

ALASKA WORKERS' COMPENSATION BOARD MEETING



February 23, 2023

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TAB 1

ALASKA WORKERS' COMPENSATION BOARD MEETING AGENDA

FEB 23, 2023

**ALASKA DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT
DIVISION OF WORKERS' COMPENSATION**

Zoom Video Conference: <https://us02web.zoom.us/j/86180613559>

To participate telephonically: 888-788-0099, Webinar ID: 861 8061 3559

Thursday, Feb 23, 2023

- 9:00am** Call to order
Roll call establishment of quorum
Introduction of Senior Staff
- 9:10am** Approval of Agenda
- 9:15am** Reading and approval of minutes from Oct 13 and 14, 2022, Board meeting
- 9:30am** Director's Report
- Division Update
 - Legislative Update
 - Approval of Board Designees
- 10:00am** Break
- 10:15am** Public Comment Period
- Public comments
- 11:15am** Budget & Staffing Update – Alexis Hildebrand, Admin Officer
- 11:30am** Presentation
- Workers' Compensation Research Institute
 - Behavior
- 12:30pm** Lunch Break
- 1:30am** Old Business
- Adoption of Regulations
 - 8 AAC 45.025 Forms
 - 8 AAC 45.040 Parties
 - 8 AAC 45.050 Pleadings
 - 8 AAC 45.072 Venue
- 2:30pm** Old Business
- Reemployment Benefits Update – Stacy Niwa, Reemployment Benefits Administrator
- 3:15pm** Break
- 3:30pm** New Business
- 5:00pm** Adjournment

TAB 2

Workers' Compensation Board

Meeting Minutes

October 13-14, 2022

Thursday, October 13, 2022

I. Call to Order

Workers' Compensation Director Charles Collins called the Board to order at 9:08 am on Thursday, October 13, 2022. The meeting was held in Anchorage, Alaska, and by video conference.

II. Roll call

Director Collins conducted a roll call. The following Board members were present:

Bradley Austin	Matthew Barth	Pamela Cline	Micheal Dennis
Sara Faulkner	Bronson Frye	Anthony Ladd	Sarah Lefebvre
Nancy Shaw	Robert Weel	Lake Williams	

Director Collins noted that member Beltz was excused. Members Jason Motyka was absent, and member Sara Faulkner arrived after lunch. A quorum was established.

Director Collins introduced the senior staff present.

III. Agenda Approval

A motion to approve the agenda was made by member Weel and seconded by member Barth. A unanimous vote approved the agenda.

IV. Approval of Meeting Minutes

A motion to adopt the minutes from the May 12, 2022, Board Meeting was made by member Austin and seconded by member Weel. The minutes were adopted without objection.

V. Director's Report

Director Collins discussed legislation passed during the 2022 legislative session and the Division's new involvement in the National Kids Chance program.

Director Collins reviewed the list of Board Designees. A motion to accept the board designees was made by Member Weel and seconded by member Frye. The motion passed unanimously.

Break 10:05 am -10:15 am

VI. Public Comment Period 10:15 am- 11:15 am

Gloria Eyon - representing self

- Requested that things be reviewed with a chiropractor.

- Requested that injured workers with head injuries be assisted in retaining a lawyer.

Hannah Laird – representing self

- 2nd year Master of Social Work student.
- Studying circumstances where an injured worker’s health insurance lapses due to being off work while receiving workers’ compensation benefits.
- Requested statistics.

Jackie Doerner – Rehabilitation Specialist

- Suggested an increase in the amount allowable for retraining benefits under AS 23.30.041(I).

Mike Hamilton – Med Data

- Commented on the PC Pricer tool examples in the Draft Alaska Medical Fee Schedule to be adopted under 8 AAC 45.083.

Bri Bolton – Marketing Assistant for Empower Physical Therapy

- Notified the public that Empower Physical Therapy has moved and opened an additional location in Wasilla.

VII. Annual Report

Administrative Officer Alexis Hildebrand provided an overview of Division staffing and the FY22 budget performance.

VIII. Old Business

The board discussed public comment received regarding the CMS PPS Pricer tool example in the Fee Schedule. Carla Gee with Optum explained that while the fee schedule was being developed, the CMS PPS Pricer did not automatically include the pass-through amount in the calculation. The Medical Services Review Committee included an example in the Fee Schedule for how to include the Pass-Through. The Board chose not to amend the example and to adopt the Fee Schedule as presented by the Medical Services Review Committee.

