

Rule Summary and Fiscal Analysis

Part A - General Questions

Rule Number: 4123-3-07

Rule Type: Amendment

Rule Title/Tagline: Applications for death benefits.

Agency Name: Bureau of Workers' Compensation

Division:

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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? 7/1/2024
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, 4121.13, 4121.30, 4121.31
5. What statute(s) does the rule implement or amplify? 4121.121, 4123.05, 4123.59
6. What are the reasons for proposing the rule?

BWC is proposing to revise language to align with R.C. 4123.59, clarifying that, to be considered a dependent, a person must be a member of the family of the deceased employee, or bear to the employee the relation of surviving spouse, lineal descendant, ancestor, or brother or sister.

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

This rule directs procedures of applications for death benefits. The proposed change is to update "industrial injury" to "work related injury," and to revise language to align with R.C. 4123.59.

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. 121.75, 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. Please estimate the increase / decrease in the agency's revenues or expenditures in the current biennium due to this rule.

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 business community impacted by these rules includes injured workers, injured worker representatives, employers, employer representatives, and providers. The adverse impact this rule includes requirements for the submission of claims and application for benefits. The applicable timeframes specified in the rule is required by statute.

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

15. If the rule imposes a regulation fee, explain how the fee directly relates to your agency's cost in regulating the individual or business.

Not Applicable.

III. Common Sense Initiative (CSI) Questions

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

17. 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

The proposed rule requires an application to be submitted to the Bureau for death benefits in order for the Bureau to consider such claim.

D. Is it likely that the rule will directly reduce the revenue or increase the expenses of the lines of business of which it will apply or applies? No

IV. Regulatory Restrictions (This section only applies to agencies indicated in R.C. 121.95 (A))

18. Are you adding a new or removing an existing regulatory restriction as defined in R.C. 121.95? No

A. How many new regulatory restrictions do you propose adding?

Not Applicable

B. How many existing regulatory restrictions do you propose removing?

Not Applicable