State of South Carolina

Workers' Compensation Commission

Special Business Meeting Report
April 27, 2017

At a Special Business Meeting on Tuesday, April 25, 2017 the S.C. Workers' Compensation Commission approved a motion to voluntarily withdraw the proposed changes to Chapter 67 Regulations in Document No. 4735 and resubmit Document 4735 with the non-substantive changes recommended by the Senate Judiciary Subcommittee. On Wednesday, April 26, 2017 the Commission submitted a formal request to Legislative Council to resubmit Document 4735 including the non-substantive changes recommended by the Senate Judiciary Subcommittee for legislative review.

Below is a summary of the changes:

67-214. Subpoenas, G.: Add the following phrase for clarity: *"or to a party's right to compensation from a third party."*

67-215. Motions, B.(2).: Grammatical changes from the word "*will*" to "*may*" and from "*has already filed*" to "*already has filed*."

67-215. Motions, H.: Grammatical changes deleting the word "*has*" in two places, and changing "*(i)*" to "*(1)*" and "*(ii)*" to "*(2).*"

67-611. Pre-hearing Brief. In (B)(1) specified 15 days as the number of days the moving party must provide the Form 58 and proof of service to the opposing party before the scheduled hearing and specified 10 days as the number of days a nonmoving party must provide a response before a scheduled hearing. Added subsection (5) - *The parties may extend the Form 58 filing deadlines required in (B)(1) and (2) by consent agreement in writing.*

67-613. Postponement or Adjournment of the Scheduled Hearing.: Add subsection (4) – *"A new hearing date shall be scheduled by the Commissioner assigned the case at the discretion of the Commissioner."*

67-1802. Mediation Required with Certain Claims, A.(1): Delete the phrase *"but only after the employee has reached maximum medical improvement per the opinion of a physician or psychologist:"*