IX. Regulations

Adopt 8 AAC 45.083(a), relating to fees for medical treatment and services. Member Barth moved to adopt the amendment of 8 AAC 45.083(a), and member Cline seconded the motion. The motion passed unanimously.

Adopt 8 AAC 45.083(m), relating to fees for medical treatment and services. Member Cline moved to adopt the amendment of 8 AAC 45.083(m), and member Weel seconded the motion. The motion passed unanimously.

Lunch Break 12:16 pm - 1:38 pm

X. Annual Report continued

Velma Thomas, Program Coordinator, reviewed statistics from the Division’s 2021 annual report, a compilation of statistics and benefit data obtained from insurers and self-insured employers pursuant to AS 23.30.155(m).

Break 3:00 pm - 3:05 pm

Rhonda Gerharz, Chief of the Special Investigations Unit (SIU), gave an overview of the SIU’s performance.

Dani Byers, Workers’ Compensation Officer II, reviewed SIME statistics.

Member Frye motioned to adjourn for the day, and member Lefebvre seconded.

Meeting Adjourned 4:02 pm

Friday, October 14, 2022

I. Call to Order

Director Collins resumed the Alaska Workers’ Compensation Board meeting at 9:02 am on Friday, October 14, 2022, in Anchorage, Alaska. The following Board members were present.

Bradley Austin	Matthew Barth	Pamela Cline	Micheal Dennis
Sara Faulkner	Bronson Frye	Anthony Ladd	Sarah Lefebvre
Nancy Shaw	Robert Weel	Lake Williams	

Director Collins noted that Randy Beltz was excused, Jason Motyka was absent, and member Dennis arrived after roll call. A quorum was established.

II. Annual Report Continued

Stacy Niwa, Reemployment Benefits Administrator, reviewed the performance of the Reemployment Benefits Program.

Break 9:56 am – 10:05 am

William Soule, Acting Chief of Adjudications, presented notable Decisions and Orders from the Alaska Workers’ Compensation Board, the Alaska Workers’ Compensation Appeals Commission, and the Alaska Supreme Court.

III. New Business

Amend 8 AAC 45.025 through 8 AAC 45.072 of the regulatory package in the meeting packet. Member Barth moved to approve the amendment of 8 AAC 45.025 through 8 AAC 45.072. Member Weel seconded the motion. The motion passed unanimously.

The Board discussed the proposed amendment to 8 AAC 45.092, relating to removing a physician from the SIME list. The Board did not make a motion.

Director Collins and Stacy Niwa provided an update on the Reemployment Benefits regulation package that had been voted down on May 12, 2022. Member Lefebvre motioned that the Director draft a regulatory package and reach out to the rehabilitation committee for input before presenting it to the Board. Member Shaw second. The Board suggested either establishing a work group to review the body of regulations or holding public stakeholder meetings for input on drafting regulation changes. The motion passed unanimously.

Director Collins reminded the members that the next regular board meeting was scheduled for January 12-13, 2023.

A motion to adjourn was made by member Cline and seconded by Member Frye. The motion passed unanimously.

Meeting Adjourned 12:05 pm

TAB 3

ALASKA WORKERS' COMPENSATION BOARD

Chair, Commissioner Cathy Muñoz
Alaska Department of Labor and Workforce Development

Name	Seat	District	Affiliation
Charles Collins	Commissioner's Designee		
Brad Austin	Labor	1 st Judicial District	Plumbers and Pipe Fitters Local 262
Vacant	Industry	1 st Judicial District	
Randy Beltz	Industry	3 rd Judicial District	Intl. Brotherhood of Electrical Workers LU 1547
Pamela Cline	Labor	3 rd Judicial District	
Micheal Dennis	Industry	3 rd Judicial District	
Sara Faulkner	Industry	3 rd Judicial District	
Bronson Frye	Labor	3 rd Judicial District	Painters and Allied Trades Local 1959
Steven Heidemann	Labor	3 rd Judicial District	
Anthony Ladd	Labor	3 rd Judicial District	
Jason Motyka	Industry	3 rd Judicial District	
Nancy Shaw	Labor	3 rd Judicial District	
Marc Stemp	Industry	3 rd Judicial District	
Vacant	Industry	3 rd Judicial District	
Sarah Lefebvre	Industry	4 th Judicial District	
Lake Williams	Labor	4 th Judicial District	
Vacant	Industry	4 th Judicial District	
Vacant	Labor	4 th Judicial District	
Mathew Barth	Labor	At Large	
Bob Weel	Industry	At Large	

TAB 4



BOARD DESIGNEES - February 2023

The following staff members are appointed as Board designees to act on the Board's behalf in accordance with the Alaska Workers' Compensation Act and Regulations. (For example, the Board designee may conduct prehearing conferences, take action in connection with Board-ordered second independent medical examinations, and decide whether to continue or cancel scheduled Board hearings.)

