

**MEMORANDUM**

TO: Aniko Nagy, Ohio Bureau of Worker's Compensation

FROM: Travis Butchello, Regulatory Policy Advocate

DATE: January 19, 2018

RE: **CSI Review – Preparation and Filing of Applications for Compensation and/or Benefits (OAC 4123-3-08)**

On behalf of Lt. Governor Mary Taylor, and pursuant to the authority granted to the Common Sense Initiative (CSI) Office under Ohio Revised Code (ORC) section 107.54, the CSI Office has reviewed the abovementioned administrative rule package and associated Business Impact Analysis (BIA). This memo represents the CSI Office's comments to the Agency as provided for in ORC 107.54.

Analysis

This rule package consists of one amended rule proposed by the Ohio Bureau of Worker's Compensation (BWC). The rule package was submitted to the CSI Office on November 21, 2017 and the public comment period was held open through December 14, 2017. No comments were received during this time.

The rules establish the time limit by which an injured worker must file an injury or death claim. BWC proposes to amend the rule due to a recently enacted requirement from House Bill 27 of the 132nd General Assembly. Specifically, BWC seeks to reduce the time limit to file a claim from two years to one year.

As part of the early stakeholder outreach process, BWC sent copies of the draft rule and request for comment to numerous associations and government agencies that would likely be affected by the change including the Council of Smaller Enterprises, Ohio Manufacturing Association, Ohio Chamber of Commerce, and the Ohio Attorney General's Office. As a result of their outreach,

BWC did not receive any feedback from the aforementioned entities.

No comments were received during the CSI public comment period.

The rule impacts employers, employer representatives, and injured workers throughout the state. Specifically, time and costs will be incurred because in order to file a claim, workers must complete requisite paperwork including an application. BWC does not specify how long the application will take to complete, but CSI recognizes that depending on the length and detailed nature of the application times will vary. BWC emphasizes in the BIA that reducing the time to file the application is required by a recently enacted statute.

Recommendation

For the reasons explained above, this office does not have any recommendations regarding this rule package.

Conclusion

Based on the above comments, the CSI Office concludes that the Ohio Bureau of Worker's Compensation should proceed with the formal filing of this rule package with the Joint Committee on Agency Rule Review.