NOTICE OF PROPOSED CHANGES RELATING TO SECOND INDEPENDENT MEDICAL EVALUATION PROCEDURES AND THE DEFINITION OF PREVIOUSLY REHABILITATED 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 relating to second independent medical evaluation procedures and the definition of previously rehabilitated.

The Alaska Department of Labor and Workforce Development and the Alaska Workers' Compensation Board propose to adopt regulation changes in Title 8 of the Alaska Administrative Code, dealing with second independent medical evaluation procedures and the definition of previously rehabilitated, including the following:

(1) 8 AAC 45.092 is proposed to be changed as follows: Amend procedures relating to the second independent medical evaluation process.

(2) 8 AAC 45.900(j) is proposed to be changed as follows: Amend the definition of previously rehabilitated.

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 of Labor and Workforce Development, Division of Workers' Compensation, 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 not later than 5 p.m. on May 4, 2017.

Oral or written comments also may be submitted at a hearing to be held on May 11, 2017, in Room 208, 3301 Eagle St., Anchorage, Alaska 99503. Public comment will be heard from 10:15 a.m. to 11:15 a.m., and might be extended to accommodate those present before 10:15 a.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. The questions must be received at least 10 days before the end of the public comment period. The Department of Labor and Workforce Development, Division of Workers' Compensation will aggregate its response to substantially similar questions and make the questions and responses available on the Alaska Online Public Notice System and the Division of Workers' Compensation's website.

If you are a person with a disability who needs a special accommodation in order to participate in this process, please contact Marie Marx at (907) 465-2790 not later than April 20, 2017, 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, and by contacting Marie Marx at Marie.Marx@alaska.gov and (907) 465-2790.

After the public comment period ends, the Department of Labor and Workforce Development and the Alaska Workers' Compensation Board 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 regulation may be different from that of the proposed regulation. You should comment during the time allowed if your interests could be affected.

Statutory authority: AS 23.30.005

Statutes being implemented, interpreted, or made specific: AS 23.30.041; AS 23.30.095; AS 23.30.110.

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

Date: 3/29/17

Heidi Drygas, Commissioner
Department of Labor and Workforce Development