<u>NAME</u>	<u>LOCATION</u>	<u>POSITION TITLE</u>
Charles Collins	Juneau	Director
William Soule	Anchorage	Acting Chief of Adjudications
William Soule	Anchorage	WC Hearing Officer II
Janel Wright	Anchorage	WC Hearing Officer II
Vacant	Anchorage	WC Hearing Officer II
Vacant	Anchorage	WC Hearing Officer II
Kyle Reding	Anchorage	WC Hearing Officer I
Kathryn Setzer	Juneau	WC Hearing Officer II
Robert Vollmer	Fairbanks	WC Hearing Officer II
Vacant	Fairbanks	WC Hearing Officer II
Grace Morfield	Anchorage	WC Officer II
Elizabeth Pleitez	Anchorage	WC Officer II
Harvey Pullen	Anchorage	WC Officer II
Shannon Sanderson	Anchorage	WC Officer II
Amanda Johnson	Anchorage	WC Officer I
Rosanna Mallari	Anchorage	WC Officer I
Dani Byers	Juneau	WC Officer II
Melody Kokrine	Fairbanks	WC Officer II

TAB 5

Workers Compensation Division

The Division of Workers' Compensation is the agency charged with the administration of the Alaska Workers' Compensation Act (Act).

Board News

AWCB has two new members since our last meeting, Marc Stemp representing Industry/Management and Steven Heidemann from Labor. Vacancies are Industry in District 1, Juneau; in the 2nd and 4th District or Fairbanks we have two vacancies, one labor and one industry.

Seats up for reconsideration this year, all term on March 1, 2023, Matthew Barth, Anthony Ladd, Nancy Shaw, and Lake Williams. Each of you should notify the Boards and Commissions office of your decision to reapply or step down from the Board.

As information the Alaska Workers Compensation Appeals Commission has a vacancy as Stephan Hagedorn has resigned.

Legislative News

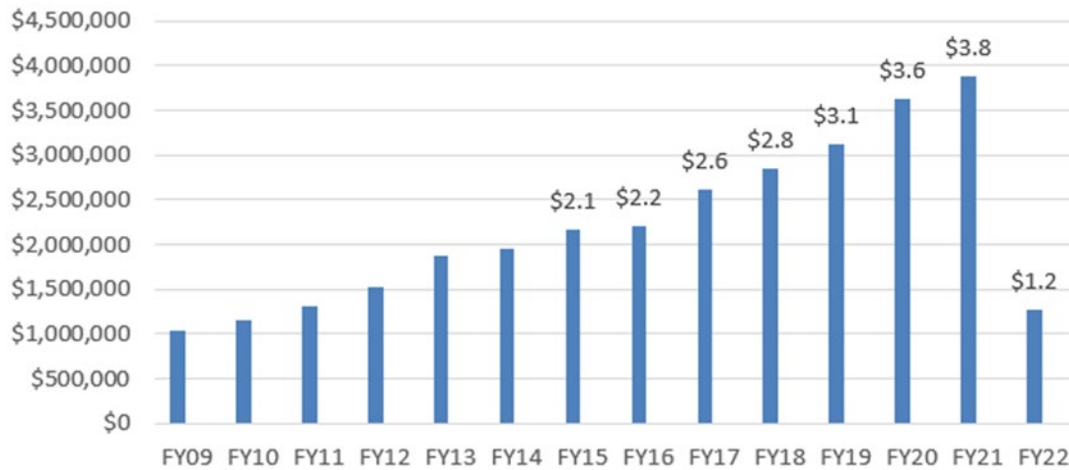
House Bill 63 and its companion Senate Bill 60, "An Act repealing the Workers' Compensation Appeals Commission."

Introduced into both chambers this bill repeals the AWCAC set up in 2005. The bill would change the appeal process from AWCAC back to the Superior Court to be heard as other cases under Alaska law. Prior to 2005 the average length of time an appeal took under the Alaska Court System was 14 months. Currently the process is averaging less than six months with AWCAC.

House Bill 54 and Senate Bill 54, "Supplemental appropriations, reappropriations, and other appropriations."

