

State of Arkansas

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WORKERS' COMPENSATION COMMISSION

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October 24, 2018

Arkansas Secretary of State
500 Woodlane Avenue
Little Rock, AR 72201

RE: AWCC Repealed Rules

Dear Sir or Madam:

Below are a list of rules of the Arkansas Workers' Compensation Commission that have been repealed by the Commission effective October 19, 2018, in accordance with Act 781 of 2017. I have enclosed a copy of each repealed rule in its entirety.

- 99.02 – Rulemaking Procedure
- 99.06 – Non Statutory Employers Elective Coverage
- 99.07 – Posting Required Notice
- 99.24 – Second Injury Fund Claims

Sincerely,

A handwritten signature in cursive script that reads "Mark E. McGuire".

Mark E. McGuire
Assistant Chief Executive Officer

MARK MARTIN
SECRETARY OF STATE
STATE OF ARKANSAS

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AR REGISTER DIV.

RULE 099.24 SECOND INJURY FUND CLAIMS

#099.24

(a) A party desiring to raise the issue of Second Injury Fund Liability shall:

(1) name as a party the State Treasurer, as custodian of the Fund, by notifying the Special Funds Administrator of the Workers' Compensation Commission and all other parties, no later than thirty (30) days before the date of the first hearing on the issue of the extent of permanent disability in writing by a form of mail requiring a signed receipt; and

(2) specify the basis for the party's claim on Second Injury Fund liability; and

(3) provide all documentary and other evidence the party wishes to rely upon to support the claim of liability.

(b) Failure to comply with each subsection of (a) of this rule shall constitute a waiver of a claim of Second Injury Fund liability, unless the issue of Second Injury Fund liability arises in a way which could not have been reasonably foreseen. If the issue of Second Injury Fund liability arises during a hearing on the issue of extent of permanent disability, the proceedings shall immediately terminate and be continued until such time as all provisions of (a) are satisfied. If the issue of Second Injury Fund liability arises prior to a hearing on the issue of the extent of permanent disability, said hearing shall be continued until such time as (a) of this rule is satisfied.

(c) In the event of waiver of claim of Second Injury Fund liability, the rights of the claimant pursuant to the Workers' Compensation Act will not be affected. (Effective date April 1, 1989)