

Table of Contents

DEPARTMENT OF LABOR
OFFICE OF WORKERS' COMPENSATION

Title 40
Labor and Employment
Part I. Workers' Compensation Administration

Chapter 1. General Provisions

§101. Purpose	1 - 1
§103. Definitions	1 - 1
§105. Annual Reports	1 - 2
§107. Assessments	1 - 2
§109. Compliance Penalty	1 - 3
§111. Restricted Work Notification	1 - 3

RULE

**DEPARTMENT OF LABOR
OFFICE OF WORKERS' COMPENSATION**

**Title 40
Labor and Employment
Part I. Workers' Compensation Administration**

Chapter 1. General Provisions

§101. Purpose

The purpose of the rules and regulations is to define the responsibilities and rights of the employee, employer and the carrier in the Administration of Workers' Compensation in Louisiana.

The rules are intended to expedite the receipt of benefits by the injured worker; to insure that the proper rate of compensation is paid, to aid in the rehabilitation of the injured worker; to provide for collection of statistical data; to provide for review of safety plans and where necessary, to facilitate the resolution of disputes regarding benefits.

AUTHORITY NOTE: Promulgated in accordance with R.S. 23:1021.

HISTORICAL NOTE: Promulgated by the Department of Labor, Office of Worker's Compensation Administration, LR 11:775 (August 1985), repealed and repromulgated by the Department of Employment and Training, LR 17: (April 1991).

§103. Definitions

For the purposes of these rules, the following definitions apply:

A. *Office* means the Office of Workers' Compensation Administration in the Louisiana Department of Employment and Training.

B. *Act* means the Louisiana Workers' Compensation Law, Chapter 10, Revised Statute 23.

C. *Carrier* unless otherwise indicated, includes insurance companies, self-insured employers and group self-insured employers.

D. *Directors* means the Assistant Secretary of Employment and Training responsible for Worker's Compensation Administration.

E. *Commissioner* means the Commissioner of Insurance for the state of Louisiana.

F. *Medical Examiner* means any medical practitioner selected by the Director for settling disputes.

G. *Penalty* means the percentages of additional payment required by Section 1201 B of Act 1. 1983 Ex. Sess.

H. *Form* means the forms required for notification to the office required by the Act.

I. *Rehabilitation* means the program designed to help an injured worker reenter the work place.

J. *Employee Notice* means the notice the employer is required to keep posted in the work place.

K. *Certificate* means the notice the office is required to give after its recommendation is rejected.

L. *Clerk* means the clerks of the District Courts in Louisiana.

M. *Date of Filing*: The date of filing, reporting receipt in the office shall be the date the document is received in the office.

N. *Days*: Days when used to determine a period allowed for filing shall mean the number of calendar days. If the final day of a time period falls on a Saturday, Sunday, holiday, or other day that the office is officially closed, then the period of filing shall be extended to the next day that the office is officially opened.

O. *Document Size*: All filings not on forms approved by the office shall be submitted on 8½" by 11" paper.

AUTHORITY NOTE: Promulgated in accordance with R.S. 23:1021.

HISTORICAL NOTE: Promulgated by the Department of Labor, Office of Worker's Compensation Administration, LR 11:775 (August 1985), repealed and repromulgated by the Department of Employment and Training, LR 17: (April 1991).

§105. Annual Reports

All carriers writing worker's compensation insurance and all self-insured employers shall submit to the office by April 30, of each year an annual report on form LDOL-WC-1000 showing the amount of worker's compensation benefits paid in the previous calendar year.

AUTHORITY NOTE: Promulgated in accordance with R.S. 23:1291.1.

HISTORICAL NOTE: Promulgated by the Department of Labor, Office of Worker's Compensation Administration, LR 11:775 (August 1985), repealed and repromulgated by the Department of Employment and Training, LR 17: (April 1991).

§107. Assessments

The annual report will be used by the Director in determining an assessment for the administration of worker's compensation. The assessment shall be paid into the Office of Worker's Compensation Administrative Fund within 30 days from the date notice is served upon such carrier. If such amount is not paid within such period there may be assessed, for each 30 days the amount assessed remains unpaid, a civil penalty equal to 20 percent of the amount unpaid, which shall be due and collected at the same time as the unpaid part of the amount assessed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 23:1291.1.

HISTORICAL NOTE: Promulgated by the Department of Labor, Office of Worker's Compensation Administration, LR 11:775 (August 1985), repealed and repromulgated by the Department of Employment and Training, LR 17: (April 1991).

§109. Compliance Penalty

If any carrier fails to pay the amount assessed against it within 60 days from the time such notice is served upon it, the commissioner of Insurance, upon being advised by the director, may suspend or revoke the authorization to insure compensation in accordance with the procedures of the insurance code.

AUTHORITY NOTE: Promulgated in accordance with R.S. 23:1291.1.

HISTORICAL NOTE: Promulgated by the Department of Labor, Office of Worker's Compensation Administration, LR 11:775 (August 1985), repealed and repromulgated by the Department of Employment and Training, LR 17: (April 1991).

§111. Restricted Work Notification

Every employer of more than 10 employees who is subject to record keeping under the provisions of USC Section 655 shall, within 90 days of any occupational illness, or any non-fatal occupational injury involving either loss of consciousness, restriction of work or motion, transfer to another job, or medical treatment other than first aid, report to the statistical data section of the Office on form OSHA-200.

AUTHORITY NOTE: Promulgated in accordance with R.S. 23:1292.

HISTORICAL NOTE: Promulgated by the Department of Labor, Office of Worker's Compensation Administration, LR 11:775 (August 1985), repealed and repromulgated by the Department of Employment and Training, LR 17: (April 1991).