This bill funds those state entities that had unforeseen of over budget items in the current fiscal year. Why is it on our list? Due to budgetary sweep action the Workers' Compensation Benefits Guaranty Fund will overspend on claim benefits this fiscal year by an estimated \$221,400.

Fund Balance (millions)



For FY23, the allocation to BGF was \$785,100, all excess money was swept.

Division News

An applicant for Chief of Adjudications has been interviewed and decision is pending.

The Division is also concurrently advertising for Hearing Officer positions to fill the openings in Anchorage and Fairbanks. Currently we are three positions down.

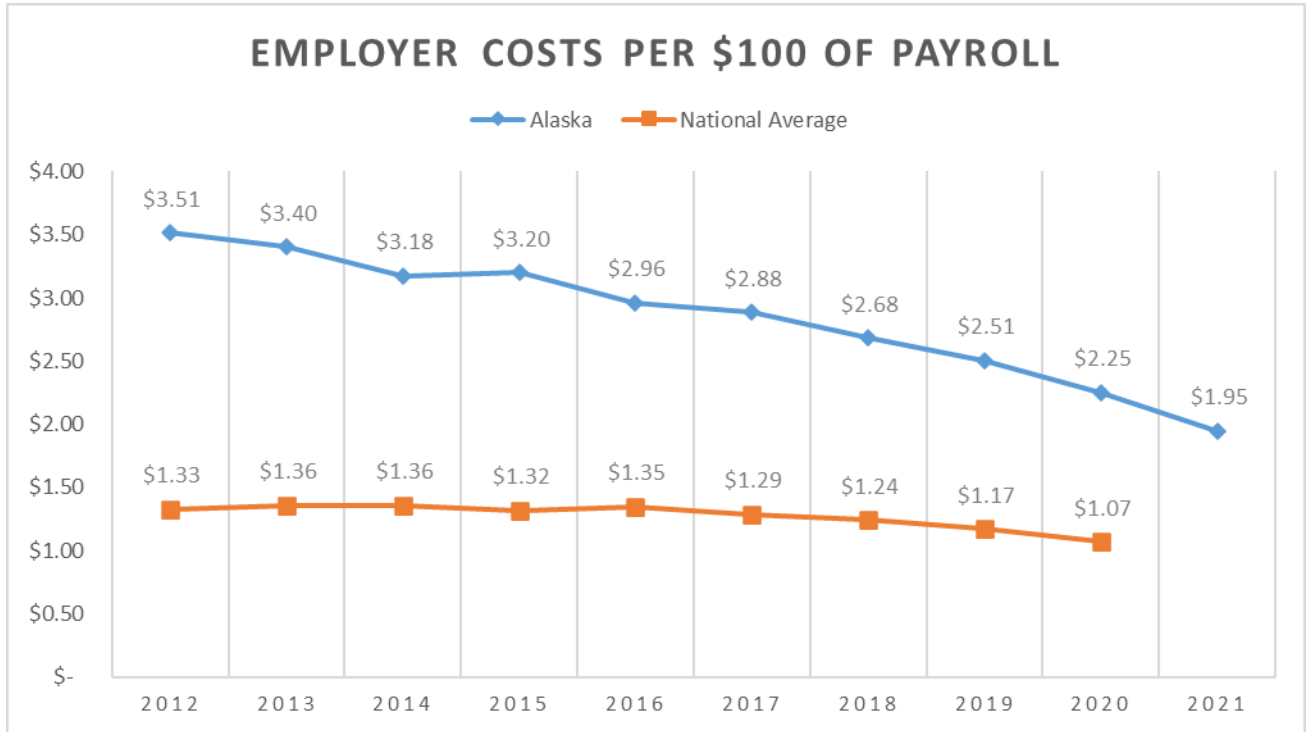
Upgrades to the Anchorage hearing room are still ongoing. As the hearing room is used for multiple hearings Department wide and doubles as a conference room, technological upgrades are being investigated.

The decision by Division of Insurance regarding workers' compensation premiums for 2023 to once again lower premium rates in Alaska. The National Council on Compensation Insurance, (NCCI), had recommended a -6.5% reduction in the voluntary market and a -4.1% reduction in the assigned risk market for 2023. This makes the fourteenth year of consecutive rate reductions for the voluntary market. This does not mean that a certain business will pay less than the preceding year in premiums as this is only one part of the components that make up the cost of insurance. Classification rates, experience modules, payroll amount, and even payment plans all impact the premium and influence the actual amount a business may pay annually.

