

## Rule Summary and Fiscal Analysis

### Part A - General Questions

**Rule Number:** 4123-19-09

**Rule Type:** Amendment

**Rule Title/Tagline:** In regard to complaints filed by employees against self-insuring employers under the provisions of section 4123.35 of the Revised Code.

**Agency Name:** Bureau of Workers' Compensation

**Division:**

**Address:** 30 W. Spring St. Columbus OH 43215

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#### I. Rule Summary

1. Is this a five year rule review? No
  - A. What is the rule's five year review date? 6/1/2022
2. Is this rule the result of recent legislation? No
3. What statute is this rule being promulgated under? 119.03
4. What statute(s) grant rule writing authority? 4121.12, 4121.121, 4121.30, 4123.05
5. What statute(s) does the rule implement or amplify? 4123.35, 4123.352
6. What are the reasons for proposing the rule?

BWC is proposing to amend this rule to have several minor changes regarding syntax and grammar. The proposed grammatical and syntax changes improve the consistency and clarity of the proposed rules.

7. Summarize the rule's content, and if this is an amended rule, also summarize the rule's changes.

This rule regulates the procedures of complaints filed by employees against self-insuring employers. The proposed change requires injured workers and self-insuring employers to submit requests for further consideration of a complaint by BWC or the Self-Insuring Employers Evaluation Board within 14 days of receipt of BWC's decision.

8. Does the rule incorporate material by reference? No
9. If the rule incorporates material by reference and the agency claims the material is exempt pursuant to R.C. 121.71 to 121.76, please explain the basis for the exemption and how an individual can find the referenced material.

*Not Applicable*

10. If revising or re-filing the rule, please indicate the changes made in the revised or re-filed version of the rule.

*Not Applicable*

## II. Fiscal Analysis

11. As a result of this proposed rule, please estimate the increase / decrease in revenues or expenditures affecting this agency, or the state generally, in the current biennium or future years. If the proposed rule is likely to have a different fiscal effect in future years, please describe the expected difference and operation.

This will have no impact on revenues or expenditures.

0.00

Not Applicable.

12. What are the estimated costs of compliance for all persons and/or organizations directly affected by the rule?

The impacted community includes self-insuring employers and injured workers. Any adverse impact is only that the changes to this rule put time limitation on how long an injured worker or a self-insuring employer can submit a request for consideration of their complaints, to the BWC Administrator. There is no cost associated with this process.

13. Does the rule increase local government costs? (If yes, you must complete an RSFA Part B). No

14. Does the rule regulate environmental protection? (If yes, you must complete an RSFA Part C). No

**III. Common Sense Initiative (CSI) Questions**

15. Was this rule filed with the Common Sense Initiative Office? Yes

16. Does this rule have an adverse impact on business? Yes

- A. Does this rule require a license, permit, or any other prior authorization to engage in or operate a line of business? No
- B. Does this rule impose a criminal penalty, a civil penalty, or another sanction, or create a cause of action, for failure to comply with its terms? No
- C. Does this rule require specific expenditures or the report of information as a condition of compliance? Yes

All requests by a claimant or self-insuring employer in accordance with paragraph (D) of this rule shall be filed within fourteen days of receipt of the bureau's decision. Failure to timely file the request shall be grounds for dismissal of the request, and the bureau's decision shall be final.