

# Upcoming Revisions to Costs and Fees Associated with Workers' Compensation Hearings and Settlements

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## Media Contact

Erica Gianetti

Marketing & Communications Supervisor

[erica.gianetti@mgclaw.com](mailto:erica.gianetti@mgclaw.com)

Effective November 1, 2014, certain rule changes have been promulgated with an effect on the cost of workers' compensation hearing before the North Carolina Industrial Commission. Rule 04 NCAC 10E .0202 now provides that, at least until July 1, 2015, hearing costs for Deputy Commissioner hearings shall be in the amount of \$120.00. A fee of \$120.00 will also be charged in the event a case is continued, withdrawn, removed or dismissed after calendaring; or in the event an appeal to the Full Commission is withdrawn or dismissed for failure to prosecute after being scheduled for hearing. Such charges are to be paid by the Employer/Carrier, except in the case of a continuance requested by the Employee. These provision will be in effect until July 1, 2015, at which point they are subject to change.

Also effective November 1, 2014, Rule 04 NCAC 10E .0203 now provides for a \$400.00 fee for the processing of compromise settlement agreements, with the fee to be paid in full by the Employer or Carrier, who will then be entitled to a credit of \$200.00 against settlement proceeds. The fee for processing a Form 21, Form 26 or [Form 26A](#) will be \$300.00, with the Employer entitled to a credit for the Employee's 50% share of the fee against the award. The fee for processing the Form MSC5 *Report of Mediator* will be \$200.00, with the Employer entitled to withhold Employee's 50% share of the fee from any award. The fee for the filing of a Form 33I *Intervenor's Request that Claim be Assigned for Hearing* will match the fee required to file a civil action in Superior Court and is to be paid by the intervenor. These provisions will be in effect until July 1, 2015, at which point they are subject to change.

Please note that changes to Industrial Commission Form 21 and [Form 26A](#) are also subject to be put into effect as of July 1, 2015. We will be sure to keep you apprised with regard to the specific Form and Rule changes as their July 1, 2015 effective date approaches.

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

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