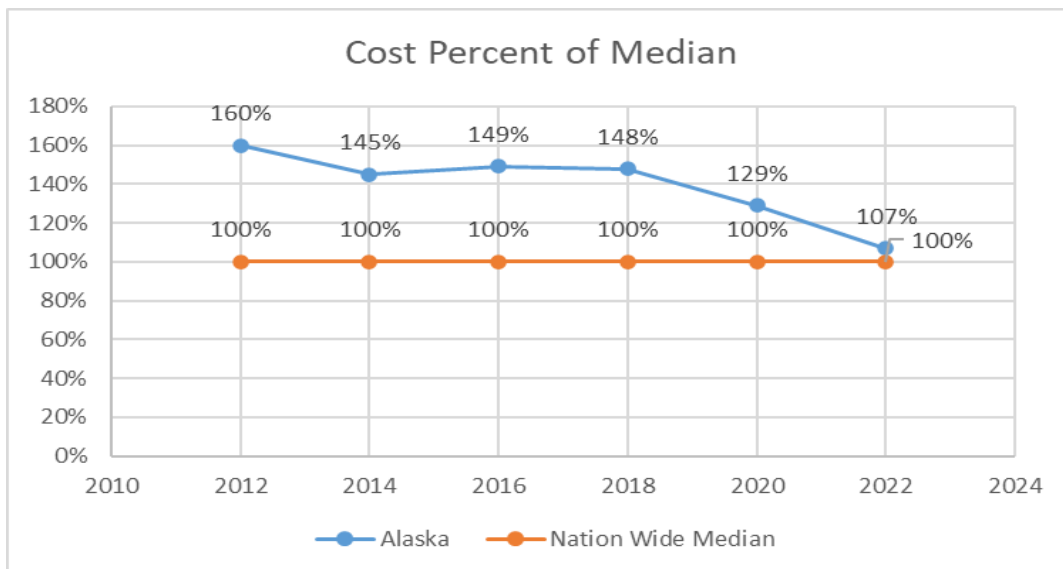
How does affect the division and of course the Workers, Safety and Compensation Administrative Account, (WSCAA)? AS 23.05.067(a)(2) sets a 2.5% service fee on all premiums annually, as premiums decrease the divisional revenue also decreases. WCD is

a victim of our success, by saving the system money we also hinder our revenue stream and must continue to budget prudently.

A little visual to assist Board members when asked about the cost of workers' compensation in Alaska.



As a Board you are to be commended for the guidance and oversight that has allowed Alaska to lower costs to the workers' compensation system and close the gap to the median cost when compared nationwide.



APOC Reporting

As a Board member you must file an Annual report with Alaska Public Offices Commission by March 15th. Furthermore, all newly appointed members must file within 30 days of appointment. Conversely, within 90 days of leaving office a statement must be filed covering any service period not covered by another report. There is a **FINE** for not reporting.

WCD Goals

Improvement of Rehabilitation and Reemployment of injured workers is my foremost focus. A change in the process to a return to work/stay at work program that holistically assists injured workers in retention and return to the workforce. At the same time shortening the turnaround in claims and reducing the financial burden on employers.

Upgrades to the database to enhance data availability. This includes a new “Proof of Coverage” module for use by the division to insure all employees are covered by an active workers’ compensation policy.

Enhance the reporting that the WCD produces from claims to better analyze trends in the system. Annual reports are very complex, and the database is built to follow claims but does a poor job of producing reports.

Continue the scanning of historical files that are stored in physical format. A concerted effort to scan and catalog files for safe keeping and ease of search by digital means.

Internally to the Department I am researching the process to enhance the ability to work with our sister Divisions to offer injured workers the resources that the entire Department offers.

