

NEWSLINE

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WCAB Issues Notice of January 4 Public Hearing on Proposed Amendments to Rules on Lien Claims Filings

The Workers' Compensation Appeals Board (WCAB) has issued a notice of public hearing regarding a proposed addition and amendments to its Rules of Practice and Procedure. The primary purpose of this rulemaking is to implement legislative changes to the filing requirements for lien claims mandated by Senate Bill 1160.

SB 1160 amended Labor Code section 4903.05 to require that section 4903(b) lien claimants file a declaration that includes information regarding the type of services provided by the lien claimant. A lien claimant's failure to timely file this declaration shall result in the dismissal of the lien with prejudice by operation of law per Labor Code section 4903.05(c)(3). This rulemaking will mandate use of an e-filed declaration form in order to ensure uniform procedures for lien claimants who first file their liens after January 1, 2017 and current lien claimants who are required to file a declaration by July 1, 2017.

The public hearing is scheduled on Wednesday, January 4 at 10 a.m. in the Milton Marks Conference Center, Santa Barbara Room of the Hiram Johnson State Office Building at 455 Golden Gate Avenue, San Francisco, CA 94102. Members of the public may also submit written comment on the proposed rules amendments until 5 p.m. that day.

The [notice, draft regulations text and initial statement of reasons](#) are posted online.

Comments may be submitted by e-mail to WCABRules@dir.ca.gov or they may be mailed to:

Workers' Compensation Appeals Board
Attention: Annette Gabrielli, Regulations Coordinator
P.O. Box 429459
San Francisco CA 94142-9459

The WCAB will consider all timely public comments and encourages all interested members of the workers' compensation community to participate in this important process.

Although equal weight will be accorded to oral and written comments, the WCAB prefers written comments to oral testimony and prefers written comments submitted by e-mail. If written comments are timely submitted, it is not necessary to present oral testimony at the public hearing.

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