

NC Workers' Compensation Update: NCIC Filings by Adjuster

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NCIC Filings by Adjusters: Important Changes

The North Carolina Industrial Commission recently announced that they will no longer accept any filings for relief or responses to filings for relief filed by an adjuster. As of Monday, September 18, 2017, the Industrial Commission will no longer accept certain documents from adjusters including, but not limited to, Form 24 Applications, Responses to Form 23 Applications, Responses to Form 28Us or Responses to 18Ms.

Per the Commission's announcement, they will also not accept Motions filed by adjusters, including, but not limited to, Motions to Compel Compliance with Medical Treatment, Motions to Compel Compliance with Vocational Rehabilitation, Responses to Medical Motions or any other requests for relief.

However, the Commission will continue to accept Form 26As, Form 60s and agreements regarding death benefits entered into by the adjuster.

The Industrial Commission's decision appears to be a response to the North Carolina State Bar's concern that the filing for relief and filing responses to motions by adjusters constitutes an unauthorized practice of law. Per the Commission's announcement, any submission by an adjuster detailed above will be rejected and not considered by the Commission.

Going forward, it will be necessary to retain an attorney to file Form 24 Applications, Responses to Form 23 Applications, Responses to Forms 28Us and Responses to Form 18Ms, as well as Motions to Compel Compliance and Responses to Medical Motions. If Defendants wish to respond to a pending administrative filing by Plaintiff, the Commission may grant Defendants 10 days from the date of the rejection to obtain legal counsel and file a response.

This announcement should not affect an adjuster's ability to negotiate settlement terms. As always, it will be necessary to continue to proactively respond to submissions by Claimants and their attorneys, and also monitor whether the Commission accepts or rejects all submissions, motions, pleadings and North Carolina Industrial Commission Forms.

For questions or more information, please contact one of MGC's [attorneys](#).

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