

NOTICE OF PROPOSED CHANGES ON METHODS OF FILING AND OF NOTIFYING PARTIES,  
ELECTRONIC CASE RECORDS, AND FEES FOR MEDICAL TREATMENT AND SERVICES IN  
THE REGULATIONS OF THE ALASKA DEPARTMENT OF LABOR AND WORKFORCE  
DEVELOPMENT AND THE ALASKA WORKERS' COMPENSATION BOARD

BRIEF DESCRIPTION

The Alaska Department of Labor and Workforce Development and the Alaska Workers' Compensation Board propose to change regulations on the methods of filing documents with the Division of Workers' Compensation and the Board, electronic case records, fees for medical treatment and services, and the method of notifying employees and employers of determinations made by the rehabilitation benefits administrator.

The Alaska Department of Labor and Workforce Development and the Alaska Workers' Compensation Board proposes to adopt regulation changes in Title 8 of the Alaska Administrative Code, dealing with filing, electronic case records, fees for medical treatment and services and notice of determinations, including the following:

- (1) 8 AAC 45.020 and 8 AAC 45.060 are proposed to be changed as follows:

Amend to permit filing of documents with the Division and the Board by facsimile or electronic mail.

- (2) 8 AAC 45.032 is proposed to be changed as follows:

Amend to comport with the Division's transition to an electronic case management system.

- (3) 8 AAC 45.082 is proposed to be changed as follows:

Amend effective date of established medical fee schedule, and repeal definition of "provider."

- (4) 8 AAC 45.083 is proposed to be added:

Establish new workers' compensation fee schedules for medical treatment and services.

- (5) 8 AAC 45.530(a) and 8 AAC 45.550 are proposed to be changed as follows:

Allow notice of determinations of the rehabilitation benefits administrator to be provided by first-class mail.

- (6) 8 AAC 45.900 is proposed to be changed as follows:

Add a definition of "provider" for medical treatment and services.

You may comment on the proposed regulation changes, including the potential costs to private persons of

complying with the proposed changes, by submitting written comments to the Department of Labor and Workforce Development, Division of Workers' Compensation at P.O. Box 115512, Juneau, AK 99811-5512. Additionally, the Department will accept comments by facsimile at (907) 465-2797 and by electronic mail at Marie.Marx@alaska.gov. Comments may also be submitted through the Alaska Online Public Notice System, by accessing this notice on the system and using the "comment" link. The comments must be received no later than 5 p.m. on October 23, 2015.

Oral or written comments also may be submitted at a hearing to be held on October 29, 2015, in Room 208, 3301 Eagle St., Anchorage, Alaska 99503. Public comment will be heard from 10:30 a.m. to 12 p.m., and the public comment period might be extended to accommodate those present before 12 p.m. who did not have an opportunity to comment.

You may submit written questions relevant to the proposed action to the Department of Labor and Workforce Development, Division of Workers' Compensation at P.O. Box 115512, Juneau, AK 99811-5512. Additionally, the Department will accept questions by facsimile at (907) 465-2797 and by electronic mail at Marie.Marx@alaska.gov. Questions may also be submitted through the Alaska Online Public Notice System, by accessing this notice on the system and using the "comment" link. The questions must be received at least 10 days before the end of the public comment period. The Division of Workers' Compensation will aggregate its response to substantially similar questions and make the questions and responses available on the Division of Workers' Compensation website. The Division of Workers' Compensation may, but is not required to, answer written questions received after the 10-day cut-off date and before the end of the comment period.

If you are a person with a disability who needs a special accommodation in order to participate in this process, please contact Alexis Hildebrand at (907) 465-6330 no later than October 14, 2015 to ensure that any necessary accommodations can be provided.

A copy of the proposed regulation changes is available on the Alaska Online Public Notice System or by contacting Marie Marx at Marie.Marx@alaska.gov and (907) 465-2790.

A copy of material proposed for adoption by reference may be viewed at the agency's office at 1111 W. 8th St., Suite 305, Juneau, Alaska.


After the public comment period ends, the Department of Labor and Workforce Development will either adopt the proposed regulation changes or other provisions dealing with the same subject, without further notice, or decide to take no action. The language of the final regulations may be different from that of the proposed regulations. **You should comment during the time allowed if your interests could be affected.**

**Statutory Authority:** AS 23.30.005, AS 23.30.097, AS 23.30.098

**Statutes Being Implemented, Interpreted, or Made Specific:** AS 23.30.005, AS 23.30.030; AS 23.30.041; AS 23.30.045; AS 23.30.070; AS 23.30.095; AS 23.30.097; AS 23.30.098; AS 23.30.100; AS 23.30.105; AS 23.30.110; AS 23.30.135

**Fiscal Information:** The proposed regulation changes are not expected to require an increased appropriation.

DATE: 9/22/15

  
Heidi Drygas, Commissioner