Charles Collins
Director
PCN 07-3001
JNU XE

Alexis Hildebrand
Admin Officer II
Rg 19 PCN 07-3026
JNU SU

Stacy Niwa
RBA
Rg 22 PCN 07-3047
ANC XE

Rhonda Gerharz
Investigator IV
Rg 20 PCN 07-4557
ANC SU

William Soule
Acting Chief of Adj
Rg 25 PCN 07-3005
ANC XE

Velma Thomas
Program Coordinator
Rg 18 PCN 07-1026
JNU SU

Michael Christenson
 Project Assistant
 Rg 16 PCN 07-5527
 JNU GG

Tom Benkert
 WC Officer II
 Rg 18 PCN 07-3007
 ANC GG

Julie Milazzo
 Investigator II
 Rg 16 PCN 07-3064
 ANC GG

Shannon Sanderson
WC Officer II
Rg 18 PCN 07-3058
ANC SU

Kathryn Setzer
 WC Hearing Off II
 Rg 22 PCN 07-3061
 JNU GG

William Soule
 WC Hearing Off II
 Rg 22 PCN 07-3060
 ANC GG

Nanette Ferrer
 WC Tech - FF
 Rg 12 PCN 07-3028
 JNU GG

Brittani Scanlon
Admin Assistant II
Rg 14 PCN 07-3055
JNU SU

Penny Helgeson
 WC Officer II
 Rg 18 PCN 07-3012
 ANC GG

Christine Christensen
 Investigator III
 Rg 18 PCN 07-3070
 ANC GG

Kim Weaver
 Office Asst II
 Rg 10 PCN 07-3037
 ANC GG

VACANT
 WC Hearing Off I/II
 Rg 22 PCN 07-3042
 FBKS GG

Janel Wright
 WC Hearing Off II
 Rg 22 PCN 07-3059
 ANC GG

VACANT
 WC Tech - FF
 Rg 12 PCN 07-1027
 JNU GG

Rowan Strother
 Office Asst I
 Rg 8 PCN 07-3003
 JNU GG

Darlene Charles
 WC Tech
 Rg 12 PCN 07-3030
 ANC GG

Michelle Wall-Rood
 Investigator III
 Rg 18 PCN 07-3072
 ANC GG

Rachel Story
 Office Asst I
 Rg 8 PCN 07-3052
 ANC GG

Robert Vollmer
 WC Hearing Off II
 Rg 22 PCN 07-3044
 FBKS GG

VACANT
 WC Hearing Off I/II
 Rg 22 PCN 07-3043
 ANC GG

019

Ted Burkhart
 WC Officer I
 Rg 16 PCN 07-3046
 JNU GG

Marcus Schaufele
 Office Asst II
 Rg 10 PCN 07-3014
 JNU GG

Mary Corpuz
 Office Asst I
 Rg 8 PCN 07-3071
 ANC GG

Wayne Harger
 Investigator III
 Rg 18 PCN 07-3069
 FBKS GG

Kyla Songco
 Office Asst I
 Rg 8 PCN 07-3011
 ANC GG

Kyle Reding
 WC Hearing Off I
 Rg 21 PCN 07-3013
 ANC GG

VACANT
 WC Hearing Off I/II
 Rg 22 PCN 07-3051
 JNU GG

Dawn Wilson
 Collections Officer
 Rg 16 PCN 21-3047
 JNU GG

Danielle Kalmakoff
 Office Asst I
 Rg 8 PCN 07-3010
 JNU GG

Deirdre Ford
Chair, WC Appeals
Commission
Rg 27 PCN 07-X001
ANC XE

David Price
 Investigator III
 Rg 18 PCN 07-3068
 JNU GG

Pamela Hardy
 WC Tech
 Rg 12 PCN 07-3025
 ANC GG

Dani Byers
WC Officer II
Rg 18 PCN 07-3009
JNU SU

Elizabeth Pleitez
 WC Officer II
 Rg 18 PCN 07-3040
 ANC GG

Aldwyn McCuiston
 Office Asst I
 Rg 8 PCN 07-3062
 JNU GG

Kathleen Morrison
 Law Office Assistant III
 Rg 14 PCN 07-3067
 ANC GG

David Price
 Investigator III
 Rg 18 PCN 07-3068
 JNU GG

VACANT
 Office Asst I
 Rg 8 PCN 07-7005
 ANC GG

Lorvin Uddipa
 WC Tech
 Rg 12 PCN 07-3004
 JNU GG

Harvey Pullen
 WC Officer II
 Rg 18 PCN 07-3027
 ANC GG

Ariella Cristobal
 Student Intern I
 Rg 6 PCN 07IN1901
 JNU GG

Julian Quiere
 Office Asst I
 Rg 8 PCN 07-1720
 JNU GG

Amanda Johnson
 WC Officer I
 Rg 16 PCN 07-3031
 ANC GG

Melody Kokrine
WC Officer II
Rg 18 PCN 07-3024
FBKS SU

Rosanna Mallari
 WC Officer I
 Rg 16 PCN 07-3056
 ANC GG

Suzanne Schmidt
 WC Technician
 Rg 12 PCN 07-3063
 FBKS GG

VACANT
 Office Asst II
 Rg 10 PCN 07-3036
 FBKS GG

Zach Norman
 Student Intern I
 Rg 6 PCN 07IN1902
 ANC GG

Table 2. Workers' compensation premium rate ranking

2022 Rank	2020 Rank	State	Index Rate	Percent of Study Median	Effective Date
