700
Oakland, California 94612
Tel (510) 286-7100 Fax (510) 286-0687



December 12, 2012

NOTIFICATION OF PROPOSED EMERGENCY REGULATORY ACTION

Subject: Independent Bill Review

The Department of Industrial Relations, Division of Workers' Compensation (DWC) is proposing to adopt emergency regulations implementing Independent Bill Review. The emergency regulations propose to amend Article 5.5.0 of Chapter 4.5, Subchapter 1, of Title 8, California Code of Regulations, section 9792.5.1, and adopt Article 5.5.0 of Chapter 4.5, Subchapter 1, of Title 8, California Code of Regulations, sections 9792.5.4, 9792.5.5, 9792.5.6, 9792.5.7, 9792.5.8, 9792.5.9, 9792.5.10, 9792.5.11, 9792.5.12, 9792.5.13, 9792.5.14, and 9792.5.15. Further, the Acting Administrative Director, pursuant to the authority vested in her by Labor Code sections 59, 133, 4603.5, and 5307.3, proposes to amend Article 5.6 of Chapter 4.5, Subchapter 1, of Title 8, California Code of Regulations, sections 9793, 9794, and 9795.

Government Code section 11346.1(a)(2) requires that, at least five working days prior to submission of the proposed emergency action to the Office of Administrative Law (OAL), the adopting agency provide a notice of the proposed emergency action to every person who has filed a request for notice of regulations action with the agency. After submission of the proposed emergency to OAL, OAL shall allow interested persons five calendar days to submit comments on the proposed emergency regulations as set forth in Government Code section 11349.6. Upon filing, OAL will have ten (10) calendar days within which to review and make a decision on the proposed emergency rule. If approved, OAL will file the regulations with the Secretary of State, and the emergency regulations will become effective for one hundred and eighty (180) days. Within the 180-day effective period, DWC will proceed with a regular rulemaking action, including a public comment period. The emergency regulations will remain in effect during this rulemaking action.

Attached to this notice is the specific regulatory language of DWC's proposed emergency action and Finding of Emergency.

You may also review the proposed regulatory language and Finding of Emergency on the DWC's website at the following address: <http://www.dir.ca.gov/dwc/dwcRulemaking.html>

If you have any questions regarding this proposed emergency action, please contact Maureen Gray at mgray@dir.ca.gov or (510) 286-0676.