

**NOTICE OF HEARING TO CONSIDER AMENDMENTS TO THE
WORKERS' COMPENSATION RULES OF PROCEDURE, 7 CCR 1101-3**

Notice is given of a public hearing to afford all interested persons an opportunity to be heard prior to the adoption of proposed amendments to the Workers' Compensation Rules of Procedure, 7 C.C.R. 1101-3 as described below. The Director of the Division of Workers' Compensation has the authority to promulgate rules pursuant to the Workers' Compensation Act as set forth in C.R.S. section 8-47-107, and a specific requirement to adopt rules concerning the below subject matter pursuant to section 8-43-404(2) as a result of the passage of SB09-168.

Date and Time of Hearing: July 13, 2009
9:00 a.m.

Place of Hearing: 2nd Floor Conference Room
633 17th Street
Denver, CO

The public hearing will be held in accordance with the provisions of the Colorado Administrative Procedures Act, section 24-4-103, CRS. Any interested party is invited to appear at the hearing and testify or to submit written data, arguments or position papers to Bob Summers, Director, Division of Workers' Compensation, 633 17th Street, Suite 400, Denver, CO 80202. Any written submissions should be submitted to the Director prior to the hearing on July 13, 2009.

The topics to be considered are:

Rule 8: Adding new subsections to implement SB09-168. The change in the statute applies to independent medical examinations for claims filed on or after August 5, 2009. The new subsections will address the requirement for audio recordings of independent medical examinations scheduled for an injured worker by an employer or insurer pursuant to section 8-43-404. The subsections relate to the protection of the audio recordings and the privacy of information contained in the recordings. Specifically, the proposed rules set forth notice requirements, recording format and fees, the process for requesting and receiving a copy of the audio recording, the process for redacting portions of the recordings, and a dispute resolution process.

Proposed rule revisions will be available at the Department's website on or before June 5, 2009. Copies of the proposed rules, the proposed statement of basis and purpose and a regulatory analysis will be available on July 8, 2009, at the Division's Customer Service counter, 633 17th Street, 4th Floor, Denver, Colorado, or on the website.

Bob Summers

Director

May 29, 2009
DATE