1	1	New Jersey	2.44	192%	January 1, 2022
2	5	Hawaii	2.27	178%	January 1, 2021
3	4	California	2.26	178%	September 1, 2021
4	2	New York	2.15	169%	October 1, 2021
5	8	Louisiana	2.13	167%	May 1, 2021
6	3	Vermont	1.98	156%	April 1, 2021
7	26	Wyoming	1.86	146%	January 1, 2022
8	11	Wisconsin	1.67	132%	October 1, 2021
9	16	Maine	1.67	131%	April 1, 2021
10	6	Connecticut	1.64	129%	January 1, 2022
11	9	Rhode Island	1.62	128%	August 1, 2021
12	17	Minnesota	1.55	122%	January 1, 2022
13	14	Missouri	1.54	121%	January 1, 2022
14	21	Iowa	1.52	120%	January 1, 2022
15	12	Montana	1.46	115%	July 1, 2021
16	19	Idaho	1.43	112%	January 1, 2022
17	13	Oklahoma	1.41	111%	January 1, 2022
18	28	New Hampshire	1.39	109%	January 1, 2022
19	24	Illinois	1.39	109%	January 1, 2022
20	30	Alabama	1.38	108%	March 1, 2021
21	10	Alaska	1.37	107%	January 1, 2022
22	19	South Carolina	1.35	106%	April 1, 2021
23	7	Delaware	1.34	106%	December 1, 2021
24	22	Washington	1.31	103%	January 1, 2022
25	23	South Dakota	1.30	102%	July 1, 2021
26	20	Pennsylvania	1.27	100%	April 1, 2021
27	29	New Mexico	1.27	99%	January 1, 2022
28	27	Florida	1.26	99%	January 1, 2022
29	26	Nebraska	1.25	98%	February 1, 2021
30	31	North Carolina	1.16	91%	April 2, 2021
31	15	Georgia	1.15	90%	March 1, 2021
32	35	Massachusetts	1.05	83%	July 1, 2020
33	37	Maryland	1.04	81%	January 1, 2022
34	41	Tennessee	1.03	81%	March 1, 2021
35	39	Kansas	1.02	80%	January 1, 2022
36	32	Virginia	1.01	79%	April 1, 2021
37	42	Nevada	1.00	79%	March 1, 2021
38	37	Michigan	1.00	78%	January 1, 2021
39	34	Mississippi	0.98	77%	March 1, 2021
40	44	District of Columbia	0.95	75%	January 1, 2021
41	33	Colorado	0.93	73%	January 1, 2022
42	45	Oregon	0.93	73%	January 1, 2022
43	46	Texas	0.88	69%	July 1, 2021
44	43	Arizona	0.87	69%	January 1, 2022
45	47	Utah	0.86	68%	January 1, 2022
46	38	Kentucky	0.86	67%	January 1, 2022
47	40	Ohio	0.83	66%	July 1, 2021
48	49	Indiana	0.77	60%	January 1, 2022
49	50	Arkansas	0.65	51%	July 1, 2021
50	48	West Virginia	0.63	50%	January 1, 2021
51	51	North Dakota	0.58	45%	July 1, 2021



LOSS COSTS OR RATE FILING APPROVAL

Alaska—Approval of Voluntary Loss Costs, Assigned Risk Rates, and Rating Values to Be Effective January 1, 2023 (Filing # 133373544)

ACTION NEEDED

The Alaska Division of Insurance has approved voluntary loss costs, assigned risk rates, and rating values to be effective January 1, 2023, for new and renewal policies.

A participating company must decide whether to adhere to the filings made on its behalf by NCCI or to make a deviation filing. For information regarding company action in response to an NCCI filing, please refer to the *Filing Guide for Rates and Forms*.

The material contained herein is based on NCCI’s latest research but is subject to periodic change. This information is provided as a guide to carriers and is not intended as an interpretation of state law. Refer to state law for current and detailed information because there may be additional laws that may impact your response to an NCCI filing. While all due effort will be made to keep the material up to date, NCCI assumes no responsibility for the use of this material.

BACKGROUND

This approval circular is a supplement to Filing Circular AK-2022-02.

