

Document No. 5131  
**SOUTH CAROLINA WORKERS' COMPENSATION COMMISSION**  
CHAPTER 67

Statutory Authority: 1976 Code Section 42-3-30

67-610. Amending Pleadings and Adding or Removing a Party.

A. Amendments Generally: After a Form 21, 50, 51, 52 or 53 is filed with the Commission, an "Amended" Form 21, 50, 51, 52 or 53 may be filed to indicate a change in the nature of the claim, responsible parties, relief requested, or defense subject to the limitations under R. 67-603. A party must indicate that a form has been amended by typing or printing the word "Amended" boldly across the top of the form and identify the amendment in the appropriate section of the form.

B. Amending the Nature of the Claim or Relief Requested: A party must amend Forms 21, 50, or 52 indicating a change in the nature of the claim or relief requested no later than 15 days prior to a hearing either by filing an amended form or by filing a Form 58 Pre-Hearing Brief according to R. 67-611. If no hearing has been scheduled, a party may amend Forms 21, 50 or 52 at any time.

(1) An amended form must be timely filed and served on all interested parties according to R. 67-211.

(2) If, after a hearing has been scheduled, a party makes an amendment to a pleading that materially changes the nature of the claim, a postponement may be granted to prepare and file responsive pleadings and to conduct additional discovery as permitted under R. 67-613(B).

(3) A party may file subsequent amended Forms 21, 50, or 52 indicating a change in the nature of the claim or the relief requested upon discovery of the additional claim or relief within a reasonable time.

C. Adding or Removing a Party: A party may be added or removed by amending a Form 21, 50 or Form 52. A party may not be added or removed by filing a Form 58 Pre-Hearing Brief.

(1) An amended form must be timely filed and served on all interested parties according to R. 67-211.

(2) If a hearing has been requested, any party added to the claim shall have 30 days from the date of service of the amended form to file a response. The hearing will not be held less than 30 days from the date the added party files and serves a response. Thereafter, a postponement to file a response may be granted under R. 67-613(B) or a hearing may be held on the issues as amended at the commissioner's discretion.

(3) A party shall not file a second or subsequent Amended Form 50 or 52 adding or removing parties without a showing of good cause and upon leave of the Commission.

The final regulation maybe accessed in the State Register Volume 46, Issue No. 5, eff May 26, 2023, p. 604-605.