

State of California Division of Workers' Compensation

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DWCNewsline



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New Division of Workers' Compensation Electronic Adjudication Management System (EAMS) regulations become effective today

The Division of Workers' Compensation (DWC) has adopted new court administrator regulations to support the Electronic Adjudication Management System (EAMS). The regulations have been approved by the Office of Administrative Law and filed with the secretary of state. The new rules are effective as of Nov. 17, 2008.

The regulations require documents to be filed using revised forms so that the data provided can be scanned into EAMS where it automatically populates an electronic case file and triggers work flows. Regulations governing the Disability Evaluation Unit (DEU) and Retraining and Return to Work Unit (RRTW) were also updated.

The complete regulations are posted on the DWC Web site at http://www/dwc/DWCPropRegs/EAMS_regulations/EAMS_regulations.htm.

EAMS, California's first comprehensive digital case management system for workers' compensation, was launched in August to replace DWC's outdated court technology and supporting infrastructure, and to more efficiently resolve claims and manage court calendars and the division's resources. During the transition period before the regulations were adopted, DWC asked external filing parties to voluntarily use new OCR (optical character recognition) forms especially designed to work with EAMS. The division also accepted paper "legacy" forms. Now that the regulations are final, DWC is requiring all filers to use the OCR unless they are in the e-Forms trial.

The complete list of forms can be found at <http://www.dir.ca.gov/dwc/forms.html#EAMSForms>.

The division is allowing a four-week transition period through Dec. 12, 2008, during which time legacy forms will continue to be accepted. Additionally, forms requiring multiple signatures will be accepted in legacy form as long as the filer establishes that circulation began prior regulations requiring OCR forms becoming effective on Nov. 17. In most cases this requirement can be shown by a signature dated prior to Nov. 17.

Unrepresented injured workers will be allowed a three month transition—until Feb. 17—from legacy to OCR forms use. Additionally, unrepresented injured workers without access to a computer or typewriter can fill in the OCR forms by printing using block letters.

Forms filers making the transition to OCR forms should start at DWC's Web site section devoted to EAMS, www.dwc.ca.gov/eams. Posted there is a [handbook on filing forms](#), as well as instructions for using fillable OCR forms and examples showing how to set up files using OCR cover sheets and document separator sheets. There is also an [FAQ section](#) and many other helpful tools.

The court administrator regulations are contained within Title 8, California Code of Regulations, sections 10210 – 10297 and:

- Set forth uniform rules for district office procedures, including conferences, hearings and continuances
- Define and explain how adjudication files are stored and maintained in EAMS
- Provide forms, which are scanned into EAMS, to be used at all trial level proceedings
- Establish a priority calendar for issues requiring an expedited hearing and decision and a priority calendar
- Set forth the rules regarding access to records and files
- Set forth the procedure for filing a review of administrative orders.

The Disability Evaluation Unit (DEU) regulations are contained in Title 8, California Code of Regulations, sections 10150 – 10168.

The Retraining and Return to Work Unit (RRTW) regulations are contained in Title 8, California Code of Regulations, sections 10116 - 10133.58.

DWC posted the proposed regulations to an online forum for public comment in March 2008, followed by public hearings in July in Los Angeles and Oakland. Revisions were made in August before the regulations were sent to OAL for approval.

Further information about EAMS can be found at www.dwc.ca.gov/eams and by subscribing the *EAMS Insider* newsletter by emailing EAMS@dir.ca.gov.