On August 23, 2022, NCCI filed an overall average voluntary loss cost decrease of 6.5% and an overall average assigned risk rate decrease of 4.1%. The Alaska Division of Insurance approved NCCI’s filing on November 16, 2022, via SERFF, and issued Regulatory Order R 22-04 on November 21, 2022.

IMPACT

An overall average voluntary loss cost decrease of 6.5% and an overall average assigned risk rate decrease of 4.1% have been approved. These will be effective January 1, 2023, for new and renewal policies.

NCCI ACTION

Revised manual pages will be posted on ncci.com and available to subscribers of NCCI’s *Basic Manual*, *Experience Rating Plan Manual*, *Residual Market Manual*, and *Retrospective Rating Plan Manual*.

PERSON TO CONTACT

If you have any questions, please contact:

Todd Johnson, CPCU, WCP
Senior State Relations Executive
NCCI
901 Peninsula Corporate Circle
Boca Raton, Florida 33487-1362
561-893-3814
todd_johnson@ncci.com

Technical Contact:

John Deacon, FCAS, MAAA
Executive Director and Actuary
NCCI
901 Peninsula Corporate Circle
Boca Raton, FL 33487-1362
561-893-3835
john_deacon@ncci.com

TAB 6

Register _____, _____ 2023 LABOR AND WORKFORCE DEV.

8 AAC 45.025. Forms is amended to read:

(a) The **division** [*board*] will, in its discretion and from time to time, prescribe and require the use of forms for the reporting of any information required by this chapter or by the Act.

(Eff. 5/28/83, Register 86; am 3/16/90, Register 113; am 5/12/2019, Register 230; am ___/___/___, Register ___)

Authority: AS 23.30.005

8 AAC 45.040(j)(4) is amended to read:

(4) whether a claim **or petition** was filed against the person by the employee; and

(In effect before 7/28/59; am 5/28/83, Register 86; am 7/20/97, Register 143; am ___/___/___, Register ___)

Authority: AS 23.30.005 AS 23.30.110 AS 23.30.140
AS 23.30.010 AS 23.30.135 AS 23.30.225

8 AAC 45.050(b)(4) is amended to read:

(4) Within 10 days after receiving a claim that is complete in accordance with this paragraph, the board or its designee will notify the employer or other person who may be an interested party that a claim has been filed. The board will give notice by serving a copy of the claim by certified mail, return receipt requested, upon the employer or other person. **If the employer was not insured at the time of the injury, the board or its designee will in addition to the above, serve a copy of the claim on the Alaska Workers' Compensation Benefits**

Register _____, _____ 2023 LABOR AND WORKFORCE DEV.

Guaranty Fund. The board or its designee will return to the claimant, and will not serve, an incomplete claim. A claim must

(In effect before 7/28/59; am 5/28/83, Register 86; am 7/20/97, Register 143; am ___/___/___, Register ___)

Authority:	AS 23.30.005	AS 23.30.105	AS 23.30.190
	AS 23.30.012	AS 23.30.110	AS 23.30.235
	AS 23.30.022	AS 23.30.135	
	AS 23.30.100	AS 23.30.175	

8 AAC 45.072 is amended to read:

The venue for injuries occurring in the 1st Judicial District is Juneau; for injuries occurring in the 2nd and 4th Judicial Districts the venue is Fairbanks; for injuries occurring in the 3rd Judicial District the venue is Anchorage. A hearing will be held only in a city in

which a division office is located. [*Except as provided in this section, a hearing will be held in the city nearest the place where the injury occurred and in which a division office is located.*]

The **venue** [*hearing location*] may be changed to a different city in which a division office is located if

(1) the parties stipulate to the change;

(2) after receiving a party's request in accordance with 8 AAC 45.070(b)(1)(D) and based on the documents filed with the board and the parties' written arguments, the board orders the **venue** [*hearing location*] changed for the convenience of the parties and the witnesses; the board's panel in the city **with initial venue** [*nearest the place where the injury occurred*] will

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decide the request filed under 8 AAC 45.070(b)(1)(D) to change the **venue** [*hearing's location*];

or

(3) the board or designee, in its discretion and without a party's request, changes the **venue** [*hearing's location*] for the board's convenience or to assure a speedy remedy.

(Eff. 5/28/83, Register 86; am 7/20/97, Register 143; am 7/2/98, Register 146; am ___/___/___,

Register ___)

Authority: AS 23.30.005 AS 23.30.110 AS 23.30.135