



NEWSLINE

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DWC Issues Notice of Public Hearing on August 30 to Amend Copy Service Price Schedule

The Division of Workers' Compensation (DWC) has issued a Notice of Public Hearing to amend the Copy Service Price Schedule. The Zoom public hearing is scheduled for Monday, August 30, 2021 at 10 a.m.

The proposed updates to the regulations include:

- An increase of the flat rate for copy services from \$180 to \$225 for records up to 500 pages, and includes all associated services such as pagination, witness fees for delivery of records, and subpoena preparation.
- Several provisions to address improper payments, such as a preclusion for medical providers to improperly charge for inspection of records, maximum witness fees from third party release of information services, and an increase for bills not paid within 30 days of billing.
- A procedure to object to services provided within 30 days of a request by an injured worker to an employer, claims administrator or workers' compensation insurer for copies of records in the employer's possession that are relevant to the claim. It is not uncommon for an employee's attorney to subpoena records even though they have been subpoenaed by defendant. The 30-day waiting period is triggered when the copy service advises the claims administrator of an intent to copy records from a specific location for a specific dispute. The parties would then have an opportunity to object within the waiting period. Once an objection is raised, the parties must meet and confer to resolve the objection.
- DWC will also charge and collect retrieval costs for records requested under the Public Records Act.

The proposed amendments to the Copy Service Price Schedule are exempt from the rulemaking provisions of the Administrative Procedure Act. DWC is required to have a 30-day public comment period, hold a public hearing, respond to all the comments received during the public comment period, and publish the order adopting the regulations online. Members of the public may review and comment on the proposal until August 30, 2021.

Members of the public may attend the public meeting:

Access Information

Join from PC, Mac, Linux, iOS or Android: <https://dir-ca-gov.zoom.us/j/83062005767>

Or Telephone:

Dial:

USA 216 706 7005

USA 8664345269 (US Toll Free)

Conference code: 956474

Find local AT&T Numbers: <https://www.teleconference.att.com/servlet/glbAccess?process=1&accessNumber=2167067005&accessCode=956474>

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