

# NC Workers' Compensation Update: Industrial Commission to Increase Sanctions

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## Industrial Commission to Increase Sanctions

On October 2, 2017, the Industrial Commission Claims Section issued a Memorandum regarding changes to penalties available under N.C. Gen. Stat. § 97-18(j). N.C. Gen. Stat. § 97-18(j) requires defendants in a workers' compensation claim to file a Form 60, 61 or 63 within thirty days following notice from the Commission that a claim has been filed. To date, the Commission has charged a penalty of \$200 for violations.

The penalty for violations of N.C. Gen. Stat. § 97-18(j) will increase to \$400 and will be charged to defendants if they do not accept by filing a Form 60, deny by filing a Form 61 or pay a claim without prejudice by filing a Form 63 within thirty days following notice from the Commission of the filing of a claim. After the Commission charges this initial \$400 sanction, carriers or self-insured defendants will have thirty days to pay and file the appropriate form. If defendants fail to comply with this new deadline, they may be subject to additional penalties. Any currently unpaid \$200 penalty which was charged more than thirty days ago will be increased to \$400 if full payment is not made by November 30, 2017.

## More Changes at the Commission that Impact You

The North Carolina Industrial Commission is transitioning from the NC Department of Commerce to the Department of Insurance. On October 30, 2017, the Commission issued an update providing important information for employers and carriers throughout the state. Effective November 1, 2017, the Industrial Commission's Taxpayer Identification Number will be **56-1401519**. Any checks to the Industrial Commission must be payable to **Department of Insurance – Industrial Commission**. While all Industrial Commission forms have been updated to reflect new addresses, the address boxes for the Commission's individual departments have also been changed. Specifically, the Clerk's office, Raleigh Deputy Commissioner's Office, Executive Secretary's Office, Full Commission Information Specialists, Medical Billing, Mediation, Nursing and Medical and Rehabilitation Sections new box number is **1236**. The Claims Administration box is now **1235**. The Fraud Investigations and Safety Education and Training box number is **1233**. The Administration, General Counsel and Legislative Liaison's box is now **1240**. While mail addressed to closed boxes will be forwarded for some weeks, please make sure to update your address book and file to reflect these changes.

If you have any questions related to this or any other workers' compensation matter, please contact one of our [attorneys](#).

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