

Rules by Subject Matter Interim Committee Recommendations

	Promulgated Date	Effective Date	Filed w/ SOS Date	Last Revision Date
Workers' Compensation Commission				
Accept Recommendation to Repeal				
99.02 Rulemaking Procedure				ID#: 2138
Statutory Authority:	11-9-205	12/11/1981	03/01/1982	02/19/1982
<input type="checkbox"/> Required under State or Federal Law:	(none)			
Requirement Statement:	(none)			
Repeal:	Rule 2 is not necessary. Statutes authorize amendments to the rules as well as authorizing the Commission to adopt additional rules. A.C.A. §11-9-205(a)(1)(A) provides the Arkansas Worker's Compensation Commission is authorized "To make rules and regulations as may be found necessary;". Additionally, A.C.A. §11-9-207(a)(9) provides the Commission full power and authority "To prescribe rules and regulations governing the representation of employees, employers, and the carriers in respect to claims before the commission".			
Subject Matter Committee:	Public Health, Welfare and Labor Committees			
Link to Rule Document:	http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/108/Rules/2138/Final/rule2.pdf			
99.06 Non-Statutory Employers Elective Coverage				ID#: 2142
Statutory Authority:	11-9-205	01/11/1989	04/01/1989	03/22/1989
<input type="checkbox"/> Required under State or Federal Law:	(none)			
Requirement Statement:	(none)			
Repeal:	Rule 6 is no longer necessary. Rule 6 provides the requirement for a non-statutory employer, electing to be governed by the statute, to continue until notice to the contrary is filed with the Commission. AWCC "FORM P" is the mechanism to provide notice to employees of worker's compensation coverage by the employer. Previous versions of "FORM P" did not provide the expiration date of the policy. The current version of "FORM P" requires the policy expiration date to be posted. This change provides the notice and protection to non-statutory employees as intended by Rule 6.A.C.A. §11-9-403(b) and §11-9-407 together with the prescribed "FORM P" makes Rule 6 not necessary.			
Subject Matter Committee:	Public Health, Welfare and Labor Committees			
Link to Rule Document:	http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/108/Rules/2142/Final/rule6.pdf			
99.07 Posting Required Notice				ID#: 2143
Statutory Authority:	11-9-205	12/11/1981	03/01/1982	02/19/1982
<input type="checkbox"/> Required under State or Federal Law:	(none)			
Requirement Statement:	(none)			
Repeal:	A.C.A. §11-9-407 provides requirement for employers to post notice to employees that they have secured the payment of compensation. Rule 7 originally contained language to be used for posting such notice. This notice language utilized for posting notice has now been incorporated into "FORM P". As such, Rule 7 is no longer necessary.			
Subject Matter Committee:	Public Health, Welfare and Labor Committees			
Link to Rule Document:	http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/108/Rules/2143/Final/rule7.pdf			
99.24 Second Injury Fund Claims				ID#: 2160
Statutory Authority:	11-9-205	01/11/1989	04/01/1989	03/22/1989
<input type="checkbox"/> Required under State or Federal Law:	(none)			
Requirement Statement:	(none)			
Repeal:	Act 1415 of 2007 amends A.C.A. §11-9-525 by prohibiting claims for second injuries being made on or after January 1, 2008. This act has in effect eliminated the Second Injury Fund with regard to new claims made after December 31, 2007.			
Subject Matter Committee:	Public Health, Welfare and Labor Committees			
Link to Rule Document:	http://arr.blr.arkansas.gov/Portals/0/Rules/ARR/Entities/108/Rules/2160/Final/rule24.pdf			